

المملكة الأردنية الهاشمية
The Hashemite Kingdom of Jordan



وزارة الاتصالات وتكنولوجيا المعلومات
Ministry of Information & Communications Technology

**STATEMENT OF
GOVERNMENT
POLICY 2007**

2007

ON THE INFORMATION & COMMUNICATIONS
TECHNOLOGY & POSTAL SECTORS

4395

2007/5/29

(1) 1 INTRODUCTION ¹	* -1 (1)
(2) 1.1 Context of The Policy Statement	1-1 (2)
(3) The Ministry of Information and Communications Technology (MoICT or Ministry), in line with the Constitution, the Telecommunications Law No. 13 and its amendments (Telecom or Telecommunications Law), and the temporary Postal Services Law No. 5 of 2002 and its amendments (Postal Law), is responsible for the Information and Communications Technology, (ICT) and Postal sectors in the Kingdom.	() (3) 1995 13 5 () () 2002
(4) Moreover, the Ministry has specific responsibility to provide general policy for these sectors, to be approved by the Council of Ministers. Article 3 of the Telecom Law assigns to the Ministry the responsibility for preparing the general policy of the telecommunications and information technology sectors in the Kingdom. In addition, Article 3 of the Postal Law specifies an obligation of the MoICT to provide general policy for the postal sector.	(4) 3 3
(5) The setting of policy has important implications for the information of stakeholders in sectors within the ICT and Postal Sectors and for others that might consider entry to, or investment in, those sectors. However, this Statement of Policy 2007 also has a specific legal status, in that it sets the context within which the independent regulator for sectors within ICT, the Telecommunications Regulatory Commission (TRC), must meet its obligations under the Telecom Law.	(5) 2007 ()

*

¹ The headings used herein are inserted for convenience only and shall not control or affect the meaning or construction of any of the sections.

<p>(6) Article 6 of the Telecom Law provides as follows in relation to the obligations of the TRC:</p> <p>“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 at just, reasonable and affordable prices; and, by so doing, to make possible the optimal performance of the telecommunications and information technology sectors.”</p>	<p style="text-align: right;">6 (6)</p>
<p>(7) Accordingly, the purpose of this document is both to meet the informational needs of stakeholders, and, to meet the legal obligations of the MoICT.</p> <p>This document should be read in conjunction with the Telecommunications, Postal and Deployment of Information Technology Resources in Government Organization (the National Information Technology Centre “NITC” Law) Laws. Amongst other things, those Laws define the respective roles of the MoICT and the TRC, which is an administratively and financially independent body. Nothing in this Statement of Policy is intended to detract from that independence.</p> <p>It is also important to note that this 2007 Policy Statement, while based upon the 2003 Policy Statement, is intended to replace that earlier document in its entirety. Accordingly, upon its approval by the Council of Ministers, this Statement of Policy shall be the exclusive Statement of Government Policy on the Information and Communications Technology Sectors & Postal Sector and the 2003 Policy Statement will be of no further force or effect. However, nothing in this Statement of Policy 2007 is intended to detract from or in any way affect the validity of any regulatory decisions or actions taken during the period that the 2003 Policy Statement was in effect. Accordingly, any such actions or decisions remain valid.</p>	<p style="text-align: right;">(7)</p>

<p>(8) 1.2 Background</p>	<p style="text-align: right;">2-1 (8)</p>
<p>(9) Jordan has embarked upon a progressive reform of its ICT and Postal Sectors. This process commenced in 1994.</p>	<p style="text-align: right;">1994 (9)</p>
<p>(10) In 2003, in recognition of the important role played by the ICT and Postal Sectors, the Government adopted a “Statement of Government Policy on the Information and Communications Technology Sectors & Postal Sector.” That Policy Statement set forth a number of important goals in the Telecommunications, IT, and Postal Sectors.</p>	<p style="text-align: right;">2003 (10) .2003</p>
<p>(11) Some of the goals set forth in the 2003 Policy Statement have been accomplished. For example, the then-existing duopoly in the mobile telecommunications sub-sector has been eliminated and the goal that at least 50% of the population would be direct subscribers to mobile services, paying unit charges that were at least 25% less in real terms than those then prevailing, has already been met, in far less than the 10 years specified in that earlier Policy Statement. Moreover, JT’s legal monopoly in the fixed sub-sector was withdrawn at the end of 2004.</p>	<p style="text-align: right;">(11) .2003 %50) 2003 (.2003 .2004</p>
<p>(12) However, other goals have not been accomplished. Thus, while there have been some effects on the fixed sub-sector from mobile operators, competition in the fixed sub-sector has not yet matured. Notwithstanding the significant increase in mobile penetration since 2003, the Government believes that the utilization of mobile services in Jordan could be further improved, along with the range of services offered. Internet Service Providers still face a virtual monopoly with respect to Internet connectivity. And Internet and PC penetration levels remain comparatively low.</p>	<p style="text-align: right;">(12) 2003</p>

<p>(13) Thus, while Government believes that many of the goals set forth in the 2003 Policy Statement remain valid, there is a need to refocus and redefine its efforts in order to ensure the effective accomplishment of those goals through a new Policy Statement.</p>	<p style="text-align: center;">2003</p> <p style="text-align: right;">(13)</p>
<p>(14) Therefore, having carried out extensive consultation with relevant stakeholders and assessed the status of the current legal and regulatory regimes, Government has adopted this Policy Statement.</p>	<p style="text-align: center;">2007</p> <p style="text-align: right;">(14)</p>
<p>(15) While the 2003 Policy Statement focused upon the liberalization of the Telecommunications Sector, Government finds that this Policy Statement should instead focus on creating the necessary conditions whereby both the fixed and mobile sub-sectors become fully competitive.</p>	<p style="text-align: center;">2003</p> <p style="text-align: right;">(15)</p> <p style="text-align: right;">2007</p>
<p>(16) With respect to the Postal Sector, many of the goals set forth in the 2003 Policy Statement have not been accomplished, largely because the Postal Law, which was adopted prior to the Policy Statement, does not reflect the Policy Statement and, as a result, does not provide the necessary legal basis for accomplishing those goals.</p>	<p style="text-align: center;">2003</p> <p style="text-align: right;">(16)</p> <p style="text-align: right;">2003</p>
<p>(17) In addition, there are several other reasons why Government believes that it is important to adopt a new Policy Statement:</p> <ul style="list-style-type: none"> • The perceived needs of the market, the Jordanian economy as a whole, and social development factors are drivers of further action; • The rapid pace of technological change, especially in the ICT sector, also creates the need to update and revise the 2003 Policy Statement. The change from circuit-switched to packet-switched technology, the introduction of new services such as 	<p style="text-align: center;">:</p> <p style="text-align: right;">(17)</p> <p style="text-align: center;">.2003</p> <ul style="list-style-type: none"> • •

<p>Voice Over Internet Protocol (VOIP), and the convergence of telecommunications with audio-visual media and IT, require a refinement and revision of the 2003 Policy Statement;</p> <ul style="list-style-type: none"> • The demand for and utilization of a variety of wireless communication services means that radio-frequency spectrum, a national resource, will be in ever-increasing demand. This requires a comprehensive system and plan for its effective utilization as a critical part of the Kingdom's economy which must be reflected in this Policy Statement 2007; and • Existing legislation, bilateral agreements and the World Trade Organization (WTO) Agreements and other international obligations also support adoption of this new Policy Statement. In that regard, Government recognizes and will work toward the achievement of its commitments set forth in international agreements to which Jordan is a signatory, for example the general undertakings made as part of the World Summit on the Information Society (WSIS) Geneva and Tunis goals and plans and the U.N. Millennium Development Goals. 	<p>2003</p> <p>2007</p> <p>2007</p> <p>•</p> <p>•</p>
<p>(18) Telecommunications and Post are sectors in which public utility regulation has played a traditional role. As those sectors become fully competitive, such regulation may gradually be withdrawn.</p>	<p>(18)</p>
<p>(19) In contrast, the Information Technology (IT) sector, beyond its communications elements, is not typically regulated. However, Government has a role in creating a supportive legal and regulatory environment.</p>	<p>(19)</p>
<p>(20) Government notes the importance of the ICT sector with respect to women's role in Jordanian society and the Jordanian economy. Accordingly, Government will work with stakeholders to ensure the continuous promotion of women's participation in the IT sector through the support of women's empowerment.</p>	<p>(20)</p>

<p>(21) IT remains an area of immense potential, both in terms of sector development and in the direct contribution that it can make to the efficiency of the wider economy and the operations of government, together with the development of Jordan's human resources.</p>	<p>(21)</p>
<p>(22) Because of the increasing convergence between the IT and Telecommunications sectors, IT no longer can be regarded as a truly separate sector. Rather, its future development is inextricably intertwined with that of Telecommunications. Together, the two sectors hold incredible promise. While much has been achieved, they have not yet fully satisfied the aspirations of the Jordanian government and people. Of particular importance is the need to increase PC ownership, Internet access, and local and Arabic language content.</p>	<p>(22)</p>
<p>(23) The sectors within ICT are identified as particular drivers and enablers of economic and social growth. MoICT, as the body that has overall responsibility for the achievement of National goals and objectives within ICT, has various means and relationships at its disposal through which to achieve them. These means and relationships include the statutory responsibility of the TRC to regulate in accordance with stated Government policy, initiatives that are instigated through or in cooperation with other Government and trade bodies, and direct action by the MoICT itself in certain areas. The MoICT accordingly has broad powers of oversight and action within the sectors that comprise ICT.</p> <p>Within this context, MoICT seeks to create a clear and stable policy environment within which initiatives, investment, and necessary sector regulation can proceed with confidence.</p>	<p>(23)</p>
<p>(24) The Postal Sector also can play an important role in the Kingdom's economic growth and development. Not only does it supply basic mail services, but it can support the development of e-government and e-commerce services through its</p>	<p>(24)</p>

ability to deliver physical goods and communications. And it offers the potential to provide access to the Internet and other advanced electronic services to those who wouldn't otherwise have access to them.	
(25) MoICT will remain diligent in fulfilling its responsibilities to monitor progress toward meeting stated policy goals and objectives and will require adjustments to be made to courses of action if these are deemed to be failing to deliver desired outcomes.	(25)
(26) 2 POLICY IMPLEMENTATION RELATED TO THE INFORMATION AND COMMUNICATIONS TECHNOLOGY SECTORS	-2 (26)
(27) The effectiveness of Government ICT policy depends upon its subsequent implementation, in particular the important role played by the TRC	(27)
(28) <i>Ensuring the effectiveness of the TRC</i>	(28)
(29) Recognising the need to compete in the market for skilled employees, and taking into consideration that the cost of running the TRC is covered through the annual license fees that the TRC collects from the licensees without imposing any financial burdens upon the state treasury, Government will, within 12 months, take all necessary actions to reform the TRC's personnel and remuneration policies so that the TRC can create and maintain a highly skilled team of sufficient size to permit the TRC to achieve its important mission.	(29) 12
(30) Recognising the scale and importance of the TRC's regulatory programme to Jordan's overall e-readiness, the Government requires the TRC to publish an annual plan of work and report on its subsequent delivery.	(30)

<p>(31) In addition, Government requires the TRC to regularly collect and annually publish information regarding its implementation of this Statement of Policy 2007.</p>	<p style="text-align: center;">2007</p> <p style="text-align: right;">(31)</p>
<p>(32) Government requires the MoICT to establish an independent committee to review every 1-2 years the overall performance of the TRC. The report of such committee shall be made publicly available.</p>	<p style="text-align: right;">(32)</p>
<p>(33) Government requires that the TRC improve its performance in the areas of objectivity, proportionality, consistency and transparency. Specifically, Government requires the TRC to adopt rules so that:</p> <ul style="list-style-type: none"> • With respect to all decisions that are likely to have a material impact on the market, the TRC will engage in a transparent and open process by which all consultations and major submissions made to the TRC will be made publicly available so that others may make their own submissions before decisions are announced; • The TRC publish ‘reasoned decisions’ for all decisions that are likely to have a material impact on the market, setting out not only why the decision was made but also providing the full objective economic and legal analysis that underlies that conclusion, an assessment of the impact on affected parties of the resulting regulatory burdens, as well as the number of votes for and against such measures; and • The TRC website should be improved to ensure that all current policy statements, consultative documents, regulations, instructions, licences, and licence applications are available, up-to-date and easily accessible. 	<p style="text-align: right;">(33)</p> <p style="text-align: center;">:</p> <p style="text-align: center;">" "</p> <p style="text-align: right;">•</p> <p style="text-align: right;">•</p> <p style="text-align: right;">•</p>
<p>(34) Government intends to put in place a more effective appeal process with respect to TRC decisions, through either the creation of a specialist tribunal or by providing the High Court</p>	<p style="text-align: right;">(34)</p>

<p>with access to greater expertise in ICT sector issues. In the short-term, Government will work with the TRC to explore the possibility of making arbitration available as a dispute resolution mechanism in appropriate cases.</p>	
<p>(35) Government intends to work with the TRC to strengthen the enforcement powers of the TRC and to provide it with a more flexible set of enforcement powers with a view to ensuring greater compliance with the TRC's decisions.</p>	(35)
<p>(36) While respecting the TRC's independence in its operational decisions and its obligations of confidentiality, the Government requires the TRC to maintain a regular dialogue with MoICT concerning the implementation of this Statement of Policy 2007. This dialogue should include, but not be limited to, consideration of legal changes (including the removal of unnecessary restrictions) that may be necessary or appropriate to facilitate or improve the level of competition in the ICT sector.</p>	(36) 2007 ()
<p>(37) The Government encourages the TRC to keep its regulations under review and take steps to forbear from the application of regulations or withdraw them completely where market conditions allow. The Government will review the Telecommunications Law to ensure that the TRC has clear and sufficient authority to forbear from regulation where appropriate. The Government expects that in the short to medium term that such forbearance will mainly apply to non-dominant operators.</p>	(37)
<p>(38) The Government recognises the important consumer protection role that is performed by the TRC. The Government will take steps to encourage the formation of one or more consumer groups with the goal of creating a consumer advisory entity to represent consumer interests and to provide input to the TRC. Government would be supportive of any proposals by the TRC to establish an independent entity to mediate and resolve disputes between consumers and their service providers.</p>	(38)

(39) 3 The Telecommunications Sector	-3 (39)
(40) 3.1 Effective Competition	1 – 3 (40)
41) Having achieved the basic liberalisation of the sector, Communications policy should now concentrate on promoting an environment to bring about effective competition.	(41)
(42) Government recognises that the 2003 Policy Statement focused on the steps needed to liberalize the market in accordance with the WTO Agreement and encouraged the entry of infrastructure based operators. In the forthcoming period, Government requires that the emphasis should be on creating the conditions necessary to achieve effective competition.	(42)
(43) Accordingly, the Government requires the TRC to take all such steps as may be necessary in order to facilitate the rapid entry of new competitors into the ICT sector and the rapid introduction of new services by those entities, as well as by any existing licensee. Such actions will benefit Jordanian citizens and businesses by providing a broad range of ICT services at competitive prices.	(43)
(44) The steps necessary to create the conditions for effective competition include, but are not limited to, the following: <ul style="list-style-type: none"> • Mitigating the effects of dominance • Reducing barriers to market entry • Creating new market entry possibilities • Ensuring a culture of regulatory compliance • Reviewing Universal Service • Removal of any limitations on the telecommunication services that are provided by the licensees at least after two years from approving this policy and in accordance with a timeframe that the TRC finds appropriate. 	(44)

<p>(45) As part of this process, the Government requires that a general framework be established that would provide the basis for a complementary relationship between the TRC and Ministry of Industry and Trade/Competition Directorate. Such a framework would:</p> <ul style="list-style-type: none"> • Set forth the respective duties and responsibilities of the parties in the performance of their functions; • Recognize the preeminent role to be played by the TRC in creating the conditions for effective competition in the Telecom Sector in the short and medium term, through both ex-ante rules and ex-post enforcement actions, and the gradual withdrawal of the TRC from such active regulation once full competition has been achieved; and • Provide that, in the long-term, as the TRC gradually withdraws from active regulation of the Telecom Sector as warranted by the TRC's evaluation of market conditions, government 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. 	<p>(45)</p> <p>/</p> <p>:</p> <p>.</p> <p>•</p> <p>•</p> <p>"</p> <p>"</p> <p>"</p> <p>"</p> <p>"</p> <p>"</p> <p>"</p> <p>•</p>
<p>(46) Mitigating the effects of dominance</p>	<p>(46)</p>
<p>47) The Government encourages the TRC to analyse critically those parts of the market where operators have or maintain dominance and ensure that in each case there are cost-oriented wholesale remedies (that is, interconnection and access arrangements), as well as other appropriate regulatory provisions, in place to mitigate that dominance. The Government recognises that this requires the prior analysis and definition of relevant retail and wholesale markets, with appropriate levels of specificity. Given its critical importance to this ICT policy, the Government encourages the TRC to conduct a market review</p>	<p>(47)</p> <p>(</p> <p>)</p> <p>.</p> <p>2007</p>

<p>of broadband access as a priority. The TRC also should ensure that accounting or other forms of separation are imposed where appropriate on dominant operators; and that steps are taken to ensure that no margin squeeze or cross subsidies exist in vertically linked markets. These requirements should be no more burdensome than is required to ensure fair competition and should be imposed primarily on dominant operators. Any unjustified regulation of non-dominant operators should be removed in recognition of their lack of dominance.</p>	<p>()</p>
<p>(48) Reducing barriers to market entry</p>	<p>(48)</p>
<p>(49) Government requires that the TRC further improve and simplify the licensing system, to allow class licensees prompt access to the market with minimal registration requirements. The requirements for individual licenses also should be reviewed by the TRC to facilitate market entry by operators that require such licenses.</p>	<p>(49)</p> <p>()</p>
<p>(50) Government requires that the management of the radio frequency spectrum be under the TRC's control and that unused non-civilian spectrum be identified and transferred to TRC management as soon as possible. The TRC should identify likely required spectrum bands and negotiate their release well ahead of market demands.</p>	<p>(50)</p>
<p>(51) Government requires that spectrum which is commonly available in other parts of the world on a 'licence exempt' basis (also known as 'spectrum commons') be introduced in Jordan, with appropriate power and other restrictions, so as to stimulate innovation in radio based services and take advantage of lower costs of operating in these bands.</p>	<p>(51)</p> <p>" " ()</p>
<p>(52) Government will establish a committee to consider the appropriateness of current national and local legal requirements concerning operators' access to and use of Rights of Way and the gaining of necessary permits for their network construction (e.g. Radio masts).</p>	<p>(52)</p> <p>()</p>

<p>(53) Creating new market entry possibilities</p>	<p>(53)</p>
<p>(54) Market entry of facilities-based operators have provided Jordan with a rich set of physical networks, both fixed and mobile. The decision whether further facilities-based operators should be introduced should be left to the market and the current open licensing regime.</p>	<p>" " (54) " "</p>
<p>(55) The Government recognizes that the entry of additional providers in the mobile market would stimulate further decreases in prices and an increase in mobile penetration. Accordingly, the Government requires the TRC to take actions to promote the entry of additional mobile providers primarily by taking actions necessary to facilitate and promote the entry of non-facilities based mobile operators. The TRC shall also examine whether it is desirable to make spectrum capacity available for advanced mobile networks including, but not limited to, third or fourth generation networks (3G/4G), whether for new or existing licensees. This includes the consideration of promoting the utilization of existing 2G frequency bands for more advanced and efficient services.</p>	<p>(55) " "</p>
<p>(56) In the fixed network market, the full effect of facilities-based competition on retail service in the Telecom Sector can only be assessed once Fixed Wireless Access has been fully deployed. However, the Government encourages the TRC to take steps to promote facilities-based competition by the entry of operators which would provide sustainable alternative networks, including the provision of backbone facilities, bandwidth (including leased lines), Internet connectivity, and international gateway facilities on a wholesale basis to other operators. The Government will consider whether the transfer of government-owned dark fibre, ducts, poles, and rights of way to the private sector, in a transparent and non-discriminatory way, could play a role in achieving this objective.</p>	<p>(56) " " " ") (</p>

<p>(57) The Government will work with the private sector to facilitate access to international cable systems and encourage investment in landing points in Jordan.</p>	<p>(57)</p>
<p>(58) Facilities-based competition involves considerable investment risk and cannot be expected to have the same geographic scope as the incumbent's network. Furthermore, spectrum availability may limit the number of operators which can enter the market. Given these limitations of facilities-based competition, Government encourages the TRC to promote more service-based competition. Among the steps that should be considered are the following:</p> <ul style="list-style-type: none"> • Systemless resellers ('virtual networks'), including Mobile Virtual Network Operators • Hybrid services (i.e. a mix of service and facilities competition), using network element resale, such as local loop unbundling • Facility sharing, for example mobile masts and co-trenching <p>Such services should only be imposed on operators after appropriate market reviews.</p>	<p>(58)</p>
<p>(59) Such service-based operators would need to have adequate wholesale access to underlying networks, services and facilities. Accordingly, the Government encourages the TRC to consider such access services when determining appropriate wholesale remedies with respect to operators that have a dominant power in relevant markets (including, for example, fixed, mobile, Internet, etc.), while taking care not to undermine the incentive of facilities-based operators to continue building networks. Service-based competition, which is authorised under the existing Class Licence system, has the capability of bringing competitive benefits to areas of the country, and particular market niches, not well served by existing networks.</p>	<p>(59)</p>

(60) Maintaining a culture of regulatory compliance	(60)
(61) Government requires the TRC 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.	(61)
(62) Reviewing Universal Service	(62)
(63) Government will keep the Universal Service policy under review, to ensure it represents the correct balance between the freedom of operators to offer the competing services of their choice and the need to ensure the availability and affordability of basic services to all citizens.	(63)
(64) 3.2 Radio Frequency Spectrum	2-3 (64)
(65) The effective management of the Radio Frequency Spectrum is vital to the development of the ICT sector in Jordan.	(65)
(66) Government requires that the TRC work with the MoICT to create and maintain a National RF Spectrum Strategy. In so doing, the TRC will receive input from relevant governmental and other stakeholders and will take due account of national security considerations.	(66)
(67) Government requires the TRC to develop an approach to spectrum pricing based on market conditions while increasing the diffusion of services which in turn works towards the growth of the national economy, and taking into consideration the different approaches that may be needed for telecommunications use (fixed and	(67)

<p>mobile, public and private), broadcasting and use by public agencies, also taking into consideration the expected immediate revenues from spectrum pricing should not be the main factor for the estimation of those prices.</p>	<p>(</p>
<p>(68) Government requires that the TRC manage the spectrum in an efficient and effective manner, according to the following principles:</p> <ul style="list-style-type: none"> a) Maintain compliance with international and regional obligations; b) Promote greatest access to 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 Spectrum Strategy, in conjunction with MoICT; e) Adopt a transparent approach to all spectrum allocation and assignment decisions but protecting 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, except where these would be inconsistent with applicable international agreements or would create undesirable effects (e.g. loss of international mobile roaming); g) Adopt general authorisations instead of individual licensing wherever possible, including designating specific bands as ‘licence exempt’; h) Minimize the burdens of gaining Type Approval for radio apparatus, including adopting mutual recognition 	<p>(68)</p> <p>:</p> <p>(</p> <p>(</p> <p>(</p> <p>(</p> <p>(</p> <p>:</p> <p>)</p> <p>(</p> <p>(</p> <p>" "</p> <p>(</p>

<ul style="list-style-type: none"> i) policies wherever appropriate; j) As required by Article 6i of the Telecom Law, ensure the preparation of the tables, plans and registers 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; k) Price spectrum according to market demand, using auctions and, possibly secondary trading, where appropriate; l) Prevent the anti-competitive acquisition or hoarding of spectrum by dominant operators; m) Investigate the possible use of private or non-profit Spectrum Management Organisations to act of behalf of groups of users and thereby assist in reducing the burden on the TRC; n) Respond rapidly to interference complaints and take prompt, but proportionate, steps to remove illegal spectrum use and address other interference issues; o) Cooperate with neighbouring states to ensure that mutual spectrum use protects the interests of Jordan's spectrum users while maintaining good international relations; and p) Maintain personnel and institutional capability in the TRC with respect to radio frequency spectrum management. 	<p>()6 (</p> <p>(</p> <p>(</p> <p>(</p> <p>(</p> <p>(</p> <p>(</p>
--	---

(69) 3.3 Convergence	3-3 (69)
(70) Government policy must reflect the growing convergence in the ICT sector, including the implications for content regulation.	(70)
(71) Government recognises that with the convergence of the fixed, mobile and ISP sectors, licensing should be common across all types of service. As a result, the TRC has introduced an integrated licensing regime. Government requires that this same principle be applied with respect to taxes and fees imposed in the Telecom Sector on the long run. Accordingly, although such taxes and fees currently vary by type of service (e.g., fixed or mobile), in the future any differences should reflect the value of the authorised scarce resources.	(71)
(72) Government requires that the licensing position of ‘nomadic’ radio based services (i.e. using Wifi or WiMAX) be clarified as soon as possible to allow market entry of such services, including ‘hotspot’ services.	(72)
(73) Government requires that a New Media Taskforce be set up, chaired by the Higher Media Council, comprising staff from the MoICT, the TRC, the AVC and other major stakeholders, including experts on technology and content regulation. Among other things, the New Media Taskforce will create a framework for Audio-Visual content regulation that sets out the rules appropriate to the diverse delivery mechanisms for such media. The required objective is to clarify the content regulation for traditional delivery systems (such as analogue terrestrial TV), to define the appropriate lower level of regulation for multi-channel and subscription TV (e.g. cable and satellite) and for the new media, including but not limited to as the Internet and Mobile Phones. As stated in the 2003 Policy	(73)

<p>Statement, the Government continues to be of the view that regulation of content on the Internet itself should not be undertaken at the governmental level. With respect to other new media, Government believes that Self-Regulation is the most appropriate. However, in the absence of such Self-Regulation, some type of governmental regulation may be appropriate. The Taskforce should evaluate the appropriateness of such a governmental role in new media other than the Internet, including with respect to the retransmission or repurposing of Internet content on other media, and should examine relevant factors, including but not limited to the source of the content, the method of transmission, and the age and profiles of the likely users which influence their abilities to make informed decisions about the suitability of such content. Government requires that any such governmental regulation of new media should be as narrowly drawn as possible, should be no more burdensome than necessary to serve a legitimate National purpose, and should not hinder investment in such new media. The Taskforce shall also make recommendations concerning the governance of AV regulation within and between the AVC and TRC; and make recommendations about the deployment and changeover from terrestrial analogue broadcasting to digital format. The MoICT shall provide guidance on the objectives and detailed tasks to be performed by the Taskforce.</p>	<p>2003</p>
<p>(74) The Taskforce should take into account the Government's intention to create a single Communications Regulator, which would subsume the functions, although not the structures, of the TRC and AVC. To this end, it will publish a draft unified communications law once the Taskforce has substantially completed its work.</p>	<p>(74)</p>
<p>(75) Government encourages the TRC and all parts of the ICT Sector to invest in the specialist human resource skills, in particular in economics, which are necessary to maintain a proper debate on regulatory matters.</p>	<p>(75)</p>

<p>(76) Government supports the principle of ‘technology neutrality’ in regulation, but notes that new technologies nevertheless have regulatory impacts due to the creation of non-traditional services (e.g. Voice over IP) or by breaking down barriers between traditionally separate ‘relevant markets’. The Government requires that the TRC maintain a regular dialogue with the MoICT on new technologies and, in conjunction with the MoICT, to recommend appropriate legal or regulatory changes that will eliminate the barriers to the rapid introduction and use of such new technologies.</p>	<p style="text-align: right;">(76)</p>
<p>(77) Government encourages the TRC to ensure that the National Numbering Plan is adjusted to provide for new demands from the market for convergent services.</p>	<p style="text-align: right;">(77)</p>
<p>(78) 4. THE INFORMATION TECHNOLOGY SECTOR</p>	<p style="text-align: right;">-4 (78)</p>
<p>(79) With the convergence of IT and communications, growth in these sectors is interdependent and both require promotion and stimulation.</p>	<p style="text-align: right;">(79)</p>
<p>(80) Government recognises that IT comprises not only the supply of computer hardware and software, but also increasingly the provision of services over communications networks, such as the provision of information, remotely provided applications and transaction services such as e-commerce.</p>	<p style="text-align: right;">(80)</p>
<p>(81) In view of the competitive nature of the IT industry, both regionally and globally, Government requires that all practical steps be taken to develop Jordan’s IT sector so that it becomes internationally competitive. Steps taken should attract local and foreign private sector investment and yield high quality employment,</p>	<p style="text-align: right;">(81)</p>

<p>(88) Government recognises that the growth of the IT industry, its export capability and its ability to attract Foreign Direct Investment will be strengthened by the existence of a strong domestic demand for ICT.</p>	<p>(88)</p>
<p><i>(89) Increase in market demand for PCs and Internet access</i></p>	<p>(89)</p>
<p>(90) Government requires that the current level of PC and Internet penetration be significantly increased. Among the steps that should be taken are the following:</p> <ul style="list-style-type: none"> • Improving existing public access points, at Knowledge Stations and Internet cafés and providing new shared access opportunities at Educational Institutions, Post Offices, Libraries, Community Centres and through the workplace; • Use of government-owned dark fibre, ducts, poles, and rights of way, to be transferred to the private sector in a transparent and non-discriminatory way, to enhance Internet connectivity; • Provision of tax exemptions as incentives for employers to provide subsidised PCs for their employees to use at home; • Supporting the availability of subsidised PCs to university students based on instalments throughout studying years. • Supporting the availability of low cost PCs; and • Eliminating taxes on Internet use and PCs. 	<p>(90)</p>
<p>(91) Government encourages the TRC to assist in achieving the goal of significantly increasing the current level of PC and Internet penetration by considering a variety of actions, including, but not limited to, the following:</p> <ul style="list-style-type: none"> • Promoting the reduction in the price of Internet access through the introduction of un-metered narrowband services and other novel forms of access service, such as using ‘licence exempt’ radio spectrum for 	<p>(91)</p>

<p>services to the public and in public spaces;</p> <ul style="list-style-type: none"> • Allowing ISPs to create ‘single billing’ for Internet access by purchasing the incumbent's originating services (narrowband and broadband) as a cost-oriented wholesale service; • Introducing Local Loop Unbundling; and • Encouraging the deployment of technologies that increase the effective performance of access links. 	<p>" "</p> <p>" "</p> <p>" "</p> <p>() "</p> <p>" "</p> <p>•</p> <p>•</p> <p>•</p>
<p>(92) Government recognises the importance of the availability of broadband access and encourages the TRC and the operators towards the goal that at least 50% of all Internet access should be broadband within 5 years and that affordability of broadband access should have been significantly improved.</p>	<p>(92)</p> <p>5 %50</p>
<p>(93) Increase in domestic demand for IT systems and services</p>	<p>(93)</p>
<p>(94) The Government will further increase its programme of promotion, support and training to small, medium and micro sized enterprises (SMMEs), since they occupy a significant market share, in particular raising awareness amongst non-users of the benefits of ICT. Government will consider further expansion of the e-Initiatives programme, including what role the NITC might play as allowed under the NITC Law.</p>	<p>(94)</p>
<p>(95) Increase in supply of online services and applications</p>	<p>(95)</p>
<p>(96) Government will encourage companies, both within and outside Jordan, to make online services and applications available to the Jordanian market. Government will also work with the IT industry to identify gaps in the present market which might be filled by established non-</p>	<p>(96)</p>

<p>Jordanian companies (e.g., suppliers of online ‘back-office’ services), through partnership with local firms, with the goal of producing solutions capable of serving both Jordan and the wider Arab region. With respect to such companies outside Jordan, the Government will assist their entry by clarifying the rules for offering ‘distance services’ into the Jordanian market (e.g. taxation and ‘place of origin’ issues).</p>	<p>()</p> <p>“ ”</p> <p>.()</p>
<p>(97) Government will also encourage Jordanian businesses to offer online services and applications (including via mobile phones), especially e-commerce services, in order to grow their businesses. This will include efforts not only to service the Jordanian market but also to increase the export of goods and services by Jordanian businesses.</p>	<p>()</p> <p>(97)</p>
<p>(98) <i>Other initiatives</i></p>	<p>(98)</p>
<p>(99) Government endorses the recommendations of the 2006 e-Readiness Report as a detailed agenda for action in the IT Sector and encourages the IT industry to take account of these recommendations in its own sphere of influence to ensure improving the sector's competitiveness.</p>	<p>(99)</p> <p>2006</p>
<p>(100) Government will require the TRC, the NITC, and encourage the Information Technology Association (Int@j), to collect statistics and monitor progress with respect to Jordan’s e-readiness including, but not limited to, the penetration of PC ownership, Internet access and subscription and the wider use of IT within the business, residential and governmental sectors. This information shall be collected under the overall direction of the MOICT and provided to the MoICT for purposes of its ongoing monitoring of Jordan’s e-readiness progress.</p>	<p>(100)</p> <p>()</p>

<p>(101) Government will continue to promote Foreign Direct Investment, through the work of the Jordan Investment Board and others. Areas which may be appropriate to promote include call centres and other ICT support centres within Jordan (including R&D facilities) to serve Jordan and beyond; the development of Jordanian content services including Arabic language content; services which exploit Jordan's opportunities and advantages in technological and multi-lingual skills, such as website design, the repurposing of IT documentation and e-learning materials; and the production of specialised software, such as advanced graphics and interactive applications. Government also will encourage domestic investment for the same purposes.</p>	<p>(101)</p>
<p>(102) Government recognises that the IT sector in Jordan is largely comprised of smaller companies which do not have the scale to be globally competitive. Therefore, Government believes that successful development of the sector may require more mergers, acquisitions and consortia. Accordingly, working with the private sector, Government will explore what steps may be appropriate to facilitate such industry combinations, while insuring no compromise on competition.</p>	<p>(102)</p>
<p>(103) Government will encourage industry and educational institutions to work together to improve and maintain the suitability of university syllabi to match the requirements of the Information Society, both in IT courses and to ensure appropriate IT awareness in other courses. In collaboration and coordination with the private sector, Government also will assist in encouraging the availability of advanced IT training to Jordanians throughout their careers, so that Jordanians may obtain and maintain the knowledge necessary to equip them for the broadest range of employment opportunities.</p>	<p>(103)</p>
<p>(104) Government will encourage the IT industry to work with the universities and other R&D institutions to create R&D programmes to enhance the development of IT in Jordan and its</p>	<p>(104)</p>

capability for export, providing tax incentives where appropriate.	
(105) Government is encouraged to provide favourable tax incentives for the investment and use of IT in Jordan, in particular recognising the 'multiplier effect' that IT investment has on the wider economy.	(105)
(106) Government will consider the provision of corporate and other tax incentives to support the provision by employers of subsidised PCs for their employees to use at home.	(106)
(107) Government will seek to provide incentives for Jordanian nationals working abroad to invest in and run domestic IT companies.	(107)
(108) 4.1 Creation of a Trusted ICT Environment	1-4 (108)
(109) Growth in the ICT sector requires a supportive environment, focussing on consumer protection and education, which aims to establish a trusted online environment where users are confident in their use of services and their ability to avoid risks.	(109)
(110) Government will introduce new laws to cover Cybercrime, and Data Protection & Privacy (including anti-spam provisions). These laws should be enforced by the existing law enforcement agencies, which should seek technical advice, where appropriate, from the MoICT and other concerned stakeholders, including the TRC and the NITC.	(110)

<p>(111) Government, through the law enforcement agencies, will work with the ISPs and hosting companies to ensure that content on the Internet, hosted in Jordan, that violates the Criminal Law is removed in a manner consistent with applicable procedural requirements and protections and will work with other countries in respect of externally hosted material, where a common legal framework allows. However, for the avoidance of doubt, the Government does not propose that Internet content, as such, be subject to regulation.</p>	<p>(111)</p>
<p>(112) Government will work with the TRC to complete the subordinate regulations and instructions under the e-Transactions Law related to Certification Authorities, and with other concerned government entities such as the Central Bank of Jordan, the Ministry of Justice and the Ministry of Finance in order to implement the e-Transactions Law and promote the use of e-commerce services.</p>	<p>(112)</p>
<p>(113) Government requires that users (both residential and small business) be supported by the provision of advice on the safe use of the Internet and the protection of children, in order to promote consumer confidence in the use of ICT, while avoiding risks and protecting human rights. This function should be led by the MoICT and should include participation by other relevant public and private stakeholders.</p>	<p>) (113) (</p>
<p>(114) Government believes that existing Intellectual Property laws in Jordan comply with international standards. In maintaining a trusted ICT environment, Government recognises the importance of having Intellectual Property Laws and enforcement procedures that are consistent with international best practices. In addition, Government will work with appropriate private sector entities to support educational efforts to increase the awareness by consumers, industry and the legal community, among others, of the importance of Intellectual Property rights.</p>	<p>(114)</p>

<p>(115) 4.2 The Importance of ICT to Jordan</p>	<p>2-4 (115)</p>
<p>(116) Government needs to ensure that the economic and social wellbeing of the Kingdom is assured through the maintenance of secure communications and IT facilities, together with adequate safeguards for the environmental and human health.</p>	<p>(116)</p>
<p>(117) Government requires that the TRC shall review when needed the adequacy of the security, diversity and overall resilience of Jordan's communications 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 country. Government will support the TRC in taking proportionate actions (including the provision of non-binding guidance and supportive advice) to address identified weaknesses.</p>	<p>(117)</p>
<p>(118) Government requires that organisations within Jordan's critical national infrastructure be assisted in the maintenance of their own security in ICT systems by the provision of a CERT (Computer Emergency Response Team) service which will provide coordinated warnings of software and other ICT risks which could prejudice their continuity of service and resilience. The MoICT will work with relevant stakeholders to determine how this should be established and implemented.</p>	<p>(118)</p>
<p>(119) Government requires that all parts of the ICT industry pay due attention to the safeguarding of the environment through appropriate use of natural resources, and protecting human health from hazardous materials through safe disposal techniques and from electro-magnetic radiation hazards by compliance with internationally recognised standards.</p>	<p>(119)</p>

(120) 4.3 E-Government	3-4 (120)
(121) Government should intensify its e-government programme according to the agreed e-Government strategy, but set priorities carefully to ensure greatest take-up of early applications.	(121)
<p>(122) Government will adopt the recommendations in the 2006 e-Government strategy. In particular, this includes:</p> <ul style="list-style-type: none"> • Compelling inter-governmental coordination and cooperation to achieve the strategy objectives; • Strengthening the role of the NITC to assist the growth of e-Government, in particular through issuing common standards; • Encouraging public-private partnerships in e-Government services. 	<p>(122)</p> <p style="text-align: center;">: .2006</p> <ul style="list-style-type: none"> • • •
123) Recognising the different penetration of Internet access, Government will consider the priorities set to Government to Citizen and Government to Business applications.	(123)
(124) 5. THE POSTAL SECTOR	- 5 (124)
(125) 5.1. Continuing Reform	1-5 (125)
(126) 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.	(126)

<p>(127) Government requires a continuation of the ongoing process of reform of the postal sector. This will ensure that the postal sector can develop in response to the market and social needs while providing high quality postal services that are affordable and accessible to all citizens.</p>	<p>(127)</p>
<p>(128) Government recognizes that many of the goals of the 2003 Statement of Government Policy on the Postal Sector remain valid but that, due to changing postal market, regulatory, and industry conditions, the 2003 Statement must be updated to ensure sustainability of the postal reform program.</p>	<p>(128) 2003 2003</p>
<p>(129) Government recognizes that it will not be possible to complete all reform goals simultaneously; therefore, it has identified the following as the principal goals:</p> <ul style="list-style-type: none"> • Improving the efficiency, quality, and cost-effectiveness of universal postal services through increased private sector participation in the Public Operator; • Reducing the Public Operator’s dependence on government subsidies; • Ensuring that universal postal services are defined and provided; • Stimulating private sector investment in the supply of postal services through progressive market liberalization; • Ensuring that the postal sector can maximize its contribution to economic growth and development; • Monitoring progress on postal reform through key performance indicators; and • Enacting a program of postal sector regulatory reform to support achievement of the goals listed above. 	<p>(129)</p> <ul style="list-style-type: none"> • • • • • • •
<p>(130) 5.2 Development and Growth of the Postal Sector</p>	<p>2-5 (130)</p>
<p>(131) Government policy in the existing postal market in Jordan should stimulate demand by ensuring that basic postal services provide a level of quality that supports business transactions, economic growth, and overall social cohesion</p>	<p>(131)</p>

and inclusion.	
<p>(132) Government recognizes that the existing supply of postal services is competitive while demand for these services is lower than in other comparable national postal markets. Specific policy goals are based on the objective that:</p> <ul style="list-style-type: none"> • Postal development initiatives focus increasing <i>demand</i> in the postal sector through improved quality of service for universal postal service; • Strategies for achieving this development be based on current and comprehensive information concerning postal sector performance and its future potential for growth; • Interconnection among private operators and among private operators and the public operator (downstream access) be encouraged and be based on actual costs; and • Ongoing market development and growth should be monitored by the TRC based on key performance indicators (KPIs) 	<p>(132)</p> <ul style="list-style-type: none"> • • • •
<p>(133) Government recognizes that international mail (including transit mail), parcels, and direct mail, and other rapidly growing services are vital segments of Jordan’s postal sector and will continue to take such steps as may be appropriate to support and encourage growth in these segments, including simplifying the regulatory processes associated with them.</p>	<p>() (133)</p>
<p>(134) Government recognizes that postal services can best support the growth of e-Commerce and e-Government through the provision of efficient and dependable basic postal services. At the same time, these services can be combined with electronic communication services to develop new “hybrid” services that combine the best features of both technologies. The government encourages the sector to incorporate further, advanced communications technologies, and other technologies to improve and expand basic postal services.</p>	<p>(134)</p>

<p>(135) Government recognizes that informal and unlicensed provision of postal services does not promote postal market growth and requires that such unlicensed provision be licensed within the formal postal licensing system and encourages those using informal delivery mechanisms to, instead, use licensed postal providers.</p>	<p>(135)</p>
<p>(136) Recognizing that progress has been made in establishing a national address infrastructure and in establishing a standard address format, Government encourages businesses and the general public to adopt mailing practices utilizing these tools to improve mail processing and quality of service and requires that the national address infrastructure be expanded to cover the greatest possible geographic area.</p>	<p>(136)</p>
<p>(137) Government recognizes the unique position that postal services occupy in the center of three important business flows: information, goods transfers, and financial transactions. Moreover, there are postal offices in a variety of locations throughout Jordan. Therefore, Government encourages postal services to utilize this position to strengthen commercial activities and provide access to Internet and other telecommunication facilities.</p>	<p>(137)</p>
<p>(138) 5.3 Universal Postal Services</p>	<p>3-5 (138)</p>
<p>(139) Sustainable postal reform must be based on a comprehensive definition of universal postal services.</p>	<p>(139)</p>
<p>(140) 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 further requires that details of the universal service be included in the Performance Contract or future license issued by the regulator to the designated universal service provider.</p>	<p>(140)</p>

<p>(141) Government requires that universal service be defined in a revised postal law and supplementary regulations. This definition will be expressed in terms of the collection, transportation, and delivery of a specified set of postal services up to a specific weigh limit. The TRC will develop proposals concerning the conditions of universal service (e.g., access, frequency of delivery, quality of service, etc.) for review and approval by the Government.</p>	<p>(141)</p>
<p>(142) Government requires that the definition of universal service focus on areas of very basic and specific need in terms of a minimum set of services of specified quality to avoid distortions to competitive portions of the postal market and to avoid establishing barriers to entry to such markets.</p>	<p>(142)</p>
<p>(143) Government designates Jordan Post Company (JPC) as the Public Postal Operator obligated to provide this universal service.</p>	<p>(143)</p>
<p>(144) Government recognizes that the nationwide provision of universal service may incur losses for the universal service provider. Accordingly, 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.</p>	<p>(144)</p>
<p>(145) However, the Government’s long-term goal is to progressively reduce the reserved area of the universal service provider, while monitoring the financial viability of the universal service provider on an ongoing basis, until the postal market is fully liberalized. In this case, government will review the designation of the Universal Service Provider.</p>	<p>(145)</p>
<p>(146) Government requires that the cost of providing universal services, including any losses incurred by the universal service provider, will be calculated precisely by JPC under principles and guidelines developed by the TRC. Recognizing the value of private operator mail services, exceptions to this reserved area are allowed as</p>	<p>(146)</p>

<p>detailed in the postal law and any upcoming amendments and supplementary regulations.</p>	
<p>(147) Government further requires that any financing mechanism used to provide funding for losses incurred through the provision of universal service be based on transparent cost accounting processes that avoid cross subsidies between reserved and non-reserved postal services.</p>	(147)
<p>(148) Tariff-setting proposals for universal services will be developed by TRC for review and approval by the Government. Tariffs will be based on progressively bringing costs and prices for these services into closer alignment through efficiency and productivity increases in the universal service provider.</p>	(148)
<p>(149) The Government’s long-term policy is to extend universal service mail delivery to all addresses in Jordan. Growth in delivery to addresses will be based on demand and cost-effectiveness.</p>	(149)
<p>(150) 5.4 Other Postal Services</p>	4-5 (150)
<p>(151) Government is responsible for ensuring provision of an adequate level of universal postal service through application of detailed regulations that monitor quality, ensure affordability, and require 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.</p>	(151)
<p>(152) Government recognizes that the courier segment of the postal market is growing rapidly and is being fulfilled by a competitive and thriving postal market. Courier mail provides many “value-added” product features to basic mail services including: door and time certain-</p>	(152)

<p>delivery; individual numbering of mail pieces; and tracing and tracking capabilities.</p>	
<p>(153) 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 these networks.</p>	(153)
<p>154) 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 to allow TRC to:</p> <ul style="list-style-type: none"> • To the extent possible, exercise forbearance in the regulation of postal services falling outside of the universal service area and adopt regulations governing such services that are limited in nature; • Develop an authorization system based on <i>permits</i> for operators providing service outside of the universal service area and <i>licenses</i> for operators providing universal postal services; and • Reduce the administrative responsibilities involved in obtaining operator permits for both the operators and the TRC and simplify reporting requirements to the minimum necessary to develop overall statistics concerning postal market performance while providing adequate channels for consumer representation. 	(154)
<p>(155) 5.5 Regulation of the Postal Sector</p>	5-5 (155)
<p>(156) Government requires that a strong legal and regulatory foundation be established to support the goals of this Policy Statement. To accomplish this objective, the Government requires that:</p>	(156)

<ul style="list-style-type: none"> • That the Postal Law be revised to conform to the goals and objectives established in this Policy Statement; • The revised 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; • A common process of regulation for public and private operators that is consistent with this Policy Statement and its goals be established. • Licensing be extended to the Public Operator, thereby enabling fully licensed competition within the postal sector; • The effective provisions of the 2002 Temporary Postal Law (e.g., definition of a corporate format for JPC) are retained in the revised Postal Law; and • The Performance Contract be revised to conform with this Policy Statement and with the objective of commercializing JPC. 	<p style="text-align: center;">2007</p> <p style="text-align: right;">• • • • • • • 2007</p>
<p>(157) Government requires that the focus of the revised Postal Law will be on:</p> <ul style="list-style-type: none"> • Providing and strengthening universal services and • Progressive market liberalization 	<p style="text-align: right;">(157)</p> <p style="text-align: right;">• •</p>
<p>(158) Government requires that, where necessary, supplementary regulations will be developed that allow the TRC to implement the goals and objectives of this Statement of Policy and the revised Postal Law.</p>	<p style="text-align: right;">(158)</p> <p style="text-align: center;">2007</p>
<p>(159) Government requires that international mail will be regulated in accordance with the bilateral and international agreements and treaties to which Jordan is a party.</p>	<p style="text-align: right;">(159)</p>
<p>(160) Government requires that the regulatory reform initiatives needed to fully implement the goals of this Statement of Policy will receive priority attention by the TRC and sustained</p>	<p style="text-align: right;">(160)</p>

support to ensure rapid implementation.	2007
(161) Government requires that input from all postal stakeholders will be sought during development of the revised Postal Law and detailed regulations.	(161)
(162) 5.6 Regulatory Effectiveness	6-5 (162)
<p>(163) The Government recognizes that regulatory effectiveness is key to achieving both the goals of the Policy Statement and the ongoing development and growth of the postal sector. Therefore, the Government requires that the scope of the TRC's responsibility for the Postal Sector be streamlined to focus on:</p> <ul style="list-style-type: none"> • Overseeing implementation of the Performance Contract; • Ensuring provision of an adequate level of universal service; • Managing a two-tiered postal operator authorization system of permits and licenses; • Monitoring ongoing postal market development; • Safeguarding the interests of consumers; and • Supporting implementation of the goals and objectives of this Statement of Policy 	<p>2007</p> <p>:</p> <p>.2007</p> <p>(163)</p> <ul style="list-style-type: none"> • • • • • •
(164) Government requires that the revised Postal Law will clearly state the role, authority, and responsibilities of the postal regulator.	(164)
(165) Government requires that the comprehensive information needed to effectively regulate the postal market will be gathered regularly by the TRC and will be based on key performance indicators (KPI's) concerning postal market development and operator performance.	(165)

<p>(166) The Government further requires that the TRC have the necessary postal expertise and capacity to fulfill its regulatory, operational and consumer representation responsibilities and that the revised Postal Law provide it with the necessary authority to monitor licensees and the implementation of the Performance Contract/license.</p>	<p>(166)</p>
<p>(167) 5.7 The Public Postal Operator (JPC)</p>	<p>() 7-5 (167)</p>
<p>(168) Government recognizes that increased private sector participation has proven to be an effective means of increasing public postal operators' efficiency and productivity in many postal sectors in other countries.</p>	<p>(168)</p>
<p>(169) The <i>National Agenda</i> has identified as a priority in public service reform to "Privatize Jordan Post and seek a strategic partner to expand and improve postal services."</p>	<p>(169)</p>
<p>(170) Government recognizes that JPC must be prepared for entering a strategic partnership through a process of ongoing commercialization that will provide opportunities and incentives for increased private sector participation. Government also recognizes that the Performance Contract provides the primary mechanism for accomplishing this process and requires that the TRC act to ensure the fulfillment of the provisions of this Contract.</p>	<p>(170)</p>
<p>(171) Government will progressively reduce its ownership position in JPC as quickly as prevailing market conditions, economic circumstances, and the maintenance of an adequate level of universal service permit. Government will apply mechanisms and act in a manner and timeframe that is in accordance with the relevant laws and is consistent with its responsibilities as a shareholder in JPC.</p>	<p>(171)</p>

<p>(172) Therefore, Government requires that:</p> <ul style="list-style-type: none"> • JPC progressively, but rapidly, cease to be reliant on any government subsidy and be prepared to compete fairly and without subsidies in the postal market; • The Performance Contract should ensure commercialization of JPC within the shortest possible time through the establishment of quantifiable performance targets; • The legal and regulatory reforms needed to support and implement acquisition of a Strategic Partner for JPC be identified, initiated, and executed; • All potential opportunities for reducing JPC’s costs and for increasing revenue (e.g., through strengthened postal financial services and the development of new, market responsive products) are evaluated and implemented in parallel with its efforts to seek private sector investment; and • All social services distributed through the Public Operator’s network be processed in a cost-based manner. 	<p style="text-align: right;">(172)</p> <ul style="list-style-type: none"> • • • • •
<p>(173) 5.8 Achieving Progress on Reform Goals</p>	<p style="text-align: right;">8-5 (173)</p>
<p>(174) Government recognizes that revising the Postal Law will require time to develop a draft revision, seek stakeholder input, include any necessary revisions, and enact a final version. Therefore, mindful of the need to maintain progress on the overall goals of this Statement of Sector Policy, the Government requires the following priority activities to be undertaken while the processes involved with enacting a revised Postal Law are completed:</p> <ul style="list-style-type: none"> • JPC should progressively, but rapidly, cease to be reliant on any government subsidy; • JPC’s operations should be commercialized through progressive implementation of the Performance Contract and establishment of JPC ‘s 	<p style="text-align: right;">(174)</p> <p style="text-align: center;">2007</p> <ul style="list-style-type: none"> • •

<p>increased autonomy and financial viability;</p> <ul style="list-style-type: none"> • All potential opportunities for reducing JPC’s costs and for increasing its revenues should be evaluated and implemented; • Barriers to both market entry and competition should be minimized in the non-universal service market segment; • Current levels of universal service coverage should be measured and established as a “baseline” for future development as justified by demand and market growth; and • TRC should develop the expertise and capability to monitor implementation of the Performance Contract, fulfillment of universal service obligations, and maintenance of a fair and competitive postal marketplace. 	<ul style="list-style-type: none"> • • • •
<p>(175) Annex 1: Details of complementary law and WTO obligations</p>	<p style="text-align: right;">:1 (175)</p>
<p>(176) 1.A. Competition Law No. 49 of 2002</p>	<p style="text-align: right;">2002 49 .1 (176)</p>
<p>(177) The Competition Law of 2002 represents a major step forward in the entry of safeguards into the structure of the economy, whereby practices, alliances and agreements, explicit or implicit, that prejudice, contravene, limit or prevent competition shall be prohibited. Certain markets served by the sectors within ICT do not yet constitute fully liberalised or open environments, whilst others do have an acceptable level of competition. The sectors are principally governed by the terms of the Telecommunications Law and the Postal Law, which provide for regulation of activities and markets that are not fully competitive. The Competition Law has universal application. Accordingly, it is necessary that TRC take due note of its impact in the context of its regulatory activities under the Telecommunications and Postal Laws, with appropriate reference to policy set out in the body of this document.</p>	<p style="text-align: right;">(177)</p>

<p>(178) 1.B WTO Obligations</p>	<p>.1 (178)</p>
<p>(179) Upon becoming a member of the World Trade Organisation (WTO) in April, 2000 Jordan agreed to accept obligations associated with membership.</p>	<p>(179) 2000</p>
<p>(180) 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 its own action, or those of others, specific WTO obligations are met.</p>	<p>(180)</p>
<p>(181) In the telecommunications sector Jordan has agreed to various key principles by means of a reference paper. The following is a broad summary:</p> <ul style="list-style-type: none"> • 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 	<p>(181)</p> <ul style="list-style-type: none"> • • • •

<p>granting of licenses to operate are made publicly available.</p> <ul style="list-style-type: none"> • 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. • To allocate any necessary scarce resources for the purposes of the sector in an objective, timely, transparent and non-discriminatory manner. 	<ul style="list-style-type: none"> • •
<p>(182) In area of general government procurement, which this policy statements indicates will have significant impact upon sectors within ICT, Jordan is committed to WTO terms that require procurements to be non-discriminatory and open; in terms of the origin of suppliers or products, tendering procedures, pre-qualification of suppliers, selection procedures and documentation. Government is specifically required to facilitate procurement through the issue of technical specifications, and, to establish information centers.</p>	<p>(182)</p>