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**Groupe de travail sur la médiation dans le cadre du processus de Malte
Questionnaire II**

établi par le Bureau Permanent

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**Working Party on Mediation in the Context of the Malta Process
Questionnaire II**

drawn up by the Permanent Bureau

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Identification

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The Permanent Bureau kindly requests responses to the Questionnaire to be sent to < secretariat@hcch.net > by 25 September 2009 at the latest.

ENFORCEABILITY OF MEDIATED AGREEMENTS	
1. Are there legal restrictions on the content of mediated agreements regarding family law matters in your country?	Yes, this falls within the competence of the executive branch, and requires notarisation and approval, and then official certification.
2. Are mediated agreements in a family dispute involving children enforceable in your country without any additional formalities such as notarisations or approval by court?	Yes, it requires the notarisation and approval of the court, and requires the presentation of proof to the trial judge.
3. Can agreements mediated in your country in a family dispute involving children be approved by or registered with a court? (If the answer is "No" please continue with question 4.)	Yes, and as a condition thereof it must be acceptable to, and in conformity with, public order and morals.
3. a) Is the agreement once approved by or registered with a court treated as a decision of that court?	Other. This is subject to the Law Concerning the Execution of Foreign Judgments, whereby it is given the status of enforceability.
3. b) What exact steps are needed to make a mediated agreement into a court order?	It is subject to the Law Concerning Foreign Agreements signed by the competent authorities in our country and those countries.

3. c) Which court would be competent?	The Regular Court.
3. d) What are the costs for having a mediated agreement made into a court order in your country?	The agreement is free of any cost. As for the judgment that is issued by the court, it is subject to the applicable law concerning fees.
4. Are there any other method(s) by which a mediated agreement can be rendered enforceable in your country (e.g. by being notarised)	If it is brought before the Parliament, and approved by it, it is thereafter given full force and effect.
4. a) What are the possible costs for this other method(s)?	I cannot specify.
5. Can agreements mediated in another country in a family dispute involving children be approved by a court or otherwise formalised in your country?	Yes, it is given force and effect, and reciprocity, in accordance with the Law Concerning the Execution of Foreign Judgments.
5. a) If so, will the agreement mediated abroad be treated exactly as an agreement mediated in your country?	No.
6. In what circumstances, if any, can an agreement which has been approved by or registered with a court abroad, be recognised and enforced in your country?	Legally, if a foreign judgment is issued, it is subject to the Law Concerning the Execution of Foreign Judgments. As for the agreement, it may be executed upon the consent of the parties.
7. What specific measures are available in your country for enforcing an agreement on child custody or contact?	This is presented to the executive branch, which in turn presents it to the legislative branch, "the Parliament" for either approval or denial. In this regard, assistance is sought from civil society institutions, such as the Lawyers' Syndicate, the Jordanian Women's Association, or Childhood Care Institutions, etc.

Thank you.