

Regulations for the Application of the International Convention on Tonnage Measurement of Ships (TONNAGE), 1969 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 the Application of the International Convention on Tonnage Measurement of Ships (TONNAGE), 1969 for the year 2014) and shall come into force on the date of their 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 Commission:	Jordan Maritime Commission
The Organization:	The International Maritime Organization.
The Administration:	Maritime administration in the government of the Flag State
The Convention:	the International Convention on Tonnage Measurement of Ships of 1969
The Certificate:	The International cargo certificate issued under the provisions of the Convention
Regulations:	Regulations attached to the Convention
International Voyage:	A cruise from a country to which the Convention applies to a port outside this country or vice versa. Each territory is responsible for its international relations or for which the United Nations assumes the administrative authority of a separate country.

Total Tonnage:	The dimensions of the total tonnage of the vessel measured in accordance with the provisions of the Convention.
Net Tonnage:	The dimensions of the useful capacity measured in accordance with the provisions of the Convention
New Ship:	KEEL or a similar stage of construction on the date of entry into force of the Convention or after such date for each Contracting State.
Existing Ship:	A ship that is not considered a new one.
Length:	Equivalent to 96 percent of the total length of the water line at 85 percent of the minimum formed depth of the top of the Keel, or the distance between the front side of the bow of the ship and the rudder axis on the water line mentioned if this distance is greater. In the ships designed with an inclination in the Keel, it is necessary that the water line on which this length is measured be parallel to the design water line.

Application

Article (3)

1. These Regulations shall be applied in accordance with the provisions of the Convention to the following ships engaged in international Voyages:
 - a. ships registered in a country Party to the Convention;
 - b. ships registered in territories to which the provisions of the Convention are applied in accordance with Article 20 of the Convention.
 - c. Unregistered ships flying the flag of a State Party to the Convention.
2. These Regulations also apply to the following Ships:
 - a. New ships.
 - b. Existing ships subject to modifications or alterations that the Administration deems to be a material change in its Total Tonnage.

- c. Existing ships if their owners request it.
- d. All existing ships, twelve years after the date of entry into force of the Convention provided that such ships retain, except for items (b) and (c) of this paragraph, at that time, their tonnage for the purpose of applying the relevant requirements of the Convention.

Determination of Tonnages

Article (4)

1. The Commission shall determine the total and net tonnage of the vessel. It may, however, assign accredited Classification Associations to this end. In any case, the Commission shall bear full responsibility for determining the total and net tonnages.
2. The tonnages of existing ships to which the provisions of the Convention apply shall not be subsequently determined in accordance with the requirements applied by the Administration to ships engaged in international voyages prior to the entry into force of the provisions of the Convention.
3. The total net tonnage of the new types of ships with structural characteristics that make the application of the provisions of these instructions unreasonable or impractical shall be determined by the Commission. In determining such Tonnage, the Commission shall inform the Organization of the details of the method used for this purpose for dissemination to the Contracting Governments for their consideration.
4. If the ship undergoes significant changes or modifications as the Commission deems necessary, such as removal of the upper structure, this requires modification of the designated loading line.

General obligations

Article (5)

The Commission shall implement the provisions of the Convention and its annexes which form an integral part thereof and any reference to the Convention shall be considered a reference to its annexes.

Force majeure cases

Article (6)

The ship's deviation or delay resulting from force majeure such as the weather conditions should be taken into consideration while applying the Convention.

Certification

Article (7)

1. The Commission may, at the request of a Government Party to the Convention, determine the total and net Tonnages of the ship and grant or delegate an entity to grant the certificate in accordance with the provisions of the Convention.
2. The Commission shall promptly provide the Government referred to in the preceding paragraph of this Article a copy of the certificate and a copy of the Tonnage calculations.
3. The certificate issued under paragraph (1) of this Article shall contain the following data:
 - a) A proof that it was issued at the request of the Flag State Government or the future Flag State Government.
 - b) A proof that it enjoys the same legal power as a certificate issued by the Commission for a Jordanian ship and that it enjoys the same degree of recognition.
4. The certificate may not be granted to any ship flying the flag of a State not party to the Convention.
5. The international cargo certificate (1966) shall be granted to each ship whose gross and net tonnage has been determined in accordance with the Convention.
6. This certificate shall be granted by the Commission or by the bodies accredited by it for this purpose. In all cases, the Commission shall bear full responsibility for issuing the certificate.

Revocation of Certificates

Article (8)

1. Considering the exceptions stipulated the Convention's regulations, the Commission shall revoke the certificate when making any modification to the organization, construction, capacity or use of the ship, the total number of passengers licensed to be carried according to the ship's passengers certificate, the specified loading line of the ship or the allowed submersible pump which necessitates increasing its total or net Tonnage.

2. If the ship has transferred its flag to a State not party to the Convention, the certificate issued by the Commission shall lose its validity.
3. If the ship has transferred its flag to a State Party to the Convention, the Government of that Party shall, as soon as possible, provide the Commission with a copy of the certificate that the ship was carrying with the date of its transfer, as well as a copy of the relevant tonnage calculations. The certificate shall remain valid for a period not exceeding three months from the date of transfer or until the Commission issues another certificate to replace it, whichever is earlier.
4. In case of certificate revocation as mentioned above, the new certificate shall be issued based on a new inspection according to the fundamental procedures considering the modifications made.

Measurement and calculations

Article (9)

1. All the measurements used to calculate the volumes are rounded to the nearest centimeter or to one on twenty feet.
2. The volumes shall be calculated using generally accepted methods of the place concerned and with acceptable accuracy from the Commission.
3. The calculations must be sufficiently separate to facilitate the audit.

Acceptance of Certificates

Article (10)

Any certificate issued by a Government Party to the Convention shall be accepted by the Commission and shall be considered to have the same competence as the certificate issued by the Commission.

Inspection

Article (11)

1. Any ship referred to in Article 12 of the Convention shall be subject to inspection by the Commission upon entering the port of Aqaba to ensure that the certificate is in conformity with the ship's specifications.

2. The Commission shall not delay the ship without justification when conducting the inspections.
3. The Commission shall, when there is a difference between the specifications of the ship and the contents of the certificate, promptly notify the flag State of the ship.

Transmission of Information

Article (12)

The Commission shall send to the Organization:

1. Sufficient numbers of its certificates issued under the provisions of the Convention for circulation to the States Parties to the Convention.
2. Texts of laws, regulations, instructions and resolutions relevant to matters under the framework of the application of the Convention.
3. A list of non-governmental entities authorized to act on behalf of the Commission in matters relating to the measurement of tonnages for circulation to the Parties of the Convention.

Article (13)

The provisions of the Convention shall apply to all matters not expressly provided for in these Regulations.