

REGULATIONS for Conducting HARBOR MASTER Functions for the year 2014

**Issued by the Board of Directors of Jordan Maritime Commission, by
virtue of paragraph (K) of Article (9) of Jordan Maritime
Commission Law No. (46) for the year 2006 and its amendments.**

Article (1)

These regulations shall be named (REGULATIONS for Conducting HARBOR MASTER Functions for the year 2014) and shall come into force on the date of publication in the official Gazette.

Definitions

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 Ministry:	The Ministry of Transport
The Commission:	Jordan Maritime Commission
The Organization:	Port Authority or any other entity to replace it
Port Management Company:	The Operator of any port established or yet to be established in the Area for the management and operation of port operations within the limits of the port it occupies
Tugboats and Pilotage Service Provider:	The entity entrusted with the provision of tugboats and pilotage services for ships in the territorial waters
The Director General:	The Director General of Jordan Maritime Commission
Harbor Master:	The employee assigned to carry out the tasks stipulated in these Regulations and other relevant legislation
The Port:	Port of Aqaba
The Admiralty:	British Bureau of Marine Maps
The Committee:	The Freedom of Communication Committee (Pratik) formed under these Regulations
Marine Agent:	A legal person registered as a company or an organization licensed by the competent authority to practice marine agency services.
Territorial Waters:	Jordanian Territorial waters are demarcated by the position zero at the Red Sea Northeast coast of Aqaba Gulf, where the marine borderline extends vertically on the longitude line, which crosses the zero point and extends toward the west for 2.84 Kilo Meters, where it

meets the line dividing Aqaba Gulf into two halves, and from that point this line tracks the marine borderline, which divides the Gulf and extends toward the south at the last point, to be vertical on the borderline of the Saudi Arabia Kingdom, at the east coast, facing Durrah Border Center.

The Marina: Is the place of temporary anchoring of ships to enter the berths for loading and unloading or any other purposes permitted by the Commission

Waiting Area: The temporary waiting area for ships to enter the berths for loading and unloading, with the ship's engines in standby mode.

Buoys: A floating body on the surface of the sea of various forms fixed to the bottom of the sea, to be used as navigational guides to connect the ships on it and to identify port entrances.

The Ship: Any seaworthy, floating, and self-propelled facility of any kind, designation or load. All accessories necessary for the exploitation of the ship are considered a part of it. The ship shall be considered small if it is not more than 24 meters long

Management Company: The legal person who manages the ship.

Maritime Protest: A statement, declaration or proof of a case submitted by the ship's master to the Harbor Master when the ship is exposed to an abnormal maritime incident during its voyage, provided that it is submitted within 24 hours from the time of entry of the ship to the territorial waters.

Article (3)

A committee called the Freedom of Communication Committee (Pratik) shall be formed. It shall consist of representatives from both the Commission and the Jordanian Customs in addition to the ship's marine agent whose mission is to facilitate the tasks of the committee.

Article (4)

The Committee shall undertake the following tasks:

1. Boarding the ship and inspecting the following certificates by the Commission's representative:
 - a. Registration Certificate of the ship to ensure its validity and legality.
 - b. International health certificate and ensure its validity.
 - c. International Maritime Security Certificate for the ship and its validity.
 - d. Certificate of DWT and total tonnage of the ship.

- e. Vaccination certificates for crew members against communicable and infectious diseases.
 - f. International Ballast Water Management Certificate and Ballast Water Records and ensuring their validity.
 - g. Civil Liability Certificate for Oil Tankers (CLC).
 - h. Any other relevant certificates required by the Commission.
2. Inspecting the following places:
- a. Crew accommodation and bathrooms and ensuring their cleanliness.
 - b. Food storage areas and refrigerators, and their cleanliness and suitability for storage.
 - c. Kitchens and restaurants and their cleanliness.
 - d. Clinic and drug store and checking the expiry dates of the drugs found in the drug store.
 - e. Ensure that drugs and anesthetic drugs are stored in a safe place under the master's control.

Article (5)

1. The arrangements for granting the freedom of communication (Pratik) shall be made before the ship enters the port area.
2. Any ship arriving in the territorial waters shall request the Commission to grant it freedom of communication permit (Pratik) prior to making any contact with any other party in normal circumstances.
3. The Marine Agent shall request the Freedom of Communication Committee (Pratik) to board the ship for inspecting it and granting it the freedom of communication (Pratik).
4. If, during the performance of its work, the Committee finds that an additional technical inspection of the ship is required, it shall inform the Directorate of Technical Affairs and Marine Safety in the Commission to carry out the requested inspection.
5. The ship shall not be granted the freedom of communication permit (Pratik) unless all the necessary requirements for granting such permit have been completed in accordance with the models issued by the Commission in this regard.

6. The freedom of communication permit (Pratik) shall not be granted to any ship which the Commission finds to be coming from an infected area or carrying on board any person suspected of carrying a particular disease, except after taking the necessary measures by the concerned authorities.

Article (6)

If, after inspection of the ship's health certificates, it is found to be invalid, the ship's agent must submit a formal request to the Commission to issue a health certificate to the ship as required.

Article (7)

In order to regulate the movement of ships in the territorial waters, the following shall be done, taking into consideration the regulations governing the entry and departure of ships into Jordanian territorial waters and the regulation of maritime communications and ship traffic services (VTS):

- a) Ensure the provision of appropriate navigational aids for the VTS for the safe movement and maneuvering of ships at the port. Provide these ships with information and guidance on the movement of ships in the port, as well as the type of service provided by the VTS and its appropriate publicity through navigation brochures issued by maritime communications and the coastal station.
- b) Take the necessary measures in coordination with the concerned authorities to ensure the safety of navigation to avoid marine accidents and preserve the marine environment.

Article (8)

- a) The Commission maintains daily official records for the entry and exit of ships into and out of the territorial waters.
- b) The movement of ships to and from the marina area or in the waiting area shall be followed, provided that the following requirements are met:
 1. The instructions to grant the freedom of communication stipulated in Article (3) of these Regulations shall be applied to all ships by allowing them to enter the territorial waters unless prior notice preventing this is given.

2. No ship shall be permitted to enter the territorial waters unless prior notice is given by its agent.
3. No ship shall be allowed to enter the territorial waters or line up on the docks if the Commission finds that it constitutes a danger to the environment or safety of navigation or in the case of prior information or complaints from the official authorities in this regard. In case of emergency, the ship may be moved from one dock to another to remedy the observations if they occur while the ship is in the berth and that shall be at the expense of the operator (or the ship owner).
4. No ship shall be permitted to carry out any maritime work if it is not securely tied-up at the dock.
5. To ensure the safety of navigation and the marine environment, the Harbor Master shall be informed of any drilling or construction of any facilities in the territorial waters and coastal areas near the docks of the port and the movement of ships and tugboats. This should be carried out only after the necessary official approvals have been issued by the relevant authorities.
6. During the period of its presence on the docks or in the marina area, ships shall not be allowed to use the Propeller or forward and aft thruster except after notifying the Harbor Master.
7. The ship's master shall inform the Harbor Master in the event of any malfunctions or accidents on ships during the loading and unloading operations, the maneuvers of entry and exit from the berths, anchor's departure, in the waiting area or any criminal acts occurring on the ships.
8. Ships are prohibited to carry out any of the following acts within the territorial waters:
 - a. Cleaning of ships exhaust by steam (Soot Blowing)
 - b. Using incinerators to burn waste oil and wastes
 - c. Throwing or pumping any harmful substances from the ship into the sea.
 - d. Performing any maintenance work or paint on external surfaces except after the prior approval of the Harbor Master.

- e. Landing of any lifeboat for any purpose without the prior approval of the Harbor Master.
9. It is prohibited to sterilize ships or goods on the docks or in the marina area unless the prior consent of the Harbor Master has been obtained and after submitting the ship's master approval of the sterilization procedure through a company accredited by the Commission to carry out the sterilization.
 10. It is prohibited to enter or board ships that have been sterilized prior to obtaining a certificate from the competent authorities stating that the accommodation and cargo passages on the ship are free of gases.
 11. It is prohibited to carry out maintenance work on heat or shearing in exposed places on the following ships, except after the prior approval of the Commission and providing a certificate proving the it is free of gases:
 - a. Oil and gas tankers on the docks assigned to them as well as the refueling platforms.
 - b. Ships carrying cargo that reach their flash point up to (55) degrees or less.
 - c. Reservoirs with an oxygen content greater than 8% or 20% higher than the minimum value of flammable gas limits.
 12. It is prohibited to use wireless and electronic communications devices on the deck of ships.

Article (9)

For securing safe queuing of ships in the berths, coordination with the port management company and the tugboats and pilotage service provider shall be carried out to identify and update the water depths in the berths and to instruct them to maintain the approved depths.

Article (10)

Oil and gas tankers, chemicals tankers or ships carrying dangerous goods are not allowed to cross the area opposite to the common berth except in specific cases after the approval of the Harbor Master and after the provision of safety conditions.

Article (11)

The Harbor Master shall maintain a special and a regular record on the operation of navigation aid in the port periodically, while working to address the Admiralty to update the navigation maps in the event of change or development of new places in ports for navigational aids and buoys.

Article (12)

For the purposes of applying marine security rules and requirements, the Harbor Master shall:

- a. Cooperate and coordinate with the relevant authorities to enhance the necessary procedures to deal with the security situations according to each level in accordance with the applicable Regulations, in order to fully implement the requirements of the International Ship and Port Facility Security Code (ISPS Code) based on the security plan and security assessment of these facilities.
- b. Follow up the implementation of plans to deal with marine accidents, develop contingency plans and perform exercises on a periodic basis.

Article (13)

To ensure the safety of navigation and preserve the marine environment and coastal installations within the territorial waters and marinas during the tugboat operations, the Harbor Master shall ensure the following:

1. Permanent and round-the-clock monitoring using all navigational equipment available on ships and marine facilities inside the ship waiting area and the Marina area, or during tugboat and pilotage operations to ensure the safety of navigation within the territorial waters and prevent recreational and fishing boats and other small boats from being in the ships maneuvering areas or near the docks.
2. Boats and ships must comply with the speed limits prescribed by the Commission.
3. Monitor and supervise the frequencies of distress messages received from ships and coastal stations and take the necessary actions.
4. Follow up the search and rescue operations inside and outside the territorial waters and coordinate with the relevant authorities to carry out the search and rescue operations and assistance.
5. Communicate with the Department of Meteorology to get updated information about the prevailing weather conditions, circulate the weather bulletin to ships

- in the port and send navigational warnings to ships in bad weather conditions, while keeping these bulletins in special records for this purpose.
6. Follow-up tidal conditions throughout the year and calculate them if possible to take the necessary precautions accordingly.
 7. Send navigational warnings to ships in case of emergency, including accidents and special marine exercises.
 8. Follow up the arrival of ships to the port by means of the arrival notices submitted to the Commission by the marine agents or by the actual position and movement of the ships to the port.
 9. Follow-up the procedures for unloading and loading of dangerous goods and ensure their safe storage in coordination with the port management companies and other relevant authorities.
 10. The Harbor Master shall have the right to board the ship and take the necessary actions and measures in cases of emergency in which the ship poses a threat to life, installations, marine safety and security and marine environment, this includes the non-application of safe manning requirements.
 11. Ensure that all ships entering the territorial waters raise the Jordanian flag in an appropriate and clear manner.
 12. Coordinate with the relevant authorities in cases of infiltrators on ships and in any other similar cases.

Article (14)

In order to grant the ship permission to leave the territorial waters:

1. The ship's agent shall submit a request to the Harbor Master to grant the ship permission to leave the territorial waters.
2. The communications officer on duty shall ensure that there is nothing to prevent the ship from traveling in coordination with the relevant authorities by providing the following documents:
 - a. Approval of the Ports Authority to leave.
 - b. A no objection to travel letter from the relevant port management company.
 - c. Approval of Aqaba Port Marine Services Company
 - d. Ensure that there is no judicial reservation on the ship issued by a competent court.

- e. Ensure that there is no technical reservation on the ship by the Commission.
 - f. Permission to sail from the Jordanian Customs.
3. A departure permit for the ship shall be organized according to the model prepared for this by the Commission, at least two hours prior to the time of boarding the ship.
 4. In case the ship does not leave within two hours of issuance of the departure permit, such permit shall be deemed null and void and shall be returned by the marine agent with the ship registration certificate until the completion of the travel procedures.
 5. A copy of the departure permit shall be kept with the Harbor Master.

Article (15)

The maritime protest submitted by the ship masters for ships exposed to a maritime incident shall be ratified by a formal request from the captain or its marine agent to the Harbor Master within twenty-four hours of the ship's entry into the territorial waters as follows:

1. The application shall be submitted in three copies.
2. Provide a copy of the ship's log book pages related to the date of the event.
3. The copy should be matched with the original version of the daily ship's log book.
4. A copy of the arrival confirmation shall be attached to the application.
5. Payment of the prescribed fees and attaching the receipt with the application.
6. The ratification shall be given a serial number.
7. The ratification shall be valid for six months.

Article (16)

The provisions of the national legislation in force in the Hashemite Kingdom of Jordan shall apply to any violation of these Regulations.