

## Law No.47/2007

### Law on Securing the Right to Information Access

#### Article (1)

This Law shall be nominated “Law on Securing the Right to Information Access 2007”, and come into force as of the date it is published in the Official Gazette.

#### Article (2)

Unless the context otherwise so requires, the following words and sentences wherever mentioned in the present Law shall have the meanings attributed thereto below:

**Information:** any oral or written data, written, copied, recorded or electronically stored records, statistics or documents or stored by any other means falling within the scope of the control or liability of the official in charge.

**Classified Documents:** any oral information or written, printed, typed or electronically or otherwise stored documents, documents printed on waxed or copying paper, recording tapes or solar films, films, schemes or the like that are classified as confidential or protected under the provisions of the applicable legislations.

**Ordinary Documents:** any unclassified documents under the control or the liability of the official in charge.

**Department:** the ministry, department, authority, entity or any public institution, public official institution or company that is in charge of the management of a public facility.

**Official in Charge:** the minister(s), chairman or director of the department.

**Board:** the information board formed under the Provisions of the herein law.

**Chairman:** the Chairman of the Board/Minister of Culture.

**Information Commissioner:** the Director of the National Library Department along with his/her base position.

#### Article (3)

a. A board shall be formed by virtue of the herein Law under the name of (Information Board), to be formed as follows:

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|--|---------------|
| 1. Minister of Culture                       | Chairman      |
| 2. Information Commissioner                  | Vice-Chairman |
| 3. Secretary General of Ministry of Justice  | Member        |
| 4. Secretary General of Ministry of Interior | Member        |

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| 5. Secretary General of the Media Higher Council      | Member |
| 6. Director of Public Statistics Department           | Member |
| 7. Director of National Information Technology Center | Member |
| 8. Director of the Armed Forces Abstract Direction    | Member |
| 9. Human Rights Commissioner                          | Member |
- b. The Chairman and the Members of the Board have no right to any remunerations from the State's Treasury.

**Article (4)**

The Board shall be competent to the following tasks and terms of reference:

- a. The Board shall ensure the provision of information for their requesters within the limits of this Law.
- b. The Board shall consider the complaints submitted thereto by the information requesters and resolve the same as per the instructions made for this purpose.
- c. The Board shall approve the information request forms.
- d. The Board shall issue bulletins and undertake appropriate activities to explain and enhance the right of knowledge and obtaining information culture.
- e. The Board shall approve the annual report on the enforcement of the right of obtaining information submitted by the Information Commissioner and present the same to the Prime Minister.

**Article (5)**

- a. The Board shall meet at least once a month or whenever it is necessary to do so by convention by the Chairman or Vice-chairman or at the request of at least four (4) members of the Board to consider the matters set out in this request.
- b. The meeting shall only be valid if it is attended by at least five (5) members, including the Chairman or the Vice-Chairman, and resolutions are made either unanimously or by majority of the members' votes.
- c. The Board has the right to invite any person of competence or expertise to attend its meetings without having the right to vote on decision-making.

**Article (6)**

- a. The Information Commissioner shall be competent to the following tasks and terms of reference:
  1. The Information Commissioner shall prepare the Information Request Form in cooperation with the Department and submit the same to the Board.
  2. The Information Commissioner shall prepare the instructions related to the acceptance, resolution and submission of complaints to the Board for resolution.
  3. The Information Commissioner shall receive complaints from the Information requesters and present the same to the Board for resolution.
  4. The Information Commissioner shall take administrative and professional procedures required for the execution of the duties and powers vested therein.

- b. The "National Library Department" shall render the administrative and professional services required to fulfill the duties and liabilities vested in the Board and Information Commissioner under the Provisions of this Law.

#### **Article (7)**

Subject to the provisions of the applicable legislations, each Jordanian citizen has the right to obtain the information he/she requires according to the Provisions of this Law should he/she has a lawful interest or justification.

#### **Article (8)**

The Official in Charge shall facilitate the obtaining of information and ensure the prompt disclosure thereof in the manner set forth in this Law.

#### **Article (9)**

- a. The information request shall be presented in the form approved for this purpose, including the requester's name, domicile, profession and any other data, as the Boars may deem necessary.
- b. The requester shall clearly set forth the subject of the information he/she desires.
- c. The Official in Charge shall reply to or reject the request within thirty (30) days as of the date following the date of request submission.
- d. In case the request is rejected, the resolution shall be justifiable and the refrainment from reply within the set period shall be deemed as a decision of rejection.

#### **Article (10)**

No information bearing the nature of religious, racial, ethnic, sexual or color discrimination shall be requested.

#### **Article (11)**

- a. The requester shall bear the cost emerging from the photocopy of the requested information required by technological means and the requester may peruse the information if this information is stored in a manner that is impossible to copy.
- b. In case a part of this information is classified and the other part is not, the request shall be replied within the limits set forth in the Provisions of this Law.
- c. In case the information is classified, the classification of the same shall be preceding to the date of information request.

#### **Article (12)**

In case the information required is unavailable or destroyed by the passage of time, the Official in Charge shall clarify the matter to the requester.

#### **Article (13)**

Subject to the provisions of the applicable legislations, the Official in Charge shall refrain from the disclosure of the information related to:

- a. The secrets and documents protected under another legislation.
- b. The documents classified as confidential and protected and to be granted by an agreement with another country.

- c. The secrets related to national defense, state security or foreign policy.
- d. The information that includes analysis, recommendations, proposals or consultations to be submitted to the Official in Charge before a decision is made in their concern. This includes the correspondences or information exchanged between the different governmental departments.
- e. The personal information and files related to educational or medical persons, professional records, bank accounts and transfers and professional confidentialities.
- f. The correspondences with personal or confidential nature, whether in the form of post, cable, phone call or any other technological means, with governmental departments and the replies thereto.
- g. The information whose disclosure will affect negotiations between the Kingdom and any other state or authority.
- h. The investigations made by the prosecution, judicial system or security authorities concerning any crime or lawsuit within their scope of power, as well as the investigations made by the appropriate authorities for unveiling financial, customs or banking breaches, unless the appropriate authority permits the disclosure thereof.
- i. The information with commercial, industrial or economic nature, information on scientific bids or researches or technology, whose disclosure will lead to the violation of its copyright, rights of intellectual property or fair or lawful competition or to illegal profit or loss for any person.

#### **Article (14)**

- a. Each department shall index and organize the information and documents as per professional and technical practices and classify the part thereof as confidential and protected according to the legislations in force within a period not exceeding three (3) months as of the date of their being gazetted.
- b. In case the execution of the Provisions of Paragraph (a) of the this Article is incomplete within the period set forth, the Official in Charge shall obtain the approval of the Prime Minister for extending this period for a period not exceeding three (3) months.

#### **Article (15)**

When the Director of the National Library department assumes the terms of reference of the Information Commissioner beside his/her base profession, his/her legal liability shall be limited to the information kept with his/her department.

#### **Article (16)**

The Official in Charge may delegate any of his/her powers under this Law to any of the senior staff of the Department, provided that such delegation should be fixed and in writing.

#### **Article (17)**

- a. The Higher Justice Court shall be appropriate to regard the information request rejection decision, provided that the requester should file the lawsuit against the Official in Charge within thirty (30) days as of the date following the expiry of the period given under this Law to have the request approved, rejected or refrained.

- b. The Requester may file a complaint against the Official in Charge to the Board by the Information Commissioner in case of his/her rejection or the Official in Charge's refrainment from the provision of the information required within the legally fixed period.
- c. The Board shall make a decision concerning the complaint within thirty (30) days as of its date of submission, otherwise, the complaint shall be deemed rejected, which complaint shall cut the date of the challenge filed against the Official in Charge under Paragraph (a) of this Article and the duration of challenge shall commence as of the date on which the complainer is informed of his/her complaint rejection or the expiry date of the duration for the decision of the Board on the complaint.

#### **Article (18)**

A decree by the Prime Minister shall fix any amount received by the Department for the copying of the information required, based on the Board's point of view.

#### **Article (19)**

The Cabinet shall issue the rules required to put in place the Provisions of this Law, including the rule that fixes the protected documents that may be disclosed and kept for a period no less than thirty (30) years.

#### **Article (20)**

The Prime Minister and the Ministers shall execute the Provisions of this Law.