

Protection of Environment Law

Article 1: The law is to be cited as the “Protection of Environment Law for 1995) and it will come into force by the date of publishing in the official gazette.

Article 2: The following words and phrases would have, wherever they are mentioned, the assigned meaning indicated hereinafter unless otherwise indicated:

Minister: Minister of Municipal, Rural Affairs and Environment.

Council: Council of Environment Protection.

President: Council president.

Corporation: The General Corporation for Protection of Environment.

General Manager: General manager of the Corporation.

Fund: Environment Protection Fund.

Environment: The medium in which the living creatures (man kind, animals and plants) live including water, air, soil and what influences that medium.

Elements of Environment: Water, air, soil and what they include.

Pollution: The existence of anything causes harm to the environment and negatively affects its elements or disturbs its natural balance.

Environment protection: Conservation of the environment and preventing or reducing any ecological pollution or deterioration.

Court: Court of first instance.

Article 3:

a. An official general corporation cited as “the General Corporation for Protection of Environment” is to be established in the kingdom with a legal personality and financial and administrative independency. By this characteristic, it has the right to take all of the legal actions including possession of personal and real properties, acceptance of donations, grants, wills and entails, and make contracts and loans. The corporation will be represented by the civil attorney general when the corporation institutes proceedings against others or when legal proceedings are instituted against the corporation.

b. The corporation will be bound to the minister.

Article 4: The corporation aims to protect the environment, improve its different elements and to implement this policy in collaboration with the specialized parties.

Article 5: To achieve the objectives of this law, the corporation practices the following authorities and functions:

a. To put the general policy of the environment protection, to prepare the required national strategy, to protect the environment and to prepare plans and the programs to implement them.

b. To measure and follow up the environment elements through labs approved by the council, where the council determines the procedure of evaluating and approving such labs.

c. To prepare the specifications and standards of the environment elements.

d. To conduct studies and researches in relation to the environmental affairs.

e. To monitor the public and private establishments and parties including companies and projects for the purpose of investigating their commitment to the approved environmental specifications and standards.

f. To put the required environmental specifications, conditions and instructions which the agricultural, developmental, commercial, industrial, housing and other projects and the relevant utilities should restrict to and take them as prerequisites for licensing or renewing the license of the projects.

g. To put the bases of circulating, classifying, storing, transferring, destroying and disposal of environmentally hazardous harmful substances and to determine, among them, those which are prevented to be brought to the kingdom according to a regulation published by the rules of this law.

h. To put the conditions and bases of establishing wild reserves and national parks and to monitor them and all of the relevant issues according to a regulation published by the rules of this law.

i. To prepare the environmental emergency plans.

j. To publish the environmentally related prints.

Article 6: The council is formed from the minister as the president and the membership of:

a. The general manager as the vice president.

b. The under secretary general of the Amman Governorate.

c. Secretary general of Aqaba Region Authority.

d. General manager of the Civil Defense.

- e. Secretary general of Ministry of Municipal, Rural Affairs and Environment.
- f. Secretary general of Ministry of Health.
- g. Secretary general of Ministry of Agriculture.
- h. Secretary general of Ministry of Water and Irrigation.
- i. Secretary general of Ministry of Energy and Mineral Wealth.
- j. Secretary general of Ministry of Industry and Commerce.
- k. Secretary general of Ministry of Planning.
- l. Secretary general of Ministry of Interior.
- m. Secretary general of Ministry of Education.
- n. Secretary general of Ministry of labor.
- o. The general manager of the General Corporation for Housing and Urban Development.
- p. President of the Jordanian Environment Society (JES).
- q. President of the Royal Society for the Conservation of Nature (RSCN).
- r. President of the Royal Scientific Society (RSS).
- s. President of the Jordanian Society for Desertification Control and Badia Development (JSDCBD).
- t. Three specialized and experienced individuals elected by the minister for two renewable years.

Article 7:

- a. The council will convene once every two months and as it is needed upon the request of the president or if absent upon the request of his deputy. The meeting will be legal if it was attended at least by the majority of the members provided that the president or the vice president is one of them.
- b. The council takes decisions unanimously or by the majority and in the case of equal voting, the side on which the chairman had voted will be considered.
- c. The council has the right to invite experts, consultants or any individual to attend the meetings to have their opinions on the brought up issues without having the right of voting.

Article 8: The council will have the following functions and authorities:

- a. To approve the general policy of the environment protection, its national strategy and the relevant plans and programs.
- b. To approve the specifications and standards for the environment elements.
- c. To approve the annual budget project of the corporation and submit it to the cabinet.
- d. To approve the final accounts of the corporation and its final report.
- e. To approve the environmentally related acts and regulations projects.
- f. To issue the required decisions and instructions to execute the rules of this law and the regulations which are published in accordance with this law.
- g. To approve the emergency plans to encounter the environmental crises.
- h. To issue the instructions which determine the rates obtained by the establishment in return for the services it provides in relation to the environment.
- i. To look into the environmentally related issues brought up to the council by the minister or the general manager.

Article 9: The corporation is considered to be the assigned party to protect the environment in the Kingdom. Accordingly, the official and the private parties should execute the decisions, instructions and regulations which are published according to the rules of this law, under the civil and criminal responsibility stated in this law or any other legislation.

Article 10: The corporation works on enforcing the relations between the Kingdom and other countries and the regional and international associations and organizations in the issues related to the conservation of environment; recommending the Kingdom to be a member in the relevant regional and international conventions; and following up their implementation.

Article 11: The general manager practices the following functions and authorities:

- a. Execution of the council decisions.
- b. Coordination and cooperation with other parties to implement projects.
- c. To manage the personnel affairs in the corporation and make sure of the good job quality.
- d. To prepare the annual budget project of the corporation, its final accounts and its annual report and submit them to the council.
- e. To prepare the acts and regulations projects of the corporation and submit them to the council.
- f. To practice any other functions and authorities which the council will assign him to undertake.

Article 12: The financial resources of the corporation consist of:

- a. The rates obtained by the corporation in return for the services it provides.

- b. Loans, donations and contributions introduced to the corporation provided that the cabinet approves any foreign financial supports.
- c. Money assigned for the corporation in the general budget.
- d. Money of the Environment Protection Fund.
- e. Any other incomings approved by the cabinet.

Article 13: The Environment Protection Fund is to be established in the corporation to cover the expenditures of the environment protection and conservation of its elements to achieve the objectives and purposes stated by this law and the regulations published according to it.

Article 14:

a. The financial incomings of the fund consists of the contributions, donations and grants introduced to the fund by the public corporations, the private associations and the international, regional and Arab associations provided that the council approves the foreign financial incomings.

b. Procedures of depositing, reserving, expending and the ways of expending the money of the fund are determined according to the instructions published by the council for this purpose.

Article 15: The corporation puts the required bases and procedures to assess the environmental impacts of the projects within a special regulation to make sure of their accordance with the environmental and sustainable development requirements.

Article 16: The corporation contributes to, coordinates and cooperates with the international, regional and local parties specialized in the environmental affairs to protect the environment from pollution including the sectors of water, air, soil, flora, fauna and marine environment in accordance with the stated manner in this law.

Article 17: The corporation, coordinating with the relevant parties, conducts the following functions in relation to water sector:

- a. To publish the general standards for water including all of its uses.
- b. To monitor water pollution.

Article 18: The corporation, coordinating with the relevant parties, conducts the following functions in relation to air sector:

- a. To publish die specifications and standards according to which the allowed rates of the pollutants in the air will be determined.
- b. To locate plants which are considered as an air pollution resource.
- c. To establish regulations and centers to monitor and check out air quality in the Kingdom.
- d. To monitor emission of air pollutants and their resources and to take measures to control their emission.
- e. To regulate and monitor processes of burning fuel for energy generation and for other purposes by the individuals or the public and private establishments.
- f. To monitor the impacts of waste treating processes by all means and methods used for this purpose.
- g. To monitor emission of the organic gases and vapors to be in accordance with the assigned rates, standards and specifications.

Article 19: The corporation, coordinating with the relevant parties, participates with the following functions in relation to the soil sector:

- a. To monitor the soil contamination resources and to control then to make them in accordance with the environmentally allowed rates.
- b. Monitoring the causes of the soil erosion and desertification to take the measures adequate to reduce them.

Article 20: The corporation, in collaboration with the relevant parties, works on:

- a. Preventing, incoming or burying of any hazardous wastes in the Kingdom and taking the required measures to do so.
- b. Putting instructions to classify the wastes and determining their danger extent and the way of treating them.

Article 21: The specifications and conditions which should be available in any wild or aquatic reserve or in a national park are determined by a regulation to conserve and environmentally protect them.

Article 22:

a. The general manager or whom he authorizes in written, has the right to enter any industrial, commercial or occupational shops or any other plant or corporation to make sure that it and its work satisfies the assigned environmental conditions provided that the application of the rules of this paragraph should be done in pre-cooperation and pre-coordination with the responsible parties for those shops or corporations.

b. The general manager or whom he authorizes in written, has the right to notify the violative plant, corporation or shop and determine period of time to remove the violation. If the violation was not removed within the indicated time, the violator will be brought before the court. On the other hand, if the violation was serious the general manager is allowed to close, for first instance, the plant, the establishment or the shop until the violation is removed.

c. The court has the right of ordering to close the shop, plant or corporation and to obligate the violator to remove the violation within the assigned time period. If the violator did not do so he will be fined not less than 50 JD and not more than 100 JD for each day beyond the indicated time period for the violation removal.

d. Anyone who commits any of the stated violations in this article will be fined not less than 300 JD and not more than 500 JD in the case of recommitting the violation for the second time and will be sent to the prison for a period not less than 30 days and not more than 3 months in the case of recommitting the violation for the third time and more.

Article 23: No natural or legal person is allowed to throw polluting or harmful substance into the marine environment in the regional waters or on the shore within the borders and distances determined by the minister according to the general manager recommendations.

Article 24:

a. The captain of a steamship, a ship, a boat or a tanker from which any polluting substance was thrown, poured or disposed in the regional water or at the shore region, will be fined not less than 10,000 JD or sent to the prison for a period not less than one year and not more than 3 years or punished by both sanctions.

b. In addition to what was mentioned in paragraph (a), the person who was responsible for the violation is obliged to remove the violation within the time period assigned by the court. If he did not do so, the establishment will remove the violation on his expense with an additional rate of 25% of the total expenditures for the administrative expenditures and the steamship, ship, tanker or the boat will be kept until all of the required money is paid.

Article 25: Anyone who picked coral reefs and shellfishes and took them out of the sea, damaged or caused harm to them at anyhow, will be fined not less than 10,000 JD and not more than 25,000 JD or sent to the prison for a period not less than 6 months and not more than one year or punished by both sanctions.

Article 26:

a. It is impermissible to throw, dispose or accumulate any harmful substances to the environmental health, whether they were solid, liquid, gaseous, radioactive or thermal, in the water resources or store any of them in the vicinity of the water resources or within the distance determined by the minister according to the general manager recommendations.

b. The following substances will be excluded out of the rules of paragraph (a) of this article according to what the instructions published by the minister, in accordance with the general manager recommendations, will determine:

1. Substances used to treat other substances to make them in accordance with the assigned specifications and standards.
2. Substances used to control epidemics, including weeds, insects and rodents, in accordance with the approved specifications.
3. Substances used for the purposes of experiments and scientific researches after treating them in accordance with the approved specifications.

c. Anyone who commits any of the violations stated and indicated in paragraph (a) of this article will be fined not less than 2,000 JD and not more than 10,000 JD or sent to the prison for a period not less than 3 months and not more than two years or punished by both sanctions. He will also be obliged to remove the violation within the indicated time period by the court and if he did not do so the establishment will remove the violation on his expense with in additional rate of 25% of the total expenditures for the administrative expenses and he will be fined not less than 50 JD and not more than 200 JD for each day beyond the indicated time period for the violation removal.

Article 27:

a. The noise resources, their maximum limits and method to avoid or reduce the noise to the environmentally allowed minimum level, are to be determined according to the instructions published by the council.

b. Anyone who violates the rules of paragraph (a) of this article and the instructions published according to it will be fined not less than 100 JD and not more than 500 JD or sent to the prison for a period not less than one week and not more than one month or punished by both sanctions.

Article 28:

a. The owners of the factories or vehicles which emit pollutants into the environment should provide their factories or vehicles with instruments that can prevent or reduce the pollutants' emission and spreading and control the solid particle before emitting from the factory or the vehicle into the are up to reach the allowed limit according to the instructions published by the council for this purpose.

b. Any of The factories owners who committed any of the stated violations in paragraph (a) of this article and did not remove the violation within the time period determined by the general manager or by whom he authorizes to do so, then the general manager has the right to bring the violation before the court which has the right to decide closing the factory and fining his owner not less than 100 JD and not more 500 JD or sending him to the prison for

a period not less than 7 days and not more than 30 days or punishing him by both sanctions and obligating him to remove the violation within the determined time period and paying not less than 50 JD and not more than 100 JD for each day beyond the time period determined for the violation removal.

c. Any of the vehicles owners or drivers who committed any of the violations stated in paragraph (a) of this article and did not remove the violation within the time period determined by the general manager or by whom he authorizes to do so, then any of them has the right of ordering to keep the vehicle in addition to application of the sanction stated in the traffic law.

d. If the perpetrators of the violations stated in this article recommitted the violation for the second time, then they will be punished by paying double the maximum limits of the fine value and detention period which are stated in paragraph (b) of this article, according to the court estimation of the two sanctions, and the punishment will tripled if the violation was committed for the third time and more.

Article 29: The court looks as soon as possible into the crimes to which the rules of this law are applied according to the authorities and procedures stated in the criminal law.

Article 30: An the employees and staff members of the Department of Environment will be transferred, in the Ministry of Municipal, Rural Affairs and Environment, to the corporation as this law is published.

Article 31:

a. The corporation will take the advantage of the facilities and exemptions of which the ministries and the governmental departments take advantage.

b. The money of the corporation is considered to be of the public money and is obtained according to the law of obtaining governmental money that is in force.

Article 32:

a. The general manager will submit, by the end of each financial year, a report to the council on the activities of the corporation and its future plans within a time period which does not exceed the end of January of each year.

b. The corporation's accounts will be regulated in conformity with the accounting regulations or principles and the Accounting Department will undertake the auditing process.

Article 33: The minister has the right to authorize the general manager or the governor to practice some of his authorities stated in this law.

Article 34: The cabinet has the right to publish the appropriate regulations to execute the rules of this law including regulations in relation to the rates and insurance, which are obtained by the corporation in return for the services it provides, according to the rules of this law.

Article 35: Any text in. any other legislation which conflicts with the rules of this law is canceled.

Article 36: The prime minister and the ministers are assigned to execute the rules of this law.