STATEMENT OF GOVERNMENT POLICY 2012
ON THE COMMUNICATIONS,
INFORMATION TECHNOLOGY,
AND POSTAL SECTORS

المملكة الأردنية الهاشمية
وثيقة السياسة العامة للحكومة في قطاعات الاتصالات وتكنولوجيا المعلومات والبريد
للعام 2012
1 INTRODUCTION

1.1 The Context of the Policy Statement

(1) The Ministry of Information and Communications Technology (Ministry) in line with the Constitution, the Telecommunications Law No. 13 and its amendments (Telecommunications Law) and the Postal Services Law No. 34 of 2007 (Postal Law) has responsibilities for the Telecommunications, Information Technology and Postal Sectors in the Kingdom.

(2) The Ministry also has specific responsibilities to prepare the general policy for these sectors, to be approved by the Council of Ministers, where article 3 of the Telecommunications Law assigns to the Ministry the duty for preparing the general policy of the Telecommunications and Information Technology Sectors in the Kingdom and to set a national strategic plan in accordance with this policy. In addition, Article 3 of the Postal Law stipulates that the Ministry shall prepare the general policy and the strategic plan for the Postal Sector.

(3) The setting and issuance of the general policy document has important effects for the availability of necessary information for stakeholders in the Telecommunications, Information Technology and postal sectors, and for others who might consider entry into, or investment in, those sectors. In addition, this Statement of General Policy 2012 also has a specific legal status in that it sets the context within which the Telecommunications Regulatory Commission (Commission) must follow in

1-1 إطار السياسة العامة

1-1 الفئة العامة

(1) إن وزارة الاتصالات وتكنولوجيا المعلومات (الوزارة)، بموجب الدستور وقانون الاتصالات رقم 13 لسنة 1995 وتعديلاته (قانون الاتصالات) وقانون الخدمات البريدية رقم 34 لسنة 2007 (قانون البريد)، لها مسؤوليات تجاه قطاعات الاتصالات وتكنولوجيا المعلومات والبريد في المملكة.

(2) كذلك تتحمل الوزارة مسؤوليات محددة في إعداد السياسة العامة لهذه القطاعات وعرضها على مجلس الوزراء لإقرارها، حيث تنص المادة 3 من قانون الاتصالات على أن تقوم الوزارة بإعداد السياسة العامة لقطاعي الاتصالات وتكنولوجيا المعلومات في المملكة ووضع خطة استراتيجية وطنية وفقاً لهذه السياسة، وبالإضافة إلى ذلك تنص المادة 3 من قانون البريد على أن تقوم الوزارة بإعداد السياسة العامة والخطة الاستراتيجية لقطاع البريد.

(3) ينطوي إعداد وإصدار وثيقة السياسة العامة على آثار هامة في توفير المعلومات اللازمة لأصحاب العلاقة في قطاعات الاتصالات وتكنولوجيا المعلومات والبريد وكذلك للراغبين بالدخول إلى هذه القطاعات أو الاستثمار فيها. كما وأن هذه الوثيقة صفة قانونية محددة من حيث أنها تحدد وتوضح السياق العام الذي يجب على هيئة تنظيم قطاع الاتصالات (الهيئة)، أن تتبعه لتتمكن من القيام بمهامها الموكلة لها بموجب قانون الاتصالات وقانون
order to meet its obligations under the Telecommunications Law and the Postal Law.

(4) Article 6 of the Telecommunications Law provides as follows in relation to the obligations of the Commission:

“To regulate telecommunications and information technology services in the Kingdom in accordance with the established general policy so as to ensure the provision of high quality telecommunications and information technology services to users with high standards and reasonable prices and which realizes the optimal performance of the telecommunications and information technology sectors.”

(5) Similarly, Article (9) of the Postal Law assigns to the Commission the responsibility to regulate postal services in accordance with the general policy set by the Council of Ministers.

(6) Accordingly, the purpose of this document is both to meet the informational needs of stakeholders and to meet the legal obligations of the Ministry.

This Policy Statement should be read in conjunction with the Telecommunications Law, the Postal Law and the Deployment of Information Technology Resources in Government Organizations Law. Amongst other things, those Laws define the respective roles of the Ministry and the Commission, which is an administratively and financially independent body. Nothing in this Statement of Policy is intended to detract from that independence.

It is important also to note that this Policy Statement, while based upon the

(4) تنص المادة 6 من قانون الاتصالات، المتعلقة بمهمة ومسؤوليات الهيئة على ما يلي:

“تنظيم خدمات الاتصالات وتكنولوجيا المعلومات في المملكة وفقاً للسياسة العامة المقررة لضمان تقديم خدمات الاتصالات وتكنولوجيا المعلومات للمستفيدين بسوية عالية وأسعار معقولة، ويعده الأداء الأمثل لقطاعي الاتصالات وتكنولوجيا المعلومات.”

(5) كما وأن المادة (9) من قانون البريد تولى للهيئة مسؤولية تنظيم الخدمات البريدية وفقاً للسياسة العامة المقررة من مجلس الوزراء.

(6) وعلى ذلك، تهدف هذه الوثيقة إلى تزويد أصحاب العلاقة بالعلومات اللازمة لهم، وكذلك إلى الوفاء بالالتزامات القانونية المرتبطة على الوزارة.

تقرأ هذه الوثيقة بالإلتزام مع قانون الاتصالات وقانون البريد وقانون تنظيم موارد تكنولوجيا المعلومات في المؤسسات الحكومية. وهذه القوانين تحدد الأدوار لكل من الوزارة والهيئة التي تتمتع بشخصية اعتبارية ذات استقلال مالي وإداري، ولا يقصد من محتوى هذه الوثيقة ما يتنقص من هذه الاستقلالية.

ومن المهم أيضاً الإشارة إلى أنه في حين أن هذه الوثيقة
Statement of Government Policy 2007 on the Information and Communication Technology Sectors and Postal Sector “2007 Policy Statement”, is intended to replace that earlier document in its entirety. Upon its approval by the Council of Ministers, this Statement of Policy shall be the exclusive Statement of Government Policy on the Telecommunications and Information Technology and Postal Sectors, and the 2007 Policy Statement will no longer be of any force or effect. However, nothing in this Policy Statement is intended to detract from or affect the validity of any regulatory decisions or actions taken during the periods that either the 2007 or the 2003 Policy Statements were in effect. Accordingly, any such actions or decisions remain valid.

(7) In adopting this Policy Statement, the Government is cognizant of the commitments the Kingdom has made in international agreements to which it is a signatory, such as the general undertakings made as part of the World Summit on the Information Society (WSIS) plans and the United Nations (UN) Millennium Development Goals, as well as the more specific obligations it has assumed under other international treaties, as well as by virtue of its membership in the World Trade Organization.

1.2 Background

(8) In 1994, the Kingdom started a progressive reform of its Telecommunications, Information Technology and Postal Sectors. In the following years, a Telecommunications Law was issued, Jordan Telecom was privatised, the Commission was instituted,
two mobile operators were licensed, a Postal Services Law was issued, Jordan Post was transformed into a Company, private sector Courier, Express and Parcels (CEP) services started, and the JPC Performance Contract was formulated.

(9) In 2003, in recognition of the important role played by the Telecommunications, Information Technology and postal sectors, the Government adopted a "Statement of Government Policy on the Telecommunications, Information Technology and Postal Sectors," which focused on market liberalization. Under that 2003 Policy Statement, the then-existing duopoly in the mobile telecommunications market was eliminated and a third mobile operator was licensed, and the goal reached that at least 50% of the population would be direct subscribers to mobile services, paying per minute charges that were at least 25% less in real terms than those prevailing at the time of the 2003 Policy Statement. This goal was achieved in far less than the 10 years specified in that Policy Statement. Moreover, Jordan Telecom’s monopoly in the fixed telecommunications sub-sector was terminated at the end of 2004.

(10) In 2007, the Government approved the 2007 Policy Statement. Under that Policy, there were numerous accomplishments. The Commission successfully completed its review of markets for the purpose of identifying cases of dominance and issued regulatory decisions designed to mitigate the effects of that dominance, the numbers of telecommunications and postal licensees rose considerably, a new integrated licensing regime was adopted.
several new wireless operators received frequency bands and started competitive operations, new providers of Internet connectivity entered the market, certain frequency bands were made available for use through open general licensing, mobile telephony take-up rose very quickly, internet penetration, including broadband, grew significantly, and the Information system’s crime Law was adopted. Moreover, the Commission has improved considerably the transparency and process by which it reaches and issues its decisions, as well as the quality of its web site.

(11) Notwithstanding these considerable achievements, certain other goals specified in the 2007 Policy statement have not been fully accomplished. Thus, in its review of telecommunications markets, the Commission concluded that effective competition has not yet been achieved in the fixed broadband and fixed narrowband markets. Facilities sharing and the cost of access to rights-of-way continue to be of concern because they impede the provision of new telecommunication services and the expansion of existing ones. And, although the Commission and the Jordanian Armed Forces have entered into an MOU concerning frequency allocation matters, the transfer of unused spectrum to the control of the Commission is not proceeding as quickly as contemplated in the 2007 Policy Statement.

(12) Just as the 2003 Policy Statement focused on liberalization of the Telecommunications Sector, and the 2007 Policy Statement addressed issues of effective competition, the 2012 Policy Statement has its own unique focus. During the period covered by this Policy
Statement, the Government finds that it should focus on executing the work necessary to bring about a fully competitive telecommunications environment, as well as addressing the legal and regulatory issues presented by new technologies, specifically, the increasingly rapid movement worldwide toward a converged Internet Protocol (IP)-based telecommunications structure.

(13) In a converged world, with IP-based networks, there is no necessary linkage between the network or telecommunications service and the types of services delivered. Any service (video, audio, or data) is able to be delivered over any network (fixed or mobile) and is capable of being received by a variety of Internet Protocol (IP) or IP-capable devices, such as a smartphone, tablet computer, or personal computers.

(14) This change will necessarily have an impact upon the legal and regulatory structure that applies to telecommunications networks and services. Just as the networks and delivery mechanisms change, so too will the legal and regulatory structure need to change to accommodate that evolution and to facilitate technological convergence and market entry.

(15) The Government believes that a proactive, forward-looking consideration of these legal and regulatory implications will have significant benefits for Jordan by creating an environment that will encourage the development and deployment of converged IP-based networks, including Next Generation Networks (NGNs), resulting in the availability of an expanded ranges of...
sophisticated services to Jordan’s citizens and businesses, including but not limited to e-learning, e-health, and e-government.

(16) The challenges that the Telecommunications Sector in Jordan now faces are twofold. First, the Commission must move to enforce and implement its existing regulatory provisions and remedies concerning dominant operators so as to achieve and maintain effective competition. Without effective competition, service introduction and expansion in certain telecommunications sub-sectors will be impaired as will price competition. But achieving effective competition in today’s telecommunications environment is not enough.

(17) Thus, even as the Commission seeks to enforce its decisions and bring about the conditions necessary to achieve effective competition, it must also be looking beyond today’s telecommunications systems and services to a converged environment where networks increasingly are delinked from service provision. The challenge will be how to create an environment that is conducive to the establishment and growth of such networks, and thereby take advantage of the enormous potential that converged networks have for facilitating economic growth and societal development, while achieving and maintaining a competitive environment and preventing currently dominant operators from using that dominance to stifle competition in tomorrow’s networks and information services.

(18) In order to undertake these tasks, it will be more important than ever that the Commission maintain the financial and administrative independence that enables it to attract and retain highly skilled
employees and that it be able to effectively implement and enforce its decisions in a timely manner.

(19) The Information Technology sector reflects a growing convergence with Telecommunications. Information Technology products and services increasingly are delivered via the Internet and other advanced telecommunications networks. Cloud computing is an example of one such service, where data and applications reside “in the cloud” and are accessed via the Internet. The combination of Information Technology and Telecommunications offers a powerful tool for economic growth and societal development in Jordan. The Government will take the necessary steps, where appropriate, to reduce or eliminate any legal impediments to the development and utilization of such new technologies.

(20) The Information Technology sector in the Kingdom also faces challenges, particularly as it seeks to expand its exports of products and services, not only in the MENA region but worldwide. Among the top priorities for the Information Technology sector is a reliable supply of human resources, with sufficient skills to meet the needs of a diverse range of companies in fields including but not limited to, business process outsourcing and electronic games and e-health applications. Moreover, the relatively small size of the companies that comprise the Jordanian Information Technology sector places them at a competitive disadvantage versus their foreign counterparts as they compete for business, both inside and outside of Jordan, particularly in the field of financial capability and marketing.

(19) يعكس قطاع تكنولوجيا المعلومات اندماجا متزايداً مع الاتصالات، ويمت تقديم منتجات ومزايا تكنولوجيا المعلومات بشكل متزايد من خلال الإنترنت وغيرها من شبكات الاتصالات المتقدمة، و"الحوسبة السحابية" هي أحد الأمثلة على هذه الخدمات التي تتوفر من خلالها البيانات والتطبيقات ضمن "السحابة" يتم الوصول إليها من خلال الإنترنت. وإن الجمع بين تكنولوجيا المعلومات والاتصالات يوفر أداة قوية للنمو الاقتصادي والتطور الاجتماعي في الأردن، وستقوم الحكومة باتخاذ الخطوات اللازمة للتخفيف من أي عوائق قانونية أو إلغائها أمام تطور واستخدام مثل هذه التكنولوجيا الجديدة.

(20) وواجه قطاع تكنولوجيا المعلومات في المملكة بعض التحديات، لا سيما وأنه يسعى لتوسيع صادراته من المنتجات والخدمات، ليس فقط لمنطقة الشرق الأوسط وشمال أفريقيا بل إلى كافة أنحاء العالم. ومن بين أهم الأولويات بالنسبة لقطاع تكنولوجيا المعلومات: توفير موارد بشرية يمكن الاعتماد عليها وتمتلك المهارات الكافية لتلبية الحاجات المتعددة للشركات في مجالات تتعلق، على سبيل المثال لا الحصر، بالتعاقد الخارجي للأعمال، والأعمال الإلكترونية، وتطبيقات الصحة الإلكترونية. وعلاوة على ذلك، فإن الحجم الصغير نسبياً للشركات التي تشكل قطاع تكنولوجيا المعلومات الأردني تجعلها في وضع تفاقي لا يتلاقى مع نظيراتها من الشركات الأجنبية، حيث أنها تناصف هذه الشركات في فرص الحصول على الأعمال التجارية سواء داخل أو خارج الأردن، وخصوصاً فيما يتعلق بالقدرة المالية والتسويقية.
The Government recognizes the important role of the private sector in providing information and advocating for Telecommunications and Information Technology policy issues.

With respect to the Postal Sector, it did not prove possible to privatize the Jordan Postal Company, as called for in the 2007 Policy Statement. Thus, the challenge now is to define the best approach to operate JordanPost Company effectively and to continue to operate it as a self-sufficient entity, while under continued Government ownership.

In light of all the above, the Government considers that a new Policy Statement is needed in order to serve the following objectives:

- Maintain and increase the growth of the Telecommunications, Information Technology and Postal Sectors and increase their contribution to the country’s socio-economic development, as will be evidenced by an increase in GDP, productivity, and employment;

- Ensure that advanced high quality Telecommunications, Information Technology and Postal services are available throughout the Kingdom at affordable prices;

- Identify the main goals from which the objectives of the National Strategy for the Telecommunications, Information Technology and the Postal Strategy of Jordan will be derived;

- Strengthen the competitive position of the Kingdom internationally in the areas of telecommunications, information technology and postal services.

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- Strengthen the competitive position of the Kingdom internationally in the areas of telecommunications, information technology and postal services.

(21) تدرك الحكومة الدور الهام الذي يضطلع به القطاع الخاص في توفير المعلومات ودعم القضايا المتعلقة بسياسة الاتصالات وتكنولوجيا المعلومات.

(22) أما فيما يتعلق بالقطاع البريدي، فلم تثبت إمكانية خصخصة شركة البريد الأردني كما دعت إليه وثيقة السياسة العامة 2007. وبالتالي، فإن التحدي الآن يكمن بإيجاد أفضل الطرق لإدارة شركة البريد الأردني بكفاءة وفعالية والإستمرار في تشغيلها على أسس الاكتفاء الذاتي بينما تستمر ملكيتها من قبل الحكومة.

(23) وفي ضوء كل ما ورد أعلاه، تعتبر الحكومة أن هناك حاجة لوثيقة جديدة للسياسة العامة من أجل تحقيق الأهداف التالية:

- المحافظة على النمو وزيادته في قطاعات الاتصالات وتكنولوجيا المعلومات والبريد، وزيادة مساهمة هذه القطاعات في التطور الاقتصادي والاجتماعي والذي سيเกعى على زيادة الناتج المحلي الإجمالي والانتاجية والعملة;

- ضمان توفر خدمات الاتصالات وتكنولوجيا المعلومات وبريد منظمة ذات جودة عالية ومتوفرة في كافة أنحاء المملكة بأسعار مقدرة عليها;

- تحديد الغايات الرئيسية التي سيتم من خلالها تحديد أهداف الإستراتيجية الوطنية لقطاعات الاتصالات وتكنولوجيا المعلومات والبريد في الأردن;

- تعزيز الموقع التنافسي للمملكة دولياً في مجالات خدمات الاتصالات وتكنولوجيا المعلومات والبريد.
Accordingly, having conducted a public consultation and an assessment of the current legal and regulatory status, the Government has decided to adopt this Policy Statement.

2 POLICY IMPLEMENTATION RELATED TO THE TELECOMMUNICATIONS, INFORMATION TECHNOLOGY AND POSTAL SECTORS

The effectiveness of the Government’s Policy in the Telecommunications, Information Technology and Postal Sectors depends upon the implementation of the requirements of this policy, in particular the important role played by the Commission in implementing the requirements that are assigned to it. Achieving an effective transition to tomorrow’s converged telecommunications sector depends upon the Commission’s active involvement and oversight in creating a suitable regulatory environment. Thus, it is important to ensure that the Commission is able to operate at optimal effectiveness.

Several factors are relevant to ensuring the effectiveness of the Commission. These include maintaining its administrative and financial independence, ensuring its ability to attract and maintain highly skilled employees, having effective enforcement authority, and making certain that its instructions and regulatory decisions can quickly be implemented. Moreover, in order to ensure its effectiveness, the Commission must continue to apply the principle of transparency and justification in its regulatory decision-making, with due

(24) Accordingly, having conducted a public consultation and an assessment of the current legal and regulatory status, the Government has decided to adopt this Policy Statement.

(25) The effectiveness of the Government’s Policy in the Telecommunications, Information Technology and Postal Sectors depends upon the implementation of the requirements of this policy, in particular the important role played by the Commission in implementing the requirements that are assigned to it. Achieving an effective transition to tomorrow’s converged telecommunications sector depends upon the Commission’s active involvement and oversight in creating a suitable regulatory environment. Thus, it is important to ensure that the Commission is able to operate at optimal effectiveness.

(26) Several factors are relevant to ensuring the effectiveness of the Commission. These include maintaining its administrative and financial independence, ensuring its ability to attract and maintain highly skilled employees, having effective enforcement authority, and making certain that its instructions and regulatory decisions can quickly be implemented. Moreover, in order to ensure its effectiveness, the Commission must continue to apply the principle of transparency and justification in its regulatory decision-making, with due
account for the assessment of the impact of those decisions when deemed necessary by the Commission.

(27) The Commission is a legally independent agency pursuant to the provisions of the Telecommunications Law no. 13 of 1995, and its amendments, and the Government reaffirm its intention that the Commission remains independent. Accordingly, the Government requires the Ministry to review the Telecommunications Law to determine if any further amendments to the Law are required in order to ensure the continued independence of the Commission.

(28) It is important that the Commission can attract and retain the skilled employees necessary to undertake its important duties in the complex field of telecommunications regulation and enforcement authority. Accordingly, the Government reaffirms its commitment that it will take all necessary actions so that the Commission can create and maintain a highly skilled team of sufficient size to permit the Commission to achieve its important mission.

(29) Regarding the enforcement authority of the Commission in cases of violations committed by licensees, such authority is currently limited to license revocation (in whole or in part) as per the provisions of the Telecommunications Law, or to the imposition of limited fines in accordance with the license agreement in the case of violation. The Government finds that this limitation restricts the effectiveness of the Commission in enforcing its decisions and in applying penalties for repeated violations. Therefore, the Government will seek to introduce amendments to the Telecommunications Law to provide the Commission with the authority to address
this issue. In addition, the Government requires the Commission to review existing license agreements in order to address and resolve this issue in accordance with the provisions of the law.

(30) Even if this issue is addressed, the Commission’s effectiveness in implementing and enforcing its regulatory decisions will remain subject to impairment by procedural delays caused by challenges to its decisions, particularly those brought in the Regular Courts and in the absence of specialized Telecommunications and Information Technology Courts intended to hear such challenges. Therefore, the Government requires the Commission, the Ministry, and the Ministry of Justice to confer and agree upon, and to discuss with the Judicial Council, an appropriate method or methods for substantially shortening the period of time required for a court to issue a decision when the Commission’s decisions or orders are challenged. The Government finds that, among the methods to be considered simultaneously, is the formation of an appropriate judicial chamber specializing in Telecommunications and Information Technology issues, under the authority given to the President of the Court of First Instance in the Courts’ Formation Law (as amended).

(31) The Government requires the Commission to publish an annual plan of work and report on its subsequent delivery on its website.

(32) In addition, the Government continues to require the Commission to regularly compile and annually publish information regarding its implementation of this Statement of Policy 2012.

الهيئة بمراجعة اتفاقيات الترخيص الحالية لمعالجة وحل هذه المسألة وفقاً لأحكام القانون.

(30) حتى وإن تم تمت معالجة هذه المسألة، فإن فعالية الهيئة في تطبيق وتنفيذ قراتها التنظيمية ستبقي عرضة للإعاقة بسبب التأخيرات الإجرائية الناجمة عن الطعون والاعترافات التي تواجه قراتها، خصوصاً القرارات التي يتم النظر فيها من قبل المحاكم النظامية، وذلك في ظل غياب المحاكم المتخصصة في الاتصالات وتكنولوجيا المعلومات للنظر في هذه الطعون والاعترافات. لذلك، تطلب الحكومة أن تقوم الهيئة والوزارة ووزارة العدل بالتشاور والاتفاق والتباحث مع المجلس القضائي حول الأساليب الملائمة التي يمكن من خلالها تقصير المدة الزمنية التي تحتاجها المحكمة لإصدار قراراتها عند الطعون أو الإعتراف على القرارات أو الأحكام التي تصدرها الهيئة. وترى الحكومة، أن من بين الأساليب التي يمكن أخذها بعين الاعتبار أن واحد، إمكانية تشكيل غرفة قضائية متخصصة في قضايا الاتصالات وتكنولوجيا المعلومات، وذلك بموجب السلطة الممنوحة إلى رئيس محكمة البداية ضمن قانون تشكيل المحاكم وتعديلاته.

(31) تطلب الحكومة من الهيئة نشر خطة عملها السنوية والتقارير المتعلقة بتقديمها على موقعها الإلكتروني.

(32) بالإضافة إلى ذلك، تستمر الحكومة في الطلب من الهيئة القيام بجمع المعلومات المتعلقة بتقديمها للسياسة العامة 2012 بانتظام ونشرها سنوياً.
The Government also requires the Commission to provide to the Ministry an annual report on its achievements in implementing its related provisions in the Policy Statement, and requires the Ministry to forward it to the Council of Ministers.

The Government recognizes the significant improvement of the Commission concerning the areas of objectivity, proportionality, consistency and transparency, as well as the substantial improvement in the amount, quality, and accessibility of the information on the Commission website. Nevertheless, the Government restates and augments here, its continuing requirements for the Commission in those areas:

- With respect to all decisions that are likely to have a material impact on the market, the Commission should engage in a transparent and open process by which all consultations and submissions made to the Commission will be made publicly available so that others may make their own submissions before decisions are announced. The Commission should publish "reasoned decisions" for all decisions that are likely to have a material impact on the market, explaining not only why the decision was made but also providing the full objective legal and necessary analysis that underlies that conclusion, and when deemed necessary by the Commission, an assessment of the impact on affected parties of the resulting regulatory burdens and to observe the gradual application of these decisions.

- The Commission website should continue to ensure that all current policy statements, consultative documents, instructions and regulatory
decisions, licenses, and license applications are available, up-to-date and easily available. The Commission website should continue to permit citizens, businesses, and the Government entities to have immediate electronic access to information that is not commercially confidential concerning applications for and grants of various licenses and type approvals for telecommunication equipment.

(35) While respecting the Commission’s independence in its decisions and its obligations of confidentiality, the Government requires the Commission to maintain a regular dialogue with the Ministry concerning the implementation of this Statement of Policy 2012. This dialogue should include, but not be limited to, consideration of necessary legal changes to facilitate or improve the level of competition in the Telecommunications and Information Technology Sectors.

(36) The Government requires the Commission to periodically review its instructions and regulatory decisions and, where market conditions allow and where, in the judgment of the Commission it is appropriate, to amend such instructions and regulatory decisions in line with these conditions.

(37) As part of its review of the Telecommunications Law, the Government will ensure that the Commission has clear and sufficient authority to forbear from regulation where appropriate. “Forbearance” means a decision by the Commission not to apply certain regulatory provisions to particular types of licensees or to particular market sectors or sub-sectors based on the Commission’s determination that, in such instances, the application of such regulatory provisions is unnecessary. The
Government expects that, in the short to medium term, such forbearance will apply to non-dominant operators. Forbearance also should be accompanied by ex-post authority to address competition concerns as well as to address consumer protection issues.

(38) The Government recognizes the important consumer protection role that is performed by the Commission. Accordingly, the Government encourages the Commission to form a consumer advisory entity to represent consumer interests and to provide input to the Commission. The Government also recognizes and supports the Commission's publication on its web site of consumer guidelines and quality of service reports. Furthermore, the Government requires the Commission to require telecommunications service providers to continue to publish sufficient information concerning, coverage, rates and other information that would enable consumers to make an informed decision concerning their purchase of telecommunications services.

3 THE TELECOMMUNICATIONS SECTOR

3.1 Effective Competition

(39) In light of the steps taken for the liberalization of the Telecommunications Sector, the 2007 Policy Statement directed that Telecommunications Policy should concentrate on promoting an environment to bring about effective competition. The Commission has acted in accordance with that Policy directive. However, its ability to act in an effective manner has been limited by certain factors beyond its control, and which are
addressed in the preceding section of this Policy Statement. Thus, conditions of effective competition do not yet exist in any of the telecommunications markets. Accordingly, the Government requires the Commission to continue to closely monitor the telecommunications markets and to take and enforce such regulatory decisions as it believes are required to bring about effective competition.

(40) For the guidance of the Commission, and other relevant stakeholders, the Government believes that it is important to indicate what is intended by the term “effective competition.” Effective competition is defined as the following: The situation in which the Customers are able to purchase telecommunications services (or reasonable substitutes) from telecommunications providers who are selling services to buyers without hindrance from other providers, at market prices set by supply and demand, without any single consumer or provider having undue influence over the level of the price, in other words it is the absence of a dominant provider or one which exercises significant market power.

(41) The Government continues to require the Commission to take all such steps as may be necessary and appropriate in order to facilitate the rapid entry of new competitors in the telecommunications sector and the rapid introduction of new services by those entities, as well as by any existing licensee.

(42) In addition, the Government requires the Commission to take appropriate actions to facilitate customer choice among existing telecommunications service providers, including the possible feasibility of implementing number portability, by which subscribers will be able to port numbers from one service provider to another.

وعليه، فإن ظروف المنافسة الفعالة غير موجودة في أي من أسواق الاتصالات. وبالتالي، تطلب الحكومة أن تستمر الهيئة بمراعاة أسواق الاتصالات عن كلب واتخاذ وتنفيذ القرارات التنظيمية التي تعتبر أنها ضرورية لتحقيق المنافسة الفعالة.

(40) ولهما إرشاد الهيئة الجهات المعنية الأخرى ذات العلاقة، ترى الحكومة أنه من المهم توضيح المصمود بمصطلح "المنافسة الفعالة". وتُعرف المنافسة الفعالة كما يلي: الحالة التي يمكن فيها للعملاء شراء خدمات الاتصالات (أو بدائل معقولة) من مزودي الاتصالات الذين يقومون ببيع خدماتهم إلى المشترين دون أي إعاقة من المزودين الآخرين وبأسعار السوق التي تحدد من خلال العرض والطلب، بدون تأثير من أي مستهلك أو مزود للخدمة على مستوى الأسعار، وبعبارة أخرى؛ هي غياب المزود المهيمن الذي يتمتع بقوة كبيرة في السوق.

(41) تستمر الحكومة في الطلب من الهيئة اتخاذ جميع الخطوات، هدفًا تضمن ضرورة من أجل تسهيل الدخول السريع لمنافسي جدد إلى قطاع الاتصالات وتوفر خدمات جديدة بخطى سريعة من قبل هؤلاء بالإضافة إلى المرخص لهم الحاليين.

(42) إضافة إلى ذلك، تطلب الحكومة أن تقوم الهيئة باتخاذ جميع الإجراءات لتسهيل قيام المستهلك بالإختيار من بين مزودي خدمات الاتصالات الحاليين، بما في ذلك جدوى إمكانية تطبيق قابلية نقل الأرقام والذي يمكن للمستخدمين من نقل الأرقام من مزود للخدمة إلى آخر.
The steps necessary to create the conditions for effective competition include but are not limited to the following:

- Mitigating the effects of dominance
- Reducing the barriers to market entry
- Creating new market entry possibilities
- Ensuring a culture of regulatory compliance

As part of this process, the Government notes that an MOU has been entered into between the Commission and the Ministry of Industry and Trade/Competition Directorate, which sets forth the respective roles of the two entities with respect to anti-competitive conduct in the Telecommunications Sector, an action taken pursuant to the 2007 Policy Statement, which required that such a general framework be established. However, the regulatory provisions according to which the Commission operates, and the Competition Law, which the Competition Director enforces, provide different processes for determining whether an action is anti-competitive. This difference sometimes hinders effective legal action from being taken against those which engage in anti-competitive behaviour in the Telecommunications Sector. Accordingly, the Government requires that the Commission and the Competition Directorate consult with respect to possible amendments to the Telecommunications and/or Competition Laws that would address and remedy this inconsistency.

The Government recognizes that, in
the long-term, the Commission will gradually withdraw from ex ante regulation of the Telecommunications Sector, as warranted by the Commission’s evaluation of market conditions. In such circumstances, Commission oversight over that sector will shift from primarily ex-ante to primarily ex-post remedies directed against specific instances of anti-competitive conduct or practices.

3.2 Mitigating the effects of dominance

The Government requires the Commission to continue to conduct reviews of relevant telecommunications markets and sub-markets, as it may deem to be necessary and appropriate for the mitigation of the effects of dominance and for the protection of competition and consumers and to reflect more recent data and market conditions for this purpose. Continuing such reviews will be particularly important because of changing technology and market conditions likely to be brought about by convergence.

3.2.1 Reducing barriers to market entry

The Government requires that the Commission further improve and simplify the licensing system, in particular with respect to class licenses. In particular, the Commission should review the current information required by applications for such licenses to determine whether the detailed data now required (such as financial information and business plans) are reasonably related to the decisional criteria which govern the grant of such license. To the extent they are not, the requirements for such information should
(48) The Government recognizes the execution of an agreement between the Jordanian Armed Forces and the Commission concerning the allocation of radio frequency spectrum. Nevertheless, as specified in the 2007 Policy Statement, the Government continues to require that the management of the Kingdom’s radio frequency spectrum be under the Commission’s control and that non-civilian spectrum that currently is not used for military purposes should be identified and transferred to the Commission’s management as soon as possible. In order to avoid delays to the introduction of new commercial services or the expansion of existing services, the Commission should identify required spectrum bands and negotiate their release to its control well ahead of market demands.

(49) The Government recognizes that the transition of terrestrial television broadcast from analogue to digital transmission will result in the use of less RF spectrum, thus freeing up the unused spectrum for other uses (the “digital dividend”). The Government requires the Commission to review this digital dividend and determine the appropriate use of such spectrum and the method to be used for licensing it.

(50) The Government recognizes that the inability to access necessary rights-of-way, as well as to utilize other existing infrastructure owned by dominant telecommunications operators and other telecommunications infrastructure owners
or other public utilities, including, but not limited to electricity, water, and railroad, may deter potential telecommunications providers from entering the market, or may limit the ability of existing providers to expand services or service areas. Moreover, failure to share rights-of-way or existing infrastructure may increase the costs of entry or expansion of services and degrade the environment as duplicate facilities are built or trenches dug.

(51) Accordingly, with respect to rights-of-way, the Government requires that a new legal framework be established concerning issues of access to, use of (including shared use), and the amounts of payments for use of right-of-way by telecommunications providers, for all right of way administered by the ministry of Municipal Affairs, the Ministry of Public Works, and the Greater Amman Municipality. Such legal framework should be initiated in a revised Telecommunications Law.

(52) With respect to existing infrastructure owned by dominant Licensees and other telecommunications infrastructure owners, the Commission is required to adopt detailed regulatory provisions and enforce existing regulatory requirements whereby access to and use of such infrastructure shall be available to other Licensees on a non-discriminatory basis and on reasonable terms and conditions, as determined by the Commission.

(53) For the purpose of deploying a broadband backbone throughout the Kingdom, and making it available for commercial use, the Government requires that the Ministry study, and adopt, whenever possible, a program whereby the relevant infrastructure assets owned by Government entities (such as the NBN)
can be leased by private sector entities on a non-discriminatory basis, or through barter deals between government and private sector entities. The relevant infrastructure assets include, but are not limited to, masts, ducts, poles and dark fibre, even if they are owned by the Government through electricity transmission or other entities. Moreover, the Ministry should consider whether the further development and exploitation of such Government infrastructure should be done through some type of public-private partnership.

3.2.2 Creating new market entry possibilities

(54) Given the beneficial effects of new providers on service quality and prices, and that the decision whether further operators should be introduced should be left to the market and the open licensing regime, the Government requires the Commission to continue to investigate the possible entry of new service providers and the provision of new types of services. This should include the necessary actions to avail the necessary frequency spectrum for the introduction of such services. The Government also requires the Commission to continue to make MVNO licensing available in accordance with the appropriate regulatory framework in order to encourage the entrance of new providers of this service.

3.2.3 Maintaining a culture of regulatory compliance

(55) The Government requires the Commission to act quickly to investigate
complaints against licensees by other licensees and to swiftly enforce any orders issued as a result of such investigations. Particular attention should be paid to complaints against dominant operators because such operators have the capability of delaying the introduction of competitive services, or of making those services significantly more expensive.

(56) In order for the Commission to maintain a culture of regulatory compliance, the Government emphasizes that the Commission’s enforcement authority and its ability to attract and retain highly skilled employees be enhanced. The Government also requires expediting the litigation procedures associated with appeal of the Commission’s decisions to Regular Courts, all as stipulated in this 2012 Policy.

3.2.4 Reviewing the General Government Policy for Universal Service

(57) The Government requires the Ministry to keep the General Government Policy for Universal Service under review, to ensure the correct balance between the freedom of operators to offer the competing services of their choice and the need to ensure the affordability and availability of telecommunications services throughout the Kingdom. Among the issues that should be addressed in these periodic reviews are the following:

- The type of services to be provided under the General Government Policy for Universal Service, for example broadband service;
- Alternative methods of funding and distribution of support.

3-2-4 مراجعة السياسة العامة للخدمات الشمولية

(57) تطلب الحكومة أن تسودوزارة الشمولية الحرة المشتركين في عرض الخدمات التنافسية وفق اختيارهم والحاجة لضمان توفير الخدمات الأساسية في كافة أنحاء المملكة وبأسعار مقدرة عليها لجميع المواطنين. ومن بين المسائل التي يجب معالجتها في هذه المراجعات الدورية ما يلي:

- أنواع الخدمات التي يجب تقديمها ضمن السياسة العامة للخدمات الشمولية، مثل خدمات التلفزيون العريض;
- الأساليب البديلة لتمويل وتوزيع الدعم.

(56) ومن أجل تمكين الهيئة من المحافظة على ثقافة الامتثال للتنظيم، ووفقا لما تضمنته وثيقة السياسة العامة، تؤكد الحكومة على ضرورة تعزيز سلطات الهيئة في اتخاذ قراراتها وقدرتها على استطاب الموظفين ذوي المهارات العالية والاحتفاظ بهم، كما تطلب الحكومة الارساع في إجراءات التقاضي أمام المحاكم النظامية عند الاعتراض على قرارات الهيئة.
3.3 Enhancing Internet Access

Government declares that fast, reliable, and affordable Internet access for all users is an important national goal and that Internet penetration, particularly broadband access, should be significantly increased, in all areas of Jordan, particularly in rural areas. Government further declares that such access should be made available using both wired and wireless technologies and using a variety of Internet access devices, particularly those which provide mobile access.

Government will explore the use of tax relief and other incentives in order to encourage increased penetration of PCs and other Internet-capable devices.

Government recognizes that Knowledge Stations may provide a first encounter with IT, as well as the best continuing affordable Internet access, for many people living in remote or deprived areas. The Government also recognizes the importance of restructuring and providing a unified framework for Knowledge Stations as well as reviewing and adapting, as appropriate, the locations and roles of Knowledge Stations in the light of increased Internet penetration and availability, the general increase in IT awareness, as well as the changing needs and priorities of the target users.

Government encourages the Commission to assist in achieving the goal of significantly increasing the level of Internet penetration, particularly broadband access, in all areas of Jordan by considering a variety of actions, including,
but not limited to the following:

- Supporting the further deployment of new technologies and maximizing the benefit from the frequencies that will become available as a result of transition to digital broadcasting in order to increase and extend Internet access.
- Enforcing infrastructure and facilities sharing between operators, and encouraging sharing of facilities with public utilities (such as electricity providers), at reasonable prices and conditions, in order to reduce the costs of providing and extending Internet service.
- Ensuring the provision of physical network infrastructure access services such as Local Loop Unbundling and all forms of unbundled and shared access to local loops and sub loops at each feasible location, including access to associated facilities and services on a nondiscriminatory basis.
- Continuing to ensure the introduction of wholesale broadband access services at each feasible location, including access to associated facilities and services, on a non-discriminatory basis.

(62) Government encourages the creation and expansion of local/regional Internet Exchange Points (IXPs) in order to improve the Kingdom’s Internet infrastructure and performance, to reduce Internet transit costs and network latency, and to facilitate access to online content.

3.4 Radio Spectrum

• دعم التنظيف المتزايد للتكنولوجيا الحديثة وتعظيم الاستفادة من الترددات التي ستتوفر نتيجة التحول إلى البث الرقمي، بهدف زيادة وتوسيع الانتشار إلى الإنترنت.
• إلزام المشغلين بالمشاركة في البنية التحتية والمرافق، وتشجيع المشاركة في المرافق العائدة للخدمات العامة (مثل مزودي الكهرباء) بأسعار وشروط معقولة، وذلك من أجل تخفيض الكلفة المتتالية على توفير وتوسيع خدمة الإنترنت.
• ضمان تقديم خدمات الانتشار إلى شبكات البنية التحتية المادية، مثل خدمة تفكيك مكونات الدارات المحلية وكافة أشكال تفكيك المكونات والانتشار المشترك إلى الدارات المحلية والدارات الفرعية في كل موقع ملائم، بما في ذلك الانتشار إلى المرافق والخدمات ذات الصلة على أسس غير تمييزية.
• الاستمرار في ضمان تقديم عروض البيع بالجملة لخدمات الانتشار عريض النطاق في كل موقع ملائم، بما في ذلك المرافق والخدمات ذات الصلة، على أسس غير تمييزية.

(62) تشجع الحكومة إنشاء نقاط تبادل الإنترنت المحلية والإقليمية والتوسع فيها بهدف تحسين البنية التحتية للإنترنت في المملكة وتحسين أدائها، وتخفيف تكاليف نقل البيانات عبر الإنترنت وتخفيف التأخير الزمني الحاصل، وتسهيل النطاق للمحتوى على الإنترنت.
The effective management of the Radio Frequency Spectrum is more vital now than ever to the development of the Telecommunications and Information Technology Sectors in Jordan, particularly with the ever increasing numbers of conventional mobile phones, smart phones, tablet computers and mobile IT devices of various kinds. All of those devices are designed to easily access Radio Frequency Spectrum in order to function.

The Government requires that the Commission regularly update its Frequency Use and Planning Policy in light of changing market conditions, technological developments, and input provided by public and private stakeholders.

The Government requires that the Commission manage the spectrum in an efficient and effective manner according to the following principles:

(a) Maintain compliance with international and regional obligations;

(b) Promote greatest access to the RF spectrum, while maintaining the essential needs of public services, taking due account of spectrum use commonly adopted across developed countries;

(c) Adopt policies that promote competition and the rapid introduction of new services and technologies;

(d) Adopt a public consultative approach to the development and maintenance of the civilian portion of the frequency Spectrum, in conjunction with the Ministry;

(e) Adopt a transparent approach to all
spectrum allocation and assignment decisions but within the limits of any overriding privacy or security issues;

(f) Investigate and adopt wherever possible, advanced spectrum management principles, including but not limited to: a technology and service neutral approach to spectrum, spectrum reuse; and spectrum sharing, and the potential for secondary spectrum markets, except where these would be inconsistent with applicable international agreements or would create undesirable effects, and when the market conditions allow.

(g) Adopt an open license for the public under designated specific bands known internationally as "license exempt";

(h) Minimize the burdens of gaining Type Approval for radio apparatus, including adopting mutual recognition policies wherever appropriate;

(i) Preparation of the table, plan and register necessary for the regulation of the radio frequency spectrum in accordance with the Telecommunications Law, and the transparent publication of the portion thereof that is assigned for civilian use;

(j) Price spectrum according to the level of market demand, using auctions and, secondary trading, where appropriate, recognizing that the highest value of spectrum might be in a different allocation or assignment than its current use;

(k) Prevent the anti-competitive acquisition or hoarding of spectrum by dominant
operators.

(i) Respond rapidly to interference complaints and take prompt, but proportionate, steps to remove illegal spectrum use and address other interference issues;

(m) Cooperate with neighbouring states to ensure that mutual spectrum use protects the interests of Jordan’s spectrum users while maintaining good international relations;

(n) Maintain personnel and institutional capability in the Commission with respect to radio frequency management.

3.5 Convergence

(66) The Government policy should reflect the growing convergence in the telecommunications, information technology and media sectors, such as the ability to provide audio, video and data over a single network and the uncoupling of networks from service provision. The implications for content regulation should also be taken into account. Despite the difficulty in explicitly identifying and addressing the full range of convergence-related issues that are likely to emerge during the period covered by this Policy Statement, the Government believes that it is helpful to set forth some of the changes that are expected to result from convergence, along with some basic principles, so that possible legal and regulatory issues resulting therefrom, may be anticipated.

الطيف، أو اكتنازهم للطيف، بشكل يخل بالمنافسة.

ل، الاستجابة بشكل سريع إلى شكاوى التداخل واتخاذ إجراءات مباشرة ومتناوبة لإزالة الاستخدام غير القانوني للطيف والنظر في القضايا الأخرى المتعلقة بالتدخل;

م، التعاون مع دول الجوار لضمان أن الاستخدام المشترك للطيف يحافظ على مصالح المستخدمين في الأردن مع الحفاظ على علاقات دولية جيدة;

ن، الحفاظ على الكوادر المؤهلة والقدرات المؤسسية لإدارة طيف الترددات الراديوية في الهيئة.

3-5 الاندماج

(66) ينبغي أن تعكس السياسة العامة للحكومة الاندماج المتزايد في قطاعات الاتصالات وتكنولوجيا المعلومات والإعلام مثل القدرة على تقديم الخدمات المتمتعة والمرنة ومثل الشبكات من خلال شبكة واحدة وفصل الشبكات عن شرط تقديم الخدمات، وينبغي أيضاً أن يتم الأخذ بعين الاعتبار الأثار المرتبطة على تنظيم المحتوى. وبالرغم من صعوبة تحديد ومعالجة كافة القضايا المتعلقة بالاندماج، والتي من المحتمل أن تعزز خلال الفترة التي تغطيها وثيقة السياسة العامة هذه، تعقد الحكومة أنه من المفيد أن تنص الوثيقة على بعض التغيرات المتوقعة التي تنتج عن هذا الاندماج، إضافة إلى بعض المبادئ الأساسية، بحيث يمكن توقع القضايا القانونية والتنظيمية التي قد تنتج عنها.
3.5.1 Convergence in Jordan

A variety of converged services already are available in Jordan. 3G wireless services provide both voice and data capabilities. Voice Over Internet Protocol (VOIP) service also is commonly available via the Internet. And high speed Internet service currently is being provided over a cable/fiber system which is capable of providing so-called “triple play” service, i.e., audio, video, and data.

However, these changes are only precursors to the upcoming shift to fully converged, IP-based networks. With the ultimate deployment of such networks, the delivery of specific services using a specific type of delivery technology to a specific type of receiving equipment will become a legacy artifact.

The evolution of converging network capabilities requires that legal and regulatory structures and institutions evolve to match the shift in technology and market. With this shift comes an impetus to rationalize the fragmented legacy structure of regulatory organizations to effectively and efficiently adjust to a new regulatory mission that can accommodate rapid technological change. Accordingly, the Government finds that the existing legal frameworks and regulatory structures should be re-examined and updated as necessary in order to accommodate the converged telecommunications, information technology and media environment of tomorrow.

3.5.2 The Telecommunications and Audio-Visual Media Laws

3–5 قوانين الاتصالات والإعلام المرئي والمسموع

3–5–1 الاندماج في الأردن

يتتوفر في الأردن حالياً عدد من الخدمات المندمجة، ويتضمن خدمات الجيل الثالث من الاتصالات المتصلة بتوفير خدمات الصوت والبيانات، إضافة إلى توفر خدمة الصوت عبر بروتوكول الإنترنت، وتم في الوقت الحالي تتدريب خدمات الإنترنت السريع من خلال نظام كابل/ ألياف نحيلة المندرة على تقديم ما يعرف بخدمات "التشغيل الثلاثي" أي المسموع والمرئي والبيانات.

على الرغم من ذلك، فإن هذه التغييرات هي مجرد تمييز للتحول الكامل إلى الشبكات المندمجة القائمة على أساس بروتوكول الإنترنت، ومع انتشار هذه الشبكات على مدى الطويل فإن تقديم أنواع محددة من الخدمات باستخدام أنواع محددة من تكنولوجيا التوصيل إلى أنواع محددة من معدات الاستقبال سيصبح من الآثار القديمة.

إن التطوير في قدرات الشبكات المندمجة يتطلب تطوراً موارياً في الهياكل والمؤسسات التنظيمية وذلك من أجل مواكبة التحول في التكنولوجيا والسوق. ومع هذا التحول يأتي الدافع لتشديد الهيكلية القديمة المجزئة للمؤسسات التنظيمية لتتكيف بشكل فعال وكفو مع المهام التنظيمية الجديدة والتي يمكنها استيعاب التغييرات التكنولوجية المتسارعة. وبالتالي، تجد الحكومة أنه من الضروري مراجعة وتحديث الأطر القانونية والعلاقات التنظيمية الحالية، حسب ما تقتضي الحاجة، من أجل استيعاب بيئة الاندماج المستقبلية للاتصالات وتكنولوجيا المعلومات والإعلام.
The Government finds that Jordan’s Telecommunications and Audio-Visual Media Laws require re-examination to determine whether and how they should be amended in order to accommodate issues of convergence and hereby directs the Ministry to conduct such a re-examination, in consultation with the Commission, the Audio Visual Commission (AVC), and other relevant stakeholders.

Currently, the Audio-Visual Media Law assigns to the Audio-Visual Commission (AVC) authority to regulate the entities which broadcast and re-broadcast content. However, the AVC does not have the authority to regulate broadcasting through the Internet.

Pursuant to the provisions of the Telecommunications Law, the Commission has the authority to regulate telecommunications networks and the providers of telecommunications services. In addition, the Commission has authority to manage the radio frequency spectrum for civilian use, as well as the authority to license such spectrum.

The Commission and the AVC share authority over licensing broadcast and re-broadcast services. The AVC reviews and recommends to the Council of Ministers with respect to licensing service provision, while the Commission awards licenses for the use of RF spectrum and issues type approvals for related equipment.

The Government believes that this shared jurisdiction and the regulatory gap related to new media, as well as with respect to broadcasting through the internet will result in confusion among both providers of converged services and the public.
the two commissions and will delay the development, introduction, and licensing of certain forms of these services in Jordan.

(75) Accordingly, the Government directs the Ministry, with appropriate input from the Commission and the AVC, to closely examine the relationship of the two laws and the two commissions in light of convergence issues. This review should include the amendments that should be made to clarify issues of jurisdiction and to eliminate overlap in the provisions of the two laws as well as to address any regulatory gap.

(76) As part of this review, the implications for other legislation should also be examined and the need for parallel revisions of those legislations also be taken into account.

(77) In addition to its relationship with the Audio Visual Media Law, the Government finds that the Telecommunications Law needs to be reviewed and appropriate recommendations made with respect to the power and authority of the Commission concerning the provision of converged services and the introduction of new technologies. In particular, the review of the Telecommunications Law should be completed to ensure that the Commission has sufficient and flexible authority to deal with the rapidly changing environment that can be expected to result from fully converged networks, as well as during the transition period to the full deployment of such networks, and that it is not unreasonably restricted by legal and regulatory constraints based on legacy telecommunications networks and concepts.

(78) At the same time, the Government
finds that the Commission’s authority to regulate conventional telecommunications networks and services should continue and that, in particular, it should have sufficient authority to identify and mitigate or prevent anti-competitive conduct, as well as to take all necessary and appropriate actions to bring about effective competition in the Telecommunications Sector.

3.4.3 Review of Regulatory Issues With Respect to Convergence

(79) The Government recognizes the worldwide trend toward the development of converged networks and believes that such networks can have significant beneficial effects in Jordan. The Government believes that the development and deployment of such converged IP networks, including Next Generation Networks, should largely be led by the private sector with the role of the Government being to establish a clear policy and regulatory framework designed to facilitate migration to such networks and investment in their deployment, while guarding against anti-competitive behaviour, both in the transition period and in the fully converged environment.

(80) In order to begin the process of developing such a framework, the Government directs the Commission to begin, as soon as possible, a consultative proceeding designed to identify the multiple issues presented by convergence and to establish the necessary regulatory framework and time frame for follow-on proceedings to address them. The Government believes that this “framework proceeding” should begin with the process of gathering relevant information from private sector stakeholders concerning plans for the development and deployment of converged networks in
Jordan, and should identify relevant issues and principles for addressing converged networks, as well as respective responsibilities of the private sector and the Government. The Government anticipates that such a framework proceeding would result in follow-on efforts by both the Commission, through various consultative proceedings, and the industry, perhaps through specialized industry committees, that would address in a comprehensive way the issues identified in the initial proceeding. This proceeding as well as those which follow, is intended to be “anticipatory” so that when converged networks begin to be developed and deployed in the Kingdom, the appropriate regulatory structure, which facilitates rather than retards the deployment of such networks in Jordan, is in place.

(81) Without limiting the discretion of the Commission to identify and address such convergence-related issues as it believes to be appropriate, the Government hereby provides some initial guidance to the Commission as to possible issues to be addressed in its convergence proceedings. Among those issues are the following: licensing; spectrum utilization and assignment; and access and interconnection requirements. With respect to each of these issues, the Government believes that consideration should be given to the impact of converged networks upon traditional regulatory models and the need for increased flexibility in regulations and in the sector’s response and speed in addressing technological change. In addition, the Government believes that there will likely be a continuing need for the Commission to take steps to mitigate dominance; both during the transition to a converged environment, and once converged networks and access have been fully deployed. In that regard, the Government believes that issues
concerning consumer choice and access to Internet services (sometimes called "net neutrality") also are relevant, because network operators may have an incentive to favour their own information services, versus those provided by others. Moreover, the interests of consumers should be identified and protected, so that they are not adversely affected either during the transition period or once a converged environment is achieved.

4 THE INFORMATION TECHNOLOGY (IT) SECTOR

4.1 The Importance of Information Technology in Jordan

(82) The Government recognizes the important role of the IT sector in Jordan. Not only is it a significant economic sector in its own right, but IT provides critical support to other sectors of the economy, both public and private. Accordingly, the Government will support the development and growth of the IT sector in Jordan through a multifaceted strategy designed to foster the dynamic growth of the Jordanian IT sector, both domestically and internationally, as well as the diffusion and use of IT throughout all segments of Jordanian society.

(83) Government recognizes the critical relationship between the IT and Telecommunications Sectors, particularly in view of growing convergence, and that IT products and services increasingly are distributed over telecommunications networks such as the Internet. Accordingly, Government requires that appropriate action be taken to stimulate the...
In that regard, Government recognizes the important role that e-government can have not only in facilitating interaction with government by citizens and businesses but also in helping develop the necessary systems for e-commerce and m-commerce, including e-payments and e-transactions, encouraging further advancements in technology and investments and in helping develop the trusted environment necessary for the effective creation of a knowledge economy in the Kingdom.

The Government requires that open market principles apply to the IT sector. Accordingly, no restrictive regulations shall be applied to the IT sector, except as indicated in this Policy Statement in paragraphs (132 to 138) or in matters involving national security. Government considers that the Competition Law of 2002 as amended provides adequate safeguards against anti-competitive activity within the sector at the present time.

4.2 Advancing Technology and Innovation

4.2.1 IT Research and Development

The Government, through the Ministry, working with the Higher Council for Science and Technology, R & D fund, IT associations, and venture capital entities, will encourage private sector IT companies to work with universities to develop and operate technology transfer programmes designed to boost IT research and development and license or otherwise transfer the results of such R & D efforts to the private sector for commercial exploitation.

وفي هذا الصدد، تدرك الحكومة الدور الهام للحكومة الإلكترونية، ليس من خلال تسهيل تفاعل المواطنين والأعمال مع الحكومة فحسب، بل أيضاً في المساعدة في تطوير الأنظمة اللازمة للتجارة الإلكترونية والتجارة باستخدام الأجهزة المتنقلة، بما في ذلك أنظمة الدفع والمعاملات الإنترنت، وفي تشجيع مزيد من التقدم في مجال التكنولوجيا والاستثمارات، والمساعدة في تطوير بيئة موثوقة ضرورية لإيجاد، ويشكل فعال، اقتصاد المعرفة في المملكة.

tطلب الحكومة تطبيق مبادئ السوق المفتوح على قطاع تكنولوجيا المعلومات. وعليه، لن يتم تطبيق أي إجراءات تنظيمية مقدمة على قطاع تكنولوجيا المعلومات باستثناء الحالات المحددة في وثيقة السياسة العامة هذه، في البنود (132 إلى 138) أو فيما يتعلق بالأمن الوطني. وتعتبر الحكومة أن قانون المنافسة لعام 2002 وتعديلاته يوفر ضمانات كافية لمنع الأنشطة المخلة بالمنافسة في هذا القطاع في الوقت الراهن.

4-2 تطوير التكنولوجيا والأبداع

-1 البحث والتطوير في مجال تكنولوجيا المعلومات

ستعمل الحكومة، من خلال وزارة الاتصالات وتقنية المعلومات، وبالعمل مع المجلس الأعلى للعلوم والتكنولوجيا، وصندوق البحث والتطوير، وجمعيات تكنولوجيا المعلومات، وجهات رأس المال المغامر، على تشجيع شركات تكنولوجيا المعلومات في القطاع الخاص بالعمل مع الجامعات لتطوير وإدارة برامج نقل التكنولوجيا المصممة لدعم البحث والتطوير
exploitation.

(87) The Government, through appropriate stakeholders, will develop and review plans for increasing public and private sector investment, including foreign direct investment, in IT research, development and implementation related to specific sectors such as agriculture, environment, transport, education, energy and health.

(88) The Government encourages IT associations to provide an appropriate forum for matching the demand by businesses for small IT projects with the supply of university students who can assist in implementing these projects, for example students working on relevant IT graduation projects.

(89) The Government encourages IT associations and other relevant stakeholders to cooperate in implementing the National Policy and Strategy for Science and Innovation being prepared by the Higher Council for Science and Technology, when approved.

4.2.2 Encouraging Arabic Language E-Content

(90) In recognition of the importance of overcoming the linguistic digital divide and promoting cultural diversity and identity, the Government will take the following actions in order to facilitate the broadest possible use of the Internet:

(a) Through the NITC and in coordination with other relevant
public and private sector stakeholders, both in the Kingdom and internationally, the Government will take appropriate steps to encourage and support the use of Arabic language domain names, e-mail addresses, and keyword look-up on the Internet, and to maintain global interoperability on the Internet as domain names expand to include arabic characters.

(b) The Government will establish a 'Content Advisory Board' in order to encourage and stimulate the creation and development of suitable Arabic language and local digital content that is accessible online not only in the Kingdom but throughout the Arabic-speaking region. This board will consist of members from the public sector, the private sector's content industry (including authors, developers, aggregators, and publishers of Arabic language content), the academic sector, the financial sector (lending agencies and investment funds), and business accelerators, for example business incubators.

4.3 Improving the Business Environment

4.3.1 Taxation of the IT Sector

The Government, through the Ministry of Finance, working in coordination with the Ministry, the Ministry of Industry and Trade and the Jordan Investment Board (JIB), will regularly review and, if necessary, adjust the tax burdens imposed on the IT sector and IT-enabled services.
Such review should not only take into account the Government’s short-term revenue needs but also the important role of the IT sector, both domestically and internationally, in the development and growth of the Jordanian economy and the potentially adverse impact of taxes imposed upon this sector. In addition, the Government will examine tax burdens so that, to the extent possible, similar services and products are taxed at identical levels.

4.3.2 Promoting Investment

The Government will continue to promote Foreign Direct Investment (FDI), through the work of the JIB and others. Areas to promote, for both foreign and domestic investment, including:

- Call centres and IT support centers;
- IT-enabled Business process outsourcing;
- Content, especially in Arabic and for mobile phones, with particular emphases on gaming, education, health and banking and services;
- The exploitation of technological and multi-lingual skills, such as those for web site development, repurposing of IT documentation and online training; and
- The enhancement and customization of IT services and applications to make

في حال كان ذلك ضرورياً، ينبغي أن لا تقتصر هذه المراجعة على حاجة الحكومة من العوائد على المدى القصير، بل تشمل أيضاً الدور الهام لقطاع تكنولوجيا المعلومات، محليا ودوليا، في تطوير ونمو الاقتصاد الأردني، والآثار السلبية المحتملة للضرائب المفروضة على هذا القطاع. علاوة على ذلك، ستعمل الحكومة على دراسة الأعباء الضريبية بحيث يتم، إلى أقصى درجة ممكنة، فرض ضرائب بنفس المستوى على الخدمات والمنتجات المشابهة.

3-4 تشجيع الاستثمار

(92) ستستمر الحكومة، من خلال مؤسسة تشجيع الاستثمار وغيرها من المؤسسات، في الترويج والاستثمار الأجنبي المباشر، وتتضمن مجالات ترويج الاستثمار الأجنبي والمحلي ما يلي:

- مراكز الاتصال ومراكز الدعم الفني؛
- التفاوضات الخارجية المبنية على تكنولوجيا المعلومات ؛
- المحتوى، وخصوصاً باللغة العربية لأجهزة الهاتف المحمولة، مع التركيز على تطبيقات الألعاب والتعليم، والصحة والخدمات المصرفية;
- استغلال المهارات التكنولوجية ومهارات تعدد اللغات، مثل تلك المتعلقة بتطوير المواقع الإلكترونية، وإعادة إنتاج الوثائق بالوسائل الإلكترونية بالإضافة إلى التدريب عبر الإنترنت؛
- تعزيز وتكيف خدمات وتطبيقات تكنولوجيا
them suitable for the MENA region.

(93) The Government, through the Ministry, and in coordination with the Ministry of Industry and Trade, the Jordan Enterprise Development Corporation (JEDCO), related investment funds and houses, and IT associations, will act to identify promising IT business ventures in Jordan, and, as appropriate, will support the development of such ventures by helping identify sources of private sector support for such early stage companies.

(94) The Government also recognizes the importance of investment in the IT sector. Accordingly, Government requires the Ministry, in cooperation with JIB and IT associations, to develop a plan for encouraging such investment and to encourage relevant public and private sector entities, particularly those involved with investment activities in the IT sector, to cooperate with the Ministry in this regard.

4.3.3 Promoting Exports

(95) The Government, through the Ministry and the Ministry of Industry and Trade, and in cooperation with the Jordan Enterprise Development Cooperation (JEDCO) and IT associations, will promote the Jordan IT brand by ensuring that contacts in other countries, including commercial officers at Jordanian embassies and relevant expatriates, have up-to-date information and materials required to promote Jordan worldwide as a

المعلومات لجعلها مناسبة لمنطقة الشرق الأوسط وشمال إفريقيا.

(93) ستعمل الحكومة، من خلال الوزارة وبالتنسيق مع وزارة الصناعة والتجارة والمؤسسة الأردنية لتطوير المشاريع الاقتصادية والصناعية الاستثمارية، وبوت الاستثمارات ذات العلاقة وجمعيات تكنولوجيا المعلومات، على تحديد مشاريع تجارية واعدة في مجال تكنولوجيا المعلومات في الأردن، والقيام بدعم تطوير مثل هذه المشاريع، حسب ما تنطوي الحاجة، من خلال المساعدة في تحديد مصادر دعم من القطاع الخاص لمثل هذه الشركات الناشئة في مراحلها المبكرة.

(94) تدرك الحكومة أيضاً أهمية الاستثمار في قطاع تكنولوجيا المعلومات. وعليه، تطلب الحكومة أن تقوم وزارة الاتصالات وتقنية المعلومات بالتعاون مع مؤسسة تشجيع الاستثمار وجمعيات تكنولوجيا المعلومات، بتطوير خطة لتشجيع مثل هذه الاستثمارات، وكذلك تشجيع الجهات ذات العلاقة في القطاعين العام والخاص، خاصة تلك التي تعمل في أنشطة الاستثمار في هذا القطاع على التعاون مع الوزارة في هذا المجال.

(95) ستعمل الحكومة، من خلال الوزارة ووزارة الصناعة والتجارة وبالتعاون مع المؤسسة الأردنية لتطوير المشاريع الاقتصادية وجمعيات تكنولوجيا المعلومات، على توسيع العلامات التجارية الأردنية لتيكنولوجيا المعلومات من خلال ضمان توفير المعلومات المحدثة والمواد اللازمة لدى نقاط الاتصال في مختلف الدول، بما في ذلك المطافين التجاريين في السفارات الأردنية.
source of IT solutions and as a destination for IT investment, and can seek general export intelligence and identify specific supply opportunities for Jordanian IT companies available through public domains.

(96) The Government encourages IT associations, in conjunction with chambers of commerce, to pursue structured marketing of exports by:

- Keeping abreast of new developments in international IT markets, and researching specific items of interest in more depth;
- Ensuring that local companies are kept aware of international developments, export intelligence and supply opportunities through, for example, electronic newsletters and alerts;
- Drawing on the expertise of successful exporters (such as developers of games and e-content) to focus attention on these subsectors in countries that have already proved to be major export markets, and with selected other countries with which there are trade agreements; and
- Investigating whether selected emerging markets outside the Arab region would find Jordanian sales propositions particularly attractive.

(97) The Government, through the Ministry, working with IT associations, will ensure that international companies with Jordanian branches are kept fully aware of the advantages of using Jordanian
business process outsourcing in their own areas of activity.

(98) The Government, through the Ministry, encourages IT associations to adopt an internationally recognised IT quality certifications in Jordan and encourages companies with export ambitions to become appropriately certified.

(99) The Government will investigate, and implement if appropriate, more incentives to encourage Jordanian IT companies to relocate in certain development zones, in view of the incentives already offered to companies in such zones. In addition, the Government will examine how to extend such incentives and benefits to companies located outside of these zones.

4.3.4 Encouraging Economies of Scope and Scale

(100) For the most part, the IT sector in Jordan is comprised of smaller companies which may not be globally competitive without mergers, acquisitions and consortia. Accordingly the Government encourages IT associations to undertake an assessment study that may recommend suitable ways of encouraging such mergers, acquisitions and consortia based on assessment outcomes.

(101) In addition, the Government, through the Ministry, will work with Investment entities, IT companies and IT associations to explore appropriate methods to facilitate the submission of bids and proposals by
Jordanian IT companies in Jordan and elsewhere and to facilitate the provision of IT products and services by such companies.

4.3.5 Monitoring Competitiveness and E-Readiness

The Government through the National ICT Information Committee will continue to work with relevant stakeholders to collect statistics and monitor progress related to e-readiness and sector competitiveness to indicate areas where future focus could improve the standing of Jordan. The statistics collected should as far as practicable include those that are commonly used in relevant international comparisons.

4.4 Stimulating Supply in Jordan

4.4.1 Developing Commercial Services and Applications

The Government encourages IT associations to identify potential and unfulfilled demand in Jordan, and support steps towards fulfilling this demand, with the goal of producing solutions inside Jordan that can serve the Arab region and beyond. Such steps might include:

- Repackaging existing solutions to meet the requirements of different market segments;
- Encouraging innovative product development by existing Jordanian IT companies in Jordan and elsewhere and to facilitate the provision of IT products and services by such companies.

4-3-5 مراقبة التنافسية والجاهزية الإلكترونية

(102) ستستمر الحكومة بالعمل من خلال لجنة معلومات قطاع الاتصالات وتكنولوجيا المعلومات الوطنية، وبالتعاون مع الجهات المعنية، على جمع الإحصاءات ورصد النتائج التي تم إحرازها فيما يتعلق بالجاهزية الإلكترونية وتنافسية القطاع بهدف تحديد المجالات التي يمكن أن يسهم التركيز عليها مستقبلاً في تحسين مكانة الأردن. وينبغي أن تتحدد الإحصاءات التي يتم جمعها، وبالنسبة الممكن، الإحصاءات التي يتم استخدامها عادة في المقارنات الدولية ذات الصلة.

4-4 تحفيز العرض في الأردن

(103) تشجع الحكومة جمعيات تكنولوجيا المعلومات على تحديد مجالات الطلب المتوقع والطلب غير الملبى في الأردن ودعم اتخاذ الخطوات اللازمة لتنفيذ هذا الطلب، وذلك بهدف انتاج حلول في الأردن، من الممكن أن تخدم المنطقة العربية وما بيدها. ويمكن أن تتضمن مثل هذه الخطوات ما يلي:

- إعادة تشكيل الحلول القائمة لتلبية احتياجات مختلف القطاعات السابقة.
- تشجيع تطوير المنتجات المبتكرة من قبل الشركات.
companies; and

- Setting up new partnerships (among domestic companies or between domestic and foreign companies), bringing together the skill sets and resources needed to address specific development challenges.

(104) The Government, through the Ministry of Finance, will revise and amend, if possible, the rules for offering online services in the Jordanian market and elsewhere, with the aim of providing the most favourable possible tax treatment to e-commerce and e-businesses providers.

(105) To the extent consistent with the Kingdom’s obligations as a member of the World Trade Organization, and its other international commitments, the Government encourages all government entities to adopt procurement policies that would encourage the consideration of Jordanian IT suppliers whenever a Government contract involves IT. The policies should also provide that, when international suppliers fulfil Government contracts involving IT, their offers include partnerships with Jordanian IT suppliers and significant training for local personnel. Nonetheless, all Government procurement should be undertaken in accordance with published procedures, including clear prequalification requirements.

4.4.2 Providing E-government Applications

(106) The Government will continue with plans for:

- Compelling coordination and cooperation between Government entities to achieve the e-government

الأردنية القائمة؛ و

- إقامة شراكات جديدة (بين الشركات المحلية أو بين الشركات المحلية والأجنبية)، والجمع بين المهارات والموارد اللازمة لمواجهة تحديات تنموية محددة.

(104) ستقوم الحكومة، من خلال وزارة المالية، بمراجعة وتعديل، بحيث أمكن، أحكام تقديم الخدمات الإلكترونية عبر الإنترنت سواء في السوق الأردني أو أخر، وذلك بهدف توفير أفضل معاملة ضريبية ممكنة لمزودي التجارة الإلكترونية ومزودي الأعمال الإلكترونية.

(105) تشجع الحكومة، وبالقدر الذي يتوافق مع التزامات المملكة بصفتها عضواً في منظمة التجارة العالمية والالتزاماتها الدولية الأخرى، جميع الجهات الحكومية على تبني سياسات مشترات من شأنها تشجع مراعاة موردي تكنولوجيا المعلومات الأردنيين في الحالات التي تتضمن فيها العقود الحكومية مشترات لتكنولوجيا المعلومات. وينبغي أن تتضمن هذه السياسات الزام الموردين الدوليين في الحالات التي يقومون فيها بالوفاء بالعقود الحكومية التي تشتمل على تكنولوجيا المعلومات وتضمن عقودهم شراكات مع موردين أردنيين لتكنولوجيا المعلومات وتدريب فعال للعاملين المحليين. ومع ذلك، ينبغي أن تتم كافة المشترات الحكومية وفقاً لإجراءات منشورة تشمل متطلبات واضحة للتأهيل المسبق.

4-4-2 توفير تطبيقات الحكومة الإلكترونية

(106) ستستمر الحكومة في خططها للقيام بما يلي:

- فرض التنسيق والتعاون بين الجهات الحكومية لتحقيق
strategy objectives;

- Issuing common standards for the purchase and use of IT equipment in government entities so as to facilitate high-volume purchasing of such equipment by the Government, with the aim of reducing unit prices, maintenance and training costs; and

- Encouraging public-private partnership in providing e-government services, including adapting existing Government online content and applications to be used by mobile devices and devising new Government “apps”.

(107) The Government, through the Ministry, the Ministry of Public Sector Reform, and other concerned ministries, will set priorities for new and improved e-government services, particularly those with interactive capability, with the aim of maximising take-up by individuals and businesses.

(108) The Government, through the Ministry, the Ministry of Public Sector Reform, and other concerned ministries, will ensure that current and future e-government service development focuses first on business process re-engineering to simplify and reduce the inputs, outputs and processes required. Such re-engineering could help to remove significant impediments to economic growth.

(109) With reference to the e-government strategy, the Ministry is responsible for implementing intergovernmental (i.e., horizontal) e-services within the budget allocated to the Ministry for this purpose, while, with respect to e-government strategy objectives;

- إصدار معايير مشتركة لشراء واستخدام معدات تكنولوجيا المعلومات في المؤسسات الحكومية لتسهيل تنفيذ مشتريات كبيرة الحجم من قبل الحكومة بهدف تخفيف سعر الوحدة وتكاليف الصيانة والتثبيت؛ و

- تشجيع الشراكة بين القطاعين العام والخاص في تقديم خدمات الحكومة الإلكترونية، بما في ذلك تكييف المحتوى والتطبيقات الحكومية الإلكترونية الحالية للاستخدام بواسطة الأجهزة المتصلة وتصميم تطبيقات حكومية جديدة.

(107) ستقوم الحكومة، من خلال وزارة الاتصالات وتكنولوجيا المعلومات ووزارة تطوير القطاع العام والوزارات المنغية الأخرى، بتحديد أولويات لخدمات حكومية إلكترونية جديدة ومحسنة، وخاصة تلك الخدمات ذات القدرات التفاعلية، وذلك بهدف تعظيم تبنيها من قبل الأفراد والمؤسسات التجارية.

(108) ستتضمن الحكومة، من خلال وزارة الاتصالات وتكنولوجيا المعلومات ووزارة تطوير القطاع العام والوزارات المنغية الأخرى، على التركيز عملية تطوير الخدمات الحكومية الإلكترونية الحالية والمستقبلية على إعادة هندسة العمليات من أجل تبسيط وتقليل المدخلات والمخرجات والعمليات اللازمة. ويمكن لعملية إعادة الهندسة هذه أن تساعد على إزالة عقبات كبيرة أمام تحقيق النمو الاقتصادي.

(109) بناء على ما ورد في استراتيجية الحكومة الإلكترونية، تحتل الوزارة مسؤولية تنفيذ الخدمات الحكومية الإلكترونية المتداخلة ( الخدمات الإلكترونية المتصلة ) ضمن حدود المخصصات المرصودة لها لهذه الغاية.
services which are offered by only one governmental entity (i.e., vertical services) such entity has the responsibility for implementing such service within its own allocated budget. In this case, the Ministry will provide technical support, know-how, and advice throughout the lifecycle of the project.

(110) The Government, through the Ministry, will ensure that current and future development of e-government services intended for use by citizens will enable users to access them from mobile phones and other mobile devices as well as from personal computers.

(111) The Government encourages government entities to utilize social interactive telecommunication services to provide citizens with opportunities to furnish input and feedback to the Jordanian Government.

(112) The Government, through the Ministry, will continue working with relevant public and private sector stakeholders to publicise operational e-government services and new services, as they are made available.

(113) The Government, through the Ministry, and in consultation as necessary with relevant stakeholders will:

- Examine the appropriateness of the existing e-government applications to specific business sectors, identifying gaps, and changes which would facilitate take-up by business in the identified sectors;
- Target the selected business sectors with customised e-government applications, to encourage IT adoption.

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(110) ستضمن الحكومة، من خلال الوزارة، أن التطور الحالي والمستقبلي لخدمات الحكومة الإلكترونية المعدة للاستخدام من قبل المواطنين، سيمكن المستخدمين من النفاذ إليها من خلال الهواتف المنتقلة وغيرها من الأجهزة المنتقلة، إضافة إلى أجهزة الحواسيب الشخصية.

(111) تشجع الحكومة الجهات الحكومية على الاستفادة من خدمات التواصل الاجتماعي التفاعلية لتوفير الفرص للمواطنين لتقديم المدخلات والتغذية الراجعة للحكومة الأردنية.

(112) ستستمر الحكومة، من خلال الوزارة بالتعاون مع أصحاب العلاقة المعينين في القطاعين العام والخاص، بالعمل على الإعلان عن خدمات الحكومة الإلكترونية العامة بالإضافة إلى الخدمات الجديدة حال إتاحتها.

(113) ستعمل الحكومة، من خلال الوزارة، وبالتشاور مع الجهات المعنية حسب ما تقضيه الحاجة، على ما يلي:

- دراسة مدى ملاءمة تطبيقات الحكومة الإلكترونية الحالية لقطاعات تجارية معينة، وتحديد التغيرات والتعديلات التي من شأنها تسهيل تبني مثل هذه التطبيقات من قبل مؤسسات الأعمال في تلك القطاعات؛
- استهداف القطاعات التجارية المختارة بتطبيقات مخصصة للحكومة الإلكترونية، بهدف تشجيع اعتماد
and usage by businesses and individuals in those sectors.

(114) Government recognizes that, through its e-government efforts, it can lead by example, and encourage thereby the broad development and utilization of ICT throughout the Jordanian economy. Accordingly, in the development and adoption of ICT applications for its own use, Government shall adhere to international best practices and standards in order to promote the use of such standards and practices throughout the Kingdom.

4.5 Simulating Demand from Business Organizations in Jordan

4.5.1 Raising Business Awareness of IT

(115) The Government, through the Ministry, encourages IT associations to work with Chambers of Industry and Commerce and other industry associations to:

• Understand the characteristics of specific non-IT sectors where increased use of IT could be particularly beneficial; and

• Reach micro, small and medium enterprises in those sectors with targeted messages about how IT can help their businesses.

(114) تدرك الحكومة بأنها يمكن أن تعتبر مثالاً يحتذى به، من خلال الجهود التي تبذلها في مجال الحكومة الإلكترونية لتشجيع التطور والاستخدام الواسع للكتابة المعلومات والمعلومات والاتصالات في كافة مجالات الاقتصاد الأردني. وعليه، ستقوم الحكومة بالالتزام بأفضل الممارسات والمعايير الدولية عند تطوير واعتماد تطبيقات تكنولوجيا المعلومات والاتصالات لاستخداماتها الخاصة، من أجل تشجيع استخدام مثل هذه المعايير والممارسات في جميع أنحاء المملكة.

4-5 تحفيز الطلب من قبل مؤسسات الأعمال في الأردن

4-5-1 توعية مؤسسات الأعمال بأهمية تكنولوجيا المعلومات

(115) تشجع الحكومة، من خلال الوزارة، جمعيات تكنولوجيا المعلومات على العمل مع غرف الصناعة والتجارة والجمعيات الصناعية للقطاعات الأخرى من أجل:

• فهم خصائص قطاعات محددةٍ جداً تلك المتخصصة بتكنولوجيا المعلومات والتي يمكن أن تستفيد من زيادة استخدام تكنولوجيا المعلومات فيها،

• الوصول إلى المؤسسات متناهية الصغر (الميكروية) والصغيرة والمتواضعة في تلك القطاعات باستخدام رسائل موجهة حول الكيفية التي يمكن أن تساعدها
Information provided to such enterprises should include information about how existing new IT applications and technologies, such as cloud computing, may be effectively utilized to reduce costs and improve efficiency.

The Government will encourage providing affordable IT awareness training targeted at micro and small businesses in each area through Knowledge Stations and other civil society organizations and donors, together with appropriate support for those who utilize the skills gained from such IT training in their businesses.

4.5.2 Increasing the Use of IT by Business Organizations

The Government, through the Ministry, will work with industry, trade, civil society organisations and business and industries associations, including micro-finance institutions to examine, and develop plans for increasing if appropriate, the affordability of IT equipment for workers, for example, through low-interest financing arrangements or lower prices made possible by bulk discounts.

Government notes the importance of the IT sector with respect to the development of women's role in the Jordanian society and the Jordanian economy. Accordingly, through the
Ministry, Government will work with IT associations, and other relevant stakeholders, to promote the participation of women in the IT and IT-enabled services sectors.

(119) The Government requires the Ministry, in conjunction with relevant business and industry associations, to identify business and industry sectors that have strong incentives (such as saving time or money) and few barriers to adopt IT and requires that the Ministry cooperate with these associations to encourage and facilitate the diffusion and utilization of IT in such sectors.

4.5.3 Increasing the use of IT by Government Entities

(120) The Government recommends that the NITC examine, and develop plans for increasing as appropriate, the extent to which Government entities are using IT internally and in their relations with citizens, businesses and other Government entities. Universal use of IT by Government entities is an important step towards the wider adoption of IT in society.

(121) The Government recommends that the NITC and other Government entities utilize a technology-neutral approach in the use of IT resources at government entities and consider using open source software where feasible and whenever it could be reasonably expected to generate long-term economic benefits, taking into consideration information security issues.
The Government directs the Ministry and the NITC to examine the use of new IT technologies, such as cloud computing, on an ongoing basis in order to facilitate the provision of e-government services in a more efficient and cost-effective manner. The Ministry and the NITC should take appropriate steps, as they deem necessary, to implement such new technologies as part of Jordan’s e-government roadmap.

4.6 Stimulating Demand from Individuals

Given the high level of mobile penetration in Jordan, as well as the increasing use of smartphones, the Government, through the Ministry, will work with IT associations to encourage the development and usage of simple mobile phone applications related to e-Government.

The Government will continue to work, through the Ministry of Education and in cooperation with the Ministry and the Jordan Education Initiative (JEI), to ensure the availability of affordable IT systems, to increase the adoption and effective use of these systems, and to ensure equipping students with basic IT skills in schools throughout the Kingdom. Government requires schools and other bodies that work with young people to encourage students and young people to share mastered IT skills with older family members and friends.

الأمم، مع الأخذ بعين الاعتبار القضايا المتعلقة بأمن المعلومات.

4-6 تحفيز الطلب من قبل الأفراد

نظرًاً لارتفاع مستوى انتشار الهواتف المتنقلة في الأردن، فضلاً عن تزايد استخدام الهواتف الذكية، ستعمل الحكومة، من خلال الوزارة، مع جمعيات تكنولوجيا المعلومات، على تشجيع تطوير و استخدام تطبيقات بسيطة ذات علاقة بالحكومة الالكترونية من خلال الهواتف المتنقلة.

الحكومة، من خلال وزارة التربية والتعليم، بالتعاون مع الوزارة ومبادرة التعليم الأردنية، بالعمل على ضمان توفير أنظمة تكنولوجيا معلومات ذات كلف معقولة، وزيادة الاستخدام الفعال لهذه الأنظمة، وضمان حصول الطلاب على المهارات الأساسية لتكنولوجيا المعلومات في جميع مدارس المملكة. كما تطلب الحكومة من المدرسين وآخرين من الجهات التي تعمل مع الفئات الشبابية تشجيع تبادل المهارات المكتسبة لتكنولوجيا المعلومات بين هؤلاء الطلاب.
Government encourages the Ministry of Education, in cooperation with the Ministry and the Jordan Education Initiative (JEI), to extend the deployment of e-learning and to introduce e-books (including audio books) through a programme that will allow smooth and economical implementation. Such a programme should include, as appropriate, cloud computing, in order to improve efficiency and reduce costs.

The Government, through the Ministry, will use all appropriate media, including social networks, to spread messages about IT use, and to listen to feedback, through, for example:

- Online discussions of problems and interests related to the sector,
- Web logs in which members of the general public can comment on current public issues.

Government recommends that the NITC and other Government entities and IT associations promote the principle of “inclusive design”, whereby new IT products and services provided to the Government, private sector and citizens are designed from the outset for accessibility and ease of use by the widest possible range of people, including those with special needs, as well as the elderly.

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4.7 Improving Expertise

(128) The Government encourages the Ministry of Higher Education to cooperate with the universities to ensure that it is possible for all students to have affordable access to appropriate Internet-enabled devices, for example by the universities passing on bulk buying discounts and offering easy financing arrangements to students to spread the costs over entire courses.

(129) Government encourages universities to collaborate with Jordan’s IT sector on specific IT-oriented courses, training, and activities (such as internships) so as to ensure that graduates of Jordanian universities have the skill sets required by IT companies in Jordan. Government also encourages universities to ensure that those individuals teaching such courses, or providing such training, are appropriately trained in and familiar with current IT technologies utilized by and relevant to Jordan’s IT sector.

4.8 Contribution of the Jordanian Expatriates in the IT Sector

(130) The Government, through the Ministry, and in cooperation with the Ministry of Foreign Affairs, will work with IT associations to ensure that relevant expatriate Jordanians are kept aware of investment and employment opportunities in the Jordanian IT sector.

(131) Government encourages, universities to cooperate with Jordan’s IT sector on specific IT-oriented courses, training, and activities (such as internships) so as to ensure that graduates of Jordanian universities have the skill sets required by IT companies in Jordan. Government also encourages universities to ensure that those individuals teaching such courses, or providing such training, are appropriately trained in and familiar with current IT technologies utilized by and relevant to Jordan’s IT sector.
The Government, through the Ministry of Foreign Affairs and the Jordan Investment Board, will ensure that relevant expatriate Jordanians can seek information (in their countries of activity) and provide relevant feedback (for the benefit of Jordanian companies) on specific supply opportunities through public domains that may be suitable for Jordanian IT companies.

4.9 Facilitating E-commerce

The provision of Internet business services, e-commerce and m-commerce, as well as new services such as cloud computing, requires the development and implementation of a comprehensive legal framework, including not only an e-transactions law but addressing other issues such as cybercrime and data privacy and security. Accordingly, the Government, through the Ministry, will provide for the development, adoption and implementation of such a legal framework. Moreover, the Government, through the Ministry of Industry and Trade and in cooperation with the Ministry, will ensure that any upcoming proposed general consumer protection law has all the necessary provisions to foster e-commerce

The Government, through the Ministry and in cooperation with relevant stakeholders, will introduce legislation for data protection and privacy. This legislation should ensure privacy for data used or stored electronically and require disclosure of unauthorized or accidental disclosure of private data.
Recognizing the burdensome and intrusive nature of unsolicited commercial e-communications ("spam") and the increasing use of spam to distribute various types of computer malware and viruses, the Government, through the Ministry, will include in the proposed data privacy legislation a provision that will prohibit the sending of spam.

The Government, through the Ministry, working with the Commission, and other relevant entities, will complete the by-laws and instructions under the Electronic Transactions Law related to Certification Authorities.

The Government, through the appropriate legislative channels, will seek to adopt the proposed amendments to the E-Transaction Law prepared by the Ministry in cooperation with concerned stakeholders. In addition, the Government, through the Ministry, the Commission and the Central Bank of Jordan, will implement the Electronic Transactions Law so as to promote the use of e-commerce services, including m-commerce services.

4.10 Safeguarding Intellectual Property and the Safe Use of Internet

The Government, through the NITC, the National Library, the Commission and in cooperation with concerned entities, will apply Intellectual Property Rights (IPR) legislation and will make sure of its conformity with the international obligations of the kingdom and best practices. Government will also work with appropriate private sector entities to support educational activities.
efforts to increase the awareness by consumers, the business sector and the legal community, among others, of the importance of Intellectual Property rights.

The Government considers Self-Regulation is the most appropriate for electronic content. However, in the absence of such Self-Regulation and the increasing diffusion of new telecommunication means and converged services, the Government will study and develop, as the case may be, the appropriate regulatory framework to regulate this content and to regulate access to it through public telecommunication networks, and will identify the authorized entities for implementation.

The Government, through the law enforcement agencies, will work with Internet Service Providers and hosting companies in Jordan to ensure that the Internet content that violates the Jordanian laws is removed while being in line with international treaties. Government will also work, for the same purpose, with other countries with regard to content hosted therein, and without contradicting with the Jordanian Law and while being in line with the legal frameworks in these countries and international treaties and obligations.

The Government, through the Commission, will work with internet service providers to provide users with advice on the safe use of the Internet and the protection of children, and will work on blocking pornographic websites through possible means and the enablement of beneficiaries to limit access to undesired content, and will take any legislative and regulatory measures to achieve this.

4.11 Maintaining IT security
The Government, through the Ministry, will continue to work with relevant stakeholders to establish a Computer Emergency Response Team (JOCERT) to:

- Handle computer security incidents and support its constituents to recover from breaches
- Assist its constituents in implementing proactive measures to reduce the risks of computer security incidents
- Provide coordinated warnings of software and other IT risks which could prejudice continuity of service and resilience
- Distribute relevant information to citizens and businesses in Jordan concerning computer malware and threatened or actual cyber security attacks or breaches.

The Government recognizes the threats imposed by the continuous changes in Information Technology and the cyberspace environment. Accordingly, the Government has developed a National Information Assurance and Cyber Security Strategy (NIACSS). The main purpose of the strategy is to give structure and involve and empower all concerned entities to more effectively secure computer networks they own, operate, control, or interact with. The Government requires all concerned stakeholders to cooperate in implementing the strategy approved by the cabinet.

Government requires that the Commission review, when needed, the
adequacy of the security, diversity and overall resilience of Jordan’s telecommunications systems, in particular to ensure the continuity of service to Jordan’s critical national infrastructure and the maintenance of the economic and social wellbeing of the Kingdom, both during times of normal operation and during natural disasters or other emergency situations. Government encourages the Commission in taking proportionate actions (including the provision of non-binding guidance and supportive advice) to address identified weaknesses. As part of this review, the Commission should produce a written report, at least once every three years, on the state of the Kingdom’s telecommunications infrastructure. This report shall be made available on the Commission’s web site.

(144) Government requires telecommunications operators and service providers to collaborate in maintaining and improving the resilience of the Kingdom’s telecommunications networks and in providing alternative means of communications during natural disasters or other emergencies.

4.12 Protecting the Environment

(145) The Government, through concerned stakeholders, will stay abreast of developments in green IT and will continue to encourage the utilization of IT solutions in the management of water, energy and the environment as well as the utilization of renewable energy.

(146) The Government recommends that the NITC and other Government entities adopt procurement policies for IT equipment and the Jordan Institute for Standards and Metrology (JISM) to adopt standards that require appropriate use of natural
resources. In particular, power consumption should always be as low as possible.

(147) The Government, through the Ministry of the Environment, will work with relevant industry associations to develop a regulatory framework for the disposal of electronic waste and electrical equipment, covering such matters as:

- Covering the costs of the collection, treatment and recycling of waste equipment
- Provision of collection points
- Limits on the proportions of hazardous substances in equipment; and
- Provision of information to consumers.

(148) Government requires the Commission to safeguard human health by adopting appropriate requirements by which all telecommunications licensees will be required to adhere to internationally recognized standards protecting against exposure to electro-magnetic radiation. In addition, Government requires the Commission, from time to time, to determine whether such requirements must be amended or revised and whether additional requirements, protecting against other such hazards resulting from the operation of telecommunications related equipment, should be adopted.

4.13 Addressing Future Issues

(149) Recognizing the importance of the IT sector to the future growth and development of the Jordanian economy, as well as the rapid speed of technological development, and the need to respond in
a rapid, effective, and flexible manner, to a variety of other changed circumstances, Government requires the Ministry to confer with IT associations, on a regular basis, in order to identify and make appropriate recommendations for addressing any new, developing, or anticipated issues that may have the effect of hindering the future growth and development of the Jordanian IT sector.

5. THE POSTAL SECTOR

5.1 Continuing Reform

(150) Postal reform requires a comprehensive and concise Postal Sector policy outlining the Government's long-term vision of how the Postal Sector should be developed to maximize its contribution to economic growth and social cohesion. The Government requires the Ministry to continue reviewing and updating the national strategic plan to implement the Postal Sector policy's goals.

(151) The Government requires a continuation of the ongoing process of reform of the Postal Sector in order to ensure that the Postal Sector can develop in response to market and social needs, while providing high-quality postal services that are affordable and accessible throughout the kingdom.

(152) The Government recognizes that many of the goals of the 2007 Statement of Government Policy on the Postal Sector have not been fully accomplished. And, due to changing postal market, regulatory, and industry conditions, the 2007 Statement has been hereby updated to ensure sustainability of the postal reform program.
The Government recognizes that it will not be possible to complete all reform goals simultaneously. Therefore it has identified the following as the principal goals:

- Improving the efficiency, quality, and cost-effectiveness of universal postal services;

- Ensure that postal services provide a level of quality that supports business transactions and economic growth;

- Jordan Post Company (JPC) to continue operating without dependence on government subsidies;

- Ensuring that universal postal services are provided within specified condition approved by the government;

- Stimulating private sector investment in the supply of postal services through progressive market liberalization; and

- Enacting a program of Postal Sector regulatory reform to support achievement of the goals listed above, including enactment of a revised Postal Law.

5.2 Development and Growth of the Postal Sector

The Government recognizes that the existing supply of postal services is competitive, as evidenced by the growing
number of licensed postal operators. Ongoing market development and growth should be monitored and analyzed by the Commission based on key performance indicators (KPIs).

(155) The Government believes that specific policy goals may be achieved through the following:

- Postal development initiatives focus on improving quality of service for universal postal service and competition in the postal market;
- Strategies for achieving this development be based on current and comprehensive information and analysis concerning Postal Sector performance and its future potential for growth; and
- Interconnection among postal operators including interconnection with the universal service provider (currently JPC as designated in the Postal Law) be encouraged and be regulated by the Commission on cost basis.

(156) The Government recognizes that the provision of efficient and dependable basic postal services can support the growth of e-commerce and e-government services.

(157) At the same time, postal services can be combined with telecommunication services to develop new “hybrid” services. The Government encourages the Postal Sector to incorporate further, advanced communication technologies to improve and expand basic postal services.

(158) The Government recognizes that...
informal and unlicensed provision of postal services negatively affects postal market growth. Accordingly, the Government requires that such unlicensed provision be licensed within the formal postal licensing system; The Government also encourages those using informal delivery mechanisms to instead use licensed postal providers.

(159) Recognizing that progress has been made in establishing a national address infrastructure and in establishing a standard address format, the Government encourages businesses and the general public to adopt mailing practices utilizing this addressing infrastructure to continue to the improvement of mail processing and quality of service, and requires that the national address infrastructure be expanded to cover the greatest possible geographic area and encourages the private sector to provide resources to support this effort.

(160) The Government recognizes the unique position that postal services occupy in the center of three important business flows: information, goods transfers, and financial transactions. Moreover, postal offices are spread throughout Jordan. Therefore, the Government encourages postal service providers to utilize this position to diversify the list of postal and non-postal products offered through their networks as a means of adding value and profitability to these networks.

5.3 Universal Postal Services

(161) Sustainable postal reform must be based on a comprehensive definition of universal postal services.

(162) The Government requires that a universal postal service be provided.
Universal service is the continuous provision of a postal service of specified quality throughout Jordan at affordable prices for all users. The Government continues to require that details of the universal service be included in the Universal Service Instructions and as part of the Performance Contract or future license to be issued by the Commission to the universal service provider designated by the Government, if stipulated in the revised postal law.

The Government recognizes that the nationwide provision of universal service may incur losses for the universal service provider. Accordingly, the Government designates an area, defined by weight and a specified set of services, within the universal service area as reserved for the universal service provider. Recognizing the value of non-universal service postal products, exceptions to this reserved area are allowed as detailed by the postal law and any upcoming amendments and supplementary instructions.

However, the Government’s goal is to progressively reduce the reserved area of the universal service provider, while monitoring the financial viability of this operator on an ongoing basis, until the postal market is fully liberalized. In this case, the Government will review the

(163) تستمر الحكومة في طلبها بأن يتم تعريف الخدمة البريدية الشمولية ضمن قانون معدل للخدمات البريدية، وأن يتم تضمين تفاصيل هذا التعريف في تعليمات تصدرها الوزارة لهذه الغاية. وستستمر الوزارة وبالتنسيق مع الهيئة، بالعمل على تطوير مقترحات بخصوص شروط تقديم الخدمة الشمولية (مثل النافذ وتكرار الإيصال وجودة الخدمات... إلى آخره).

(164) تدرك الحكومة أن توفير الخدمة الشمولية على المستوى الوطني قد يتسبب بخسائر لمزود الخدمة الشمولية. لذا تقرر الحكومة تحصيص مجموعة محددة من الخدمات والأوزان ضمن حدود تعريف الخدمة الشمولية، لتناسب حقاً حصرياً لمزود الخدمة الشمولية. وإدراكاً لأهمية المنتجات البريدية غير الشمولية، يسمح وجود الإستثناءات لهذه الحقوق الحصرية كما هو ورد في قانون الخدمات البريدية الحالي وفي تعليمات تنظيمية إضافية.

(165) وفي أي حال، تهدف الحكومة على المدى البعيد إلى تقليل الحقوق الحصرية لمزود الخدمة الشمولية تدريجياً مع المراقبة المستمرة لقدرته المالية، وذلك إلى أن يتم تحرير السوق البريدي بالكامل، وفي هذه الحالة
designation of the universal service provider. In order to initiate the market liberalization process, the Government requires that the Commission conduct a study to determine the time schedule to lower the current reserved area without a negative impact on the financial viability of the universal service provider.

(166) The Government requires that the cost of providing universal services, including any losses incurred by the universal service provider, be calculated precisely by that provider. In addition the Government requires that the cost of providing reserved services within the universal service be calculated according to instructions issued by the Commission.

(167) Prices for universal services outside of the reserved area will be determined on cost basis.

(168) The Government further requires that any financing mechanism used to support the provision of universal service be based on transparent cost accounting processes that avoid cross subsidies between reserved and non-reserved postal services.

(169) The Government requires that tariff-setting principles for reserved services of the universal services be developed by Commission. The universal service provider will adhere to these principles in developing its tariff proposals and will provide the supporting calculations for approval by the Commission. Tariffs will be based on progressively bringing costs and prices for these services into closer alignment as detailed in the Price Cap Formula developed by Commission through increases in the universal service provider efficiency and productivity.
The Government’s long-term policy is to extend universal service mail delivery to all addresses in Jordan. Growth in delivery to geographical addresses will be based on demand and the availability of the needed infrastructure and cost effectiveness.

5.4 Other Postal Services

The Government is responsible for ensuring provision of an adequate level of universal postal service through the application of detailed regulations that monitor quality, ensure affordability, and protection of consumer interests; where other postal services such as express or courier services fall outside the definition of universal service, commercial laws and market forces should determine the conditions of service provision.

Government recognizes that the courier segment of the postal market is being fulfilled by a competitive postal market. Courier mail provides many “value-added” product features to basic mail services including: door and time-certain delivery; individual numbering of mail pieces; and tracing and tracking capabilities.

There is also a growing market in services related to postal networks including logistics and other goods transfers, direct mail advertising, and other printed matter such as books, catalogues, and newspapers that adds value and increases the efficiency of maintaining postal networks.
The Government requires that barriers to both market entry and competition be minimized in these non-universal service postal market segments through a review and update of the existing legal and regulatory framework and an implementation of the updated framework to allow the Commission to:

- Adopt regulations that are limited in nature for regulating postal services falling outside of the universal service area
- Develop the licensing system to allow for the licensing of a universal service provider; and
- Reduce the administrative responsibilities involved in obtaining operator licenses for both the operators and the Commission and simplify reporting requirements to the minimum necessary to develop overall statistics concerning postal market performance while providing adequate channels for consumer representation.

5.5 Regulation of the Postal Sector

To support achievement of the goals of this Policy Statement and to address the issues raised therefrom; the Government requires that an effective legal and regulatory framework be established. Therefore, the Government requires that:

- A new draft Postal Law be finalized and legalized in conformance with the goals and objectives of this Policy.
The new draft Postal Law conform to industry best practices and clearly distinguish the roles and responsibilities of the policy-maker, regulator, and operators in the postal market of Jordan;

The draft Postal Law includes the following:
- Strengthening universal postal services;
- Increasing competition through progressive market liberalization; and
- Ensuring uniform regulation of the postal market.

The Government confirms that international mail will continue to be regulated in accordance with the bilateral and international agreements and treaties such as the Universal Postal Union Agreement to which Jordan is a party.

The Government requires that input from all postal stakeholders will be sought during development of a revised Postal Law and detailed regulations. The Government also recognizes that ongoing interaction between the Commission and postal operators is an effective means of increasing effective implementation of regulatory requirements and processes.

**5.6 Regulatory Effectiveness**

The Government recognizes that regulatory effectiveness is key to achieving both the goals of this Policy Statement and...
the ongoing development and growth of the Postal Sector. Therefore, the Government requires that the scope of the Commission’s responsibility for the Postal Sector be directed to focus on:

- Overseeing implementation of all legal obligations of JPC and the obligations of all licensed postal operators;
- Effectively managing the postal operator licensing system;
- Monitoring ongoing postal market development;
- Safeguarding the interests of consumers; and
- Supporting implementation of the goals and objectives of this Statement of Policy.

(179) The Government requires that the Commission continues gathering, analyzing and publishing regularly comprehensive information needed to effectively regulate the postal market and that the information gathered will be based on KPI’s concerning postal market development and operators performance.

(180) The Government further requires that the Commission have the necessary postal expertise and capacity to fulfill its regulatory, operational and consumer representation responsibilities and that a revised Postal Law provide it with the authority necessary to monitor licensees and ensure the implementation of all legal obligations of JPC and all requirements of operators’ licenses.

والتنمية المستمرتين لقطاع البريد. لذا تطلب الحكومة أن يتم توجيه نطاق مسؤوليات الهيئة في قطاع البريد على ما يلي:

- مراقبة تنفيذ كافة الالتزامات القانونية لشركة البريد الأردني والالتزامات كافة مشغلي البريد المرخصين;
- إدارة عملية رخص مشغلي البريد بفعالية;
- مراقبة التطور المستمر للسوق البريدي;
- حماية مصالح المستهلكين؛ و
- دعم تنفيذ غايات وأهداف وثيقة السياسة العامة هذه.

(179) تطلب الحكومة أن تقوم الهيئة بالاستمرار في تجميع وتحليل ونشر المعلومات الشاملة اللازمة لتنظيم السوق البريدي بفعالية ويشكل منتظماً، وأن تكون المعلومات التي يتم جمعها مبنية على مؤشرات الأداء الأساسية المتعلقة بتطور السوق البريدي وأداء المشغلي.

(180) كما تطلب الحكومة أن تمتلك الهيئة الخبرة البريدية والقدرة اللازمة لتأديتها مسؤولياتها التنظيمية والتشغيلية وتمثيل المستهلكين، وأن يتضمن قانون البريد المعدل ما يمنح الهيئة الصلاحية اللازمة لتمثيل شركة البريد الأردني ومراقبة تنفيذ كافة الالتزامات القانونية لشركة البريد الأردني ومتعلقات كافة المرخصين الآخرين.
The Government recognizes that the efficient provision of universal postal services will provide immediate benefits for both individuals and businesses in Jordan and that the best method for improving efficiency is to continuously enhance the universal service provider level of commercialization. Commercialization in this context means that the universal service provider will manage its operations and finances according to the same commercial principles and processes as those used by private sector companies to maintain continued financially viability and operational efficiency. The Government also recognizes that the universal service provider Performance Contract or future license provides the primary mechanism for achieving this goal and requires that the Commission act to ensure the fulfilment of the provisions of this Contract or future license.

Therefore, the Government requires that:

- JPC progressively, but rapidly, be prepared to compete fairly and successfully in a progressively liberalized postal market;

- The universal service provider Performance Contract and any future license should further the JPC's commercialization within the shortest possible time by establishing quantifiable targets in areas such as quality of service, financial performance, and efficient use of resources;

- All potential opportunities for reducing JPC's costs and for increasing revenue to be evaluated and implemented.

And accordingly:

1. That JPC progressively, but rapidly, be prepared to compete fairly and successfully in a progressively liberalized postal market;

2. That the universal service provider Performance Contract and any future license provide the primary mechanism for achieving this goal and that the Commission act to ensure the fulfilment of the provisions of this Contract or future license;

3. That all potential opportunities for reducing JPC's costs and for increasing revenue to be evaluated and implemented.
through network and product diversification including new market niches and businesses (e.g. diversified postal financial services and new, profitable postal and non-postal products); and

- All social services distributed through the universal service provider network be processed in a cost-based manner.

(183) Contracting with private individuals and businesses (e.g. pharmacies, newsstands, etc.) to provide retail postal services has proven to be an effective means of extending access to universal service while minimizing costs to Universal Service Providers. The Government requires that the potential benefits and obstacles to utilizing this option in Jordan be explored by the Ministry in coordination with the Commission and the USP.

5.8 Achieving Progress on Reform Goals

(184) Mindful of the need to maintain progress on the overall goals of this Statement of Policy while the processes involved with enacting a new Postal Law are being completed, the Government requires that:

- effective implementation of the Performance Contract/license be used as means of increasing JPC’s efficiency;

- JPC evaluate and investigate all potential opportunities for reducing its costs and for increasing its revenues, including opportunities for network diversification and new, profitable postal and non-postal products; and

- that all social services distributed through the universal service provider network be processed in a cost-based manner.

(181) Contractor with private individuals and businesses (e.g. pharmacies, newsstands, etc.) to provide retail postal services has proven to be an effective means of extending access to universal service while minimizing costs to Universal Service Providers. The Government requires that the potential benefits and obstacles to utilizing this option in Jordan be explored by the Ministry in coordination with the Commission and the USP.

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expansion and product diversification;

- Barriers to both market entry and competition continue to be minimized in the non-universal service market segment through postal market liberalization and other means;

- Quality of service for universal service mail be comprehensively monitored by the Commission and improved by the universal service provider; and

- The Commission to continue to develop its expertise and capacity in order to meet its regulatory responsibilities as defined in a new Postal Law and other postal regulatory provisions.

(185) The Government also recognizes that in order for the Commission to be able to develop its expertise and capacity monitor the Postal Sector, the Commission will require adequate resources; therefore, the Government will incorporate in the draft Postal Law provisions to enable the Commission to collect annual licensing fees from all licensees in the Postal Sector in order to cover its costs for regulating the Postal Sector.

Annex 1: WTO Obligations

(186) Upon becoming a member of the World Trade Organization (WTO) in April, 2000 Jordan agreed to accept obligations associated with membership.

(187) Government reaffirms its commitment to those obligations. The policy that is set out in this document is fully consistent with those obligations and Government requires that in the implementation of policy, whether through

ملحق 1: التزامات الأردن اتجاه منظمة التجارة العالمية

(186) بموجب انضمامها لمنظمة التجارة العالمية في نيسان 2000 وافقت المملكة على قبول الالتزامات المتعلقة بهذه العضوية.

(187) تؤكد الحكومة الوفاء بالالتزامات المترتبة عليها بموجب عضوية منظمة التجارة العالمية. إن السياسة المطروحة في هذا الوثيقة متوافقة تمامًا مع هذه الالتزامات. كما أن الحكومة تقرر الإفائه بكل الالتزامات
its own action, or those of others, specific WTO obligations are met.

In the telecommunications sector Jordan has agreed to various key principles by means of a reference paper. The following is a broad summary:

- To forbid and eliminate anticompetitive practices relating to control over essential facilities or use of a position established in a market, with specific reference to anti-competitive cross subsidisation, use of the information of a competitor for anticompetitive purposes and denial of technical and commercial co-operation.

- To ensure that interconnection between competing networks is facilitated, at any feasible point in a timely and non-discriminatory manner, and, that interconnect services are supplied at cost oriented rates that are transparent, reasonable and so unbundled as to ensure that network components that are not used are not subject to charge. Further, that the procedures that apply to interconnect negotiation are made publicly available

- With regard to Universal Service, to ensure that any action is fully justified and that market distortions are minimized.

- To ensure that criteria applied in the granting of licenses to operate are

When applying this policy, it is that each authority or any other.

(188) In what manner do the communications sector the Jordanian government agrees on various key principles according to a reference paper. The following is a general summary:

- To prohibit and eliminate anticompetitive practices relating to control over essential facilities or use of a position established in a market, with specific reference to anti-competitive cross subsidisation, use of competitor's information for anticompetitive purposes and denial of technical and commercial cooperation.

- To ensure that interconnection between competing networks is facilitated at any feasible point in a timely and non-discriminatory manner, and that interconnection services are supplied at cost-oriented rates that are transparent, reasonable and so unbundled as to ensure that network components that are not used are not subject to charge. Further, that the procedures that apply to interconnection negotiation are made publicly available.

- With regard to Universal Service, to ensure that any action is fully justified and that market distortions are minimized.

- To ensure that criteria applied in the granting of licenses to operate are
<table>
<thead>
<tr>
<th>The Regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by the regulators shall be impartial with respect to all market participants.</th>
</tr>
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<tbody>
<tr>
<td>To allocate any necessary scarce resources for the purposes of the sector in an objective, timely, transparent and non-discriminatory manner.</td>
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<td>يجب أن تكون هيئة التنظيم مستقلة عن أي مقدم لخدمات اتصالات أساسية وغير مسؤولة تجاهه، ويجب أن تكون قرارات المنظمين وإجراءاتهم غير متحيزة بالنسبة لجميع المشاركين في السوق.</td>
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<td>تخصيص أية موارد نادرة ولازمة من أجل القطاع بصورة تتصف بالموضوعية والشفافية وعدم التمييز وفي الوقت المناسب.</td>
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