المركز الوطني لحقوق الإنسان
The National Centre for Human Rights

# Position of the Centre on the Draft Buildings and Land Tax Law of 2025

## Introduction

Pursuant to the mandate of the National Centre for Human Rights under its Law No. 51 of 2006 and the amendments thereto, and by reference to Article (5/l) thereof, the Centre is competent to propose legislation relating to human rights matters.

Upon examination of the draft Law, it is found that, in its present form, it contains profound legislative, technical and societal imbalances liable to compound the financial burdens borne by citizens — particularly the middle class and those of limited income — and to inflict grave harm upon commercial and investment activity in Jordan, thereby constituting a direct threat to social and economic stability in the Kingdom, the effects of which are reflected upon the middle class and the poor in particular.

The draft Law has lacked the minimum of genuine legislative consultation, having been put forward without any broad national dialogue or real participation of the entities concerned, and without the presentation of clear objective justifications for these substantive amendments to the existing tax system.

The imbalances appear in the valuation framework, in that talk of neutrality in valuation — in the presence of traditional administrative valuation references that lack periodic updating and clear transparency — is inconsistent with the movement towards tax justice, and is at variance with any mechanism for devising precise and neutral formulae free from human intervention. Moreover, the broadening of exemptions, although it may appear to be a positive decision, raises the problem of distributive justice, since it has not been made clear whether such exemptions extend to the various social groups or remain confined to classes owning assets and holdings, which may deprive the exemption of its social and developmental substance.

On the basis of the foregoing, the following observations on the draft Law may be summarised as follows:

1. Encroachment upon the hierarchy of legislation, through a direct delegation to the Minister to issue instructions containing substantive provisions without a clear legislative basis, as set out in Articles (4, 5).
2. Inequitable mechanisms of tax valuation, based upon inflated administrative prices that do not reflect the reality of the property market.
3. The exclusion of representatives of the economic sectors and of professional associations from the competent committees, which weakens institutional participation in decision-making, as set out in Article (4, 5, 8).
4. The imposition of new fees and fines liable to add unjustified burdens upon citizens without any clear developmental return.

In sum, further consultations with specialists and with the parties concerned are indispensable, since the draft Law requires a thorough understanding of its provisions so as to ensure its effectiveness in simplifying procedures, far removed from favouritism and nepotism in the valuation of real property, and in a manner that guarantees the achievement of equality and justice among all, with a view to strengthening the confidence of investors in the Jordanian legislative environment, by ensuring a clear and transparent calculation mechanism that removes the human element from the assessment of tax on its own, and enables the taxpayer to ascertain the amount due with precision and transparency.

## In the light of the Centre's examination of the draft Law, it recommends the following

1. The necessity of establishing legal controls and clear, transparent criteria governing the mechanism for selecting the members of the valuation committees, provided that those committees include the relevant specialists.
2. The insertion of an express clause guaranteeing fairness in valuation on the basis of clear and precise foundations and criteria, so as to ensure the proper application of the Law.
3. The necessity of reviewing the bases for imposing tax on land and buildings set out in Article (12) of the draft Law, taking into account the groups most in need of protection, namely (women and persons with disabilities) and groups of limited income, in a manner that achieves justice founded upon the principle of social solidarity.
4. That the Higher Steering Committee include among its membership representatives of the industrial or commercial sectors, in addition to the members named in the draft Law (Article 18 of the Law).

5. The establishment of legal controls and clear criteria to ensure the realisation of the principles of transparency and integrity in the selection of the members of the committee.
6. The Centre calls for further broad legislative consultations, involving the economic and community bodies concerned, in order to examine the Law and to reconsider certain of its provisions in a manner that observes the Jordanian Constitution and the principles of transparency and justice and accords with the obligations of the Jordanian State in the field of human rights and sustainable development.
7. The necessity of holding a dialogue session with persons of experience and expertise, with a view to arriving at a legal position on the draft Law within a comprehensive and specialised framework that reflects the positive aspects of the draft and addresses its shortcomings and its repercussions for the middle class and the poor, as well as its repercussions for investment and for industrial and commercial activity.