

Regulations of Port State Control for the year 2012 in the Hashemite Kingdom of Jordan

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

Pursuant to the IMO Resolution A.787 (19) and its amendments by Resolution A.882 (21), the Mediterranean Memorandum of Understanding for Port State Control (MED-MoU) and the relevant international conventions

Chapter One

General Provisions

Article (1)

These regulations shall be named (Regulations of Port State Control for the year 2012) 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:

The Director: Director General of Jordan Maritime Commission

The Commission: Jordan Maritime Commission

Memorandum of Understanding: Med-MoU and any other Memorandum of Understanding for Port State Control that The Hashemite Kingdom of Jordan is committed to sign

The Port: Port of Aqaba

The Ship: Any seaworthy, floating, and self-propelled facility of any kind, designated for marine navigation as usual or at the construction stage of whatever type, designation or cargo, and all its accessories necessary for its exploitation are considered a part of the ship. The vessel shall be considered small if it is not more

than 24 meters long.

Port State Control Officer:	The designated person appointed by the Commission to supervise and inspect the requirements of international treaties on foreign ships anchored at the port.
Technical Violations:	The deficiencies in the application of the provisions of the various international conventions which are recorded by the Port State Control Officer during the inspection of the ship.
Organization:	International Maritime Organization IMO
Information Center:	Med-MoU Information Center for Port State Control and any other Memorandum of Understanding Information Center for Port State Control that Jordan is committed to signing in the future.
International Conventions:	Relevant international maritime conventions including the following conventions and any other relevant international agreements

- SOLAS 1974 and its amendments
- MARPOL 73/78
- STCW78 and its amendments
- International Convention of Load Lines (LL66)
- Minimum Trade Standards for commercial maritime employment of 1976 (ILO147)
- The International Regulation for Preventing Collisions at Sea Convention, 1972 (CORLEG72)
- Any other international agreement relating to maritime safety and the safety of the marine environment upon its entry into force.

Article (3)

These regulations shall apply to foreign vessels, if they are in the Jordanian territorial waters or port, except for warships or ships owned or operated by the Hashemite Kingdom of Jordan for non-commercial governmental services.

Chapter Two

Inspection and Check-ups

Article (4)

- a) Foreign vessels in the Jordanian territorial waters and ports with a gross tonnage of 500 tons or more and **passenger ships**, whatever their cargo, to which these Regulations apply shall be subject for inspection and check-ups by the Commission. These inspections shall be based on the certificates issued in accordance with international agreements.
- b) The Commission shall take the necessary measures for vessels not subject to paragraph (a) of this Article to ensure their compliance with the instructions issued in this regard through the legal certificates issued by the flag State of this vessel.

Article (5)

Vessels are selected for inspection according to the following:

- a) The vessel which harbors the port of one of the signatory states of the Med-MoU or any other Memorandum of Understanding regarding the Port State Control that Jordan is committed to signing in the future, especially if this vessel harbors the port for the first time or after an absence of twelve months or more.
- b) Vessels that have been authorized to leave the port of one of the signatory states of the Med-MoU or any other Memorandum of Understanding regarding the Port State Control that Jordan is committed to signing in the future, provided that the defects are corrected, and the deficiencies observed are avoided within a specified time limit. This priority is eliminated if such time limit elapses without this being achieved.
- c) The vessel reported by the guides, port authorities, **flag State or classification associations** to have a defect that may affect the maritime safety.

- d) A vessel whose legal certificates for construction and equipment are not certified in accordance with international conventions.
- e) A vessel carrying dangerous or contaminated cargo and has not reported all information concerning the details of the vessel and the cargo it duly carries.
- f) A vessel that has been excluded or lost its classification for safety reasons during the six months prior to its selection for inspection.
- g) The vessel which the competent security authorities send information against it.

Article (6)

- a) The inspection of vessels for implementing the provisions of these Regulations shall be carried out by the State Control Officers at the Port, who shall be appointed by the Commission for this purpose.
- b) The port State control officer shall inspect the vessels as follows:
 - The State Control Officer shall inspect the vessels after their selection in accordance with the Memorandum of Understanding.
 - In the event of a reason for conducting a detailed inspection, the Port State Control Officer shall inspect the vessel to ensure its compliance with the international and local maritime safety requirements.
 - The State Control Officer shall record the vessel's data and the validity of its certificates in addition to the result of the check-up and inspection on the inspection form (A). In the event of irregularities in the vessel's status, its equipment and crew, in addition to the living, work and health conditions of the vessel's crew, then it shall be recorded in the inspection form (B).
 - Upon completion of the inspection, the Port State Control Officer shall provide the vessel's master with a copy of inspection forms (A) and (B) showing the results of the inspection as well as the details of

any decision taken and corrective actions to be taken by the vessel's master, owner or operator or the vessel management company.

Reports

Article (7)

The State Control Officer shall issue a report that complies, as appropriate, with one of the two models approved in the Memorandum of Understanding:

- a) Form (A) shall be issued after completion of the check-up and inspection of the vessel stipulated in Article (4) of these Regulations satisfactorily for any vessel to which this Article applies.
- b) Form (B) shall be issued in addition to Form (A) after completion of the check-up and inspection of the vessel stipulated in Article (4) satisfactorily for any vessel to which this Article applies in the event of irregularities endangering maritime safety and the marine environment.

Travel Ban

Article (8)

- a) If it is found that there are technical violations in the foreign vessel located inside the Jordanian port or territorial waters, the Commission may decide to prevent the vessel from traveling until such violations are corrected and **inform all concerned parties to take appropriate measures to implement the travel ban decision each according to its jurisdiction.**
- b) In the event that it is not possible to repair and remedy the technical violations that resulted in the vessel's travel ban for any reason that the Commission is convinced of, such as the lack of necessary resources for repair or due to the short duration of the vessel's stay in the port, the Commission may allow the vessel to travel to another port for non-commercial purposes or to the nearest repair basin in accordance with the appropriate conditions determined by the Commission, taking into account ensuring that the vessel can safely sail without any danger to safety, health or environment and after the flag State informs such vessel, international classification societies, IMO, shipowner, operator or management company provided that this does not pose a threat to the safety and the marine environment.

Corrective measures

Article (9)

- a) In case the vessels mentioned in Article (4) of these Regulations are not complying with the inspection procedures referred to in Article (6) of these Regulations and it turns out that the technical condition of the vessel makes it unsuitable for sailing, then the vessel shall immediately take corrective measures to ensure that it complies with the appropriate conditions determined by the Commission to repair the defects and shall notify the Commission to re-inspect the vessel.
- b) The re-inspection fees shall be charged for each time the inspection is carried out based on the system of fees, revenues and wages applicable in the Commission.

Chapter Three

Reporting

Article (10)

- a) If the inspection carried out pursuant to Article (6) of these Regulations violates the requirements of International Conventions, the Commission shall notify the vessel accordingly, and shall provide the vessel's management, owner, flag State, the organization and its classification society with a report proving the violation.
- b) The Commission shall, in addition to the parties mentioned in paragraph (a) of this article, notify the information center of all information relevant to the violation in accordance with the established procedures.

Undue delay of vessels

Article (11)

The Commission shall make all possible efforts to prevent the ships from travel ban or undue delay.

Final Provisions

Article (12)

The vessel shall be entitled to object to its travel ban in accordance with the procedures provided for in the Memorandum of Understanding.

Article (13)

Any previous Regulations issued in this regard shall be canceled.