

## **REGULATIONS FOR CONDUCTING THE SERVICES OF CARRIAGE OF GOODS AND PASSENGERS AT SEA IN THE HASHEMITE KINGDOM OF JORDAN**

Issued by the Board of Directors of Jordan Maritime Authority, by virtue of paragraph (K) of Article (9) of Jordan Maritime Authority Law No. (47) for the year 2002.

### **Article 1:**

**These regulations shall be named (Regulations for conducting the services of carriage of goods and passengers at sea in the Hashemite Kingdom of Jordan for the year 2003) and shall come into force on the date of publication in the Official Gazette.**

### **Article 2:**

The following words and terms wherever mentioned in these Regulations shall have the meanings assigned thereto hereunder unless the context expressly provides otherwise.

The Minister	The Minister of Transport
The Ministry	The Ministry of Transport
The Director	The Director General of Jordan Maritime Authority.
The Authority	Jordan Maritime Authority.
The Sea Carrier	The normal or nominal person registered as a company or an establishment, who is licensed by the concerned authority to conduct the services of carriage of goods and passengers at sea, whether the transport action is executed by him or by any other carrier.
The ship	The ship equipped for the carriage of passengers and all kinds of goods.
The passenger	The person carried onboard the ship, by virtue of the carriage contract (The Carriage Ticket).
The Carriage Contract	The contract concluded by the carrier or on his behalf to carry the passenger, his luggage and belongings by sea.

### **Article 3:**

The carriage of goods and passengers at sea shall be conducted in The Hashemite Kingdom of Jordan by a company or an establishment licensed by either of the following authorities:

- A- The Authority if the company's office is located outside the borderlines of Aqaba Special Economic Zone in accordance with the provisions of these regulations.
- B- Aqaba Special Economic Zone Authority in coordination with the Authority if the company's office is located within the borderlines of Aqaba Special Economic Zone and in accordance with Aqaba Special Economic Zone Law No. (32) for year 2002 and the bylaws and regulations issued thereof.

**Article 4:**

The Director shall form a committee from the Authority's staff to perform the following tasks:

- A- Review the application and documents submitted for license, and the committee shall be entitled to acquire any documents it sees necessary for approving the license.
- B- Checking on the companies and establishments licensed to conduct freight forwarding services and follow-up to ensure compliance with the license terms and conditions, and the provisions of these regulations.

**Article 5:**

The tasks of the Sea Carrier shall include the following:

- 1- Carriage of goods onboard ships owned by the Carrier.
- 2- Carriage of goods onboard bareboat chartered ships.
- 3- Carriage of goods onboard time charter or ships chartered for one voyage.
- 4- Carriage of passengers, their luggage and belongings by virtue of the carriage contract.

**Article 6:**

Carriage of goods and passengers at sea shall be conducted through a separate license independent from from any other maritime services provided that The Unlawful Competition and Commercial Secrets Law No. (15) for the year 2000 and the Competition Law No. (49) for year 2000, and their amendments are complied with.

### **Article 7:**

The Sea Carrier shall comply with:

- 1) All national legislations and laws and the requirements of the international conventions related to the carriage of goods, passengers, their luggage and belongings at sea, defining the carrier's liability and making available seaworthy ships for the purpose of carrying goods and passengers, their luggage and belongings.
- 2) Obtaining all necessary approvals from the concerned authorities in case of carriage of dangerous cargo, livestock or plants and providing for carrying them separate from the crew and passenger accommodation areas.

### **Article 8:**

The conditions of licensing the sea carriage services to companies based outside the border lines of Aqaba Special Economic Zone are:

- 1) The sea carrier has to be registered in the Kingdom at the Companies Controller Department at the Ministry of Industry and Trade.
- 2) The registered paid up capital of the company must not be less than (100000) Hundred Thousand JDs.
- 3) The sea company must have a full time manager who has to meet the following conditions:
  - a) He must be of Jordanian Nationality.
  - b) He must have an experience in Maritime transportation or shipping not less than:
    - Four years if he holds a university first degree.
    - Six years if he holds community college diploma.
    - Eight years if he holds a general secondary school certificate.
- 4) The company must have no less than (8) employees including the Manager.
- 5) The company must conduct its services in an independent place, of an office area no less than (50) square meters equipped with a telephone, fax and computer connected to the internet.

### **Article 9:**

The procedures for granting the license to conduct the services of the carriage of goods and passengers at sea for companies based outside the borderlines of Aqaba Special Economic Zone, are:

- A- Submission of a registration application to Ministry of Industry and Trade where the company's objectives are specified pursuant to Article (5) of these regulations.
- B- The application to be referred to the Authority to review it and issue the initial approval, then, the applicant shall be handed the license terms form to complete the registration procedures. The Authority may send the license form and the initial approval by fax or e-mail.
- C- The license applicant shall submit the license terms Form dully filled in alongwith the following Documents:
  - 1- Certified copies of the Memorandum of Association, putting down the names of the partners/shareholders, the company objectives, the registration certificate and a statement which indicates the signatory authorized persons in the administrative, financial and judicial matters, duly certified by the Ministry of Industry and Trade.
  - 2- A certified copy of the property title deep or the lease contract for the offices of the sea carrier.
  - 3- A certified copy of the profession license.
  - 4- A copy of each employee contract for persons employed by the company certified by the Ministry of Labor, and a certificate, issued by the Social Security Corporation, which includes names of company's employees who have enrolled in the social security.
  - 5- The sea carrier's registration number with the Income Tax Department.
  - 6- The documents pertaining to the experience and the qualifications of the Manager of the company.
- D- The committee shall carry out necessary inspections of the company's premises to make sure that the requirements of Article (9) of these regulations are complied with and in conformity with the information mentioned the license terms Form.
- E- The committee shall recommend to the Director to issue the license to the company after making sure that all relevant terms mentioned in these regulations are duly satisfied.
- F- The Director shall issue the license to the Sea Carrier after payment of the required fees. The lisencc shall be valid for one year and may be renewed annually after the committee's review and report that the Sea Carrier has complied with these regulations.

**Article (10):**

The Authority shall have the right, at any time, to check on the company or the establishment to make sure that it is abiding by the provisions of these regulations. The Director shall be entitled to, temporarily, suspend the license, or cancel it completely, in case a violation of license terms and conditions is committed and the violation has not been corrected after the freight forwarder is notified within a specified a period as the Director sees fit.

**Article 11:**

All companies which are licensed to conduct sea carriage of goods and passengers services in the Hashemite Kingdom of Jordan should adjust their status in accordance with these regulations within a period not exceeding six months from the date these instructions have come into force.

**Article 12:**

All previous Regulations on these matters shall be cancelled as of the date of publication of these regulations in the Official Gazette.