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Law No. () For The Year 1999
A Law Amending the Customs Law

Article (1):

This Law shall be named (The Law Amending the Customs Law for the year 1999) and shall be read in conjunction with the Law No. (20)

Article (3):

Article (12) of the Original Law shall be amended by considering the text therein as Paragraph (A) and adding Paragraph (B) as follows:

- B- Goods imported from a source other than the country of origin, and which are put up for domestic consumption in the source, shall be subject either to the customs tariffs applicable to the goods from the source, or to tariffs applicable to goods from the origin, whichever is higher.

Article (4):

Article (15) of the Original Law shall be repealed and replaced with the following text:

Article (15): Upon decisions issued by the competent authority pursuant to the Laws and Regulations in force, the Customs Department shall:

- 1 – collect or refund anti-dumping and countervailing duties imposed on certain imported goods from certain countries in due time;
- 2 – take necessary measures, including the imposition of import quotas, to counteract measures taken by other countries harmful to the national economy.

Article (5):

Article (24) of the Original Law shall be repealed and replaced with the following text:

Article (24): The origin of imported goods is the country in which the goods are obtained or produced and which shall be determined according to the following criteria:

- A- Goods are considered to be of origin of a given country if obtained wholly in the said country, which shall include the following:
 - 1. Mineral products extracted from the soil, territorial waters, or seabed of the said country.
 - 2. Vegetable products harvested or gathered in that country.
 - 3. Live animals born and raised in that country.
 - 4. Products obtained from live animals in that country.
 - 5. Fishing or hunting products of that country.
 - 6. Maritime fishing products and other products obtained from the sea, outside a country's territori

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9. Items produced from the wastes of manufacturing processes and raw materials used therein, provided the wastes are collected there, and are fit only to be recovered as raw materials.

10. Goods produced in the said country exclusively from goods referred to in sub-paragraphs (1 to 9) or from the derivatives thereof,

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other aqueous solution, ionization, salting, peeling, crushing, removal of seeds from fruits, slaughtering of animals.

- B- The Customs Department shall determine the origin of the goods to be imported according to the provisions of this Chapter, upon written request from the concerned party supported by all the necessary information, and subject to the following conditions:
1. The written request is supported by all necessary information, which would allow the Department to determine the origin; such information shall be specified in Instructions issued for this purpose.
 2. The Department shall issue the decision determining the origin within a period not exceeding 150 days from the date of submitting the request.
 3. The decision determining the origin shall be valid for 3 years, provided the facts and circumstances on which the determination was made do not change.
 4. The decision shall be nullified ipso facto if the Department issues a contrary decision subsequently, provided that all concerned parties are notified in advance.
- C- Amended or new rules of origin shall not be applied retroactively.

Article (7):

Article (28) of the Original Law shall be amended as follows:

First: by repealing the introductory of Paragraph (a) and replacing it with the following:

A- (the customs value for goods imported to the Kingdom shall be the transaction value; i.e. the actual price paid or payable for goods sold for exportation to the Kingdom, adjusted pursuant to the provisions of Paragraph (f) of this Article, and subject to the following conditions:)

Second: by repealing clause (4) of sub-paragraph (B) and replacing it with the following:

4. They hold directly or indirectly not less than 5 percent of the other person's voting stocks or shares.

Third: by repealing the word (**supervises**) in clause (5) of paragraph (B) with the word (**controls**).

Fourth: by repealing the word (**supervision**) in clause (6) of paragraph (B) with the word (**control**).

Fifth: by repealing the word (**supervising**) in clause (7) of paragraph (B) by the word (**controlling**).

Sixth: by adding the following phrase at the end of Paragraph (C):

(In such case, the Department shall examine the circumstances surrounding the sale, and shall inform the importer in writing -upon his request - about the grounds for considering that the relationship influenced the price; and the importer shall be given a reasonable opportunity to respond).

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Seventh: by repealing the phrase

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means of transport. If, in applying this Paragraph, more than one transaction value of identical goods is found, the lowest such value shall be considered.

- B- The transaction value of similar goods sold for export to the Kingdom and exported, at or about the same time, in a sale at the same commercial level and in substantially the same quantity as the goods being valued; Where no such sale is found, the transaction value of similar goods sold at a different commercial level and/or in different quantities, adjusted to take account of differences attributable to commercial level and/or to quantity, shall be used, provided that such adjustments are made on the basis of demonstrated evidence which clearly establishes the accuracy of the adjustments, whether the adjustment leads to an increase or decrease in the value, and with due account to the differences in costs mentioned in clauses (7) and (8) of paragraph (f) of Article (28) between imported goods and identical goods arising from differences in distance of transport. If, in applying this Paragraph, more than one transaction value of identical goods is found, the lowest such value shall be considered.

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D-1 The customs value of imported goods pursuant to the provision of this paragraph shall be based on a computed value, which shall consist of the sum of the following: -

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A- The cost or value of materials or other processes employed in producing the imported goods.

B- An amount for profit and general expenses equal to that usually reflected in sales of goods of the same class or kind as the goods being valued, which are made by producers in the country of exportation for export to the Kingdom.

C- The wages, costs and expenses provided for in clauses (7) and (8) paragraph (F) of Article (28).

2- It shall not be required of any person not resident in the Kingdom to submit for examination, or to allow access to, any account or other record for the purposes of determining a computed value. However, the Department may for the purposes of determining the customs value under the provisions of this Article, verify information provided by the producer of the goods in another country with the producer's approval, provided sufficient advance notice is given to the government of the country in question and that the government does not object to the investigation.

Article (10):

Article (31) of the Original Law shall be amended as follows:

First: by repealing Paragraph (a) and replacing it with the following text:

31- A - If the customs value is not determinable according to the provisions of Articles (28, 29, 30), it shall be determined according to the data available in the Kingdom, by using reasonable methods consistent with the provisions of the above-mentioned Articles. Customs value shall not be determined based on the following:

1. The selling price in the Kingdom for locally produced identical or similar goods.
2. The higher value among several values.
3. The price of the goods on the domestic market of the country of exportation.
4. The cost of production, other than the computed sum determined for identical or similar goods in accordance with the provisions of Paragraph (d) of Article (30).
5. The price of goods sold for exportation to a third country other than Jordan.
6. Arbitrary or fictitious values.
7. The minimum customs value.

Second: by adding Paragraph (i) and as follows:

(i) Other provisi

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Article (11):

Article (32) of the Original Law shall be amended as follows:

First: The introductory of this Paragraph shall be renumbered as Paragraph (a), and Paragraphs (a) and (b) of the said Article shall be renumbered as sub-paragraphs (1)

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F- The importer, owner of the goods, or the right holder shall have the right to inspect the goods withheld from release by a decision of the Competent Authority, provided this is done in the customs premises and under Department's supervision..

G- Border measures related to the protection of intellectual property rights provided for in this Article shall not apply to personal belongings, gifts brought by travelers, or any non- commercial goods.

H- The Minister shall issue the necessary Instructions specifying the detailed procedures for the implementation of the provisions of this Article.

Article (13):

Paragraph (a) of Article (161) of the Original Law shall be repealed and replaced with the following text:

A - The following allowances shall be levied from the owners of goods for the benefit of officials of the Customs Department and other departments working therewith:

1 – (0.20%) of the value of the imported goods locally sold provided that this percentage is not less than (10) JDs and not more than (250) JDs.

2 – (20) JDs for each re-export declaration.

3 - (15) JDs for each transit declaration.

4 - (7) JDs for each export declaration.

5- (3) JDs for each traveler luggage declaration.