

Regulations for Safe Containers

Pursuant to the provisions of the International Convention for Safe Container 1972 and its amendments

The Board of Directors of Jordan Maritime Commission in the Hashemite Kingdom of Jordan:

- On the basis of the powers vested in The Board by virtue of Maritime Commission Law No. (47) for year 2002, paragraph (k) of Article (9);
- And by virtue of the Cabinet resolution No. 2673 dated 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 pursuant to the provisions of Article IV of the International Convention for Safe Containers 1972 and its amendments;
- And by virtue of the provisions of paragraphs (e) and (i) of Article V of Jordan Maritime Commission Law for the year 2002;
- And upon the recommendations of the Director General of Jordan Maritime Commission;

Has decided as follows,

Chapter One 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: Ministry of Transport

Minister: Minister of Transport / Chairman of the Board of Directors of Jordan Maritime Commission.

Director General: Director General of Jordan Maritime Commission

Commission:	Jordan Maritime Commission
Port:	Port of Aqaba
Organization:	International Maritime Organization
The Convention:	International Convention for Safe Containers 1972 and its Amendments issued by the Organization.
Administration:	The maritime administration in the government of a contracting party to the Convention which approves the containers under its authority. In Jordan it is Jordan Maritime Commission
Marine Inspector:	The person licensed by the Commission 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 Organization:	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 organization who is licensed to carry out the functions of container maintenance, testing and inspection in the Hashemite Kingdom of Jordan
The Technical Workshop:	The allocated place for executing technical works of inspection, maintenance and repair of containers, which is equipped with the necessary technical equipment for the required work.
The Container:	It is a unit of cargo transport equipment suitable for repeated use with sufficient durability for handling in ports and on vessels specially designed for the carriage of cargo by several means of transport without intermediate reloading, in order to be fixed and/or handled quickly and to have corner equipment for these purposes, the size of the space is confined to the four outer pillars of either: <ol style="list-style-type: none"> 1) At least 14 square meters (150 square feet) or 2) At least 7 square meters (75 square feet) if fitted with upper corner equipment. The term container does not include vehicles or packaging but includes containers carried on chassis.
Accreditation:	The administration's decision to adopt the safety of a design of a container or an existing container under the provisions of the Convention.

New Container:	A container that was built on or after the date of entry into force of the present Convention
Existing Container:	A container that is not considered a new one.
Owner:	The owner of the container in accordance with the legislation in force of a party to the Convention, or the lessee or depositor thereof, if there is an agreement between the parties stating that such a tenant or depositor has the responsibility of the owner to maintain and inspect the container.
Container Safety Approval Plate:	A metal plate affixed to the container containing its data in accordance with Regulation 1, Chapter I, Annex I of the Convention.

Article (3)

These Regulations shall be applied to new or existing containers which are used in international maritime transport and which pass through the Jordanian ports by sea or land.

Article (4)

The container shall be approved by the Commission upon the submission of a written request from the container's owner and shall be notified in writing of the authorization granted to install the container safety plate. The Commission may accept an authorization granted for the safety of a container issued by another maritime administration under the convention.

Chapter Two

Inspection, check-up and approval of containers

Article (5)

The Commission shall, through the committee established under Article (15) of these Regulations, supervise the following:

- a. Licensee who carry out maintenance and repair of containers.
- b. The accredited entities of the Commission who carry out the inspection and check-up of the containers and their licensees such as a company, institution or body approved by the Commission. The accreditation procedures include the following:

1. Ensure that the container is inspected in accordance with the international standards stipulated in the Convention, its annexes and amendments.
2. Ensure the effectiveness and efficiency of the inspection process by an accredited organization or company.
3. Provide the necessary conditions of the accredited body to ensure inspection and check-up of the container as well as the issuance of the container safety plate for each inspected container and any other documents required by the Convention.
4. Ensure periodic reports on inspection, check-up and accreditation of containers.

Article (6)

Subject to provisions of Article (4), the containers shall be subject to these Regulations, the Convention, its amendments and annexes and shall be subjected to inspections and check-ups specified in the Convention and its annexes for ascertaining the existence of the container safety plate, the issuance of the container safety certificate or its renewal as well as any additional inspection or check-up stipulated in the Regulations, the Convention and its annexes.

Article (7)

Containers arriving at the Jordanian ports shall be subject to a set of technical control, check-up and inspection procedures to assess the safety of their structure and the durability of their parts for handling in ports and transporting them on board commercial vessels as follows:

- a. Carry out an initial inspection to ensure that the safety plate is on the container.
- b. Conduct an initial inspection on the container to ensure the safety of its structure and its ability to withstand the stresses of handling onboard the vessels and in ports.
- c. If it is proved through the preliminary inspection in accordance with paragraph (b) of this article that there is a defect or clear evidence that the container poses a danger to the safety of persons, handling and/or transporting them on vessels or port equipment then it should be stopped, and a detailed inspection and maintenance operation shall be carried out to return them to a safe and proper situation before being returned into service.
- d. If the container cannot be maintained and returned to a safe and proper position for handling and/or transporting it on vessels or port

equipment, it shall be suspended from service and the administration that issued the accreditation for the container should be notified.

Article (8)

In order to approve or assign any entity to carry out inspection, check-up and certification for the container, it is necessary to provide a detailed description of the work that will be assigned to it in accordance with international standards as well as provide a proof of their technical capacity and rehabilitation and the availability of all financial and human resources and quality system to carry out these tasks.

Chapter Three

Requirements for structural integrity tests of containers

Article (9)

The container safety accreditation plate shall be installed on each container in a visible place that is not prone to damage in accordance with the requirements of Annex I, Chapter I of the Convention, and it should contain the main approved information stipulated in the Convention.

Article (10)

The maintenance and inspection of the container shall be within a regular and approved inspection program including the costs of transporting or storing the goods in the container that require the maintenance process as follows:

- a. Maintenance and periodic inspection shall be the responsibility of the owner of the container as well as maintaining the container in a safe position at intervals in line with the operational conditions to provide adequate safety while handling and transporting them on vessels so as not to endanger the lives of any person.
- b. Maintenance caused by the aging of the container is the responsibility of the owner of the container.
- c. Repairs to be made to repair the damage caused by accidents, misuse or mis-handling is the responsibility of the party that is proven to cause such damage.

Article (11)

The new locally manufactured container is approved after ensuring that the operational requirements at all stages of manufacturing have been tested in

accordance with the requirements of Annex II of the Convention, the most important of which is the lifting test for the empty container, the container loaded with test load, the examination of the forces affecting the container internally and externally and the conditions of the stowage of containers on vessels and in the yards of ports.

Article (12)

- a) The accreditation of containers shall be made in accordance with the requirements of Annex I, Chapter I, Regulations (1, 2, 3, 4, 5, 6, 7) of the Convention and its amendments.
- b) The new container shall be approved after being manufactured individually in accordance with the requirements of Chapter III of Regulation 8 of Annex I of the Convention.
- c) Existing containers and new containers that have not been approved during the time of manufacture shall be approved in accordance with the requirements of Chapter IV Regulation 10.9 of Annex I of the Convention.
- d) Accreditation for modified containers shall be made in accordance with the requirements of Chapter V of Regulation 11 of Annex I of the Convention.

Article (13)

Requirements and testing of structural integrity of containers shall be approved by the Administration in accordance with the requirements of Annex II of the Convention and its amendments.

Chapter Four

Conditions of licensing companies or organizations working in the inspection, check-up or maintenance of containers

Article (14)

Inspection and Check-up of containers or maintenance of containers shall be conducted in the Hashemite Kingdom of Jordan by either of the following authorities:

- a) The 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 Authority in coordination with Jordan Maritime Commission if the company's office is located within the borderlines of ASEZA in

accordance with the ASEZA Law No. (32) of 2000 and the Regulations and Instructions issued pursuant thereto.

Article (15)

The Director General shall form a committee of the Commission's staff to carry out the following:

- a) Study the papers and documents submitted for licensing. The Commission may request to be provided with any papers or documents deemed necessary for approving the license.
- b) Check the companies and organizations practicing inspection, check-up and maintenance of containers and follow up on their compliance with the licensing conditions and the provisions of these Regulations.

Article (16)

The licensee's work to inspect, check or maintain the containers shall be determined as follows:

- a) Inspection, check-up, or maintenance and repair of containers.
- b) Provide the necessary documents to prove the safety of the container in accordance with the requirements of the Convention and its annexes and amendments.
- c) Any other services in accordance with the provisions of the Convention relating to the inspection, check-up, repair and maintenance of containers which are within the scope of the Convention or any amendments thereto.

Article (17)

The maintenance of containers services shall be carried out through a separate license from the practice of inspection, check-up and certification of containers and any other maritime services. It is not permissible to combine the maintenance of containers services and any other maritime services. It is permissible to combine all containers' maintenance with maritime maintenance services, and between containers' inspection and other maritime inspection services if the licensee provided all the requirements stipulated in the instructions governing the conduct of these services.

Article (18)

- a) The entity authorized to inspect or maintain the containers shall obtain accreditation from an accredited entity at the international container lines such as the Institute of International Container Lessors (IICL).

- b) The licensee shall obtain the necessary approvals from the manufacturers of some types of containers for the repair or maintenance of these types, including the containers designated for the transport of some hazardous or refrigerated materials or the adoption of equivalent standards at the same level with the approval of the Commission.

Article (19)

The licensee is obliged to carry out the maintenance of containers according to the requirements of international maritime conventions and codes, international maritime quality and safety standards and national legislation in force.

Article (20)

The conditions necessary for granting a license to practice the inspection and check-up of containers or the maintenance of containers shall be as follows:

- a) The licensee shall be registered in the Kingdom as a company or organization at the Companies Controller Department in the Ministry of Industry and Trade or an Organization registered at the Special Economic Zone.
- b) The company's paid-up and registered capital shall not be less than (100,000) One hundred thousand Jordanian Dinars for companies or organizations registered outside the Aqaba Special Economic Zone.
- c) The licensee shall have a full time Jordanian General Manager who fulfils the following conditions:
 - Must have a certificate of first or second marine engineer, or a bachelor's degree in shipbuilding or mechanical engineering with an experience of at least three (3) years in the field of containers maintenance and advanced courses in the field of container maintenance, have a technically equivalent university diploma with experience in the field of maintenance or inspection of containers not less than (5) five years and advanced courses in the field of container maintenance.
- d) The number of employees shall not be less than (5) persons, including the Director General, and the personnel who are responsible for inspection, check-up or maintenance and repair of the containers who shall be qualified to carry out this work for all types of containers and to provide evidence thereof.
- e) The Licensee shall practice its work in an office with an area not less than (50) m² equipped with telephone, fax and computer connected to

- the Internet, and a documentation and records system for inspection, maintenance, check-up and certification of containers.
- f) Provide a technical workshop contains the necessary equipment and facilities to carry out inspection, check-up and maintenance of containers according to the international standards.
 - g) A certified copy of the title deed or lease contract for the licensee's offices and/or the technical workshop.
 - h) A certified copy of the Memorandum of Association stating the names of the partners, the objectives of the licensee, 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.
 - i) A copy of the employment contract of each employee working for the licensee certified by the competent authority and a certificate issued by the Social Security Corporation including the names of employees who are under the employer's social security.

Article (21)

The procedures for granting a license to practice inspection and maintenance of containers shall be determined as follows:

- a) Outside the boundaries of Aqaba Special Economic Zone Authority (ASEZA):
 1. Submit an application to the Commission with copies of the documents mentioned in Article (20).
 2. Inspection through the competent committee and granting approval in the event of meeting all the requirements stated in these Regulations.
 3. The Director General shall issue the work license for the licensee after paying the annual fees prescribed for one year and it shall be renewed annually after carrying out an inspection by the Committee.
- b) If the licensee is within the boundaries of ASEZA, the procedures shall be as follows:
 1. Submit an application to Aqaba Special Economic Zone Authority(ASEZA).
 2. The request for inspection shall be forwarded to the Commission together with all the documents mentioned in Article (20) as stipulated in the Regulation of the Activities of Registered Enterprises and their Control No. 15 of 2001 issued by ASEZA.

3. The Commission shall inspect the licensee through the competent committee and grant its approval in the event of fulfilling all the requirements set out in these Regulations and stipulated in the Regulations of the Activities of Registered Enterprises and their Control No. 15 of 2001 issued by ASEZA.
4. The work permit shall be issued by ASEZA.

Article (22)

- a) The Commission shall, in the manner it deems appropriate and at any time, ascertain that the Licensee complies with the provisions of these Instructions and the Director General shall suspend the license temporarily or permanently cancel it in case of violation of the license terms and not removing the violation after informing the Licensee of the period that the Director general deems appropriate to remove the violation.
- b) In the event of any violation by the Licensee within the boundaries of ASEZA, the Commission shall notify ASEZA in order to temporarily suspend or cancel the license.

Article (23)

All entities licensed to conduct maintenance, repair and inspection services for the containers' bodies should adjust their status in accordance with these regulations within a period not exceeding six months from the date of their publication in the Official Gazette.

Article (24)

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