

# **Regulations for Ship Registration 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 Ship Registration 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:

<b>The Commission:</b>	Jordan Maritime Commission
<b>The Organization:</b>	International Maritime Organization.
<b>Directorate:</b>	Directorate of Ship Registration and Seafarers Affairs
<b>The Director:</b>	Director General of Jordan Maritime Commission.
<b>The Ship Registrar:</b>	Director of the Directorate of Ship Registration and Seafarers Affairs
<b>Jordanian Territorial Waters:</b>	Jordan 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
<b>The Ship:</b>	Any seaworthy, floating, and self-propelled facility of any kind, designation or load. All accessories necessary for the exploitation of the ship is considered a part of it. The

vessel shall be considered small if it is not more than 24 meters long.

<b>The ship in the construction phase:</b>	The vessel which has not yet acquired the description of the ship.
<b>Marine Inspector:</b>	The person authorized by the Commission to inspect the ship and/or the goods shipped on it to confirm the status of either of them to any party that requests doing so.
<b>Authorized Person:</b>	The commission's staff member authorized to carry out the functions entrusted to him by its law.
<b>The ship's furnisher:</b>	Any person who invests in the ship for his account as owner, operator, manager or tenant. The owner shall be considered a furnisher unless proven otherwise.
<b>Ship's Manager:</b>	The person designated by the owner or charterer of the ship to manage and technically equip it.
<b>Shipowner:</b>	The person who the ship is registered by his name in the ships' register and who the registration certificate is issued in his name.
<b>A bareboat lease contract:</b>	A contract under which the lessor undertakes to enable the lessee to benefit from a non-equipped ship for a specified period.

## **Ship Registration**

### **Article (3)**

- a) The ship registrar shall have a general registry for the registration of all Jordanian ships and all legal acts.
- b) The Commission shall appoint a Ship's Registrar and shall specify its duties and powers to carry out the ship registration process as follows:
  1. Ship's Registrar Duties:
    - Supervising the paper-based and electronic public records;

- Supervising the preservation of copies of ships title deeds;
- Signing the title deeds;
- Supervising the issuance of title deeds; and/or
- Other related tasks.

2. Ship's Registrar powers:

- Inspection of ships to be registered;
- Registration of ships;
- De-listing of ships;
- Transfer of ownership of ships;
- Mortgage or seizure of ships;
- Modifying of the title deeds.

3. Requirements to be met in the ship registrar:

- Academic qualification: Masters of Maritime Administration, High-Sea Master or Chief Marine Engineer with at least 10 years' experience in the field of work or any other relevant qualification if the previous qualifications are not available.

In addition to obtaining:

- Specialized courses in the implementation of training and marine education agreements.
  - Specialized courses related to ship registration.
  - Specialized courses in the fields of ship seizures, marine leases, marine charter contracts, marine charter party and maritime transport economics.
  - Any course in the Directorate's area of work.
- Knowledge, skills and capabilities:
- Full knowledge of the laws and regulations governing the work of the Maritime Commission and the International Maritime Organizations.

- High capacity for decision-making, judgment and acting quickly.
- High skill in communication and negotiation.
- High skill in organization and coordination.
- Proficiency in English.
- Good knowledge of using computer in the field of work.

#### **Article (4)**

- a) Each Jordanian vessel registered with the Commission shall have a serial number in the register records assigned to it in the Directorate and each of its pages shall be stamped and signed by the Ships Registrar.
- b) The record is divided into sections according to ships types and specifications.
- c) For protecting ships, the Directorate shall include all ships data, descriptions and dimensions in the Register and shall keep paper and electronic documents in a safe and specific place at the Directorate.

#### **Article (5)**

- a) Each vessel shall have the right to be registered under the Jordanian flag in any of the following cases:
  - To be owned by a Jordanian citizen and through a management company for operating purposes;
  - To be owned by a company, person or persons with an authorized representative to manage the ship in Jordan;
  - If a non-equipped ship is chartered by a normal or nominal person who has a representative to manage the ship in Jordan, after obtaining the consent of the flag State of the ship to cancel its previous registration before commencing the new registration.
- b) The Ships Registrar may refuse to register any ship in any of the following cases while giving the reasons for the rejection in writing:

- If its technical status does not meet the requirements of the applicable legislation and international conventions relating to ship security, maritime safety and protection of the marine environment.
- If it does not have the required legal and proof documents.
- If a seizure or mortgage has been found on the ship or there is a judicial dispute regarding its ownership.
- If the ship does not have a clearance of the financial claims.

### **Article (6)**

The shipowner or his authorized representative shall provide the following for registration:

- An application to register the vessel directly or through a company accompanied by a duly filled registration form to the Maritime Commission. If the ship is owned by a company or several partners, the registration application shall be submitted by the duly authorized person representing all of them, including the following:
  1. Ownership shares of the ship and ownership manner.
  2. A declaration of the ship's validity for registration.
  3. Identify any restrictions related to the ship.
- Official certificate of the ship's de-listing (Write-off Voucher) from the previous ship register in which the ship was registered.
- The title deed of the ship or the duly certified sale contract.
- A certificate proving that the ship is free of mortgages, financial claims or taxes from the previous flag State.
- A recent technical report from a Classification Association approved by the Commission, its issuance date is no later than 3 months, or a technical

- inspection of the ship by the ship registrar to verify the technical status of the ship prior to the registration if the ship registrar considers it necessary.
- Allocating a radio certificate and a call signal to the ship from the Telecommunications Regulatory Authority (TRA).
  - Fill out the registration application form with the necessary data and information accompanied by the originals of such data and documents or duly certified copies as required.
  - All documents referred to in this Article shall be duly certified.

#### **Article (7)**

- a) The ship may be registered temporarily for a period of 3 months until the conditions stipulated in Article (6) of these Regulations are fulfilled except for the title deed, provided that the legal fees are paid and the shipowner confirms that it is seaworthy along with the supporting documents, whether it is a ship in the construction phase or a working ship, after submitting the documents proving its inspection by a marine inspector.
- b) For a reasonable reason based on the judgement of the registrar, the period of temporary registration may be extended for further periods not exceeding a maximum of one year.

#### **Article (8)**

- a) The shipowner shall, within the period of temporary registration, submit all the necessary documents mentioned in Article (6) of these Regulations duly certified to complete the procedures of permanent registration.
- b) The shipowner shall, within the same period stipulated in Article (7) of these Regulations, prove that the registration certificate of the ship has been written-off the records of the previous flag State.

#### **Article (9)**

The ship may not be mortgaged, sold, donated or leased during the temporary registration period unless the ship is under construction.

#### **Article (10)**

#### **Article (11)**

Notwithstanding the provisions of Article (9) of these Regulations, if the ship Registrar finds, for reasonable reasons, that the shipowner has not been able to complete the requirements of permanent registration during the period of temporary registration, the ship registrar may re-register the ship upon a new written request from the owner for a period of (6) months, not extendable.

#### **Article (12)**

The owner, furnisher or Master of the registered ship shall notify the ship registrar of any change in the form and content of the certificates and documents already submitted to the Commission within 30 days from the date of any change.

#### **Article (13)**

- a) The ships register's record shall include the following information:
- Ship name, and if there is more than one ship with the same name, the name shall be attached to a serial number.
  - Registration Port.
  - Ship number at the Organization(IMO).
  - Ship Calling Code.
  - Ship registration number in the ship register.
  - Previous registration number, date and port.
  - Date and place of the ship construction.
  - Name and address of the shipyard.

- Types of propulsion engines and thrust force.
  - Ship type.
  - Ship dimensions and submersibles.
  - Gross and net tonnage of the ship (excluding ships exempted from the load measurement certificate).
  - Name, nationality, legal address and chosen home country of the owner(s), and if the ship is owned by a company or a group of companies, the name of the company's management office shall be listed with the shares and equities of the owners.
  - Name, nationality, legal address and chosen home country of the shipowner; in case of a company or group of companies, the name of the company's head office shall be included.
  - Name, nationality, legal address and chosen home country of the ship's manager, and if it is a company or group of companies, the name of the company's head office shall be included.
  - Reasons for de-listing of the ship's registration, if any.
  - Any mortgage, seizure or insurance of debt on the ship, if any, and all data relating to such mortgage, seizure or debt.
- b) The ships registrar shall, in case of the registration of a ship, publish an announcement stating the registration data of the ship listed in paragraph (a) of this article in a daily local newspaper at the owner's expense. The announcement should also be posted on the panel dedicated to ads in the Commission.

#### **Article (14)**

- a) Any interested party may file a written objection regarding the registration of the ship with the ship registrar within a period of (30) days from the date of publishing its registration announcement.



- b) In case of non-objection, the registration shall be final, and the ship registrar shall, immediately after the expiry of the period of objection mentioned in the preceding paragraph, register all the ship's data in its registration records, which shall not preclude the objector's right to sue the applicant.

#### **Article (15)**

- a) The Director General shall receive the written objections submitted regarding the registration of ships. The submission of such objections shall result in the suspension of the registration procedures. The objector may resort to the competent court within eight working days following the expiration date stipulated in Article (13) of these Regulations and notify the Commission accordingly.
- b) If the objector does not notify the Commission in writing of the official reasons for resorting to the competent court within (15) working days following the date of expiry of the period stipulated in Article (13) of these Regulations, the objection shall be deemed invalid.

### **Ships De-listing**

#### **Article (16)**

The Ships Registrar shall de-list the registration of any registered ship in any of the following cases:

- If the shipowner listed in the registration records submits a written request to the Commission.
- Loss, destruction or confiscation of the ship.
- If the ship is seized or captured by the enemy.
- If the ship has lost one of the conditions of its registration under Jordanian flag in accordance with the provisions of Article (5) of these Regulations.

- If the ship failed to comply with the legislation in force and the requirements of the international maritime conventions, which poses a danger to the health and safety of its crew, passengers and others, as well as the security and safety of the ports it reaches and the protection of the marine environment where it sails.
- If the ship failed to comply with the procedures and precautions necessary to prevent a threat to maritime security.
- If the ship failed to comply with the procedures and time limits specified in these Regulations.
- Failure to pay the fees incurred by the ship or failure of the shipowner to pay the fines imposed as a result of violation of the provisions of the Commission's law and the regulations and instructions issued pursuant thereto within period more than three months from the date this payment is due and failure to take legal action in respect of these fines.

#### **Article (17)**

If the ship lost one of the conditions of its registration under the Jordanian flag mentioned in Article (15) of these Regulations, the shipowner or its representative shall notify the Commission in writing within thirty days from the date of loss of one of these conditions and should return the ship's registration certificate to the Commission, or provide evidence of the damage or loss of this document.

#### **Article (18)**

Notwithstanding the provisions in the preceding Article, the write-off voucher of the ship shall not be delivered to its owner unless he has settled all the rights and obligations arising therefrom.

#### **Article (19)**

If there are rights holders proved in the ship's registry:

- a) The Ship Registrar shall, before issuing a de-listing decision, notify the rights holders and defer the execution of the de-listing of the ship for a period of 30 days from the date of their notification.
- b) In case the ship is legally transferred, the ship registrar must de-list it from the registry without having to inform the rights holders.

#### **Article (20)**

The registration of the ship shall be canceled when there is a supreme national interest by a reasoned decree of the Council of Ministers, and the right holders of the ship shall be notified thereof.

### **Registration of ships rights**

#### **Article (21)**

Any agreement to transfer the ownership of the ship or the establishment, transfer, sale, modification, seizure, expiry, destruction, or omission of any inalienable right or any judicial decision acquitted of a peremptory degree shall not have any legal effect on the ship and shall be considered invalid if it had not been registered in the ships registry.

#### **Article (22)**

The provisions of the Jordanian Maritime Trade Law in force concerning the registration of ships shall apply to anything not specifically provided for in these Regulations.