

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 Commission by virtue of
Paragraph (k) of Article 9 of Jordan Maritime Commission 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 as of the date of publication in the Official Gazette.

Article (2)

The following words and phrases wherever stated in these regulations shall have the meanings assigned thereto hereunder unless the context indicates otherwise:

The Ministry:	The Ministry of Transport
The Minister:	The Minister of Transport
The Director General:	Director General of Jordan Maritime Commission
The Commission:	Jordan Maritime Commission
The Sea carrier:	The normal or nominal person registered as a company or organization and authorized by the competent authority to practice maritime transport services of goods and passengers whether the transfer was actually carried out by it 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).
Luggage:	The item or cart carried by the carrier under a

contract of carriage.

Contract of Carriage: The contract made by or on behalf of the carrier for the transport of 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) Jordan Maritime Commission if the company's office is located outside the borderlines of Aqaba Special Economic Zone Authority (ASEZA) under the provisions of these Regulations.
- b) ASEZA in coordination with the Commission if the company's office is located within the borderlines of ASEZA in accordance with ASEZA Law No. (32) of 2003 and the regulations and instructions issued pursuant thereto.

Article (4)

The Director shall form a committee from the Commission'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) Check the companies and organizations conducting maritime transport services for goods and passengers and follow up on their compliance with the licensing conditions and the provisions of these Regulations.

Article (5)

The Sea carrier's services for the carriage of goods and passengers of all types shall be defined as follows:

1. Carriage of goods onboard ships owned by the licensee.
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 under the contract of carriage.

Article (6)

Sea carrier's services for the carriage of goods and passengers shall be carried out through a separate activity and license from any other maritime services, provided that the provisions of the Unlawful Competition Law and Trade Secrets No. (15) of 2000 and the Competition Law No. (49) of 2002 and any amendments thereof are complied with.

Article (7)

The Sea carrier of goods and passengers shall comply with the following:

1. All national legislations and laws and the requirements of international conventions relating to the carriage of passengers, their luggage and belongings, determining the liability of the carrier towards the passengers and the obligation to provide commercially viable ships for transporting of goods, passengers and their luggage and belongings.
2. Obtain the necessary approvals from the competent authorities to transport dangerous substances or live animals or plants and comply with the requirements of separating them from the crew and passenger accommodation areas.

Article (8)

The conditions for granting a license to conduct maritime transport services for goods and passengers for companies and organizations based outside the borderlines of ASEZA shall be as follows:

- a) The Sea carrier shall be registered in the Kingdom as a company or organization at the Companies Controller Department in the Ministry of Industry and Trade.
- b) The company's capital shall not be less than (100,000) one hundred thousand Jordanian Dinars.
- c) The sea company must have a full time manager who has to meet the following conditions:
 1. He must be of Jordanian Nationality.
 2. He must have an experience in the field of maritime transportation or shipping not less than:
 - a. Four years if he holds a university first degree.
 - b. Six years if he holds a Community College Diploma.

- c. Eight years if he holds a general secondary school certificate.
- d. The company must have no less than (8) employees including the General Manager.
- e. The company/organization must conduct its services in an independent place with 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 a license to practice maritime transport services for goods and passengers outside the borderlines of ASEZA are as follows:

- a) Submit a registration application for the company or organization to the Ministry of Industry and Trade/ Directorate of Companies specifying the objectives of the company in accordance with Article (5) of these Regulations.
- b) The application for registration shall be forwarded to the Commission for consideration and issuance of the preliminary approval. The license applicant shall be given the form of the license conditions to complete the registration procedures. The Commission may send the license form and issue the initial approval by fax or e-mail.
- c) The license applicant shall submit the duly filled license application form accompanied by the following documents:
 - 1. A certified copy of the Contract of Association stating the names of partners or the name of the owner of the organization, the objectives of the company/organization, the certificate of registration and a certificate showing the commissioners of the management of the company or organization who are authorized to sign on the administrative, financial and judicial matters. It should be duly certified by the Ministry of Industry and Trade.
 - 2. A certified copy of the title deed or lease contract for the Sea carrier's offices.
 - 3. A certified copy of the profession license of the Sea carrier.
 - 4. A copy of the employment contract of each employee working for it certified by the Ministry of Labor and a certificate issued by the Social Security Corporation including the names of employees who are under the employer's social security.

5. The sea carrier's registration number with the Income Tax Department.
 6. Qualifications and experience documents of the General Manager of the Sea carrier.
 7. Payment receipt of the annual fees for granting the work license.
- d) The Commission shall check the location of the company or organization to ascertain that the requirements of the conditions stipulated in Article (9) of these instructions are satisfied and to verify the information contained in the license form.
 - e) The Committee shall recommend to the Director General to issue a work license for the company/organization after fulfilling all the conditions for granting the work license stipulated in these Regulations.
 - f) The Director General shall issue the work license for the marine surveyor after paying the annual fees prescribed for one year and it shall be renewed annually after the Committee conducts the annual check on the licensee and ensure its compliance with these instructions.

Article (10)

The Commission may, at any time, ensure that the company complies with the provisions of these regulations and the Director General is entitled to temporarily suspend or cancel the license in case of violation of the conditions of granting the license and not removing the violation within the period specified by the Director General.

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.