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Prerequisites for maritime development in Jordan

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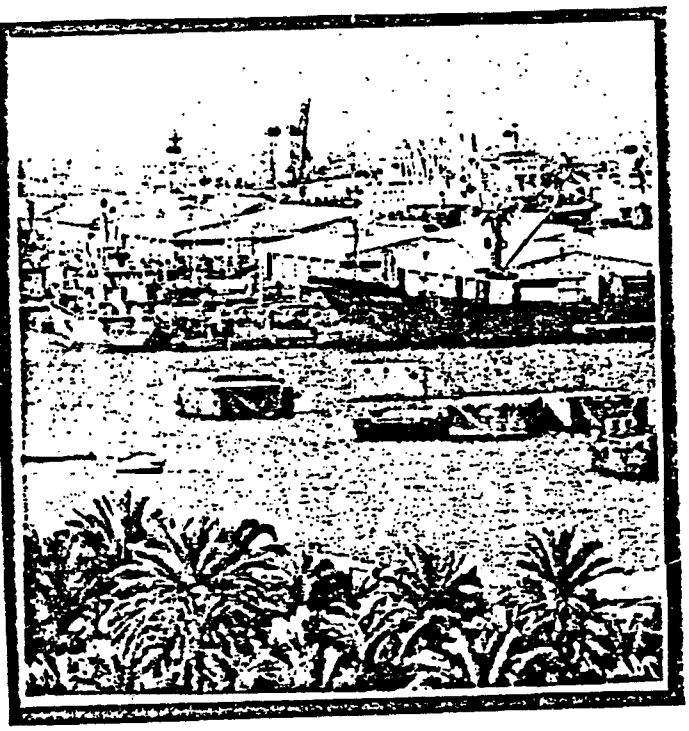
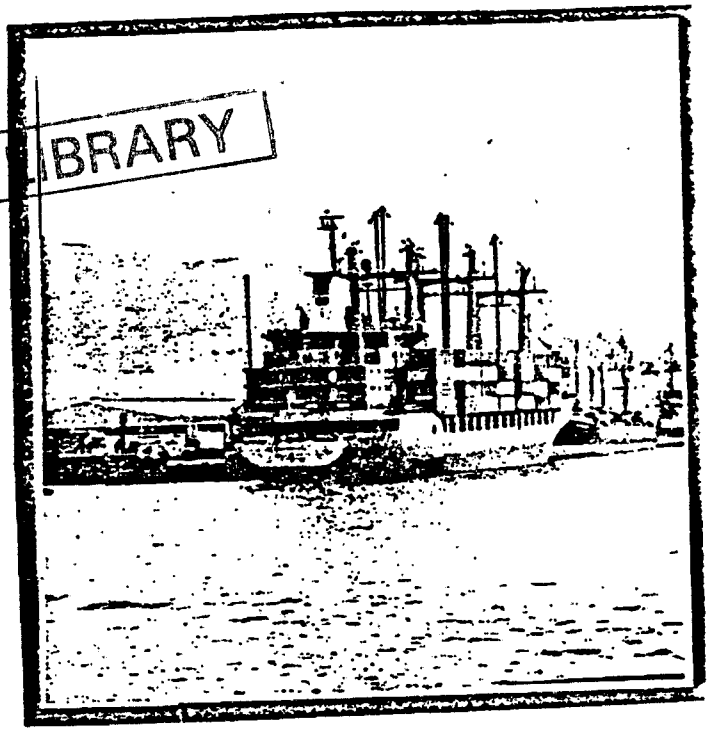
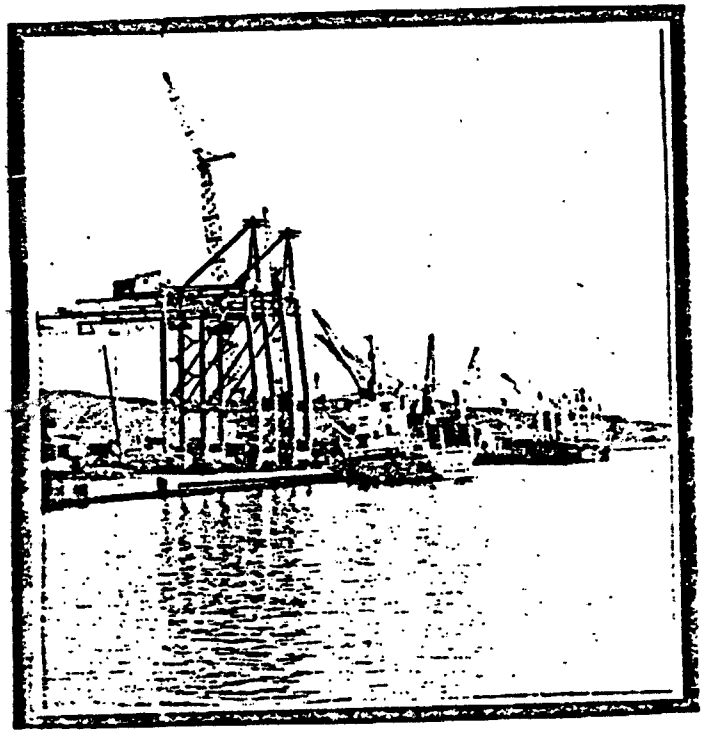
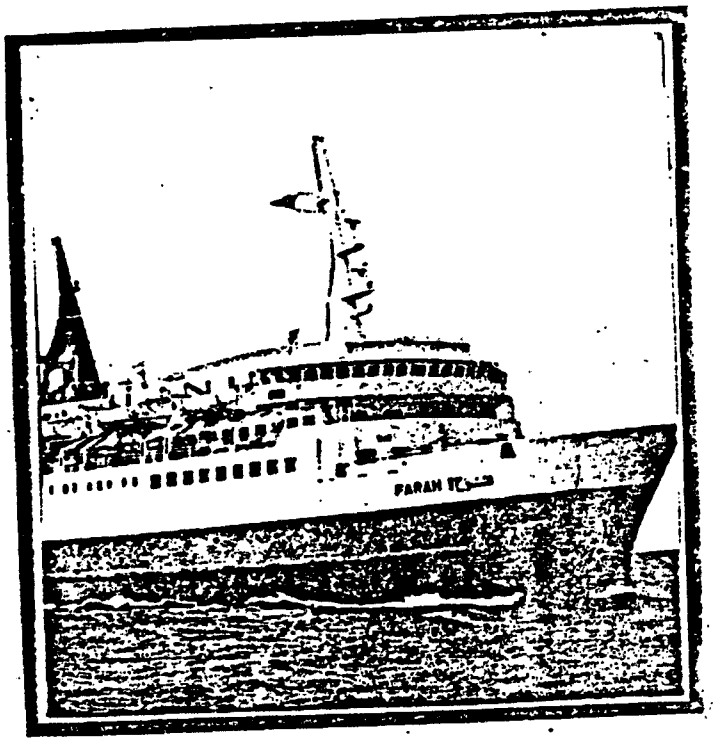
PREREQUISITES FOR MARITIME DEVELOPMENT IN JORDAN

BY
IBRAHIM TAYYAN









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By

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Jordan

A Paper submitted to the Faculty of the World Maritime University in partial satisfaction of the requirements for the award of a

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The contents of this Paper reflect my personal views and are not necessarily endorsed by the UNIVERSITY

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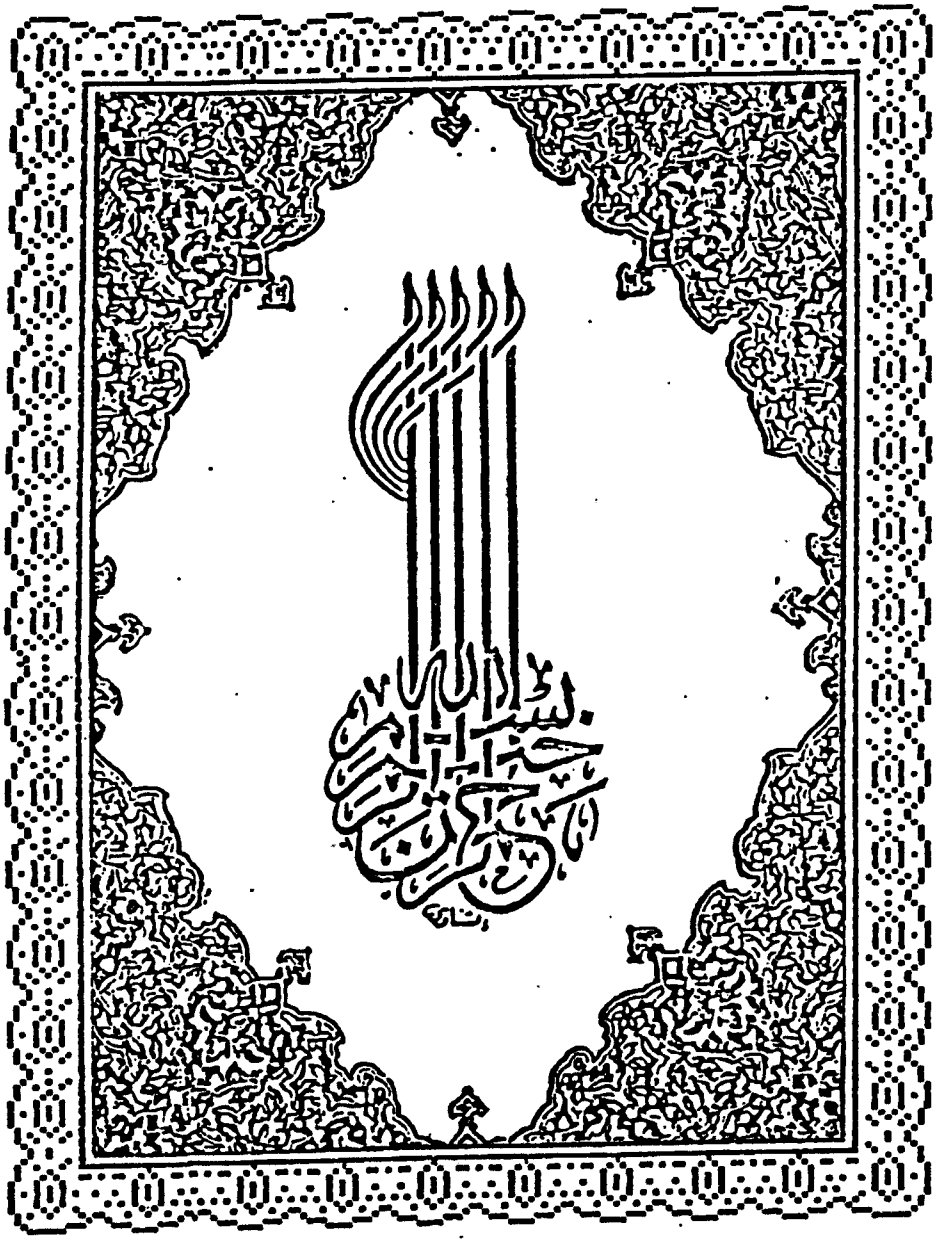

IN THE NAME OF GOD, MOST GRACIOUS,

MOST MERCIFUL

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ABBREVIATIONS

P.C.	Ports Corporation
MOT	Ministry of Transport
IMO	International Maritime Organization
ILO	International labour Organization
CMI	Comite Maritime International
SOLAS	Safety of Life at Sea Convention
MARPOL	Marine Pollution Convention
TM	Tonnage Measurement
STCW	Standards of Trainig,Certification and Watchkeeping
SAR	Search and Rescue Converntion
RCC	Rescue Coordination Center
LOS	Law of the Sea Convention
EEZ	Exclusive Economic Zone
UNCTAD	United Nations Conference for Trade And Development
UNDP	United Nations Development Programme
CDG	FRG Overseas Cooperation Programme

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INTRODUCTION

Maritime trade is regarded nowadays as one of the most fundamental factors participating in the third world economic and social development. It is extremely difficult for developing countries today to cope with the continuous technical developments in shipping industry which are tremendously increasing and thus widening the gap between them and the developed maritime nations.

Developing countries are trying hard to pursue these developments and to keep pace with the developed maritime nations in the field of sea transport. It is a very hard challenge for them that they have not only to face, but also to overcome. Many have succeeded ,but the majority are still striving to get through this challenging, turbulent and drifting current.

In helping the developing countries to overcome their difficulties, many international organizations have taken the lead in facilitating elements and processes of development in all needed aspects for such vital industry; whether it is administrative, legislative or technical, making it possible for these countries to adopt standards necessary to cope with the international maritime trade.

The international Maritime Organization (IMO), has taken a very important part and played a very great and effective role for the adoption of every practicable measures to facilitate all aspects of marine safety and environment protection. Technical assistance has been conferred in this context, which was and still is a very

effective way of granting help to developing maritime nations to overcome their problems and to grasp every method or means to tackle these problems. The erection of the World Maritime University (WMU) was a great step foreward in granting such assistance, where opportunity is given to all developing maritime nations through this magnificent international center of excellence for various important advanced maritime training, to acquire the necessary national maritime experience, vital for their maritime development.

Shipping nowadays is imposing a growing demand for well trained and experienced maritime personnel, both afloat and ashore.As his excellency,the Secretary General of IMO,Mr.Srivastava expressed:" Developing countries are handicapped by an acute shortage of maritime expertese, especially at the senior level..... The World Maritime University will provide,at this apex level, the most advanced maritime education, both in classroom and on the job. It will be a centre of excellence for the transfer of high maritime technology from the developed to the developing world."

The world of shipping is not that easy as some may think of it,and it is most obvious that any developing nation cannot turn into a developed maritime one in a fortnight by merely establishing a maritime code or by having a very nice port. Shipping imposes a lot more of difficulties at present, which are increasing everyday. This in turn makes the whole process more difficult for the developing countries, because of the too many problems that are arising with this constant flow of technological developments. These problems are related to the exhaustive, capital intensive, legislative and adminis-

trative group of simultaneous systematic procedures.Thus, it is not easy in most of the developing countries to establish such vitally needed activities even of the fact that all factors regarding capital needed and legislation required may be most relevant. This is because of the problem of public inawareness of the need for such development to the extent specified by different international bodies. Another factor contributing to the handicap of the required level of development is the lack of maritime consciousness which plays a very effectively negative role in hindering any serious effort aiming at development.

This great task of maritime development in developing new maritime nations requires lots of efforts,but firstly it requires a group of well dedicated pioneers to pave the hard and uneven path of development. Those pioneers who have chosen to lead the way and in turn have accepted to take the onus of their country's maritime development work on their shoulders, have to acquire certain qualifications other than these of the maritime nature. Among these, there is the basic demand for patience and persistence.

The following pages are only an attempt to study the present maritime industry in Jordan in its broader sense and the features that not only characterize the Jordanian shipping industry,but also those of the developing countries.

The past few years of Jordan's national maritime industry compared with the present situation, proves that potentiality for success of a sound system is already there. But there is a great need for faithful efforts and

experienced approaches to the problems of the national shipping industry as well as the other maritime activities in a broad perspective. Of course, the problem had previously been discussed by various said experts from various foriegn firms, but no attempt was made from inside. All these previous studies were concerned only with the apparent problems without really going in depth to unveil the real core of our industry's persisting problems and in turn its requirements and needs to develop, florish and prosper.

The present legal setup of the industry is un up-dated Code which does not cope with the present international standards and technological developments. An effort is thus given in these following pages to pin point the present situation and then to analyse the needs and also the prerequisites in addition to the proposals to have an integrated National Maritime Administration capable of embracing the whole national maritime activities necessary to induce this vital industry with all elements of success.

This paper will be mainly contributed to developing the present national maritime organization structure to encompass the new international standards that require the establishment of new maritime functional bodies to undertake such new duties more efficiently than are now fulfilled by the present national maritime organization in Jordan; the Ports Corporation. These functional bodies would be under the auspices of the Ports Corporation. The peper will not go deep in discussing port operations and productivity problems. These are outside the scope of this thesis.

The study is devided into three parts. The first is intended as an introduction to the subject and it deals with the world shipping in general. It has been devided in two chapters.Its first chapter deals with the history of shipping in the region and Muslim Arabs activities and contributions in this regard. Chapter two deals with shipping at present; characteristics and factors together with a general outlook at shipping in developing countries and finally the role of IMO and other international organizations in the development of maritime activities in the world in general and in the developing countries in particular. Part two is dedicated to the discussion of the present maritime structure in Jordan with particular stress on the maritime legal and administrative bodies in the present structure in both public and private sectors. Part three deals with proposals and recommendations that are proposed in this paper for the establishment of the newly functional bodies and the development of the present ones to achieve at the required levels of maritime development. This part is devided into two chapters, the first discusses those basic trends seen as essential for the development of maritime activities in Jordan while the second deals with other secondary matters.

The study is a step on the path of development with the hope that it will contribute to the promotion of this vital and potentially important industry in Jordan.

PART ONE

WORLD SHIPPING

Chapter 1

Historical purview

1.1. Ancient shipping

Shipping had been invented by Man to fulfil his need to transfer himself and his property from one place to another across the waters. Usage of sea was a choice that he faced whether to go the long way around or go across water. Evidently, his choice was for the shortest one. He then had to find an appropriate method to take him to the other side . With the use of some logs, he invented what he thought might serve his purpose. Trying his new invention, he found that it could carry a lot more than he had anticipated and that he could move it with the least power needed compared with other means of transport he knew of at that time.

These vital facts about shipping, made water transport important and basic in the life of mankind. Ships enabled Man to reach new parts of the world and to trade with new places bringing into his country different products that were either unknown or scarce. Sea transport became more important with the development of civilization and the rise of the new needs for raw materials and for exchange of trade.

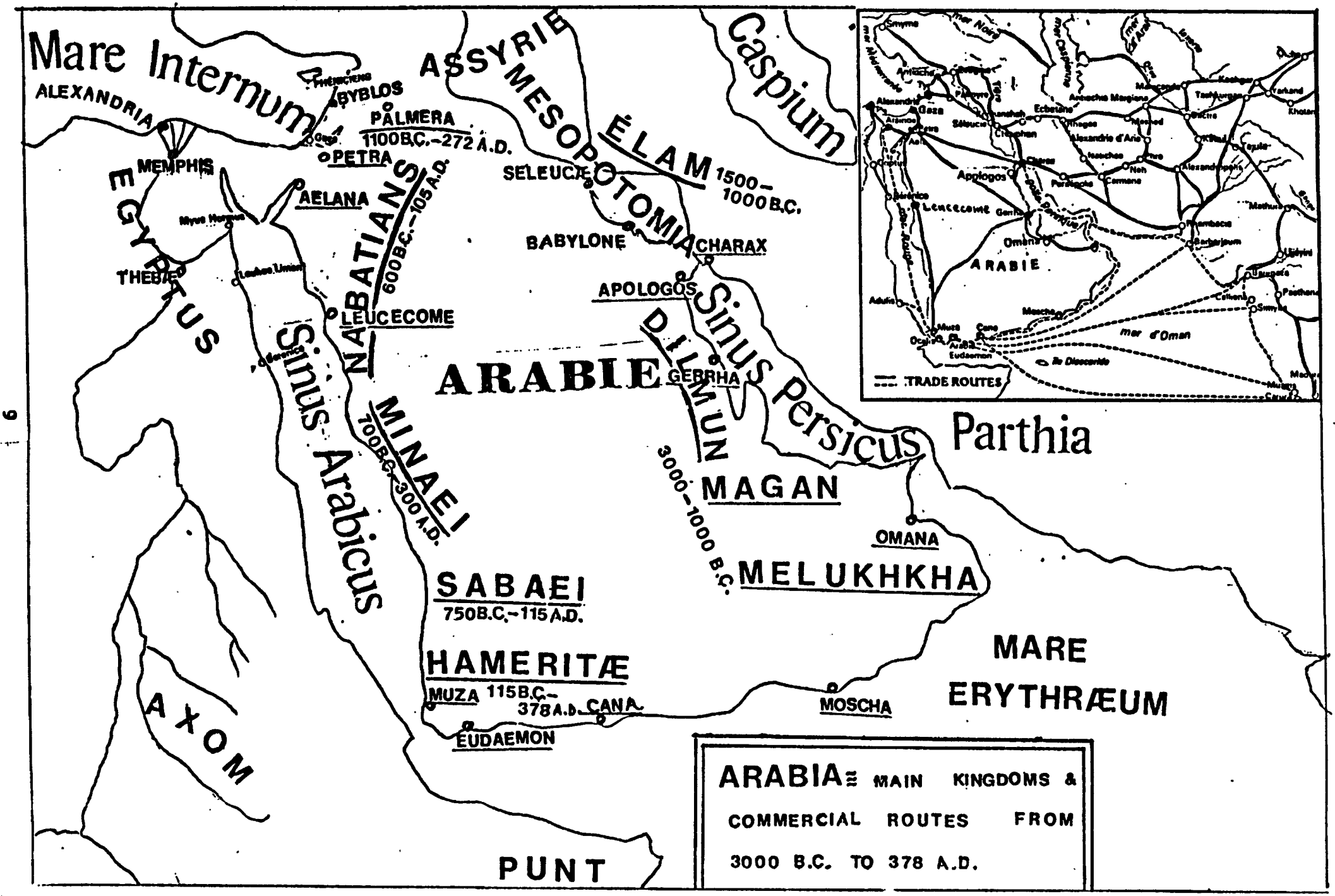
Our present knowledge about ancient shipping goes as far as the Greeks and Polynesiens in the eighteenth century B.C. followed by the great adventures of the Phoenician fleet employed by Egyptians Pharoh Necho that had circumnavigated around Africa in the sixth century B.C.

Greeks had greatly contributed to shipping in different ways; astronomical studies of stars, shipping adventures, and cartography. Egyptians had also contributed to such great scientific achievements in relation to shipping and astronomy. Old Egyptian ships traded the Red Sea ,the Nile and the Mediterranean. But the great achievement was that of Erasosthens, who discovered the fact that Earth is curved and arrived at the correct estimatiom of its circumference.

1.2. Muslim Arabs & shipping

1.2.1. General

Ancient shipping history indicates that old Arabs had participated in sea activities as well.This was possible because of their land location in the Arab Peninsula. This land was surrounded in the old history by famous old maritime trading routes in the heart of the old world. They were also surrounded by the oldest civilizations known to Man; Egyptians from the West, Mesopotomians and Phoenicians from the North and Parthians from the East. This unique situation between these great nations created possibilities for them to trade among these nations and to look for resources for their trades. This was only possible by sea trading with the Far East and East Africa. Many trade centers and seaports were founded in Arabia and the surrounding coasts to serve their trades as shown in (map 1). Many of these ports were mentioned in old manuscripts of their surrounding civilizations. Such ports like Gerrha, Omana, Mukha, Cana,Eudaemon,Aela, Charax and Apologos, were very famous as trade centers . Many of them date back to 3000 B.C. .



Map 1 – Arabia, main kingdoms and commercial routes, 3000 B.C.– 378 A.D.

Arabs utilized not only sea trade in the area, but also land routes and trade as well. These routes linked their famous ports with other famous trade centers in the surrounding countries.In this context,Nabatians in North Arabia and South Jordan were running the trade in their area from the port of Eudaemon to east Mediterranean and from Memphis and Alexandria to Gerrha,Apologos and Charax in the Arabian Gulf. Their capital Petra was a famous trading city. Their domination covered the ports of Aela (present Aqaba) and Loucecome (north of Yanbu) on the Red Sea.

Arabs were confided to Arabia before the off-spring of Islam in the seventh century A.D. . With the expansion of Islam,they began to acquire the sciences and philosophies of nations they came across. Islamic scientists did not limit themselves to philosophy and medicine, but also unveiled many old scientific ideas and developed them in new sciences with their brilliant commentaries and contributions. New fields of sciences were invented as Algebra by Al Kawarizmi (780-850 A.D.). Ibn AlHaitham or Alhazen confided the laws of Physics and was also the founder of Optics as a science. Ibn Khaldoon was the founder of Sociology as a science.

1.2.2. Astronomy

Astronomy was among those sciences that attracted Muslim Arabs researchers. Together with other sciences, Astronomy entered the Islamic civilization from the surrounding nations. Inspired by their interests in stars they began to study other nations astronomical heritages and expanded on such. A unique hemispherical celestial map, which furnishes a remarkable connecting link between the classical reperesentation of the constellations and the later Islamic forms, is painted in the dome of a bath house at Qasr Amra; an Arab palace biult in Jordan around 715 A.D. . The surviving frigments of the fresco show parts of 37 constellations and about 400 stars.

Muslim Arabs combining their enthusiasm with the cultures of various preceeding nations, produced as Mr. Obérgon says in his book " Argonauts to astronauts", "A constellation of artists and scientists who reaped the wisdom of the ancient world, cultivated it in the Middle Ages, and passed it to the European Renassance."

1.2.3. Seas phenomena, navigational equipment and charts

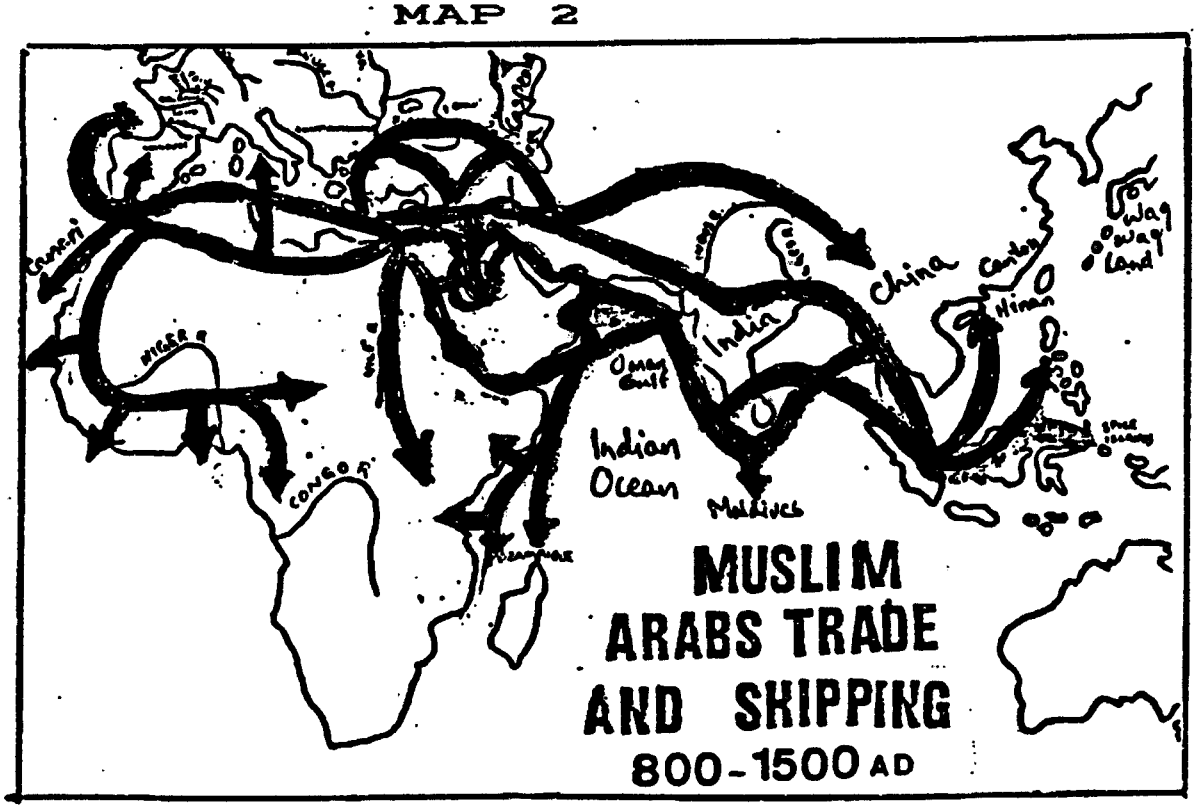
These were also among these contributions availed by Muslim Arabs to the benifit of old as well as present navigation. It is not the purpose of this paper to expand on such subjects, but it would be benificial to point out in this regard that many of sea phenomena about currents, winds, bioluminescence and others were described by ancient arab sailors and geographers. Some navigational

equipment that are used in navigation like the astrolab and the compass were actually the discovery of Muslim Arabs. It was also stated by Ibn Khaldoon that old Muslim Arab sailors in the Mediterranean and Arabian Sea used some kind of charts to know their way at sea.

1.2.4. Sea trade & adventures

Very few of western historians admit the fact that Muslem Arabs had contributed to sea navigation and trade through their experience research as well as trade and adventures. They have sailed all over the seven seas contributing to the great expantion of Islam.Their troops as well as traders had arrived into the Far East at one end and the Atlantic at the other, and from the shores of the Black Sea to Madagascar and Mozambique. These can be easily assessed by the expantion of Islam itself and famous adventures of Arab geographers like Ibn Batuta who earned the title of the Muslims' Marco Polo long before the real Marco Polo was born. In this context the famous adventures of some traders and sailors documented in famous European libraries are good examples. Map (2) shows areas of their trade and shipping activities in 800 to 1500 A.D.

MAP 2



Chapter 2

Shipping at present

2.1. General Introduction

Man, in his constant efforts to promote ships to render him more efficient services, had introduced many modifications in relation to its size and design. Power remained to be sails and oars till the Nineteenth Century which witnessed the major revolutionery developments. These were the introduction of steam power and steel ship, which gave shipping a very tremendous potentiality to expand and to develop.

Trade began to florish, especially after the World War I. The new era of colonialism inherited from the past century, had with the new industrial revolution taking place in Europe, to rely on the natural wealth of colonies to fulfil the newly arising needs of the European and the Amirican industries for raw minerals and agricultural materials. These comprising huge amounts of cargoes had to be transported across the high seas and oceans It had resulted in the emergence of huge sea trades and big scale shipping industries in these industrial nations.High seas had witnessed the growing competition of these colonial powers in their efforts to exploit the natural resources in developing countries that yielded in the increased growth of ships sizes and speeds.

New nations and countries had emerged after World War II. These newly independent countries needed, in their

efforts to develop their economic and social conditions, great varieties of manufactured and semi-manufactured products as well. As a result of that, new demands for shipping services had come up for the transfer of cargoes on both legs of trading routes. shipowners in the traditionally maritime nations were encouraged to increase their tonnage and to seek every opportunity for better and benificial operations of their vessels. This search had resulted in new developments in shipping in the last few decades as pertaining to size, design, equipment, safety requirements,manning and management of ships.

As we all know, these past few years in the last two decades had a very decisive effect on the world shipping industry. The world had witnessed the fast growth of fleets in the traditionally maritime nations.New kinds of innovations and techniques were invented in shipbuildding operation, management and trade. Consequently, new trends in shipping were experienced. These developments had a great effect not only on shipping itself but also on other aspects of the maritme industry, such as ports, maritime administrations and services. Increased developments had yielded with increased sophistication which were and still are the main causes behind the high operastional costs of ships. Because of that the pull is now moving towards the East where lots of these production and operation costs are low.

It is not intended here to give a detailed study of such developments and changes. But because shipping and maritime activities in any country cannot operate in isolation of the international environment, it would be beneficial to elaborate in some more detail on the main

features of this vital industry and clarify various other factors affecting it at present. This effort, I hope,will help in presenting a broader perspective to assess and to better understand the national industry from a wider international angle.

2.2.Main characteristics of shipping

In the years that preceded these new technological developments in shipping, the shipping industry was regarded as one with good employment opportunities, where numbers exceeding 60-80 persons were engaged on board most ships. The introduction of these developments had gradually and significantly decreased these numbers accompanied by drastic increases in amounts of capital needed.

Shipping can be described as an industry of contradictions. High amounts of capital are needed compared to the fact that it is a labour saving industry. A fact which is not to the favour of the developing countries. But still, even with high costs involved and big losses incurred, many operators are clinging to edges with hopes that it may recover one day . Developing countries while entering this field of uncertainty, are facing many problems. Evidently, their reasons to stay in the industry are far different from those of the individual operators. These reasons force them to stay in business and even to increase their tonnage shares albiet of the deteriorating markets and demand. Deterioration of shipping markets and demand can be attributed to the huge increases in tonnage with the result of increased laid-up tonnage and to the sharp decline of trade. The average increase in

tonnage between 1970 and 1981 reached as much as 30.6 per cent a year, which declined to 4.7 % in 1981/82. Growth in seaborne trade was at an annual rate of 5 % from 1975 to 79 compared to 8 % in the previous period of 1957-74. The period of 1980-82 showed a stagnation trend due to the severe economic recession. It began to revive in 1983 and 1984. Annex (1) gives an assessment of the world seaborne trade from 1977 to 1985.

Many countries are involved in any one shipping operation. Because of that, shipping is regarded as international, not only in the sense of involvement mentioned, but also due to the fact that other multi-services and ancillary industries are not only related, but in many cases dependable on shipping. Any shipping operation involves several parties in several countries. If the concept of ships ownership and operation is followed, it will construe the complexity of groups of activities and parties involved.

Shipping faces severe competition from other modes of transport, but due to its huge potentialities in terms of capacity and cost,it has a greater advantageous stand. It should be stated here that albiet the severe competition it is facing, and even the fact that it is covering more than 95 % of the whole world's trade, shipping cannot work in isolation from other modes of transport. It forms together with these other modes of transport a complete chain which cannot work with any missing part.

This chain of the transport concept had been effectively and efficiently used in the transportation of containers in the door to door concept, where containers are transported in what is termed as the multimodal transport

system.The main purpose of which is to efficiently reduce to its minimum; the period of transit, possibilities of damage, losses or delays and the cargo handling procedures.

2.3.Major factors affecting shipping services

As mentioned before, the shipping industry at present involves many parties, and it is a complex of activities and groups. All activities and groups involved aim at the best efficient services rendered by the industry to trade as shipping is merely a servant of the trade. There are some factors which can positively or negatively affect the kind and efficiency of these services depending on the rational choice of the best mix or formula of resources available at the time. These factors are;

2.3.1. *Factors related to the vessel itself:*

As the center of the whole industry,the ship must be carefully chosen to suit the kind of trade and the route it will serve in order to yield the best operational and financial results for both the shipowner and the client. In this aspect,care should be given to the various specifications of the vessel in the light of the different technological developments introduced to facilitate effective services. It should be noted here that choice of optimum size and draft of the vessel besides the type, speed, capacity, degree of automation and specialization together with other numerous factors would decide the degree of profitability and efficiency of the shipowner or the operator.

2.3.2. *Factors related to the trade:*

The trade served should be given due and thorough analytical survey covering all economic, social and political aspects in terms of type of trade, volume, structure, route, regularity of traffic in addition to the geographical pattern, market conditions, changes of demand for such trade and tonnage serving it.

2.3.3. *Factors related to shore facilities/ports:*

Ports are extremely vital for efficient shipping.Sixty percent of ships' time is spent in ports.Due to this fact and in order to help in the process of rendering more efficient and benificial shipping services, cost of transport can be easily decreased by increasing ships' turnround and by decreasing damages to cargoes in ports. To satisfy these needs, ports are required to have;

a) Facilities capable of handling ships with the least time and cost,
b) Port services and charges at most convenient level for all parties concerned,
c) Port related industry and services available at reasonable costs, and,
d) Shipping ancillary industry encouraged to expand and florish on economical basis.

2.3.4. *Factors related to the human element:*

Shipping is an activity which, like most other activities, depends mainly on the initiative and response of Man, and certainly without such, it does not evolve any thing. Shipping as was aforesaid, involves many parties and groups of interests. Each of these interests regards

the industry from its own point of view and angle of interest. But they all are in favour of the idea that shipping should be given every possible opportunity to develop for the benefit of all parties and interests. Activities of Man in this regard may be divided into the following groups of interests;

a) Shipowners/Charterers:-

To protect their interests,shipowners have established their own organizations which took the forms of councils or associations.Some charterers were accepted specially those with bareboat charters. These organizations help their members in various aspects of market research, frieght and demmurage, information pools, conditions of charterparties, safety and pollution...etc. They also defend the views of their members against other parties or administrations.

Shipowners organizations can be either national or international.They may cover certain trades or certain routes. Organizations covering trading routes in liner trades are called conferences. These are monopolistic associations of lines working on a certain trading route or serving a certain area. They are either open or closed where the acceptance of new members is more restricted. Conferences are well known for their monopolistic practices without considerations to national interests. One of their main behavior is their aim to insure minimal profit to their marginal members which pushes freight rates to levels higher than those that may prevail in competitive conditions. Many conferences with pooling arrangenments practice sharing trade in question. Agreements for allocation of trade and cargo sharing are by nature restrictive

in regard to compe tition. The degree of cooperation required by these agreements can vary. These can be;

i- a simple allocation of sailings and berth allocation

ii- revenue/cargop pools specifying shares of income and/or particular commodities traded on a certain route,

iii- space charter agreements,

iv- joint service agreements,and,

v- outright merger between lines.

The basis for share allocation are numerous. They include; sailings, capacity provided, cargo weight, cargo value, revenue tonnage,freight revenue, revenues and values, revenues less certain costs, and earnings. A conference is essentially a compromise among competing member lines for the purpose of restricting or eliminating competition among the member lines and of meeting the existing and potential competition from the lines outside the conference.

The basic main practices of conferences can be summed in cargo sharing, loyalty arrangements, freight rates discriminations, tarrifs with promotional freights, surcharges and currency changes and fighting ships.

b) Shippers and/or consigners;

They are grouped in organizations (councils, chambers or associations) that can protect the interests of their members against lines operators, conferences, administrations and any other organization involved in the light of their members interests, by negotiating for the quality of services, cargo safety procedures, and level of freights and tarrifs. They can negotiate other parties as well, such as ports and

transport companies for better services and relevant tarrifs and charges or more convenient regulations. They can also be of great effect on the policy making process through good research and enthusiasm.

c) Shipagents/ brokers;

Such groups can certainly have the same effect as shippers groups if not more, because of the intensity and diversity of their activities and relations on the international level. They represent international lines, conferences, shipowners or operators, but they are also members of the national society. Thus, they can play great a role in arriving into mutual terms between the parties they represent and the administration in their homeland. They can not only affect the public maritime policy, but also contribute to the promotion and development of the whole industry and in turn to the national economy. A great deal of these achievements can be accelerated by their growing experiences, effective research and good training.

d) Port/ maritime administration personnel;

Shore activities in shipping comprises a greatly important part of the whole industry. This sector of ports and maritime administration forms the most influencial part of it, the productivity standards of which depend mostly on the human factor in general and the managerial element in particular. Good management means good utilization of the human elemnent contributing to the success of the whole organization.

e) Ships personnel;

This item has been extensively covered by international standards aiming at good manning levels of ships

for safe navigation and proper cargo transport and handling measures. Among the main issues considered in this context are:

i- Maritime education and training,and,

ii- Shipboard management system.

2.4. Shipping in developing countries

Recent decades have witnessed the rise of the question of developing countries share in the seaborne transport. Developing countries have realized the crucial importance of acquiring their own national fleets for reasons of different natures but with relevant importance for their developmental planning as regards economic as well as social ones. Naturally, a main aspect in this context is that of the economic independence and the need of these developing countries to diversify their activities and to protect their exporting industrial sectors of the economy which will not work in the absence of a national effective and efficient fleet.

Shipping is a capital intensive industry, and this imposes heavy burdens on developing countries. It is not the only question making this industry inconquerable to them. Technological developments and new innovations in shipping are continuous which increase the onus of financial requirements on their part and widens the gap between them and the developed maritime countries. What worsens the situation more is the decrease in the demand for tonnage due to the economic stagnation in the shipping market to an extent that some countries may find it not profitable to operate any national tonnage.

The traditionally maritime nations have not been in favour of developing countries acquiring their tonnage. They,the developed nations have been favouring the idea that developing countries should invest their limited resources in shore activities and port facilities leaving

sea transport to the more experienced countries to perform.

Developing countries feel that developed nations are harvesting all the benefits of trade to the maximum,where the greater part of the cost of sea transport is finally incurred by developing countries in one way or another. The developed countries taking advantage of the relative price elasticities of demand and supply in the imports and exports of developing countries, had increases the cost of carraige of sea transport for them and worsened the situation towards the promotion of their trades.It is also felt that developed countries are exploiting the limited resources of developing countries through their practices in sea transport without the least attention to their interests. Thus developing countries feel that by increasing their shares in the carraige of their trades by sea would result in corresponding savings of foreign currency expenditure. The Last ten years have witnessed big increases in developing countries shares in both DWT tonnages and seaborne trade shares as it is given in annex (1).

UNCTAD, considering the important role that maritime transport might play in the development of developing countries, had adopted the " Code of Conduct for Liner Conferences " in 1964, where an international economic development strategy was adopted. The objective of which is to enable developing countries to attain a rate of growth sufficiently above the average, so that the gap between developed and developing countries would tend to close.

The Code is based on the concept of cargo sharing,but

with regard to the interests of developing countries, which were not cared for before. The Code proposes cargo sharing among trading partners and third flag carrier. It justifies the reservation of cargo by trading nations and suggests a 40 - 40 - 20 formula.

Developing countries realizing the necessity of shipping to the independence of their countries and to their economic development as well, were forced to take certain measures to protect their national interests in shipping especially with their limited resources, against the well established and traditionally experienced competitive shipping of the developed countries. Such measures and policies differ from country to country, but they normally take the form of assistance rendered by the country to its national shipping sector including shipbuilding. Although subsidies rendered to shipbiulding are aimed at assisting this industry to survive in these stagnating conditions in the ships construction market, but they are indirectly assisting shipping and shipowners through different prefinancial agreements and concessions. Subsidies may be either cost reducing or income increasing and take various forms. Subsidies are not only financial, but can take the form of administrative grant like flag discrimination and cargo preference.

The argument of protectionism is opposed by another argument favouring a free trade policy, which in its state comprises opposite ideas. In basic, this argument is that of the developed maritime countries. What is strange about this subject is that these nations favouring free trade argument are to a great extent engeged in many proctective practices. Many nations in the world nowadays whether developed or developing, are due to the

economic stagnation prevailing in the shipping industry, granting huge amounts of subsidies specially to the ship-building industry which without such would have closed. In fact the question of free competition is only theoritical and is also unreal, because free forces in the market are not given the chance to exist in a real competitive conditions.

2.5.The role of IMO & other international organs

IMO, since its foundation in 1958, has enriched maritime practices in the world with its enormous efforts and Conventions. The technical and specially the nautical standards adopted by IMO and enbodied in its various Conventions and other instruments are being considered the yardstick of applicability for many basic provisions of international law and of the limitations on the law making competence in the maritime field of individual, particularly coastal states.

The main concern of IMO was and still is to provide machinery for cooperation among governments to encourage the removal of discriminatory actions and unnecessary restrictions affecting shipping, and to provide for the consideration of matters concerning unfair restrictive practices. In carrying out these aims, IMO had in the past 27 years that followed its establishment, adopted a variety of international conventions and other instruments which were quite impressive in number and in content.

IMO is nowadays recognized as the sole international competent body capable of dealing effectively with international shipping in regard to safe navigation and has taken all necessary measures to ensure that these adopted standards are widely spread in the real practice of shipping and sea transport all over the world. IMO recognizing every kind of difficulty facing developing maritime nations in their strive to take part, a relative important one, in the field of sea transport,specially in that of transporting their own national sea trade, has

taken every possible step toward helping these nations in reaching such goals. These steps comprise technical assistance granted through its Committee on Technical Cooperation which renders valuable services to developing countries in several fields covering maritime legislation and safety administration in addition to the help in fields of maritime training, marine pollution, port operations, dangerous goods...etc. These activities are provided on both national and regional basis.

The main reason behind these valuable efforts by IMO is to reach into the minimum acceptable global maritime standards to ensure safe navigation and also to keep the marine environment clean. Many nations in the developing part of the world are lacking the basic necessary infra-structure for the adoption of these IMO basic standards. Thus forming a certain kind of obstacle towards the process of implementing such standards on a global basis.

IMO standards are not the only standards concerned with safety of Man and environment. Other international organizations have greatly participated in formulating international standards in the field of shipping and sea trade. These organizations are;

a) IMO which adopted a number of standards like SOLAS 74/78, MARPOL 73 and Protocol of 78, Load Line, STCW and many other conventions.

b) ILO which has the famous umbrella convention- 147 and other instruments concerned with manning accommodation and environmental conditions of crew on board ships.

c) CMI which was mainly concerned with the commercial side of the seaborne trade and issued in this regard a number of important standards for doccumentation and other requirements in sea trade and any arising disputes.

d) UNCTAD, it is concerned with the economic and commercial side in the maritime activities. Many standards were laid by this important UN body. These standards are regarded as decisive in the development of shipping in developing countries, i.e. Code of Conduct for Liner Shipping.

P A R T 2

PRESENT MARITIME INDUSTRY IN JORDAN

Chapter 3

Maritime activities

3.1.General

Before discussing maritime development and any other related activity in Jordan, it is necessary to give here some basic elements about historical background of Jordan and its geographical aspects, which had and still have a great influence in formulating the path of development of the Country with all its present capabilities and restrictions.

Jordan lies in the heart of the Middle Easr area, with a history dating back to the early days of Mankind. The Country lies to the East of the River Jordan, surrounded by Syria from North, Iraq from East and Saudi Arabia from East and South.

The Country, being in the middle of the old world, went through many great historical events and different eras of civilization, that could be traced back to 1300 B.C. during the regiem of Edoms. During which Jordan was on the main trading routes running from East to West.

The South of Jordan had witnessed various maritime activities since the wake of days. Aqaba, had different names in the history like Aelana and Aela and experienced the growth and decline of many nations. But, during all these old times it was a place of importance as a main center of trade transported on land from South Arabia and by sea through Red Sea and the Gulf of Aqaba. Aqaba lost

its importance during the Turkish regime. It was not til the wake of this Century in 1916 when Arabs revolted against the Turks and Aqaba was then captured in 1917.The harbour was used as a supply base. In 1939, a war built berth of 47 meters long and 10 feet in depth was built for the use of the British military legion during the World War II.

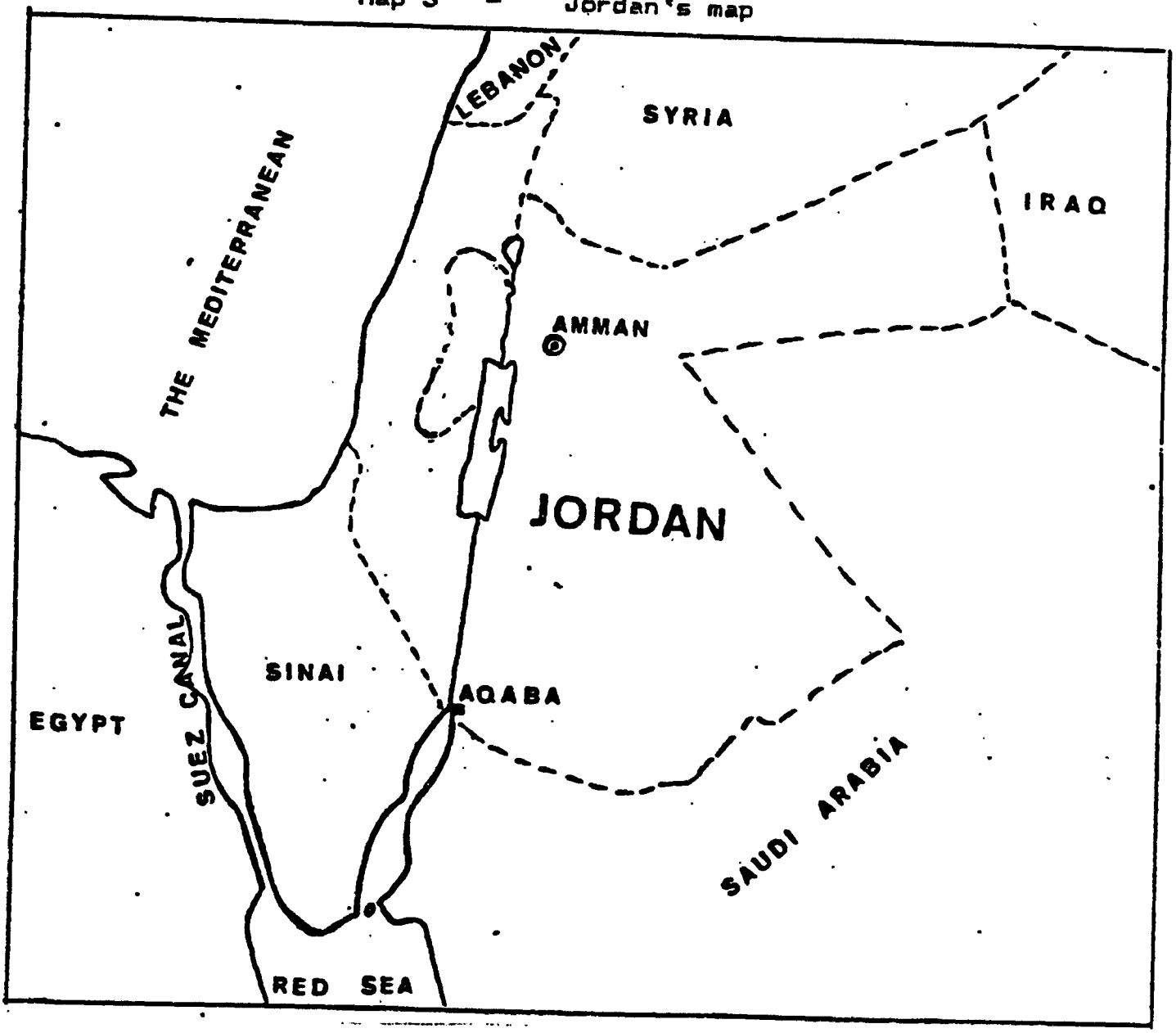
Jordan at that time, began to experience these newly introduced maritime activities through that war-built facility. The Gulf began as well in witnessing a kind of sea traffic, which was not big, but rather new to the area. Ships were handled by military people with the aid of local hands.Some stevedoring expertise in the southern Palestinian ports were driven out in 1948. Their arrival into Aqaba gave a big impetus in the maritime field at that time.

Jordan's foreign trade began to grow steadily after independence in 1946. The Country was relying on the Mediterranean east coast ports on the Palestinian shores. When the land was occupied, Jordan was cut off access to seaports. It was necessary to find a fast alternative. Bierut was a very attractive and handy port. So, the whole trade was diverted to it. But at the same time, the Government decided to obtain a certain degree of economic independence in its foreign trade. Thus, a Royal Decree was issued in 1952 for the establishment of a new Aqaba Port Authority, which in fact was the ever first step in the development of a national maritime administration and a national port taken by a national government.

Geographical conditions in the Gulf were favourable as a natural harbour for the establishment of a seaport.

The City itself was a small fishing village at the southern most tip of Jordan on the Gulf at a latitude of 31-29 North and longtitude of 35 East. The Gulf itself, is a 98 miles long with a width ranging from 6 to 10 miles, and it is a continuation of the deep, narrow depression of the great Rift Valley. Both,the Valley and the Gulf, are protected by relatively high mountains on both sides.

Map 3 - Jordan's map



3.2.Port industry
Aqaba Port development

3.2.1.Constitutional Responsibilities

The Port Authority was initially found as an independent body. Its statutory foundations were erected by a Royal Decree in 1952. In 1959 the name was changed into Aqaba Port Department and was attached to the Ministry of Transport enjoying financial and relatively administrative degree of independence.

The new Department was given the authority to run and develop the Port using all resources available to facilitate an effective and low cost handling of cargo in the Port. Stevedoring work was carried out by a private firm.

In 1967 and due to the economic problems caused by the closure of the Suez Canal, stevedoring activities had to be taken in the hands of the Government. A new body was then found which was called the "Maritime Establishment". Its job was the handling of cargoes under the supervision of the Port Department-APD. 1978 had witnessed a further major change where this Maritime Establishment was then merged into the APD. A new body emerged as a result of this merger.It was named "The Ports Corporation-P.C.".The Ports Corporation is now the present national maritime body in Jordan given the responsibility to administer and control all maritime activities in the Country. A new statutory law was issued in 1978- Law no. 28 which specifies the constitutional responsibilities of this new body in its new form. This Law contains 17 articles

comprising the establishment and the functions of the Administration, annex (2).

3.2.2.P.C., the only authorized maritime administration

The answer to the question that might be raised about why the Port Corporation is the sole organization authorized as a maritime administration in Jordan, would be obvious in the light of the local circumstances that made it imperative to have such a sole figure. From the previous part of this chapter and the annex to it- 2 . it could be easily observed, that the Port has been implicitly given in artcles 4,8/3-a and 15-a the capacity to enter in any activity or to issue any regulation in relation to port works. Artcle 8-3 has gone further by giving the Corporation the right to involve itself in direct shipping business. Thus,the Ports Corporation was entrusted with almost all activities in the marine sector of the national economy. Many factors made this possible, these are;

a) The Country's limited maritime experience which basically began in 1952,

b) The limited coastal line of 27 kms., which was even less before 1966,(only 7kms), but a bilateral agreement with Saudi Arabia in 1966 had resulted in the increase of 20 kms to the South along the shores of the Gulf against some modifications to the frontiers' lines in the eastern parts of the Country. But even with this substantial increase, the coast line is still small compared to the

coastal lines of other coastal states. Nevertheless, this short coast line has proved its viability and importance to the national economy giving a larger degree of economic independence to the Country especially in times of crisis, where many trading routes would be cut off the country which might imposes high degrees of commotion to the national economy and the local market conditions.

c) The fact of being a disadvantaged coastal state in a semi enclosed long and narrow body of water with four bordering states, imposes an extreme limit on the national Jordan's terretorial waters, as it is clearly shown in map (4). Table (1) clarifies these States claims into the Gulf's waters.

This great geographic constraint to the size of the Jordan's territorial waters area*, imposes an obvious limit on the availability of certain maritime activities such as salvage or search and rescue and on their performance by other specialized organizations. The presence of many governmental organizations rendering maritime services to shipping in such a limited area of jurisdiction, may give rise to certain conflicts and constraints to the efficiency of such services.

Map 4 - Jordan's territorial waters

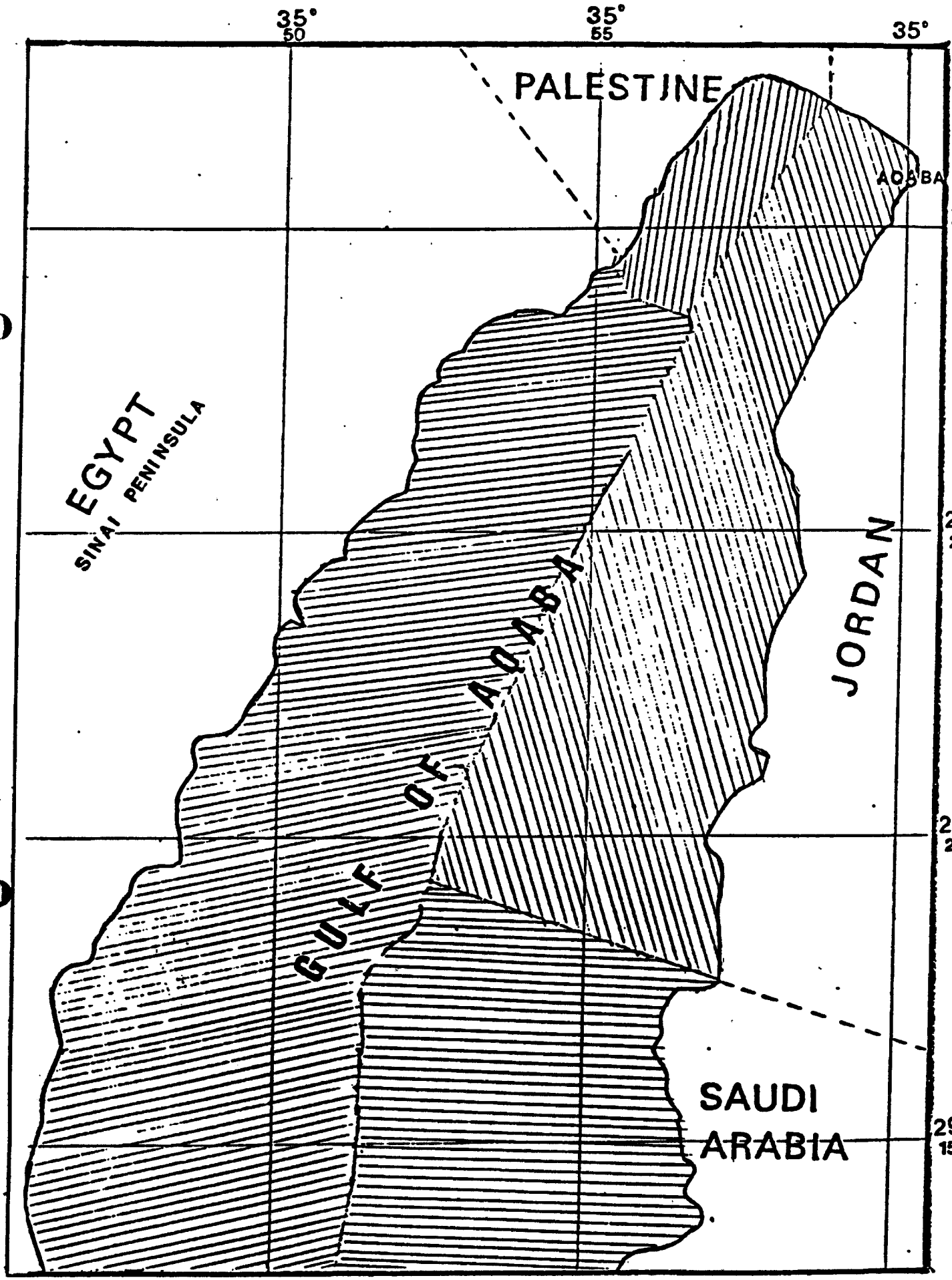


Table (1)

Maritime claims of the Gulf States

State	Width of Territ. sea claim	Baseline system applied	Claims Conting zone	Claims to continental shelf
1.Egypt	12 miles	yes	6 miles	200 miles and exploitability
2.Palest.	6 miles	--	--	exploitability
3.Jordan*	3 miles	--	--	----------
4.Saudia Arabia	12 miles	yes	6 miles	claims seabed resources in cont. shelf and contig. Red Sea area.

** Fisheries Act no.25,1943 defines and limits Jordan's territorial to three miles at low water line.(annex 11)*

Source:Middle Eastern States & Law of the Sea by A.Hakim

3.2.3.Facilities

The first introduction of maritime experience into Jordan was made in 1952, when it was recognized by the Government that there should be a certain economic independence for its national foreign trade. The closure of the Palestanian ports in the face of the national trade as a consequense of the 1948 War, made this fact very much obvious. But the real first major step to the formation of a national seaport came,as mentioned above after four years (1952) by the establishment of the first

maritime authority in Jordan which was the Aqaba Port Authority.

Before establishing this body, there was virtually no maritime experience in the Country, except for that experience gained through the war-built facility in 1939. But this experience was very limited. The arrival of some of the experienced people of the Palestanian ports' into Aqaba after 1948, gave a good impetus to this infant industry. These people were among the first pioneers in the Port's stevedoring experienced personnel.

It was rightly decided that the new Port Authority should start its activities immediately without any waste of time in waiting for the construction of new docks.The start was with the old war-built facility. The move paid off quickly and the results were promising where size of trade was doubling year after year.

Due to the lack of administrative capabilities and incompetent procedures and experiences during these Port's early days, Aqaba was not in position to compete with the old and experienced ports in the neighbouring area such as Bierut in Lebanon and Latakia in Syria. Protectionist measures were still nationally not fully known or followed at that time. Because of that,a large percentage of the national foreign trade was handled in other ports outside the national frontiers,specially in Beirut. Beirut was a very well established and old experienced port, in addition to its relative shorter distance to Europe and also to avoid the high dues of the Suez Canal.

Relying on other ports other than national ones, was not a healthy policy for the national economy.Economic

independence was as vital to the Country as the political one. One of the most essential steps towards acquiring economic independence was the erection of a national sea-port. The Government realized this fact and efforts were then carried out in preparing feasibility studies and construction plans were carefully reviewed for the building of new modern port facilities capable of handling the increasing national foreign trade. When the Lebanese National War of 1958 errupted, Jordan was cut off the world market. The whole national market was completely paralized as a result of the acute shortage of basic materials. The Goverment realized the critical need for a satisfactory and efficient national port. This fact- the War, had augmented the plans and ambitious ones were then concluded for a compatible port. The first result of such efforts came out in 1959 with the completion of the first bulk exporting jetty for exporting phosphate,the main export material in Jordan. 1960 witnessed the completion of the first general cargo berth with all adjacent storing facilities. This berth was followed by another identical one in 1964. The Port did not stop expanding during the following decades till now. Port facilities at present are given in annex (3).

3.2.4.Size of trade

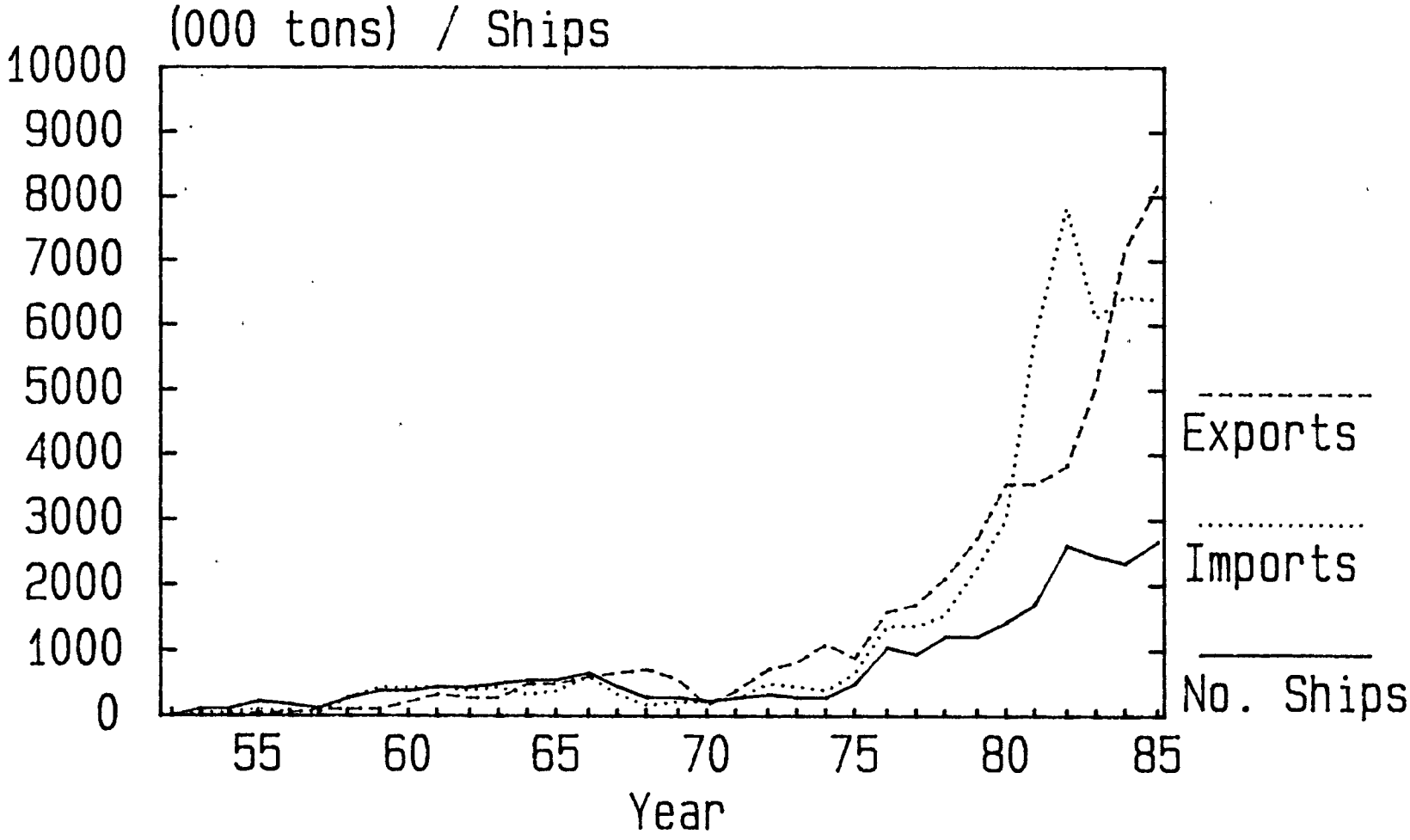
Aqaba, due to its unique location, began to play an effective role in the regional trade. Many neighbouring countries began to rely on the Port in parts of their seaborne trade, outbound and inbound.

3.2.4.1. *Trade expansion and constraints*

As was mentioned before, the Port of Aqaba had grown very fast since its modern facilities were erected. The Port, like any other port in the world, had experienced various sorts of hard times and conflicts during the last thirty years which hampered its natural growth rates. The Port, being situated east to the Suez Canal, depends largely on the Canal itself for the major part of its trade shares with the western part of the world. These shares amount to as much as 55-60 percent of its total imports. The closure of the Canal in 1956 then in 1967 to 1975 had greatly affected its growth. Vessels had to sail around the Cape to arrive into the Port,which resulted in high surcharges imposed on the local trade increasing the burdens on the Country's balance of payments. During the second closure of the Canal, land transport to and from the neighbouring countries on the Mediterranean, began to prosper. Many cargoes imports and exports, were hauled to and from Aqaba in an attampt to overcome trade constraints imposed by the situation. Chart (1) gives size of trade via Aqaba from the beginning till 1985 showing the effect of Canal closures on the Port, while table (2) gives size of trade with nieghbouring countries (Lebanon) during the period of 1966-1974. Jordan's

CHART 1

Size of trade in Port of Aqaba



trade with Syrian ports (Latakia) did not take the same importance as Bierut due to political constraints. The

Table (2)

Trade with Lebanese ports compared to Jordan's trade via Aqaba in 1966-1974

Year	Jordan's trade via Bierut		Jordan's trade via Aqaba	
	000 tons	%	000 tons	%
1966	46	7.2	589	92.8
1967	109	23.5	354	76.5
1968	155	49	161	51
1969	160	43.8	205	56.2
1970	163	45.4	196	54.6
1971	106	27.6	278	72.4
1972	6	1.1	519	98.9
1973	32	6.8	434	93.2
1974	00	0.0	367	100.0

Source:Compiled from Ports Corporation Statistics

size of Jordan's trade via Latakia in the period from 1971 to 1973 gives the amounts of 70, 40 and 75 thousand tons respectively.In 1974 the Port of Latakia was to some Jordanian importers more important than Bierut.It appears that before the Lebanese Civil Conflict that occurred in 1975, the greater of Jordan's transit traffic has shifted from the Lebanese ports to the Syrian ports.This shifting did not last long due to the deteriorating political relations.

When the Canal was reopened in 1975, the Port began to revive and experience congestion in numbers of ships as well as in cargoes. That was mainly due to the huge flow of both ships and cargoes which reached their peaks in 1976. Fortunately, the Port Administration had its plans for expansion ready at that time which eased and facilitated these arising problems and made it possible to tackle these huge increases of both ships numbers and cargo quantities.

Recent figures of Jordans trade via Aqaba reflect constant rates of growth in the local economy and huge increases in the transit cargoes both inbound and out-bound as clearly shown in table (3).

Table (3)

Cargo traffic via Aqaba from 1979 to 1985 in 000tons

Year	Imports		Exports		Total		Grand total
	Local	Transit	Local	Transit	Local	Transit	
1979	2140	161	2740	2	4880	163	5043
1980	2082	941	3615	2	5697	943	6642
1981	2773	3030	3615	6	6388	3036	9426
1982	3671	4166	3802	33	7473	4199	11672
1983	3161	2936	4515	544	7676	3480	11157
1984	3228	3220	5854	1304	9082	4524	13606
1985	2362	4007	6242	1931	8608	5938	14547

Source: Compiled from Ports Corporation Statistics

3.2.4.2.*National economic indicators and growth patterns in the Port*

Looking at these previous figures, it was not possible to assess or to predict such annual growth rates via the Port,because of the simple fact that they were beyond all expectations. National economy was also growing fast from 1960 to 1983. The per capita Gross Domestic Product (GDP) growth was as much as 435 % . Per capita income reached 1580 USD in 1982 and 1,640 US$ in 1983 with an annual growth rate of 6.9 % (1965-1983). GDP has grown in a more rapid way with an annual average of 11.1 % (1973-1983). GDP reached 3,630 million USD in 1983 (1,487.3 million JD). This great development in the GDP was due to the systematic planning aiming at developing the ational economy and changung its pattern into a selfsustained industrial economy at least in terms of consumption goods. This was successfully achieved during the past decade that had also affected the pattern of trade in the Port itself. Quantity of goods imported for the benifit of the growing industry is increasing every year. Exports are also witnessing new kinds of industrial materials. Additionally, phosphate, the traditional raw material in Jordan has shown big increases and new techniques and the establishment of related industries. Table (4) gives the world seaborne phosphate rock by origin showing the importance of Jordand's share. The Industry's contribution to the GDP was 31 % in 1983. New materials are now exported such as chemicals 7 % (1983),machinery 5 % (1983)and fertilizers, a new product that began in 1982 at only 0.5 % but increased to 5.8 % in 1983 and to 8 % in 1984. These trends can be clearly seen in the changes in some of the imports figures as well. These figures are either decreasing like cement, flour and fertilizers

Table (4)

World seaborne phosphate rock by origin,1980-82

(in 000 tons)

Year	Morroco		Oth.Afr		USA		Pacif		Jord.		Others		Ttl
	Ton	%	Ton	%	Ton	%	Ton	%	Ton	%	Ton	%	Ton
1980	16381	34	6394	13	14641	30	3529	7	3911	8	3050	8	47906
1981	15631	37	5408	13	10549	25	2729	6	4244	9	2990	7	41551
1982	13972	35	5554	14	9929	25	2724	6	3562	9	4076	9	39817

** Some variations due to rounding up.*

Source:Compiled from Bremen Institute Statistics

indicating growing local industries or increasing like timber, sulpher and ammonia indicating new industrial needs. This is clearly given in table(5). Import figures show also increases in some other figures reflecting the other side of the coin. They are considered as setbacks in the Jordan economy. They are mainly attributed to crop failure in some parts. A hidden factor with a serious social origin is contributing to the same,and this is the problem of urbanization.Urbanizational trends in the local population had resulted in decreasing the agricultural contribution into the national economy from more than 17 % in 1960 to only 8 % in 1983.This phenomenon of urbanization or according to what others like to cal it, land desertion, is growing in an average of 4.8 % per annum (1973-1983). Urban population in 1965 was only 47 % of the total population, while it has reached 72 % in 1983.The agricultural labour force decreased from 55 % in 1965 to 49 % in 1981 resulting in an annual growth rate of only 4.3 % in the agricultural sector (1973-1983)

compared to GDP growth rate of 11.1 % for same period.

Table (5)

Changes in imports patterns of main commodities in Aqaba from 1979-1985 in 000 tons.

Commodity	1979	1980	1981	1982	1983	1984	1985
Grains	374	284	311	536***	552***	822***	613***
Flour	93	87	104	43**	27	12	10
Rice	28	55	37	38	11	65	51
Sugar	76	105	79	104	39	175	112
Veg.Oils	18	11	26	21	28	23	25
Forages	25	24	60*	74	87	111	85
Fertilizers	7	9	6	20	28	11**	11
Steel/Iron	382	253	380*	439	446	348	377
Timber	6	15	10	17	53*	118	67
Sulphur	1	1	1	58*	149	174	68
Cement	628	469	720	624	535	37**	10
Ammonia	-	-	-	24*	60	85	101

* *New industrial needs.*

** *Produced locally- new export potential.*

*** *Major crops failure.*

Source: Compiled from Ports Corporation Statistics

3.2.5. The organizational structure

The organizational structure of the Port was a very simple one at its early times as is shown in chart (1). Stevedoring activities were carried out by a private firm under the direct supervision of the Port Authority.

Since those early days, the Port had undergone a series of developmental stages as pertaining to all aspects of activity and organization, beside the continuous updating of its facilities. The major changes could be divided into the following;

a) Legal changes: where the first National Maritime Code was issued in 1972, new functions were given to the Port as regards its activities. Ships registration was among these new functions.

b) Administrative changes: Many studies were pursued and effected to reach the best administrative formula for the Port organization, specially after embracing the stevedoring activities through integration with the stevedoing corporation that was found to replace the private firm after 1967. That integration took place in 1978. The new organizational chart for this new merger is given in chart (2).

The organizational chart was exposed to further changes and developments to meet the new requirements of modern technologies and management - chart (3).

Chart 2 - A.P.C. Organization structure till 1968

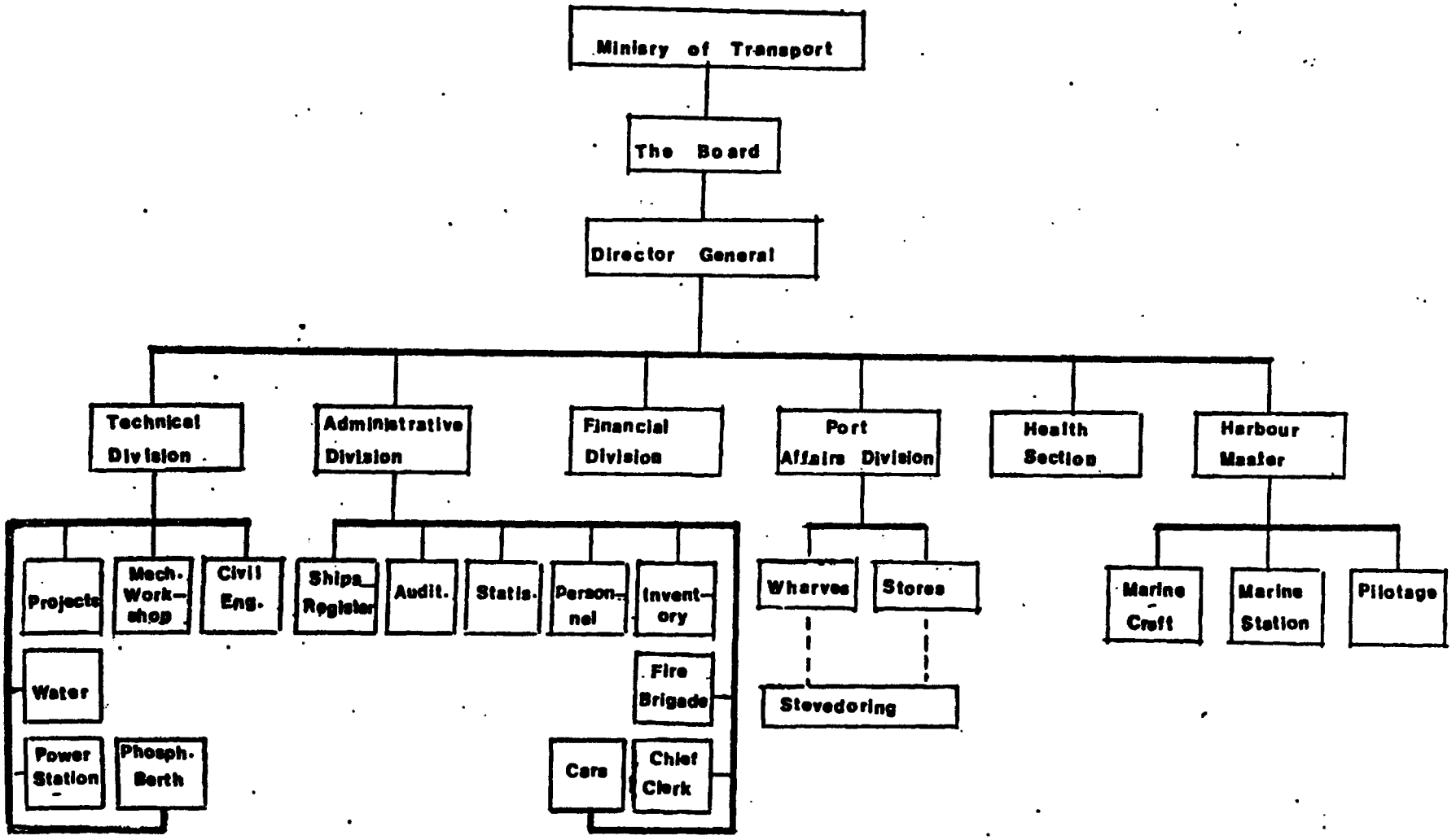


Chart 2-1- P.C. Organization structure till 1983

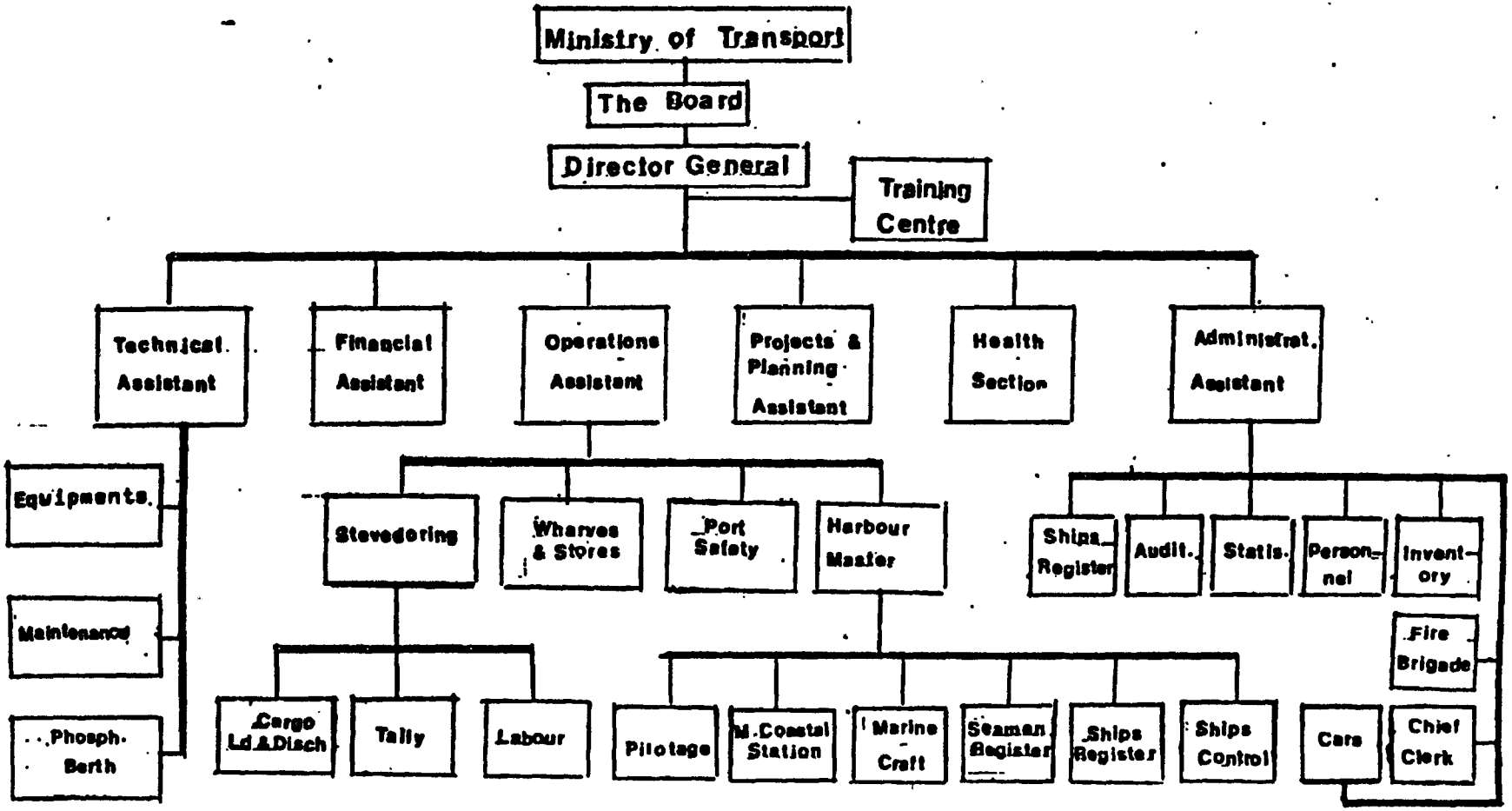
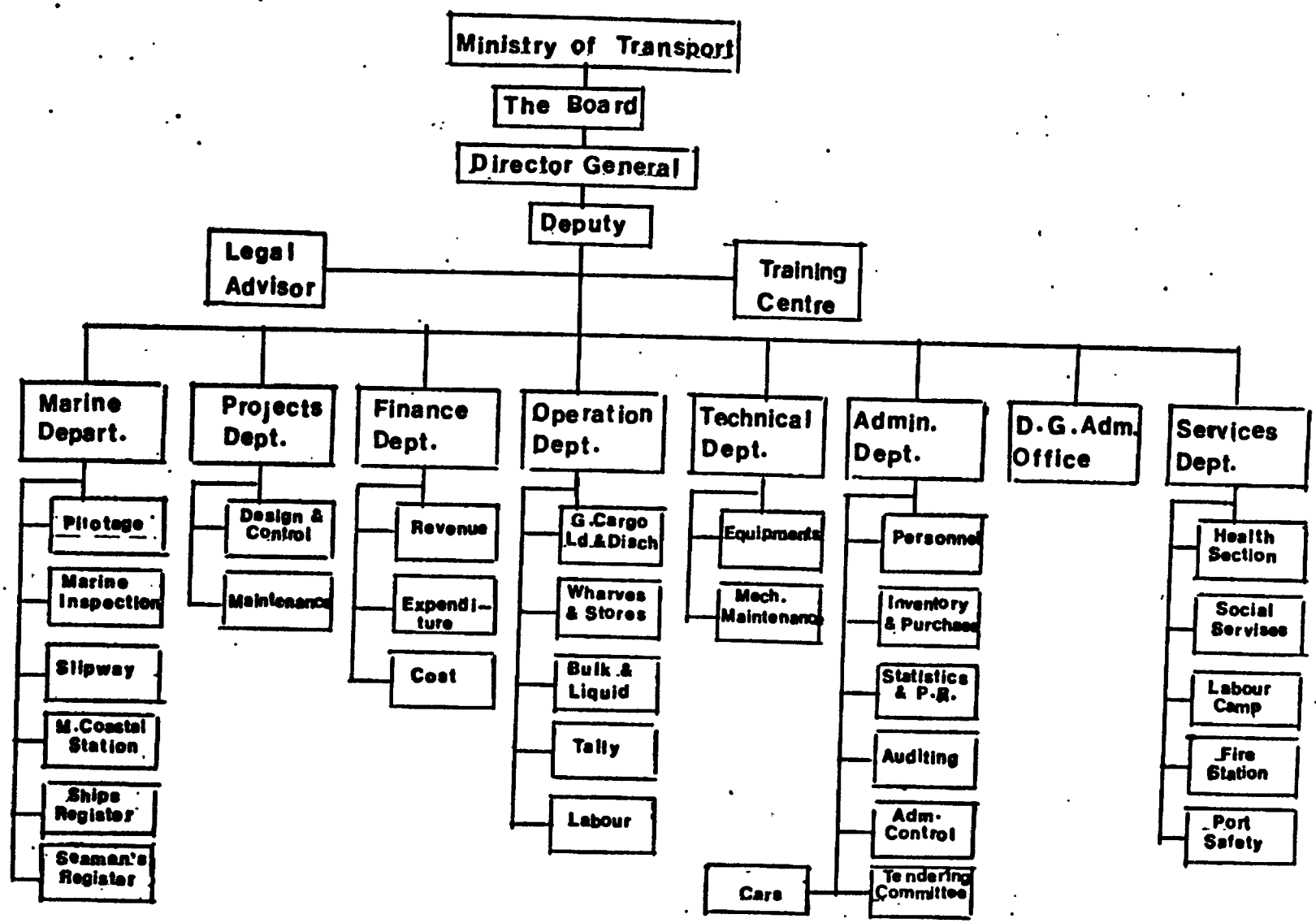


Chart 3 - Present P.C. Organization structure



3.2.6.Personnel

One more thing should be mentioned here that the Port had relied since its first start on national experience. Some foreigners were employed in the technical capacities but that was on a very limited scale.

The Port adopted a policy to acquire the necessary experience needed through the on-the-job training concept.Most of the present operational staff of the Port are those who began their profession with the early start of the Port itself in the early sixties, and were trained on the spot.They have acquired a lot of experience, which was restricted to the limited needs and small capacities of the Port at that time. At present, different pressures are imposed on the Port's personnel due to the continuous changes in trade patterns and technical concepts of the shipping industry. Besides, the increasing size of the trade itself was making a great stress on the urgent need for more and better trained personnel to cover the vast increasing services and activities of the Port. This is clearly shown in the following table that shows trade increases and changes in its pattern with the increase in number of ships as well in the period of the last ten years- 1976 to 1985.

Table (6)

Number and kind of ships calling at the port in period from 1979 to 1985

Year	Gen. cargo	Cont.	RoRo	Ferr	Phos	Other	Total
1979	615	176	58	99	222	68	1238
1980	660	254	58	121	280	93	1466
1981	763	255	166	151	234	175	1744
1982	1067	307	271	460	283	211	2599
1983	837	321	229	590	269	208	2454
1984	702	295	176	524	309	323	2329
1985	731	381	193	844	307	215	2671

Source:Compiled from Ports Corporation Statistics

This previous table shows clearly that the maritime and shipping environment of the Port was exposed to continuous changes, influenced by the following factors. These are;

a) Increasing demand for Port services,
   i- as an access for national foreign trade, and;
   ii- as a transit Port serving a wider hinterland in the neighbouring countries.

b) New maritime trade and shipping innovations and techniques which had a great impact on the Port itself in the mid-seventies and the following periods, its procedures, facilities and equipment as well, imposing heavy burdens on the national balance of payments with the Country's limited resources.

c) Changing concept of ports in general from the old coventional role which regarded ports as final

terminals into the one that considers them as points of cargo exchange. This new consideration is based on the idea that the whole transport journey is regarded as one integrated activity. This idea, made it necessary to innovate and to adopt new techniques and concepts in the handling of cargo with the aim to reduce the period of transit,safety of cargo from damage, and the possibility of loss or delay to the minimum. A new system for multi-modal transport was consequently introduced in the mid-seventioes to facilitate this new mode of transport in the door to door cargo handling concept. Local ship agents and forewarders in Aqaba have adapted themselves to these new requirements of trade.

Consequently,these changes required a constant alteration in Port facilities, procedures and personal capabilities as well as in the processes of updating such means and methods of production to cope with the continuous changing industrial and environmental conditions which aim at giving the best results in utilizing such means and methods with the work element to ensure the best factor mix to the benefit of the Port itself and in turn to the benefit of the whole national economy. As a result of that, many studies were carried out to update the Port s facilities. Many of them were concluded to the benefit of trade and navigation in the Port area. Annex (3) shows the present port facilities.

As mentioned before,the Port relied on the experienced persons who came into Aqaba in its early days. Most of its staff were trained on the job. Few were academically trained except for those of nautical and engineering

backgrounds needed for basic Ports activities. Many studies of the Port were concluded, but not one of them concerned itself with the study of the Port needs of trained and skilled personnel to cover all aspects of activities either at the time of those studies or in the future.The Port recruited many people with relevant skills, with the result that less qualified people were recruited due to the lack of competent applicants. Training was regarded as necessary, but was never given relative weight or financial support.Many of the training opportunities offered to the Port's staff were outside fellowships imposed upon rather than being the out-come of the Port's rationalized trainig schemes carried out on a planned programme. The Port staff was nevertheless competent in handling the Port trade during its early periods till mid-seventies when the size of the trade began to steeply escalate line, due to the drastic increase of transit cargoes via the Port to the neighbouring countries. The Port began at that time to experience congestion and low productivity rates.

3.2.7. Problems and constraints

Port labour shared a part of the above stated situation, where most of the labour was and still is an imported one in the range of 60-70 %. The recruitment system for the labour was on casual basis, except for native dockers who were on permanent staff arrangements. Labour turn-over was very high,which exerted a big burden on the Port and its productivity.To avoid such a negative effect,a Port Training Center was established in middle of 1979 for the purpose of training Port staff on the more productive and the most safe methods in cargo

handling with the best means for using cargo gear and equipment. It was not intended at first to train the Port's labour,but when the need arose,it was obvious that such training should be given. Short condensed courses were thus introduced. They were mainly dedicated to the safety handling of cargo and gear aiming at decreasing the high rates of accidents at work that was experienced after the cargo boom in 1979 which ranged to 60 cases per month. The Training Center was efficient in improving the staff techniques and labour methods at work. But contribution to the improvement of productivity rates was not apparently in the same line of effectiveness. This negative result was not the fault of the Center as it was the result of other reasons that are identical in other developing countries as well.

These are;

1) Inconsistent administrative procedures as pertaining to:
   a- Choice of staff for jobs was not on the best fit basis,
   b- Disguised traditional distrust in local skills,
   c- Bureaucrat performance of administrative procedures and decisions leading into an extensive national brain drain.
   d- The concept of committee work has been extensively relied upon resulting in;
      i- Lengthy time consumption,
      ii- Inappropriate results,
      iii- The process of decision making is thus delayed or impeded to the detriment of Port work and productivity.
      As a result of that , the study work of many committees is only paper work.
   e- The administration is not relieved from the day to

day burdens of work and decisions due to insufficient degree of the delegated authority.

2) Personnel planning insufficient due to:
   a- Recruitement procedures influenced by subjective rather than objective approaches,
   b- Degree of relaxation given to the process of implementing staff promotional cadre is considerable with tendentious results leading into increased conflicts rather than liaison and effeciency among staff,
   c- Incompatibility of disciplinary actions appropriated for similar breaches,
   d- Frequent changes of payment and incentive systems result in inconveniency and decrease of benificial gains for dockers that may lead into skulky and inactive performance at work with a retreating degree in productivity rates.

3) Inappropriate working atmosphere, even of the tangible and steadfast recent Social Pension Code. This is due to;
   a- The social formula still not being completely solved including housing and security regarding health, old age and family. Remedial actions were taken to solve some of these problems, but were on partial basis accruing to repurcussions of animosity mainly on productivity,
   b- Casual labour consisting mainly of foreign labour is a main source of increasing aggravation of bungled commitment to the public concern,
   c- Safety conditions not fully maintained even of the general concern prevailing in the Port towards implementing the best possible standards to ensure safety aspects at work. Many factors contribute to the increase of accident rates in the Port. These

are, inter alia:

i- Increased turn-over of casual labour,

ii- Insufficient competent safety supervisors, and,

iii- Slow response on part of the administrative routine work and misapprehended committee members to the vitality of certain safety equipment or devices needed at work.

As a result of the above mentioned factors, job satisfaction is still not attainable, thus the general cooperative atmosphere and public concern are almost absent giving way to the spirit of personal gains to compensate for social losses and to take over resulting with inefficient working capabilities.

3.3. Shipping industry

3.3.1. Present situation

Jordan has a very recent history in shipping. The acquisition of the first national tonnage was only possible with the introduction of the National Maritime Code in 1972. It has not being long since the first ship flying the national flag was bought. It was a small second hand vessel. This decision to enter into the era of shipping business was initiated by the new Code and carried out by the private sector.

The growth of national shipping did not continue the way it was supposed to. Another investor from the private sector bought another second hand ship, but went out of the market a few months later. This was mainly due not only to the general political situation in the region, but also to the severe market competition. There was no apparent or clear national shipping policy that could have protected national investors in shipping against outside competition for the carraige of local cargoes. It was not until the early eaghties that the frustration which had dominated the local shipping investment market begun to retreat. New investors were encouraged to buy other small second hand vessels. This tonnage was also purchased by the private sector.

The Government, was aware of the need for a national tonnage to serve the growing local demand for cargoes and to relieve the heavy burdens on the national balance of payments. Because the Government was in favour of a state owned fleet, it bought shares in a recently established shipping company in 1981- The Jordan National Shipping

Company that was established by private investors for the shipowning industry. The new company (JNSL) bought two second hand general cargo ships for trading on deep sea routes between Aqaba and north west Europe providing one sailing every three weeks. JNSL managed to carry about 123.000 tons of general cargo and 22.000 tons of bulk cargo on its national vessels in 1985 representing 2.43 % of the imported trade via Aqaba. Eight vessels were chartered in the same year on voyage charter to satisfy the growing demand for JNSL services on the NW Europe-Aqaba leg. A three week sailing service should be satisfactorily covered by these two JNSL vessels. But due to the fact that these two ships were old with increasing maintenance demands, and also because one of them was scrapped in 1985 without replacement, made it imperative to charter these vessels even if the fact is that this has contributed to increased costs and higher frieghts.

In fact and even though JNSL owns one general cargo ship now,it is acting as a focal point in the national shipping industry much more than any other privately run shipping companies due to the fact that it contributes into the gaining of the know-how of sea experience needed by local seafarers through;

a- Recruitment of local deck and engine officers,

b- Recruitment of national skills in various other ratings, and,

c- Introduction of training opportunities for national cadets in deck and engineering departments.

JNSL did not limit itself to general cargo, but has expanded into the bulk business in order to serve the national bulk trade. Two bulk carriers of 22.000 DWT each were purchased then chartered to work in th pooling trade of the international bulk carriers. This enables JNSL to acquire the necessary experience in terms of managerial and operational abilities.

Petra, a new private shipowning company, bought two passenger ships to serve the passenger trade in the Red Sea. specially between Jordan and Egypt. One of these two ships is now flying the national flag while the other is flying the Panamanian flag. The later was chartered by JNSL for operation on the newly inaugurated passenger route between Aqaba and Nuweibe' in the Sinai Peninsula-Egypt.

The Number and size of the national fleet was subject to many changes between the early and late months of 1985. As mentioned before, one vessel was scrapped after a grounding accident and two other small ones were sold. Another was registered under the Egyptian flag but under the same management.The position of the national fleet in the middle of 1986 is given in tables (7) and (8).The fleet's average age has dropped from 16.6 in 1985 to 15 years in the middle of 1986. Its share of imported trade was 2.4 % in total and 6.5 % of the local imports.

Table (7)

Registered ships according to ownership in Jordan

	No.	GRT	DWT	Average age
State	3	35808	57549	13.6
Private	1	2736	4284	19
	4	38544	61833	15

Source:Seatrade, Arab Shipping, 1986

Table (8)

Jordan's registered vessels

							Crew		
Name	Owner	Kind	Route	Age	GRT	DWT	Fgn.	Local	Cdt
Farah1	Petra	Pass	Sh.sea	19	2736	4284	25	26	5
Motah	JNSL	G.C.	Dp sea	15	9858	13717	17	11	12
Hittin	JNSL	Bulk	Dp sea	13	12974	21916	24	-	2
Karama	JNSL	Bulk	Dp sea	13	12974	21916	24	-	2
							101	37	21
					38542.	61833			
							159		

Source:Seatrade, Arab Shipping, 1986

The Government has also a share of 50 % of a joint venture company with the Syrian Government, " The Syro Jordan Shipping Company ". The Company owns two seven-year-ald general cargo vessels of 6,300 DWT each serving the European Syrian trade with the Port of Latakia on the Mediterranean.

3.3.2.Non-governmental shipping organizations

3.3.2.1. *Shipagent Committee;*

The Jordanian Shipping Committee was formed in 1978 by the local Jordan's shipagents to represent and to defend their interests. The Committee does not have any official status, but nevertheless has been influencial in negotiating terms of interests with the various parties.

Shipagency work has expanded in the Port since the early beginning of the fifties from only five main agents into more than forty to this date. Many of these new entrants were attracted by the area's economic boom in the seventies and early eighties looking for fast profit. Many were relying on one operator or certain project contracts. So with the lack of relevant experience and insufficient assessment of the market forces and conditions, some were forced to withdraw when these conditions were changed and contracts were terminated.

Major shares of the shipagency market is dominated by nearly one dozen but only five are of any real size.

There are some efforts to upgrade the Committee into an association with official recognition.

3.3.2.2. *Shippers association;*

This kind of activity is not found in such form, but is functioned by the present various chambers of commerce with no direct negotiation with shipowners or operators. This is performed through local shipagents. Such practice is not a healthy one for the national economy because of the mere fact that these shipagents are always defendants of the shipowners' interests. This is a common fact in the shipping business and local shipagents in Jordan are not an exception.

3.3.2.3. *Shipowners association*

Also not found in Jordan. There are now few shipowners in Jordan with short and deep sea going vessels and with no apparent coordination of efforts and activities.

3.4. Shipping policy

It is difficult to define the shipping policy in Jordan and whether it is in line with protectionism or is adopting the liberal-free trade policy. Difficulty arises from the fact that the general policy of the Government is a liberal free-trade policy which prevails in most trade practices. But, a certain degree of protectionism is witnessed in various parts of the economy. Some of these measures were taken recently to organize foreign trading patterns with an aim to decrease dependence on imported consumption goods and to increase the share of industry in the national trade decreasing burdens on the balance of payments of the Country.

Direct protection in shipping is not clearly identified, but a regulation in 1984 was issued that encourages all governmental departments and national shippers to utilize the services of JNSL ships. Berthing preferences is not stated by the law but is often practiced. Private shipowners in Jordan are on their own in the market with no benificial treatment as industrial investors.

3.5. Share of trade

The share of trade of the national tonnage reached as much as 2.43 % as was mentioned before. But including ships chartered by JNSL this percentage would increase to 3.6 % . The share on the export side is negligible, but if ships that were chartered by JNSL in 1985 to load the national exports of phosphate, potash and fertilizers were included (46 ships) with a total shipment of 83121 tons, the share would show a percentage of 1.4 % excluding other exports of foriegn origin.

Chapter 4

Maritime legislation

4.1.Present legislation

Jordan's present maritime legislation is the Maritime Law No.12 of 1972. It has nine parts each of them divided into chapters dealing with various maritime issues. The list of contents of this Law is given below;

Part I Ships
- *Chapter 1 Definition of the ship*
- *Chapter 2 Nationality of the ship and determination thereof*
- *Chapter 3 Registration of ships and rights*
- *Chapter 4 Ships papers*

Part II Secured debts/mortgages and detention
- *Chapter 1 Secured debts*
- *Chapter 2 Mortgages*
- *Chapter 3 Detention of the ship*

Part III Shipowners and operators

Part IV Master of the ship

Part V Regulation of maritime employment
- *Chapter 1 Seamen's contract of employment*
- *Chapter 2 Seamen's obligations*
- *Chapter 3 Advanced payments, attachments, withholding and other remittance of wages*
- *Chapter 4 Protecting seamen's health*
- *Chapter 5 Repatriation*

excluded

Chapter 4 *Determination of indemnity and payment thereof,*
1) Maritime loss claims,
2) Abandonment

Out of the aforementioned list, only the following particular subjects will be considered in this context in an endeavour to explain their areas of jurisdiction and the degree by which international standards were adopted and stipulated.

1- Ships

a) Nationality
b) Registration
c) Survey and certification

2- Crew matters

a) Registration
b) Employment
c) Training, examination and certification

3- Perils of the sea

a) Collision
b) Salvage - search and rescue
c) Losses - averages

4- Other matters

a) Mortgages
b) Detention of ships

4.1.1. *Ships*

a) Nationality-

Conditions for the right to fly the national flag as stated in chapter 4 article 4 are:

1- Registration should be in a national port,
2- More than 50 % of the ownership should be

vestesd in Jordanian citizens or Jordanian companies whose majority of board of directors including chairmen are Jordanians.

b) Registration-

Registration of ships is a symbol of nationality and evidence of the state's jurisdiction.Proper excercise of jurisdiction enables the state to safeguard its property and people in the course of maritim transport. It is for the country to define the relevant shipping policy to be adopted in order to decide what conditions and requirements the ship / shipowner has to follow for granting its nationality. These requirements are not clearly specified in the Jordanian National Maritime Law. Artcile 14 defines ownership and mentions documents needed to register a ship. To register a ship in a national port, the shipowner has to:

1- Fill in an application stating his purpose,
2- Attach evidence of ownership of the same ship,
3- Attach a class certificate of the ship intended for registeration by an international classification society (no specification for certain societies),
4- If the ship is a second hand one, the shipowner has to attach a deletion certificate from its present flag state's registry, and finally;
5- Acquire a call sign certificate from the Ministry of Communication in Jordan.

c) Surveys and certification of ships-

This concept is not stated or mentioned in any part or article. But generally and outside the frame of the Law,a committee has been formed by the Director Gene-

ral to carry out the functions of ships' surveys. This Committee is constituted by the port's Harbour Master, Chief Marine Engineer and the Ships' Registrar.Only surveys prior to registration are carried out to ensure that all conditions on board ship intended for national registration are in accordance with general safety requirements as a prerequisite for the issuance of the national registry certificate.

4.1.2. *Crew matters*

a) Registration of seafarers-

This concept of registering national seafarers in national ports is not explicitly mentioned in the present National Maritime Law except in the context of indicating responsibility for the issuance of the seaman's book. Artcles 43 and 132 indicate the necessity for national ships to keep such among its documents. But the Law does not go further into basic procedures for registration of seamen and their employment. As a consequence to what was mentioned above, it could be concluded that there is an implication for such. Thus the task for that has been assigned to the port's Harbour Master Office. But this registry of seamen in port cannot be defined as a general registry of all Jordanian seafarers as it was established only for the purpose of organizing the process of ratings employment with no regard to any professional or competent backgrounds.

b) Employment-

This issue has been given long coverage in part V which contains 8 chapters from article 131 to 169 covering contract of employment, seamen's obligations,

payments, health protection, repatriation and termination of contracts. No link between employment and seafarers registration has been emphasised except what was previous ly mentioned in relation to registry of seamen in article 132. This does not necessarily indicate the existence of such a link. The various chapters of part V do not cover all the conditions for proper employment of national seafarers on board ships, i.e. minimum sanitary, safety and environmental conditions or the presence of a system for the compilation of authentic records of effective national seamen available for employment or the application of a roster system for the supply of national seafarers in accordance with their previous date of discharge.

c) Training, examination and certification of seafarers;

These concepts are not found in the National Maritime Law either explicitly or emplicitly.

4.1.3. *Perils of the sea*

This is dealt with in part VII of the Law. It is also dealt with in the " Regulations for Maritime Accidents " No. 50 of 1961, (annex 4).

a) Collision:

This is covered by part VII chapter 1 in its twelve articles from 236 to 247. These articles are a complete interpretation of the international conventions for collision that were adopted by CMI in Brussels in 1910 and 1952. The IMO convention for the prevention of

collision is not yet contemplated in the Law.

b) Salvage - search and rescue:

Chapter 2 of part VII deals with salvage as was adopted in the Brussels Convention of 1910 for salvage & assistance at sea.This chapter has 10 articles (248-257). Article 251 denies the right for the tug to claim salvage entitlement unless duties performed cannot reasonably be held to be within the scope of the contract.The Law fails to state other salvage conditions where the original contract of towage may be deemed to be superceded and the tug entitled to salvage. Search and rescue is not dealt with in any form in the National Maritime Law.

c) Losses and averages:

This is dealt with in the third chapter of part VII in its 27 articles from 258 to 284. These articles resemble the York-Antwerp Rules of 1974.

4.1.4. *Other matters*

The Law deals with other matters concerning shipping like chartering, insurance, indemnity, mortgages and detention. In this regard, concern is given to two concepts only. These are mortgages and detention.

a) Mortgages:

These are dealt with in chapter 2 in part II in 12 articles.They cover the various forms of mortgages and the right of the shipowner to enter into any form of such. They also include the necessity for mortgage

registration and rights of creditors to proceed against a ship whoever the owner is.

b) Detention:

This is dealt with in the next chapter in part II and covered in 20 articles. In these articles, legal procedures for warranties and detention are prescribed. But these articles fail to define all causes leading into a ship's detention or arrest. Neither do they cover some basic concepts that can be outlined as;

1- Defining maritime claims and conditions for detention or arrest of a ship,

2- Who is entitled to claim for detention i.e. Claimant not residing in Jordan?

3- Right to claim detention of a ship not existing in national waters,

4- Conditions to bail a ship and/or release it,

5- Conditions for the sale of a ship and advertising of such.

4.2. Adopted international standards

Jordan's maritime interests in shipping business are considerably recent. Many of the new international conventions and standards convened in the last two decades did not have any priority or relevance to the country's interest in the maritime field at the time.The main interest was aimed at having a viable and strong national port capable of facing the fierce competition in the region. The off-spring of the National Maritime Law in 1972, even if being late, was a very systematic move towards feasibly appreciated maritime development.

This was the case because the country did not virtually have any previous comprehensive maritime law.What existed before the emergence of the 1972 Law were few dispersed regulations insufficiently concluded to satisfy arising needs in certain minor areas of interests.

The new Maritime Law of 1972 was in fact the result of the good efforts of some pioneering dedicated legal people. It can be concluded from the text of the Law that their maritime experiences were relatively limited. Because of this fact the Law came to protect the commercial side of the maritime practice. In fact its name was the Maritime Commercial Law which stipulates its objectives. Many international conventions were adopted in the Law, but such adoption was deformed due to the implementation of only parts of these conventions leaving out some of the basic elements.

Most of the Law was affected by the work and spirit of CMI conventions even if Jordan has not yet acceded to any of them. Yet these conventions that are listed below were limitedly implemented;

1- Collision Conventions of 1910 and 1952,
2- Salvage Conventions of 1910 and 1967,
3- Hague/Visby Rules of 1924 and 1968,
4- Limitation of Liability Conventions of 1924 and 1968,
5- Maritime Liens and Mortgages Conventions of 1926/1967,
6- Arrest of Ships Convention of 1952.

ILO conventions are also not ratified or acceded by Jordan, yet some of the implications in its conventions were adopted. As for IMO conventions, some were acceded to. These are;

1- MARPOL 73,

2- Dumping 72/78,
3- SOLAS 74 and amendments.

These accessions came in after 1980. Evidently this had no effect whatsoever on the presently prevailing Law.

4.3.Safety measures

4.3.1.Dangerous goods

Dangerous goods began to reach an important level and to acquire a public recognition in the port in mid the 1970s. But long before that the Port Administration had some specific regulations to control such goods in the port area in the form of chemicals,oil and similar goods. These were regulated by the afore-mentioned old port's regulations of 1961," Regulations for Maritime Accidents" No. 50. But these regulations were only concerned with spillage and not with handling. It was not until later in the seventies that the Port Administration established a remotely special storage area for chemicals and dangerous goods away from any other cargoes. A special division was established in the mid seventies to deal with safe handling of dangerous goods in the port area and to supervise the general safety concepts in the whole port. This step together with the establishment of the Port Training Center in 1979 had greatly influenced the promotion of the port handling procedures in general and handling of dangerous cargoes in particular. These steps have also contributed to the acquisition of the Port Administration's recognition of the importance of this issue. The new established division was concerned with the general safety in the port specially in cargo hand-

ling and storage.It was called " General Safety Division" and was given charge to a chemical engineer.

This new division together with the Training Center are playing a great role in the safety process of the port where both properties of materials and proper handling are emphasised and new techniques are advised both in class and on site. In this regard the port has adopted IMDG Code as a guide line for handling of dangerous cargoes. Ships are asked to hand in their manifests of dangerous cargoes through their agents at least 24 hours prior to their arrival in port.(Port Tarrif Regulation no 50 of 1984, article 13-a).

Handling of dangerous goods in the port still suffers from certain drawbacks which can be outlined in the following;

1- Shortage of highly qualified personnel both in class and on site,

2- Unavailability of suitable equipment and materials for safe handling, detection and control of such substances in case of any spillage or pollution,

3- Drain of national experience from the port to other private shipping industries or to the neighbouring countries which necessitate continuous efforts on part of the Trainig Center to replace these drained national experiences in cargo handling and in the proper application of safety measures as well. This process results in further drainage of efforts and resources and certain deterioration in productivity rates and safety levels. This can be attributed to the following causes:

1) Degree of drainage of experience was higher than that of substitution played by the Training Center.

2) New trainees used to lack;

a) Necessary previous experience and because of that had to go through the process of trial and error,

b) feeling of responsibility in general due to the fact that they were young with no apparent experience which resulted in high degrees of damaged cargoes.

3) Low levels of payments and incentive programmes as compared to the private industry in same port area.

4.3.2. Pollution

4.3.2.1. *Sources and effects:*

This aspect has been given due consideration by the Port Administration in Aqaba. The reason behind that is not only the protection of marine life and rich resources of corals in the Gulf waters , but also because of the fact that the Gulf itself is a small confined area of waters with a very narrow entrance forming what might be considered as a big body of water. Evidently,any incident resulting from any pollution hazard would have greater effect than if it had been in open seas. Because of that, it is imperative to protect the Gulf from any potential source of pollution.

Obviously,many regulations were issued by the Port's Administration aiming at preventing pollution and for the effective control of any potential source of it in the territorial waters. Main causes of pollution in Jordan's waters are oil, phosphate and other dangerous cargoes handled in the Port, in addition to urban and industrial pollution in the area.

Pollution to waters as a result of shipping and port activities in the area was firstly organized by the Ships Regulation No. 51 of 1961 (annex 5) in its article 18-a which forbids throwing of any garbage, hazardous substances and chemicals or any other materials in to the water or on land. Paragraph b, forbids any hazardous liquids or chemical substances, oils or lubricating oils being left to flow onto land or in the water and not taking necessary preventive measures to prevent such incidents. In another part of article f, it is also forbidden to

leave any cargo with bad smell on quays.

In 1975, these regulations were amended. Amendment was to the article that deals with fines. It now states: "Any ship violating paragraphs a and b of article 18 will be subject to a fine not less than one thousand Jordan Dinars and not exceeding ten thousand J.Dinars. Damages caused are also recoverable accordingly."

In fact, this huge fine for any one single pollution incident caused by a ship (2,500 - 25,000 US$), is one of the main protective measures taken by the Administration, and proved its effectiveness with the course of years because it is also announced to ships' masters when arriving in the port.

Pollution from other sources, i.e. garbage was dealt with in the port's regulations where services are rendered to all ships in port by the daily distribution of garbage bags to all ships and the collection of such with a special barge from ships at anchorage and by trucks at quays. (Port Tarrif Regulation no 50 of 1984, table 3/9).

Pollution to the Gulf waters from phosphate dust loaded at the Port is causing great harm to marine resources specially to the famous Gulf corals.This is due to the continuous precipitation of phosphate molecules.It was once estimated by the Jordan Phosphate Company (JPC), in the early 80s that the quantity of phosphate lost in the water during loading times reaches as much as 65.000 tons every year. This represents a percentage of 1 % of the annual exports at that time.

4.3.2.2. *Procedures for action-*

The Port has not experienced any incident except for small minor ones. Nevertheless, there are some precautions and measures that are considered when the need arises. Greater attention is noeadays given to this concept.This is mainly due to the huge increases in oil exports via the port. Oil has become a major substance transported both ways of the trade. The size of oil exports via the port / in transit trade, has increased from 500.000 tons per year in 1982 and 1983 to one million tons in 1984 and to more than 1.5 million tons in 1985. In 1986 larger increases will be experienced due to the erection of the new specialized oil jetty.

Measures used in pollution prevention in the port are administrative, and technical measures. The first is stipulated in the Port's regulations as afore mentioned. A circular was recently issued in January 1986, for the control of pollution that might be caused by oil tankers visiting the port.Jordan has acceded to MARPOL 73. The MARPOL Protocol has not yet been acceded to even if the accession to MARPOL 73 is considered insufficient by IMO itself because any state cannot safely adopt and implement MARPOL standards in full without the accession to its two instruments which are regarded as one unit and thus cannot be seperately tackled or dealt with. This circular mentioned before, " Port Instructions and Regulations to Recieve and Serve Oil Tankers ", (annex 6) requires from all tankers calling at the port to comply with certain standards in line with MARPOL 73/78 and OCIMF/ICS for ship transfer guide for the safety and prevention of pollution in port. The circular forbids any discharge of ballasted waters except segregated ballast

water in the port area. According to this paper.discharge criteria within special areas (including the Red Sea) specifies that no discharge is allowed except clean or segregated ballast. Accordingly clean ballast means any ballast in a tank that has been so cleaned that its effluent does not create a visible sheen or the oil content does not exceed 15 ppm (Regulation 1(16) of MARPOL 73/78). The circular declines to mention the requirements for COW system and a seperate piping and pumping system together with the protective location of SBT.

It should be mentioned here that the MARPOL Protocol of 1978 defines the concept of new tankers and existing ones. A concept that cannot be disputed by any state not ratifying or acceding to this instrument against any party not complying with its requirements.

PART THREE

PROPOSALS AND RECOMMENDATIONS

CHAPTER 5

Basic trends

5.1.National maritime policy

The national maritime policy of a country is shaped through a multitude of national and international forces. It is evolved and determined by national needs,international pressures, and innovative modern concepts in the maritime industry. This industry has witnessed the domination of technical sophistication with the adoption of the economies of scale. This in turn has resulted in leaving developing countries far behind whereas developed countries reached into situations considered inachievable by at least some of these developing countries if not by most of them.

It was quite a challenge for some of the developing countries, and through well planned, tangible and rigorous maritime policies,it was possible together with fully symetrical and talented work to evolve into resilient and vivid maritime industries that were capable of putting the whole national economies on competitive basis in the international market specially in the field of maritime industry with the traditionally maritime nations.

These achievements could not be possible without the determination and dedication of the national expertise in the first place coupled with rational planning and compatible maritime policy.

The country in its process to achieve such competitive position in the maritime field has to:
a) define its maritime goals and objectives,
b) consider and develop methods to arrive at such goals within a certain time limit,
c) identify key areas into the achievement of specified objectives, and finally;
d) coordinate all efforts on the national basis (public and private) to arrive at these goals.

In this context, Jordan's present maritime policy is not clearly defined in terms of goals and methods,even if the Government is in favour of owning a national fleet and is in this regard encouraging Jordan National Shipping Lines (JNSL) to expand. This is due to the absence of an independent national maritime plan that specifies the country's maritime objectives and key areas that should be promoted in addition to defining methods to arrive at such developments. This last aspect include means of finance and a time limit for their execution.

Defining the national maritime policy and identifying its needs include not only the concept of national tonnage acquisition but also other related matters. The aim behind this basic concept is not ownership by itself but the demands of Jordan's national economy towards development beside those demands for national prestige and defence considerations in times of crisis. The economic factor being the most important and relevant one to the national economic growth in the country, should be seen in the light of the general national economic policy that aims at developing industrial and exporting national capabilities. In this regard the ability of the

Country to keep freight rates of its imports as well as those of its exports at their lowest competitive levels thus contributing to the benefits of the national balance of payments, is of major importance.

In the process of formulating such consice and efficient national maritime policy, it is proposed to establish a specialized body in the Ministry of Transport called Shipping Directorate(detailed proposals of which will be given in 5.2.) with the aim at:

1. Identifying basic national maritime objectives in light of the country's general policies. These include:

a) The acquisition of a national tonnage,

b) Assessment of present national maritime personnel and future needs for such,

c) Assessment of present national maritime infrastructure and national needs in the future to meet considered national fleets expansions and future trade requirements,

d) Assessment of the national view of the international maritime industry , its developments, standard, and organizations involved. This assessment should enable the national maritime policy makers to decide on the degree of the Country's participation required and on other basic matters raised by the international fora i.e.Law of the Sea Convention, and finally;

e) Utilization of national capabilities and efforts towards the promotion of maritime awareness and maritime

industry.

2. Define methods for the execution of the above general maritime policies. Such methods include;

a) Tonnage acquisition;

i- Means of finance,

ii- Kinds of trade and trading routes,

iii- Kinds of ships and degree of technology rerquired

iv- Ship-manning policy,

v- Kind of ownership i.e. state owned, private or both,

vi- Other maritime personnel needed ashore and afloat and various other methods.

b) Maritime personnel:

i- means to acquire the expertise needed,

ii- How to promote national maritime skills,

iii- How to get a constant flow of personnel to cope with planned maritime development. This may be found in:

- national maritime programmes;
- academic studies in local universities,
- specialized maritime academies, or
- other institutional programmes i.e. port training centers.
- regional institutions for maritime studies or maritime academic studies, and;
- international institutions and maritime academic studies.

c) Maritime infrastructure:

i- Assessment of Port's capabilities, effectiveness and efficiency and future needs to cope with

national plans,

ii- Assessment of present ship-repair capabilities in the individual private sector and future plans to expand and/or to go further in ship-building to cope with future planned needs of the Country,

iii- Assessment of other related activities and services such as these of ship-chandlers, banking (for international trade requirements and financial transactions), land transport (means and roads), various cargo services (forewarding, transport,brokerage etc), and shipping organizations/associations (shipper's councils, shipping organizations etc). Such assessment should be coupled with proper means to improve these activities and services to the benefit of the Country and its maritime industry.

d) International maritime fora:

i- Assessment of international maritime activities in general with a shipping market study and formulation of a national view towards such,

ii- Assessment of the national share in the national foreign trade as well as cross trading in the light of the national fleet's present and future capacities, international agreements(i.e. Code of Conduct) and bilateral/multilateral agreements. These studies will accrue to the process of identifying levels of required national shares and various means to arrive at such,

iii- Assessment of present international maritime standards and conventions regulating shipping and maritime activities as regards safety, pollution, environmental aspects,crew matters,Law of the Sea and others and formulation of a national clear

view and stand towards such aspects in accordance with the national needs and requirements clarifying what procedures and measurements the country should follow in the process of implementing these standards including administrative as well as legal methods.

e) Utilization of national capabilities,

i- Identify present national capabilities that are able to render assistance when needed in fields of research i.e. universities and specialized institutions or in professional fields and organizations,

ii- Encourage promotion of marine research programmes through national research centers and universities and develop programmes for marine research by the use of specialized technology i.e. research vessels,

iii- Introduce and avail enough and suitable opportunities for young people in the marine studies and rersearch and encourage governmental departments and private sector to avail funds for such reseach in form of science grants and fellow-ships and to foster a public awareness and interest in sea and marine affairs specially among young people,

iv- Assessment of national maritime resources and methods to protect them from pollution and to promote means of their exploration and economic exploitation,

v- Assessment of present fishing capabilities and requirements to promote this vital industry through,

- State research vessels,

- modern efficient harbouring site for national fishing vessels equipped and supplied with all facilities, services and fishing industry required to enhance this function,
- training programmes for fishermen,
- governmental loans to fishermen to acquire modern vessels,equipment and technology, and
- enter into bilateral agreements with the nieghbouring countries in the region to avail free access to fishing areas in the region for the national fishermen and fishing vessels.

3- Recommend the above relevant means of application through various machineries (legal, administrative or otherwise) to the Ministry of Transport.

5.2.Propsals for a maritime act

To define the policy and outline the plan, the Country should have its sound legal setup in the maritime field to function as a basis for any proposed changes in the industry. The present Act, as was mentioned before,is a commercial act which is outdated as well. Consequently, it needs not only to be amended but to be replaced by a newly tailored act that takes all local needs and requirements into consideration. To do so, this newly proposed act should adopt those international standards laid down by the various specialized international organisations such as IMO, ILO, CMI and other similar outstanding bodies.

5.2.1.The need for the adoption of international standards

Maritime industry is an international industry that correlates many countries with sea trade and sea transport. In this regard, it is not relevant for any country wishing to participate in this trade or to take any share in any of its phases to have its own maritime legislation in isolation of the international forum and its new developments. There is certainly a need among the various maritime nations to organize their efforts to maintain the general standards that regulate the world's trade and shipping that serves this trade and also to safe-guard all measures available to ensure sufficient degrees of safety and security in minimizing the increasing threats to Man and environment that are caused by ships and cargoes.

Many international organizations have laid down general basics to be adopted in the various aspects of maritime activities. These standards constitute the basic elements for the international cooperation to safeguard international sea trade and to satisfy the growing needs for the safety of Man and his environment.Such standards would not have any effect if they were not incorporated into individual countries legislative bodies in order to facilitate the local adoption of these standards in the national forum as well.

Jordan has acceded to some IMO Conventions. These are MARPOL 73(Only), Dumping 1972/78 and its amendments and SOLAS 74/78. These accessions taking place in 1980s had no influence on the national maritime legislation . It should be mentioned here that acceding to any internation -al convention is not satisfacory by itself. Such a step is a mark on the way to incorporate the acceded conventions into national laws. Without such, accession would be pointless. There are three main phases in the process for the adoption of any international maritime convention these are;

1- Preparatory phase that includes
   a)the process of ratification or accession as its first and initial step followed by
   b)preparation of local legislation,
2- Implementation phase, and finally,
3- Execution phase.

These phases clarify the fact that accession is only one part of a whole process. It is an important phase but certainly it is not the only one.

There are many conventions that Jordan should accede to, incorporate and implement. These are;

I- United Nations Law of the Sea,

II- International Maritime Organization (IMO) Conventions, these are 24 major conventions and protocols as given in annex 8 .

III- International Labour Organization (ILO) Conventions that deal with basic requirements for healthy and safe environment for seafarers and dockers. Convention 147 is an umbrella convention which deals with merchant shipping (minimum standards). Other ILO conventions deal with other specified aspects that should be acceded to as well (Jordan has not ratified any). These are given in annex 9 .

IV- Comite Maritime International (CMI) Conventions, these were mentioned before in 4.2. when discussing the present maritime legislation in Jordan.

V- United Nations Conference on Trade and Development (UNCTAD)conventions, these include:

1- Code of Conduct for liner conferences in force since 1980,

2- Multimodal Transport Convention, not yet in force, and;

3- Registration of ships of 1986.

VI- Other international bodies involved in the maritime field such as WHO,ICC (International Chamber of Commerce)and Lloyds -Marine Insurance.

5.2.2.Proposed maritime act

As was previously mentioned, this is a fundamental criterion and a vital prerequisite to marine development in any country without which nothing real could be achieved.

In order to have a maritime act in a country, four main objectives are born in mind and are sought to be fulfilled, these are;

1- The act should facilitate , foster and regulate the national maritime activities and transport,

2- It should ensure the basic needs of the country as a minimum requirement in times of crisis and depression

3- It should serve and foster various other national economic activities and objectives, and finally

4- It should contribute to the overall national security and defence in times of wars and commotions.

The present Maritime Legislation in Jordan is outdated and needs to be rectified both in its primery and subsidiary phases.. Importance of maritime activities is an unquestionable matter and is also increasing with time. The present Code was adopted in 1972 when Jordan's involvement in maritime activities was in its primery stage. But with the increasing importance of local and international maritime activities,both in shipping and in ports, this Code began to show its irrelevance and inconsistency to the new arising requirements in the maritime industry.

One of the major points raised against the present

Code is that it is mainly concerned with the commercial side of the maritime activities with relatively apparent concern with the safety of merchandise rather than the safety of Man and his environment.

A national maritime code is a body of laws adopted or framed to control maritime activities in a country.The extent to which these laws are adopted or framed depends upon the degree of maritime activity in which the country is involved and the degree of maritime consciousness in that country. The basis for such laws is the international fora with all its bilateral and multilateral treaties, and the international bodies with their conventions and standards.

But it should be noted here that the main resource is derived out of the local economic and developmental needs that can help when they are thoroughly analysed and assessed in drawing the right policy of the country and also in taking right decisions to keep pace with maritime development.

The foremost goals in formulating a maritime act in a country could be clearly stated as evolutionary where the code would essentially be the product of the overall maritime assessment of the various national maritime activities and inferential where it is expected that the code would ensure the basic objectives laid down by the maritime industry in the international fora which are:
1- safety of lives, ships and property,and;
2- protection of marine environment.
These would in turn and in the context of development of the country and its economy bring into existence the basic requirements laid down by the government expertise

as goals for these aspects of development.

A third goal among these is that the act should be in compliance with international standards and that it should be indubitably clear and precisely worded.

A frame-work model for the newly proposed National Maritime Act/Code is given in annex 10.

5.3.New proposed organizational structure

The aforementioned proposed maritime act requires for its implementation a new organizational structure where new functions are newly introduced and required. Highly qualified officers are required with certain desired qualifications and experiences.

5.3.1.The object of a maritime administration in any country is to provide the government with the machinery which would enable it to satisfactorily and efficiently undertake those functions which are embodied within the country's maritime act. This administrative machinery should be capable of advising the government on the different maritime aspects necessary for the development of its economic, social and political conditions and to carry out its international obligations under international conventions applicable at the time.

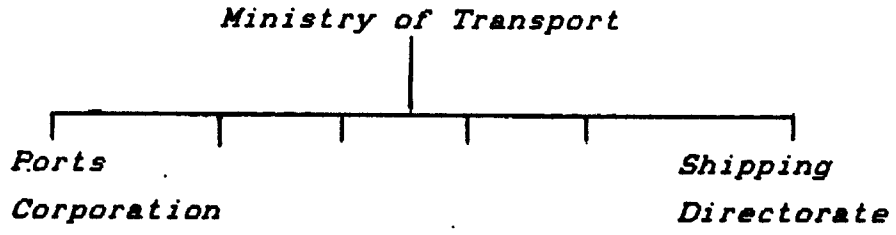
An efficient maritime administration is thus expected to embrace various activities in relation to national maritime and shipping industry.In Jordan these two basic activities, (maritime and shipping) are envisaged to be embraced by two directorates in the Ministry of Transport, these are:

1- Ports Corporation,and,

2- Shipping Directorate.

These are clearly shown in chart (4) next page;

Chart 4

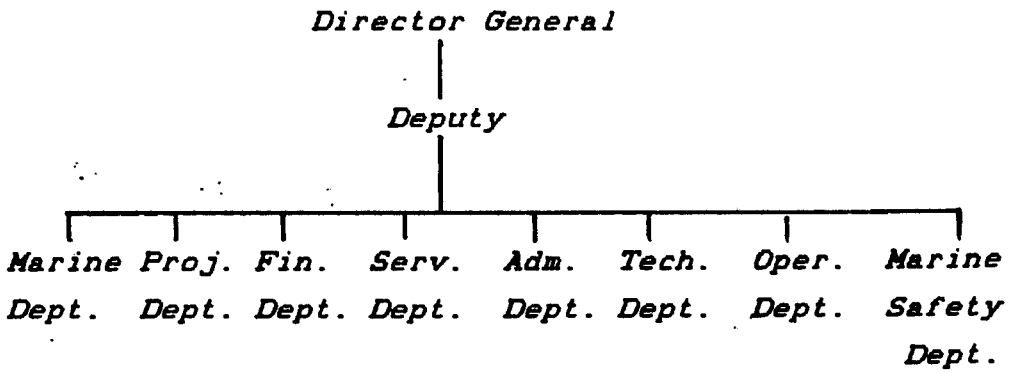


In this context,maritime development in Jordan cannot be attained in short period. Thus, this evolution should be devided into two phases. In the first phase, only necessary officials are required to carry out basic requirements. While the second phase will be achieved when sufficient number of national expertise are available through short and/or medium term maritime education and training planning for technicals as well as administrators.

Phase I includes the establishment of two main bodies to tackle these specified jobs. These are:
1- Marine Safety Department in the Ports Corporation,
2- Shipping Directorate in the Ministry of Transport.

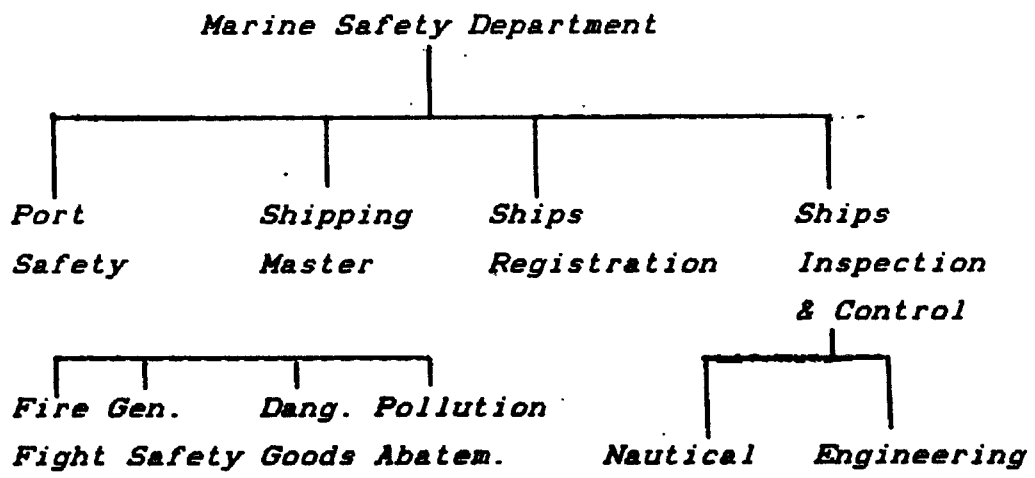
5.3.2. Dealing with the first issue,and that is the establishment of a Marine Safety Department in the Ports Corporation, in phase I, a minor change to the present organisational structure is proposed. This include the introduction of the new department, " Marine Safety Department" as shown in chart (5) below :

Chart 5



This new department constitutes of the following divisions given in chart (5-1):

Chart 5-1



Phase I requires certain national expertise in senior positions additional to what is available now in the Ports Corporation. These are;

One department manager

One shipping master

Two surveyors

Their qualifications are as it follows:

1- Manager of the new Marine Safety Department-

He should have the following basic qualifications and requirements:

(a) MSc degree in maritime studies- nautical / engineering or master / first class engineer certificate or equavalant,

(b) A good knowledge of international maritime conventions and safety standards, and,

(c) Experience of not less than 5 years in senior supervisory / management capacity in relevant fields.

2- Shipping master-

He should have the following requirements:

(a) A degree in law,and,

(b) Experience in dealing with crew matters.

He is in charge of:

i- Matters dealing with registration, engagement and discharge of seamen,

ii- Adjucation into disputes between seamen and their employers under the Act, and,

iii- Assist the department in dealing with crew-matters.

3- Surveyors;

These two surveyors should have the following qualifications for each;

(a) A nautical surveyor-

He should acquire the following:

i- Master (foriegn going) certificate of competency,

ii- Three years experience in deck department of ships engaged in international trade, and,

iii- Experience of 3 years as surveyor or an MSc degree in maritime studies (Maritime Safety-Nautical) with one year of experience.

(b) An engineer surveyor-

He should acquire the following:

i- Chief engineer (foriegn going) certificate of competency,

ii- Three years of experience on ships,and,

iii- Three years of experience as a surveyor or an MSc degree in maritime studies (Maritime Safety-Engineering) with one year of experience.

Provisions could be made to have more flexibility in recruiting personnel to fill these positions in the initial stages of phase I. But it should be born in mind that these are only minimum requirements which cannot be supressed or under estimated in the implementation of phese II.

Phase I should not last more than that period necessary to acquire the relevant national expertise through various means of maritime education and training together with good incentive programmes to attract such expertise to serve the Country rather than being drained out into the nieghbouring countries.

In phase II, the organizational chart of the Ports Corporation should show, as it is proposed in this paper, three main departments with their subdivisions as it is shown in chart (6). Chart (6) divides activities

in the new organizational structure into three. These are:

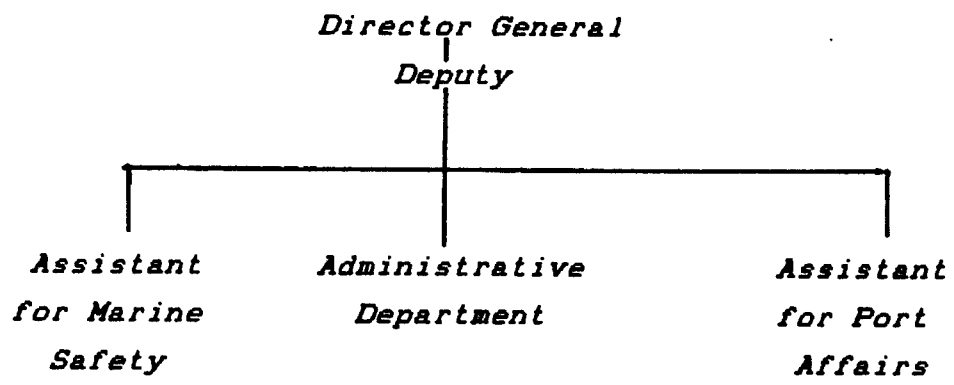
1- Port Affairs Department,

2- Marine Safety Department,and,

3- Administrative Department.

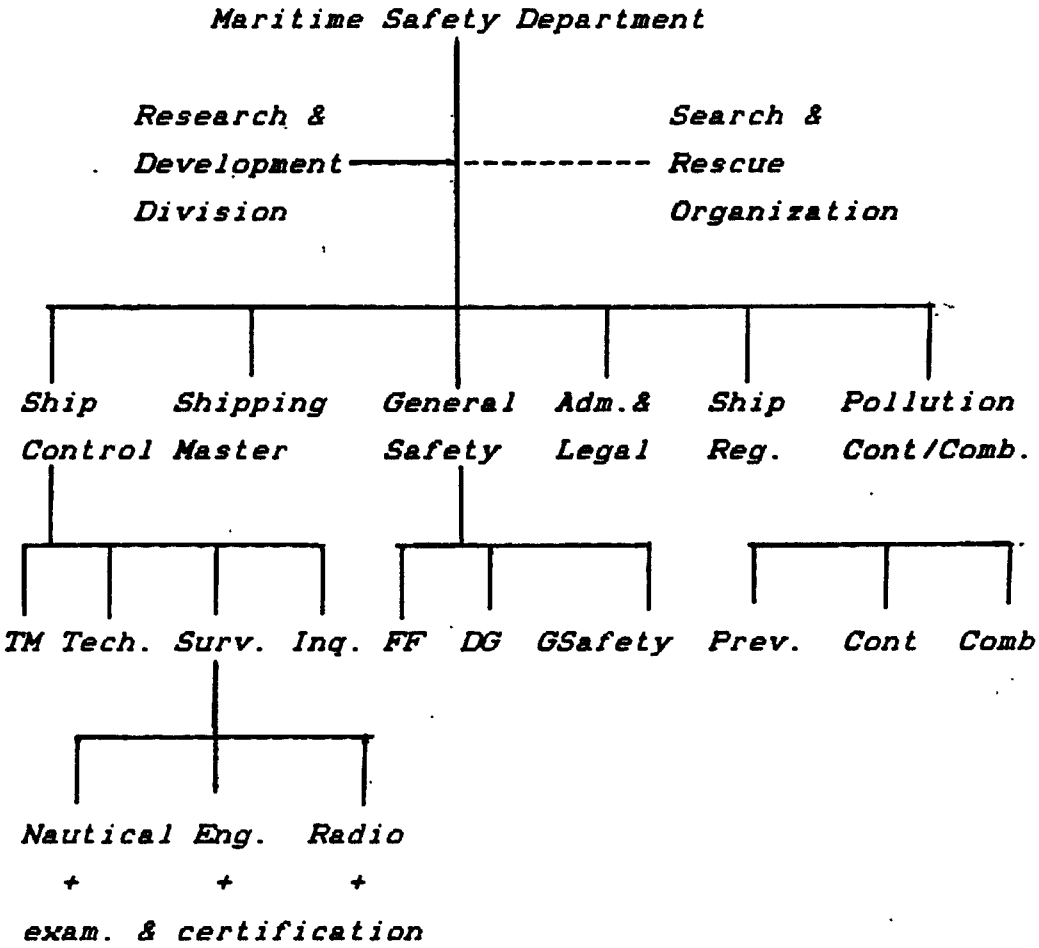
The first two are the specialized marine department while the third serves both of them.

Chart 6



The whole detailed structure for the proposed Maritime Safety Department is given in chart (6-1) next page.

Chart 6-1



5.3.3 The Ports Corporation being the only governmental body able to assume the functions of a national maritime administration , is thus required to carry out some basic functions beside those functions carried out as a national port. These are;

1- To advise the Government , when requested, on matters regarding shipping, navigation, shipbuilding and related matters,

2- to control new ship-buildings,conversions and imports of ships and to carry out annual inspection of national ships,

3- To ensure the implementation of international conventions for the safety of life at sea and to issue certificates for Jordanian shis accordingly,

4- To ensure the implementation of Load Line Convention and to calculate ships' load lines and to issue certificates accordingly,

5- To update,whenever needed, the National Maritime Act in conformity with international laws and conventions,

6- To protect the Jordanian sea water from any kind of pollution and to ensure the existence of an efficient national pollution combating equipments, facilities and plans,

7- To introduce safety measures to smaller crafts used in touristic activities,

8- To carry out ships' registration activities and prepare relevant statistical data as regards the national fleet for annual publication,

9- To cooperate on behalf of the Government with international organizations in matters dealt with by the Ports Corporation,

10-To build up an adequate and efficient administrative infrastructure able to carry out its functions to the utmost benefit of the Country,

11-To establish an efficient maritime training facilities to provide the Port and the National Fleet with capable and competent maritime skills,

12-To cooperate with different parties in the Port's area such as Coast Guards, Police, Health Department and the Port's Harbour Master in problems related to the enforcement of the national rules, pollution control and combating and rescue operations,

13-To carry out inspections and control on board ships and to detain unsafe or substandard ships,

14-To conduct inquiries and investigations in all kinds of maritime accidents,

15-To carry out registration and certification of all national seafarers and take care of all problems connected to their safety,

16-To safeguard the safe handling and storage of dangerous goods in accordance with the IMDG Code,

17-To update and control of the fire fighting facilities and personnel in both land and sea,

18- To control the general safety aspects for people, goods and facilities in the Port area,

19-To participate in international activities related to safety,

20-To develop complementary regulations to facilitate

the adoption of standards stipulated in the Act,

21-To evaluate new concepts in the international forum and shipping industry and determine on any new safety standards,

22-To initiate and participate in related marine research studies related to safety, and finally;

23-To approve all maritime safety equipments and appliances.

5.3.4. *Functions of new divisions in Marine Safety Departmernt:*

Looking at the proposed organization chart, it can be easily noticed that those previously mentioned functions of the proposed MSD to be attached to the present structure of PC necessitates the establishment of new specialised divisions to facilitate the implementation of these funcions in a most satisfactorily and efficiently way to the national advantage. These divisions are,

5.3.4.1. *Shipping Master Division:*

This division has the following main functions;

1- Registration of national seafarers.

2- Implementing national policy in manning matters,

3- Organize and control social welfare and security,

employment, wages,maintenence of good payments and work conditions and other related matters,

4- Implementation of international standards for living conditions, safety and health requirements on board national ships and ships in Port,

5- Keep records of seafarers, their employers and addresses,

6- Keep records of seafarers according to their dates of discharge(employment roster),

7- Issue seaman's identity books,

8- Ensure that national seafarers are well paid by constant follow up of wages levels on national and foriegn ships,and,

9- Follow-up all matters of concern for national seafarers to protect them, their rights and families.

5.3.4.2. *Ships Surveys Division,*

This Division is in charge of ships surveys and control. It has the following sections;

a- Tonnage Measurement(TM) Section- This section issues certificates of tonnage for ships in accordance with the international rules and Tonnage Measurement Convention.

b- The Technical Section- It is in charge of;

1- Inspection of ships' plans and calculations for:
   (i) newly built ships,
   (ii) converted ships, and;
   (iii) imported ships.

2- Testing and approval of equipments and materials used in construction of new built national ships.

c- Ships Survey and Control Section-This is subdevided into the following functional subsections,

(1) Nautical survey,
(2) Engineering survey,and,
(3) Radio survey.

They are responsible for,

(i) Surveys of ships,
(ii) Examination of seafarers,
(iii) Issuing competency certificates,
(iv) investigations into ships' casualties,and
(v) Port state control in the Port.

Ships surveys are carried out for,

i- The purpose of registering ships into the national register,
ii- Initial surveys of ships,
iii- Annual, periodical and intermediate surveys,
iv- Renewal of certificates,and,
v- Additional surveys.

d- Inquiries and Investigation- This function is carried out by staff of " Ships Surveys " but it has some administrative and legal staff to carry out office work. Inquiries and investigations are carried out into any shipping casualty conducting preliminery inquiries and prepare necessary statistical data related to such casualties.

5.3.4.3. *Pollution Control and Abatement-*

This main function is subdiveded into three sub-functions,which are;

a- Prevention and research,
b- Control,and
c- Combating.

These are entrusted with,

i- Implementation of national and international anti-pollution standards,and,
ii- Establishment of efficient anti-pollution infrastructure to control and combat pollution resulting from any type of pollution incidents.

In ordaer to arrive into that, this section has to;

i) Ascertain that ships are surveyed and inspected in accordance with MARPOL 73/78,
ii) Cooperate with other national organizations and authorities involved in such field,
iii) Train and educate its staff to facilitate good combating operations,
iv) Encourage building of suitable and efficient

reception facilities,and,

v) Prepare a national contingency plan to deal with pollution problems in the national waters whenever it occurs and to conduct such operations within the framework of the plan.

5.3.4.4. *Number and qualifications of required personnel for implementing phase II in PC-*

In addition to those personnel recruited during the implementation of phase I, the following expatriates are needed;

(1) Assistant Registrar with a degree in law,
(2) Assistant Shipping Master with a degree in law,
(3) Tonnage Measurement Surveyor with master/chief eng. (Foriegn going) competency certificate, five years of sea experience and not less than five more years in TM survey or MSc degree in Maritime Safety- N or E with 2 years experience.
(4) Chief Examiner with master/chief engineer (F.G.) competency certificate and MSc degree in Maritime Studies in Maritime Education- N or E.
(5) Naval Architect for inspection of ships' plans in the Technical Section with 3 years experience in ship design.
(6) Chief Division/ Pollution Control and Abatement with master (F.G.) competency certificate and three years of experience in relevant positions or with MSc degree in Maritime Studies/Safety- N or E and two years experience.
(7) Legal advisor with relevant experience in international and shipping law.
(8) 3-5 technical staff with relevant maritime back-

ground (not less than second mates or engineer to assist in various technical aspects and to be trained for future expansion of services.

World Maritime University is introducing great opportunities to developing countries. Jordan represented by the PC can surely benefit out of its courses and train those aforementioned required future national expertise in this unique high maritime studies institute

5.3.6. Shipping Directorate

5.3.6.1. As it was mentioned before, another body should be established in the maritime forum of the Country. This body has to take care of the shipping side of the maritime industry in Jordan. It is the Shipping Directorate in the MOT(Ministry of Transport). The Shipping Directorate has to assume the following functions:

1-Licensing and assessment of;
- a. conditions and procedures for the acquisition of national tonnage,
- b. share of foriegn capital in national shipping,
- c. establishment of national shipping companies,and;
- d. national investment in foriegn shipping.

2-National maritime policy formerly mentioned in 4.1. as regard to ;
- a. International specialized organisations,
- b. Code of Conduct and conferences,
- c. General shipping policy;
  - i-protection to national shipping,
  - ii-flags of convenience, and,
  - iii-manning scales.

3-Legal matters in context of ,

a. International conventions of

i-IMO

ii-ILO

iii-Other involved organizations.

b. National Legislation.

4-Social matters as regards;

a. Conditions of national seafarers and their families,

b. Conditions of work on board ships,

c. General question of maritime safety.

5-Economic question as regards,

a. Assessment of maritime transport activities and related matters,

b. Competitiveness of national shipping in the international shipping market,

c. Prospects of national and international shipping markets,

d. Long term progress assessment of national shipping industry,

e. Position of international shipping industry and developing countries,

f. Bilateral shipping agreements,

g. Economic aspects of the Code of Conduct,

h. Shipping economic relations in the regional and international fora,

i. Protective legislations and restrictions of international trade to national shipping,and,

j. Long term national maritime planning for shipping needs and investments in the national and international markets with the coordination of national maritime activities for the purpose of a

better competitive position of the national shipping industry.

5.3.6.2. To carry out these functions properly and efficiently, the organisational structure of this Dirtectorate should constitute of three main divisions,

(1) Shipping Division for the formulation of the national shipping and maritime policy,
(2) Economic Division to assess national shipping and shipping markets,and,
(3) Research,Planning and Development Division to study various shipping and sea trade concepts, innovations and international rules and standards and their various effects on national shipping and other maritime services in addition to the whole effect on the national economy and the Country's balance of payments.

5.3.6.3. *Personnel required in the new Directorate-*

These are,

a) A director with a MSc degree in Maritime Administration and five years experience in relevant senior administrative positions or a master competency certificate with sea experience of not less than five years and relevant experience of five years in senior administrative levels in relevant jobs.

b) Three chief division senior administrators with MSc degrees in Maritime Administration and three years of experience in administrative levels.

c) One legal advisor in international and shipping law holding a relevant degree in law.

5.4. National Shipping

Jordan's national shipping is suffering lots of difficulties at present because of the severe market conditions. This was among those causes for the recent apparent decreases in size of the national fleet during the past two years. The only addition to the fleet in the past four years was the passenger ship "Farah I" compared to three demolitions, one sold out and one flagging out(now under Egyptian flag but under same management). The total number of Jordan's fleet is only four vessels with 61833 dwt.

To pave the way of development for the national shipping industry in Jordan, few concepts should be considered. These are,

1) The formulation of an updated legal maritime instrument able to govern national maritime activities in the Country and give this industry the necessary impetus to prosper and to promote. Such an instrument should be capable of adopting the various international standards and requirements and to adapt them into its body to the maximum benefit of the national maritime industry.

2) Review the national maritime policy of the Country and adopt a policy that gives fertile environment to maritime industry in general and shipping activities in particular to grow and increase to the benefit of the national balance of payments.

3) Assess the present national fleet; its capabilities, services and any constraints that are affecting its level of services or its ability to grow and increase

its capacity or its level of services to the national trade. Then a plan should be laid down defining the national objectives in the shipping industry and methods to arrive into such goals as it was previously explained in 5.1.

4) Private activities in shipping i.e.shipowning, should be encouraged by the Government by the introduction of various incentive measures through different ministries in Jordan i.e.MOT and Ministry of Trade and Economy.This include,

a- offering preferential treatment for national ships for cargo access and in berthing priorities,

b- Increase national shipping shares in the national trade through bilateral/multilateral agreements with other pertners of trade to ensure good cargo sharing for national fleet to the benefit of the national balance of payments and prosperity of the national industry.

c- Encourage shippers to sell CIF and to buy FOB,with other various relevant measures that can be taken to protect the national interests.

5) Specialized associations in the maritime field should be encouraged by the Government i.e. Shippers Council and Shipowners Associations that will give the industry great impetus to increase its activities to the national advantage and to the favour of the national balance of payments and the national economy as well. This is achieved by such bodies through proper and effective negotiations with international conferences,ships owners and operators in terms of lower freight rates and better services to national trade.

6) Decrease any stringent measures against national maritime activities including all fields of activity in shipping major fields as well as in the related or ancillary services. These could be summarized in,

a- Procedures for tonnage acquisition and registration,

b- Methods and means of ship financing. This can be achieved through various mechanisms.These include,

(i) Foriegn loans guaranteed by the Government,

(ii) Provisions for easy local loans from local banking system, in which case national banks should give national maritime activities in general and ship acquisition in particular special care to the favour of the national economy. Special shipping data divisions for its analysis should be established in the national banks. A special governmental body specialized in granting loans for industrial and commercial activities like ICFC (Industrial and Commercial Finance Corporation) in U.K. that is often prepared to take an equity stake in any company on a temporary basdis to facilitate expansion, could be establishe in Jordan.

(iii)Tax exemption or tax free reserve funds, and,

(iv) Higher capital allowances for accelerated depreciations.

7) Encourage the establishment of individual shipping related services like ship-chandlers and ancillary industries such as shiprepair facilities etc.

8) Establish maritime institutes either local or region-

al to ensure constant flow of required national experts in various maritime fields and to increase degree of national skills and know-how to facilitate fast and rational expansion of this vital industry.

9) Increase degree of maritime awareness in the Country through public media and increased governmental interest.

Chapter 6

Other related matters

6.1.Maritime training

Process of development in any field of knowledge and in any part of the universe basically necessitates accentuated interests and dedicated actions aiming at the promotion of human resources.The maritime industry is not an exception to this. It is rather more dependent on the human element. Evidently, achieving planned levels of national development has only to be arrived at through promoting people; their skills and capabilities. This requires good planning for the promotion of this human element in a very systematic and artisanal way. It includes the promotion of the administrative aspect which is a predominent factor for a dependable and effective development in ensuring the right exploitation of available local capabilities to the utmost national advantage in the course of achieving the planned national targets.

Consequently, it is evident that for the interpretation of maritime development into factual terms of improvement, a good planning covering the whole process sought necessary to achieve these targets is essential. Planning should consider all present local conditions and resources of the country.In order to successfully arrive at the planned objectives and goals,the Government has to take the primery role and assume its basic functions in taking the main lead to develop the national maritime human resources. Recent maritime developments in some newly industrialized countries (NICs)

demonstrate the fact that such interference has been proved to be essential and basic. In this regard, it is the Government that has to lead in utilizing maximum advantage of its available local resources beginning with human resources as the first most vital step that would put the country on the right path of development. The Government is the only party qualified in this regard to carry out this function to initiate and to promote any development in its maritime industry. A good relevant maritime planning should consider;

1- Present status of the local maritime industry;resources and capabilities,

2- Present national maritime skills and human element,

3- Present maritime facilities available (locally and internationally) for the promotion of national maritime skills,

4- Future plans in the local maritime industry,

5- Present and future developments and innovations introduced or foreseen into the maritime industry and their effects on the local industry,

6- Future needs of the local maritime industry in terms of infrastructure and human skills required to handle these future expansions of the industry and sea trade.

These above considerations should be fully assessed and analysed to clarify steps that should be taken to ensure a relevant flow of the required competent personnel able to serve the local national maritime industry to the benefit of the national economy and the balance of payments. This flow

of competent personnel should cover all local future needs in terms of quantity as well as quality with the sole aim to utilize such resources to the national advantage. In this regard, means of acquiring such capabilities should also be defined and allocated. Such means could be classified into three main sources, these are;

a) National sources:

These include academic studies in universities.This type of maritime studies has not yet been developed in Jordan. Some studies have been accomplished in the field of economics of maritime transport, but these were purely academic without relevant relation to the national maritime needs. The Port Training Center is of great advantage to the Port's productivity. Its activities were recently expanded with the cooperation of the Ministry of Education where new educational stream for high school studies(last 3 years of G.C.) in maritime studies was introduced in 1985. The Main stress on it is on port related studies.It is quite a great step, but it should be backed up by other considerations. These are ;

a- an assessed syllabus to cover a broader area of basic maritime fields in addition to port related studies,

b- sufficient numbers of competent faculty to cover all aspects of the syllabus.

The proposal to broaden the present syllabus would help not only the Port with needed skills but would also be a constant flow of pre-trained personnel to satisfy the local future needs for highly skilled personnel and a step in acquiring better understanding and awareness of maritime

activities in Jordan.

In this context, it is also proposed to form a National Committee attached to the Ministry of Education with the membership of the Ministry of Education, Ports Corporation, local universities in Jordan, local Shipping Associations and the newly proposed Shipping Directorate in the Ministry of Transport. This new Committee is supposed to deal with the following matters;

1- Assess the future national maritime needs of each sector of the national maritime industry and lay down a national maritime education plan to cover short as well as long term planning,

2- Make use of the present local institutions to the benefit of the local maritime industry,

3- Define various types of maritime studies needed and desired levels for them and initiate the creation of apt syllabuses for these studies and approve such with the assistance of qualified personnel,

4- Make use of regional and international universities and institutions with relevant studies,

5- Encourage the private sector to avail funds for maritime studies and research in form of grants and fellow-ships.

As for the Port Training Center, it should be upgraded into a Port Institution. A step that would foster port development not only on a national basis, but also on a regional one, where such an institution does not exist in the region at present. This step could be fulfilled throgh

cooperation with UNCTAD's Programme of Technical Assistance and Training in Shipping, Ports and Multimodal Transport. It could be coordinately financed by UNDP.

b) Regional resources;

These are represented by the regional institutions found as a result of the regional cooperation and coordination of efforts; i.e. AMTA in Sharja and in Alexandria.

The previously proposed Committee could have good assessment of the national needs and the syllabuses of these institutions and their methods used and propose apt newly assessed suggestions to advance and promote their syllabuses and methods to suit the newly arising national needs.

Some certificates awarded by these institutions are yet not recognized by the Jordanian Ministry of Education i.e. AMTA in Sharjah,(AMTA of Alexandria's certificate-BSc, was recently recognized by Jordan) which causes great disadvantages to their graduates resulting in a great brain drain of national expertise in the maritime field in their search for fair consideration and recognition and for better opportunities outside the country. It also discourages students from enrolling into maritime studies which is to the disadvantage of the country.The problem lies mainly with these institutions themselves where upgrading there certificates into BSc certificates would gain them the wide approval and the recognition as it was recently the case with AMTA of Alexandria.

It is thus proposed that this Committee should study this problem and find a sollution with coordinated efforts with these institutions. This would ensure better future

enrollment and higher levels of development.

c) International resources;

These include maritime academies and universities with specialized high maritime studies. The proposed Committee can benefit from these studies through the assessment of the national needs for high maritime expertise in administrative legal and technical fields and define fields of interests in such institutions and opportunities available for the nationals to follow up these higher studies. Financing these fellow-ships could be availed through departmental budgets, or other aid programmes offered by specialized organizations and agencies. In this regard, World Maritime University is offering great opportunities for developing countries to gain the necessary local expertise in the maritime field to replace foreign expatriates and to accelerate the process of maritime development. A possibility that should be greatly utilized by the Country to gain required competent people to foster and facilitate national maritime developments.

6.2.Port state control

The main concern of the International Maritime Organization is summarized in its motto," safe navigation and clean oceans ". To arrive at realizing such target, international standards for various nations of the Globe had to be laid down to facilitate identical and effective levels of control to ships. IMO was chosen as the competent body to lay down such standards which were satisfactorily adapted to the needs of all nations. The second step was the implementation of these standards. Here comes the role that all nations have to assume and to adopt in the control of shipping activities to the benefit of Man and his environment. In order to ensure safe provision of world shipping, there is a need to have effective control of such activities in ports. The phenomenon of substandard ships had substantially grown in the past three decades, but has decreased during the past few years due to the effective control carried out in some ports after the coming into force of the IMO safety instruments together with other multilateral regional agreements (Memorandum of Understanding, Paris-1982). This has fostered the pace towards approaching the targets of safer shipping and cleaner oceans which are still in distance. To accelerate this process,all nations in this Globe should participate in and contribute to the safety of Man and his environment through dedicated efforts to fight the phenomenon of substandard ships. These ships will certainly continue to grow as the international sea transport grows, and so does the number of marine casualties. It has been globally realized that those marine casualties could have been easily avoided if the basic requirements for the assurance of safety were applied on board such ships.

In the process of combating substandard ships, both flag states and port states have to play part in taking all the necessary measures for the elimination of the hazards identified on board such ships within their areas of jurisdiction. The port state acts in this concept in lieu of the ship's flag state. Both, port state and flag state, in the fulfilment of their responsibilities, need to act in harmony with international standards.

In this context, the following points are proposed to the satisfaction of the concept of port state control in Jordan. These are;

1- The present Ship Control Division which has recently been established should be merged into the new proposed Marine Safety Department to form the nucleus of the new ship inspection and control division as shown in chart 5-1.

2- Present technical staff in this Division have to acquire further training. This is best done in the World Maritime University. Two to three trainees could be sent annually for a period not less than three years to cover all aspects needed and to acquire necessary experience in quality as well as in quantity.

3- The Country should accede to IMO / ILO Conventions mentioned as tools for adaptation of the port state control concept. These Conventions are; MARPOL 78,Tonnage Measurement, Load Line, STCW, and ILO umbrella Convention No.147.

4- Increase the degree of effective participation in international organizations and specifically IMO through

specialized competent delegations capable of taking part in negotiating viable and relevant terms and in drawing new international standards.

Neighbouring states in the area can specially through competent bodies in the Arab League achieve in more effective results if regional cooperation in this matter was followed and coordinated having some international examples such as MOU(Memory of Understanding, Paris 82).

6.3. SEARCH AND RESCUE;

This concept is not presently found in the current National Maritime Code even though it is mentioned in part VII chapter 2 under the title " Rescue and Salvage". The main concern in this chapter is for salvage.

As a party to SOLAS 74 the country has the commitment to ensure that this function is fully exercised in the country to ensure safe navigation in the territorial waters. IMO's most important task is the adoption of measures to improve the safety of life at sea. The majority of its conventions are intended to stop accidents happening in the first place. But although these instruments have proved their value, accidents do still occur and may result in the loss of life. As a result, IMO has adopted a number of measures which are designed to mitigate the effects of any accident at sea and ensure that those involved are rescued as quickly as possible.

The Organization's work can be divided into four main areas. These are;

i) Improving life-saving appliances techniques and equipment on board ships,
ii) Distress alerting and signalling,
iii) Survival after abandoning ship, and,
iv) Search and rescue operations.

SEARCH AND RESCUE OPERATIONS

Ships have obligations to respond to distress messages and signals from other ships. But this obligation does not limit itself to ships only, it also extends to embrace Governments. These obligations have been stressed on in the various international conventions. The Brussels Convention on Assistance and Salvage of 1910 - Article 11 ensures the establishment in international law the tradition of the brotherhood of the sea and states obligations to render assistance at sea. SOLAS 74 - Regulation 10 of chapter V - states the same. The Regulation goes on to outline various other rescue operations. In Regulation 15 the SOLAS convention gives basic requirements for Governments regarding the same. SOLAS outlines these obligations in the following;

1- Ensure that any necessary arrangements are made for coast watching and for the rescue of persons in distress at sea round its coast. These arrangements include;
a) establishment, operation and maintenance of such maritime facilities as are deemed practicable and necessary,
b) afford adequate means of locating and rescuing such persons.

2- Make available information concerning its existing rescue facilities and the plans for changes therein,if any.

SOLAS 60 adopted a number of recommendations which requested IMO to take appropriate action to improve search

and rescue at sea. These include the following;

* Contracting Governments should establish coastal radio stations to keep a continuous listening watch on the radio telegraphy and radiotelephony distress frequencies and frequencies used by survival craft.

* Contracting Governments should encourage all ships to participate in merchant ship position reporting system established for search and rescue, the use of which should be free of cost to the ship concerned.

* Governments should encourage ships to fit emergency position indicating radio beacons (EPIRBs) where appropriate.

IMO has prepared a manual on search and rescue for the guidance of these requiring assistance at sea- MERSAR 1971.

In 1979 IMO adopted the Search and Rescue Convention. In this regard the concept will be dealt with in four parts. These are; organization, cooperation, preparatory measures and lastly operating procedures.

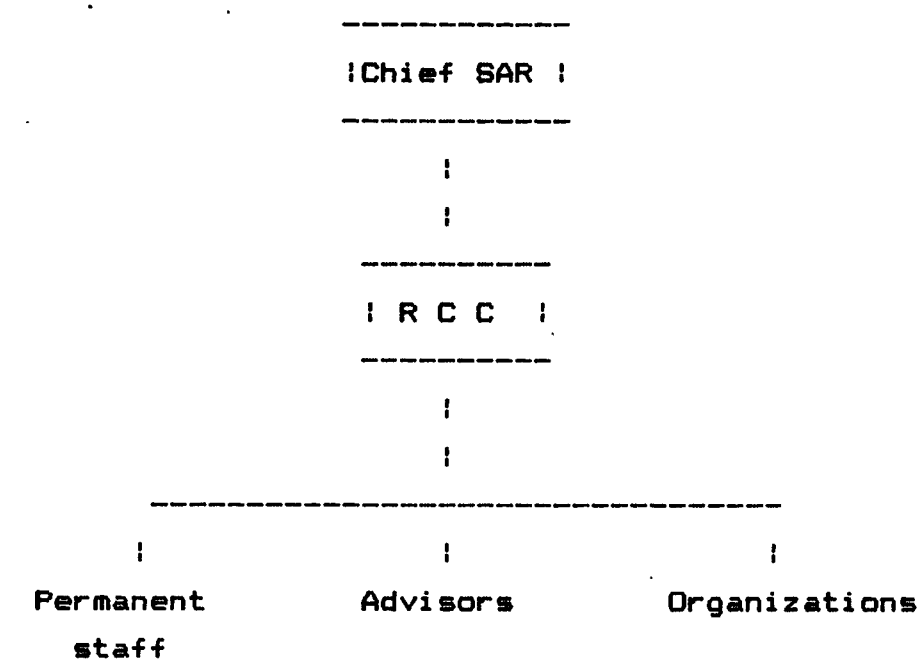
6.3.1. ORGANIZATION-

This deals with the basic structure of the concept. In this context it is proposed that all parties concerned in the search and rescue in Jordan should participate in the newly proposed organization. This organization should be independent from any other governmental body. But it is

formed by the cooperation of these various interested departments and organizations viz Ports Corporation,Coast Guards, Police, Health Department, Air force etc. However all these parties interested in this operation should use their best endeavours to reach agreement on appropriate arrangements which would provide equivalent overall coordination of search and rescue services.

Parties should arrange that their SAR services can and do give prompt response to any distress call and must take urgent steps to provide the most appropriate assistance to any person in distress. Parties are required to coordinate their SAR facilities and services nationally by establishing a rescue coordination center (RCC)in Aqaba to deal with all SAR activities. Parties must ensure that this center has adequate means for receiving distress communication and communicate with its rescue units and any RCCs in the region. Each rescue unit must be provided with appropriate facilities and equipment and should have rapid and reliable means of communication with other units engaged in the same operation.

This proposed National SAR Organization has the following simple structure;



6.3.2. COOPERATION

The SAR organization as it is recommended need to cooperate in this sense with those of neighbouring Arab States in the Gulf. In this regard it is recommended that each party should authorize its RCCs,

* to request and provide such assistance as may be needed from or by other RCCs;

* to grant any necessary permission for the entry of SAR units into or over its territorial sea or territory and to

make the necessary arrangements with other related authorities i.e. customs, immigration etc.

Agreements with these neighbouring States are also recommended for the pooling of facilities, the establishment of common procedures, the conduct of joint training and exercises, regular checks of inter-state communications, liaison visits by RCC personnel, and exchange of search and rescue information.

Aircraft play a crucial role in SAR operations today. It is required that the organizations involved in national SAR Organization should ensure the closest practical coordination between maritime and aeronautical services.

6.3.3. PREPARATORY MEASURES

This part deals with preparatory measures to be taken by the RCC and the state of preparedness of rescue units. The national RCC must have available up-to-date information relating to its area and other relevant necessary information. This include units available,means of transportations, including names, cables, and telex addresses, names of shipagents, addresses,phones and telex numbers, consular services and other agencies who may be able to assist in obtaining vital information on vessels; identities of maritime mobile service and radio stations and other information. The RCC should have access to all appropriate information concerning the vessels within the area which may be able to provide assistance to vessels or

persons in distress at sea. It should also have detailed plans or instructions for the conduct of search and rescue operations in its area. These should include details concerning action to be taken by those engaged in SAR operations in the area.

6.3.4. OPERATING PROCEDURES

This phase include the practical side of SAR operations which requires the SAR Organization to ensure continuous radio watch in order to be able to render any assistance to ships and persons in distress at sea. Any element of the SAR Organization which has reason to believe that a ship is in a state of emergency should as soon as possible give all the information available to the appropriate RCC.

6.4. NATIONAL CONTINGENCY PLAN

Any maritime administration has the obligation to combat pollution in any form or place in its territorial waters. In this category the administration may carry out the whole procedure by itself or may participate and/or coordinate in the combating of pollution when and where it occurs. Whether the administration is in the capacity to participate and/or coordinate depends on the delegation of authority given to the administration concerned. But in both cases the administration has to ensure that a competent and effective contingency plan is there to deal with any occurrence of pollution in the national waters. PC in Jordan is currently the most competent governmental body to carry out such functions efficiently and effectively. PC should in this regard ensure the availability of such coordinated plan to combat any spillage incident in Jordanian waters. The plan should ensure the pooling of national resources. It should identify the vulnerability of the local coasts and marine resources and the impact of each spill on its economy. In this regard it would be highly recommended for the country to accede to the Fund Convention which would

help the country in recovering any economic loss that might result from any maritime pollution accident.

A sub-regional plan in the Gulf is also recommended including the three Arab States. This sub-regional plan has to be the aim of these Gulf States since ;

1) it ensures pooling of national resources and skills,

2) it harmonizes the actions / activities of all countries concerned through pre-concerted planning,

3) it identifies the nature and extent of actions to be taken by each country in a given situation,

4) it has to be a cost effective plan,

5) it permits concentration of attention on vulnerable areas identified in advance, and;

6) its pollutants are not concerned with national frontiers.

As was mentioned in the IMO manual on oil pollution-contingency planning, chapter 1, it must be emphasized that a complete contingency plan seldom can be formed at once. In most cases it will be more appropriate to form it step by step as resources covered by the plan are available or developing.In the same chapter it is also emphasized that the setting up of a national response organization is not only a matter of holding in stock a certain quantity of pollution abatement equipment. The

essence of such an organization is the availability of trained personnel on different levels as well as ships and aircraft, facilities for communications, surveillance, support and maintenance.

Many factors should be taken into consideration as regards the nature and scope of the country's contingency arrangements. These are;

i- assessment of the nature and size of potential threat to which the country is likely to be subjected,
ii- the geographical features of the Country,
iii- the environmental impact of any pollution incident,
iv- the national governmental structure and coordination mechanisms, and,
v- the availability of suitable existing organizations including those in industry and neighbouring countries (S. A. and Egypt).

The plan should aim at providing for coordinated or swift actions to protect the national marine environment and coasts of the country from the effects of oil spills and other harmful substances by establishing mechanisms that maximize the use of available resources and ensure proper response at the scene of any pollution incident including mobilizing equipment, manpower and expertise at a level appropriate to combat such a spill.The plan should also fulfill the country's regional obligations in the Gulf as well as in the Red Sea area- the Jeddah Convention in cases of major spills.

It is proposed here that PC should take the leading role in planning and coordinating response activities to

control pollution. In this context PC should;

* formulate a national policy on oil pollution in the Country's marine environment,

* act in accordance with regional coordination efforts,

* undertake surveillance, monitoring and studies necessary for the tracking of oil spills and the determination of pollution impacts,

* coordinate protection of facilities and sensitive areas against oil spills, and,

* provide operational coordination in the event of a national spill emergency.

SUMMARY OF RECOMMENDATIONS

1) Organization and Management:

a- Establish a Shipping Directorate in the Ministry of Transport to deal with the national maritime policy and the national shipping industry matters and to formulate a national view as pertaining to the international maritime matters.

b- Establish a Marine Safety Department with its various technical divisions in the Ports' Corporation to deal with all safety matters dealt with in IMO safety and pollution conventions and to carry out the concept of port state control as well.

c- Establish a new and fair maritime cadre exclusively for the national maritime personnel to encourage national maritime skills to serve the Country and to stop any future brain drain.

d- Ministry of Education should reconsider its view as regard maritime studies certificates specially in the nautical and marine engineering fields acquired from marine academies, and make a new assessment for these certificates an the basis of the Country's basic needs for such expertise or through negotiating these certification terms with the concerned academies specially AMTA in Sharja and Alexandria.

e- Recruitment of sufficient highly skilled administrative as well as technical personnel to supplement the stage of development required in the national maritime industry. Short or long training courses could be arranged or used to enhance their expertise to the levels required.

f- Establish an independent National Air / Maritime

SAR Organization through coordinated efforts of those interested parties viz PC, Coast Guards, Police, Health Department, Air Force, etc as per proposed.

g- Establish a National Contingency Plan to combat pollution in the national waters and extend such abatement to regional basis through cooperation and coordination with neighbouring Arab States.

h- Encourage every research effort into marine resources to enhance the national welfare.

i- Give special care to the promotion of a modern developed national fishing fleet to serve the national economy and satisfy local needs.

j- To suffice (i) above, special care should be given to the LOS and the possibility attained by that instrument to those disadvantaged countries like Jordan to use other neighbouring countries EEZ for fishing purposes.

2) Legislation:

a- Accession to all IMO instruments as pertaining to safety and pollution.

b- Accession to ILO maritime instruments and mainly to Convention 147 (umbrella Convention).

c- Formulate an updated National Maritime Code in accordance with international regulations as per proposed.

d- Formulate the required subsidiary legislation needed for the implementation of the Code's regulations as per proposed in the text of this paper.

e- Expanding the present Legal Consultant Division into a departmental capacity and given the role to formulate any new international requirements and obligations in the maritime field into legal terms through technical liaison and consultation with Marine Safety Department in PC and the Shipping Directorate in the MOT.

3) SHIPPING:

a- Encourage private shipowning through various mechanisms viz legislative or economic.

b- Protect national shipping trading activities and interests by the enforcement of various means and methods viz, cargo reservation, berthing preferences, import licensing, taxation allowances, subsidies and easy loans and others.

c- Encourage the establishment of the various types of shipping associations and organizations such as shippers' council, shipowners' association, shipagents' (brokers') council etc.

d- Accede to the Code and increase share of the national shipping in the national seaborne trade.

4) Training:

a- Formulate a national plan for the Country's needs for maritime skills and execute to the utmost benefit of the Country.

b- Enforce international standards on board national ships.

c- Encourage the establishment of a national shipping institution (public or private).

d- Encourage universities to open new high maritime studies relevant to the Country's needs and hopes.

e- Encourage the formulation of a National Maritime Training Committee to formulate a national maritime plan, advise and supervise the implementation of which.

f- Upgrade the present Port Training Center into a high Port institution to serve both the Country and the

Region.

g- Good and rational use of foreign aid offered to the Country in the maritime field viz UNDP, CDG and others to their utmost limit to the national advantage. (These are entirely not used for the time being).

h- Use the outstanding international institutions and universities in acquiring the needed high maritime skills required to the benefit of the maritime industry in the Country specially the World Maritime University which introduces great opportunities in upgrading national experiences of developing countries to same levels in the traditionally maritime developed countries.

5- OTHERS;

a) Encourage individual private shipping related industries and services viz ship-repair facilities, ship-chandling etc,

b) Encourage any new industry with future potentialities for exports through various economic and financial measures.

CONCLUSION

Any maritime development process cannot be adapted without the availability of the required basics into the national body. The most important among these basics is the country's maritime legal instruments. The Maritime Code of any country is evidently the first and the main step to be taken towards the promotion of its maritime industry. But certainly it is not the last.

Traditionally maritime developed nations have only arrived into this advanced stage of development because of their dynamic efforts to achieve the best that could be achieved to the benefit of their industries and economies. In this regard these nations are moving fast on the path of maritime development which entails huge efforts on part of developing countries to decrease the ever increasing gap with these nations.

Jordan, having its present outdated Maritime Commercial Law cannot sustain the new fields of maritime developments without updating this Code to suit its new developmental requirements in the maritime field.

Following this first step is the restructuring of the present maritime bodies under the MOT. This mainly concerns the PC where new department is to be found to take care of all aspects of safety and pollution problems. This new department requires not only new divisions with their technicalities but also the infusion of a new spirit into the PC. This is the spirit of international

cooperation and understanding with the perspective to attain the required maritime image as an effective maritime partner both in business and in conferences.

Another fundamental organizational restructuring step in this regard is the establishment of a new Shipping Directorate in the MOT to deal with the national maritime policy questions that are considered as the basis for any nation to attain the required level of development with the protection of the national interests to the Country's advantage. This new Directorate would assume responsible role in supervising national shipping activities and in drawing the best policy to be followed to arrive into a very favourable situation to this viable national industry.

This phase of organizational restructuring has been divided into two stages to facilitate the process of development with the development of maritime legislation and the promotion of local maritime skills and personnel. Promotion of national maritime skills and personnel is also a tedious job which necessitates the cooperation of all national bodies interested or engaged in such an important process. This entails the formulation of a national Committee from those aforementioned concerned parties to formulate a national maritime training plan that takes into consideration present status of the industry, national maritime personnel, the future needs of the Country and relevant methods into achieving such levels through national assessed and developed marine institutions as well as regional and international ones.

One more step is still left to be fulfilled to arrive into a fully assessed maritime development stage. This is the question of the acquisition of a viable,cost effective and competitive national tonnage that can serve the national economy and trade to the benefit of the national balance of payments and national exporting industries.

By arriving into such a stage, maritime development can easily be seen as possible. But there is one more fact that could if satisfactorily encouraged be of greater effect on the acceleration of such development. This fact is that of shipping and marine research. Such research works would help the Country to achieve best methods into using national resources both in shipping and in sea to the national benefit taking into consideration the interests of the national economy and the welfare of people and their environment.

WORLD SEABORNE TRADE

Table 1

Development of international seaborne trade, a/ 1970 and 1980-1985

(Estimates of goods loaded)

Tanker cargo			Dry cargo				Total (all goods)	
			Total		Of which : main bulk commodities b/			
Year	Millions of tons	Percentage increase/ decrease over previous year	Millions of tons	Percentage increase/ decrease over previous year	Millions of tons	Percentage increase/ decrease over previous year	Millions of tons	Percentage increase/ decrease over previous year
1970	1 440	13.1	1 165	13.0	488	16.0	2 605	13.0
1980	1 871	-6.6	1 833	3.3	796	4.5	3 704	-2.0
1981	1 693	-9.5	1 866	1.8	806	1.3	3 559	-3.9
1982	1 480	-12.6	1 793	-3.9	759	-5.8	3 273	-8.0
1983	1 461	- 1.4	1 770	-1.3	732	-3.7	3 231	-1.3
1984	1 478	1.2	1 886	6.5	833	13.8	3 364	4.1
1985c/	1 459	- 1.3	1 871	-0.8	826	-0.8	3 330	-1.0

Sources : (i) For tanker cargo, total dry cargo and all goods, base data were communicated to the UNCTAD secretariat by the United Nations Statistical Office. Owing to possible subsequent revisions or other factors, these detailed data may differ marginally from the aggregated figures reported in the United Nations, Monthly Bulletin of Statistics, January issues.

(ii) For main bulk commodities: Fearnleys, World Bulk Trades 1984 (Oslo), and Review 1985.

a/ Including international cargoes loaded at ports of the Great Lakes and St. Lawrence system for unloading at ports of the same system, but excluding such traffic in main bulk commodities.

b/ Iron ore, grain, coal, bauxite/alumina and phosphate.

c/ UNCTAD preliminary estimates.

Table 2

World seaborne trade in 1970, 1983, 1984 and 1985 (est.) a/ by types of cargo and shares of groups of countries b/ (Millions of tons and percentages of world total)

Country group	Year	Goods loaded				Goods unloaded			
		Petroleum		Dry cargo	Total all goods	Petroleum		Dry cargo	Total all goods
		Crude	Products			Crude	Products		
		(Trade in millions of tons)							
World total	1970	1 110	330	1 165	2 605	1 101	302	1 127	2 530
	1983	1 069	392	1 770	3 231	1 133	349	1 830	3 312
	1984	1 079	399	1 886	3 364	1 166	371	1 928	3 465
	1985	1 065	394	1 871	3 330	1 152	367	1 914	3 433
		(Percentage share of each category of goods in total)							
World total	1970	42.6	12.7	44.7	100.0	43.5	11.9	44.6	100.0
	1983	33.1	12.1	54.8	100.0	34.2	10.5	55.3	100.0
	1984	32.1	11.8	56.1	100.0	33.6	10.7	55.7	100.0
	1985	32.0	11.8	56.2	100.0	33.6	10.7	55.7	100.0
		(Percentage share of trade by groups of countries)							
Developed market-economy countries	1970	2.0	27.1	60.0	31.1	80.4	79.6	79.5	79.9
	1983	10.7	27.6	66.0	43.1	69.9	75.8	63.0	66.7
	1984	11.1	28.1	65.8	43.8	71.1	77.5	63.5	67.6
	1985	11.6	28.4	66.0	44.2	71.7	78.0	63.8	68.0
Socialist countries of Eastern Europe and Asia	1970	3.4	8.0	8.1	6.1	1.7	1.1	5.8	3.5
	1983	8.4	16.3	6.3	8.2	3.6	0.7	8.6	6.1
	1984	8.4	16.0	6.4	8.2	3.6	0.8	8.8	6.2
	1985	8.3	16.0	6.3	8.1	3.6	0.8	8.8	6.2
Of which									
in Eastern Europe	1970	3.4	8.0	6.9	5.6	1.2	1.0	3.7	2.3
	1983	6.5	15.1	5.1	6.8	3.4	0.4	5.7	4.4
	1984	6.5	14.8	5.3	6.8	3.4	0.5	6.2	4.6
	1985	6.5	14.8	5.3	6.8	3.4	0.5	6.2	4.6
in Asia	1970	-	-	1.2	0.5	0.5	0.1	2.1	1.2
	1983	1.8	1.2	1.2	1.4	0.2	0.3	2.9	1.7
	1984	1.9	1.1	1.1	1.4	0.2	0.3	2.6	1.6
	1985	1.8	1.1	1.0	1.3	0.2	0.3	2.6	1.6
Developing countries	1970	94.5	64.7	31.9	62.8	17.9	17.8	15.1	16.7
	1983	80.9	56.1	27.7	48.7	26.5	23.5	28.4	27.2
	1984	80.5	55.9	27.8	48.0	25.3	21.7	27.7	26.2
	1985	80.1	55.6	27.7	47.7	24.7	21.3	27.4	25.8

Table2 (continued)

Of which									
in Africa	1970	25.4	2.4	9.1	15.2	1.7	4.1	3.6	2.9
	1983	15.7	8.6	4.8	8.8	8.2	3.6	5.4	6.2
	1984	15.6	8.5	4.6	8.6	7.9	3.4	5.3	5.9
	1985	15.6	8.5	4.6	8.7	7.7	3.3	5.2	5.8
in America	1970	12.2	36.2	13.8	16.0	10.5	5.1	4.4	7.2
	1983	14.1	18.8	12.8	14.0	7.8	4.5	4.4	5.6
	1984	14.0	18.5	12.8	13.8	7.2	4.1	4.1	5.2
	1985	14.0	18.3	12.7	13.7	7.0	4.0	3.9	5.0
in Asia	1970	56.9	27.0	8.2	31.3	5.5	7.9	6.7	6.4
	1983	51.1	28.7	9.7	25.7	10.5	14.7	18.3	15.3
	1984	50.9	28.9	10.0	25.4	10.2	13.6	18.0	14.9
	1985	50.5	28.8	10.0	25.1	10.0	13.4	18.0	14.8
in Europe	1970	–	–	–	–	–	0.1	0.1	–
	1983	–	–	–	–	–	0.1	0.1	–
	1984	–	–	–	–	–	0.1	0.1	–
	1985	–	–	–	–	–	0.1	0.1	–
in Oceania	1970	–	0.1	0.8	0.4	–	0.5	0.3	0.2
	1983	–	–	0.4	0.2	–	0.6	0.2	0.1
	1984	–	–	0.4	0.2	–	0.5	0.2	0.2
	1985	–	–	0.4	0.2	–	0.5	0.2	0.2

Source: UNCTAD data bank .

a/ See note a/ to table 1.

b/ See annex I below for the composition of these groups. (See note 2 to that annex regarding the recording of trade of land-locked countries.)

Table3

Percentage shares of world tonnage by type of vessel and groups of countries (as at 1 July), 1980, 1983, 1984 and 1985 a/

(in terms of dwt)

Country group	Year	Total dwt		Tankers	Ore and bulk carriers b/ including combined carriers	General cargo ships c/	Container ships and lighter carriers	Other ships
		Millions of dwt	Percentage of world total	Percentage share by vessel type				
World total	1980	682.8	100	49.7	27.2	17.0	1.6	4.5
	1983	686.0	100	44.5	31.4	16.4	2.1	5.6
	1984	674.5	100	42.4	33.0	16.1	2.7	5.8
	1985	664.8	100	39.3	34.9	15.9	3.0	6.9
				Percentage share by groups of countries				
Developed market-economy countries	1980	350.1	51.3	52.5	52.7	43.4	74.3	50.4
	1983	322.4	47.0	50.2	45.8	36.6	68.0	50.7
	1984	303.4	45.0	48.8	42.5	35.4	66.1	48.3
	1985	282.9	42.5	46.8	38.9	34.4	63.4	46.7
Open-registry countries	1980	212.5	31.1	36.2	31.7	20.8	13.5	17.0
	1983	199.8	29.1	33.3	31.4	20.0	10.0	17.2
	1984	202.2	30.0	34.8	31.9	20.5	11.7	18.8
	1985	203.4	30.6	35.5	32.8	20.3	13.0	23.1
Socialist countries of Eastern Europe and Asia	1980	48.7	7.1	3.4	5.8	17.0	3.0	20.5
	1983	54.4	7.9	3.9	6.3	19.2	4.0	17.5
	1984	55.4	8.2	3.9	6.8	19.9	4.7	17.0
	1985	58.5	8.8	4.4	7.3	20.8	5.5	15.2
Of which:								
in Eastern Europe	1980	37.8	5.5	2.8	4.2	12.3	2.9	19.2
	1983	40.2	5.9	3.1	4.2	13.3	2.9	16.4
	1984	40.3	6.0	3.0	4.5	13.7	3.5	15.7
	1985	41.3	6.2	3.4	4.7	13.9	3.3	14.0
in Asia	1980	10.9	1.6	0.6	1.6	4.7	0.1	1.3
	1983	14.2	2.0	0.8	2.1	5.9	1.1	1.1
	1984	15.1	2.2	0.9	2.3	6.2	1.2	1.3
	1985	17.2	2.6	1.0	2.6	6.9	2.2	1.2
Developing countries	1980	68.4	10.0	7.7	9.2	17.6	7.6	12.0
	1983	104.9	15.3	12.3	15.4	23.7	14.3	14.5
	1984	107.1	15.9	12.1	17.1	23.7	13.2	15.8
	1985	113.4	17.1	12.9	19.4	24.0	12.1	15.0
Of which:								
in Africa	1980	7.1	1.1	1.1	0.1	2.3	..	2.1
	1983	7.7	1.1	1.2	0.2	2.4	..	2.5
	1984	7.8	1.1	1.2	0.2	2.4	..	2.6
	1985	8.0	1.2	1.4	0.4	2.5	0.1	2.3
in America	1980	21.8	3.2	2.3	3.3	5.6	0.1	3.7
	1983	22.3	3.3	2.6	3.1	5.8	0.1	3.5
	1984	22.2	3.3	2.8	2.9	5.8	0.3	3.6
	1985	23.3	3.5	2.8	3.3	6.0	0.5	3.7

Table3 (continued)

Country group	Year	Total dwt		Tankers	Ore and bulk carriers b/ including combined carriers	General cargo ships c/	Container ships and lighter carriers	Other ships
in Asia	1980	39.1	5.7	4.3	5.7	9.8	2.7	5.7
	1983	73.3	10.7	8.5	11.8	14.7	14.2	8.4
	1984	74.6	11.1	8.1	13.4	14.5	12.9	9.5
	1985	78.6	11.8	8.5	15.0	14.4	11.5	8.9
in Europe	1980	0.2	..	..	..	0.1	-	-
	1983	1.3	0.2	..	0.3	0.7	-	..
	1984	2.1	0.3	..	0.5	0.8	-	..
	1985	3.0	0.5	0.2	0.6	0.9	-	..
in Oceania	1980	0.2	..	..	..	0.1	-	-
	1983	0.2	..	..	..	0.1		0.1
	1984	0.4	0.1	..	0.1	0.2	-	0.1
	1985	0.4	0.1	..	0.1	0.2	-	0.1
Other, unallocated	1980	3.0	0.5	0.2	0.6	0.9	1.6	0.1
	1983	4.4	0.7	0.3	1.1	0.5	3.7	0.1
	1984	6.4	0.9	0.4	1.7	0.5	4.3	0.1
	1985	6.7	1.0	0.4	1.6	0.6	5.9	0.1

Source: Compiled on the basis of data supplied by the Shipping Information Services of Lloyd's Register of Shipping and Lloyd's of London Press Ltd.

a/ Excluding the United States Reserve Fleet and the United States and Canadian Great Lakes Fleets.

b/ Ore and bulk carriers of 6,000 grt and above, including combined ore/oil and ore/bulk/oil carriers.

c/ Including passenger cargo vessels.

Table 4

Comparison between total cargo turnover and fleet ownership by groups of countries, 1970, and 1981-1985

(In terms of dwt)

Country grouping	Year	Goods loaded and unloaded millions of tons		Total of goods loaded and unloaded (millions of tons)	Deadweight tonnage of merchant fleet (millions of tons)	Percentage of world total of goods loaded and unloaded	Percentage of world total of merchant fleet owned(dwt)
		Loaded	Unloaded				
Developed market-economy and open registry countries	1970	802.7	2 010.4	2 812.1	282.2	54.8	86.5
	1981	1 447.2	2 430.3	3 877.5	549.5	54.9	79.8
	1982	1 370.7	2 305.3	3 676.0	543.6	55.1	78.4
	1983	1 410.4	2 218.2	3 628.6	522.2	55.4	76.1
	1984	1 492.8	2 351.5	3 844.3	505.6	56.3	75.0
	1985	1 491.9	2 344.5	3 836.4	486.3	56.7	73.1
Socialist countries of Eastern Europe and Asia	1970	158.8	87.6	264.4	21.7	4.8	6.7
	1981	233.5	217.7	451.2	50.7	6.4	7.4
	1982	242.3	221.1	463.4	52.0	7.0	7.5
	1983	265.7	201.2	466.9	54.4	7.1	7.9
	1984	275.8	214.4	490.2	55.4	7.2	8.2
	1985	269.7	212.9	482.6	58.5	7.1	8.8
Developing countries	1970	1 643.3	431.6	2 074.9	20.5	40.4	6.3
	1981	1 896.7	867.4	2 764.1	85.9	39.1	12.5
	1982	1 660.4	866.2	2 526.6	94.5	37.9	13.6
	1983	1 554.5	892.7	2 447.2	104.9	37.5	15.3
	1984	1 595.6	899.1	2 494.7	107.1	36.5	15.9
	1985	1 568.6	875.7	2 444.3	113.4	36.2	17.1
World total a/	1970	2 604.8	2 529.6	5 134.4	326.1	100.0	100.0
	1981	3 555.4	3 511.9	7 067.3	688.8	100.0	100.0
	1982	3 273.4	3 392.6	6 666.0	693.5	100.0	100.0
	1983	3 230.6	3 312.1	6 542.7	686.0	100.0	100.0
	1984	3 364.2	3 465.0	6 829.2	674.5	100.0	100.0
	1985	3 330.2	3 433.1	6 763.3	664.8	100.0	100.0

Source: UNCTAD data bank.

a/ Including unallocated tonnage indicated in annex III.

Table 5

WORLD SEABORNE TRADE a/ ACCORDING TO GEOGRAPHICAL AREAS, 1970, 1983 AND 1984
(Millions of tons)

Area b/	Year	Goods loaded				Goods unloaded			
		Petroleum		Dry cargo	Total all goods	Petroleum		Dry cargo	Total all goods
		Crude	Products			Crude	Products		
Developed market-economy countries									
North America	1970	0.7	5.3	308.0	314.0	73.4	103.6	170.0	347.0
	1983	0.5	19.4	438.6	458.5	162.6	68.5	163.9	395.0
	1984	0.5	19.5	453.5	473.5	174.8	86.2	176.3	437.3
Japan	1970	-	0.3	41.6	41.9	170.4	30.4	235.1	435.9
	1983	-	...	91.0	91.0	176.0	43.2	331.2	550.4
	1984	-	...	94.1	94.1	189.2	44.5	369.4	603.1
Australia and New Zealand	1970	-	1.3	92.3	93.6	18.8	2.9	15.4	37.1
	1983	0.1	3.7	174.6	178.4	8.9	3.6	17.9	30.4
	1984	0.1	5.6	212.7	218.4	9.4	4.1	17.0	30.5
Europe	1970	28.6	82.3	244.8	355.6	621.0	100.4	469 0	1190.4
	1983	114.0	85.2	402.3	601.5	429.3	149.0	629.0	1207.3
	1984	118.9	87.1	420.8	626.8	440.2	153.1	652.1	1245.4
South Africa	1970	-	-	13.2	13.2	8.8	2.6	6.2	17.6
	1983	-	-	61.0	61.0	15.0	...	10.1	25.1
	1984	-	...	60.0	60.0	15.0	...	10.2	25.2
Sub-total: developed market-economy countries	1970	29.3	89.2	699.9	818.3	892.4	239.9	895.7	2028.0
	1983	114.6	108.3	1167.5	1390.4	791.8	264.3	1152.1	2208.2
	1984	119.5	112.2	1241.1	1472.8	828.6	287.9	1225.0	2341.5
Socialist countries of Eastern Europe and Asia									
Socialist countries of Eastern Europe (excluding USSR)	1970	0.2	3.4	34.8	38.5	10.8	3.0	29.2	43.0
	1983	0.1	11.2	42.5	53.8	32.0	0.7	48.6	81.3
	1984	0.1	11.6	52.4	64.1	32.3	0.8	50.4	83.5
USSR	1970	38.0	22.9	46.0	106.9	2.5	-	11.9	14.4
	1983	70.0	48.0	47.6	165.6	7.0	0.8	56.1	63.9
	1984	70.2	47.6	48.3	166.1	7.1	0.9	68.3	76.3
Socialist countries of Asia	1970	-	0.1	13.3	13.4	5.4	0.4	24.4	30.2
	1983	19.9	4.5	21.9	46.3	2.4	1.1	52.5	56.0
	1984	20.4	4.5	20.7	45.6	2.4	1.1	51.1	54.6

Area b/	Year	Goods loaded				Goods unloaded			
		Petroleum		Dry cargo	Total all goods	Petroleum		Dry cargo	Total all goods
		Crude	Products			Crude	Products		
Sub-total: socialist countries of Eastern Europe and Asia	1970	38.2	26.4	94.1	158.9	18.7	3.4	65.5	87.6
	1983	90.0	63.7	112.0	265.7	41.4	2.6	157.2	201.2
	1984	90.7	63.7	121.4	275.8	41.8	2.8	169.8	214.4
Developing countries and territories									
Northern Africa	1970	221.4	5.6	28.3	255.4	9.9	5.9	17.9	33.8
	1983	92.2	29.1	28.1	149.4	84.4	5.8	61.2	151.4
	1984	91.2	29.1	29.7	150.0	83.3	5.6	62.9	151.8
Western Africa	1970	60.5	1.0	61.5	123.0	3.6	4.0	14.8	22.4
	1983	75.0	3.1	47.9	126.0	3.4	4.1	26.6	34.1
	1984	77.1	3.2	47.8	128.1	3.5	4.2	26.8	34.5
Eastern Africa	1970	-	1.2	16.1	17.3	5.5	2.6	8.3	16.4
	1983	-	1.6	8.3	9.9	4.7	2.7	12.1	19.5
	1984	-	1.7	9.5	11.2	4.9	2.7	12.2	19.8
Caribbean and North America	1970	-	1.4	28.4	29.8	23.5	4.5	11.2	39.2
	1983	9.1	8.0	21.9	39.0	17.8	7.5	14.3	39.6
	1984	9.0	8.0	21.8	38.8	14.9	7.1	14.2	36.2
Central America	1970	-	3.7	11.9	15.6	6.0	5.5	6.5	18.0
	1983	67.5	4.1	13.6	85.2	4.2	2.2	15.0	21.4
	1984	67.1	4.0	15.2	86.3	4.0	2.1	14.9	21.0
South America: Northern seaboard	1970	131.1	11.8	36.0	278.9	63.1	3.0	6.7	72.9
	1983	64.6	51.5	19.6	135.7	26.4	3.6	14.8	44.8
	1984	65.5	51.8	20.7	138.0	25.1	3.4	13.2	41.7
South America: Western seaboard	1970	4.6	1.6	29.8	35.9	4.1	1.5	5.9	11.5
	1983	9.7	3.8	24.5	38.0	3.9	1.5	13.2	18.6
	1984	9.6	3.7	26.4	39.7	3.7	1.5	13.9	19.1
South America: Eastern seaboard	1970	0.1	1.1	54.3	55.5	18.8	1.0	19.8	39.6
	1983	...	6.3	147.6	153.9	36.5	1.0	23.5	61.0
	1984	...	6.1	155.7	161.8	36.7	1.1	24.1	61.9
Western Asia	1970	588.7	65.6	3.3	658.6	0.1	1.0	13.1	14.2
	1983	462.9	65.9	14.5	543.3	8.8	9.5	100.8	119.1
	1984	465.8	66.9	18.6	551.3	8.9	9.5	105.7	124.1
Southern and Eastern Asia (n.e.s.)	1970	35.0	23.7	89.3	148.0	54.7	23.3	61.9	139.9
	1983	82.9	46.5	157.4	286.8	110.3	41.6	234.7	386.6
	1984	83.8	48.2	169.9	301.9	110.0	41.1	241.2	392.3
Developing countries in Europe	1970	-	-	-	..	-	0.3	0.7	1.0
	1983	-	-	0.3	0.3	-	0.4	1.1	1.5
	1984	-	-	0.4	0.4	-	0.4	1.1	1.5

Area b/	Year	Goods loaded				Goods unloaded			
		Petroleum		Dry cargo	Total all goods	Petroleum		Dry cargo	Total all goods
		Crude	Products			Crude	Products		
Oceania (n.e.s.)	1970	-	0.2	9.5	9.7	0.6	1.6	2.9	5.1
	1983	-	0.2	6.8	7.0	-	2.0	3.1	5.1
	1984	-	0.2	7.9	8.1	-	2.0	3.2	5.2
Sub-total: Developing countries	1970	1041.4	216.9	368.4	1627.7	189.9	54.2	169.7	414.0
	1983	863.9	220.1	490.5	1574.5	300.4	81.9	520.4	902.7
	1984	869.1	222.9	523.6	1615.6	295.0	80.7	533.4	909.1
World total c/	1970	1110.0	330.0	1165.0	2605.0	1101.0	302.0	1127.0	2530.0
	1983	1068.5	392.1	1770.0	3230.6	1133.6	348.8	1829.7	3312.1
	1984	1079.3	398.8	1886.1	3364.2	1165.4	371.4	1928.2	3465.0

Source: Compiled on the basis of data communicated to the UNCTAD secretariat by the Statistical Office of the United Nations.

a/ Including international cargoes loaded at ports of the Great Lakes and St. Lawrence system for unloading at ports of the system. Great Lakes and St. Lawrence trade (in dry cargo) amounted to 42 million tons in 1970, 27 million tons in 1983 and 31 million tons in 1984.

b/ See annex I for the composition of these groups.

c/ Figures rounded to the nearest million.

Annex 2

PORT STATUTORY LAW
No. 28 of 1978

Article 1- This provisional Law shall be cited as "The Ports Corporation Law of 1978" and shall be in force from its promulgation date in the official Gazette.

Article 2- The terms and expressions used in this Law shall have the meanings indicated thereto hereunder unless the context indicates otherwise;

The Minister	The Minister of Transport
Corporation	The Ports Corporation
Board	The Corporation's Executive Board
Director	Ports Corporation Director General
Ports	Jordanian seaports each specified by a Cabinet Decree according to the Minister's proposal
Ship	Any seaworthy vessel regardless of its tonnage and destination. This consists of all parts and gear needed for its utilization as part thereof
Cargo	All kinds of merchandise and industrial products, raw materials and animals
Discharge	Discharge of cargo from the ship to port quays or lighters by any mean
Loading	Loading cargo on ships from port quays or lighters by any mean
Lighterage	1- receiving cargo from ships derricks or any other means onto lighters or on quay; releasing goods from the tackle

and stowing them on lighters or on quay and moving lighters alongside berth then lifting good from lighters and stowing them on quay with distance not less than twenty meters from edge of quay,

2- delivering cargo from quays onto lighters, stow it on them then moving lighters to alongside ship and place cargo under the tackle then sling them to the tackle for stowing purposes.

Loading trucks — The transfer of cargo from quays into sheds or open storage and stow it within the Ports Corporation area limit, then load cargo from storage place onto trucks according to regulations issued by the Corporation

Article 3- A public corporation shall be established in accordance with this Law with a financial and administrative independence that enables it to act in any capacity and legal procedures.

Article 4- The Corporation would be the sole body in charge of establishing ports in the Kingdom, administer, develop, exploit and maintain them and carry out all operations of discharging and loading of ships (stevedoring), lighterage operations, delivery to road trucks and rendering all other services relevant to Port activities.

Article 5- As from the date of enforcement of this Law ;

a- All properties, assets and rights of Aqaba Port Department and the Maritime Establishment shall be owned

by the Ports Corporation and it shall bear all their liabilities,

b- All contracts and agreements with the Aqaba Port Department and the Maritime Establishment shall be regarded as concluded with the Ports Corporation which is the legal successor with all rights and liabilities,

c- All staff of the Aqaba Port Department and the Maritime Establishment shall be transferred to the Ports Corporation with all their rights and obligations.

Article 6- The Corporation is administered by;

a- Board,

b- Director General, and

c- Executive staff.

Article 7- The Board shall consist of;

1- The Minister	Chairman
2- Director General	Vice-chairman
3- Under-secretary of the Ministry of Finance/Custom	Member
4- Director General of Aqaba Railway Corporation	Member
5- Director General of Jordan Phosphate Company	Member

6- Two representatives from the private sector appointed for two years by the Cabinet according to the Minister's proposal.

Article 8-

a- The Board shall carry out administrative activities of the Corporation and its supervision and formulate its general policy. For that all authorities and functions are thus inacted into the Board including;

1- Establishing and administering ports, investing

and constructing necessary facilities thereof,

2- Study annual budgetary projects of the Corporation and submit them to the Cabinet for approval,

3- Purchase, lease or borrow any vessel to use or to operate in the maritime transport activities either directly or in participation with any other corporation or company specialized in such,

4- Recommend to the Cabinet the diversion of any exported or imported cargoes from any other port or harbour to a Jordanian where needed,

5- Organizing loading and discharging of ships, land trucks or railway and supervise such,

6- prepare any legal regulatory projects for the Corporation,

7- Delegate authority of signature to any of its members.

Article 9- The Board convenes at least once monthly by invitation of its chairman. The meeting shall be legal whenever any five members are present including the chairman or vice-chairman. All decisions are taken unanimously or by simple majority. Whenever votes are equal, the side with which chairman has voted shall win voting.

Article 10- The Director General is appointed and his salary is decided together with his financial obligations and his service is terminated by a decision of the Cabinet in accordance with the Minister's proposal. This decision has to be approved by a Royal Decree.

Article 11- The Director General shall be in charge of managing the Corporation and to carry out its activities in a way to accomplish its objectives within the limits

inacted in him in accordance with this Law and regulations issued in fulfillment of the enforcement of this Law including;

a- Implementing decisions of the Board and carry out general policies laid down by the Board,

b- Preparing annual budget of the Corporation and submitting it to the Board,

c- Supervising the work of the Corporation staff and employees,

d- Carrying out any other authorities inacted in him by the Board.

Article 12-

a- The Corporation has an independent budget,

b- The Corporation financial revenues consist of;

1- Charges, dues and fees for rendered services,

2- Profits of assets and capital,

3- loans, gifts and donations approved by Cabinet,and

4- Amounts of money given by Government.

c- The Corporation shall follow the commercial concept in accountancy,

d- The Board submits to the Minister and within a period not exceeding three months from the end of the financial year, a report about the Corporation's performance together with the balance sheet and the loss and profit statement,

e- The Accountancy Directorate shall carry out the task of supervising and auditing the Corporation's accounts. The Board can appoint any approved accounting auditors to carry out such activity.

Article 13- The Corporation can with the approval of the Cabinet and the proposal of the Minister of Finance and the Governor of the Jordan's Central Bank, issue bonds

for the purpose of developing ports in accordance with Laws and regulations inforced in this context.

Article 14- The Corporation enjoys all exemptions and facilities that Ministries and other governmental departments enjoy.

Article 15-

a- The Cabinet shall issue regulations necessary to implement this Law including special regulations as regards to financial, administrative, inventories, contractual works, personnel affairs, employees and their savings, health insurance, special provisions for ports administration, ships'registration,maritime disasters, security and health procedures and all charges, dues and fees for the Corporation's services.

b- Amount of money the Corporation claims for its services are thus collected in accordance with the Law of Collecting Governmental Money.

Article 16- The Law of the Aqaba Port Department no. 18 of 1959 is abolished together with the Law of the Maritime Establishment no. 4 of 1969 taking into consideration the following;

a- All regulations issued in accordance with these two Laws shall continue to apply until they are abolished or replaced by other regulations issued in accordance with this Law,

b- Any indication to the Aqaba Port Department or to the Maritime Establishment in any regulation mentioned in (a) in this article shall be concluded as indication of the Corporation.

Article 17- Prime-Minister and Ministers are bound to implement this Law.

Annex 3

PORT FACILITIES

1- Berthing facilities

6 deep general cargo berths	1060 meters
3 general cargo berths with med depth	450 meters
2 container berths	540 meters
1 ro ro berth	40 meters
2 floating pontoons equipped with	
1 passenger berth	
1 container berth	
4 ro ro berths	
2 phosphate berths	390 meters
1 industrial berth(Potash & fertil.)	200 meters
1 deep water oil jetty (20 meters)	
1 oil jetty (15 meters)	

2- Cargo handling equipment

85	forklifts of 2-3,5 tons
27	forklifts of 5-7 tons (plus 5 top-lifts)
3	forklifts 15-30 tons (plus 1 top-lift)
28	mobile cranes of 3-5 tons
44	mobile cranes of 10-20 tons
4	mobile cranes of 45-70 tons
1	mobile crane of 120 tons
14	tug masters
4	shore cranes of 5 tons
43	tow tractors
8	straddle carriers
120	trailors
2	gantry cranes

3- Marine equipment

3 tug boats of 1300-1500 HP each

5 tow boats of 250 HP each

2 mooring boats of 60 HP each

1 pilot boat

31 cargo lighters

3 service barges(fresh water,waste collection and oil combating)

4- Storage facilities

39.500 sq.m. of shed areas

25.000 sq.m. of covered storage areas

366.000 sq.m. of open storage

254.000 sq.m. of container areas

500 tons of cold storage capacity

12 weighbridges of 80-120 tons

Annex 4

REGULATION FOR MARINE ACCIDENTS No. 50 of 1961

Article 1- This regulation is cited as " Regulation for the maritime accidents of 1961 " and shall be in force from date of promulgation in the official Gazette.

Article 2- Every person comes to know of any sea disaster or overhears any danger signal shall directly report to the Port Director office. If this office is far to reach he shall report to the nearest local authority(Customs/ Police). This authority shall report the accident without delay to the Port Director office.

Article 3- The Port Director or his deputy, when receiving a report about the occurrence of a sea disaster whether at the Jordanian coast or in the Jordan territorial waters, shall directly report to the Port Authority office in Amman which in turn informs the consul of ship's flag state in case the ship is a foreign one.

Article 4- If the accident was only a grounding on the coast or off the shore, the Port Authority office in Amman shall negotiate with the ship's consulate or the ship's owner(s) or operator(s), the ship's salvage and its cargo arriving into agreement with related parties or individually in case those parties do not anticipate, all measures for salvage of ship concerned.

Article 5- Witnesses to a sea accident on the coast or near to it shall take care until arrival of official

authorities, to save indangered persons and goods of any kind that belong to the ship and he shall forbid its pilferage.

Article 6- Witnesses of any accident shall put themselves under the disposal of the Authority when its officials arrive into site of accident in order to contribute in salvage operations or shall withdraw when ordered.

Article 7-

a) The Port Director when informed with the occurrence of an accident on the coast or near to it,shall visit the site and take lead of salvage operations. He has the right to ask for the cooperation of the police to keep order and to back him up in carrying out his work.

b) The Port Director has the right to;

1- employ all persons at site to participate in the salvage of lives and to put goods and things salvaged in a safe place and guard them,

2- use all transport vehicles he sees necessary and take all precautions necessary to save ships, boats and all other ship equipment and cargoes, and to immediately write down a list of salvaged goods and things. Any one refuses or hesitates to support or render services requested from him or to do whatever he is asked for, shall and in accordance with this article @ 2b be penalized with imprisonment of no more than six months and a fine not more than thirty Dinars or any of these two.

3- persons and owners of transport vehicles that contributed to salvage operations shall be given charges given for same.

Article 8- The Port Director shall leave the matter of carrying out salvage operations to the consul of the ship's flag state and shipowners or operators as soon as they arrive and shall ensure order and that no pilferage takes place. He shall claim all expenses incurred from them.

Article 9- The Port Director shall,when conditions allow, take possession of the charter party and any other ship's documents for the purpose of ensuring the various interests of parties concerned.

Article 10- Any master of an endangered ship shall submit within twenty four hours that follow ship's tow to land or its arrival into Port, a report about conditions of the accident, to the Port Director who sends it directly to the Port Authority in Amman.Ship's crew must sign on the report with the master. The Port Authority is not entitled to show contents of this report unless there is a court order.

Article 11- The Port Director can;

1- report any person who holds or tries to hold or conceal things resulting from the accident,
2- report any violations to articles 2, 5 and 7 of these regulations,
3- listen to witnesses,
4- make any investigations in houses within limits of Law,
5- when any suspicion arises that the accident was purposely committed or ship's cargoes were smuggled, he can withhold the master and crew. This is conditioned to that he shall directly transfer all investigation documents to the General Prosecutor.

Article 12- If after an accident, a ship was inflicted with any disorders that render it unseaworthy for sea transport, it shall be considered as a wreck. The sale of wreck cannot take place unless there is a report made by two maritime experts concluding that the ship cannot be used as a mean of sea transport. These experts are assigned by a court decision upon the request of the Port Authority Director.

Article 13- If a ship sinks or is grounded on the Jordanian coast or in the Jordanian territorial waters, the shipowner or those with any interest in it whether it was considered as wreck or not, shall sign during the month that follows the occurrence of accident, a contract in the Director of the Port Authority's office for the salvage of the ship and its contents, and to begin salvage works during the first six months that follow and to continue that without stop. If they do not sign such contract or it was proved by a letter from the Port Director that they have not began salvage works during the legal period given or these works were terminated even of being warned to resume such by a registered letter from the Director of the Port Authority, shipowners or those with interest in the ship shall loose all rights in the ship and its contents unless there is a force majuer.

The Director of the Port Authority has the right to carry on any salvage operation and to sell what he salvages from the ship or its contents, if those holding the right to such do not carry out salvage works during the given legal time limit mentioned above, and he has the right to licence any person capable of handling salvage works to do so against negotiated charges.

If the Ship and its contents were sold in accordance

with the above paragraph, salvage expenses and salvors entitlements and debts incurred in accordance with laws and regulations in force, shall be paid and the balance shall be trusted with the State's Finance to be claimed by its interested parties during the period of five years from date of accident after which this balance shall be considered as a State property.

Article 14- If a ship sinks or is grounded in Port and is thus considered an obstacle to navigation, the Port Director can issue a warning sent to the shipowner or its master to float the ship or take it out in pieces within the nearest date. If negligence was proved on part of the shipowner or its master, the judge can give permission to the Port Director to act in place of the shipowner and to carry out all necessary works to float the ship or dismantle it on the expense and responsibility of the shipowner, within the limits of salvaged objects values.

Article 15- It is prohibited for any member or employee in the Port Authority to take part in any form of profits, salvage works or cargo salvaged from any endangered ship. Any one found in breach of that shall be penalized with a fine not exceeding 100 Dinars and shall be susceptible to a disciplinary punishment.

Annex 5

SHIPS REGULATION
No. 51 of 1961

Article 1- This regulation is cited " Ships Regulation of 1961 " and is in force since date of promulgation in the Official Gazette.

Article 2- All masters of ships calling at the Port should when approaching the Port hoist those internationally approved signals in order to call concerned officials. If cargoes on board contain dangerous goods such as inflammables and explosives, the master must hoist a red flag and he has to lite a red light during night time that could easily be noticed.

Article 3- Masters should always keep a sufficient number of seamen on board their vessels when in Port to secure moving these vessels when need arises or during emergencies and to take necessary actions to stop any fire or harm to others.

Article 4- When a vessel or any floating craft sinks, it's master or owner is committed to directly inform the Port Administration and to ensure that it is afloat again or to dismantle it without delay. Port Administration may take any necessary procedure to enhance these actions. In case of clear inconstancy on part of those concerned, the Port Administration can carry out these operation itself on their accounts.The master has to ensure that there is a sign that

indicates presence of danger is stationed day and night in a manner approved by the Port Administration.

Article 5- If any object falls in water in Port's area either from a ship or from its cargo, the master of the concerned ship is obliged to directly inform the Port Administration. If according to the Administration's expectations, the falling object could affect Port facilities, safety or navigation,the master has to ensure that it is refloated.

LOADING AND DISCHARGING

Article 6- Ships' masters have to ensure safe communications between their ships and shore in a way that would not subject their users to dangers.

Article 7- Cargoes cannot be loaded / discharged from / to Port aprons on / from land or sea without the permission of the concerned Port official.

Article 8- Concerned Port official is the one who allocates lighters berthing places to secure loading / discharging. These lighters should not berth more than time needed for such operations.

Article 9- Party in charge of loading / discharging operations to or from sea transport crafts or during transshipment from any vessel to another, has to secure sufficient means of protection to forbid cargo from falling in water.

Article 10- The party in charge of lighterage operations for substances that may cause harm to quays

or other Port facilities has to take due care and precautions to stop such harm from happenings by means/ use of woods, canvas, mats or any other suitable way and has to abide by orders of the concerned official for such matters.

LAND TRAFFIC REGULATION IN PORT

Article 11- Entrance into Port is prohibited except by permission issued by-

a- Police Department for visitors and passengers,

b- Customs for customs agents, their employees and consigners,

c- Port Administration for people carrying out tug works, lighterage, port labour,transport, shipagents, merchants, transit agents and their employees and to seamen,fishermen, and retailers.

d- Each of these Departments for its employees and Quarantine Department to its employees and workers.

Article 12- Entrance permission should indicate place where it is permitted for traffic or to visit. Entrance into sheds and stores is prohibited for any person without special permission from the Port Administration.

Article 13- Issuance of entrance permission by any of the concerned Administrations does not limit the right of any other Administration to carry out its obligations in accordance with the prevailing laws and regulations.

Article 14- It is forbidden to use animals for transportation in Port. The Port Administration can at

any time, issue circulars to forbid entrance into Port or any part of it for land transport means equipped with steel tires .

Article 15- Speed for various types of transport means in Port should not exceed 30 kms per hour. The Port Administration can issue circulars to decrease this speed for such vehicles or part of them in any part of Port.

Article 16- Land transport drivers , while in Port,have to be specially cautious and have to drive carefully so not to hinder Port works.

Article 17- Drivers of land transport vehicles have to abide by Port signals for allocation of parking places and parking periods according to each type of these vehicles and to follow traffic orders given by this department. These vehicles should not stay in Port specially on quays aprons or near sheds for more than necessary period needed to load or discharge.

Article 18- It is totally forbidden in Port to;

a) throw soil, stones, sand, garbage, harmful things, chemical substances or any other materials whatsoever in any part of the Port whether in water or on land,

b) allow leakage of harmful liquids, chemical substances, oils, lubricants of any type onto land or to water or neglect to take preventive precautions to stop such leakage.

c) put or leave anything on quays specified for working,

d) spread nets,

e) fish from land or in water,

f) leave cargoes with bad smell an quays,

g) paint, carve, or write with any means on facilities or make any other harm to them,

h) move cranes, trucks or any other mechanical vehicles owned by Port by persons not permitted or to walk without reason in the working areas of such during working hours,

i) smoke or lite fire or ordinary light on quays and in sheds or in a distance of less than 20 meters if inflammables were found in store or in shed,

j) throw cargo or any other thing from ship to land,

k) sell alcohols in work places.

Article 19- It is forbidden in Port, unless specially permitted by concerned officials in the Port Administration to;

a) take things or cargoes that fall in water whether by their owners or by others,

b) put signs in any place or advertise by any means,

c) do retail business,

d) operate private marine crafts in Port during night hours specified in Port circulars,

e) carry out any work on land or in water or erect any facility or equipment or come in contact in any way with Port works and facilities.

Article 20- Port Administration has to draw attention to prohibition mentioned in Article 18 relating to smoking and making fire or lighting ordinary lights by hoisting signs put at Port entrances and on sheds' walls facing sea.

Article 21- When loading or discharging chemicals substances or any other material that might harm quays

or other facilities, the shipagent or cargo owner or his agent has to directly secure sweeping, washing and cleaning of any part of these facilities that came in contact during operation taking due precaution to stop any leakage or falling of these materials into water or on to quays walls.

Article 22- Ships masters have to take all precautions to prevent fires. They have to ensure always that lights or fires are not used on board their vessels except for needs of seamen and passengers and for works of checking, maintenance and operation of machinery. They have also to ensure that smoking is only carried out in permitted areas. In all cases where fire or lights are allowed, lights should be within closed lamps and fires away from any inflammables.

Article 23- Port Administration has the right to ask ships masters to render every possible help with men and equipment in cases of fire or any other emergency in Port. Administration can also ask persons whether seamen, fishermen, labour and any others to participate in their persons and with any equipment they may own to combat that occurrence. They all have to abide by orders given to them. Ship's master has to draw ships whistles and give frequent short whistles when a fire starts on board his ship. He has to inform Administration about the incident even if did not cause any damage. He should take all precautions required in such a case.

MISCELLANEOUS

Article 24- In case a ship master or a ship owner or

any other person who is supposed to carry out a certain deed, has not fulfilled such requirement, the Port Administration can do it directly after termination of time limit. It can in this case ask such person or persons for expenditures incurred and detain what it sees necessary to guarantee payment.

Article 25- Port Administration is in charge of;

a) conditions to be availed in lighters, boats and other marine crafts used in Port works,

b) anchorage areas for such marine equipments. Anchorage for other marine equipment owned by the Government are allocated by agreements with their concerned departments.

Article 26- Head of the Port Authority can issue any regulation or circulars in various aspects related to enforcement of this regulation whether it was specified in this regulation or not as long these circulars or regulations do not contradict or over role articles of this regulation.

These regulations and circulars should be recorded in a special log. Copies of which are conveyed to ministries concerned and are promulgated in the Official Gazette and are announced on Port Office entrance. These are considered in force from second day of promulgation unless otherwise stated.

Article 27- Working hours for all types of services in Port are specified by circulars issued by Head of Port Authority.

Article 28- Each one violating this regulation would be

sentenced by the court to a fine not exceeding 20 Jordan Dinars.

REGULATION 25 OF 1975
(Amendments to Ships Regulation)

Article 1- This regulation is cited " Amending Regulation to Ships Regulation of 1975 " and is in force since date of promulgation in the Official Gazette and is read with Regulation 51 of 1961 as one regulation.

Article 2- Article 28 of the original regulation is replaced by the following;

Article 28-

a) Every ship violating Article 18-a or b of this regulation, the master of which will be subject to a fine not less than 1000 Jordan Dinars and not exceeding 10,000 Jordan Dinars. Violation of any other rule in this regulation would subject the breacher to a fine not more than 100 Jordan Dinar. Damages caused are also recoverable accordingly and in accordance with estimations done by concerned authorities in Port Administration.

Considering contents of rule b of this article, the ship is forbidden to leave Port till final verdict is given and fine with indemnity paid.

b) The court can admit the ship to leave Port if its master has paid to court a sum equal to the maximum fine possible for that violation in addition to the sum of indemnity for damages claimed by the Port Administration. The court can approve master to submit a bank guarantee for those sums claimed under conditions specified by court.

c) Fine and indemnity are deducted from sums allotted with court or from the bank guarantee. Any extra sums are delivered to the owner.

Annex 6

CIRCULAR
PORT INSTRUCTIONS AND REGULATIONS
TO RECEIVE AND SERVE OIL TANKERS.

REF: 2/10/2/521
DATE: 29.1.1986

ALL OIL TANKERS ARRIVING AT AQABA OIL TERMINAL SHOULD COMPLY AND PERFORM WITH THE INTERNATIONAL CONVENTION 1973 AND 1978 (MARPOL) MARINE POLLUTION PROTOCOL AND WITH OCIMF/ICS FOR SHIP TO SHIP TRANSFER GUIDE (PETROLEUM) FOR THE SAFETY AND PREVENTING POLLUTION AT AQABA GULF HEREBY:

1. OIL TANKERS ARE REQUESTED TO HAVE SEGREGATED BALLAST, ONLY SUCH CAPACITY WHICH WILL ALLOW THEM TO OPERATE SAFELY ON BALLAST CONDITIONS AND ON MANOEVRING PURPOSES ARE ACCEPTED. NO OTHER BALLAST EXCEPT THE SEGREGATED WILL BE, FOR ANY REASON, DISCHARGED AT SEA - WHILE THERE'S NO RECEPTION FACILITIES AVAILABLE AT AQABA OIL TERMINAL.

2. OIL TANKERS WILL BE ALLOWED TO COME ALONG-SIDE THE STORAGE VESSEL ONLY IF FULLY INERTED . THEY WILL BE REJECTED IF OXYGIN PERCENTAGE IS MORE THAN 8% AND THE INERTED CONDITION WILL BE MAINTAINED THROGHOUT MOORING AND LOADING/DISCHARGING OPERATIONS.

3. OIL TANKERS MUST HAVE THE CARGO TANKS DRY, CLEAN AND SUITABLE TO RECEIVE CARGO ON ARRIVAL AVOIDING ANY KIND OF CONTAMINATION.

4. THE CRUDE OIL MUST BE LOADED BY TANKERS OF APPROXIMATELY 200.000(DWT) DEAD WEIGHT TONS AS PER CONTRACT WITH PORTS CORPORATION.

5. TANKERS AGE NOT MORE THAN 10 YEARS.

6. OIL TANKERS WILL BE INSPECTED BY PORTS AUTHORITY ON ARRIVAL COMING ALONG SIDE THE STORAGE VESSEL AND THEY WILL BE REJECTED IF NOT COMPLYING WITH THE REQUIREMENTS MENTIONED HERE ABOVE.

BEST REGARDS,

المملكة الاردنية الهاشمية
مؤسسة الموانئ
العقبة
Hashemite Kingdom of Jordan
Ports Cor. Aqaba
Official رسمي

DIRECTOR GENERAL,
THE PORTS CORPORATION,

BASSAM KAKISH.

Annex 7

DISCHARGE CRITERIA FOR OIL IN SPECIAL AREAS

Table 1

Control of Discharge of Oil from Cargo Tank Areas of Oil Tankers

Sea Areas		Discharge Criteria
Within a SPECIAL AREA*		NO DISCHARGE except clean** or segregated ballast
Outside a SPECIAL AREA	Within 50 nautical miles from land	NO DISCHARGE except clean or segregated ballast
	More than 50 nautical miles from land	NO DISCHARGE except either: (a) clean or segregated ballast; or (b) when: (1) the tanker is en route; and (2) the instantaneous rate of discharge of oil does not exceed 60 litres per nautical mile; and (3) the total quantity of oil discharged does not exceed 1/15,000 (for existing tankers) or 1/30,000 (for new tankers) of the total quantity of cargo which was carried on the previous voyage; and (4) the tanker has in operation an oil discharge monitoring and control system and slop tank arrangements as required by Regulation 15 of Annex I of MARPOL 73/78.

* Special area requirements take effect in the Mediterranean Sea, Black Sea and Baltic Sea areas from the day of entry into force of MARPOL 73/78 and for the Red Sea and Gulfs areas from the date established by IMO.

** "Clean ballast" is the ballast in a tank which has been so cleaned that the effluent therefrom does not create a visible sheen or the oil content exceed 15 ppm (for the precise definition of "clean ballast", see Regulation 1(16) of MARPOL 73/78.

Table 2

Control of Discharge of Oil from Machinery Spaces of all Ships

Sea Areas		Ship Type & Size	Discharge Criteria
Within a SPECIAL AREA*	Anywhere	Oil tankers of all sizes and other ships ≥ 400 grt	NO DISCHARGE except when: (1) the ship is proceeding en route; and (2) the oil content of effluent without dilution does not exceed 15 ppm; and (3) the ship has in operation oil filtering equipment with automatic 15 ppm stopping device; and (4) for oil tankers the bilge water does not originate from cargo pump room bilges or is not mixed with oil cargo residue.
	Within 12 nautical miles from land	Ships < 400 grt other than oil tankers	NO DISCHARGE except when the oil content of effluent without dilution does not exceed 15 ppm
	More than 12 nautical miles from land		NO DISCHARGE except when either: (a) the oil content of effluent without dilution does not exceed 15 ppm; or (b) (1) the ship is proceeding en route; and (2) the oil content of the effluent is less than 100 ppm.

* For application of Special Area requirements see the footnote on Table 2.1.

Table 2 continued

Sea Areas		Ship Type & Size	Discharge Criteria
Outside a SPECIAL AREA*	Within 12 nautical miles from land	Oil Tankers of all sizes and other ships ≥ 400 grt	NO DISCHARGE except when the oil content of effluent without dilution does not exceed 15 ppm
		Other ships < 400 grt	The condition for ships 400 grt apply as far as practicable and reasonable
	More than 12 nautical miles from land	Oil tankers of all sizes and other ships ≥ 400 grt	NO DISCHARGE except when either: (a) the oil content of effluent does not exceed 15 ppm; or (b) (1) the ship is proceeding en route; and (2) the oil content of the effluent is less than 100 ppm; and (3) the ship has in operation an oil discharge monitoring and control system, oily-water separating or filtering equipment or other installation required by Regulation 16 of Annex I of MARPOL 73/78; and (4) for oil tankers the bilge water does not originate from cargo pump room bilges or is not mixed with oil cargo residue.
		Other ships < 400 grt	The conditions for ships 400 grt apply as far as practicable and reasonable.

Table 4

Discharge criteria for noxious liquid substances under Annex II of MARPOL 73/78.

Conditions	Substance			
	Category A	Category B	Category C	Category D
Minimum speed of ship: Self-propelled Not self-propelled	7 knots 4 knots			
Maximum concentration of substance at time of discharge	Virtually nil concentration	1 ppm	10 ppm	1/10 of water
Maximum quantity of cargo discharged from each tank	-	1 m^3 or 1/3,000 of tank capacity	3 m^3 or 1/1,000 of tank capacity	No limit
Minimum depth of water	25 metres			No limit
Minimum distance from land	12 miles			

Table 3

SBT, CBT, COW, IGS AND PL REQUIREMENTS

Type of oil tanker	Deadweight (t)	Existing ship	New ship under MARPOL 73 but existing ship under PROTOCOL 78	New ship under PROTOCOL 78
Crude oil tanker	DW≥70,000	IGS SBT/CBT*/COW	IGS, SBT	IGS SBT PL COW
	70,000>DW≥40,000		IGS SBT/CBT*/COW	
	40,000>DW≥20,000	IGS**	IGS**	
	20,000>DW	-	-	-
Product carrier	DW≥70,000	IGS SBT/CBT	IGS, SBT	IGS SBT PL
	70,000>DW≥40,000		IGS SBT/CBT	
	40,000>DW≥30,000	IGS**	IGS**	
	30,000>DW≥20,000	IGS**	IGS**	IGS
	20,000>DW	-	-	-

* CBT is an interim measure accepted for a limited period, i.e. two years (DW≥70,000) or four years (70,000>DW≥40,000) after the date of entry into force of MARPOL 73/78. For product carriers, CBT is accepted for an indefinite period.

** If fixed high capacity washing machines are fitted.

Annex 8

IMO CONVENTIONS

International Convention for the Safety of Life at Sea, 1974: Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974: 1981 Amendments to SOLAS 1974 and its Protocol 1978 1983 Amendments to SOLAS 1974(*)	Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972:
International Convention on Load Lines, 1966: 1971 Amendments: 1975 Amendment: 1979 Amendment: 1983 Amendments:	Convention on the International Regulations for Preventing Collisions at Sea, 1972: 1981 Amendments
International Convention on Tonnage Measurement of Ships, 1969:	Special Trade Passenger Ships Agreement, 1971: Protocol on Space Requirements for Special Trade Passenger Ships, 1973:
International Convention on Civil Liability for Oil Pollution Damage, 1969:	Protocol relating to Intervention on the High Seas in Cases of Pollution by Substances other than Oil, 1973:
International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969:	Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973:
International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971:	International Convention for the Prevention of Pollution from Ships, 1973.
International Convention for Safe Containers, 1972: 1981 Amendments: 1983 Amendments:	Torremolinos International Convention for the Safety of Fishing Vessels, 1977:
	International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978:
	International Convention on Maritime Search and Rescue, 1979:

ILO CONVENTIONS

Maritime Labour Recommendations

Seafarers

No.	10	Unemployment Insurance (Seamen) Recommendation, 1920
	27	Repatriation (Ship Masters and Apprentices) Recommendation, 1926
	28	Labour Inspection (Seamen) Recommendation, 1926
	48	Seamen's Welfare in Ports Recommendation, 1936
	75	Seafarers' Social Security (Agreements) Recommendation, 1946
	76	Seafarers' (Medical Care for Dependants) Recommendation, 1946
	78	Bedding, Mess Utensils and Miscellaneous Provisions (Ships' Crews) Recommendation, 1946
	105	Ships' Medicine Chests Recommendation, 1958
	106	Medical Advice at Sea Recommendation, 1958
	107	Seafarers' Engagement (Foreign Vessels) Recommendation, 1958
	108	Social Conditions and Safety (Seafarers) Recommendation, 1958
	109	Wages, Hours of Work and Manning (Sea) Recommendation, 1958
	137	Vocational Training of Seafarers, 1970
	138	Seafarers' Welfare at Sea and in Port, 1970
	139	Employment Problems Arising from Technical Developments on Board Ship, 1970
	140	Air Conditioning of Crew Accommodation and Certain Other Spaces on Board Ship, 1970
	141	Control of Harmful Noise in Crew Accommodation and Working Spaces on Board Ship, 1970
	142	Prevention of Occupational Accidents to Seafarers, 1970
	153	Protection of Young Seafarers, 1976
	154	Continuity of Employment (Seafarers), 1976
	155	Merchant Shipping (Improvement of Standards), 1976

Maritime Labour Conventions

Seafarers			No. of ratifications as at 31.12.81
No.	7	Minimum Age (Sea), 1920	50
	8	Unemployment Indemnity Shipwreck, 1920	48
	9	Placing of Seamen, 1920	31
	15	Minimum Age (Trimmers and Stokers), 1921	64
	16	Medical Examination of Young Persons (Sea), 1921	66
	22	Seamen's Articles of Agreement, 1926	48
	23	Repatriation of Seamen, 1926	34
	53	Officers' Competency Certificates, 1936	26
	55	Shipowners' Liability (Sick and Injured Seamen), 1936	14
	56	Sickness Insurance (Sea), 1936	12
	58	Minimum Age (Sea) (Revised), 1936	49
	68	Food and Catering (Ships' Crews), 1946	20
	69	Certification of Ships' Cooks, 1946	25
	70[1]	Social Security (Seafarers), 1946	7
	71	Seafarers' Pensions, 1946	10
	73	Medical Examinations (Seafarers), 1946	29
	74	Certification of Able Seamen, 1946	21
	91	Paid Vacations (Seafarers) (Revised), 1949	21
	92	Accommodation of Crews (Revised), 1949	30
	108	Seafarers' Identity Documents, 1958	41
	109[1]	Wages, Hours of Work and Manning (Sea) (Revised), 1958	10
	133[1]	Crew Accommodation on Board Ship (Supplementary Provisions), 1970	15
	134	Prevention of Occupational Accidents to Seafarers, 1970	19
	145	Continuity of Employment (Seafarers), 1976	14
	146	Seafarers Annual Leave with Pay, 1976	8
	147	Merchant Shipping (Minimum Standards), 1976	14
All workers including Seafarers		Total	726
No.	87	Freedom of Association and Protection of the Right to Organise, 1948	
	98	Right to Organise and Collective Bargaining, 1949	
	130	Medical Care and Sickness Benefits, 1969	
	138	Minimum Age, 1973	

[1] Convention which has not yet received the required number of ratifications for entry into force.

Annex(10)

A proposed frame-work model for a National Maritime Act

Part I

1- Title and commencement
2- Objectives and construction
3- Diffinitions
   a- Ship
   b- Jordanian ship
   c- Jordanian waters and delimitation
4- Application
   a- Jordanian ships outside territorial waters
   b- Ships in passage
   c- Jurisdiction
   d- Application of foriegn law on Jordanian ships
   e- Exemptions

Part II *MARITIME ADMINISTRATION PERSONNEL*

5- Appointment of statutory Marine officials
   a- Director General
   b- Deputy Director General
   c- Director for ports' affairs

Chapter 3 *Certificates of registry*

Chapter 4 Transfers & transmissions

Chapter 5 Mortgage

Chapter 6 *Name of ship*

Chapter 7 *Registration of alteration or anew*

Chapter 8 *Nationality & flag*

Chapter 9 *Measurement of ship & tonnage*

109- Limitations to certification of naval officers
110- Offence - record of order
111- Forms of certificates of competency
112- Loss of certificates of competency
113- Production of certificates of competency
114- Granting temporary certificates
115- Power to cancel or suspend certificates
116- Recognition of foriegn certificates of competency
117- Forgery & fraud
118- Duty to inform Director
119- Use of English language
121- Power to make regulations for examinations

Chapter 2 *Seamen & Apprentices*

122- Power to classify seamen
123- Duties of the master
124- Appointment of shipping master & staff
125- Duties of shipping master
126- Fees for seamen registration
127- Assistence to apprenticeship
128- Special provisions as to apprenticeship
129- a) Manner in which apprenticeship contract to be recorded.
b) Production of contract of apprenticeship

Chapter 3 *Seamen's employment at sea*

130- Seamen's employment office
132- Form & contents of contract of agreement
133- a) Optimal terms

b) Supply or engagement of seamen in contravention of Act prohibited

134- Agreements for foreign going ships

135- Special provisions with regard to crews agreement

136- Master to deliver agreement

137- Certificate by shipping master

138- Master to produce certificate

139- Renewal of agreement

140- Changes in crew reported

141- Copy of agreement accessible to crew

142- Alteration in agreement

143- Employment of young persons & powers to make regulations

144- a) Conditions for employment of young persons
b) Maintenance of list of young persons

145- Offences & penalty

Chapter 4 — Discharge, relief & repatriation

146- Improper discharge

147- Discharge & leaving behind

148- Discharge of seamen & discharge certificate

149- Character report

150- Discharge on ownership change

151- Repatriation of seamen

152- Return from service

153- Repayment of relief & return

154- Provisions for manner of return

155- Forcing ashore

156- Effects of worker's compensation

157- Effects of seamen

158- Non-application of payment of wages for seamen

159- Payment to government
160- Certificate when seamen left
161- Duty of ship master
162- Liability of master
163- Liability of government
164- Exemption from liability
165- False reports of forged certificates
166- Application to foriegn ships
167- Assistence by minister
168- Offences & penalty

Chapter 5 *Wages of seamen*

169- Wages account
170- Time & manner of payment
171- Master to deliver account of wages
172- Deductions
173- Settlement of wages
174- Shipping master's decision of wages
175- Production of ship's papers
176- Rate of exchange

Chapter 6 *Advance & allotment of wages*

177- Conditional agreement
178- Allotment notes
179- Commencement & payment of sums allotted
180- Facilities for remitting wages
181- Recovery of sums allotted
182- False statement as to allottment
183- Right of seamen in respect of wages
184- Wages & salvage

Chapter 7 *Deceased or distressed seamen*

Chapter 8 *Provisions, health & accommodation*

210- Complaints as to provisions & water
211- Allowances for short or bad provisions
212- Weights & measures
213- Certified cook
214- Medical officers
215- Crew accommodation
216- Facilities for making complaints
217- Inspections by a) Shipping master etc.
b) Master
218- Scales of medical stores
219- Medical examinations
220- Expences of medical treatment

Chapter 9 *Protection of seamen from Imposition*

221- Assignment or sale of salvage
222- Loitering near a ship
223- Injury or obstruction to machinery , crew etc. of a ship
224- Seamen's debts

Chapter 10 *Discipline*

225- Misconduct endangering life or ship
226- Desertion & absence without leave
227- Arrest of deserter without warrant
228- Suspension of deserters certificate of discharge
229- Conveyance of deserter or imprisoned seamen on ship
230- General offences against discipline

Part V *Safety*

Chapter 1 *General*

256- Definitions
- a- Load line certificate
- b- Load line convention
- c- Load line ship
- d- Safety of Life at sea convention
- e- Safety certificate
- f- Safety convention ship

257- Appointment of surveyors

258- Rights & duties of surveyors

259- Records of inspections, surveyors & certificates

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260- Powers to make regulations

261- Notices of countries

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262- Powers to regulate construction of ships

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264- Initial survey of passanger ships

265- Subsequent survey of passanger ships

266- Additional survey of passanger ships

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268- Life saving appliances on cargo ships
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270- Inspection of non-convention ships
271- Stability information
272- Surveyors duties regarding reports
273- Pleasure crafts
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275- Powers to make safety regulations

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276- Certificates to convention ships
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278- Local safety certificates- powers to make regulations,
279- Forms & particulars of inspection certificates
280- Register of certificates
281- Certificates not valid beyond limits
282- Posting of certificates
283- Certificates by other governments
284- Certificates to non Jordanian ships
285- Detention of ships
286- Conditions for clearance

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288- Jordanian ships & certificates
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293- Radio certificates

294- Duration of radio telegraphy & radio telephony certificates

295- Issue of new certificates

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297- Sufficient & efficient crew

298- Reporting hazards to navigation

299- Distress signals

300- Answering distress signals

301- Abuse of distress signals

302- Assignment of rescue coordinators

303- Obligations to assist in distress

304- Reporting of accidents

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305- General

306- Giving helm orders

307- Powers for regulations

308- Observation of collision regulations

309- Damage caused to cargo ship or persons

310- Liability of ship in collision for loss or damage

311- Apportionment of damage

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313- Provisions applicable to foreign ships

314- Presumption of fault

315- Duties of master in collision

316- Limitation of time in proceedings

317- Application
318- Definitions
319- Powers to regulate
320- Compliance with regulations
321- Ships deemed unsafe
322- Submersion of Load Lines
323- Alterations or defacement of marks
324- Detention of ships
325- Load Line certificates & effects thereof
326- Issue of certificates
327- Certificates issued by other countries
328- Ships deemed to have been surveyed
329- Renewal of certificates
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331- Periodic Load Line surveys
332- Certificates issued by societies for survey of ships
333- Certificates to be surrendered
334- Ships not to proceed without certificates
335- Display and entry of certificates
336- Particulars in crew agreements
337- Certificates of foreign ships
338- Validity of certificates of foreign ships
339- Inspection of foreign ships
340- Production of certificates
341- Offences
342- Defence to contravention
343- Securing compliance

399- Termination of contract -mutual right
400- Lessors & carriers liens
401- Texts of charter-party
402- Carriers liability & responsiblities
403- Deviation & delays
404- Freight
405- Liens for freight

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407- Holders right to claim delivery
408- Legal relationship between holder & carrier
409- Rights acquired in good faith
410- Through bill of lading

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411- Powers to appoint receiver of wreck
412- Fees & expenses of receiver
413- Duties of receiver
414- Powers of receiver
415- Wishes of owner
416- Passage over adjoining land
417- Immunity of receiver
418- Obstruction of receiver
419- Taking possession of wreck
420- Concealment of wreck
421- Notice of wreck
422- Owners right to claim wreck

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Chapter 3 *Casualties, Inquiries & investigations*

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447- Examination of witnesses

448- Power to arrest witnesses and enter ships

449- Power to commit for trial & hand over witnesses

450- Report by court to Government

451- Power of court as to certificates

452- Power of court as to censure master, mate or engineer,

453- Power of court to remove master and appoint new master,

454- Delivery of Jordanian certificate cancelled or suspended,

455- Effect of cancellation or suspension of certificate,

456- Suspended certificate not to be endorsed,

457- Power of Government to cancel or suspend other certificates,

458- Preliminary inquiries into casualties

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b- Powers as to enquiry

459- Formal investigation into casualties

a- Appointment of officer

b- Appointment of court

c- Investigation by request

460- Duties of court of investigations

461- Assessors

462- Copy of report to holder of certificate

463- Re-hearing & appeal

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514- Recovery of claims
515- Liability of ship owner
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517- Exemption of liability
518- Amounts directly recoverable
519- Persons entitled to claim against insurance or bond.

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520- Establishment of limitation fund
521- Preportionment & SDR
522- Arrest or attachment
523- Guarantees for oil carriage
524- Contribution to fund
525- Interest to be credited to fund
526- Appointment of administrator
527- Duties & powers of administrator
528- Proceedings & court procedures
529- Conditions preceding judgement
530- Assessment of losses
531- Binding effect in fund countries
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546- Offences & penalties
547- Procedure
548- Appeal
549- Limitation of time
550- Jurisdiction
551- Special provision regarding punishment
552- Powers to detain foreign ships which occasioned damage
553- Powers to enforce detention of ships
554- Offences by companies
555- Offences at sea or abroad
556- Depositions received when witness not produced
557- Inquiries into causes of death
558- Evidence, service of documents & declarations
559- Levy of wages by distress of moveable property of ship
560- Notice to consular representative
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562- Stevedores & trimmers
563- Powers for re-inforcing compliance with act
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567- Exemption of public ships , foreign & national

Annex 11

EXCERPTS FRON

FISHERIES ACT NO 25 OF 1943

* Article 2- In this Act, unless the context otherwise requires

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"Transjordan" includes that part of the sea which is contiguous to the coast of Transjordan and lies within a distance of three nautical miles from the low-water line.

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Article 4- No one shall be permitted to engage in fishing unless he has obtained a fishing licence. A fee of 100 mills shall be charged for the issue of such licence in respect of each financial year.

Source: Official Gazette No.782, 16 December 1943,p.235

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