

We Abdallah II Ibn Al Hussein King of the Hashemite Kingdom of Jordan pursuant to Article (31) of the Constitution and in accordance with the decision made by the Senate and the House of Representatives endorse the following Law and order its issuance and addition to the laws of the state:

Law No. 15 of 2015
Electronic Transactions Law

Article 1:

This Law shall be called “Electronic Transactions Law of 2015” and shall enter into effect on the date of its publication in the Official Gazette.

Article 2:

Wherever they appear in this law, the following terms and expressions shall have the meanings assigned thereto hereunder unless the context indicates otherwise:

Transactions :Any procedure between one party or more to establish an obligation upon one party, or mutual obligations between two parties or more in relation to a business transaction, a civil work, or a work with a government department.

Electronic Transactions :Transactions carried out by electronic means.

Electronic Means :The technology of using electronic, magnetic, optical, electromagnetic, or any other similar means.

Electronic Information :Data, texts, images, figures, shapes, sounds, codes, databases, or any other similar means.

Electronic Information

System	:A set of programs and tools established to generate, send, deliver, process, store, manage, or present information through electronic means.
Electronic Information Message	: Information that is generated, sent, received, or stored through any electronic means including E-mail, short messages, or any other means for exchanging information electronically.
Electronic Record	:Information message that includes register, contract, record, or any other document which is generated, stored, used, copied, sent, communicated, or received through electronic mean.
Electronic Bond	:A bond that is created, signed, and dealt with electronically.
Electronic Signature	: Information in the form of letters, numbers, codes, symbols, or other and which is electronically, or in any other similar mean, included in, affixed to, or associated with an electronic record. It is used to authenticate the identity and unique usage of the signatory and differentiate him from others.
Initiator	: The person who initiates or sends the information letter.
Electronic Intermediary	:The electronic program or software used to carry out a procedure or to automatically respond to a procedure for the purpose of generating, sending, or receiving information message.
Electronic Authentication Certificate	:A certificate issued by an electronic authentication party to verify relating the electronic signature to a specific person in

		accordance with the approved authentication procedures.
Electronic Authentication		:Verifying the identity of the user of the electronic authentication certificate along with verifying its validity.
Electronic Authentication Party		:The party that is either licensed and accredited by the Telecommunications Regulatory Commission or which is legally authorized to issue authentication certificates and to provide any related services pursuant to the provisions of this law and the regulations and instructions issued thereunder.
Private Key		: A code used to generate electronic signature in an electronic transaction, information message, or electronic record.
Public Key		:A code that is designated or approved by the electronic authentication parties to the user of the electronic authentication certificate to verify the validity of the electronic signature.
Signatory		: The person who has been issued an electronic authentication certificate by an electronic authentication party. Such person possesses the Public and private keys whether he/ she signed himself/ herself or appointed a representative to sign on his/ her behalf.
Root Electronic Authentication Certificate		:An electronic authentication certificate that electronic authentication parties issued for themselves to enable other authentication parties to trust the certifications issued by them.

Electronic Authentication of Root Certificate System :A set of coordinated and integrated elements that contains the electronic intermediaries through which the root electronic authentication certificate is issued and managed.

Article 3:

- a. The provisions of this law shall apply to transactions carried out through electronic means.
- b. The provisions of this law shall not apply to the following unless otherwise indicated by any other law:
 - 1- Establishing and amending a will.
 - 2- Establishing Waqf and amending its conditions.
 - 3- Transactions related to movable and immovable properties that legislations necessitate their registration including their power of attorney, their title deeds, in addition to establishing real rights, excluding lease contracts.
 - 4- Powers of attorney and transactions related to civil status.
 - 5- Notices related to canceling or revoking contracts of water and electricity services, health insurance, and life insurance.
 - 6- Court proceedings and pleadings, judicial notification notices, and court resolutions.
 - 7- Securities unless provided under special regulations issued by competent authorities in accordance with the Securities Law or any other legislation in force.

Article 4:

- a. Any Ministry, public official institution, public institution, or municipality may carry out its transactions using electronic means provided that it fulfills the requirements of electronic transactions stipulated in this law and the regulations and instructions issued hereunder.
- b. When carrying out any of its transactions through electronic means, each ministry, public official institution, public institution, or municipality shall, in accordance with the regulations that are issued for this purpose, determine the provisions and procedures related to the issues indicated hereunder:
 - 1- Establishing, depositing, retaining, or issuing electronic records.
 - 2- Using electronic signature or any other conditions related to it.
 - 3- Guaranteeing the security, protection, confidentiality, and safety of electronic records and transactions.
 - 4- Date of commencing its transactions using electronic means.

Article 5:

- a. The Ministry of Information and Communications Technology shall be the electronic authentication party for ministries, public official institutions, public institutions, and municipalities. It shall as well issue electronic authentication certificates to be used in transactions related to any of the aforementioned institutions.
- b. Upon a recommendation from the minister of the Information and Communications Technology, the Council of Ministers may appoint any commission, public official institution, or governmental department to undertake the roles explained in paragraph (a) of this Article.

Article 6:

With regard to the provisions of paragraph (b) of Article (3) of this law, if any legislation requires the submission of any register, contract, document, or certificate in writing, the submission of its electronic record shall have the same legal consequences under the following conditions:

- a. The information stated in the electronic record may be accessed.
- b. The possibility of storing the electronic record and the ability to refer to it at any time without making any changes on it.

Article 7:

- a. If any legislation requires the submission of the original copy of the register, contract, document, or certificate, the electronic record shall have the strength of the original if it fulfills the following:
 - 1- Retained in the form it had been generated, sent, or received and in a way that does not allow making any modification or change on its content.
 - 2- Retained in an accessible form to enable easy access to the information contained therein and to use such information and refer to them at any time.
 - 3- Enable the recognition of the initiator, addressee, and the date and time when the record was initiated, sent, or received.
- b. The conditions stipulated in paragraph (a) of this Article shall not apply to the information attached in the electronic record if the purpose of such information is to facilitate the sending and receiving of the electronic record.
- c. The initiator or addressee may prove the conditions stipulated in paragraph (a) of this Article through any types of proofs with due regard to the principles stipulated in the relevant laws.

Article 8:

If the law stipulates the retention of a [written] document for any reason, its retention in the form of an electronic record shall have the same legal consequences, provided that the electronic record fulfills the conditions stipulated in Article (7) of this law.

Article 9:

The information message shall be deemed as a mean of expressing the will legally admissible to convey offer or acceptance for establishing a contractual intent.

Article 10:

The information message shall be deemed to be issued by the Initiator whether it was sent by the initiator for his/ her account, by a person working on his/ her behalf, or by an electronic intermediary that is set to work automatically in the initiator's name or on his/ her behalf.

Article 11:

- a. The addressee shall consider the information message as issued by the initiator under any of the following two cases:
 - 1- If the addressee follows any measure which he/ she has previously agreed upon with the initiator to verify that the information message was issued by the initiator.
 - 2- If the information message received by the addressee was the result of procedures carried out by a person affiliated to the initiator, a person acting on his/ her behalf, or a person authorized to have access to the electronic intermediary that is used by the initiator.
- b. The addressee shall act as if the information message was not issued by the initiator under any of the following two cases:

- 1- If the addressee has received a notice from the initiator informing him/her that the electronic message was not issued by him/ her. This shall be valid from the date of issuing the notice and the time the addressee received it. The initiator shall be liable to any claims prior to the notice.
- 2- If the addressee knew that the message was not issued by the initiator.

Article 12:

- a. Where the initiator has requested in an information message or has agreed with the addressee to acknowledge receipt of that message without specifying the method for this purpose, the addressee's sending of such acknowledgement through electronic means or any other means to indicate the receipt of the message shall be deemed as a fulfillment of that request or agreement.
- b. Where the initiator has stated that the consequence of the information message is conditional to his/ her receipt of an acknowledgement from the addressee that he/ she has received that message, the message shall be treated as though it has never been sent until the acknowledgement is received.
- c. Where the initiator has requested from the addressee an acknowledgement of receipt and has not specified a time limit for such, and where the initiator has not made the consequence of the information message conditional to his/ her receipt of the acknowledgment, the initiator may, if he/ she has not received the acknowledgment within a reasonable time, give a reminder to the addressee to send the acknowledgement within a specified time. If the initiator does not receive the acknowledgement within the specified time, the message shall be deemed null and void.
- d. The receipt of the acknowledgement does not in itself constitute a proof that the content of the information message that was received by the addressee corresponds to the content of the information message sent by the initiator.

Article 13:

- a. Unless the initiator and the addressee agreed otherwise, the dispatch of the information message shall occur when it enters an information system outside the control of the initiator, the person, or the electronic intermediary that sent the message on behalf of the initiator.
- b. The time of receiving the information message shall be designated as follows:
 1. If the addressee has designated an information system for the purpose of receiving the information messages, the message shall be deemed to have been received upon its entry into such system.
 2. If the addressee has not designated an information system for the purpose of receiving the information messages, the message shall be deemed to have been received at the time of the message's entry into any information system belonging to the addressee.

Article 14:

- a. Unless otherwise agreed between the initiator and the addressee, the information message shall be deemed to be dispatched at the place where the initiator has his/ her place of business, and shall be deemed to be received at the place where the addressee has his/ her place of business. If neither has a place of business, their habitual residence shall be deemed to be their place of business.
- b. Where the initiator or the addressee has more than one place of business, the place of dispatch or receipt shall be that which has the closest relationship to the transaction. When it becomes impossible to be preponderant, the principal place of business shall be deemed to be the place of dispatch or receipt.

Article 15:

The electronic signature shall be deemed as being protected if the following combined conditions are met:

- a. If it is unique in its connection to signatory and distinguishes him/ her from others.
- b. If it identifies its owner.
- c. If the private key is under the control of the signatory when he signs.
- d. If it is connected to the electronic record in a way that does not allow modification on such record after signing it and without making any changes on that signature.

Article 16:

The electronic signature shall be deemed authenticated if all of the aforementioned conditions stipulated in Article (15) of this Law are fulfilled and if it was connected to an electronic authentication certificate issued, at the time the electronic signature was created, in accordance with the provisions of this law and the regulations and instructions issued hereunder by any of the following institutions:

- a. An electronic authentication party licensed in Jordan.
- b. An accredited electronic authentication party.
- c. Any governmental body legally authorized by the Council of Ministries whether it was a ministry, public official institution, public institution, or municipality provided that it fulfills the requirements of the Telecommunications Regulatory Commission.
- d. The Ministry of Information and Communications Technology.
- e. The Central Bank of Jordan with regard to the banking or financial electronic operations.

Article 17:

- a. The electronic record that carries a protected electronic signature shall have the same evidential weight designated to the ordinary bond and the parties of the electronic transaction may use it in an argument for the purpose of proofing evidence.
- b. The electronic record that carries an authenticated electronic signature shall have the same evidential weight designated to the ordinary bond. Parties of the electronic transaction in addition to others may use it in an argument for the purpose of proofing evidence.
- c. In cases other than those set forth in paragraphs (a) and (b) of this Article, the electronic record that carries an electronic signature shall have the same evidential weight designated for an ordinary bond against parties of the electronic transaction. In case of denial, the evidential weight shall be on the party who uses the electronic record for the purpose of proofing evidence.
- d. The electronic record that does not carry an electronic signature shall have the same evidential weight designated to unsigned documents for the purpose of proofing evidence.
- e. An official bond may be issued or authenticated through electronic means provided that its electronic record carries an authenticated electronic signature.

Article 18:

- a. The electronic bond shall be transferable if the conditions of negotiable bond apply to it in accordance with the provisions of the Commercial law, with the exception of the condition of writing, provided that the drawer has approved its negotiability.

- b. The holder of the electronic bond shall have the authority over the transferable electronic bond if the drawer has approved the negotiability of such bond and provided that it has an authenticated electronic signature.

Article 19:

Unless agreed otherwise, the holder of an electronic bond shall have the authority over a transferable bond and shall have the same rights and claims entitled to the ordinary bond holder in accordance with any legislation in force, provided that it met all conditions stipulated thereof.

Article 20:

The debtor of a transferable electronic bond shall enjoy the same rights and claims enjoyed by a debtor of a paper negotiable bond.

Article 21:

- a. The transfers of funds through electronic means shall be deemed as an acceptable method of payment.
- b. The Central Bank of Jordan shall define the following in accordance with a by- law issued for this purpose:
 - 1. The electronic payment systems work procedures and their technical requirements, the requirements and conditions of issuing and dealing with electronic money, as well as settling disputes that may arise between parties of electronic money transfer transaction.
 - 2. The conditions, procedures, and technical requirements related to electronic checks as well as the specifications of the

electronic system that shall apply to present, view, and clear checks electronically.

Article 22:

- a.
 1. With due regard to the Banking Law, every electronic payment and transfer company shall have a license from the Central Bank of Jordan.
 2. The licensing conditions, its revocation cases, fees, fines, administrative penalties, minimum capital, guarantees, and periods and cases of rectifying positions for companies established prior to the enforcement of this law as well as any other matters relevant to the electronic payment and transfer systems shall be defined in accordance with a regulation issued for this purpose.
- b. The business activities of the electronic payment and transfer of funds companies shall be subject to the supervision and control of the Central Bank of Jordan.
- c. For the purpose of this Article, the electronic payment and transfer of funds company shall mean a company that provides the services of payment, transfer, financial settlements, electronic clearing, or the issue and management of the systems and tools of the electronic payment in accordance with the provisions of this law and the regulations and instructions issued thereunder as well as any other related legislations.

Article 23:

- a. The Ministry of Information and Communications Technology shall be responsible for managing the electronic authentication systems of the root certificate.
- b. The Telecommunications Regulatory Commission shall be the party specialized in licensing and accrediting electronic authentication parties as well as regulating their activities in accordance with the legislations and regulations issued pursuant to the provisions of this law.

Article 24:

Any person shall be subject to a penalty of imprisonment for a period no less than three months and no more than three years or a fine of no less than (1000 JD) one thousand Jordanian Dinar and no more than (5000 JD) five thousand Jordanian Dinar or by both penalties if he/ she:

- a. Establishes, publishes, or submits an electronic authentication certificate for an illegal or fraudulent objective.
- b. Provides a party engaged in electronic authentication with faulty information under the intent of issuing, invalidating, or canceling an authentication certificate.

Article 25:

Any accredited or licensed party engaged in electronic authentication shall be penalized by the payment of a fine no less than (50000 JD) fifty thousand Jordanian Dinar and no more than (100000 JD) one hundred thousand Jordanian Dinar in addition to revoking its license or credential if it submits faulty information in the licensing or accreditation application, discloses the secrets of any of its clients, or uses the information it has about the applicant for electronic authentication certificate for purposes other than those assigned for the electronic authentication activities without obtaining a prior written approval from the applicant.

Article 26:

Whoever practices the activity of a party engaged in electronic authentication inside Jordan without obtaining a license or accreditation in accordance with the provisions of this law shall be penalized by the payment of a fine no less than (50000 JD) fifty thousand Jordanian Dinar and no more than (100000 JD) one hundred thousand Jordanian Dinar.

Article 27:

The Council of Ministers shall issue the systems necessary for the execution of the provisions of this Law, including the system for licensing and accrediting parties engaged in electronic authentication as well as the fees to be collected for this purpose.

Article 28:

Temporary Electronic Transaction Law No. 85 of 2001 shall be void provided that the legislations and regulations thereunder remain valid until being replaced, amended, or canceled in accordance with the provisions of this law in a maximum period of one year from the date of the enforcement of the provisions of this law.

Article 29:

The Prime Minister and Ministers shall be responsible for the implementation of the provisions of this Law.

- Prime Minister and Minister of Defense Dr. Abdullah Nsur

-Deputy Prime Minister and Minister of Foreign Affairs and Expatriate Affairs Muhammad Naser Sami Judah

- Deputy Prime Minister and Minister of Education Dr. Muhammad Mahmoud Thunaybat

- Minister of Planning and International Cooperation Emad NajeebFakhuri
- Minister of Agriculture Dr. Akif Al-Zubi
- Minister of Water and Irrigation Dr. Hazem Al-Nasir
- Minister of Interior Salama Hammad
- Minister of Tourism and Antiquities Nayif Hamdi Al-Fayiz
- Minister of Public Sector Development Dr. Khaleef Al-Khawaldah
- Minister of Finance Dr. Umayya Tukan
- Minister of Environment Dr. Tahir Al-Shakhsheer
- Minister of Municipal Affairs Eng. Waleed Al-Masri
- Minister of State for Prime Ministry Affairs Dr. Ahmad Zayadat
- Minister of Labor Dr. Nidal Murdi Qatameen
- Minister of Social Development Reem Mamdooh Abu Hassan
- Minister of State for Media Affairs Dr. Muhammad Hussain Al-Momani
- Minister of Energy and Mineral Resources Dr. Ibrahim Hasan Sayf
- Minister of Health Dr. Ali Nahla Huyasat
- Minister of Justice Dr. Bassam Sameer Talhoni
- Minister of Public Works and Housing Eng. Sami Halsa
- Minister of Culture Dr. Lana Muhammad Mamkugh
- Minister of Political and Parliamentary Affairs Dr. Khalid Kalalda
- Minister of Awqaf Islamic Affairs and Holy Places Dr. Hayel Abdelhafeed Dawud
- Minister of State Dr. Salam Nuaimat
- Minister of Information and Communications Technology Majid Shwaika
- Minister of Higher Education and Scientific Research Dr. Labeeb Khadra
- Minister of Industry and Trade and Supply Maha Abdalraheem Ali
- Minister of Transport Dr. Lina Shabib

