

Country Guide

Jordan

Information provided is current as of October 2024

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## 1. Overview

### 1.1. Government and Tax System

Jordan, officially the Hashemite Kingdom of Jordan, is a unitary state under a constitutional monarchy. Jordan's constitution is the legal framework that governs the monarch, the government, the bicameral legislature (comprising the House of Representatives and the Senate), and the independent judiciary. The monarch, who is the head of state, retains wide executive and legislative powers and exercises his executive authority through the government. The government is led by the prime minister, who is the head of government, and the Council of Ministers, or cabinet. The cabinet is accountable to the House of Representatives.

Any legislation must be passed by the House of Representatives and the Senate and approved by the King. It becomes law on publication in the Official Gazette.

The Income and Sales Tax Department (ISTD) is the tax authority responsible for administering the tax system, including the collection and enforcement of taxes. There is no statutory mechanism for the provision of tax rulings by the ISTD. However, taxpayers may approach the ISTD for guidance on the interpretation and application of the tax law.

The main tax law is the Income Tax Law (ITL).<sup>1</sup> The ITL is supported by various regulations and Executive Instructions.

### 1.2. Currency

The currency of Jordan is the Jordanian dinar.

### 1.3. Membership of International Organizations

Jordan is a member of the World Trade Organization (WTO), the League of Arab States (LAS), the Council of Arab Economic Unity (CAEU), the Greater Arab Free Trade Area (GAFTA), and the Group of 77 (G-77).

### 1.4. Official Websites

In Jordan, official tax and finance websites include the following:

- Ministry of Finance – <https://mof.gov.jo>
- Income and Sales Tax Department (ISTD) – <https://www.istd.gov.jo>
- Central Bank of Jordan – <https://www.cbj.gov.jo>
- Ministry of Investment – <https://www.moin.gov.jo>
- Tax legislation can be found on the ISTD website.

### 1.5. Automatic Exchange of Information

Jordan has ratified the Convention on Mutual Administrative Assistance in Tax Matters, which entered into force on December 1, 2021.

As of October 2024, Jordan has not enacted legislation to implement automatic exchange of tax information.

## 2. Corporate Tax Computation and Administration

### 2.1. Residence, Taxable Status, Entity Characterization

#### 2.1.1 Residence

A company is resident in Jordan if:

- it is established or registered pursuant to the prevalent Jordanian legislation and has a center or branch in Jordan carrying on administration and control over its activities in Jordan;
- its place of main or effective management is in Jordan; or

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<sup>1</sup> Law No. 34/2014, as amended.

- more than 50 percent of its capital is owned by the Jordanian government or any public institution.<sup>2</sup>

### **2.1.2 Taxable Status**

Any income generated by any company in or from Jordan is taxable in Jordan regardless of the place of payment.<sup>3</sup>

### **2.1.3 Legal Classification of Nonresident Entities**

The classification of a nonresident entity by its country of residence is generally adopted in Jordan.

## **2.2. Corporate Tax Base**

### **2.2.1 Resident Corporations**

Income generated by a resident company is taxable in Jordan if it arises from sources within Jordan.

The following types of income are also taxable in Jordan:

- net income generated by a resident company from sources outside Jordan, provided it originates from money or deposits from Jordan; and
- net income generated by foreign branches of resident companies, subject to certain conditions.<sup>4</sup>

### **2.2.2 Nonresident Corporations**

Nonresident entities are taxable in Jordan if they derive income from sources in Jordan.<sup>5</sup>

### **2.2.3 Non-Corporate Business Entities**

#### **2.2.3.1 Recognition**

Jordanian law recognizes sole proprietorships, foundations and partnerships and, subject to any foreign investment restrictions for certain industry sectors, permits nonresidents to operate through these structures.

The concept of trusts is not recognized in Jordan.

#### **2.2.3.2 Tax Status**

Partnerships and sole proprietorships are subject to income tax on the income they generate in Jordan.

Foundations that are registered and licensed as nonprofit organizations are not taxable in Jordan, subject to certain conditions.<sup>6</sup>

Foreign trusts are treated as nonresident entities for tax purposes.

### **2.2.4 Permanent Establishments**

#### **2.2.4.1 Domestic Law Definition**

There is no concept of permanent establishment (PE) under the ITL.

However, a definition of PE is included in Jordan's transfer pricing rules. For these purposes, a PE is any fixed place for carrying out activities, and includes:

- a place of management;
- a branch, office, factory, or workshop; and
- a mine, an oil or gas well, a quarry, or any other place for extracting natural resources.<sup>7</sup>

For details of Jordan's transfer pricing rules, see Section 7.

#### **2.2.4.2 Treaty Definition**

Jordanian tax treaties typically define a PE as a fixed place of business through which the business of an enterprise is wholly or partly carried on.

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<sup>2</sup> ITL, art. 2.

<sup>3</sup> ITL, art. 3(A).

<sup>4</sup> ITL, art. 3(C).

<sup>5</sup> ITL, art. 3(A).

<sup>6</sup> ITL, art. 4(C).

<sup>7</sup> Regulation No. 40/2021, art. 11(C).

### 2.2.4.3 Creation via Performance of Services

Certain tax treaties to which Jordan is a party provide that the performance of services through employees or other personnel for an aggregate period of more than six months in a 12-month period will create a PE.

### 2.2.4.4 Creation via Customer Downloads or Website Access

There is no guidance on the creation of a PE by virtue of accessing websites or downloading information by local customers.

### 2.2.4.5 Creation via Cloud Services

There is no guidance on the creation of a PE by the provision of cloud services to local customers.

## 2.3. Taxable Year

### 2.3.1 Default Taxable Year

The default tax year for companies is the calendar year. If the company's fiscal year is different to the calendar year, the company may adopt the fiscal year as the tax year, provided the ISDT is notified in advance.<sup>8</sup>

**Planning Point:** Note that, although legislation provides that the ISDT must be *notified* in advance if a company intends to adopt its fiscal year as the tax year, in practice the Department's *approval* is sought.

Note also that the English language version of the ITL provides definitions for "fiscal year", which is a period consisting of 12 consecutive months at the end of which the taxpayer closes their accounts; and for "tax period", which is a period according to which income tax is calculated in accordance with the provisions of the ITL. "Tax period" is used throughout the ITL to refer to a tax year more generally.

### 2.3.2 Reference Year for Computation of Tax

Taxpayers are subject to tax on income earned during the tax year. Thus, if the tax year is the calendar year, returns filed in 2025, regarding the taxpayer's liability for the 2024 calendar year, will report income and tax due on income earned in the 2024 calendar year.

## 2.4. Computing Taxable Income

### 2.4.1 General

All income generated from sources in Jordan is taxable in Jordan, unless it is exempt from tax under the Jordanian tax law.

Any business expenses incurred to generate income are generally deductible for tax purposes,<sup>9</sup> subject to certain exceptions as specified in the tax law.

### 2.4.2 Exempt Income

Certain types of income are exempt from tax under article 4 of the ITL, including:

- qualifying income earned by public institutions and municipalities;
- profits of a foreign company not operating in Jordan, such as the company headquarters or representative office, generated from its business outside Jordan;
- income from charitable endowments;
- income generated by venture capital companies that are defined and registered pursuant to the Companies Law;
- qualifying dividend payments (see Section 2.5);
- income generated by a non-Jordanian resident investor from sources outside Jordan but deriving from the investment of such investor's foreign capital, returns, profits, and proceeds from the liquidation of investments, or the sale of the investor's project, shares, or stock after taking them out of Jordan in accordance with the provisions of the Investment Law or any other law that replaces it;

<sup>8</sup> ITL, art. 13(A) and (B).

<sup>9</sup> ITL, art. 2.

- compensation paid by insurance firms, except amounts paid as reimbursement for the loss of income from employment or business activity;
- any income generated by banks and financial companies not operating in Jordan from banks operating in Jordan, such as deposit interest, commissions, and deposit profits from investment in interest-free banks and financial companies;
- profits of reinsurance companies not operating in Jordan that are derived from insurance contracts concluded with insurance companies operating in Jordan; and
- income covered by double taxation agreements (DTAs) concluded by the government, to the extent provided for under the relevant DTA.

The following entities are also exempt from income tax, subject to terms and conditions specified in regulations:

- political parties, trade unions, and professional associations such as chambers of commerce and industry, cooperatives, and other legally registered and licensed nonprofit organizations;
- nonprofit religious, charitable, cultural, educational, sport, and health organizations;
- exempted companies registered under the Companies Law which generate income outside Jordan, except taxable foreign-source income, pursuant to the provisions of the Jordanian tax law; and
- nonprofit companies registered pursuant to the Companies Law.<sup>10</sup>

#### **2.4.3 Inventory Valuation and Inventory Flow**

Inventory is generally valued in accordance with International Financial Reporting Standards (IFRS).

#### **2.4.4 Depreciation or Capital Allowances**

Depreciation and amortization of fixed and intangible assets (including purchased goodwill, but excluding land) is determined using the straight-line method based on maximum rates specified by regulation.<sup>11</sup>

#### **2.4.5 Reserves**

Generally, reserves for doubtful debts are tax deductible for taxpayers whose accounts and financial statements are maintained in accordance with international accounting standards and audited by certified public accountants.<sup>12</sup>

Special deduction rules apply to:

- reserves of banks in accordance with the Banking Law (e.g., in relation to transferring a non-performing credit facility into a performing credit facility, collecting the value of a non-performing credit facility, and to write off bad debt); and
- insurance companies in relation to unearned premiums, settlement claims, and allocations from gross income, subject to conditions.<sup>13</sup>

#### **2.4.6 Special Allowances**

Any amount donated from gross income to a public corporation, a public department or a municipality is deductible, without limitation, in relation to the tax year in which the donation occurred.

Philanthropic and qualifying party-political subscriptions and donations paid within Jordan are deductible on condition the total deductible amount does not exceed 25 percent of taxable income, (i) after any deduction has been made from gross income for amounts donated to a public corporation, etc., but (ii) before deducting the philanthropic and party-political subscriptions and donations. All subscriptions and donations must be made without any personal interest.<sup>14</sup>

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<sup>10</sup> ITL, art. 4(C).

<sup>11</sup> ITL, art. 6(H); Regulation No. 55/2015, arts. 36 and 37.

<sup>12</sup> ITL, art. 6(E).

<sup>13</sup> ITL, art. 6(C) and (D).

<sup>14</sup> ITL, art. 10.

For taxpayers with leased properties within the Greater Amman Municipality and other municipalities, any property tax paid in a tax year can be offset against the taxpayer's income tax liability for that tax year, up to the amount of income tax owed.<sup>15</sup>

#### 2.4.7 Special Provisions or Limits Applicable to Foreign Companies

A deduction is available in Jordan for the portion of head office expenses incurred by a foreign legal entity that have been attributed to a branch located in Jordan, on condition that such deduction does not exceed 5 percent of the branch's taxable income.<sup>16</sup>

### 2.5. Intercompany Dividends

Dividends received from Jordanian-resident limited liability companies, limited partnerships, general partnerships, and public and private shareholding companies are generally exempt from tax. However, dividends received by resident banks, principal telecommunications companies, companies engaged in mining basic materials, insurance and reinsurance companies, financial intermediaries, finance companies, and companies engaged in financial leasing activities are taxed at the income tax rate applicable to the taxpayer's industry (see Section 3.1.1).<sup>17</sup>

If a company owns at least 10 percent of another company's capital, dividend and other profit distributions are subject to income tax at a maximum rate of 10 percent.<sup>18</sup>

Subject to any relevant tax treaty, net dividend amounts received by a resident company from a nonresident company (i.e., on the basis such income received originates from money or deposits from Jordan) are subject to a 10 percent income tax rate.<sup>19</sup>

**Planning Point:** For these purposes:

- a "principal telecommunications company" means a company that holds individual telecommunications licenses pursuant to the Telecommunications Law; and
- the mining of "basic materials" generally means the exploration, extraction, and exploitation of natural raw materials as prescribed by a Council of Ministers' decision, except in relation to manufacturing fertilizers and cement.

### 2.6. Special Tax Regimes

#### 2.6.1 Economic Zones

Jordan has several economic, development and free zones which have special tax regimes.

*Aqaba Special Economic Zone Authority (ASEZA)*

Tax incentives for qualifying investors in ASEZA include the following:

- a 5 percent income tax rate on net profits generated within the zone;
- income tax exemption on distributed profits generated from activities within the zone; and
- exemptions from land and buildings tax (excluding transfer taxes), customs and other taxes and duties on imports into the zone, and sales taxes on imports into and sales of goods and services within the zone (subject to certain exceptions).<sup>20</sup>

*Development zones*

Qualifying entities registered in development zones can benefit from a 5 percent income tax rate on profits arising from licensed manufacturing industries, on condition the local added value from those industries is at least 30 percent. Other taxable income derived from such zones is subject to a 10 percent income tax rate.<sup>21</sup>

<sup>15</sup> ITL, art. 18(B).

<sup>16</sup> ITL, art. 7(E).

<sup>17</sup> ITL, art. 4(A)(8).

<sup>18</sup> ITL, art. 11(J).

<sup>19</sup> ITL, art. 3(C).

<sup>20</sup> ITL, art. 78(B); Aqaba Special Economic Zone Law No. 32/2000, as amended, arts. 30–32.

<sup>21</sup> ITL, art. 11(I)(1) and (2).



Zero-rated general sales tax and customs duties exemptions are also available under certain circumstances.<sup>22</sup>

#### *Free zones*

Tax incentives for qualifying entities carrying out economic activities in free zones include the following:

- income tax exemption on profits from exporting services outside Jordan, transit trade, sales or transfers of goods within the zone, and services provided or supplied within the zone;
- income tax exemption for non-Jordanians' salaries and allowances from projects within the zone;
- certain exemptions from customs duties and general sales tax; and
- certain taxes applicable to buildings and construction.<sup>23</sup>

### **2.6.2 International Finance or Holding Companies**

There is no special regime for international finance or holding companies in Jordan.

### **2.6.3 Research and Development Companies and Activities**

Research, development and training expenses are deductible for tax purposes.

### **2.6.4 Other Special Regimes**

The first 50,000 dinars of net income generated by legal persons from an agricultural activity within Jordan is exempt from income tax. Excess income generated by legal persons from such an activity is taxable at 20 percent.<sup>24</sup>

**Planning Point:** Note that, for the period 2019-2023, the following sectors benefited from graduated corporate tax liability reductions:

- for qualifying industrial activities except pharmaceuticals and clothing – a reduction of 25 percent in 2019, 20 percent in 2020, 15 percent in 2021, 10 percent in 2022, and 5 percent in 2023; and
- for the pharmaceutical and clothing sectors – a reduction of 50 percent in 2019, 30 percent in 2020, 20 percent in 2021, 10 percent in 2022, and 5 percent in 2023.<sup>25</sup>

## **2.7. Double Taxation Protection**

### **2.7.1 Mechanics**

A tax deduction is available to resident companies for foreign income tax paid on income generated from sources outside Jordan if, in the absence of an applicable DTA, it was taxable in that foreign jurisdiction under the Jordanian tax law.<sup>26</sup>

### **2.7.2 Treaty or Statutory Priority**

If Jordan has entered into a DTA with another country, tax relief is available in Jordan in accordance with the provisions of that DTA. In the event of a conflict between the terms of the DTA and Jordanian tax law, the terms of the DTA prevail. Notably, Jordanian judicial interpretation has consistently upheld that DTAs have preference over national tax legislation.

For treaty information, including the number of agreements signed or in force, original treaty texts, translations, consolidations and any modifications made by the Multilateral Instrument, if applicable, see the International Tax Treaties Collection.

### **2.7.3 Source of Interpretation**

Jordan's DTAs are based on a combination of the OECD and UN Model Tax Conventions.

<sup>22</sup> Investment Environment Law No. 21/2022, art. 30.

<sup>23</sup> Investment Environment Law No. 21/2022, arts. 31 and 32.

<sup>24</sup> ITL, arts. 5(B) and 11(B)(1).

<sup>25</sup> ITL, art. 11(C) and (D).

<sup>26</sup> ITL, art. 6(A).

## **2.8. Returns and Filing Dates**

### **2.8.1 Filing Deadline**

The corporate tax return must be submitted before the end of the fourth month following the end of the tax year.<sup>27</sup>

All taxes withheld at source must be declared within 30 days from the date the relevant payment subject to withholding was made.<sup>28</sup>

### **2.8.2 Filing Method**

Tax returns are filed electronically through the online portal services available on the ISTD's website (for a link, see Section 1.4).

### **2.8.3 Extensions**

There are no provisions for the extension of the filing deadline.

### **2.8.4 Penalties**

A late filing penalty of 1,000 dinars applies for public and private shareholding companies and 300 dinars for other companies.<sup>29</sup>

Tax evasion, including through omission or misrepresentation of information from or in any tax return, can result in a penalty equivalent to the amount of tax evaded. Repeated attempts at tax evasion can result in a prison sentence of between four months and three years.<sup>30</sup>

All businesses registered in Jordan must keep books and records, and present them on request, in accordance with the provisions of the ITL. Failure to comply with these requirements will result in a tax penalty ranging from 200 dinars to 500 dinars. The same penalty applies in the event it is found that tax deficiencies or excessive deductions have been declared, to the extent they are equal to or exceed 25 percent of the actual tax that should have been due or the total deductions amount that would have been allowed. The tax penalty can be doubled on recurrence of the infringement.<sup>31</sup>

## **2.9. Payment Mechanics**

### **2.9.1 Internal Withholding on Resident Companies**

A 5 percent withholding tax applies to payments for the provision of certain services by residents. Banks and financial companies are required to apply a withholding tax at 7 percent on payments of deposit interest, commissions and profits derived from deposits made in other resident banks. In both cases, the tax withheld is a payment on account (i.e., it is not a final tax).<sup>32</sup>

### **2.9.2 Schedule for Tax Payments or Deposits**

The final due tax for a tax year is payable before the end of the fourth month following the end of the tax year (i.e., the same deadline for filing the annual tax return).<sup>33</sup>

Taxpayers with gross income in the previous tax year exceeding 1 million dinars are required to make two advance payments by the following deadlines:

- first advance payment – within 30 days following the end of the first half of the tax year; and
- second advance payment – within 30 days following the end of the tax year.<sup>34</sup>

Each advance payment is equal to 40 percent of the tax liability stated in the financial statements for the preceding tax year. If the financial statements are not available for that tax year, the advance payments are based on the tax liability computed in the preceding year's tax declaration.<sup>35</sup>

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<sup>27</sup> ITL, art. 17(A).

<sup>28</sup> ITL, art. 12(E); Executive Instructions No. 2/2019, arts. 11(D), 12(A), and 13(A).

<sup>29</sup> ITL, art. 63.

<sup>30</sup> ITL, art. 66.

<sup>31</sup> ITL, art. 64.

<sup>32</sup> ITL, art. 12(A)(2).

<sup>33</sup> ITL, art. 18(A).

<sup>34</sup> ITL, art. 19(B).

<sup>35</sup> ITL, art. 19(C).

All taxes withheld at source must be paid at the same time as declaration, within 30 days from the date the relevant payment subject to withholding was made.<sup>36</sup>

### 2.9.3 Electronic Payments

The due tax is payable electronically via an online portal.

### 2.9.4 Interest and Penalties

Late payment or nonpayment of tax can result in a penalty of 0.4 percent of the due tax for each week (or part thereof) of delay.<sup>37</sup>

If, in the event of an ISTD tax audit, it is found there is a shortfall in the amount of tax paid that does not exceed 5,000 dinars, the shortfall will be subject to this penalty from the date on which the taxpayer is notified of the audit decision. If the shortfall is equal to or exceeds 5,000 dinars, the penalty will apply from the date the tax was actually due.

Generally, in each case, the penalty cannot exceed the equivalent of the amount of tax owed.

For penalties that apply to declared tax deficiencies and excessive expense deductions, see Section 2.8.4.

### 2.10. Statute of Limitations

Generally, the ISTD cannot issue a tax audit assessment notice after four years from the date a tax return was filed. In the case of fraud, this period is extended to eight years.<sup>38</sup>

## 3. Corporate Tax Rates

### 3.1. National Taxes

#### 3.1.1 Corporate Tax Rates

Current standard rate: 20 percent (other rates apply depending on the taxpayer's activities).

The standard corporate tax rate is 20 percent.<sup>39</sup> Companies engaged in certain activities are subject to different corporate tax rates, as follows:

- 35 percent for banks; and
- 24 percent for:
  - principal telecommunications companies;
  - companies engaged in mining basic materials;
  - companies that generate and distribute electricity;
  - financial intermediaries, financial companies, and companies engaged in financial leasing activities; and
  - insurance and reinsurance companies.

Income generated by a Jordanian resident company from sources outside Jordan, and that derives from money or deposits from Jordan, is taxable at a rate of 10 percent.<sup>40</sup>

Income generated by a foreign branch of a Jordanian resident company is also subject to tax in Jordan at a rate of 10 percent.<sup>41</sup>

For definitions of "principal telecommunications companies" and mining of "basic materials", see Section 2.5.

#### 3.1.2 Alternative Tax Regime

There is no alternative minimum tax regime in Jordan.

<sup>36</sup> ITL, art. 12(E); Executive Instructions No. 2/2019, arts. 11(D), 12(A), and 13(A).

<sup>37</sup> ITL, art. 36.

<sup>38</sup> ITL, art. 29(D).

<sup>39</sup> ITL, art. 11(B).

<sup>40</sup> ITL, art. 3(C)(1) and (3).

<sup>41</sup> ITL, art. 3(C)(2) and (3).

### 3.1.3 Special Reduced Rates or Regimes

For reduced rates, exemptions and reductions in relation to the corporate tax in Jordan under special regimes, see Section 2.6.

### 3.1.4 Special Additional Taxes or Levies

In addition to corporate income tax, companies are subject to a national contribution tax at the following rates:

- banks, and companies that distribute and generate electricity – 3 percent;
- companies engaged in mining basic materials – 7 percent;
- financial intermediaries, financial companies, and legal entities engaged in financial leasing activities – 4 percent;
- telecommunications companies, and insurance and reinsurance companies – 2 percent; and
- all other companies – 1 percent.<sup>42</sup>

## 3.2. State, Cantonal, Provincial or Other Local Taxes

### 3.2.1 Main Rates

There are no state, provincial or local taxes on the profits of a company in Jordan.

### 3.2.2 Reduced Rates

There are no state, provincial or local taxes on the profits of a company in Jordan.

### 3.2.3 Income Tax Base

There are no state, provincial or local taxes on the profits of a company in Jordan.

### 3.2.4 Income Tax Deductions

There are no state, provincial or local taxes on the profits of a company in Jordan.

### 3.2.5 Incentives

Other than in relation to certain economic zones (see Section 2.6.1), there are no state, provincial or local incentives in Jordan.

### 3.2.6 Non-Income Taxes in States

Other than municipal property taxes (see Section 9.3.2), there are no non-income taxes at state, provincial or local level in Jordan.

## 3.3. Taxes Imposed as a Penalty

If a general or limited partnership registered in Jordan undertakes any activity or investment from which it earns taxable income, and that partnership does not comply with the maintenance and submission of records and financial statements, it will be subject to a minimum income tax amount of 500 dinars in the relevant tax year.<sup>43</sup>

## 4. Corporate Tax Capital Gains, Losses, Group Treatment

### 4.1. Taxation of Corporate Capital Gains

Capital gains derived from sources in Jordan are exempt from income tax except for capital gains realized from the following:

- depreciable assets;
- the sale of shares in legal persons; and
- the first sale of stocks or shares of information technology companies and institutions that deal with creating, processing, and storing information using electronic devices and software, within a period of 15 years from the date of their establishment or 15 years from January 1, 2019, whichever is earlier.<sup>44</sup>

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<sup>42</sup> ITL, art. 11(F)(1).

<sup>43</sup> ITL, art. 11(H).

<sup>44</sup> ITL, art. 4(A)(5) and (7).

If capital gains are taxable, they are treated as ordinary income and subject to tax at the corporate tax rate applicable to the company (see Section 3.1.1).

## 4.2. Definition of Corporate Capital Gains

"Capital gains" is defined in the Jordanian tax law as the gains arising from selling or replacing capital assets.

"Capital asset" is defined as an asset that is bought or financially leased, or is in the taxpayer's possession, for the purpose of maintaining it for more than one year, and which cannot be sold or bought during the course of regular taxpayer activity.<sup>45</sup>

## 4.3. Computation

A capital gain is calculated by deducting the cost of the capital asset from the sale value.

## 4.4. Corporate Combinations and Divisions

### 4.4.1 Mergers

Companies and shareholders involved in a merger are exempt from all taxes and fees that would otherwise arise. However, generally, any outstanding tax liability of the companies involved prior to the completion date of the merger remain payable. Except for banks and insurance companies, the balance of any tax-deductible reserves for doubtful debts can be transferred and added to, and become part of, the merged company's reserves in the year of merger.<sup>46</sup>

### 4.4.2 Transfers of Corporate Property

Generally, a condition of a merger is that the assets and liabilities of the merger company must be evaluated in accordance with the provisions of the Companies Law and its regulations.<sup>47</sup>

### 4.4.3 Share Transfers

Increases in share capital in the merging company must be borne by all shareholders and partners of a merger company in proportion to the interest and shares held by them. If the merging company is a public shareholding company and the relevant period stipulated in the Securities Law has passed, shares can be negotiated when issued.<sup>48</sup>

### 4.4.4 Divisions or Separations

There are no provisions in Jordanian law regarding the demerger or division of a company into two or more smaller companies.

## 4.5. Position of Losses From Business Operations

### 4.5.1 Definition

There is no definition of a loss incurred from business activities in Jordan's tax law. However, a loss arises where the allowable expenses incurred in a tax year exceed the taxable income for that year.

### 4.5.2 Treatment

Loss deductions and carryforwards are permitted on condition the taxpayer has submitted appropriate accounts under the provisions of the ITL and its regulations and executive instructions.<sup>49</sup>

Generally, qualifying losses incurred by a taxpayer from taxable business activities carried on in Jordan are deductible from profits of other business activities in the same tax year. If such losses cannot be fully deducted in that tax year, they can be carried forward and deducted from profits for up to five tax years.<sup>50</sup>

Losses incurred from business activities carried on outside Jordan can only be carried forward and deducted from profits of business activities carried on outside Jordan.<sup>51</sup>

**Planning Point:** The ITL clarifies that no deduction or carryforward is available for a loss that, if it were a profit, would not have been subject to income tax.<sup>52</sup>

<sup>45</sup> ITL, art. 2.

<sup>46</sup> Companies Law, art. 224; Regulation No. 55/2015, art. 18; Court of Cassation Decision No. 1360/2021, dated May 19, 2021.

<sup>47</sup> Companies Law, art. 222(a)(1).

<sup>48</sup> Companies Law, art. 222(a)(1).

<sup>49</sup> ITL, art. 8(E).

<sup>50</sup> ITL, art. 8(A)(1).

<sup>51</sup> ITL, art. 8(A)(2).

<sup>52</sup> ITL, art. 8(D).

#### 4.5.3 Losses After Change in Ownership

The ITL does not provide for the transfer of tax losses after a change in the ownership of the company.

#### 4.6. Group Treatment

##### 4.6.1 General Rule

There is no group treatment in Jordan for tax purposes. Group tax reporting and consolidated tax returns are not permitted.

Each company must file its own tax return.

##### 4.6.2 Definition of Group

There is no group treatment in Jordan for tax purposes.

##### 4.6.3 Special Aspects

There is no group treatment in Jordan for tax purposes.

### 5. Corporate Withholding Taxes on Nonresident Corporations

#### 5.1. Dividends

Generally, dividends paid by resident companies are exempt from income tax, including when they are paid to nonresident companies, and are therefore also exempt from withholding tax.

However, subject to any applicable tax treaty, dividends paid to the following types of nonresident company are subject to withholding tax of 10 percent plus the relevant national contribution tax rate (see Section 3.1.4), which is the final tax unless the dividend distribution is derived from a business activity of the nonresident company that is registered and licensed in Jordan:

- principal telecommunications companies;
- companies engaged in mining basic materials;
- insurance and reinsurance companies; and
- financial intermediaries, finance companies, and companies engaged in financial leasing activities.<sup>53</sup>

For definitions of "principal telecommunications companies" and mining of "basic materials", see Section 2.5.

#### 5.2. Interest

Interest payments made by banks operating in Jordan to nonresident banks and finance companies from deposits that are held in Jordan are exempt from tax.<sup>47</sup>

Subject to any applicable tax treaty, the following withholding tax rates, plus the relevant national contribution tax rate (see Section 3.1.4), apply to interest payments made to nonresident companies:

- payments made by banks and financial institutions in Jordan of deposit interest, commissions and profits derived from deposits made in other resident banks – 7 percent (final tax); and
- other interest payments made by resident companies – 10 percent (which is final unless the interest is derived from a business activity of the nonresident company that is registered and licensed in Jordan).<sup>54</sup>

#### 5.3. Royalties

Subject to any applicable tax treaty, royalties paid by resident companies to nonresident companies are subject to a withholding tax of 10 percent, plus the relevant national contribution tax rate (see Section 3.1.4). Together, these are a final tax unless the royalty is derived from a business activity of the nonresident company that is registered and licensed in Jordan.<sup>55</sup>

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<sup>53</sup> ITL, art. 12(B), when read with ITL, art. 4(A)(8) and Executive Instructions No. 2/2019, art. 13 (as amended by Instruction No. 1/2021).

<sup>54</sup> ITL, art. 12(A)(2) and (B)(1); Executive Instructions No. 2/2019, art. 13, as amended by Instruction No. 1/2021.

<sup>55</sup> ITL, art. 12(B)(1); Executive Instructions No. 2/2019, art. 13, as amended by Instruction No. 1/2021.

#### 5.4. Services

Subject to any applicable tax treaty, payments made by resident companies to nonresident companies for services provided are subject to a withholding tax of 10 percent, plus the relevant national contribution tax rate (see Section 3.1.4). Together, these are a final tax unless the payment is derived from a business activity of the nonresident company that is registered and licensed in Jordan.<sup>56</sup>

#### 5.5. Other Withholding Taxes

Subject to any applicable tax treaty, other payments made by resident companies to nonresident companies are subject to a withholding tax of 10 percent, plus the relevant national contribution tax rate (see Section 3.1.4). Together, these are generally a final tax unless the income is derived by the nonresident company from:

- leasing or selling its immovable property located in Jordan;
- any business activity of the nonresident company that is registered and licensed in Jordan; and
- the sale of shares, stocks or an establishment registered in Jordan, including goodwill, owned by the nonresident company.<sup>57</sup>

#### 5.6. Special Tax Havens Rates

There are no special withholding tax rates applicable to tax havens or noncooperative tax jurisdictions.

## 6. Personal Taxes

### 6.1. Domicile and Residency Requirements

Individuals are subject to personal income tax in Jordan on any income earned in or from Jordan irrespective of the place of payment or their residency status.<sup>58</sup>

A natural person is resident in Jordan if he or she resides in Jordan for at least 183 days during the tax year, whether consecutively or interrupted. A Jordanian employee who works for the government or any public institution within or outside Jordan is also considered resident in Jordan for tax purposes.<sup>59</sup>

### 6.2. Income Tax Base

#### 6.2.1 Tax Base for Residents

Jordanian residents are taxed on their Jordanian-source income. Net income realized by a resident person from any source outside Jordan is also taxable in Jordan, provided it originates from money or deposits from Jordan.<sup>60</sup>

#### 6.2.2 Tax Base for Nonresidents

Nonresidents are taxed on their Jordanian-sourced income.

#### 6.2.3 Personal Income Subject to Income Tax

Unless exempt from tax, all income earned by individuals in or from Jordan (including income from employment, business income, interest income, and rental income) is subject to tax in Jordan.<sup>61</sup>

Capital gains generated within Jordan are exempt from tax, save for those realized from the sale of depreciable assets under the Jordanian tax law, the sale of shares in legal persons, and the first sale of shares in information technology companies and institutions within 15 years from the date of their establishment, or 15 years from January 1, 2019, whichever is earlier.<sup>62</sup>

The first 1 million dinars in sales generated by a natural person from an agricultural activity within Jordan is exempt from tax.<sup>63</sup>

An annual exemption of 2,000 dinars is available for registered disabled individuals.<sup>64</sup>

<sup>56</sup> ITL, art. 12(B)(1); Executive Instructions No. 2/2019, art. 13, as amended by Instruction No. 1/2021.

<sup>57</sup> ITL, art. 12(B)(1); Executive Instructions No. 2/2019, art. 13.

<sup>58</sup> ITL, art. 3(A).

<sup>59</sup> ITL, art. 2.

<sup>60</sup> ITL, art. 3(C)(1).

<sup>61</sup> ITL, art. 3(A)(15).

<sup>62</sup> ITL, art. 4(A)(5) and (7).

<sup>63</sup> ITL, art. 5(A).

<sup>64</sup> ITL, art. 4(A)(20); Executive Instructions No. 2/2019, art. 9.

The following income is also exempt from income tax:

- dividends received from resident companies, subject to certain exceptions;<sup>65</sup>
- compensation paid by insurance entities, except amounts paid as reimbursement for the loss of income from employment or business activity;
- employment income paid to members of non-Jordanian diplomatic or consular corps representing other countries in Jordan, subject to the reciprocal treatment principle; and
- income generated from the distribution of inheritance, subject to certain conditions.<sup>66</sup>

#### 6.2.4 Deductions and Allowances

There are various annual allowances available to resident individuals that are deducted from gross income, as follows:

- personal allowance – 9,000 dinars;
- dependents (regardless of their number) – 9,000 dinars; and
- expenses incurred for medical treatment, education, rent, interest on home loans, and *murabaha*, of:
  - 1,000 dinars for the taxpayer;
  - 1,000 dinars for the taxpayer's spouse; and
  - 1,000 dinars for each child, subject to a cap of 3,000 dinars.<sup>67</sup>

The total amount of these allowances is capped at 23,000 dinars per household. Either the taxpayer or his or her spouse can benefit from these allowances.<sup>68</sup>

A female breadwinner can fully receive the allowance for dependents. In the case of two breadwinners, the allowance for dependents can be divided in proportion to the percentage of evidenced support, or in the absence of such evidence is divided equally between the two breadwinners.<sup>69</sup>

A nonresident Jordanian individual can claim the allowance for resident dependents if he or she is reliant on the taxpayer's support.<sup>70</sup>

Individuals can deduct business expenses incurred to generate income,<sup>71</sup> subject to certain exceptions as specified in the tax law. Deductions are also available for qualifying donations and subscriptions, subject to certain limits (see Section 2.4.6).

**Planning Point:** *Murabaha* refers to an Islamic financing technique in which the financing party (often a bank) purchases an asset at the request of a client, and subsequently sells the asset to the client at a specified markup.

### 6.3. Main Rates and Bands

#### 6.3.1 Individual Tax Rates

The taxable income of individuals is subject to tax at the following, progressive, rates:

- up to 5,000 dinars – 5 percent;
- 5,001 dinars to 10,000 dinars – 10 percent;
- 10,001 dinars to 15,000 dinars – 15 percent;
- 15,001 dinars to 20,000 dinars – 20 percent;
- 20,001 dinars to 1 million dinars – 25 percent; and
- over 1 million dinars – 30 percent.<sup>72</sup>

<sup>65</sup> ITL, art. 4(A)(8).

<sup>66</sup> ITL, art. 4(A)(10)-(12).

<sup>67</sup> ITL, art. 9(A).

<sup>68</sup> ITL, art. 9(B) and (C).

<sup>69</sup> ITL, art. 9(E).

<sup>70</sup> ITL, art. 9(D).

<sup>71</sup> ITL, art. 2; Executive Instructions No. 4/2019.

<sup>72</sup> ITL, art. 11(A).



Individuals are also subject to national contribution tax at the rate of 1 percent of annual taxable income exceeding 200,000 dinars.<sup>73</sup>

Payments made by resident legal entities to resident individuals for certain services provided (such as to individuals in the liberal professions) are subject to a nonfinal 5 percent withholding tax. When such payments are made to nonresident individuals, a withholding tax of 10 percent plus the national contribution tax applies, which is final unless the payment is derived from an asset or investment of the nonresident individual in Jordan (e.g., leased immovable property, or a registered and licensed business activity).<sup>74</sup>

Payments made to nonresident individuals from sales of immovable property in Jordan and of shares, stocks or an establishment registered in Jordan, including goodwill, are subject to a nonfinal withholding tax of 10 percent plus the national contribution tax.<sup>75</sup>

### 6.3.2 Individual Returns, Filing Dates, and Payment

The deadline for filing the annual individual income tax return and payment of final tax due for a tax year is before the end of the fourth month following the end of the tax year. Married taxpayers may elect to file a joint tax return.<sup>76</sup>

Employers who pay monthly salaries and wages, as well as other irregular payments (such as bonuses, allowances and benefits), to employees are required to deduct tax at source if the employee's allowances that are subject to the 23,000 dinars cap (see Section 6.2.4) exceed half of the allowances he or she is entitled to receive. The progressive tax deduction rates range from 5 percent to 30 percent, plus the 1 percent national contribution tax on payments exceeding 16,666 dinars per month.<sup>77</sup> Note that the individual's net income from employment and board membership must be declared in his or her annual tax return.

Taxpayers with gross income from business activities during the previous tax year exceeding 1 million dinars are required to make two advance payments; for deadlines and other information, see Section 2.9.2.

All taxes withheld at source, including employer tax deductions, must be declared and paid within 30 days from the date the relevant payment subject to withholding tax was made.<sup>78</sup>

A penalty of 100 dinars applies for late filing.<sup>79</sup> A late payment penalty of 0.4 percent is imposed for each week (or part thereof) of delay.<sup>80</sup>

## 6.4. Dividends

### 6.4.1 Domestic Corporations

Dividends paid to individuals, regardless of residence, by Jordanian-resident limited liability companies, limited partnerships, general partnerships, and public and private shareholding companies are generally exempt from tax.<sup>81</sup>

### 6.4.2 Foreign Corporations

Dividends distributed by nonresident corporations to resident individuals are taxable in Jordan at the rate of 10 percent, provided they originate from money or deposits from Jordan.<sup>82</sup>

## 6.5. Interest

### 6.5.1 Domestic Borrowers

Resident banks and financial companies are required to withhold final tax at the rate of 5 percent on payments made to individuals of deposit interest, commission and profits derived from deposits made in other resident banks.<sup>83</sup>

<sup>73</sup> ITL, art. 11(F)(1)(f).

<sup>74</sup> ITL, art. 12(A)(1) and (B); Executive Instructions No. 2/2019, art. 13, as amended by Instruction No. 1/2021.

<sup>75</sup> Executive Instructions No. 2/2019, art. 13(B) and (C), as amended by Instruction No. 1/2021.

<sup>76</sup> ITL, art. 17(A) and (D).

<sup>77</sup> Executive Instructions No. 2/2019, art. 3.

<sup>78</sup> ITL, art. 12(E); Executive Instructions No. 2/2019, arts. 3(C), 11(D), 12(A), and 13(A).

<sup>79</sup> ITL, art. 63.

<sup>80</sup> ITL, art. 36(A).

<sup>81</sup> ITL, art. 4(8).

<sup>82</sup> ITL, art. 3(C)(1) and (3).

<sup>83</sup> ITL, art. 12(A)(2).

Any other type of interest paid by a resident company to nonresident individuals is subject to a withholding tax of 10 percent, plus the national contribution tax where relevant (see Section 6.3.1). The tax withheld is final unless the interest is derived from a business activity of the nonresident individual that is registered and licensed in Jordan.<sup>84</sup>

### 6.5.2 Foreign Borrowers

Interest received by a resident individual from a foreign company is taxable in Jordan at the rate of 10 percent, provided it originates from money or deposits from Jordan.<sup>85</sup>

## 6.6. Social Security/National Insurance Payments

### 6.6.1 Employer Tax or Contribution

A social security contribution (SSC) is payable by the employer at the rate of 14.25 percent.

The SSC is based on employees' gross monthly salaries, excluding overtime pay, up to a maximum monthly salary threshold for each employee as adjusted for inflation on an annual basis.<sup>86</sup> For 2024, the maximum monthly salary threshold is 3,612 dinars.

### 6.6.2 Employee Tax or Contribution

The SSC rate payable by the employee is 7.5 percent of his or her salary and certain allowances, subject to the maximum monthly salary threshold (see Section 6.6.1).

### 6.6.3 Employee Tax Collection Mechanism

The employer is required to withhold the employees' SSCs from their salaries, and report and pay them electronically to the Social Security Corporation on a monthly basis.<sup>87</sup>

**Planning Point:** In practice, the employer must also make an annual social security filing.

## 6.7. Royalties and Rents

### 6.7.1 Domestic Licensors

Royalties received by resident individuals from residents are subject to income tax.<sup>88</sup> Any royalties received by resident individuals from nonresidents are taxable in Jordan at the rate of 10 percent on the net amount received, provided they originate from money or deposits from Jordan.<sup>89</sup>

Rents received by resident individuals from residents and nonresidents for the leasing of property in Jordan are subject to income tax.<sup>90</sup>

### 6.7.2 Foreign Licensors

Royalties and rents paid by resident taxpayers to nonresident individuals are subject to withholding tax of 10 percent, plus the national contribution tax where relevant (see Section 6.3.1). The tax withheld is final unless the royalty is derived from a business activity of the nonresident individual that is registered and licensed in Jordan, or the rent payment is derived from leased immovable property owned by the nonresident individual in Jordan.<sup>91</sup>

# 7. Transfer Pricing Policies

## 7.1. Application

Jordan's transfer pricing regime is based on the arm's length principle in line with the OECD/G20 BEPS recommendations.<sup>92</sup>

The regime applies to transactions between related parties, whether individuals or legal entities, and including members of a group established by contractual arrangement and permanent establishments. A transaction price agreed between related parties must be adjusted to reflect the arm's length price that would have been agreed between independent parties for a similar transaction. Further, to ensure a related party transaction price is at

<sup>84</sup> ITL, art. 12(B); Executive Instructions No. 2/2019, art. 13, as amended by Instruction No. 1/2021.

<sup>85</sup> ITL, art. 3(C)(1) and (3).

<sup>86</sup> Law No. 1/2014, art. 20(A) and (B).

<sup>87</sup> Law No. 1/2014, arts. 19(A) and 20(D).

<sup>88</sup> ITL, art. 3(A)(3).

<sup>89</sup> ITL, art. 3(C)(1) and (3).

<sup>90</sup> ITL, art. 3(A)(5) and (6).

<sup>91</sup> ITL, art. 12(B); Executive Instructions No. 2/2019, art. 13, as amended by Instruction No. 1/2021.

<sup>92</sup> ITL, art. 20(D); Regulation No. 40/2021; Executive Instructions No. 3/2021.

arm's length, the terms and conditions of the transaction must not be significantly different to those that would have been agreed between independent parties, taking into consideration assets used and risks allocated.

If the ISTD finds that a price in a related party transaction is not at arm's length, it is empowered to:

- instruct one or more parties to the transaction to modify its or their taxable income to adjust the price; or
- disregard the transaction completely.

For these purposes, parties are related if a legal entity, whether alone or together with associates, directly or indirectly controls more than 50 percent of the capital, interest or voting rights in another legal entity; or if a person, whether alone or together with associates, has direct control over or effective power to make decisions regarding a legal entity.

"Control" for these purposes has broad application, including the authority to conclude contracts, majority representation on the board of directors, a majority right to the entity's profits, or a majority provision of loans made to the entity. A person with such control includes a natural person and any relative to the second degree, and any person who participates in, manages or controls the legal entity's capital.

For the definition of "permanent establishment" in this context, see Section 2.2.4.1.

## **7.2. Permissible Pricing Methods**

The following methods (which reflect those under the OECD Transfer Pricing Guidelines) can be used to determine the arm's length price in related party transactions:<sup>93</sup>

- the comparable uncontrolled price method;
- the resale price method;
- the cost plus method;
- the transactional net margin method; and
- the profit split method.

The most appropriate method must be used; no method is given priority over another. If the above methods are not appropriate for these purposes, the taxpayer can use another method to determine the arm's length price, provided it can substantiate that these methods yield an arm's length result.

## **7.3. Penalties for Improper Pricing**

No specific penalties are imposed in Jordan where transactions between related parties are not at arm's length.

For penalties that apply to declared tax deficiencies and excessive deductions, see Section 2.8.4. For penalties on late payment and nonpayment, including as discovered during an ISTD tax audit, see Section 2.9.4.

## **7.4. Advance Rulings or Pricing Agreements**

In Jordan, advance rulings and advance pricing agreements (APAs) are not available. However, taxpayers can approach the ISTD for nonbinding guidance on the interpretation and application of the tax law.

## **7.5. Documentation**

### *General rule*

Taxpayers that have entered into related party transactions with a total value of 500,000 dinars or more within a 12-month period must submit a transfer pricing disclosure statement with their annual tax return (for filing requirements, see Section 2.8).<sup>94</sup> Information to be provided in this statement includes:

- details of the related parties involved in such transactions;
- the financial structure within the corporate group;
- disclosure of beneficial ownership, including residence and ownership certificates;

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<sup>93</sup> Regulation No. 40/2021, art. 12(B)-(E).

<sup>94</sup> Executive Instructions No. 3/2021, arts. 3 and 4.

- total revenues and expenditures;
- details of the transactions, including agreements, leases, agents, and financing; and
- the group's transfer pricing policy.

### *Master and local files*

Taxpayers that have entered into related party transactions with a total value of 500,000 dinars or more within a 12-month period are also required to compile and maintain master and local files. The rules are generally in line with the BEPS Action 13 recommendations. This information must be submitted to the ISTD on request.

The master file should provide an overview of the corporate group, including:<sup>95</sup>

- the organizational group structure, including the location of each member of the group;
- a list of registered offices, including the main supply chain assets, products and services provided, other products and services that comprise more than 5 percent of group sales, service agreements made between group members, and key markets;
- intangible assets, including related agreements for their use and the group's related transfer pricing policy;
- financial activities between subsidiaries of the group and the principal financing member(s) in the group, and the group's transfer pricing policy on such financing; and
- tax and financial statements, including agreements (such as APAs) concluded with tax authorities in relation to the group members' related party transactions.

The local file should provide more detailed information of group members located in Jordan, including:<sup>96</sup>

- the local group member's organizational structure, key personnel, the place where main business decisions are made, its strategic activities, and transfers of asset ownership;
- related party transactions made with the local group member, including copies of agreements signed, comparability and functional analyses, the transfer pricing methods chosen and the reason for choosing them, and any price adjustments made;
- analysis of the sector in which the local group member operates, including key competitors and the most important target markets, as well as its market share; and
- consolidated financial statements.

### *Country-by-country (CbC) reports*

The CbC reporting requirements apply to multinational enterprise (MNE) groups with consolidated annual revenues in the previous tax year exceeding 600 million dinars.<sup>97</sup> The report must be filed within 12 months from the end of the relevant tax year.

Responsibility for filing the CbC report predominantly lies with the ultimate parent entity (UPE) of the MNE group; however, the group can nominate a surrogate parent entity (SPE), in any jurisdiction in which it operates, to file the report on condition:

- the other jurisdiction requires CbC reporting requirements to be met;
- the other jurisdiction has entered into an agreement with Jordan for the automatic exchange of CbC reports; and
- there is no systemic failure in the other jurisdiction that prevents the automatic exchange of CbC reports.

There is general requirement to notify the ISTD of the name and location of the MNE group member that will be filing the CbC report, and whether that group member is the UPE or the SPE.

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<sup>95</sup> Executive Instructions No. 3/2021, art. 8.

<sup>96</sup> Executive Instructions No. 3/2021, art. 7.

<sup>97</sup> Regulation No. 40/2021, art. 10; Executive Instructions No. 3/2021, arts. 5 and 6.

Required information in the report includes details of the MNE group and its members, profits and losses made, main activities, taxes paid, and tangible assets whether in cash or in kind.

### *Penalties*

There are no penalties stated in the 2021 Regulation or the Executive Instructions that are specific to transfer pricing documentation infringements. For penalties relating to late filing, see Section 2.8.4.

## 8. Anti-Avoidance Provisions

### 8.1. General Anti-Avoidance Provisions

The ISTD may disregard any artificial or fictitious transactions that were not conducted for legitimate business purposes, but were instead executed to reduce the tax liability or shift the tax burden in a way that contravenes the provisions of the ITL, double taxation agreements, or other international agreements.<sup>98</sup>

### 8.2. Thin Capitalization/Other Interest Deductibility Rules

The ITL contains thin capitalization rules to limit the tax deduction for interest. A 3:1 debt-to-equity ratio applies to "murabaha" related-party debt. For these purposes, equity is the higher of the paid-up share capital or average equity. Any interest paid on related party debt that exceeds the debt to equity ratio is not deductible for tax purposes, and may not be carried forward.<sup>99</sup>

**Planning Point:** *Murabaha* refers to an Islamic financing technique in which the financing party (often a bank) purchases an asset at the request of a client, and subsequently sells the asset to the client at a specified markup.

### 8.3. Controlled Foreign Company (CFC) Rules

There are no CFC rules in Jordan.

## 9. Other Taxes

### 9.1. Payroll Taxes

Except for general requirements to withhold tax from employees' salaries and wages (see Section 6.3.2), and for social security contributions (see Section 6), there is no tax on payroll in Jordan.

### 9.2. Capital Taxes (Capital Duties)

A registration fee of 0.2 percent of the registered capital (subject to a minimum fee of 250 dinars for a limited liability company, 1,000 dinars for a private joint stock company, and 5,000 dinars for a public joint stock company), and a stamp duty of 0.3 percent of the registered capital, must be paid on the formation of a company.

Generally, the same registration fee and stamp duty rate apply to increases in share capital. However, in the case of limited partnership companies, a flat registration fee of 25 dinars applies to an increase in share capital (which is equivalent to the flat registration fee charged on formation), plus stamp duty.<sup>100</sup>

### 9.3. Property Taxes

#### 9.3.1 Transfer Taxes, Including Real Property Transactions

The transfer of property is subject to registration fees ranging from 0.2 percent to 5 percent of the estimated or actual value, depending on the type of transaction and the parties involved (e.g., sale, inheritance, or gift). Certain transactions, such as a change in the details in a deed or contract, are subject to a fixed fee.<sup>101</sup>

Stamp duty may also apply (see Section 9.4).

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<sup>98</sup> ITL, art. 20(E).

<sup>99</sup> ITL, art. 6(B)(2).

<sup>100</sup> Companies Regulation No. 77/2008, art. 4; Stamp Duty Law No. 20/2001, Schedule 1, para. 1(1)(a).

<sup>101</sup> Land Registration Fees Law No. 26/1958, Schedule, as replaced by the Land Registration Fees Amendment Law No. 7/2023.

### 9.3.2 Real Property Taxes

An annual property tax is levied by municipalities in Jordan. The tax rate is determined by the municipality and is based on the size and location of the property. For buildings, the tax is levied on the estimated annual rental value.

### 9.3.3 Taxes on Movable Property

Vehicles in Jordan are subject to various taxes and fees, generally based on the type of fuel used.

### 9.3.4 Fixed Asset Taxes

There are no fixed asset taxes in Jordan.

## 9.4. Miscellaneous Taxes

### Stamp duty

An ad valorem stamp duty is imposed on any document pursuant to which a transaction is or will be effected and which relates to Jordan. This includes documents executed or issued where there is a Jordanian party, where the transaction will be implemented or performed in Jordan, or where the documents relate to an asset located in Jordan. The stamp duty is applicable at the rate of 0.3 percent of the value of the document. Contracts signed with a government institution or public shareholding companies are subject to stamp duty at the rate of 0.6 percent of the contract value.<sup>102</sup>

The stamp duty is payable at the time the document is signed in Jordan, or at the time the document is used in Jordan if it is signed outside Jordan.

### Customs duties

Import of most goods is subject to customs duties. The applicable rate depends on the country of origin and type of goods as determined by the Customs Tariff, which is based on the Harmonized Commodity Description and Coding System (HS system).

### Value added tax

For VAT/GST and similar taxes, see the VAT Navigator.

## 10. Special Industries

### 10.1. Oil, Gas and Mineral Extraction

There are no special tax regimes or taxes for the oil, gas and mineral extraction industries.

### 10.2. Banking and Finance

There are no special tax regimes or taxes applicable to the banking and finance industry.

## 11. About the Author

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*Last reviewed/updated October 18, 2024*

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<sup>102</sup> Stamp Duty Law, Schedule 1, paras. 1(1)(a) and (b).

## About the Authors



### **Rami Samman - Managing Partner, JCPA**

Rami Samman, Managing Partner at BDO Jordan, is a seasoned tax expert with over 34 years of experience in tax compliance, audits, and strategic advisory. As a Jordanian Certified Public Accountant (JCPA) since 1993, he has served as Tax Commissioner for numerous companies, providing expert guidance on tax planning and compliance. His expertise extends to complex tax audits and disputes, as evidenced by his tenure as an elected expert for Jordanian tax courts.

A recognized authority in the field, Rami is the author of the "Income Tax Guide" and has played a pivotal role in restructuring the Aqaba Special Economic Zone Authority (ASEZA) tax department. He has also led BDO's efforts in building tax systems for several Middle Eastern governments. Rami's comprehensive understanding of finance and management enables him to offer holistic solutions, integrating tax strategies with broader business objectives. His leadership in tax advisory continues to shape regulatory compliance and drive strategic growth for clients across diverse industries and jurisdictions.



### **Mohannad Quniebi - Partner, Tax and Transfer Pricing Services, LL.M., JCTE**

Mohannad Quniebi is a Tax Partner at BDO Jordan with over 24 years of experience in taxation, including corporate income tax, VAT, deferred tax, transfer pricing, and employee taxation. His work involves tax compliance, planning, consulting, and resolving tax disputes with relevant authorities. He holds an LL.M., is a Jordan Certified Tax Expert (JCTE), and is the author of "Explanation of Transfer Pricing" book, which provides a detailed analysis of OECD guidelines and their application in Jordanian legislation.

Previously, he served as a Tax Manager at KPMG, overseeing tax audits, compliance processes, and complex tax filings. He has worked extensively with local, regional, and international clients across various sectors, including finance, insurance, manufacturing, and telecommunications. Mohannad has also led VAT implementation projects in the Gulf region and conducted training courses in tax, accounting, and transfer pricing. His approach combines technical expertise and practical insights gained from working on tax assignments in diverse industries.




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