



International Workshop

*Under the Patronage of H.E. Amer Al-Hadidi
Minister of Industry and Trade of the
Hashemite Kingdom of Jordan*

Jordan's New Draft Competition Law: Achievement made, improvement required

September 27th, 2010
Talal Abu-Ghazaleh Forum at
Talal Abu-Ghazaleh College of Business
Amman-Jordan



PROGRAM

Date: September 27th, 2010, 09:00 AM – 13:00 PM
Place: Talal Abu-Ghazaleh Forum at Talal Abu-Ghazaleh College of Business
Amman-Jordan
Organization: KAS Amman Office
Talal Abu-Ghazaleh and Company International (TAGI)

Monday, September 27th, 2010

08.30 h **Registration**

09.00 h **Opening Session and Welcome**

Mustafa Nasereddin *Senior Executive Director, Talal Abu-Ghazaleh Organization
Amman-Jordan*

Dr. Martin Beck *Resident Representative of
Konrad-Adenauer-Stiftung
KAS Amman Office
Amman-Jordan*

H.E. Amer Al-Hadidi *Minister of Industry and Trade of the
Hashemite Kingdom of Jordan
Amman-Jordan*

09.20 h **Coffee Break**

09.30 h **Presentation 1: Practical Needs for amending Competition Law**

Hussein Al-Hamadani *Director of the Competition Directorate
Ministry of Industry and Trade
Amman-Jordan*

10.00 h **Presentation 2: The Jordanian Experience in Comparison with other Countries in the Arab Region**

Mohamed Ben Fraj *Competition Expert, Senior
Advisor to the Minister of Trade
Tunisia*

10.30 h **General Discussion**

11.00 h **Coffee Break**

11.15 h **Presentation 3: Presentation of the Draft Competition Law by
the joint working Group of Talal Abu-Ghazaleh Organization and
KAS Amman Office**

<i>Moderator:</i>	<i>Mohamed Ben Fraj Competition Expert, Senior Advisor to the Minister of Trade Tunisia</i>
<i>Dr. Amjad Al Shraideh</i>	<i>Judge, North Amman Court Amman-Jordan</i>
<i>Dr. Qais Mahafzah</i>	<i>Lawyer, Assistant Professor at Faculty of Law University of Jordan Amman-Jordan</i>
<i>Mr. Omar N. Atout</i>	<i>Senior Partner, Nabulsi & Atout Law Firm Amman-Jordan</i>
<i>Mr. Tareq Abu Saleem</i>	<i>Legal Researcher, Legislation and Opinion Bureau Amman-Jordan</i>

12.15 h **General Discussion**

12.45 h **Closing Session**

<i>Dr. Martin Beck</i>	<i>Resident Representative of Konrad-Adenauer-Stiftung KAS Amman Office Amman-Jordan</i>
<i>Mustafa Nasereddin</i>	<i>Senior Executive Director, Talal Abu- Ghazaleh Organization Amman-Jordan</i>

13.00 h **Lunch**

Please note that there will be a translation from Arabic into English



Curriculum Vitae of Participants



Hussein Al Hamadani

Director of the Competition Directorate
Ministry of Industry and Trade
Amman-Jordan



Birth date:

- Feb. 8, 1973

Education:

- 9/1991 to 6/1995, University of Amman, B.A. Degree in Law

Professional experience:

- Since January 2003: Director of the Competition Directorate, Ministry of Industry and Trade

Tasks: Contributing to setting the general competition policy, working to protect competition and encouraging its culture, gathering information to uncover practices that violate the rules of competition, receiving and following up application relating to economic concentration, issuing clarifying communications on matters relating to competition, carry out the necessary investigation for the execution of competition law, cooperating with authorities outside the Kingdom for the purpose of exchanging general information and data and matters that relate to the execution of competition rules, preparing reports and presenting recommendations to the Minister of Industry and Trade and to the Amman court of first instant regarding competition cases.

- 2001 – 2003 and 1996 – 1999: Lawyer in Amman
- 1999 – 2001: Legal Consultant, Arab Union for Insurance
- Member of the Lawyers Association of Jordan

Email: hussein.h@mit.gov.jo



Amjad (Moh'd Said) Hamzeh Al Shraideh

Judge, North Amman Court
Amman-Jordan

Education

2004-2008

Amman Arab University for high studies.
Amman, Jordan
Degree: Doctoral in Private Law/Commercial Law.
GPA: 3.95 out of 4
Rating: excellent

2003-2004

University of Jordan
Amman, Jordan
Degree: Master's in Law
GPA: 3.90 out of 4
Rating: excellent
Ranking: the first among all the students who graduated in the same year

1998-2001

University of Yarmouk
Irbid, Jordan
Degree: Bachelor in law
GPA: 84.5
Rating: excellent
Ranking: the first among all the students who graduated in the same year

2007-2008

The Jordanian Judicial Institute
Amman, Jordan
Degree: high Diploma in Legal studies
GPA: 89.2%
Ranking: the first among all the students who graduated in the same year

Experience

1/12/2001

Employed as an administrator at the Ministry of Interior / Irbid.

1/11/2002

Moved to work at the ministry of Justice as a head of department at north of Amman First Instance Court, in addition to being a member of the job performance monitoring committee.

1/11/2005 - 1/11/2006

Worked as a legal researcher at the Executive Privatization Commission. In addition to that, on 13/2/2006 and was appointed as a member of the committee of drafting legislations, laws and regulations within the commission.

2005/2006

Worked as a part-time lecturer for the course "The provisions of

the commitment: Civil Law" at the faculty of law / Jerash Private university during the first semester.

- 2007 Was a member of the Scientific Committee in charge of supervising the Conference of Prosecutors General (Attorney-General) for the Arab States held in Amman during the period 7-9/8/2007
- 2007/2008 Part-time lecturer for the course "Commercial Legislations" at the Faculty of Law / Zarqa Private University during the summer semester of the academic year 2007/2008
- 2007/2008 Part-time lecturer for the course "Commercial Arbitration" taught to master's students at Faculty of Advanced Legal Studies / Amman Arab University for High Studies during the summer semester of the academic year 2007/2008.
- 2008 – Present Part-time lecturer for the courses "Commercial Legislations and E-commerce" and "The Intellectual Property Rights" since the first semester of the academic year 2008/2009.
- 1/2/2009 - Present Appointed as a judge at the court of North Amman, holding the same position up till now.

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Tareq Khamees Abu Salim

Legal Researcher
Legislation and Opinion Bureau
Amman – Jordan

Birth date:

- October 23, 1979

Education:

- Bachelor in Law at Amman Private University, 1998-2002.

Professional experience:

- 20/12/2006 – till now. : Legal researcher at Legislation and Opinion Bureau, Prime Ministry, the main responsibilities:
 - Providing legal consultations.
 - Reviewing all laws and legislations regularly.
 - Legal drafting for Law and legislations.
- Assistant secretary for ministerial committee from 1/5/2008 – 31/9/2008.
- Acting manager of surveillance and auditing unit 25/11/2007 – 30/6/2010.
- Secretary of technical committee appointed by his excellence PRIME MINISTRY to study all regulation for ministries and governmental institutions.
- Member at Social Dialogue Committee/ Common Project between Ministry of Labor and International Labor Organization, 01/04/2007-31/08/2008.
- Notary Public and Head of Notary Publics at the Ministry of Justice (Appeal Court, Amman), 20/3/2003 – 17/12/2007.

Training Courses and Workshops

Participating in several workshops, seminars, and lectures on law drafts and bylaws for different ministries, state departments, to name a few Ministry of Housing and Works, Ministry of Labor (cooperation with International Labor Organization and Arab Labor Organization), Standards and Qualification Foundation, Ministry of Environment and Ministry of Agriculture.

Participating in several workshops with International Finance Corporation (IFC).

Participating in completed "Regulatory Impact Analysis (RIA): tools for enhancing the business environment" at the Institute for Public Private Partnership (IP3), Washington, USA, August 10-21, 2009.

Participating in completed studies in International Legislative Drafting Institute at Loyola school of law & Tulane law school (The Public Law Center) New Orleans - Louisiana USA from 9-20 of June 2008.

Arab Organization for Administrative Development (Course/ Administrative Law) from 3-7 June 2007 Arab League Cairo – Egypt.

Conferences and Sessions

Conducting Environmental Compliance Inspections (INECE, held by US embassy of Amman).

Participating in Fourth Regional Meeting of the GFD Working Group 4 on Public service delivery, Public Private partnerships (PPPs) and Regulatory Reform & Regional capacity Building Seminar on 'drafting Legislation and Oversight Bodies for Regulatory Quality ' from 29-30 April 2008 Amman -Jordan.

Participating in sixth Regional Meeting of the GFD Working Group 4 on Public service delivery, Public Private partnerships (PPPs) and Regulatory Reform & Regional capacity Building Seminar on 'drafting Legislation and Oversight Bodies for Regulatory Quality ' from 1-4 June 2010 Tunis –Tunisia.

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Qais Ali Mahafzah

Assistant Professor University of Jordan,
Faculty of Law,
Attorney at Law, Senior Partner,
Gedara for Legal Services & Arbitration, Barristers & Solicitors



Academic Qualifications:

Diploma	Trade Policy and Multi Lateral Trading Systems Granted by the WTO and the AMF	2003
Ph.D.	The University of Durham, England-United Kingdom Major: Commercial Law	2002
LL.M	The University of Aberdeen, Scotland-United Kingdom Major: Commercial Law	1997
LL.B	The University of Jordan, Amman-Jordan Major: Law	1994

Selected Professional Employment:

- Attorney at Law & Legal Consultant / Senior Partner at Gedara for Legal Services & Arbitration (GLSA) (December 2006-till present).
- Board of Trustees Member – Jordan University of Science & Technology (October 2009-till present).
- Assistant Professor at the Faculty of Law-University of Jordan (November 2002-till present).
- Vice Dean of the Faculty of Law-University of Jordan (September 2005-September 2007).
- Adjunct Professor at New York Institute of Technology (NYIT) - Jordan (September 2002-till present).
- Expert and Member at the Arab Intellectual Property Mediation & Arbitration Society - Jordan (September 2004-till present).
- Selected to supervise and examine dissertations at the University of Jordan and the Jordanian Judicial Institution (2005-till present).
- Legal Expert in Jordan for the European Commission Project on "*Promotion of International Commercial Arbitration and Other Alternative Dispute Resolution Techniques in the MEDA Region*" (2005-till present).
- Teaching Assistant at University of Durham-United Kingdom (2000-2002).

Symposia, Workshops, Programs, Training Course, & Conferences:

- Moderator in the “*Violence in Emergency Divisions of Hospitals*” Workshop, organized by Jordan Society for Profession and Work Ethics and The University of Jordan in Amman (July 27, 2010).
- Speaker in the “*Intellectual Property Certified Arab Arbitrator*” Program, organized by the Arbitration Center of the Arab Federation for Protection of Intellectual Property in Amman (May 08-13, 2010).
- Presenting a conference paper in the “*Intellectual Property Certified Arab Arbitrator*” Conference, organized by the Arbitration Center of the Arab Federation for Protection of Intellectual Property in Amman (February 16-25, 2010).
- Speaker in the “*Legal Drafting of Contracts in English*” Training Course, organized by The Arab Society for Intellectual Property (ASIP) and Talal Abu-Ghazaleh and Co. International in World Trade Center-Dubai/UAE ((January 31-February 03, 2010).
- Speaker in the “*Intellectual Property Rights*” Workshop, organized by Jordan Judicial Council and the German Embassy in Amman-Jordan (March 2009).

Research & Conference Papers:

- Tariq Hammouri, Dima A. Khleifat, and **Qais A. Mahafzah**, “Arbitration and Mediation in the Southern Mediterranean Countries: Jordan”, *Kluwer Law International*, Wolters Kluwer - Netherlands, accepted and published, Volume 2, Number 1, January 2007, pp. 69-88.
- **Qais Ali Mahafzah**, Basem M. Melhem, and Hitham A. Haloosh, “The Perspective of Moral and Financial Rights of Intellectual Property in Islam”, *Arab Law Quarterly*, Brill - Netherlands, accepted and published, Volume 23, Number 4, October 2009 , pp. 457 – 468 (12).
- **Qais Ali Mahafzah**, “The Legal Effectiveness of the Both-to-Blame Collision Clause under Bills of Lading and Charterparties”, *The Journal of Maritime Law & Commerce*, Jefferson Law Book Co. - United States, accepted and published, Volume 41, Issue No. 2, April 2010, pp. 263-274.



Omar N. Atout

Attorney & Counselor at Law

EXPERIENCE:

- 1989-1991 *Associate:* Ibrahim Baker Law Firm, Amman Jordan
- 1991-1997 *attorney and Legal Counsel:* Arab Bank, Head Quarters, Amman Jordan
- 1997-Present *senior Partner:* Nabulsi & Atout, Amman Jordan

Major expertise in intellectual property laws: Banking laws: consultancy and litigation.

A multi-discipline experience in consultancy of corporate, commercial law; legal due diligence, companies incorporation, in addition to civil and commercial litigation.

Expert and litigator in the fields of, administrative law, labor law and Expropriation law.

EDUCATION:

Faculty of Law, University of Jordan, Amman, LL.B. `89
Money and Banking Advanced Studies, American University, Beirut, 1991

MEMBERSHIPS AND BAR ADMISSIONS:

- Admitted to the Jordanian Bar association
- Member of the Board of Director s of the Arab Society for Intellectual Property (ASPIP) UK
- Member of the Licensing Executives Society *Arab Countries* (LES)
- Member of the Arab Society for Intellectual Property (ASPIP), Jordan
- Member of the Arab Knowledge Management Society (AKMS).
- Member of the Arab Centre for Mediation and Arbitration in Intellectual Property.

LANGUAGES:

Arabic and English

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BEN FRAJ Mohamed

Competition Expert, Senior Advisor to the Minister of Trade
Representative of the Minister in the Competition council
(Defense of the public interest)
Tunisia

Key qualifications:

- 30 years' experience with the Tunisian Ministry of Trade (services and domestic Trade, policy reforms and development strategies, **Competition and consumer affairs**)
- Expert representing Tunisia in the Intergovernmental Group of experts in Competition Policy and Law – United Nations machinery – UNCTAD (since 1994),
- Expert representing Tunisia in the Working Group on the interaction between Competition Policy and Trade Policy - WTO (since its creation by the Singapore declaration: December 1996 to 2005),
- National coordinator (and author) of the Commercial law strengthening program in the MENA region "CLSP" , a MEPI funded program conducted by the Arab Center for the Rule of Law and integrity "ACRLI" in 4 pilot countries Lebanon, Tunisia, UAE and Yemen (May 2008- April 2010): conduct of a general assessment Review of business law and regulations as well as the conduct of an **in depth study on competition law and policy in Tunisia**
- Member of the Group of Experts working on the Arab Common rules of Competition (Arab League),2001-2003
- International consultant with EJADA (Euro Jordanian action for Enterprise) and the Jordanian Ministry Of Industry and Trade (2002-2005) :
 - Redrafting of the national competition law,
 - Conduct of a 6 month assistance program to implement the law (establishment of competition authorities, design and conduct of study tours, training programs, awareness campaign, drafting of regulations and assistance in case handling).
- Technical assistance to the secretariat of Arab League in:
 - Comments on the draft of Arab Common rules of competition (August 2001),
 - Drafting of a project of technical cooperation between Arab competition agencies (2007),
- Technical assistance with UNCTAD to some African countries (Madagascar 1999 / Mauritania 2001),
- Design and Conduct of national training and seminars on competition issues in Tunisia,
- Panelist of different international Seminars on competition policy,
- Conduct of different training programs for the staff of the Algerian competition Directorate and its regional offices (2002-2005).

1. Education:

- Master's Degree in Accounts Auditing (National CPA examination). 1981-1984 / Bachelor's



- Degree in Managerial Accounting 1978-1981 (University of Tunis - Higher Institute of Business Studies, Tunisia),
- Certificate of Competition Commissioner: 1989 (DGCCRF Competition Department in the French Ministry of Economy and Finance),
- One year of Post-graduate studies in economics of development including academic courses and professional affiliations with some international and American institutions: 1993-1994 The American University Washington, DC - School of International Service, USA.

2. Other trainings:

- Brief experience with the British institutions involved in the Competition Policy (Monopolies and Mergers Commission "MMC", Office of Fair Trading OFT).

List of Participants:

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Hussein Al-Hamadani	Director of the Competition Directorate Ministry of Industry and Trade Amman – Jordan Email hussein.h@mit.gov.jo
Mr. Mohamed Benfaraj	Competition Expert Senior Advisor to the Minister of Trade Tunisia Email mohamed.benfrej@ati.tn
Dr. Amjad Al Shraideh	Judge North Amman Court Amman – Jordan Email amjadshraideh@hotmail.com
Dr. Qais Mahafzah	Lawyer Assistant Professor at Faculty of Law University of Jordan Amman – Jordan Email qais@gedralaw.com
Mr. Omar N. Atout	Senior Partner Nabulsi & Atout Law Firm Amman – Jordan Email omaratout@wanadoo.jo
Mr. Tareq Abu Saleem	Legal Researcher Legislation and Opinion Bureau Amman – Jordan Email tareq_abosalem@hotmail.com
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