

27/3/14966

Date: 10/3/1440

18/11/ 2018

**The Instructions of Financial Consumer Protection for Customers with Disabilities
No. (18/ 2018)**

Issued pursuant to items (13 and 14) of paragraph (b) of Article (4) and paragraph (b) of Article (65) of the Central Bank of Jordan Law No. (23) of 1971 and its amendments, in addition to Article (43/C) of the Law on the Rights of Persons with Disabilities No. (20) for the year 2017

Owing to the Central Bank of Jordan’s keenness to protect the consumers of financial and banking services on the basis of equality among all segments of the society without any form of discrimination or derogation of the rights of any of them, and with the aim of deepening financial inclusion in the Kingdom and empowering all segments of society to access financial and banking services, these instructions are intended to remove all physical and behavioral barriers which impede or hinder access to the banking and financial services by customers with disabilities, according to key principles of financial consumer protection and best international practices, and on the basis of equality with others in managing their financial affairs in complete independence, freedom and privacy.

Article (1):

These instructions shall be called “The Instructions of Financial Consumer Protection for Customers with Disabilities”; and their provisions shall apply to all service providers including banks and non-banking financial institutions (to the extent applicable to them) operating in the Kingdom and that are subject to the supervision and oversight of the CBJ.

Article (2): Definitions

The following words and phrases shall have the meanings assigned to them thereto wherever they appear in these instructions unless the context indicates otherwise:

The Customer/ Client : The person with disability, as defined in the Law on the Rights of Persons with Disabilities in force, who has obtained or used any of the services and/ or products provided by the service provider, or wants to obtain these services and products. Persons with psychological and

mental disability that inhibits the ability of making decisions independently are excluded from this definition.

- Service Provider : Operating banks, their branches, and subsidiaries located in the Kingdom, in addition to non-banking institutions that are subject to the supervision and oversight of the CBJ.
- The Council : The Higher Council for the Rights of Persons with Disabilities (HCD).
- The Signature : Any authorized form of signature chosen by the customer with disability, which includes handwritten signature, or stamp, or electronic fingerprint, or fingerprint, or finger vein authentication, or eye biometric authentication.
- Accessibility : Equipping buildings, roads and facilities available to the public and adapting them according to the Building Code Requirements for Persons with Disabilities issued under the provisions of the Jordan National Building Code and any special standards issued or approved by the Council.

Article (3): Appropriate Design and Delivery of Financial Products and Services for Customers with Disabilities

The service provider shall develop clear, specific, and written procedures for dealing with clients with disabilities, and include them in its general policies and credit policies. The service provider shall also take into consideration the special requirements for clients with disabilities when designing the banking and financial products and services, furthermore, the disabled should be included within the targeted clients in the service provider's policies and the related operating procedures in line with the general policy of the service provider.

Article (4): Due Diligence Procedures

First: The service provider shall identify the client with disability through the verification of the client's identity document and the approved medical report which determines the type of disability according to the due diligence procedures stipulated in the Anti Money Laundering and Counter Terrorism Financing Instructions in force for every service provider.

Second: The service provider shall request the approved medical report only once in the beginning of the financial and banking relationship with the disabled client. The service provider is banned from requesting the medical report on each financial transaction for the client.

Article (5): Accessibility

In order to ensure the provision of banking services to clients with disabilities on the basis of equality with others, the bank shall provide access and use of the bank's premises and facilities so that persons with disabilities can access and benefit from the provided services without any difficulties or complications as follows¹:

First: Each bank of 10 branches and above in the Kingdom, shall provide and prepare 10 percent of its branches in every governorate where it is located and by one branch as a minimum; to be equipped with proper and appropriate measures taking into consideration the ease of access and provision of banking services for customers with disabilities, to include at least the following:

1. Providing ramps to facilitate access for customers with disabilities to the bank's premises and use of its various facilities.
2. Providing parking spaces dedicated for the reception of clients with disabilities.
3. Providing talking Automated Teller Machines (ATMs), within the following conditions:
 - Their height should be appropriate for the usage of customers with disabilities.
 - They should enable the receipt and sending of sound services and provide special headphones for that.
 - They should be supported with a braille keyboard or any other features to differentiate numbers.
4. Providing counters on appropriate height to deal with customers with disabilities or serving them separately through independent desks.
5. Providing steel deposit boxes (safes) services as suits the needs of persons with disabilities.
6. Providing electronic explanations for the provided banking services, for example compact disks (CDs), which should be provided for the disabled client upon request.

Second: The bank which has less than 10 branches in the Kingdom, shall equip one branch in the Kingdom as a minimum for providing banking services for disabled customers. If

¹ The annex attached to the instructions includes optional guidelines which can be followed by the banks for providing banking services for clients with disabilities.

the bank is unable to equip the branch for reasons beyond its control, the bank must provide the services to the clients with disabilities without any fees or charges on the services and products including the ATM cards commission, salary transfer commission, cash withdrawal from branch charge and other.

Third: When licensing a new branch, the bank shall take into consideration to the extent possible, that this branch is prepared to deal with clients with disabilities.

Fourth: The bank may use a mobile bank branch to reach clients with disabilities, and provide home services for them if possible.

Article (6): The Terms for Authorizing the Signature of the Client with Vision Disability or the Illiterate Customer

First: The bank shall authorize the signature chosen by the client with vision disability or the illiterate customer who doesn't read or write either by a handwritten signature, or stamp, or electronic fingerprint, or fingerprint, or finger vein authentication on banking transactions without requiring witnessing, and the disabled client is considered to be acknowledging his/her acquaintance and knowledge of the content of the transaction and its procedures, if he/she signed on it by a handwritten signature, or stamped it with his/her stamp, or electronic fingerprint, or fingerprint, or finger vein authentication.

Second: For approving the signature without witnesses, pursuant to the provisions of the first paragraph of this article, it is required that the client with vision disability or the illiterate client signs a pledge confirming the validity of the signature to be approved by the bank only once and in the presence of two witnesses who are not employees in the bank. The pledge should include the full name of the client, his information, personal photo, and the form of signature he/she has chosen, in addition to the full names of the witnesses and their full information.

Third: Pursuant to the pledge stipulated in the second paragraph of this article, the customer confirms that he/she understands the content of the pledge and its legal and practical consequences, as well as his/her full responsibility of the completion of his/her banking transactions without witnesses on that.

Fourth: The presence of the two witnesses is required only once, as their role is limited to witnessing on the validity of the signature in the pledge only without acquainting them with the banking information and banking accounts of the client.

Fifth: The customer with vision disability or the illiterate client may change the form of signature which he/she wants to be approved, provided that he/she signs a new pledge pursuant to the provisions stipulated in the first and second paragraphs of this article.

Article (7): The service provider shall enable the access of customers with disabilities to electronic services, including but not limited to, for example the usage of banking cards, online banking services, and banking services through mobile applications, and other.

Article (8): Responsible Pricing

First: The service provider shall price the financial and banking products and services for clients with disabilities on the basis of equality with other clients. Raising costs and/ or fees for clients with disabilities due to the facilitative procedures provided by the bank is prohibited.

Second: The bank is not allowed to demand from the clients with disabilities the provision of additional guarantees to obtain different credit products due to disability.

Third: The bank shall to the extent possible allocate a ratio of its loans portfolio to finance productive and operational projects for customers with disabilities.

Article (9): Fairness and Transparency in Dealing with Customers with Disabilities

First: Advertising and Marketing

- A. The service provider shall include, in its advertising and marketing policy of the products and services provided, a clause indicating that customers with disabilities are included in these products and services and can benefit from them.
- B. The bank should provide bulletins and brochures specified for customers with disabilities regarding all their products and services, and use Brail method and/ or electronic formats as well as the applications which use sign language whenever possible. These bulletins should include detailed information concerning those products and services, and in a way which enables customers to compare and choose between those products.

Second: Achieving Fairness in Dealing with Customers with Disabilities

- A. The service provider is prohibited from excluding or restraining the access of customers with disabilities to any of the financial and banking services for any reason and under any pretext based on disability or caused by it, without the existence of a legal justification for that.
- B. The service provider is prohibited from dealing with customers with disabilities by arbitrary and unfair practices, and they should be treated with respect and fairness, and on the basis of equality with others without any discrimination.

- C. Customers with disabilities are allowed to assign representatives for themselves to manage their bank accounts if they want to, provided that the bank clarifies for the customer any risks which might be associated with that and the procedures for terminating the representation. The bank should also offer assistance for the disabled client for filling out the required forms.

Article (10): Protecting Customers with Disabilities against Over-Indebtedness Risks

The bank shall protect customers with disabilities against over-indebtedness risks so that the banking services and products are provided according solvency assessments and the consumers' ability to repay and not exceeding the debt burden ratio specified in the bank's credit policy.

Article (11): Protection of Data of Customers with Disabilities

First: the collected data of customers with disability shall be documented, correct, and accurate and shall be updated regularly. The customer is entitled to review the data and to file an objection if it is not correct.

Second: The service provider shall classify the data of customers with disabilities on the screens of the banking system in place, so that the type of disability is determined. The bank may also use special codes or assign specific account numbers, which are designated specifically to customers with disabilities to facilitate the provision of the services.

Third: all data and information of customers with disabilities are confidential and shall not be used or shared with any third party without a prior written consent of the customer, and in accordance with the provisions of the legislations in force.

Fourth: the service providers shall raise the awareness of customers with disabilities regarding the Credit Bureau, stating that the service provider has the right to provide their data to the bureau and inquire their data in accordance with the provisions of the Credit Information Law No. (15) of the year 2010, and the Credit Information Companies Bylaw No. (36) of the year 2011. The bank shall clarify the client with disability that he/ she has the right to obtain his/ her credit report, and file an objection to the validity of the information reported therein.

Fifth: The Bank shall document the banking transactions carried out by customers with vision and hearing disabilities using video and audio means and make these documents available to them at any time.

Sixth: The bank shall keep the banking transactions of customers with disabilities documented for a period not less than five years from the date of closing the transaction or the termination date of the banking relationship as appropriate. The customer's objection is not applicable after the end of this period.

Seventh: The service provider shall ensure that employees are committed to keep the data and information of customers with disabilities confidential, and not to abuse or disclose these data and information during their work in the bank/ financial institution and even after leaving work.

Eighth: The service provider shall be responsible for providing the appropriate environment and safe procedures to protect the data and information of customers with disabilities. The bank/ financial institution shall put in place clear working procedures to ensure the protection of the electronic data of customers with disabilities in accordance with the CBJ's effective instructions related to inserting, modifying, and accessing these data, in addition to archiving procedures and the protection of backup systems.

Article (12): Promoting Financial Literacy and Raising Financial Awareness among Customers with Disabilities

First: the service provider shall coordinate with the Council, charities and entities involved in issues related persons with disabilities, as well as the CBJ to raise the persons with disabilities' awareness regarding their right to use the financial and banking services as well as their duties and responsibilities regarding the use of these services.

Second: the service provider shall provide and furnish its website and social media (if any) with materials concerning raising the awareness about the financial and banking services provided to customers with disabilities and how to obtain them.

Article (13): The Assessment of the Service Provider Commitment to the Financial Consumer Protection Instructions of Customers with Disabilities

First: the bank shall provide the CBJ with annual reports on clients with disabilities including the number, type of disability, services and products provided to them as well as the branches they are dealing with.

Second: the annual internal audit plan of the service provider shall include a review of the procedures of dealing with customers with disabilities as stipulated in these Instructions as well as the recommendations of any amendments to these procedures, if any.

Article (14): General Provisions

First: the service provider shall consider the training of a specialized staff to communicate effectively with customers with disabilities, in order to facilitate the service provision.

Second: whenever a service is provided to customers with disabilities, they shall be prioritized. In this regard, it is preferable to issue specialized banking cards to facilitate their access to the financial services quickly and effectively.

Third: in case of breaches of any of the provisions of these Instructions, the service provider shall be subject to one or more of the penalties and procedures stipulated in the legislations in force.

Fourth: comply as applicable with effective laws regarding the employment of persons with disabilities.

Fifth: the provisions of the Instructions on Dealing with Customers Fairly and Transparently No. (56/2012), the Consumer Protection Instructions for the Microfinance Sector No. (15/2018), and the Instructions of the Internal procedures for Handling Consumers' Complaints of Financial and Banking Services Providers, No. (1/2017), shall be applied to consumers with disabilities as well.

Sixth: These Instructions shall supersede the Instructions of banking services provided by banks for persons with disabilities No. (66/2016) and their amendments, and shall be effective as of the date of their issuance. These Instructions shall come into force after one year from the date of issuance maximum.

Governor

Dr. Ziad Fariz

Annex: Optional Banking Guidelines for Providing the Banking Services to Customers with Disabilities

- a. Develop customers with disabilities friendly banks’ websites, including but not limited to audio explanations and videos in sign language.
- b. Expand the network of branches appropriate for persons with disabilities, besides training the employees on the principles of dealing with them, as well as prioritizing them in the waiting area.
- c. Set a specific date or a conduct a home visit for the client and provide an intensive and specialized assistance to read the documents and to fill out any applications.
- d. General guidelines for dealing with clients with disabilities according to the type of disability:

Hearing Disability	Vision Disability	Moving Disability
<ol style="list-style-type: none"> 1. Using Text Relay technology to communicate with customers through smart phones or computers, which converts voice conversation into readable text and vice versa. 2. Furnishing the branches with Induction Loops systems that transmit radio magnetic signals picked up by hearing aid devices used by some hearing impaired persons. 3. Train some employees with the sign language or appoint specialists in this language for assistance. An online (Sign-Video) feature with an online translation may also be introduced to facilitate the communication with customers. 4. Provide a waiting number system that allows the number to be displayed visually to indicate the customer number to be served. 5. Activate the Online Banking service. 6. Activate the Mobile Banking service. 7. Activate the SMS service. 	<ol style="list-style-type: none"> 1. Provide all publications, forms and bank notifications in large font size, in Braille, or in Audio CD. 2. Provide an audio reading for all information and forms included in the banks websites. 3. Consider all screens and advertisements to be clear, written in large font, and lit properly. 4. Providing readability for banks’ websites using screen readers and magnifiers. 5. Furnish the ATMs with a proper and clear lighting, and a keyboard containing protruding and spaced numbers. 6. Install a touchable ground signs to facilitate the movements and direct persons with visual disabilities inside the branch. 7. Use special cards for persons with visual problems (High-visibility debit cards). 8. Activate Mobile Banking services. 9. Provide a talking waiting system at branches to indicate the customer number to be served. 	<ol style="list-style-type: none"> 1. Carry out construction modifications such as (ramp) in all branches as possible, provide power-assisted doors, and expand spaces in the main entrance and special parking. 2. Provide low-level counters. 3. Provide Call Assistance Bell for assistance. 4. Provide elevators in multi-floors branches. 5. Set ATMs in a way that facilitates the use by persons with disabilities taking into consideration the appropriate height. 6. Activate the Online Banking service. 7. Activate the Mobile Banking service.