(Unofficial summary and translation)



Mechanism for foreign funding

2019

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Mechanism for foreign funding

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A comprehensive plan to make the approvals for foreign funding easier both for societies and not for profit companies based on existing laws and regulations. The goal of this mechanism is to increase the coordination between civil society organist ions, international funders and the appropriate government institutions and at the same time control and ease the means needed to get the necessary approval for foreign funding and to unify the references points for it

This mechanism excludes the programs connected to refugees which are declared in the Jordan Response plan for humanitarian projects which will continue, all others whether those in charitable societies or not for profit companies shall be organized as follows.

**Challenges regarding the mechanism that was approved by Cabinet**

-The current mechanism is good but the challenge has been the lack of discipline in terms of time which suggests that government agencies must response within five working days which led to the lack of adherence to article 17 of the Society law and article 7 of the company law.

-The weakness of some specialized ministries in giving technical answers which has led some government agencies to give approval to applications which at time don’t correspond with the goals and aims of these societies or companies.

- Weakness in following up and evaluation of funded projects despite the fact that existing mechanism has ordered specialized ministries to have a future role in the follow up and evaluation. This has been because many of these ministries don’t have specialized units that follow up the work.

-Lack of clarity about general policies regarding foreign funding which has led to unbalanced distribution of the accomplishments of this funding and the difficulty in measuring their impact on local communities.

-Multiplicity of governmental reference points for who to go to get approval of foreign funding which has led to wasted time and effort and the absence of holistic data basis for that.

-Existing punishment in laws is not deterring.

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**First: Suggested mechanism to get foreign funding**

A committee shall be formed at the Charitable society Register to be called the committee for studying foreign funding requests) to be headed by the Director General of the Register and a representative of the following

1. Ministry of interior
2. Ministry of Planning and International Cooperation
3. Company Registrar office/ Ministry of Industry and Commerce
4. Liaison person from the Prime Minister to be named by Director general of PM office
5. Representative of the appropriate ministry
6. Representative of the party that is of concern

The representatives must be properly authorized to take decisions. The minimum required level of representation should be director مدير

The committee can request any expert it deems necessary to be paid for from the supporting the society fund, that person will not have any voting rights

The committee shall meet weekly at least or when it is necessary

The meeting will be legal if an absolute majority attends on condition that the chair or someone who represents the chair is present

The directorate that is concerned with foreign funding in the Registrar office of the societies will provide technical and logistical support to this committee

**Two: Mechanism applying for approval of foreign funding**

The committee shall look into qualified applications for foreign funding approval based on the following:

1. This committee shall produce the guidelines needed to look into the qualified applications within the basic framework or transparency, governance and financial management….
2. Studying the requests and giving an opinion about them
3. Studying the financial and legal statues of those applying
4. Giving comments and recommendations in a clear way and coordinating with the applicant to carry out any amendment needs
5. Making sure that the application is within the approved national priorities
6. Making sure that the source of funding is legitimate and not in violation of public order or morality and is not in violation of laws, regulations and bylaws that are applicable and international conventions that Jordan has ratified.

The committee has the right in special cases that are justified to add partners in the carrying out of the project in coordination with the funds in case such projects overlap existing goals/activities/results of the program or specialization of an official body.

*The application of this mechanism*

This mechanism shall apply the following:

1. Charities that re registered as per the Charity law and its amendments
2. Companies that are not for profit and that are registered with the company registrar

*The mechanism procedure:*

Those parties wishing to obtain approval for funding or foreign grants apply in an official way using the electronic winddown or forms that are specified for this purpose (until these forms are changed or cancelled) in the following manner:

1. The societies apply to the society registrar in the social affairs ministry
2. Not for profit companies shall apply to the company registrar at the Ministry of Commerce
3. The foreign funding organizing committee at the (Society Registrar) and the appropriate organizing committee at the Ministry of Industry working with not for profits shall receive the applications, review them as soon as they receive it and make sure all requirements pursuant to article 17 of the Society law or any other directive is adhered to as well as article 7 of the Not for Profit Company law. All this must be completed within three days of the written application. This will be done to the email that is in the application. The reply will state that the application has been received and is being reviewed.
4. The party receiving the application shall within three working days to inform 9via email that is part of the application) whether the application is complete or if it is missing anything. If there is something missing and the party didn’t supply that satisfactorily within thirty working days of the date of the submission, the application shall be considered cancelled.
5. The organizing committee for foreign funding at the Society registrar and the similar not for profit committee at the Ministry of industry shall send the accepted applications to the head of the foreign funding committee. The head of the committee is to distribute the qualified application to the members of the committee by means of the committee’s secretary within two days by email or the approval means of communications.
6. The head of the foreign funding committee shall by means of the committee secretary call for regular meetings that will include location and time of the meetings and an agenda.
7. The committee will look into qualified applications and make its recommendations within ten working days of the date it is presented to it. The applicant will be informed of the committee’s decision
8. In case a decision is made not to accept the application shall be sent to the prime minister’s office. The applicant will then be able to object to the decision within two days of being informed in accordance to this mechanism and in accordance with item 3 below.
9. The head of the committee will make the recommendations and the objections (if they are within existing regulations) regarding the application with all supporting documents within two days according to the following:
* Regarding societies the director general of the society ministry shall write to the Prime ministry within three working days
* Not for profit companies shall send a letter from the minister to the Prime Ministry (in accordance with present regulations) within three working days.
1. The Council of Ministers shall take a final decision within ten working days from the date that they receive the recommendation from the committee.
2. The liaison person from the prime ministry shall inform the minister of industry of the decisions regarding not for profit companies with a copy to the head of the committee, and inform that head of the committee and the director general of the society registrar in regards to issues concerning societies so they can inform the applicant according to the following:

-not for profit companies from the director of companies or whoever they nominate

-societies from the director general or whoever they nominate

This has to be done within the 30-working day period from the date of the acceptance of a fully presented application to the date of the issuance of the reply from the cabinet (by email to the presenting party according to the email that is included in the application).

If the 30 working day period elapses and the presenter didn’t receive either approval or disapproval then the application is considered automatically approved. The system will issue an approved declaration automatically after it makes sure that the application was sent to the cabinet as per existing law.

**Third: Appeals**

1. In case a decision is made not to accept the fund before the recommendation is sent to the cabinet the presenter can complain within two working days from receiving the written (or email) notification.
2. The appeal will be made to the secretary of the committee
3. The committee is expected to look into appeals and issue a ruling within seven working days from the date that they receive the complaint. This period will not be considered part the period for this mechanism.
4. If the decision is made by the committee not to accept the appeal, such a decision along with all documents shall be transferred to the cabinet along with the justifications for the appropriate decision by the full cabinet.

**Fourth: Appendixes the application for foreign funding approval**

-The document of the project in full includes the time ling and logical framework and the budget (the name of the project, its general and specific goals, its connectivity to the national development goals, the main and partial activities, expected results, the location of the activity the age group that is the goal of the project, timeline and the workers in the project….

- The official form of the application for funding from the commute shall include the following details:

Budget with details and percentages of main costs and administrative costs

Local partners if they exist that will work on the project

The amount of the funding and the details of the bank account and the name of the bank

Activities for the project

Direct and long-term results and the index of success

Conditions of the funding

Details of the organizations or not for profit company

**Graphic of the mechanism for foreign funding**

