

Law No.(46) for the year 2007
Anti Money Laundering Law

Article (1) This law shall be called “Anti Money Laundering Law of the year 2007” and shall enter into effect after thirty days of its publication in the Official Gazette.

Article (2) The following words and phrases, wherever mentioned in this law shall have the meanings indicated thereto hereunder, unless otherwise indicated by context:

A- The Committee : The National Committee of Anti Money Laundering formed pursuant to the provisions of this law.

The Governor : The Governor of the Central Bank.

The Unit : The Anti Money Laundering Unit established pursuant to the provisions of this law.

Funds : Any thing or right which has material value in dealing, legal documents and instruments in any form including electronic or digital forms evidencing ownership or interest in it including bank accounts, financial securities, commercial papers, traveler's checks, remittances, letters of guarantee and letters of credit.

Proceeds : Funds derived or yielded directly or indirectly from committing any of the crimes stipulated in article (4) of this law.

Money Laundering : Every conduct involving acquisition, possession, disposing of, moving, managing, keeping, exchanging, depositing, investing of funds or manipulating its value or movement and transferring, or any action that leads to conceal or disguise its source, origin, nature, place, disposition, means, ownership or related rights, with knowledge that the funds are proceeds of one of the crimes stipulated in article (4) of this law.

Suspicious Transactions : Any transaction thought for any justified reason that it is related to proceeds of any crime of those stipulated in article (4) of this law.

The Counterpart Unit : The Unit which is granted according to valid laws of any country the necessary competencies to combat money laundering transactions and its different uses, and subject within performing its tasks to sufficient legal rules of information confidentiality obligation.

parties Subject to : The parties referred to in article (13) of this law.
the Provisions of
This Law

Cross Border : Cash and financial instruments that can be traded whether in
Transported Jordanian dinar, foreign currencies, precious metals and
Money stones.

B- For the purposes of this law, the definitions mentioned in the Penal Trails Procedures Law, the Penal Code, or any other law criminalizing acts mentioned in this law, which all shall apply accordingly. In addition, definitions mentioned in any law related to the competent regulating and supervising authorities that are required to monitor parties subject to the provisions of this law or other laws that these parties are confided to apply, provided that no contradiction shall occur between the definitions mentioned in this paragraph with the provisions of this law.

- Article (3) It is prohibited to launder proceeds resulting from any of the crimes stipulated in article (4) of this law whether such crimes are committed inside or outside the Kingdom, provided that the act should be subject to penalty in accordance with the valid law of the country in which the act has been performed.
- Article (4) Any money proceeded as a result of the following crimes is considered to be related to money laundering:
- A- Any crime that is punished with felony penalty in accordance with valid legislations in the Kingdom, or crimes that any other valid legislation considers its proceeds to be subject to money laundering crime.
 - B- Crimes stipulated by international agreements, to which Jordan adheres, that consider the proceeds of such crimes to be subject to money laundering crime, provided that the Jordanian law punishes such crimes.
- Article (5) A committee shall be formed and named (The National Committee of Anti Money Laundering) shall be chaired by the Governor of Central Bank and shall consist of the following membership:
- A- Deputy Governor of the Central Bank, named by the Governor, as the deputy Chairman of the Committee.
 - B- Secretary General of Ministry of Justice.
 - C- Secretary General of Ministry of Interior.
 - D- Secretary General of Ministry of Finance.
 - E- Secretary General of Ministry of Social Development.
 - F- Director of Insurance Commission.
 - G- Controller General of Companies.
 - H- A Commissioner of Securities Commission Council named by the executive chairman.
 - I- The head of the Unit.
- Article (6) A- The Committee undertakes the following tasks and authorities:
1. Formulation of general policy of anti money laundering.
 2. Supervision over the implementation of the tasks assigned to the Unit.
 3. Facilitation of the exchange of information related to money laundering transactions and coordination among the related parties.
 4. Participation in international forums related to the general policy of anti money laundering.
 5. Proposition of necessary Regulations to implement provisions of this law.
 6. The Study of annual reports submitted by the Unit concerning anti money laundering activities within the Kingdom.
 7. Coordination and empowerment of competent parties for the purposes of preparing periodic statistics about numbers of suspicious transactions, number of investigations, issued convictions related to such transactions , confiscated or frozen properties, and mutual legal assistance.
 8. Approval and adoption of a budget for the Unit as proposed by the Unit head.
- B- Committee meetings, the necessary quorum for its meetings, decisions making and recommendations, conduct of work, and other issues shall be identified in a Regulation to be issued for this purpose.
- Article (7) An independent Unit is established in the Central Bank called (Anti-Money Laundering Unit) tasked with receiving reports mentioned in paragraph (c) of article (14) of this law, requesting and analyzing related information then providing competent local authorities with such information when necessary.

- Article (8) Once sufficient supporting information is available to suspect a money laundering suspicious transaction; the Unit shall prepare a report for submission to the Prosecution General, attaching all available related documents and records.
- Article (9) The Head and Staff of the Unit are appointed by the Committee Chairman.
- Article (10) The Unit's sources of funds, operations, supervision over staff, rights and competencies, methods of appointment, and all other related issues needed to commence its operations shall be identified in a Regulation issued for this purpose.
- Article (11) A- The Chairman, members of the committee and the Unit's staff are prohibited from disclosing directly or indirectly any information they have access to or know, as being part of their work. Disclosure of information shall be only for those purposes stated in this law. Prohibition of disclosure remains in effect until after termination or completion of their work with the committee and the Unit.
B- The prohibition stipulated in paragraph (a) of this article applies to all those who, directly or indirectly, have access to or know information as being part of their work whether submitted or exchanged in accordance with provisions of this law, bylaws and regulations issued accordingly.
- Article (12) In spite of what is mentioned in article (11) of this law, the Unit may disseminate periodic statistics about numbers of suspicious transactions that have been received, convictions, confiscated or frozen assets, and mutual legal assistance
- Article (13) The following financial parties are obliged to perform procedures mentioned in article (14) of this law:
A- Banks operating in the Kingdom, and branches of the Jordanian banks operating abroad.
B- Foreign Exchange companies and money transfer companies.
C- Companies performing any of the activities that are subject to control and license of Securities Commission.
D- Any natural or legal person, performing any activities that are subject to control and license of Insurance Commission.
E- Financial companies that their articles of association and memorandum of agreement state that among their purposes is to perform any of the following financial activities:
1. Granting all types of credit.
2. Providing payment and collection services.
3. Issuing and administrating instruments of payments and credit.
4. Trading in money and capital market instruments to its own account or for its customers' account.
5. Purchasing and selling debts with or without the right of recourse.
6. Financial leasing.
7. Managing investments and financial assets for others.
8. Companies trading with real estate and their development, and trading with valuable metals and precious stones
- Article (14) The parties subject to the provisions of this law are obliged to the following:
A- Undertake with due diligence the identification of customer, legal status, activity of the customer and the beneficiary owner of the relationship between them and the customer, and the continuous follow up of transactions that are conducted through an ongoing relationship with their customers.

- B- Refrain from dealing with anonymous persons, persons of fictitious or anonymous names or shell banks.
- C- Report immediately to the Unit any suspicious transaction whether such transactions are conducted or not, by the means or the form approved by the Unit.
- D- Comply with all instructions issued by competent regulatory parties to implement provisions of this law.

Article (15) It is prohibited to disclose by any means directly or indirectly, to a customer, beneficiary or to other than the competent authorities and parties mandated to implement the provisions of this law about any procedure of reporting, verification or investigation taken regarding the suspicious transactions.

Article (16) The penal, civil, administrative or disciplinary responsibilities are not applied to any natural or legal person mentioned in article (13) of this law who in good will, reports any suspicious transaction or submits information or data in accordance with provisions of this law.

- Article (17)
- A- Considering what mentioned in article (15) of this law, the Unit has the right to request from any party obliged to reporting suspicious activities as stipulated in paragraph (c) of article (14) of this law, any additional information considered necessary to the performance of its duties if it is related to information previously received during commencing its tasks or upon request from the counterpart units.
 - B- Parties obliged to report, shall provide the Unit with information mentioned in paragraph (a) of this article within the specified time period.

Article (18) The Unit has the right to request and coordinate with the following parties to provide additional information related to the reports received if it is considered necessary to perform its tasks or upon a request from counterpart units:

- A- Judiciary parties.
- B- Regulatory and supervisory parties performing their authority on parties subject to provisions of this law.
- C- Other administrative or security parties.

Article (19) The Unit has the right to exchange information with the counterpart units on a reciprocal basis provided that the information shall be utilized to prevent money laundering; also approval of the counterpart unit that provided such information is requested. The Unit has the right to sign memorandum of understanding with counterpart units to organize cooperation in this regard.

- Article (20)
- A- Each individual entering the Kingdom shall declare on the approved form prepared for this purpose the cross-borders transported money if its value exceeds the threshold set by the committee.
 - B- The Customs Department shall keep and preserve all cross-borders transported money declaration forms. The Unit has the authority to use such forms when it deems necessary.

Article (21) The Customs Department has the right to seize or retain the cross-boarder transported money in the event of non-declaration, false information about it is provided, or in any case of suspicious transaction, and shall inform the Unit immediately. The Unit shall issue a decision within a maximum one week from the date of being informed regarding such money whether to return the money back to its owner or refer to judiciary.

- Article (22) To achieve the intended purposes of this law, the Jordanian judiciary parties shall cooperate with foreign judiciary parties; in particular regarding the assistance, judiciary representation, extradition of accused and convicted individuals and proceeds, in addition to the requests of foreign parties to pursue, freeze or seize funds related to money laundering crimes in accordance with rules set by Jordanian legislations and bilateral or multilateral agreements in which Jordan is part of, and on reciprocal basis without any prejudice to the rights of the persons who have good will.
- Article (23) A- Jordanian judiciary parties have the right to order the implementation of the requests of foreign judiciary parties to confiscate proceeds related to money laundering crimes in accordance with rules set by Jordanian legislations and bilateral or multilateral agreements in which Jordan is part of.
B- The funds yield which a final confiscation judgment had been issued regarding them shall be distributed according to the provisions of this law in accordance with agreements held in this regard.
- Article (24) Without any prejudice to any severe penalty set by the Penal Code or any other law, the following penalties are imposed on crimes indicated thereto hereunder as follows:
A- Temporary hard labor for a period not to exceed five years and a fine of not less than ten thousand dinars and not to exceed one million dinars on each individual who commits money laundering crime stipulated in this law.
B- The accessory, the intervener and the instigator shall be punished with the same penalty imposed on the main actor.
C- In all cases, the penalty shall be doubled in the event of repetition.
- Article (25) A- Imprisonment for a period not to exceed six months or a fine not less than one thousand dinars and not to exceed ten thousand dinars or both penalties if any individual violates any of the provisions of articles (11), (14) and (15) of this law.
B- Whoever violates the provision of paragraph (a) of article (20) of this law shall be panelized with a fine not less than (10%) of the non-declared funds value.
- Article (26) A- In addition to what is mentioned in article (24) of this law, in all cases material proceeds or equivalent value shall be confiscated if it is difficult to seize, execute or was disposed to others who have a good will.
B- If proceeds are mixed with other legitimate sources assets, such assets are subject to confiscation as stated in this article and within the limits of the estimated value of the proceeds and its product.
- Article (27) The Attorney General or Prosecutor General shall exercise authority over crimes of money laundering as stipulated by this law and according to the valid Penal Trials Procedures Law.
- Article (28) A- In spite of what mentioned in any other legislation, the precautionary seizure conducted by Prosecution General, the prosecutor General or the competent court in accordance with provisions of this law shall stop all current procedures and transactions conducted on that fund.
B- The harmed individual of the seizure decision may challenge the decision at the authorized court.
- Article (29) Provisions related to banking confidentiality stipulated in any other law shall not hinder the implementation of any provisions of this law.

Article (30) The Cabinet shall issue necessary Regulations to implement provisions of this law.

Article (31) The Committee shall set the Instructions related to:

A- Measures and basis related to reporting the suspicious transactions and forms that are set by the Unit, and organizing the procedures taken by the Unit once the report is received.

B- Controls related to declare cross border transported money and declaration related procedures.

Article (32) The Prime Minister and Ministers are entrusted with the implementation of the provisions of this law.