



# Newsletter

| 61<sup>st</sup> Edition, October 2025 |

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Welcome to the 61<sup>st</sup> edition of our newsletter. In this edition, we will present to our readers the following:

**Section A of this issue**, will shed light on the amending Regulation of the Regulation on Work Permit Fees for Non-Jordanians No. (31) of 2025.

**Section B of this issue**, dedicated to matters pertinent to the jurisdiction of Iraq, dives into the topic of the branches of foreign companies in Iraq.

**Section C of this issue**, dedicated to matters pertinent to SMEs, will cover the investment of small, medium, and emerging enterprises in virtual assets: between legal regulation and risks.

*“... this Regulation, represents a significant and successful step by granting greater flexibility to migrant workers, streamlining procedures for both workers and employers, and responding to market needs through simplified employment requirements, the provision of electronic services, and the accommodation of newly established professions under the Work Permit Fees Regulation.”*

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**SECTION A:****The Amending Regulation of the Regulation on Work Permit Fees for Non-Jordanians No. (31) of 2025****Introduction**

Non-Jordanian labour constitutes an important component of the labour market in Jordan within the official employment framework. However, regulating their presence requires specific work permits that define their rights and obligations and ensure that the local labour market and Jordanian workers are not adversely affected. In pursuit of fairness, the Amending Regulation of the Regulation on Work Permit Fees for Non-Jordanians for 2025 has been issued. This Regulation aims to organise the labour market, encourage investment, reduce the financial burden associated with employing foreign labour, and meet the needs of companies.

Given the importance of this Regulation, which represents a significant and successful step by granting greater flexibility to migrant workers, streamlining procedures for both workers and employers, and responding to market needs through simplified employment requirements, the provision of electronic services, and the accommodation of newly established professions under the Work Permit Fees Regulation, this issue reviews the most significant substantive amendments introduced by the Amending Regulation, their practical impact on the organisation of the Jordanian labour market, together with certain observations and practical applications related to the issuance and renewal of work permits under the new legislative framework.

First: Background and Legal Context of the Regulation on Work Permit Fees for Non-Jordanians (2025)

**1.1 National and Practical Context National and International Context of Data Protection.**

Jordan has long been among the countries that recruit non-Jordanian workers to fill shortages in professions requiring foreign labour. With the increasing number of migrant workers, it has become necessary to issue a special regulation to govern their permits. As the Jordanian economy has come to rely heavily on migrant labour—constituting approximately 15% of the workforce according to the latest statistics—there has been a need to establish a regulatory framework and introduce ongoing amendments in line with developments and labour market needs. Accordingly, this Regulation serves as the principal legal reference governing for all fees and charges collected for the issuance or renewal of any work permit, whether borne by the worker or the employer, as the case may be.

In practical terms, all procedures are carried out through the Ministry of Labour in coordination with the security authorities and other relevant ministries. This includes the application process, payment of fees, verification of employment conditions, and renewal of permits, thereby ensuring fairness for both Jordanian and non-Jordanian (migrant) workers.

**1.2 Legislative Philosophy and Principles**

Grounded in the objective of balancing the protection of non-Jordanian workers' interests on the one hand, and the promotion of investment, and the promotion of investment, the regulation of the labour market, and the enhancement of its efficiency on the other, this Amending Regulation was enacted to achieve these purposes.

## Second: Legal and Regulatory Framework of the Amending Regulation on Work Permit Fees for Non-Jordanians (2025)

The Regulation on Work Permit Fees for Non-Jordanians for 2025 is one of the executive regulations issued pursuant to the Jordanian Labour Law No. (8) of 1996. The Law sets out the conditions for the recruitment and employment of non-Jordanian workers in the Kingdom, as provided in Article (12), which grants the Council of Ministers authority to issue the necessary regulations governing the employment of non-Jordanians residing in the Kingdom. Article (12) stipulates:

1. No non-Jordanian worker may be recruited or employed without the approval of the Minister or their delegate, provided that the work requires expertise and skills not available among Jordanian workers, or that the number of available Jordanian workers is insufficient. The Minister shall issue the necessary instructions for this purpose, including the professions prohibited to non-Jordanian workers, the permissible ratios of their employment by employers, and the guarantees required of employers.

2. A non-Jordanian worker must obtain a work permit from the Minister or their delegate prior to recruitment or employment. The permit shall be valid for one year or part thereof, unless the Minister decides that it shall be valid for two years for certain sectors or activities specified by decision issued for this purpose.

The renewal period shall be calculated from the expiry date of the last work permit obtained by the worker.

Pursuant to the above Article, a specific regulation sets out:

- The amounts of fees and charges collected by the Ministry of Labour for each work permit issued or renewed for a non-Jordanian worker.
- The types of work permits issued by the

Ministry of Labour and the specific provisions that govern them.

- The penalties imposed on workers and employers who breach the provisions of the Law and the Regulation.

It is noteworthy that the legislator, under the Regulation on Work Permit Fees for Non-Jordanians, has classified the provisions regulating migrant labour into several categories and sections. These provisions address the conditions for granting and renewing work permits according to the nature of the profession and sector in which the non-Jordanian worker is employed, thereby ensuring clarity of rights and obligations for both the worker and the employer. This classification aligns with the objectives of the 2025 Amending Regulation, which are centred on achieving fairness in the distribution of employment opportunities, streamlining administrative procedures, and reducing fees in a manner that enhances labour market flexibility and curtails breaches and irregularities in the employment of non-Jordanian workers.

Furthermore, Article (4) of the Amending Regulation specifies the fees and additional amounts payable in the following cases:

1. Upon the worker's first entry into the Kingdom without obtaining a work permit.
2. Upon the expiry of the worker's last work permit, for each year during which no permit was issued.
3. Upon the worker reaching the age of eighteen, provided that he entered the Kingdom before attaining such age.
4. Upon submission of an application to the Ministry of Labour for the first time by a holder of a temporary passport.
5. Upon the expiry of a residence permit granted for non-work purposes, following the approval

6. of the Ministry of Interior for the issuance of a work permit.
7. Upon the approval of the Ministry of Interior for the issuance of a work permit to a holder of a valid annual residence permit granted for non-work purposes.

This framework reflects the legislator's intent to balance labour market requirements with compliance with the law, by linking the obligation to pay fees to the circumstances of entry, residence, or permit expiry. This helps prevent the exploitation of procedural loopholes and improves the efficiency of managing non-Jordanian labour in the Kingdom.

### Third: The Core Objectives of the Amending Regulation on Work Permit Fees for Non-Jordanians for the Year 2025

This Regulation seeks to encourage non-Jordanian workers across all sectors and economic activities, particularly skilled workers, to comply with the requirement to obtain work permits, while easing the financial burdens arising from the issuance and renewal of such permits.

This is achieved by reducing work permit issuance and renewal fees by 30% per skilled worker, thereby lowering operational costs for employers and limiting the spread of irregular employment within the Kingdom.

Article (2) of the Regulation sets out the mechanism for applying this reduction in accordance with the provisions of the law and relevant legislation, as follows:

- The Ministry of Labour shall collect a fee of (350) three hundred and fifty Jordanian Dinars for the issuance or renewal of a work permit for one year or part thereof, for each worker in all sectors and economic activities, except in the following cases:
  - a. (225) two hundred and twenty-five Jordanian

Dinars for each worker employed by institutions and companies operating in the garment and apparel industry registered with the Investment Commission in development zones.

b. (800) eight hundred Jordanian Dinars for each daily worker under the "free permit" scheme in the agricultural sector, construction sector, loading and unloading, or any other category designated by the Minister of Labour.

c. (700) seven hundred Jordanian Dinars for the issuance or renewal of a work permit for each worker employed as a building services worker.

d. For specialised skilled workers exceeding the permitted quotas of migrant labour, the Ministry shall collect:

1. (1,500) one thousand five hundred Jordanian Dinars for a one-year permit.
2. (875) eight hundred and seventy-five Jordanian Dinars for a six-month permit.
3. (450) four hundred and fifty Jordanian Dinars for a three-month permit.

The adjustment of fees and their alignment with the nature of work and the financial capacity of the targeted categories ensures fairness and transparency in fee collection. It also curbs irregular employment, encourages the recruitment of skilled labour, enhances labour market efficiency and productivity, prevents circumvention and unlawful employment practices, strengthens the economy, increases state revenues, and boosts the readiness and competitiveness of the labour market.

The purpose of the provisions contained in the Amending Regulation of 2025 is also to apportion the obligation to pay an additional (50) fifty

Jordanian Dinars on each issuance or renewal of a work permit for every worker employed by institutions and companies. The Regulation further ensures that no form of circumvention or evasion of legal obligations relating to work permits occurs, thereby safeguarding the regularity and transparency of the labour market.

Pursuant to Article (3) of the Regulation:

- The Ministry of Labour shall collect from the employer or the worker, as the case may be, an additional amount of **(50) fifty Jordanian Dinars** upon each issuance or renewal of a work permit for the workers referred to in Article (2).
- The amount referred to in paragraph (a) of this Article shall be transferred to the Vocational and Technical Skills Development and Enhancement Authority.
- The amount referred to in paragraph (a) of this Article shall be transferred to the Vocational and Technical Skills Development and Enhancement Authority.

It is noteworthy that the new amendment no longer restricts the collection of fees and amounts solely from the employer, but also allows for their collection from the worker, as the case may be. This has resulted in a more balanced distribution of financial obligations, thereby achieving greater equilibrium in legal positions.

In practice, the Amending Regulation was designed to encourage investment by unifying fees, granting permits for defined periods under clear conditions across all sectors, and enabling all sectors to issue work permits for specialised workers at specified fees and for specific durations.

#### Fourth: Penalties and Fines under the Amending Regulation on Work Permit Fees for Non-Jordanians (2025)

The Regulation on Work Permit Fees for Non-Jordanians for 2025, issued pursuant to Article (12) of the Labour Law, forms the legal framework governing the determination of fees and additional amounts payable by employers for obtaining and renewing work permits for migrant workers in Jordan. It also sets out the financial penalties for failure to comply with the issuance and timely renewal of such permits.

The legislator does not limit the Regulation to specifying the types of permits, the applicable fees, and the payment mechanisms, but also addresses violations that may be committed by employers and workers alike, and sets out the fines and penalties applicable in cases of breach of the Law and the Regulation.

Article (12/c) provides that it is a violation of the Law to employ a non-Jordanian worker in any of the following cases:

1. Employing a worker without a valid work permit, or with an expired permit, for a period not exceeding ninety days.
2. Employing a worker with an employer other than the one authorised, unless prior approval has been obtained from the competent authority within the Ministry.
3. Employing a worker in a profession other than that for which the permit was issued.

Furthermore, Article (12/e) stipulates the following penalties for violations of paragraph (c):

1. The employer, and any person who employs or mediates the employment of a non-Jordanian worker in contravention of the Law, shall be fined at least twice the applicable work-permit fees and amounts for the sector in which the worker was found. In the event

of a repeat offence, the fine shall be quadrupled.

2. The same penalty shall apply to an employer in whose name a work permit was issued but who fails to notify the Ministry when the worker leaves their employment before the worker is found working for another employer.
3. Penalties are cumulative where multiple breaches are committed.

Additionally, Article (6) provides:

- a. The Ministry of Labour shall collect from the employer or the worker, as the case may be, a late penalty amounting to **50% of the value of the work permit fee** if the permit expires and is not renewed within ninety days of its expiry.
- b. Exempted from paragraph (a) are those who are relieved of paying work permit fees and additional amounts under applicable legislation, international agreements to which the Kingdom is a party, or decisions of the Council of Ministers.

This provision aims to mitigate the burden of late penalties by distributing responsibility fairly between employer and worker, depending on the contractual relationship and the cause of the delay in renewal. It ensures proportionate liability, prevents undue harm to either party, and promotes compliance with timely renewals to avoid the accumulation of fines and to maintain employment within the regulated legal framework.

### Conclusion

In conclusion, the Regulation on Work Permit Fees for Non-Jordanian Workers is a vital legislative

instrument that balances the protection of migrant workers' rights with the preservation of employment opportunities for Jordanian workers. It has contributed significantly to reducing irregular employment, which has long been one of the major challenges facing the Jordanian labour market.

Nevertheless, the Regulation is not without practical challenges, such as difficulties in controlling unlicensed labour and disparities in fees across professions and economic sectors.

These issues require periodic reviews of the Regulation and stronger oversight of its implementation.

Ultimately, the regulation of work permits for non-Jordanian workers remains a responsibility that requires continuous legal diligence and awareness, to ensure a stable economy and enhance transparency between workers and employers, thereby safeguarding the national labour market.

### SECTION B:

#### Hammouri & Partners' Iraq Office – Branches of Foreign Companies in Iraq

Iraq is witnessing significant economic transformations, making investment laws and the establishment of foreign company branches vital instruments for attracting investment and fostering economic growth. The Investment Law and the Regulation on the Establishment of Branches reflect a clear vision to build a favourable investment environment that strengthens investor confidence and enhances the role of the private sector in achieving sustainable economic development.

### Selected Legal Provisions on the Establishment of Foreign Company Branches

Below are some of the key legal provisions governing the establishment of branches of foreign companies and the privileges granted thereto:

- Article 215/Second of the Companies Law No. 21 of 1997: stipulates that “any person who conducts business in the name of a foreign company branch without obtaining a registration licence shall be subject to the penalty provided for in Paragraph (First) of this Article.”
- Article 1/Fourth of the Regulation on Foreign Company Branches No. 2 of 2017 (as amended): defines the registration licence as “the document issued by the Registrar of Companies by which the registration of a foreign company branch in Iraq is announced.”
- Article 14/First of the same Regulation: provides that “a foreign company is prohibited from engaging in any commercial activity or establishing a place of business in Iraq unless it has been granted a registration licence in accordance with the provisions of this Regulation.”
- Article 6/Second of the same Regulation: permits the branch to engage in commercial activity in the event of concluding an investment contract pursuant to the applicable investment laws in Iraq.
- Article 11/Second/C of the Investment Law No. 3 of 2006 (as amended): provides that “a foreign investor shall have the right to establish a branch of its foreign company in Iraq in accordance with the law.”

### Legal Status of a Foreign Company Branch

As established by Iraqi jurisprudence, a foreign company branch possesses legal personality, but not an independent juridical personality.

Accordingly, litigation for or against the branch must be conducted by the parent company, and the branch manager in Iraq is not authorised to represent the branch in legal proceedings.

However, service of process upon the parent company may validly be effected through its operating branch in Iraq.

### Ownership of Shares in Foreign Company Branches

The ownership of shares in a foreign company branch in Iraq vests entirely in the shareholders of the parent company. There is no requirement for Iraqi participation, nor is there any requirement for separate capital, as the capital is attributable to the parent company.

### Mechanism for Acquiring Investor Status

It should be noted that investor status is acquired only upon obtaining an investment licence. The establishment of a foreign company branch in Iraq under the Investment Law does not exempt the branch from compliance with the regulatory requirements necessary to conduct business. A foreign company branch may not commence operations in Iraq without first obtaining a registration licence.

The recent amendment to the Investment Law introduced obtaining an investment licence as an additional ground for establishing a foreign company branch in Iraq. This reflects the legislator’s intent to permit investors to establish branches of their companies under the law in its broad sense. Accordingly, the Investment Law enables a foreign investor to establish a branch of its company upon obtaining an investment licence, treating this as one of the privileges and guarantees afforded to investors.

Law firms play a vital role in providing the necessary legal support to foreign companies.



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They offer legal advice, registration services, and legal protection, assisting companies in understanding and complying with local regulations and legislation.

### Conclusion on Establishing a Foreign Company Branch in Iraq

As a law firm with a branch in Iraq, we are well-positioned to facilitate the entry of foreign companies into the Iraqi market and to provide the necessary support to ensure their success and continuity. Through the provision of specialised legal services, we assist our clients in achieving their commercial objectives efficiently and in full compliance with legal and ethical standards.

Ultimately, the establishment of branches of foreign companies branches in Iraq represents a significant opportunity for growth and expansion. Our role as a law firm lies in providing the essential support to realise these opportunities and to ensure that foreign companies fully benefit from the privileges granted to them under Iraqi investment laws.

### **SECTION C:** **START UPS & SMEs – Investment of Small, Medium, and Emerging Enterprises in Virtual Assets: Between Legal Regulation and Risks**

#### Introduction

In our previous Legal Bulletin No. (59), we addressed the Virtual Assets Regulation Law No. (14) of 2025, which was recently enacted, outlining its provisions and objectives for regulating this rapidly growing sector. With the global expansion in the use of virtual assets and blockchain technology, investment in this field has become increasingly attractive to start-ups and

small and medium-sized enterprises (SMEs), as such investments do not require substantial capital. Over time, it has become evident that companies have emerged with the primary purpose of investing in and engaging with this sector.

As a continuation of our prior analysis, this bulletin examines matters related to the investment of SMEs and start-ups in virtual assets, specifically:

1. The legal framework governing such investments;
2. The types of investments in this field; and
3. The challenges and risks that SMEs and start-ups may encounter when investing in virtual assets.

#### First: The Legal Framework Governing SME Investment in Virtual Assets

Dealings in virtual assets in the Hashemite Kingdom of Jordan were strictly prohibited until a breakthrough in 2025. Prior to that, the Central Bank of Jordan issued periodic circulars to all banks, in the absence of specific legislation prohibiting such dealings. The last of these circulars, issued in 2024, reaffirmed the absolute prohibition of direct or indirect dealings in all forms of virtual currencies/assets, including participation in or facilitation of such dealings, provision of related financial services, issuance or sale of virtual assets, remittance services, or foreign exchange transactions involving such assets, under penalty of the most severe legal sanctions for non-compliance.

However, in light of the rapid global developments and the legislative momentum to regulate this phenomenon—now a worldwide practice involving a broad segment of society—the continued prohibition of such dealings risked isolating Jordan from the international community. Accordingly, the Jordanian legislator enacted the Virtual Assets Regulation Law, which entered into

force on 14 September 2025. This law may be compared to Dubai Law No. (4) of 2022 on the Regulation of Virtual Assets, which established the Dubai Virtual Assets Regulatory Authority (VARA) as an independent legal and financial authority to oversee and regulate such dealings. By contrast, Jordanian law entrusts these functions to the Jordan Securities Commission.

It is important to note that Jordanian law does not grant natural or legal persons the right to trade on global platforms. As of the date of this bulletin, such dealings remain prohibited pending the issuance of regulations and instructions governing them. Instead, the law regulates the licensing of platforms dedicated to trading digital assets, such as Binance. A review of the law's provisions, compared with Dubai's legislation, reveals that the Jordanian approach focuses primarily on risk mitigation and compliance, whereas the Emirati framework aims to empower and organise the market to attract investment, thereby positively impacting the UAE economy as a whole.

### Second: Types of Investment in Virtual Assets

Over the past decade, investment in virtual assets has become a fertile ground for entrepreneurs and investors worldwide. Various forms of virtual assets have emerged, including:

- **Cryptocurrencies:** Digital currencies created through blockchain systems, such as Bitcoin (BTC), Ethereum (ETH), and other active tokens.
- **Stablecoins:** Cryptocurrencies pegged to the value of a fixed underlying asset, usually a fiat currency. Examples include USDT (Tether), pegged to the U.S. dollar; EURt, pegged to the euro; and CNHt, pegged to the Chinese yuan.
- **Non-Fungible Tokens (NFTs):** Unique digital tokens representing ownership of a specific digital asset, such as an image, audio clip, design, or digital artwork.

### Third: Challenges and Risks Facing SMEs and Start-Ups in Virtual Asset Investment

While investment in this field offers several

Advantages — such as decentralisation, anonymity through pseudonymous transactions, global accessibility unconstrained by geography, and transparency allowing users to trace financial transactions whilst concealing user identities—it also entails significant risks and challenges, including:

- **Legal Risks:** Despite its global spread, the sector remains relatively new and insufficiently regulated. Many jurisdictions approach it cautiously due to concerns over potential misuse for unlawful purposes such as money laundering or terrorism financing. Under the Jordanian Virtual Assets Regulation Law, trading platforms must be licensed within Jordan, and any person engaging in virtual asset activities on behalf of others or promoting such activities without being a licensed legal entity is subject to a minimum penalty of one year's imprisonment and a fine of no less than fifty thousand dinars. By contrast, the Emirati law imposes fines on unlicensed activity without prescribing custodial penalties.
- **Financial Risks:** High price volatility within short timeframes.
- **Technological Risks:** Exposure to cyberattacks and hacking attempts.

### Conclusion

Investment in virtual assets by SMEs and start-ups represents a forward-looking trend for many new investors in Jordan, given the potential for significant profits. However, such opportunities are accompanied by equally high risks and potential legal liabilities. Accordingly, it is strongly recommended that investors seek specialised legal advice prior to investing in or dealing with any virtual asset, and to ensure that dealings are conducted exclusively through service providers licensed by the Jordan Securities Commission once such licensing becomes available. As of the date of this bulletin, no regulations or instructions have been issued to clarify the licensing mechanisms or conditions for global platforms. We will continue to provide updates on this matter upon the issuance of any relevant legislation.



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If you would like to discuss further any aspects of this Newsletter, please feel free to get in touch with one of our lawyers, using the contact details in the Contributors section below.

If you feel that other persons would be interested in reading this Newsletter, please feel free to share.

If you wish not to have our upcoming Newsletter or if you wish to amend the contact details, please inform us by sending an email to [info@hammourilaw.com](mailto:info@hammourilaw.com), titled “*non-subscription*” and/or “*amending the contact details*”.

Warm regards,

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## ABOUT HAMMOURI & PARTNERS ATTORNEYS AT-LAW

Hammouri & Partners Attorneys at-Law, is a Jordanian multi-practice law firm, founded over two decades ago (established in 1994) by the late Professor Mohammad Hammouri. Professor Hammouri was a renowned Jordanian attorney and an arbitrator, a former Minister of Culture and National Heritage and a former Minister of Higher Education, who wrote a plethora of books, primarily on constitutional rights.

Professor Mohammad Hammouri also founded the first School of Law in the Hashemite Kingdom of Jordan at The University of Jordan, in which he was its first dean. Today, the firm is managed by Dr. Tariq Hammouri, a distinguished academic and attorney and a former Minister of Industry, Trade and Supply. Dr. Tariq Hammouri is both an experienced attorney and an arbitrator, an expert in the Corporate sector, Commercial Transactions, Financial Markets, Banking Law and International Trade. He is an Associate Professor at the School of Law, University of Jordan and (formerly) the Dean of the School of Law. Dr. Hammouri is also an officially appointed member of the International Center for Settlement of Investment Disputes (ICSID) Panel of Arbitrators upon designation by the Government of the Hashemite Kingdom of Jordan, for the period of 2020 to 2026.

Hammouri & Partners' team consists of more than 30 attorneys and a number of other professionals working in the firm's specialized departments, providing professional legal services at a local, regional and international level. We also have a strong presence in Iraq, with an office located in Baghdad, the capital of the Republic of Iraq, and a branch in Erbil, within the Kurdistan Region, to offer comprehensive legal services across the country. The Iraq office has been operational since September 2023.

The firm's legal services cover numerous areas of practice, including the following: Corporate and Commercial Law (whether that is corporate set-up or drafting of all types of commercial agreements), Intellectual Property Law, Banking and Finance Law (the Firm advises local and international banks regarding all Banking Transactions and Regulatory Compliance). Additionally, the Firm's Litigation and Arbitration department have the capabilities and competence to represent parties in the most complex and novel legal matters, as it encompasses expertise in several areas of law, whether it is before courts or arbitral tribunals. Hammouri & Partners Attorneys at-Law was one of the first firms in Jordan to establish a specialized International Department to cater for the needs and requirements of international clients on an array of tasks with cross-border elements, such as those regarding bilateral and international trade negotiations, projects, contracts and others.

In addition to what has previously been stated, Hammouri & Partners provides legal advice and consultation to various industries such as those of Construction & Infrastructure, Manufacturing, Engineering, Trade, Securities and Energy, as some of its clients are major energy, healthcare, information technology and telecoms companies.

Hammouri & Partners Attorneys at-Law provides its broad services throughout Jordan as well as worldwide, through established collaborations with reputable law firms in the MENA region, Europe, the United Kingdom and the USA. Hammouri & Partners has earned regional and international acclaim by the most reputable legal directories. Chambers and Partners Global, International Financial Law Review (IFLR 1000) and the Legal 500, all highlight Hammouri & Partners as a leading law firm in the Jordanian legal services industry.

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