

Regulation No. 157 of 2003 on the Temporary Vehicle Entry to Aqaba Special Economic Zone

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Article (1)

This regulation shall be named: (the Regulation No. 157 of 2003 on the Temporary Vehicle Entry to Aqaba Special Economic Zone) and shall enter into force as of the date of publication in the Official Gazette.

Article (2)

The following words and expressions, wherever mentioned herein, shall have the meanings set against each of them, unless otherwise indicated by the context:

Law : means the applicable law of the Aqaba Special Economic Zone

Zone : means the Aqaba Special Economic Zone

ASEZA : means the Aqaba Special Economic Zone Authority (ASEZA)

Board : means the Board of Commissioners of Aqaba Special Economic Zone

Chairman : means the Chairman of the Board

Commissioner : means the Commissioner of Revenue and Customs of the ASEZA

Directorate : means the Directorate of Investors Services

Registered Entity : means the entity registered with the ASEZA as per the provisions of the Law

Customs Region : means the territories of the Kingdom and its regional waters except for the Zone.

Article (3)

A registered entity shall be allowed to bring in vehicles to the Zone under the condition of "Temporary Entry" according to the provisions of this Regulation and the instructions issued hereunder.

Article (4)

- A. For the purposes of this Regulation, "Vehicles" shall mean any land transportation means moving by mechanical or electric force, including towing, lifting or wheel-drive modes, including:
- 1) Small and medium-sized passenger cars, buses and all kinds of pickups dedicated for the transport of persons or goods or both, and common transport vehicles, freight cars and locomotive designed to tow a trailer;
 - 2) Motor cycles according to the specifications determined by the Department of Licensing of Drivers and Vehicles in the Directorate of Public Security on the recommendation of the Board;
 - 3) Agricultural vehicles and construction vehicles, including bulldozers, sweepers, scrapers, graders, excavators, rollers, compressors, compressing vibrators, crushers, asphalt mixers, cranes, conveyors, cement pumps, concrete vents, cement spreaders, dump trucks, water and fuel tankers, cement transporting containers and central cement mixers;
 - 4) Any other vehicles or equipment provided for under a decision by the Board based on recommendation by the Commissioner and recommendation of the Directorate; and
 - 5) Any other transportation means which the Board decides to bring in to the Zone by way of Temporary Entry, after coordination with the Department of Licensing the Drivers and Vehicles in the Public Security Directorate.
- B. transportation means designed to operate on railways shall be excluded from the vehicles definition contained in paragraph (A) of this article.
- C. Temporary entry shall not be allowed for spare parts, tires, and batteries.

Article (5)

Under a decision by the Commissioner based on recommendation by the Directorate for justified reasons, a registered entity shall be allowed to bring in the vehicles and equipment provided for in the clauses (3) and (4) of paragraph (A) of article (4) hereof by way of Temporary Entry in the following cases:

- a. For projects implemented by the registered entity in favor of the ministries, government departments and official public institutions, provided that the cost of such project is more than JOD 250.000;
- b. For projects implemented by the registered entity in favor of entities other than those set out in the paragraph (A) above, provided that the cost of such project is more than JOD 750.000;
- c. A registered entity shall be allowed to bring in to the Zone the vehicles and equipment listed in clause (3) of paragraph (A) of article (4) hereof if the nature of the works of such entity requires the entry of those vehicles and equipment in accordance with the controls and conditions set forth by the Board pursuant to instructions issued by it for this purpose.

Article (6)

- a. The registered entity which applies for permission for temporary entry of vehicles and equipment necessary for implementation of its projects shall abide by the following:
 1. Submit a recommendation from the owner of the project in the Zone, showing the project's period, cost and subcontractors implementing the project, as well as the maintenance period for the vehicles and equipment based on a study performed by a specialized committee to be formed by a decision from the Board; and
 2. The use of the vehicles and equipment shall be limited to the project only.

- b. The type and condition of the vehicles introduced to the Zone by way of temporary entry shall not be changed, and no essential part of such equipment may be changed except after obtaining a prior consent from the Customs Directorate in the Zone.

Article (7)

- A. Based on recommendation from the Commissioner, the Board may allow the temporary entry of the cars provided for in the clause (1) of paragraph (A) of article (4) hereof in accordance with the following:
 1. One passenger car for the registered entity whose investments already employed in the Zone are no less than one million Jordanian Dinars and no more than two million dinars;
 2. Two passenger cars for the registered entity whose investments already employed in the Zone are no less than two million Jordanian Dinars and no more than ten million dinars; and
 3. Three passenger cars for the registered entity whose investments already employed in the Zone are more than ten million Jordanian Dinars.
- B. If the investments already employed in the Zone dropped below the limit specified in the paragraph (A) of this article, the registered entity shall inform the Directorate of the same within one week from the date of such drop, and the entity shall correct its situation by restoring the investments to the limit within the period determined by the Board, otherwise the entity shall lose its right to the temporary entry of cars.
- C. For the purposes of applying the provisions of paragraphs (A) and (B) of this article, the term "already employed investments" shall mean the fixed and capitalized assets of the registered entity as declared in a balance sheet duly approved by a certified auditor licensed to practice the profession, except for the unutilized lands and housing properties;
- D. A registered entity may alternatively replace the vehicles assigned to it in accordance with the provisions of the clauses contained in paragraph (A) of this article as follows:
 - 1) The entry of no more than three medium size passenger cars if the number of workers in that entity is less than 15 and no more than 30 workers;
 - 2) The entry of no more than two buses if the number of workers in that entity is more than 30 workers.

- E. The Board may allow a registered entity to bring in the vehicles provided for in both the paragraphs (A) and (D) of this article collectively as per the number prescribed for each registered entity; and the Council of Ministers– based on a recommendation from the Board

and for justified reasons – may increase the number of cars allowed to be entered by the registered entity beyond the limit prescribed in this article.

Article (8)

A registered entity which was allowed to bring in vehicles according to the provisions of article (7) hereof shall furnish the Directorate with the documents which prove that the entity employs investments in the Zone, and must recruit the needed number of workers as determined by the Board.

Article (9)

Based on a recommendation from the Commissioner, the Board may allow the registered entity to bring in the motorcycles provided for in clause (2) of paragraph (A) of article (4) hereof in order to be used in the Zone, if the nature of the registered entity's works requires the use of such motorcycles, after coordination with the Department of Licensing Drivers and Vehicles in the Public Security Department.

Article (10)

- A. For the temporary entry of vehicles to the Zone, the following conditions must be met:
 - 1) The activity of the registered entity must be in the industrial, construction, service or tourism field;
 - 2) These vehicles must not be used for other than the purposes for which they were entered into the Zone.
- B. The registered entity shall inform the Customs Directorate of any change that occurs to the condition of vehicles temporarily entered into the Zone, or to the conditions for which such vehicles were entered within a period of no more than three days from the date of occurrence of such change.
- C. The registered entity shall not take out its vehicles from the Zone to the Customs area and may not use them except for the purposes determined by instructions to be issued by the Board in agreement with the Public Customs Department.

Article (11)

- A. Temporary entry application shall be submitted by use of the approved form, and must be accompanied with the documents and papers required in accordance with the provisions of this Regulation and the instructions issued by the Board in this regard.
- B. The Directorate will review the application within five days from the date of receipt thereof, and if it found that the application meets all the required information and documents, the application will be referred to the concerned department with the appropriate recommendations.

- C. If the Directorate found that the information contained in the application are incomplete, unclear, or the application needs more supporting documents, then the Directorate shall return the application to the registered entity and inform it with the incomplete documents that must be completed within five days from the date of notification, and failure by the entity to complete the application shall render it rejected.
- D. The Commissioner shall issue the appropriate decision with respect to the submitted application within two business days, and such decision was not issued within the said period the application shall be deemed approved.

Article (12)

- A. The period of temporary entry for vehicles shall be one year, and such period shall be renewable based on approval of the Chairman upon recommendation by the Commissioner.
- B. The period of temporary entry shall expire by the end of the project term.

Article (13)

The car or motorcycle benefiting from the temporary entry permission shall not be aged more than 3 years from the manufacture date thereof.

Article (14)

The Board may allow the registered entity to bring in vehicles to the Zone by way of temporary entry if they were entered with the aim of showcasing in the fairs or trading, and such showcasing or trading shall be deemed a usage by the registered entity, provided that the following must be observed:

- a. The registered entity must be the approved agent of the parent manufacturer of those vehicles;
- b. A bank guarantee, certified cheque or money guarantee must be provided as a security for the customs fees, public tax on sales, and the other fees and taxes;
- c. The vehicle must not be used outside the showcasing area except if it was duly registered and licensed in accordance with the applicable traffic law.

Article (15)

- a. The Customs Directorate in ASEZA shall be the authority responsible for organizing all procedures related to the temporary entry of vehicles of the registered entities to the Zone, including examination of such vehicles, determining customs fees, and preparing the relevant statements therefor, as well as the bookkeeping and maintaining records for those vehicles.
- b. The registered entity shall be subject to any terms of securities required by the Customs Department in ASEZA with respect to the vehicles set out in paragraph (A) hereof.

Article (16)

- a. The registered entity shall perform custom clearance for the vehicle and re-export it in accordance with the legislations applicable in the Kingdom, within a period of no more than ten days from the expiry date of temporary entry or the closing of the project for which those vehicles were entered.
- b. The registered entity may store its vehicles in the warehouses of the ASEZA after the expiry of the temporary entry period until they are disposed of duly in accordance with the provisions of paragraph (A) of this article. The storage period for those vehicles shall be three months provided that the storage fee imposed by ASEZA is paid in accordance with the applicable legislation. The Customs Directorate, after approval by the Commissioner, may extend such period to three additional months.
- c. If the registered entity failed to perform custom clearance or re-export the vehicle within the period provided for in the paragraph (B) hereof, then the entity shall be deemed as waiving the vehicle in favor of ASEZA which may dispose the same according to the relevant legislation.

Article (17)

Vehicles brought in the Zone by way of temporary entry and not found in the Zone shall be deemed as illegally entered vehicles into the Customs Area, and shall be dealt with according to the provisions of the relevant legislations applicable in the Customs Area.

Article (18)

- A. ASEZA may monitor the registered entity by performing inspection whenever necessary and may take the necessary procedures in this respect including warning. However, if the registered entity failed to abide by the restrictions imposed by the Board for this purpose in accordance with the provisions of this Regulation and the instructions issued hereunder, then the vehicles granted a temporary entry permit shall be seized, and the right to temporary entry shall be withdrawn from the entity if it failed – after being warned – to abide by the restrictions imposed by the Board for this purpose in accordance with the provisions of this Regulation and the instructions issued hereunder.

Article (19)

The procedures related to obtaining temporary licenses and plates for vehicles entered to the Zone by way of temporary entry, as well as any other relevant issues, shall be determined in accordance with a memorandum of understanding to be concluded for this purpose between the ASEZA and the Department of Licensing Drivers and Vehicles in the PSD, including the following issues:

- a. The maximum time limit within which the temporary license should be issued;
- b. The conditions to be observed with respect to entry of motorcycles to the Zone and the usages thereof;
- c. Any other conditions to be agreed upon.

Article (20)

- a. The Board shall issue the instructions necessary for the enforcement of this Regulation, including:
 - 1) Procedures related to examination of vehicles, preparation of the relevant statements, and the subsequent inspection measures;
 - 2) The service fees to be collected by ASEZA.

- b. The instructions issued under this Regulation shall be published in the Official Gazette.

09/09/2003