

Regulations for practicing maritime agency services 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 practicing maritime agency services 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 to them unless the context indicates otherwise:

The Director General: The Director General of Jordan Maritime Commission

The Commission: Jordan Maritime Commission

The Maritime Agent: A normal or nominal person registered as a company or an organization licensed by the competent authority to practice maritime agency services as an agent for the maritime carrier, owner, operator of the vessel or its lessee within the limits of its agency with any of them or their representative and in accordance with the laws, regulations and instructions in force.

Article (3)

Maritime Agency services shall be conducted in the Hashemite Kingdom of Jordan by a company or an organization registered and licensed by the following authorities:

1. Jordan Maritime Commission if its headquarters is outside the borderlines of Aqaba Special Economic Zone Authority (ASEZA) under the provisions of these Regulations.
2. ASEZA Authority in coordination with the Commission if its headquarters is 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 General shall form a committee of the Commission's staff to do the following:

- a) Study the papers and documents submitted for the purpose of 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 maritime agency services and follow up on their compliance with the licensing conditions and the provisions of these Regulations.

Article (5)

The Maritime agent's work shall be determined by providing the services of the maritime agents and according to the scope and conditions of its agency with the following:

1. The port agent services, including facilitating the procedures of securing a berth or platform for vessels to unload, deliver, load or ship goods in ports.
2. The shipping line agent services, including representation of the vessel owner in the ports where he was appointed as an agent and facilitate the task of its Master in obtaining any services needed by the vessel in ports in accordance with the laws, regulations and instructions in force.
3. Carry out the passenger or cargo agent services and organize and facilitate the procedures for completing the vessel's marine voyage in coordination with the concerned authorities.

Article (6)

The services of maritime agency shall be carried out through a separate license from any other maritime services, including marine maintenance and inspection, except for the services of maritime freight mediation, 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.

If the maritime agent acts as a correspondent or representative of the protection clubs, then he must abide by the principle of neutrality and

separation between the functions of the maritime agency and the functions of the correspondent or representative of the protection clubs.

Article (7)

The Maritime Agent shall abide by all laws, regulations, instructions and international conventions related to facilitating international maritime trade movement and adhere to the forms of bills of lading and approval of arrival and facilitate the electronic exchange of information and data on ships and goods.

Article (8)

The Maritime Agent shall coordinate with the vessels' captains to facilitate all procedures and requirements of the vessels' control upon their arrival in the territorial waters and the Jordanian ports.

Article (9)

The conditions for granting a license to practice maritime agency services for licensee outside the borderlines of ASEZA shall be as follows:

- a) The maritime agent shall be registered in the Kingdom as a company or organization at the Directorate of Companies Control in the Ministry of Industry and Trade.
- b) The company's paid-up and registered capital shall not be less than (30,000) thirty thousand Jordanian Dinars.
- c) Have a full-time Director General who fulfils the following conditions:
 1. Jordanian nationality.
 2. Have an experience in the field of maritime transport or navigation of not less than:
 - a. Four years if he holds a university degree.
 - b. Six years if he holds a Community College Diploma.
 - c. Eight years if he holds a general secondary school certificate.
- d) The number of employees shall not be less than (3) persons, including the Director General.
- e) The company or organization shall operate in a separate location consisting of offices with an area not less than (50) m² equipped with telephone, fax and computer connected to the Internet.

- f) Provide proof that he has submitted the bank guarantee required from him to the Ports Corporation to cover all fees for port services and expenses arising from the administration of the Agency's work at the port and at the value requested by the Ports Corporation.
- g) Be a member of the Jordan Shipping Association in the Kingdom.
- h) The vessel owner or his representative shall be entitled to request maritime services from maritime service companies licensed to operate in the private area, provided that each party informs the other party.
- i) Have an accredited training course of not less than twenty hours in the field of work.

Article (10)

The procedures for granting a license to practice maritime agency services outside the borderlines of ASEZA are as follows:

- a) Submit a maritime agent registration application to the Ministry of Industry and Trade specifying the objectives of the company/organization 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 maritime agent's offices.
 - 3. A certified copy of the profession license.
 - 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 maritime agent's number in the Income Tax Department.
 6. Documents on the qualifications and experience of the Director General of the maritime agent.
 7. A certified copy of the bank guarantee required by the Ports Corporation to cover all fees for port services and expenses arising from carrying out the Agency's work at the port and at the value requested by the Ports Corporation.
 8. Certificate of affiliation to the Jordan Shipping Association.
- 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 Regulations are satisfied and to verify the information contained in the license form.
 - e) The Committee shall recommend to the Director General of the Maritime Commission to issue a work license to the company or organization after fulfilling all the conditions for granting a work license stipulated in these Regulations.
 - f) The Maritime Commission shall issue the license for conducting maritime activities to the agent after paying the annual fees prescribed for one year and it shall be renewed annually after the commission's check and report that the agent has complied with these Regulations.

Article (11):

The Commission may at any time ascertain that the Company or the organization complies with the provisions of these Regulations. The Director General of the Maritime Commission shall be entitled to suspend the license temporarily or cancel it permanently in case of violation of the conditions of granting the license and not removing the violation after notifying the company/organization within the period deemed appropriate by the Director General of the Maritime Commission.

Article (12)

All entities licensed to carry out maritime agency services in the Kingdom shall comply with these Regulations within a period not exceeding six months from the date of its publication in the Official Gazette.

Article (13)

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