



[HeinOnline](#)

Citations:

Bluebook 20th ed.
English translation of the Arabic original text of the Constitution of 1946. 979
(1947) Law No. 3 of 1947: Introduction

ALWD 6th ed.

Chicago 7th ed.
, "Law No. 3 of 1947: Introduction," Constitution of Transjordan : 979-980

McGill Guide 9th ed.
, "Law No. 3 of 1947: Introduction" 979.

MLA 8th ed.
"Law No. 3 of 1947: Introduction." Constitution of Transjordan, , p. 979-980.
HeinOnline.

OSCOLA 4th ed.
, 'Law No. 3 of 1947: Introduction' 979

Provided by:
Harvard Law School Library

- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at <https://heinonline.org/HOL/License>
- The search text of this PDF is generated from uncorrected OCR text.

CONSTITUTION of Transjordan.—7th December, 1946⁽¹⁾

(Translation)

We, Abdullah Ibn El Hussein, King of the Hashemite Kingdom of Transjordan, in accordance with Article 19 of the Organic Law and in pursuance of the decision of the Legislative Council at its meeting held on 28th November, 1946, approve the following law and order the issue thereof:—

Law No. 3 of 1947

THE CONSTITUTION OF TRANSJORDAN

Introduction

1. This law shall be called “The Constitution of Transjordan,” and its provisions shall apply to the whole Country of the Hashemite Kingdom of Transjordan. It shall come into force after one month of the date of its publication in the Official Gazette.

2. The Hashemite Kingdom of Transjordan is an independent, sovereign and free State. Its religion is Islam. Its kingdom shall not be divided, nor shall any part of it be disposed of. Its form of Government shall be hereditary monarchy.

3. Amman shall be the capital of the Hashemite Kingdom of Transjordan, but the capital may be changed by a special law to another place.

4. The Transjordan Flag shall be of the following form and dimensions:—

Its length shall be double its breadth, and it shall be divided horizontally into three parallel and equal strips, the uppermost being black, the centre white, and the lowest green. It shall have super-imposed at the flagstaff-end, a red triangle, of which the base shall be equal to the breadth of the flag and the altitude equal to half the length of the flag. In the triangle shall be a white seven-pointed star of such a size that it may be contained within a circle of which the diameter is one-fourteenth the length of the flag and so placed that its centre is at the intersection of the lines bisecting the angles of the triangle, and the axis through one of its points is parallel to the base of the triangle.

⁽¹⁾ Published in Official Gazette No. 886, dated 1st February, 1947.

PART I

Rights of the People

5. Transjordan nationality shall be defined by law.
6. There shall be no difference in rights and duties before the law among Transjordanians although they may differ in race, religion and language.
7. Personal freedom shall be safeguarded.
8. No person shall be detained or imprisoned or punished except in accordance with the provisions of the law.
9. No Transjordanian shall be obliged to dwell in any specified place except in the circumstances prescribed by the law.
10. All dwelling houses shall be immune and no entry therein shall be permitted except in the circumstances and in the manner prescribed by the law.
11. The property of no person shall be expropriated except for the purpose of public utility in circumstances to be defined by the law, and on condition that compensation shall be paid therefor.
12. There shall be no forced loans or confiscation of movable property except in accordance with the law.
13. No forced or compulsory labour shall be exacted from any person:
Provided that provision may be made by laws :—
 - (a) for the exaction of work or service from any person in case of emergency, that is to say, in the event of war or the occurrence or threat of fire, flood, famine, earthquake, violent epidemic or epizootic disease, invasion by animal, insect or vegetable pest or any other like calamity, or in any other circumstances which would endanger the well-being of the whole or part of the population.
 - (b) for the exaction of work or service from any person as a consequence of a conviction by a Court, such work or service being carried out under the supervision and control of an official authority, and the person convicted not being hired to, or placed at the disposal of, any private individual, company or association.
14. No taxation shall be imposed except by law, provided that this shall not apply to income which may be recovered by

Government Departments in return for public services or for the enjoyment of Government property.

15. The Arabic language shall be the official language.

16. The State shall protect the free exercise of religious ceremonies and beliefs in accordance with the customs observed in the Hashemite Kingdom of Transjordan, unless detrimental to public order or contrary to morals.

17. The freedom of opinion is safeguarded and every person is free to express his opinion orally and in writing within the limits of the law.

18. All Transjordanians shall have the right to assemble together and to form associations within the provisions of the law.

19. All Transjordanians are entitled to address the Public Authorities respecting matters concerning their persons, or concerning public affairs, in such manner and under such conditions as may be prescribed by the law.

20. All postal, telegraphic and telephonic communications shall be treated as secret, and shall not be subject to censorship or to detention except in the circumstances prescribed by the law.

21. The communities shall have the right to establish and maintain their schools for the teaching of their own members provided that they conform to the general requirements prescribed by the law.

PART II

The King and His Rights

22.—(a) Subject to the provisions of this law, all executive authority is vested in King Abdullah Ibn El-Hussein and his male heirs in direct line through males after him as is provided in the following paragraph.

(b) Subject to the provisions of paragraphs (c) and (d) hereof, the heir to the Throne on the death of the King shall be his eldest son in direct male line, and if the King has no son then his eldest brother, and if he has no brothers then the eldest son of his brothers, and so on to his paternal uncles and their male descendants in accordance with the provisions of the Sharia Law: and if the King dies without heirs as aforesaid, the Kingdom shall descend to the person

chosen by the National Assembly from the family of the founder of the Arab Renaissance, the late King Hussein Ibn Ali.

- (c) No person shall ascend to the throne unless he is sane, a Moslem, and the son of Moslem parents.
- (d) No person shall ascend to the throne who has been excluded by Irade from the succession on the ground of unsuitability. Such exclusion shall not of itself include the descendants of such person.
- (e) The King shall attain his majority upon the completion of his eighteenth year calculated in accordance with the lunar calendar: and if the throne descends to a minor, the powers of the King shall be exercised by a Regent or by a Council of Regency. Such Regent or Council of Regency may be appointed by Irade by the reigning King, but if he dies without making such appointment, the same shall be made by the Council of Ministers.
- (f) In the event of the King being incapacitated by illness from performing his duties, his powers shall be exercised by a Deputy or by a Council of the Throne. Such deputy or Council of the Throne may be appointed by Irada by the King, and if he shall be incapable of so appointing, by the Council of Ministers.
- (g) The King before his departure from the country shall appoint by Irada a deputy or Council of the Throne to exercise his powers during his absence, subject to such conditions as may be therein imposed.
- (h) A Regent or Deputy or Member of a Council of Regency or of the Throne shall not act or enter upon his office until he has taken an oath mentioned in Article 23 hereof. If the National Assembly is in session such oath shall be taken in accordance with the provisions of the said article, but if such assembly is not in session, it shall be taken before the Council of Ministers. If a Regent or a deputy or Member of a Council of Regency or of the Throne, shall die or become incapable of acting, the Council of Ministers shall appoint a suitable person to act in his stead. A Regent or a Deputy or a Member of a Regency Council or of the Throne must not be less than thirty years of age, but a male relative of the King who has completed his eighteenth year may also be appointed.

23. The King shall take an oath prior to the commencement of his Constitutional Jurisdiction before the Councils of Notables and Representatives which shall meet under the presidency of the President of the Council of Notables that he will safeguard the provisions of the Constitution and be loyal to the Country and Nation.

24. The King is the Head of the State and shall be immune from liability and responsibility.

25. The King sanctions and promulgates all laws and supervises their execution. He shall not modify, repeal or suspend laws or give dispensation from their execution except in the circumstances and in the manner prescribed by the law.

26.—(a) The King is the Commander-in-Chief of the Navy, Army, and Air Force.

(b) The King declares war, and concludes treaties with the agreement of the Council of Ministers.

(c) The King issues orders for the holding of elections to the Council of Representatives, convokes the National Assembly, opens it, adjourns it, prorogues it, and dissolves it in accordance with the provisions of the law.

27.—(a) There shall be constituted a Council of Ministers consisting of the Prime Minister, who shall be President, and of Ministers not exceeding five in number.

(b) The King appoints the Prime Minister and may assign to him the charge of one or more departments. Ministers are appointed on the recommendation of the Prime Minister, and may by the orders of their appointment be entrusted with the charge of one or more departments.

(c) The respective duties of the Prime Minister, of the Ministers and of the Council of Ministers shall be fixed by regulations made by the said Council and approved by the King.

The said Council is entrusted with the conduct of all affairs of the State whether internal or external other than those which have been entrusted by this law or by any law or regulation enacted thereunder to any other person or body.

(d) A Minister is responsible for the conduct of all matters affecting his Ministry. He shall refer to the Prime Minister any matter not within his powers. The Prime Minister

shall dispose of all matters within his powers and shall refer the other matters to the Council of Ministers.

(e) Decisions of the Council of Ministers shall be signed by the members of the said Council and shall be submitted to the King for approval where this law or any law or regulation enacted thereunder so requires. Such decisions are executed by the Prime Minister and each Minister within the limits of his jurisdiction.

28.—(a) The Prime Minister together with the Ministers are collectively responsible to the King for matters of general policy of the State. In addition each Minister is responsible to the King for his department or departments.

(b) The King dismisses the Prime Minister or accepts his resignation from office.

(c) The King on the recommendation of the Prime Minister dismisses Ministers or accepts their resignation from office.

(d) In the event of the dismissal or the resignation of the Prime Minister all Ministers are automatically considered to have been dismissed or to have resigned.

29.—The King appoints the President, and the members of the Council of Notables and accepts their resignation from office.

30. The King grants and withdraws military and police ranks, save in so far as by special law he has delegated this authority. He confers decorations and other honourable distinctions.

31. No death sentence shall be carried out except after confirmation by the King. Every such sentence shall be passed to him by the Council of Ministers with an expression of their opinion. The King may reduce sentences and remit them by special pardon, and he declares a General Pardon with the approval of the Council.

32. The King exercises his jurisdiction by Irades. Irades shall only be issued on the recommendation of the responsible Minister or Ministers with the concurrence of the Prime Minister, who shall sign the same. The King expresses his concurrence by putting his signature above the other signatures.

PART III

The Legislature

33. The Legislative power is vested in the National Assembly and the King. The National Assembly consists of the Councils

of Notables and Representatives, and the Council of Representatives consists of Representatives elected in accordance with the Electoral Law, which shall have regard to the proper representation of minorities. The duration of the Council of Representatives shall be four years.

34. The National Assembly shall be opened by the King in person or by the Prime Minister or any Minister authorised to conduct the opening ceremony and to make the King's speech.

35. No person shall be a member of the Councils of Notables and Representatives:—

- (a) who is not a Transjordanian.
- (b) who claims foreign nationality or foreign protection.
- (c) who has not completed his thirtieth year for the Representatives and his fortieth for the Notables.
- (d) who has been adjudged bankrupt and has not been discharged.
- (e) who has been placed under interdiction and has not been released.
- (f) who has been sentenced to imprisonment for more than one year for an offence other than a political offence, and has not received a free pardon for the crime for which he has been sentenced.
- (g) who has a material interest in any contract other than a contract of lease of land with a public department of Transjordan, unless his interest arises through his being a shareholder in any association composed of more than ten persons.
- (h) who is mad or an idiot.
- (i) who is related to the King within such degrees of consanguinity as shall be prescribed by special law.

36. The Council of Notables shall consist of a number not exceeding half of the members of the Council of Representatives including the President. The King shall appoint them from among those who have gained the confidence and trust of the public with regard to their work and services to the nation and the country.

37. The period of membership in the Council of Notables is eight years. The re-appointment of half of them shall be made every four years by ballot. The re-appointment of anyone not chosen by ballot may yet be made. The period of the

President of the Council of Notables is two years, and he may be re-appointed.

38. The Council of Notables shall meet at the same time as the Council of Representatives and its sessions shall terminate at the same time.

39. Subject to the provisions for dissolution contained in this law, the Council of Representatives shall hold one ordinary session during each year of its duration.

40.—(a) Unless the National Assembly shall then stand dissolved the King shall summon the said Assembly to assemble in the capital for its ordinary session on the first day of November of each year, or if such day is an official holiday then on the first day following which is not an official holiday ; but the King may by Irade published in the Official Gazette postpone for a period not exceeding two months the meeting of the Assembly in pursuance of such summons to such date as may be specified in the Irade.

(b) If the National Assembly is not summoned in accordance with the preceding paragraph, it shall assemble of its own accord as if it had been so summoned.

(c) The ordinary session of the National Assembly shall begin on the date upon which it is required to assemble in accordance with the two preceding paragraphs of this Article, and shall extend for three months unless the said Assembly be dissolved by the King before the expiration of that period : provided that the session may be prolonged by the King for a further period not exceeding three months for the dispatch of business of an urgent nature. At the expiry of the said three months or any such prolongation thereof, the Assembly shall be prorogued.

(d) The Council of Representatives may adjourn its sessions from time to time in conformity with its Standing Orders.

(e) The King may by Irade adjourn the sessions of the Council of Representatives for three times only, or, if he shall have postponed the assembly of the National Assembly under paragraph (a) of this article, twice, during any one session, for specific periods which together with the period of such postponement shall not exceed two months in the aggregate. In computing the period of the session the periods covered by any such adjournments shall not

be taken into account. The Irade for an adjournment shall be read at a meeting of the Council of Representatives.

41. If the Council of Representatives is dissolved, a general election shall take place, and the new Council shall assemble in extraordinary session not more than four months after the date of dissolution and such session shall be deemed to be an extraordinary session. The conditions covering the prolongation and adjournment thereof shall be as prescribed for ordinary sessions in Article 40 of this law. In any event this session shall be prorogued on the 31st of October, so that the first ordinary session of the Council may assemble at the beginning of November. If such extraordinary session shall assemble in the months of November and December, it shall be regarded as the first ordinary session of the said Council of Representatives.

The King may summon the Council to meet in extraordinary session outside the period of its ordinary session for the purpose of deciding specified matters, which shall be stated when the summons is issued. This session shall be dissolved by Irade. The said Council shall only discuss in its extraordinary session the specified matters stated in the Irade of summons.

42. Every member of the Representatives and Notables shall, before taking his seat, take an oath in the presence of his Council to be loyal to the King and to uphold the Constitution and the service of the country, and for the due performance of the duties entrusted to him.

43. The King shall appoint a President for the Council of Representatives for a period of one year and he may re-appoint him.

44. The Prime Minister, or a Minister who is a member in either of the two Councils, has the right of voting in his Council and the right of speaking in both Councils. But the Ministers who are not members of either of the Councils can speak in both of them without having the right of voting. The Ministers or their deputies during their absence have the right of priority over all members in addressing the two Councils. A Minister who receives ministerial salary is not entitled to emolument as member of either Council as well.

45. The two Councils shall make the standing orders for the regulation of their own proceedings, and such orders shall take effect when confirmed by the King.

46. No business except that of adjournment shall be transacted unless there be present two-thirds of the members of the Council.

47.—(a) Unless otherwise provided by this law, decisions shall be given by the majority of votes of the members present other than the President, who shall not vote except in case of an equality of votes, when he shall have and exercise a casting vote.

(b) No change shall be made to the Constitution except when passed by a majority of not less than two-thirds of the members of the Council.

48.—(1) Every new bill shall be laid before the Council of Representatives by the Prime Minister. If the Council accepts a bill, it shall refer it to the Council of Notables. Bills shall not become law unless approved by the two Councils and sanctioned by the King.

(2)—(a) The Annual Budget shall likewise be laid in the form of a bill before the Council of Representatives and the procedure specified in the preceding paragraph shall be applied thereto.

(b) Voting in respect of the Budget shall be made clause by clause.

(c) The National Assembly, while discussing the Budget and Ordinances connected therewith, shall not increase expenditure inserted therein either by way of amendment or by way of ballot submitted separately; but it may, after completing the discussion, propose the making of laws for the creation of new expenditure.

(d) During the debate on the Budget, no proposal shall be accepted for the repeal of an existing tax or the creation of a new tax or for amending the existing taxes whether by way of increase or decrease as fixed by the financial laws in force.

(e) No proposal shall be accepted for the revision of the existing Government establishment, such as the cancellation of an existing post, or the creation of a new post, or the increase or decrease of a salary.

(f) No proposal shall be accepted for the diversion of expenditure or revenues fixed by contracts.

49. If one of the Councils twice rejects a bill, and the other insists on accepting it, then there shall be a combined session composed of the members of the Representatives and the

Notables under the chairmanship of the President of the Council of Notables to discuss only the items in dispute. If the majority of the Combined Councils accepts the bill, whether amended or not, the same shall be considered accepted by both Councils, but the bill shall not become law unless sanctioned by the King: and a bill which is rejected in this way shall not be re-submitted to the Council at the same meeting.

If the Council refuses to pass the proposal for the Budget, the Council of Ministers with the Agreement of His Majesty the King shall decide to consider the same in force in the form submitted to the Council.

50. No law shall have effect until the King shall have assented thereto and signed the same in token of such assent and until one month after the date of its publication in the Official Gazette except when it is provided that the law shall take effect from any other date.

51. The King shall, within the space of one calendar year from the date on which it is submitted to him, either assent to a law as sent to him by the Council or return it with a statement of reasons for dissent.

52. Any member of the Council may raise in the Council a question on any matter concerning the public administration.

53. The Council of Ministers with the approval of the King shall have power when the Council is not sitting to make such Ordinances as may be necessary on any subject. These Ordinances which shall not contravene the terms of the Constitution shall have the force of law and shall be submitted to the Council at the beginning of its next session. **Provided**, however, that Ordinances passed for the purpose of securing the fulfilment of the treaty obligations of His Majesty the King shall not be so submitted.

If the Council shall not pass at its said session any such Ordinances so submitted, the same shall, unless the Council of Ministers with the sanction of the King shall decide to withdraw the same, again be submitted at the beginning of the subsequent session. In the event of an Ordinance being so withdrawn, or if at such subsequent session the Council shall again not pass the same, the Council of Ministers with the sanction of the King shall forthwith notify the cessation thereof and from the date of such notification such Ordinance shall cease to be in force.

In the event of the Council proposing at any session amendments to an Ordinance and the Council of Ministers with the sanction of the King agreeing such amendments, the Ordinance as amended shall have the force of law.

In the event of the Council refusing to pass any law placed before it with a view to securing the fulfilment of the treaty obligations of the King, the Council of Ministers with the sanction of the King shall have the power to make the necessary legislation in the form of an ordinance which shall not be submitted to the Council.

Ordinances passed for the incurring of necessary and urgent expenditure shall be placed before the Council like other Ordinances and then what has been expended shall be considered as acceptable, but there shall be the possibility of reconsidering what has not been expended, provided that this shall not contravene legal contracts and acquired rights.

Ordinances shall take effect in the same way as laws as provided in Article 50 hereof.

54. No member of the Council shall be detained or tried during the session unless the Council of which he is a member shall, by resolution given by the majority, declare that there is good reason for his prosecution, or unless he is apprehended in the act of committing a Jinayat.

Every member of the Council shall have complete freedom of speech within the limits of any Standing Orders of the Council of which he is a member and no legal proceedings shall be taken against him in respect of any vote or opinion expressed or speech made by him during the deliberations of the Council.

If a member is for any reason detained during the period when the Council is not sitting, the Prime Minister shall inform the Council when it reassembles of the action taken, with any necessary explanation.

PART IV

The Judicature

55. Civil and Sharia Judges shall be appointed by Irade and shall be irremovable except as provided by regulations made by the Council of Ministers with the approval of the King.

- 56.—(1) Civil Courts ;
(2) Religious Courts ;
(3) Special Courts.

57. The Constitution, place of sitting, grades, and divisions of all Courts, and their jurisdiction and administration shall be determined by law subject to the provisions of this Constitution.

58. The Courts shall be open to all and shall be free from interference.

59. All trials shall be public except where, for reason to be prescribed by law, courts may sit *in camera*. It shall be lawful to publish the proceedings and judgments of Courts, except proceedings *in camera*. All judgments shall be issued in the name of the King.

60. The Civil Courts shall have jurisdiction over all persons in the Hashemite Kingdom of Transjordan in all matters civil and criminal, including cases of claims by and against the Transjordan Government, except in such matters which by the provisions of this Constitution or of any law for the time being in force shall be assigned to the jurisdiction of the Religious Courts or Special Courts.

61. The civil and criminal jurisdiction of the civil Courts shall be exercised in accordance with the law for the time being in force provided that, in matters regarding the personal status of foreigners, or in other matters of a civil and commercial nature in which it is customary by international usage to apply the law of another country, such law shall be applied in a manner to be prescribed by the law.

Matters regarding personal status are those matters which if the parties are Moslems are assigned to the exclusive jurisdiction of the Sharia Courts.

62. The Religious Courts shall be divided into:—

(a) The Sharia Moslem Courts.

(b) The Religious Community Councils.

63. The Sharia Courts shall have exclusive jurisdiction in matters of personal status of Moslems in accordance with the provisions of the law of procedure of the Moslem Religious Courts of the 25th of October, 1333 A.H., as amended by any law or regulation; and matters connected with the constitution or internal administration of a waqf constituted for the benefit of Moslems before a Sharia Court. The organisation and the financial and other administration of Moslem Waqfs shall be prescribed by law.

Where a matter of personal status concerns both Moslems and non-Moslems, or where one of the parties in an action concerning a Moslem Waqf is a non-Moslem, the Civil Courts shall have jurisdiction unless all parties consent to the jurisdiction of the Sharia Courts.

The Sharia Courts shall also have jurisdiction in applications for diyet where the two parties are Moslems or where the two parties consent to the jurisdiction of the said Courts.

64. The jurisdiction of the Sharia Courts shall be exercised in conformity with the principles of the Sharia Law.

65. Religious Councils shall be the Councils of such non-Moslem religious communities as are or shall be recognised by the Government as being established in Transjordan.

66. Religious Community Councils shall be composed in the manner provided in special laws regulating the same. Such laws shall define their jurisdiction whether exclusive or otherwise regarding such matters of personal status as may be assigned to them by the said laws, and regarding waqfs constituted for the exclusive benefit of the community concerned. Matters of personal status are matters which in the case of Moslems are assigned to the exclusive jurisdiction of the Sharia Courts. Such Laws shall also determine the procedure to be followed and the fees to be levied by the Religious Community Councils.

67. Special Courts shall exercise jurisdiction in accordance with the terms of special laws.

68.—(a) In the event of the Prime Minister requesting the interpretation of a provision of any law, which provision on the point requested has not been interpreted by the Courts of Law, the question shall be considered by a Diwan Khas which shall be convoked for the purpose at the request of the Prime Minister.

(b) The Diwan Khas shall be composed of the Minister of Justice as President and two senior administrative officials chosen by the Council of Ministers and two senior officials of the Ministry of Justice chosen by the Senior Judicial Council.

(c) The Diwan Khas shall give a decision on the question submitted if it considers that the same is a matter suitable to be decided by it.

- (d) Decisions given by the Diwan Khas and published in the Official Gazette shall have the force of law, save that decisions affecting any provisions of the Constitution shall only be valid after confirmation by the King.
- (e) All other questions concerning the interpretation of laws shall be decided as the same arise by the Courts of Law in the ordinary way.

PART V

Administration

- 69.—(a) The appointment, terms of service, discipline and dismissal of Government officials in Transjordan shall be regulated by regulations made by the Council of Ministers with the approval of the King.
- (b) The Departments of the Government and the Administrative Divisions of the Hashemite Kingdom of Transjordan, the classes, the names and the method of administration thereof, and the titles of officials employed therein shall be governed by regulations made by the Council of Ministers with the approval of the King, which shall also define the extent and nature of the jurisdiction of these administrative officials.
70. The Municipal affairs of the cities of the Hashemite Kingdom of Transjordan and its municipalities shall be administered through municipal councils in accordance with a special law.

PART VI

The Law of the Hashemite Kingdom of Transjordan

71. Save as otherwise expressly provided herein, the laws of the Hashemite Kingdom of Transjordan shall be the laws in force at the date of the coming into force of this Constitution, until such laws are repealed or amended by legislation made hereunder.

The laws so in force consist of—

- (a) the Ottoman Laws published on or before the first day of November, 1914, and such later Ottoman Laws as have prior to the coming into force of this Constitution been declared by Public Notice to be in force, in so far as circumstances permit the application to the Hashemite Kingdom of Transjordan of such Ottoman Laws, and in so far as the same have not been repealed or amended by Transjordan legislation, and

- (b) All legislative acts done by the constituted authority in Transjordan since the 23rd day of September 1918.

PART VII

Miscellaneous

72. All receipts from taxes, and all receipts from grants of mining rights or of mining oil leases and from grants or leases of land made under Article 77 hereof, shall be paid into the Ministry of Finance unless the law otherwise provides.

73. No public funds shall be appropriated or expended for any purpose whatever except by law. The appropriations for each year shall be sanctioned by an annual budget law, which shall include therein the estimates of revenue and expenditure for the year, save that the said law may provide for the appropriation and expenditure of certain amounts over a fixed period of years.

74. The Civil List of the King shall be a charge on the revenues, and shall be sanctioned in the said annual law.

75. The Council of Ministers with the approval of the King may make regulations for the control of the appropriations and expenditure of public funds, and for the control of Government stores.

76.—(a) All rights in any land of which the Raqaba or the right of Tassaruf is vested in the State shall vest in and may be exercised by the King in trust for the Government of the Hashemite Kingdom of Transjordan.

(b) All mines and minerals of every kind and description whatsoever, being, in, under, or on any land or water, whether territorial waters, rivers, or inland sea, shall vest in the King in trust for the Government of the Hashemite Kingdom of Transjordan subject to any right subsisting at the date of this constitution of any person to work such mines or minerals by virtue of a valid concession.

77. The Council of Ministers with the sanction of the King or some person duly authorised by the said Council with such consent:—

(a) may make grants of mining rights or of mining or mining oil leases with respect to the mines or minerals mentioned in article 76(b) hereof.

(b) may make grants of leases of the land vested in him by article 76(a) hereof, or may permit such land to be

temporarily occupied on such terms and conditions as he may think fit, subject to the provisions of this law. Provided that no such grant, lease or other disposition shall be made otherwise than in conformity with the law.

78.—(a) A Defence Law shall be enacted giving power to such persons as may be specified therein to take exceptional action including the suspension of the ordinary law of the State for the defence of the State in the event of an emergency. Such law although enacted shall only be in force when declared so to be by a Proclamation issued by the King on the recommendation of the Council of Ministers.

(b) In the event of the emergency being of so serious a nature that action under paragraph (a) hereof would not be sufficient for the defence of the State, the King may by Proclamation issued on the recommendation of the Council of Ministers declare martial law in all or any part of Transjordan, and may give such instructions as may be necessary for the defence of the State, notwithstanding the provisions of any law. Persons acting under such instructions shall be legally liable for all acts done by them against the law of the country until they have been indemnified by a special law passed for the purpose.

PART VIII

Repeals

79. The Organic Law of 1928⁽²⁾ as amended by Proclamations and by Laws No. 21 of 1938⁽³⁾, 19 of 1939⁽³⁾, 15 of 1940⁽³⁾, and 9 of 1946⁽⁴⁾ is repealed, save that such repeal shall not affect the validity of any law or regulation made or of anything done in virtue thereof, prior to the coming into force of this Law, which same shall be deemed to have been made or done in virtue of this Constitution.

Date:—14th Muharram 1366.

—7.12.46.

ABDULLAH.

Minister of Interior, Trade and Agriculture,

MUSSALLAM ATTAR.

Kadi Kudah & Minister of Justice,

FIHMI HASHIM.

⁽²⁾ Vol. 128, page 258.

⁽³⁾ Vol. 144, page 541.

⁽⁴⁾ Vol. 146, page 938.

Prime Minister & Minister of Defence,
IBRAHIM HASHIM.

Minister of Foreign Affairs and Education,
MOHD. SHURAIQI.

Minister of Finance,
NICHOLA GHANMA.

Minister of Communications,
OMER MATTER.

ELECTORAL LAW of Transjordan.—5th April, 1947⁽¹⁾
(Translation)

We, Abdullah Ibn El Hussein, King of the Hashemite Kingdom of Transjordan, in accordance with Article 53 of the Constitution and in pursuance of the decision of the Council of Ministers at its meeting held on 3rd April, 1947, approve, in accordance with Article 25 of the Constitution, the following ordinance and order the issue thereof:—

Law No. 9 of 1947

THE COUNCIL OF REPRESENTATIVES ELECTORAL LAW

PART I

Definitions

1. This Ordinance shall be called "The Council of Representatives Electoral Law." It shall come into force from the date of its publication in the Official Gazette.

2. The word "Mutassarif" shall include the Muhafiz El Assmeh.

The word "Bedouin" means any male member of the Nomadic Bedouins.

For the purpose of this Law, Nomadic Bedouins shall be divided into two divisions, namely, the Bedouins of the North and the Bedouins of the South. The Bedouins of the North are the Beni Sakhr, El Sirhan, Beni Khalid, El Issa and El Sleit and tribes and sub-tribes attached to them, and the Bedouins of the South are El Howeitat, El Mannaiyoun and El Hajaya, and tribes and sub-tribes attached to them.

⁽¹⁾ Confirmed by the Legislature and published in Transjordan Official Gazette No. 898 dated 16th April, 1947, on which date it entered into force.