

## Official Gazette

We, Abdallah II Ben Al Hussain, King of the Hashemite Kingdome of Jordan, by virtue of article (31) of the Constitution and based on the Council of Ministers resolution dated 14/4/2021, we order enactment of the following Regulation:

### Regulation No. (27) of 2021

#### National Registry of Public Investment Projects Regulation Issued pursuant to Articles (4) and (20) of the Public Private Partnership Projects Law No. (17) of 2020

##### Article 1

This Regulation shall be called (the National Registry of Public Investment Projects of 2021) and it shall come into force as of the date of its publication in the Official Gazette.

##### Article 2

The following words and phrases, wherever stated in this Regulation, shall have the meanings assigned to them hereunder unless the context indicates otherwise:

**Ministry:** Ministry of Planning and International Cooperation.

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**Registry:** National Registry of Public Investment Projects established in the Ministry pursuant to the provisions of the Public Private Partnership (PPP) Projects Law.

**Public Investment Project:** Any project that is under the supervision and responsibility of the Public Authority, listed in the Registry and its capital expenditures are budgeted in the General Budget Law and the Government Units Budgets Law.

**PPP Project:** Any activity aimed at providing a public service with an economic, social or service effect, or improving the provision of public services, under the supervision and responsibility of the Public Authority and is listed in the Registry.

**The Committee:** The Public Investment Projects committee formed pursuant to the provisions of this Regulation.

**The Unit:** The Public Investments Management Unit at the Ministry.

**The Public Authority:** Any ministry, department, public official institution, public institution, commission, council, authority, municipality, or a company wholly owned by the government or which the government shareholdings exceeds (50%).

**Public Investment Project Concept Note:** A preliminary document of the Public Investment Project proposal prepared by the Public Authority and submitted to the Unit for preliminary assessment in accordance with the provisions of this Regulation.

**Feasibility Study:** detailed analysis of the feasibility of the Public Investment Project from the institutional, technical, financial, economic, legal, environmental, social and public safety aspects, as well as studying the sustainability of the Project, which is prepared by the Public Authority and submitted to the Unit for evaluation in accordance with the provisions of this Regulation.

**Priorities of Public Investment Projects:** The Public Investment Projects that have been qualified as feasible projects in order to secure the funding they need and budget their necessary capital expenditures

in the General Budget Law or Government Units Budgets Law.

**Executive Development Program:** A program of no less than three-year duration prepared by the Ministry and includes Priorities of Public Investment Projects and capital expenditures according to the various sectoral strategies and aims to secure funding through self-generated revenues, loans and development financial grants.

### **Article 3**

A- All Public Investment Projects and PPP Projects with Public Authorities shall be listed in the Registry.

B- The Registry aims to achieve the following objectives: -

1. Providing a comprehensive database of Public Investment Projects and PPP Projects.
2. Providing a means for monitoring Public Investment Projects and PPP Projects during their various phases.
3. Preserving and archiving documentation of Public Investment Projects and PPP Projects during their various phases, including studies, technical standards, evaluation criteria, and any amendments thereto.

### **Article 4**

A- A committee called (Public Investment Projects Committee) shall be formed under the chairmanship of the Minister and the membership of the Minister of Finance and a State Minister nominated by the Prime Minister.

B- The Committee shall assume the following duties and powers:-

1. Setting policies of the Public Investment Projects and defining the priority activities, and sectors set out in the Executive Development Program.
2. Approving the financial costs of qualified Public Investment Projects and the timelines related to them.
3. Monitoring performance indicators of Public Investment Projects during their various phases to

improve the quality of their outputs and achieve their development goals in accordance with the financial costs and approved timelines.

4. Laying down the necessary foundations and procedures to ensure efficient and effective Registry.
  5. Approving the necessary procedural manuals and forms of planning, implementation, follow-up and evaluation phases of Public Investment Projects.
  6. Any other matters related to Public Investment Projects that are submitted to the Committee by the Minister.
- C- The Committee meets at the invitation of its chairman whenever the need arises, and its meeting shall be valid if all its members are present, and its decisions shall unanimously be approved by its members.
- D- The Committee invites representative of the line Public Authority involved in the Public Investment Project to attend its meetings regarding that Project without the right to vote on its decisions.

## **Article 5**

The Unit shall manage the Registry, follow up on updating its data, archive the studies, documents and reports related to Public Investment Projects, and for this purpose it carries out the following tasks: -

- A- Coordination with the General Budget Department to determine the financial ceilings for capital expenditures of the priority Public Investment Projects in the draft General Budget Law and Government Units Budgets Law.
- B- Preparing procedural manuals and forms of planning, implementation, follow-up and evaluation phases of Public Investment Projects to guide and assist Public Authorities in planning procedures and Projects registration.
- C- Conducting preliminary evaluation of the Public Investment Project Concept Note, Project classifying and registering, evaluating the Feasibility Study, and recommending to the Committee the results of the evaluation.
- D- Submitting a report to the Committee with its recommendations of the qualified Public Investment

Projects for approval.

- E- Listing the Public Investment Projects approved by the Committee in the Registry and, informing the Public Authority of the Committee's decision regarding them.
- F- Coordinating between the Committee and the Public Authority and overseeing the implementation of the decisions and instructions issued by the Committee.
- G- Providing technical support to the Public Authority during the Public Investment Project phases.
- H- Reviewing any amendment to the Public Investment Project listed in the Registry, its financial costs, or the timelines approved by the Committee during any of its phases.
- I- Receiving periodic reports of the Public Investment Project from the Public Authority during the Project implementation period or after its implementation and start-up phase, and to monitor the quality of its outputs and prepare its subsequent evaluation to ensure that it achieves its development goals in accordance with the financial costs, approved timelines and the economic benefits envisaged from it.
- J- Involving local communities during the various phases of the Public Investment Project.
- K- Carrying out the duties of the Committee's secretariat.
- L- Any other tasks related to Public Investment Projects assigned to it by the Minister or the Committee.

## **Article 6**

- A- The Public Authority requesting the Project shall submit a Public Investment Project Concept Note to the Unit who shall make pre-registration of the Project to conduct its preliminary evaluation.
- B- The Unit reviews the Public Investment Project Proposal Note, completes any additional information from the Public Authority, and conducts its preliminary evaluation in light of the Public Authority's priorities

and its ability to bear the Project cost in light of its budget estimates, and submits its recommendations to the Committee.

- C- The Committee considers the Unit's recommendations regarding the results of the preliminary evaluation of the Public Investment Project Proposal Note and takes a decision to approve or reject it.

## **Article 7**

The Public Investment Project Concept Note shall include the following information: -

- A- Brief description of the Project, its objectives and its importance;
- B- The estimated capital and operating cost of the Project;
- C- The project conformity with the national priority needs and goals;
- D- The target group of the Project;
- E- The economic and social benefits of the Project;
- F- The previous projects implemented in the same sector;
- G- Affordability of the Public Authority;
- H- Technical description of the Project;
- I- Project readiness;
- J- Project timeline;
- K- Any other information required by the nature of the Project.

## **Article 8**

If the Public Investment Project Concept Note indicates the possibility and feasibility of its implementing through partnership with the private sector, then coordination with the PPP Unit shall be made to proceed with the Project in accordance with the provisions of PPP Projects Law and the regulations and instructions issued pursuant thereto.

## **Article 9**

If the financial capital cost of the Public Investment Project listed in the Registry exceeds ten million dinars, then it shall be moved to the Feasibility Study phase by the Public Authority requesting the Project and through the available financial resources, but if the financial capital cost of the Project is ten million dinars or less the Feasibility Study shall not be prepared.

## **Article 10**

The qualified Public Investment Projects are selected by a decision of the Committee based on the reports prepared by the Unit and the Ministry of Finance and listed in the Registry.

## **Article 11**

The Minister shall issue periodically and based on the Unit's recommendation a comprehensive performance report on Public Investment Projects.

## **Article 12**

The Committee shall issue the necessary instructions to implement the provisions of this Regulation.