



سلطة منطقة العقبة الاقتصادية الخاصة  
AQABA SPECIAL ECONOMIC ZONE AUTHORITY

## The Aqaba Special Economic Zone Law no (32) for the Year 2000 and its amendments



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**Aqaba Special Economic Zone - Aqaba 77110, Jordan**  
**Tel: (+962) 3 2091000 - Fax: (+962) 3 2030912 - P.O.Box: 2565**  
**Email: [info@aseza.jo](mailto:info@aseza.jo) - Website: [www.aqabazone.com](http://www.aqabazone.com)**

## ARTICLE (1)

This Law shall be cited as the “Aqaba Special Economic Zone Law for the Year 2000” and its amendments and shall come into effect as of the date of its publication in the Official Gazette.

## ARTICLE (2)

### DEFINITIONS

The following words and phrases wherever exist herein, shall have the meanings ascribed thereto hereunder unless the context indicates otherwise:

Zone: The Aqaba Special Economic Zone.

Authority: The Authority of the Zone.

Board: The Board of Commissioners.

Chief Commissioner: The Chairman of the Board.

Registered Enterprise: The Person registered at the Authority and pursuant to the provisions of this law.

Customs Territory: The lands and territorial waters of the Kingdom excluding the Zone.

Region :The lands of the Aqaba Governorate, which fall outside the Zone`s boundaries and are not within the perimeters of the Jordan Valley in according with the Jordan Valley Development Law.

Admission : Admitting goods that are subject to custom duties and taxes in the Customs` Territory to the Zone, without collecting such taxes and duties on such goods.

Importation : Bringing goods into the Zone, including Admission, and excluding bringing goods from the Customs Territory into the Zone on which duties and taxes are paid on such goods therein.

## **ESTABLISHMENT OF THE ZONE AND ITS BOUNDARIES**

### **ARTICLE (3)**

The aim of the establishment of the Zone is to enhance economic capability in the Kingdom by attracting different economic activities and investments thereto.

### **ARTICLE (4)**

The boundaries of the Zone shall be determined by a decision of the Council of Ministers upon the recommendation of the Board. The Council of Ministers may amend these boundaries according to the business of the Authority and the exigencies of public interest. The decision and any amendment thereto shall be published in the Official Gazette.

### **ARTICLE (5)**

The commencement date of operations in the Zone shall be determined by a decision of the Council of Ministers upon the recommendation of the Board. Such decision shall be published in the Official Gazette.

### **ARTICLE (6)**

All legislation in force in the Kingdom is applicable in the Zone and the provisions of this Law shall supersede in case of contradiction with the provisions of such legislation.

## **The Zone Authority**

### **ARTICLE (7)**

**A-** An Authority to be known as the “Aqaba Special Economic Zone Authority” shall be established in the Kingdom and shall have a juridical personality with financial and administrative autonomy. As such, the Authority may acquire movable and immovable property and perform all legal acts necessary to achieve its objectives, including concluding contracts, accepting aids, grants and

donations, and litigating. The Civil Attorney General or any attorney appointed by the Authority for this purpose shall represent the Authority in any legal proceedings.

**B-** The headquarters of the Authority shall be in the Zone. The Authority may establish liaison offices within and outside the Kingdom.

**C-** The Authority shall be associated with the Prime Minister.

## **ARTICLE (8)**

**A-** As of the date specified by the Council of Ministers, the Authority shall become the legal and factual successor of the Aqaba Region Authority and the Municipality of Aqaba according to the provisions of this Law.

**B-** All rights and obligations of the Aqaba Region Authority and the Municipality of Aqaba shall be transferred to the Authority. The Authority shall undertake to execute all contracts and agreements to which any of such entities was a party thereto at the date specified by the Council of Ministers as if such contracts and agreements were concluded with the Authority.

**C-** Ownership of the Jordan Free Zones Corporation's facilities and properties located within the perimeters of the Zone shall be transferred to the Authority for consideration determined by the Council of Ministers.

**D-** All employees and personnel of the Aqaba Region Authority, the Free Zones Corporation in Aqaba and the Municipality of Aqaba shall be transferred to the Authority de jure.

**E-** The Jordan Industrial Estate Corporation shall be considered in the Zone as a Registered Enterprise. Without prejudice to the Jordan Industrial Estate Corporation's rights and obligations incurred prior to the enforcement of the provisions of this Law, the provisions of the Jordan Industrial Estate Corporation Law in force shall not apply in the Zone.

## ARTICLE (9)

The Authority shall perform the following functions:

- A-** Develop and qualify the Zone to attract investments and create an advanced investment environment to stimulate industry, trade, tourism and services in the Zone.
- B-** Increase job opportunities for Jordanians and coordinates and cooperate with investing entities in the Zone to train, qualify and enhance the capacity of Jordanian manpower and priorities their employment.
- C-** Enhance the role of the private sector in participating in the development of the Zone, including providing infrastructure services and any public services.
- D-** Encourage competition and prevent monopoly in the various economic activities within the Zone.
- E-** Plan, design and execute projects for the development of the Zone in various fields, directly or through other parties.
- F-** Protect the environment in the Zone.
- G-** Encourage Registered Enterprises to conduct and support research and development.

## ARTICLE (10)

**A-**The Authority shall assume the following responsibilities:

1. Administer the Zone and oversee its affairs according to its authorities entrusted therewith pursuant to this Law and the Regulations issued pursuant thereto.
2. Prepare the necessary plans and programs for developing the Zone.
3. Establish the applicable basis for investment in the Zone.
4. Register enterprises wishing to enjoy the benefits and exemptions stipulated pursuant

to this Law.

5. Promote the Zone in coordination and cooperation with the relevant bodies.

**B-**Notwithstanding the contents of any other legislation, the Authority shall assume within the Zone boundaries and in accordance with this law, the responsibilities and authorities in relation to the following:

1.Regulat and control the economic activities to assure the abidance with this Law and the regulations issued pursuant to it and the by-laws issued by virtue of any of it, including the public health and safety affairs in relation to these activities.

2.Issuing permits and certificates and any other authorizations which pertain to conducting economic activities in the Zone according to the provisions of this Law and the Regulations issued pursuant thereto.

3.Zoning of cities, villages and buildings.

4.Municipal affairs.

5.Protecting the environment, water resources, natural resources and biological diversity.

6. control the imported or exported food and drugs, to or from the Zone and control and inspect all places for slaughter, food preparation and manufacturing and its derivatives ,selling and serving. For this purpose the Chief Commissioner shall have the Minister`s authorities and the Commissioner concerned shall have the Director`s authorities given to each of them in the Food and Drugs Administration Law in force and the regulations issued pursuant to it.

7. Customs procedures and matters.

8. Collecting the taxes, fees, fines and service charges stipulated in this Law and the Regulations and issued pursuant thereto.

9. Work and Employees affairs.

10. Any authorities entrusted to other official bodies accorded to the Authority by the Council of Ministers.

## **ARTICLE (11)**

**A-** In addition to its duties in the Zone, the Authority shall be responsible for developing the Region economically and socially and preparing the necessary plans and programs for such. For this

purpose, the Authority shall assume any authority accorded thereto pursuant to this Law as required for developing the Region in accordance with a Regulation issued for this purpose.

**B-** The Authority shall have the authority to manage the State properties within the Region in accordance with the state`s properties Management Law in force and the regulations issued pursuant to it provided that it shall consider the following :

- 1.Administering the antiquities and the antique sites within the Region according to the Law on Antiquities in force.
- 2.The Department of Land and Survey shall collect the fees resulting from executing the State lands registration transactions.
- 3.Remitting the funds resulting from leasing, delegating or disposing of the lands to the Public Treasury.

**C-** The authority shall also assume the protection the environment in the region according to the provisions of this Law, the Regulations issued pursuant thereto and any pertinent legislation in force.

## THE AUTHORITY ADMINISTRATION

### ARTICLE (12)

**A-**The Authority shall be administered and supervised by a Board known as the “Board of Commissioners”, which is composed of six ull-time members, including the Chief Commissioner and the Vice-Chief Commissioner who is appointed by a decision of the Council of Ministers upon the recommendation of the Prime Minister for a renewable four-year term, provided that such a decision shall be endorsed by a Royal Decree.

**B-** The membership term for the first Board shall be two years for half of its members and four years for the other half, provided that the Chief Commissioner and the Vice-Chief Commissioner are among the latter half.

**C-** Within the term of the Board, the Council of Ministers may terminate the membership of any of

its members and appoint a replacement in the same manner provided for in Paragraph (A) of this Article.

**D-**Wages, allowances and all financial entitlements of the Chief Commissioner and the Board members shall be determined by a decision of the Council of Ministers upon the recommendation of the Prime Minister.

## **ARTICLE (13)**

**A-**Whoever person to be appointed as a Board member shall be:

1. a Jordanian national.
2. qualified, experienced and specialized.
3. Not convicted of felony or a misdemeanor affecting honor.

**B-**

1. During their membership term, the Chief Commissioner, the Board members, their spouses and first-degree descendents shall be prohibited from having any benefit with the Authority in any way.
2. The Chief Commissioner and any Board member may not have any business relationship with any Registered Enterprise or investor in the Zone.
3. Upon appointment and prior to assuming his duty, the Chief Commissioner and each Board member shall submit a written declaration, ensuring that he has no benefit or any economic activity as stated in Subparagraphs (1) and (2) of this Paragraph subject to legal liability and dismissal from the Board's membership.

**C-**The Chief Commissioner and the Board members shall take the following oath before the Prime Minister prior to assuming their duties:

(I swear by Almighty Allah to be loyal to the King and the Country, to abide by the laws and regulations in force and to perform the functions and duties entrusted in me with honor, honesty and dedication).

## ARTICLE (14)

Upon entry of this Law into force, the Council of Ministers shall issue the necessary decrees for the establishment of the Zone and commencement of its activities, specifically the following:

**A-**Appointment of the Chief Commissioner, the Vice-Chief Commissioner and the Board members.

**B-**Upon the recommendation of the Board and subject to the plan prepared for this purpose, determine the procedures and dates for the transfer of the responsibilities and duties of the Aqaba Region Authority to the Authority.

**C-**Upon the recommendation of the Board, determine the date on which the Board shall assume the functions of the Municipality of Aqaba and any necessary procedures for this purpose.

**D-**Upon the recommendation of the Board, determine the procedures by which the employees and personnel of the Aqaba Region Authority, the Free Zones Corporation in Aqaba and the Municipality of Aqaba shall be transferred to the Authority.

**E-**Any decision deemed necessary for enabling the Authority to perform its duties within the period prior to the date of commencing the operations in the Zone.

## ARTICLE (15)

The Board shall assume the following functions and authorities:

**A-**Prepare the general policy to develop the Zone with the approval of the Council of Ministers, and approve the necessary plans and programs for the implementation thereof.

**B-**Allocate investment areas in the Zone and determine land use therein on the basis of the different sectors.

**C-**Approve the organizational structure of the executive body of the Authority, the Classifier Table

and the job descriptions therein.

**D**-Supervise the executive body of the Authority and the operation of the Authority in a manner that ensures good performance.

**E**-The functions of the Municipal Council according to the provisions of the Municipalities Law in force and the regulations issued pursuant thereto. For this purpose the chief commissioner shall assume the powers of the minister as stimulated in the relevant applicable legislations.

**F**-The authorities of the Higher Zoning Council and the Province and Local Zoning Committees in accordance with the Cities, Villages and Buildings Zoning Law in force and the regulations issued pursuant thereto.

**G**-Expropriate lands and property necessary for the operations of the Authority's activities or development of the Zone according to the provisions of the Eminent Domain Law in force.

**H**-Approve contracts and agreements to which the Authority is a party thereto.

**I**-Prepare the necessary draft legislation for the activities of the Authority and submit such to the Council of Ministers.

**J**-Recommend to the Council of Ministers to appoint the certified auditor of the Authority.

**K**-Approve the annual estimated budget of the Authority and submit such to the Council of Ministers for endorsement.

**L**-Approve the annual report of the activities, balance sheet and year-end accounts for the previous fiscal year of the Authority and submit such to the Council of Ministers.

**M**-Issue instructions relevant to the activities and procedures of the **Authority**, particularly the following:

1. Regulating and monitoring the activities of Registered Enterprises.

2. Regulating the activities of investors in the Zone.
3. Collecting the prescribed taxes, fees, fines and service charges in the Zone.
4. Issuing certificates of origin for goods produced in the Zone and determining the entities entitled to issue such.
5. Determining the fees, which the Authority collects in return for services rendered to any pertinent body to the Authority's activities.
6. Ratifying the status of economic activities violating the provisions of vocational license legislation prior to the date of commencing operations of the Zone.

## **ARTICLE (16)**

**A-**The Board shall convene at least twice every month upon an invitation from the Chief Commissioner or the Vice-Chief Commissioner in his absence. The quorum of the Board meetings shall be met upon the attendance of the majority of its members, provided that the Chief Commissioner or the Vice-Chief Commissioner is among them.

**B-** The Board shall issue its resolutions by a majority vote of the attending members, provided that it is not less than three votes. A member cannot refrain from voting, and each opposer shall record his opposing decision in writing in the minutes of the meeting and sign thereon. If the votes are tied, the vote of the Chairman of the meeting shall be determinant.

**C-** The procedures for regulating the Board's functions, meetings and all other matters shall be determined by Instructions issued by the Board.

## **ARTICLE (17)**

- A-**
- 1.The Board may into contracts with financially and technically qualified entities to develop operate or administer the Zone or any of its public utilities provided that The basis and conditions of contracting shall be determined in accordance with a Regulation to be issued for this purpose.
  2. Notwithstanding what is stated in any other legislation, the Authority shall be responsible for developing the Aqaba Port, Airport and of the public utility services inside the Zone. The

Board shall be entitled, upon the approval of the Council of Ministers, to contract with financially and technically qualified entities, and any of the entities referred to in Subparagraph (1) of this Paragraph for the purposes of developing or managing any of them, provided that the relevant bodies in accordance with the legislation in force participate in the negotiations conducted with the qualified entities and according to what is decided by the Council of Ministers in this regard. The contracts resulting from these negotiations shall not be considered enforced until they are ratified by the Council of Ministers.

3. The Board may establish a company in which the entities contracted therewith according to the provisions of Subparagraphs (1) and (2) of this Paragraph may have equity participation in order to carry out the development or administration pursuant to the contract concluded with the Board for this purpose.

4. The Board may pursue any method for contracting with the entities referred to in Subparagraphs (1) and (2) of this Paragraph or with the entity managing the company referred to in Subparagraph (3) of this Paragraph in order to entrust therein the management of the projects and the utilities services subject of the development. The Board may lease these projects thereto or transfer the ownership thereof. Any agreement in this regard shall be subject to the approval of the Council of Ministers.

5. Any contract or agreement reached by the Authority according to the provisions of this Paragraph shall be subject to the provisions of the enacted Supply and Procurement Regulation of the Authority.

**B-** Upon the Council of Ministers' approval, the Board may borrow to finance the projects and activities of the Authority from domestic or foreign sources, including issuing bonds for this purpose.

## **ARTICLE (18)**

**A-**The Chief Commissioner, as the chief executive of the Authority, shall assume the following functions and powers:

1. Execute the Board's decisions.
2. Supervise the administrative, financial, supplies and works affairs of the Authority.

3. Sign contracts and agreements concluded between the Authority and third parties as authorized by the Board.
4. Prepare the annual estimated budget of the Authority and the Classifier Table thereof.
5. Prepare the annual report of the activities of the Authority, its balance sheet and year-end accounts of the previous fiscal year.
6. Any other powers accorded thereto in accordance with the Regulations issued pursuant to this Law or delegated thereto in writing by the Board.
7. The authorities of the Minister of Transport pursuant to the Ports Corporation Law or any other legislation in force pertinent to the transport sector within the Zone, excluding what is related to the marine transport without the services.
8. The Governor's powers in the Governate of Aqaba pursuant to the legislation in force if the Minister of Interior, upon the approval of the Council of Ministers, does not appoint a Governor for such, whereby in the event of his appointment, a memorandum of understanding shall be prepared between the Minister and the Chief of the Board of Commissioners, which shall be approved by the Council of the Ministers. The Governor shall, when performing his functions in accordance with the enacted legislation, take this memorandum of understanding into consideration. In the event a dispute arises between the two parties when implementing the memorandum, the matter shall be referred to the Prime Minister for resolution.

**B-**The Chief Commissioner shall represent the Authority before others.

**C-**The Chief Commissioner may delegate any of his authorities stipulated in this Law and the Regulations issued pursuant thereto to the Vice-Chief Commissioner, any Board member or any employee at the Authority, provided that such delegation shall be in writing and specific.

## **THE AUTHORITY'S FINANCIAL AFFAIRS**

### **ARTICLE (19)**

The revenues of the Authority shall consist of the following:

**A-**The annual funds allocated for the Authority in the General Budget.

**B-**Any fees, taxes or returns accrued to the Authority according to the provisions of this Law and the Regulations issued pursuant thereto.

**C-**Any fee collected by the Authority in exchange for services rendered to others.

**D-**Fines and civil compensations resulting from implementing penalties for violating any of the provisions of this Law and the laws in force in the Zone, including implementing the penalties stipulated in Article (39) of this Law.

**E-**The loans it obtains.

**F-**Aids, grants and donations it receives, provided that such shall be subject to the approval of the Council of Ministers if the source is not Jordanian.

**G-**Proceeds from disposition by the Authority's of its assets according to the prescribed legal principles.

**H-**Any revenue from any other source accepted by the Board and approved by the Council of Ministers.

## **ARTICLE (20)**

**A-**The Authority's fiscal year shall start on January 1st of each year and end on December 31st of the same year.

**B-**The Authority shall have an independent budget, approved by the Board and endorsed by the Council of Ministers.

**C-**Any surplus in the annual budget of the Authority shall be remitted to the Public Treasury, subject to the Authority's obligations relating to the expenses of its future projects.

**D-**The accounts of the Authority shall be post-audited by the Audit Bureau. The Authority may appoint a certified auditor who shall submit his audit report to the Council of Ministers.

## **ARTICLE (21)**

**A-**The Authority shall enjoy the exemptions and facilities granted to Ministries and Government

Departments. The Authority shall be entitled to benefit, in the Zone, from any privileges or exemption accorded to Registered Enterprises pursuant to this Law.

**B-**The property of the Authority shall be considered as public property and shall be subject to the provisions of the Collection of Domanial Property Law in force. The Chief Commissioner or whom he authorizes for this purpose shall assume all powers of the Administrative Governor and the Committee for Collection of Domanial Property accorded thereof.

## **ECONOMIC ACTIVITIES IN THE ZONE**

### **ARTICLE (22)**

**A-**Whoever is conducting any economic activity in the Zone and is willing to benefit from any privileges and exemptions as stipulated in this Law, shall apply to the Authority for registration as a Registered Enterprise.

**B-**Procedures and conditions of registration, and registration fees collected by the Authority and any other related matters shall be determined in accordance with a Regulation issued for this purpose.

**C-**Non-Jordanian companies registered with the Authority shall be exempted from registering with the Companies Controller.

**D-**Subject to Paragraph (A) of Article (17) of this Law, the Authority shall be prohibited from owning stocks or shares in Registered Enterprises.

**E-**All ministries, government departments, official corporations and public institutions operating within the Zone shall be treated as Registered Enterprises in order to enjoy the facilities and privileges prescribed to these Enterprises and on the bases of the statements relating to the movement of the goods belonging to these entities that should be presented to the Authority.

## **ARTICLE (23)**

Any person not registered as a Registered Enterprise may conduct an economic activity in the Zone, provided that they comply with the basis and conditions determined in this Law and the regulations issued pursuant thereto in relation to Registered Enterprises and any other conditions or basis determined by the Board. In such case, such person shall not be entitled to benefit from the privileges or exemptions accorded to Registered Enterprises in accordance with the provisions of this Law.

## **ARTICLE (24)**

Any Enterprise may conduct any economic activity except what is prohibited or restricted in the Zone in accordance with a Regulation issued for this purpose, which shall include the necessary basis and conditions for conducting the restricted activity and the amount of returns that the Authority is entitled to as a result thereof.

## **ARTICLE (25)**

**A-** Goods' Importation to the Zone shall be allowed accordance with this Law, and the regulations and by-laws issued pursuant to it.

**B-** Each person imports to the Zone shall take the necessary measures not to dispose it in violation of this Law and the regulations issued pursuant to it and the by-laws issued by virtue of any of it.

## **ARTICLE (26)**

**A-** The registered enterprises shall be allowed to admit goods into the Zone and no one else shall be allowed to admit goods in to the zone unless according to the basis and conditions to be determined by virtue of by-laws to be issued for this purpose by the Council of Ministers.

**B-** Individuals may admit their personal or household luggage into the Zone. Types and quantities of such luggage shall be specified in accordance with special Instructions issued by the Council of Ministers for this purpose.

## ARTICLE (26 BIS)

As an exception from the provisions of Articles (25) and (26) of this Law, goods may be Admitted or Imported to the Zone to the entities indicated hereunder:

**A-** Items admitted in the name of His Majesty the King.

**B-** Gifts and donations granted to Ministries, Governmental Departments and Official and public Organizations.

**C-** The imports of the Jordanian Armed Forces and Security Forces and any Arab forces stationed in Jordan of ammunition, weapons, equipment, military fatigue, vehicles and spare parts thereof, and any other items specified by the Council of Ministers upon the recommendation of the Chief Commissioner.

**D-** Grants to the Civil or Military Consumer Corporations.

**E-** The personal effects of non-Jordanian and non-honorary heads and members of the diplomatic and consular corps who work in Jordan and are listed with the Ministry of Foreign Affairs, and the personal effects of spouses and underage children thereof residing in Jordan, provided that the principle of reciprocity is met and in correspondence to their actual needs.

**F-** Items imported by embassies, legations and non-honorary consulates for official use, except food, alcoholic beverages and tobacco. Imports exempted must correspond to actual needs, and must be in reasonable amounts. Limits on certain imports may be set by the Chief Commissioner, upon the recommendation of a committee of representatives from the Ministry of Foreign Affairs and the Authority, provided that the principle of reciprocity is met.

**G-** Subject to inspection, items such as personal effects, furniture and household utensils imported for the personal use of the administrative personnel of Diplomatic and Consular missions, who are citizens of such missions and who do not benefit from the set exemptions, provided that the principle of reciprocity is met. Such items shall be imported within six months from the arrival of the beneficiary, which period may be extended by six months by permission of

the Minister of Foreign Affairs. Drivers and house attendants shall not be considered administrative staff for the purposes of applying the provisions of this Subparagraph.

## **ARTICLE (27)**

**A-** For purposes of the Customs Law and the General Sales Tax Law, goods admitted by a Registered Enterprise to the Zone from the Customs Territory shall be treated as exported or re-exported goods.

**B-** For purposes of the General Sales Tax Law, services sold from the Customs Territory to a Registered Enterprise in the Zone shall be treated as exported services.

**C-** Duty and tax-paid goods may move without restriction from the Customs Territory to the Zone, and in such instances shall not be deemed exported or re-exported goods for the purposes of the Customs Law and the General Sales Tax Law.

**D-** Notwithstanding any other provision in this Law, the manufactured goods in the Zone which shall be exited from the zone to the Custom Territory shall be treated as the goods of Jordanian Origin provided that it shall meet the rules of Jordanian Origin applicable in the Custom Territory.

**E-** Travelers heading to the Customs Territory via the Customs Centers established on the borders separating between the Zone and the Customs Territory, shall be treated as the Travelers as defined in the Customs Law in force.

**F-** The Customs Centers established on the borders separating between the Zone and the Customs Territory, shall carry out functions and authorities each upon its Jurisdiction and in accordance with the provisions of the Customs Law in force and this Law.

## **ARTICLE (28)**

The Council of Ministers may, upon the recommendation of the Minister of Finance, which is based on the request of the Board, partially exempt goods originating in the Zone from customs duties when put into local consumption in the Customs Territory, subject to the following conditions:

**A-**If the production requirements of the goods and the economic feasibility only exist in the Zone.

**B-**The exemption shall be limited to the value of the local materials, expenses and costs introduced into production in the Zone, whereby all customs duties and other fees and taxes imposed on foreign factor inputs shall be collected according to the relevant legislation in force in the Customs Territory.

**C-**The produced goods shall satisfy the rules of origin stipulated in the Customs Law in force.

## **ARTICLE (29)**

**A-**The Zone shall be considered outside the perimeters of the Customs Territory and shall not be subject to the Customs Legislation except as stipulated by this Law.

**B-**The Authority shall assume within the perimeters of the Zone customs powers in accordance with a Regulation issued for this purpose, which shall specifically include the following:

1. Controlling smuggling and other illegal commercial activities.
2. Issuing Instructions relevant to the importation to the Zone and exportation there from.
3. Preparing statistical data and information relating to import and export transactions.

## **TAXES AND DUTIES**

### **ARTICLE (30)**

**A-**The following fees and duties shall not be collected in the Zone:

1. Customs duties, importation duties and other taxes and duties on imports into the Zone.
2. The general sales tax or any other tax that substitutes it, on imports into the Zone or sales of goods and services therein.

**B-** Taking in to consideration, the provisions of this Law, a Registered Enterprise, from the date of

its registration, shall be exempted from all taxes and duties, including the following:

1. Income tax, social services tax and tax on distributing dividends of company stocks and shares on the income of Registered Enterprises accrued from their activities in the Zone or outside the Kingdom.
2. Land and buildings tax for any buildings and land necessary for it owned thereby within the Zone.

**C-**The exemption stipulated in this Article shall not include the following:

1. Fees and service charges collected by other governmental bodies from government departments for services that do not fall under the functions, responsibilities and authorities of the Authority.
2. Tax on sale and transfer of land and property, which shall be collected for the account of the Treasury.
3. Any taxes or fees to be imposed or collected as stipulated in this Law.
4. Taxes and fees imposed on vehicles.

**D-**Notwithstanding what is stated in Paragraph (C) of this Article, vehicles used by Registered Enterprises under temporary entry status may be exempt from customs duties and general sales tax pursuant to a Regulation issued by the Council of Ministers.

## **ARTICLE (31)**

Where Registered Enterprises or established investments or operations in the Zone enjoy pursuant to any other legislation or special agreement, upon the enforcement of this Law, better privileges and exemptions than what is provided in this Law, such exemptions and privileges shall continue to be applied until the period prescribed thereto lapses.

## **ARTICLE (32)**

**A-**The income of the Registered Enterprise accrued from its activities in the Zone or directly accrued from such activity outside the

Kingdom shall be subject to a (5%) income tax on its total income. The basis of calculating such and all other related matters shall be determined in accordance with a Regulation issued for this purpose.

**B-**Notwithstanding what is stated in Paragraph (A) of this Article, income accrued for banks, financial institutions, insurance and re-insurance companies and land transport companies operating in the Zone shall be subject to the provisions of the Income Tax Law in force, whether or not such entities are Registered Enterprises.

**C-**The income of any person, other than Registered Enterprises, accrued from his business in the Zone shall be subject to the provisions of the Income Tax Law, including what any natural person earns as salaries, wages, allowances, bonuses and the like, whereby such income shall also be subject to social services tax according to the Social Services Tax Law.

**D-**If the income stipulated in Paragraph (C) of this Article is jointly accrued in the Zone and the Customs Territory, the Authority or the Income Tax Department, as the case may be, shall assess and collect the income tax and the social services tax from these persons. The basis for assessment and collection, the procedures for the self assessment returns and any other pertinent procedures shall be determined in accordance with a regulation issued for this purpose.

**E-**The exemptions stipulated in the Income Tax Law in force shall apply to any income accrued in the Zone to the entities benefiting from such exemptions.

**F-**The following shall be exempt from the income tax stipulated in Paragraph (A) of this Article:

1. Capital profits gained by the Registered Enterprise, including profits accrued from the buying and selling of lands, real estate, shares and bonds, except for the profits accrued from sale or transfer of ownership of assets governed by the rules of depreciation prescribed under the enacted Income Tax Law, provided that losses arising from the sale or transfer of ownership of such assets governed by the rules of depreciation are deducted as soon as they are realized. This loss shall be determined in what is equivalent to the depreciation deducted according to the provisions of the Income Tax Law.
2. The income derived from land invested in agriculture, gardening, afforestation or from

poultry, cattle, fish or bees breeding, including income from the transformation of their products by simple manual labor.

3. The income gained from a concession granted from or agreement concluded by the government and which has been explicitly exempted from tax by the terms of the concession or the agreement.

## **ARTICLE (33)**

Taking into consideration, the provisions of the Income Tax Law and the Social Services Law and the regulations and instructions issued pursuant to any of them, every person, Registered Enterprise or investor in the Zone shall abide by the following:

**A-**Deduct the income tax and social services tax due on payments made to any natural person whether salaries, wages, allowances, bonuses or allocations and remitting such to the Authority.

**B-**Deduct (10%) of any amount from a payment that is not exempt from income tax, paid to a non-resident person, except what is paid by a Registered Enterprise to an investor who invests in not less than (20%) of its capital and remitting such to the Authority.

## **ARTICLE (34)**

**A-** The Authority shall assess and collect the income tax in the Zone according to the provisions of this Law and the Income Tax Law in force and the regulations and instructions issued pursuant thereto. For this purpose, the powers accorded to the Minister and the Director General pursuant to this legislation shall be invested with the Chief Commissioner, as appropriate.

**B-** Notwithstanding what is stated in Paragraph (A) of this Article, the Income Tax Department shall continue to assess and collect in the Zone the income tax and the social services tax and any other amounts due on taxpayers in the Zone prior to enactment of the provisions of this Law, and shall follow up on all judicial and legal procedures pertaining thereto according to the enacted taxation legislation in the Customs Territory.

## **ARTICLE (35)**

If the Authority or the Income Tax Department becomes aware that a Registered Enterprise is dealing with persons in the Customs Territory with whom they have a common financial benefit that is beyond the customary dealing between unrelated persons for the purposes of decreasing the due tax of any of such, the Authority or the Department, as the case may be, may assess the taxable income of the Enterprise or the related person without regard to this dealing.

## **ARTICLE (36)**

**A-** The Authority shall provide the Income Tax Department with statements and data related to any taxable income it collects pursuant to the provisions of this Law.

**B-** The Director General of the Income Tax Department or any deputy thereof shall have the right to examine, if necessary, the records and documents related to income tax accrued and due in the Zone according to the provisions of this Law.

## **ARTICLE (37)**

**A-** Notwithstanding the provision of Article (30) of this Law, a sales tax shall be imposed on goods sold and services rendered in the Zone as follows:

1. A (7%) sales tax of the value of selling goods and services when sold into consumption in the Zone to be determined pursuant to a regulation, provided that this regulation shall include the provisions and procedures related to collecting and redeeming the tax.
2. Tax on the sales of local goods originating in the Zone, from the Zone to the Custom Territory according to the provisions of the General Sales Tax Law in force, provided that proof of tax payment is presented to the Customs Center without being subject to the procedures of filing a customs declaration at the Customs Territory.
3. A tax on sales of goods and services from the Zone to the rest of the Kingdom or abroad according to the provisions of the General Sales Tax Law in force.

**B-** The seller of the good or service shall collect the tax stipulated in Subparagraphs (Paragraph (A)) and shall remit it to the Authority.

**C-** The Council of Ministers shall impose a special tax on sales of tobacco and its products and alcoholic beverages, liquor and beer when sold into consumption in the Zone according to

Instructions issued for this purpose.

**D-**For purposes of this Article, the Authority shall assume the powers of the General Sales Tax Department. The Chief Commissioner shall assume the powers of the Director General and the Minister stipulated in the General Sales Tax Law, as the case may be.

## **ARTICLE (37 BIS)**

The following shall be exempt from the tax stipulated in Subparagraph (1) of Paragraph (A) and the tax stipulated in Paragraph (C) of Article (37) of this Law, as the case may be:

**A-** Goods and services purchased and imported by His Majesty the King.

**B-** The goods and services indicated hereunder, as required by international agreement and protocols and provided that reciprocity is accorded:

1. Goods and services purchase in the Zone by embassies, commissions and non-honorary consular for its personal use.
2. Goods and services purchased in the Zone by members of the diplomatic and consular corps assigned in the Kingdom, provided that they are non-Jordanians and non-honorary.
3. Goods and services purchased in the Zone by international and regional organizations operating in the Kingdom and their non-Jordanian employees enjoying diplomatic status.

**C-** The goods and services stated in Paragraph (B) of this Article shall be exempted and their quantities specified by a decision of the Chief Commissioner upon the recommendation of the Minister of Foreign Affairs.

## **ARTICLE (38)**

Subject to the provisions of the Income Tax Law, the General Sales Tax Law, and the regulations and instructions issued pursuant thereto:

**A-** The Income Tax Court of Appeal shall have jurisdiction in reviewing appeals on tax assessment decisions and reviewing tax assessments conducted according to the provisions of this Law, as well as reviewing the claims relating to the fines and additional amounts due according to the provisions of this Law and reviewing any amounts that should be rebated, paid or deducted as a final tax or as an advance payment for the tax.

**B-** The Customs Court of First Instance shall have jurisdiction in reviewing the following cases. The Customs Court of Appeal shall also have jurisdiction in reviewing appeals submitted in this regard:

1. All customs offences and violations committed in violation of the provisions of this Law and the regulations issued pursuant thereto.
2. The offences committed in violation of the provisions of the regulation referred to in Subparagraph (1) of Paragraph (A) of Article (37) of this Law and the import and export instructions.
3. The challenges related to decisions determining the amounts subject to the sales tax according to the provisions of this Law.
4. Detaining and releasing persons accused of committing the crimes stipulated in Subparagraphs (1) and (2) of this Paragraph. If a case has not been referred to the court, the Chief Judge may ask the accused to provide monetary or notary bail, or face detention until a final decision is issued by the competent court or the bail is submitted.
5. Releasing any goods sequestered in the cases filed before it, in exchange of a bank or monetary guarantee in the amount of such goods' value, as well as releasing sequestered transport means after marking such with the label for sequester at the competent bodies.

**C-** For purposes of this Article, and upon a decision from the Judicial Council, a panel of the Income Tax Court of Appeal, the Customs Court of First Instance and the Customs Court of Appeal shall be charged, to hold its sessions in the city of Aqaba periodically, as the case may be.

## **ARTICLE (39)**

Penalties stipulated in the Income Tax Law in force shall apply to any crime committed in violation of the provisions of this Law and the Regulations issued pursuant thereto related to the income tax in the Zone.

## ARTICLE (39 BIS (once))

**A-**Whoever commits any of the following acts shall be considered evading the tax stipulated in Subparagraph (1) of Paragraph (A) of Article (37) of this Law and Paragraph (C) thereof:

1. Failing to submit the registration application at the Authority for a period exceeding one month from the lapse of the period prescribed for registration.
2. Failing to submit the tax declaration for a period exceeding one month from the lapse of the period prescribed for submitting the tax declaration.
3. Submitting a declaration of the sales of goods or services subject to the tax if there is a discrepancy in the value of the taxable actual sales exceeding (10%) or (3000) three thousand dinars, whichever is less.
4. Failing to keep accounting registers or their alternatives in technical means, whereas such results in a discrepancy in the value of the declared or due tax exceeding (200) two hundred dinars.
5. Canceling the taxpayer's registration upon his request if it becomes evident to the Authority that the taxpayer is still obligated to register according to the provisions of this Law.
6. Any person collecting undue tax, unless remitted to the Authority within the period specified in the Law for remitting the tax or it is actually remitted prior to its discovery.
7. Disposing of any of the goods exempted from the tax or used for other than the purpose for which they were exempted and this led to a discrepancy exceeding (200) two hundred dinars from the value of the due tax.
8. Not enabling the Authority's employees from performing their duties or their powers of monitoring and inspecting according to the provisions of this Law.
9. The taxpayer collecting tax percentages or categories for taxable goods or services in violation of the provisions of this Law, which resulted in a discrepancy in the value of the due tax exceeding (200) two hundred dinars.
10. Submitting or issuing inaccurate statements, documents or data, which resulted in a discrepancy in the value of the declared or due tax exceeding (200) two hundred dinars.
11. Possessing taxable goods in the intention of trading therein, knowing that they are tax evaded.

**B-**Whoever commits any of the acts stipulated in Paragraph (A) of this Article shall be punished by paying a civil compensation to the Authority not less than twice the tax and not exceeding three times the tax and a fine not less than (200) two hundred dinars and not Exceeding (1000) one thousand dinars. The fine shall be doubled in the event of repetition. If the act is repeated within a period not exceeding one year, the court shall be entitled to award of the highest limit of the fine or imprisonment for a period not less than three months and not exceeding six months or both of such penalties.

**C-**The Chief Commissioner or his delegate may conclude an amicable settlement regarding the tax evasion offences stipulated in Paragraph (A) of this Article before a final court judgment is reached in return of paying the tax subject of the lawsuit, in addition to a fine as civil compensation for the Authority equivalent to the value of the tax. The settlement shall result in dropping the criminal lawsuit, suspending its procedures and revoking any consequences thereof.

## **ARTICLE (39 BIS (twice))**

**A-** Except the cases stipulated in Paragraph (A) of Article (39 repeated (once)) of this Law, the Chief Commissioner shall be entitled to impose a fine not less than (100) one hundred dinars and not exceeding (500) five hundred dinars on whomever commits any of the following violations:

1. Failing to submit the registration application at the Authority for a period not exceeding one month from the lapse of the period prescribed for registration.
2. Failing to submit the tax declaration for a period not exceeding one month from the lapse of the period prescribed for submitting the tax declaration.
3. Submitting a declaration of the sales of goods or services subject to the tax if there is a discrepancy in the value of the taxable actual sales not exceeding (10%) or (3000) three thousand dinars, whichever is less.
4. Failing to keep accounting registers or their alternatives in technical means, whereas such results in a discrepancy in the value of the declared or due tax not exceeding (200) two hundred dinars.
5. Failing to inform the Authority of the amendments on the data stated in the registration application within (30) days from the date of the amendment.
6. Failing to respond without a justified excuse to any of the subpoenas, notices or requests

issued in writing by the Authority's employees during their performing their duties or responsibilities according to the provisions of this Law.

7. Disposing of any goods exempted from the tax or used for other than the purpose for which they were exempted and this led to a discrepancy not exceeding (200) two hundred dinars from the value of the due tax.

8. The taxpayer collecting tax percentages or categories for taxable goods or services in violation of the provisions of this Law, which resulted in a discrepancy in the value of the due tax not exceeding (200) two hundred dinars.

9. Submitting or issuing inaccurate statements, documents or data, which resulted in a discrepancy in the value of the declared or due tax not exceeding (200) two hundred dinars.

**B-** The violator shall be notified according to the followed principles of the fine imposed thereon. The violator must pay such within (30) days from the date of his notification.

**C-** Decisions containing fines issued in accordance with the provisions of Paragraph (A) of this Article may be objected to in front of the Chief Commissioner within the period specified in Paragraph (B) thereof. The Chief Commissioner shall be entitled to cancel, reduce or fix the fine if there is indication that justifies such. The Chief Commissioner's decision shall be subject to appeal before the competent court within (30) days from the date of its notification. The court shall be entitled to confirm, amend or cancel the fine.

**D-** The Chief Commissioner or his delegate may conclude an amicable settlement regarding the violations stipulated in Paragraph (A) of this Article before a final court judgment is reached in return of paying the tax once due, in addition to a fine not less than half the minimum limit and not exceeding half the maximum limit. The settlement shall result in dropping the criminal lawsuit, suspending its procedures and revoking any consequences thereof.

## **ARTICLE (40)**

**A-**Each Registered Enterprise shall maintain its accounts and financial statements in accordance with a special Regulation issued for this purpose in conformity with the International Accounting Standards.

**B-**The Registered Enterprise shall undertake to reflect in its financial statements its income accrued from its business within the Kingdom excluding the Zone and the expenses related thereto separately from its income accrued from its business in the Zone and outside the Kingdom.

**C-**The Authority shall audit the Registered Enterprise's accounts, records, books and registers pursuant to Instructions issued by the Board for this purpose.

**D-**Where the Registered Enterprise fails to abide by the provisions of this Article and the Instructions issued by the Board, the Chief Commissioner shall have the right to cancel its registration, without any breach of the obligations imposed on it according to the legislation in force.

## **ARTICLE (41)**

**A-** The Authority shall provide the General Sales Tax Department with statements and data related to purchases of goods and services by Registered Enterprises from the Customs Territory and their sales thereto.

**B-**The Director General of the Sales Tax Department or whom he authorizes, when necessary, may examine the records and documents related to the sales and purchases of Registered Enterprises in the Customs Territory according to the provisions of this Law.

## **ARTICLE (42)**

Revenues accrued according to the provisions of this Law from income tax and sales tax shall be apportioned as follows:

**A-** (75%) for the Treasury and shall be remitted to the Ministry of Finance at the end of each month.

**B-** (25%) for the Authority.

## LANDS AND BUILDINGS ZONING AND ADMINISTERING COASTAL AREAS

### ARTICLE (43)

**A-**The Zone and the Region shall be considered a regional zoning area according to the provisions of the Zoning of Cities, Villages and Building Law in force and the regulations issued pursuant thereto. For this purpose, the Board shall assume the powers of the Higher Zoning Council and the Province and Local Zoning Committees. The Board may delegate the powers of these Committees to special committees formed for this purpose. The Chief Commissioner shall also, and as the case may be, assume the powers of the Minister stipulated in the enacted Zoning of Cities, Villages and Buildings Law and the regulations issued pursuant thereto. The Council of Ministers may, upon the recommendation of the Board, issue a special regulation in which it determines the bases for zoning and buildings in the Zone and other matters related thereto.

**B-** The Board shall administer the coastal areas. The basis of administering such areas on land and in the sea shall be determined according to a Regulation issued for this purpose.

### ARTICLE (44)

**A-**Ownership of lands registered in the name of the Public Treasury, which fall within the perimeters of the Zone, shall be transferred to the Authority according to the Council of Ministers' decision.

**B-**The Authority shall not in any circumstances sell any of the lands referred to in Paragraph (A) of this Article, unless according to the basis and conditions determined pursuant a special Regulation issued for this purpose, taking into account the principle of reciprocity.

**C-** The Authority shall be entitled to dispose the State's lands, which are not registered in the name of the Treasury by mean of leasing or investing according to Regulations to be issued for this purpose.

## **ARTICLE (45)**

Notwithstanding what is stated in any other legislation, the Authority may conclude lease contracts with others for a period not exceeding fifty years. Upon the recommendation of the Board, the Council of Ministers may extend such period, as it deems appropriate, in certain circumstances if the lease is related to an investment activity in the Zone.

## **ARTICLE (46)**

Notwithstanding what is stated in any other legislation, Registered Enterprises shall be entitled to hold, own and dispose of immovable properties within the Zone necessary for its activities pursuant to the Regulation to be issued in accordance with Article (44) of this Law.

## **ARTICLE (47)**

The provisions of the laws relevant to the right of preemption and priority shall exclusively apply to residential areas in the Zone.

## **ENTRY AND RESIDENCY IN THE ZONE**

### **ARTICLE (48)**

The Council of Ministers shall, upon the recommendation of the Board, issue special Regulations determining the basis, conditions and procedures for the entry of non-Jordanians into the Zone, residency and work therein, particularly the following:

**A-** Entry visas for non-Jordanians into the Zone, including temporary entry visas, which are issued directly at the crossing points.

**B-** Residency permits within the Zone.

**C-** The basis for bringing foreign labor and employing such in the Zone, work permits for non-Jordanians and their percentage to the total workers in Registered Enterprises.

**D-** The fees collected by the Authority for issuing entry visas, residency permits and work permits according to such Regulations.

## **CURRENCIES, BANKING AND INSURANCE ACTIVITIES**

### **ARTICLE (49)**

**A-** Any Registered Enterprise, investor within the Zone or any person shall have the right to use the Jordanian or foreign currency in any commercial transaction or for any personal purpose, including opening bank accounts in any currency and buying and selling foreign currencies.

**B-** Registered Enterprises may enter or transfer foreign currencies into or from the Zone without restrictions.

### **ARTICLE (50)**

The provisions of the Banks Law and the Central Bank Law shall apply to any bank or financial company conducting banking activities in the Zone or opening branches therein.

### **ARTICLE (51)**

Any insurance company may conduct insurance activities in the Zone or open branches therein in accordance with the provisions of the Monitoring of Insurance Activities Law.

## **ENVIRONMENT PROTECTION**

### **ARTICLE (52)**

For the purposes of implementation the provisions of this Law, the Board shall be responsible for protecting and maintaining the environment in the Zone and for ensuring sustainable development according to the basis and standards determined pursuant to a Regulation, provided that such shall not be below the adopted levels in the Kingdom. For this purpose, the Authority shall assume the powers of the Public Corporation for Environment Protection. The Chief Commissioner shall

assume, as the case may be, the powers accorded to the Minister and the Director General stipulated in the Environment Protection Law in force.

## **ARTICLE (52 BIS)**

**A-**The Aqaba Court of First Instance shall, in addition to its authorities granted thereto pursuant to other enacted legislation, adjudicate the following:

1. All environmental offences committed in violation to the provisions of this Law and the regulations issued pursuant thereto.
2. The imposition and collection of damages, compensations and amounts due upon the occurrence of a maritime pollution incident according to the provisions of this Law and the regulations issued pursuant thereto.
3. Detaining persons accused of committing the offences provided for in Subparagraph (1) of this Paragraph and releasing such according to the provisions of the enacted Criminal Proceedings Law. If a case has not been referred to the court yet, the Chief Justice may ask the accused to provide monetary or notary bail, or face detention until a final decision is reached by the competent court or submit the bail.
4. Releasing any goods sequestered in the cases filed before it, in exchange of a fiscal or bank guarantee in the amount of such goods' value, as well as releasing sequestered transport means after adopting appropriate procedures thereon.

**B-**

1. The Court may be held upon its own initiative outside official working hours and in any place deemed appropriate by the Court Chief.
2. In emergency cases or if required by public interest, the Court may be held, upon the request of the Chief Commissioner and upon the bases stipulated in Subparagraph (1) of this Paragraph, to review any case relating to environmental offences referred to it by the Chief Commissioner as an urgent matter that cannot be delayed.

## **GENERAL PROVISIONS**

### **ARTICLE (53)**

**A-**For the purpose of implementing the provisions of this Law, the Chief Commissioner, any member of the Board, and any employee authorized thereby any of them according to his authorities shall be considered as a judicial officer. The authorized employee shall have the right to seize any violation to the provisions of this Law and the regulations issued pursuant thereto and to inspect in the Zone for goods prohibited from being entered, stored or produced therein. For this purpose, the authorized employee may enter any place, audit documents, search persons, goods and ships and impound or detain any of the above. This shall include taking measures related to environmental protection.

- B-**
1. Notwithstanding what is stated in this Law or any other legislation, the Chief Commissioner, Board members and the Authority's employees shall have the right to seize any violations committed in Wadi Rum in violation of the provisions of this Law, the regulations issued pursuant thereto and any other legislation in force and refer the violations to the competent court according to the provisions of this Law and the pertinent legislation.
  2. As an exception from the provisions of Sub Article (1) of this Article, the following:
    - violations related to the antiquities and antique sites within the Region shall be captured and the necessary procedures shall be taken according to the law of of Antiquities in force.
    - the customs violations stipulated in the Customs Law in force.

## **ARTICLE (54)**

**A-**Whoever commits the following actions in the Zone shall be imprisoned for a period not less than one month and not exceeding one year, or a fine not less than (100) one hundred Dinars and not exceeding (5000) five thousand Dinars, or both penalties:

1. Violating any of the terms and provisions of transit, internal manufacturing, temporary admission, bail and guarantees requested by the Authority on goods or the legal re-export or that stated in the regulations issued pursuant to this Law.
2. Removing the customs seals or buttons from goods consigned by transit or prepared for exit or re-export.
3. Failure by the shipper or the enterprise to maintain the records and files obligatory

thereto pursuant to the provisions of this Law and the regulations issued pursuant thereto.

4. Non-compliance by customs clearance agents with the regulations which specify their duties.

5. Any other violations committed by any person or noncompliance with the provisions of the Regulation referred to in Paragraph (B) of Article (29) of this Law.

**B-**Whoever commits the following actions in the Zone shall be punished with imprisonment for not less than three months and not exceeding two years, or a fine not less than (300) three hundred Dinars and not exceeding (10.000) ten thousand Dinars, or both penalties:

1. Loading and unloading Goods to and from any means of transport inconsistently with the Law and the regulations issued pursuant thereto; anchoring ships, landing planes or parking other means of transport in other than the designated sites authorized by the Authority, or in emergency situations, without informing the nearest customs house about this; the departure of ships, planes or other means of transport from the harbor or the customs premise without the Authority's authorization.

2. Transporting or possessing goods in a manner violating the provisions of the Law and the regulations issued pursuant thereto.

3. Admitting, exiting, possessing, or transporting any prohibited goods or which importation is forbidden, or restricted goods without presenting evidence that the goods are legally imported; failure for any reason to re-import goods whose exportation is prohibited or goods which are exported temporarily.

4. Obstructing the duties of the Authority's officials according to the provisions of this Law and the Regulations issued pursuant thereto and their right to search, audit and inspect, and failing to stop upon the Authority's official's request.

5. Taking a route other than the transit route designated by the Authority or failing to use the routes and methods designated for admission or exit of Goods.

6. Disposing of Goods admitted into the Zone under temporary entry status or transit in violation of the provisions of the Law and the regulation issued pursuant thereto which pertains to customs, or their use outside permitted areas or for other than the purpose of import or in other than their intended function; transporting passengers or goods within the Kingdom by means of vehicles admitted under temporary entry status in violation of the

provisions of Laws and regulations.

7. Submitting false, forged or fabricated documents or invoices, or putting false marks on goods with the intent of importing or exporting prohibited, forbidden or restricted Goods or in violation of the provisions of the Law and the regulation issued pursuant thereto which pertains to customs.

8. Finding undeclared goods in hideouts, holes, or spaces that are not usually intended for such goods, or bypassing customs houses at exit without declaring goods.

9. The unavailability of a cargo manifest, or the availability of a manifest which is inconsistent with actual cargo. Failure to declare at entry or exit incoming or outgoing goods which are not listed in the manifest, including passengers belongings.

10. Unloading or loading the Goods without prior permission from the Authority, or unloading or loading at locations other than the ones designated by the Authority or at a location other than the offices of arrival and exit designated by the Customs Department.

11. Overages, shortages or replacements in the parcels or contents thereof if discovered after the goods have passed the entry point. Unjustified overages or shortages against what is listed in the cargo manifest or the document equivalent thereto, whether the shortage is in the number of parcels, in the contents thereof, or in the quantities of knocked goods.

**C**-In addition to what is stated in Paragraphs (A) and (B) of this Article, the following fines shall be collected in the cases specified hereunder:

1. Three to six times the value of goods, if the goods the subject matter of the violation are prohibited or forbidden goods along with confiscating the goods subject matter of the violation.

2. Two to three times the value of goods if subject matter of the violation is restricted goods.

3. One to two times the amount of value of goods if the subject matter of the violation is goods that are not prohibited, forbidden or restricted.

## **ARTICLE (54 BIS (once))**

Subject to the provisions of Articles (54) and (54 repeated (twice)) of this Law, and without prejudice to any more stringent penalty stipulated in any other legislation, whomever violates the provisions of this Law and the regulations issued pursuant thereto or any other legislation enacted in the

Zone shall be penalized with imprisonment for a period not less than a week and not exceeding one year or a fine not less than (10) ten Dinars and not exceeding (5000) five thousand Dinars or both penalties, along with compelling the violators to provide compensation and remove the damage resulting from the violation.

#### **ARTICLE (54 BIS (twice))**

**A-** Without prejudice to any more stringent penalty stipulated in any other legislation, whoever violates the provisions of this Law and the regulations issued pursuant thereto or any other legislation enacted in the Zone relating to sea water or the environment shall be penalized with the following, along with compelling the violators to provide compensation and remove the damage resulting from the violation:

1. Imprisonment for a period not less than a week and not exceeding six months and a fine not less than (50) fifty Dinars and not exceeding (10.000) ten thousand Dinars for anyone polluting the sea or inflicting any damage to the environment in any manner or by any substance other than the ones specified in Subparagraph (2) of this Paragraph, or violating the terms, conditions or procedures set forth in the regulations issued pursuant to this Law and pertaining to the protection of the environment.

2. Imprisonment for a period not less than one year and not exceeding three years or a fine not less than (50.000) fifty thousand Dinars and not exceeding ten million Dinars or both penalties, for anyone substantially polluting the sea or substantially inflicting damage to the environment by means of throwing into the environment any substances which cause significant effects on the well-being of the environment and are impossible to remove or, although removed, are still negatively affecting the normal course of the ecosystems, or in any other manner impeding the soundness and stability of the ecosystems and uses thereof. Such substances, quantities and impacts thereof shall be specified in a regulation issued for this purpose, taking into account what is internationally followed in this regard.

**B-** The person responsible for any of the violations referred to in Paragraph (A) of this Article shall remove the violation's causes within the period prescribed by the court. In cases where he fails to do so, the Authority shall remove such violation on his expense plus 15% of the violation's value as

administrative fines. The violator shall be fined with not less than (100) one hundred Dinars and not more than (500) five hundred Dinars for every day he refrains from removing such causes after the period prescribed by the court for this purpose. The source of the violation shall be placed under seizure until all due amounts by the persons responsible are paid.

#### **ARTICLE (54 BIS (thrice))**

**A-** Fines not exceeding (500) five hundred Dinars, including the amount of fines assessed according to the provisions of Paragraph (C) of Article (54) of this Law shall be imposed upon a decision of the relevant Commissioner or his delegate.

**B-** The violator or his representative shall be notified of the fine imposed thereon pursuant to a written notice or through the registered mail. The violator must pay the fines within (30) days from the date of his notification or the date of his refusal to sign the notice.

#### **ARTICLE (54 BIS (four times))**

**A-** Fining decisions issued in accordance with the provisions of Article (54 repeated (thrice)) of this Law may be objected to in front of the Chief Commissioner within the period specified therein. The Chief Commissioner shall be entitled, and for justified reasons, to endorse, reduce or cancel the fining decision.

**B-** The Chief Commissioner's decision issued pursuant to Paragraph (A) of this Article shall be subject to appeal before the competent court according to the provisions of this Law, within (30) days from the date of its notification if the fine exceeds (1000) One Thousand Jordanian Dinars.

#### **ARTICLE (54 BIS (five times))**

**A-** The Chief Commissioner or his delegate may, and for justified reasons, conclude an amicable settlement in the customs cases stipulated in the regulation issued in accordance with the provisions of Article (29) of this Law, whether before action is instituted, or during proceedings, but before the judgment of first instance is reached. The settlement may be concluded with the violating entity according to the provisions and terms stipulated in the settlement contract,

provided that the settlement contract covers all compensations and expenses that should be borne by the violator. In all cases, the settlement contract shall not be held for less than the minimum limit of the penalty stipulated in this Law.

**B-**The Chief Commissioner or his delegate shall issue a guide for the amicable settlements referred to in Paragraph (A) of this Article, which shall be published in the Official Gazette.

**C-**Customs action shall abate upon amicable settlement.

## **ARTICLE (55)**

The provisions of the Import and Export Law, and the provisions relating to incentives and limitations on foreign capital in the Investment promotion Law and the regulations issued pursuant thereto shall not apply in the Zone.

## **ARTICLE (56)**

The Council of Ministers shall issue the necessary Regulations for implementing the provisions of this Law, including the following:

**A-** Determining the fees imposed for the Authority according to the provisions of this Law.

**B-** The Authority's employees and personnel affairs.

**C-** Supplies, procurement and works and financial affairs of the Authority.

**D-** Formation of coastal police in the Zone, regulating its activities and determining its authorities.

**E-** Regulating and administering the Aqaba Marine Park.

## **ARTICLE (57)**

The Aqaba Region Authority Law No. (7) for the year 1987 and any amendments thereto shall be repealed as of the date determined by the Council of Ministers according to the provisions of Article

(8) of this Law, provided that the Regulations and Instructions issued pursuant thereto shall remain in force until repealed or replaced in accordance with the provisions of this Law.

#### **ARTICLE (58)**

The Prime Minister and the Ministers shall be responsible for executing the provisions of this Law.