

REGULATIONS FOR SAFE CONTAINERS PERSUANT TO THE INTERNATIONAL CONVENTION FOR SAFE CONTAINERS, 1972 (CSC)

The Board of Directors of Jordan Maritime Authority in The Hashemite Kingdom of Jordan, (The Board) ,

- On the basis of the powers vested in The Board by virtue Para. (9) of Article (k) of the Maritime Law No. (47) for year 2002,
- And by virtue of the Cabinet resolution No. (2673) of 1/5/2001 approving of The Hashemite Kingdom of Jordan Government's joining of the International Convention for Safe Containers, 1972 and the issuance of the Royal Decree approving this resolution,
- And by virtue of Article (4) of the International Convention for Safe Containers, 1972,
- And by virtue of paragraphs (H) and (T) of Article (5) of Jordan Maritime Authority Law No. (47) for the year 2002,
- And upon the recommendations of the Director,

Has decided as follows:

Chapter I General Provisions

Article 1:

These regulations shall be named (Regulations for Safe Containers 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:

Ministry	The Ministry of Transport
Minister	The Minister of Transport
Authority	Jordan Marine Authority.
Director	The Director General of Jordan Marine Authority
Port	The Port of Aqaba

Organisation Convention	The International Maritime Organisation The International Convention for Safe Containers, 1972 and amendments.
Administration	The Government Administration of a Contracting Party under whose authority containers are approved, and for the Hashemite Kingdom of Jordan, it is Jordan Maritime Authority.
Marine Surveyor	The person licensed by the Authority to examine or survey the ship and/or the cargo onboard for the purpose of determining their condition at the request of other parties.
Company or Organisation	The party licensed by the concerned authority to conduct the services of maintenance and repair of containers.
Licensee	The normal or nominal person registered as a company or an organisation who is licensed to carry out the functions of container maintenance, testing and inspection in the Hashemite Kingdom of Jordan.
Workshop	The place provided with necessary equipment and allocated for carrying out the maintenance, testing and inspection of containers.
Container	An article of transport equipment suitable for repeated use, strong enough for handling operations in ports or on ships, specially designed to facilitate the transport of goods, by one or more modes of transport, without intermediate reloading and secured and/or readily handled, fitted with top corner fittings, and of a size such that the area enclosed by the four outer bottom corners is either: <ol style="list-style-type: none"> 1) at least 14 sq m (150 sq ft) or 2) at least 7sq m (75 sq ft) if it is fitted with corner fittings. <p>The term <i>container</i> does not include vehicles or packaging but includes containers carried on chassis.</p>
Approval	The decision by an Administration that a design type or a container is safe within the terms of the Convention.
New Container	A container the construction of which was

	commenced on or after the date of entry into force of the Convention.
Owner	The owner as provided for under the national law of the Contracting Party or the lessee or the bailee, if an agreement between the parties provides for the exercise of the owner's responsibility for maintenance and examination of the container by such lessee or bailee.
Safety Approval Plate	A plate affixed to every approved container containing the information pursuant to Annex I, Chapter I, Regulation I of the Convention.

Article 3:

The present regulations shall apply to new or existing containers used in international transport and passing through Jordanian ports or any other sea outlet or land crossing or dry ports.

Article 4:

Approval shall be granted by the Authority upon a written request from the owner who shall be notified of the Approval in writing to enable him affix the Safety Approval Plate on the container accordingly. The Authority may accept an approval granted by another contracting party for the purposes covered by the Convention.

Chapter II

Testing, Inspection and Approval of containers

Article 5:

The Authority shall, through the committee set up in Article (15) of these regulations, establish an effective procedure for control of:

- 1) Companies licensed to conduct container maintenance and repair activities.
- 2) Parties (companies / organisations) licensed and authorised by the Authority to test and inspect containers. The authorisation process shall include:
 - a. Ensuring that the inspection was carried out in accordance with the requirements of the Convention, its annexes and amendments.

- b. Ensuring that the inspection was carried out in an effective manner by an authorised organisation/company.
- c. Ensuring that the party entrusted with the inspection is duly qualified and authorised to inspect and approve the container and present all documents required by the Convention.
- d. Ensuring that all inspection and approval activities are duly reported.

Article 6:

Notwithstanding the provisions of Art. (4), these regulations, the Convention, its annexes and amendments shall apply to containers, which shall be subject to the inspection and testing provided for in the Convention and its annexes to ensure that the Safety Approval Plate is affixed to the container, the safety approval certificate has been issued or renewed and any additional inspections required by these regulations or by the Convention and its amendments are conducted.

Article 7:

Incoming containers to Jordanian ports shall undergo the following control, technical inspection and examination procedures to assess their structural safety for handling and transport purposes onboard commercial ships as follows:

- a. Initial examination to ensure that the Safety Approval Plate is affixed to the container.
- b. Initial examination to ensure the structural safety of the container to sustain the forces of handling in ports and onboard ships.
- c. If, after the initial examination mentioned in para. (b) of this Article, a deformation or abnormality is observed on the container or if the container's condition places a danger to persons or handling operations, then the container shall be suspended and not released before it has been repaired and restored to a safe condition.
- d. Containers found to have a defect which may not be adequately restored to a safe condition shall be stopped and the Administration approving it shall be accordingly notified.

Article 8:

Prior to granting an authorisation to an organisation or a company to carry out inspection or examination or approval, the organisation/company shall provide the Authority with a detailed description of the functions it is going to perform, its technical and financial capabilities, human resources and quality control requirements in accordance with international standards.

Chapter III

Structural Safety Testing Requirements

Article 9:

The Safety Approval Plate containing all information required by the Convention shall be affixed to every approved container at a visible readily place where it would not be easily damaged as required by Annex I, Chapter I, Regulation I of the Convention.

Article 10:

The responsibility of testing and maintenance of the container, including setting up a detailed programme for this purpose with the costs of moving the goods stacked in the container, shall be as follows:

- a. Periodical maintenance and testing shall be the responsibility of the owner of the container including maintaining it in a safe condition and ensuring that it does not place a danger to persons or to handling operations.
- b. The maintenance required for ageing of the container shall be the responsibility of the owner.
- c. Repairs required to correct damages resulting from accidents or misuse or handling shall be the responsibility of the party who caused such damages.

Article 11:

Containers manufactured locally shall be approved after ensuring that the operational requirements have been examined and tested throughout all manufacturing stages in accordance with the provisions of Annex II of the Convention including the lifting capability while loaded or empty, impact of internal and external forces and stacking positions onboard and in port.

Article 12:

- a. Containers shall be approved in accordance with the requirements of Annex I, Chapter I, Regulations I, II, III, IV, V, VI, VII of the Convention and its amendments.
- b. Approval of new individual container shall be granted if the container meets the requirements of Regulation VIII / Annex I of the Convention.

- c. Approval of existing and new containers, not approved at time of manufacture, shall be granted if they meet the requirements of Chapter IV, Regulations IX,X of Annex I of the Convention.
- d. Approval of modified containers shall be granted if they meet the requirements of Chapter V , Regulation XI of Annex I of the Convention.

Article 13:

Approval of structural safety requirements and tests for containers shall be granted by the Authority if the requirements of Annex II of the Convention and its amendments are duly met.

Chapter IV
Conditions of Licensing Organisations/Companies
Entrusted to carry out Inspection, Testing or
Maintenance Functions of Containers

Article 14:

Inspection, testing or maintenance functions of containers shall be carried out the Hashemite Kingdom of Jordan through a company or an organisation which is registered and licensed by the following authorities:

- a. The Authority, if the organisations's headquarters are located outside the borders of Aqaba Special Economic Zone, pursuant to these regulations.
- b. Aqaba Special Economic Zone Authority, in coordination with the Authority, if the organisations's headquarters are located within the borders of Aqaba Special Economic Zone, according to Aqaba Special Economic Zone Law No. (32) for the year 2000 and pursuant to the bylaws and regulations issued by its virtue.

Article 15:

The Director shall form a committee from the Authority's employees to carry out the following functions:

- a. Review the submitted instruments and documents of license applications, and the committee is entitled to acquire any instruments or documents it sees necessary for license approval purposes.
- b. Checking on the companies or organisations entrusted with carrying out inspection, testing or maintenance functions of containers and

following-up their compliance with the license terms, conditions and provisions of these regulations.

Article 16:

The Licensee shall carry out the following functions:

- a. Inspection, testing or maintenance of containers.
- b. Providing the documents necessary to prove that the container is safe in accordance with the requirements of the Convention, its annexes and amendments.
- c. Other functions relevant to the inspection, testing or maintenance of containers and conforming with the provisions of the Convention and its amendments.

Article 17:

The maintenance of containers function shall be carried out through a separate license distinct from the functions of testing, inspection or approval of containers or any other marine activities. In addition, maintenance of containers function and other marine activities may not be combined.

Article 18:

The Licensee shall acquire all necessary approvals from the manufacturers which are needed for the repair or maintenance of special types of containers including containers used for carrying dangerous cargo, reefer containers. However, the Licensee may seek equivalent standards provided that they are approved by the Authority.

Article 19:

The Licensee shall carry out his functions in accordance with the provisions of the relevant international conventions and codes, national legislation and marine safety and quality standards.

Article 20:

The terms of granting license for carrying the functions of inspection, testing or maintenance shall be defined as follows:

- a. The Licensee shall be registered as a company or an organisation in the Hashemite Kingdom of Jordan, at the Companies Controller Department in the Ministry of Industry and Commerce or at Aqaba Special Economic Zone Authority.

- b. The paid-up and registered capital shall not be less than (100000) Hundred Thousand JDs for companies or organisations registered outside the Aqaba Special Economic Zone Authority.
- c. The Licensee must have a full time General Manger of Jordanian nationality with the following conditions:
 - Holds the certificate of First or Second Marine Engineer or a bachelor's degree in ship building or mechanical engineering with an experience of minimum (3) three years in the field of container repair or an equivalent technical qualification with an experience of minimum (5) five years in the field of repair or inspection of containers alongwith advanced courses in the same field.
- d. The number of persons employed with the Licensee shall not be less than (5) five including the General Manager. However, the employees involved in the repair, testing and inspection shall be technically qualified and this has to be proved in writing and reported to the Authority.
- e. The Licensee shall carry out his functions at an independent office premises of an area not less than (50) square meters, equipped with a telephone, fax and a connected computer with the internet and a documentation system for inspection, testing and approval purposes.
- f. Providing a workshop equipped with all necessary equipment in accordance with the international standards.
- g. Providing a certified copy of the property title deed policy or the lease contract for the offices of the Licensee.
- h. Providing certified copies of the Establishment Contract listing down in it the shareholders names, the aims of the company/organisation, the registration certificate and a statement duly certified from the concerned authoroites listing the persons authorized to sign on behalf of the company in the administrative, financial and judicial issues.
- i. A copy of the emplyment contract of the employees certified by the concerned authority alongwith a certificate issued by the Social Security Corporation containing the names of the company's/organisation's employees enrolled under the Social Security Corporation's system.

Article 21:

Procedures of granting the license for carrying the functions of inspection, testing or maintenance of containers shall be defined as follows:

1. For companies/organisations with headquarters located outside the borders of Aqaba Special Economic Zone Authority:

- a. Submitting the application to the Authority attaching the documents mentioned in Article (20) above.
 - b. Review and examination of the documents by the Committee mentioned in Article (15) above, and issue of the approval when all the requirements under these regulations are met.
 - c. The Director shall issue the license after the applicant has paid the yearly required fees which shall valid for one year and shall be renewed yearly upon the recommendation of the Committee.
2. For companies / organisations with headquarters located within the borders of Aqaba Special Economic Zone Authority:
- a. Submission of an application to Aqaba Special Economic Zone Authority.
 - b. The application shall be referred to the Authority attaching with it the documents mentioned in Article (20) alongwith the documents required under the Organisation and Control of Registered Corporations Regulations No. (15) for the year 2001 issued by Aqaba Special Economic Zone Authority.
 - c. The Authority shall check on the Licensees's offices and grant the approval after ensuring that all requirements under these regulations and the Organisation and Control of Registered Corporations Regulations No. (15) for the year 2001 issued by Aqaba Special Economic Zone Authority are properly met.
 - d. The work commencement permit shall be issued by Aqaba Special Economic Zone Authority accordingly.

Article 22:

- a. The Authority shall have the right,at any time and with any means available, to make sure that the Licensee is abiding by the provisions of these regulations. The Director may stop the license temporarily or completely cancel it in case a violation to the license terms is committed and that violation is not corrected after the Licensee has been notified within a certain period of time decided by the Director to eliminate the violation.
- b. If a violation of these regulations is committed by a Licensee located in the Aqaba Special Economic Zone, then, the Authority shall notify Aqaba Special Economic Zone Authority of this vialation in order to take necessary measures to stop the permit of cancel it completely.

Article 23:

All companies/organisations previously licensed to carry out the functions of inspection, testing or maintenance of containers in The Hashemite Kingdom of Jordan are invited to adjust their status to meet the requirements and conditions of these regulations within six months of the date of publication in the Official Gazette.

Article 24:

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