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International Trade Customs in Jordanian Legislation

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Introduction

The issues of regular customs issues are the true customs or judicial law and decisions made by Jordanian departments on issues amenable to a large number of civil and criminal justice (and economic) procedures. In our opinion, the two factors are the a) absence of customs from mass trials and b) lack of public awareness of the extent to which customs rules exist and influence the lives of those within the urban community. Movement regularly impacts the availability of human rights supplies by investigating expeditions. Jordan is both a party to the 1988 United Nations Convention against the Illicit Traffic of Narcotic Drugs and Psychotropic Substances and a party to the World Trade Organization (WTO). Jordan has the highest level of global trade during the time when it ratified the Customs bonuses. Additionally, it reduced its average tariffs for the WTO by approximately half within a decade and is committed to further reducing them.

This is an investigation and analysis of a number of laws and regulations recently affecting the prevailing legal framework in Jordan, as a country characterized in the light of the World Trade Organization's arrangements (WTO) as a key developing country. More particularly, this examination combines the specific customs arrangements for trade in local producing countries (TLCs) and the details of that event in Jordan. Jordan's trading tradition with the prevailing legislation is analyzed and analyzed in order to understand the full methodology and to give recommendations to the WTO part for consideration to increase their generation method through the following event.

General Overview

The trends in the field of international trade exempt some or all items which have been qualified origin coming from the other parties, which has to motivate Jordanian manufacturers to take advantage of expertise and capitals of such party to produce products with specific criteria that enable these products to benefit from such exemptions when re-exported to that party. In order to promote and benefit from these agreements in Jordan, the Jordanian legislator had to introduce provisions in the corresponding legislation that provide guidance for the methodologies likely to be used by governments and businessmen in the best possible way to serve the national economy and conform to the country's obligations towards the free trade area and with the administrative customs and trade facilitation reforms that are going through.

Jordan was a monopolistic market for several commodities. This situation is gradually changing with the ultimate reduction in customs duties and the liberty of the region. Jordan is an important market in a number of goods, and it has a growing population and has a specific middle class with high purchasing power. Other factors that determine the importance of the Jordanian market include privatization, improving the investment emotions and regime in Jordan, increasing openness to international trade, and the conclusion of a number of economic and trade agreements. The progress of the region plays a catalytic role in boosting the Jordanian economy. At the same time, many countries suffer from unemployment, where Jordan has the capability to be involved in the semi-skilled and unskilled work if the competent authorities adopt the appropriate policies.

Article 26 of the Jordanian Constitution states that customs and other public duties shall be collected in accordance with the terms of a law, which outlines the procedures to be used to the benefit of commerce and the national economy, taking into account the stipulations set out in the relevant international agreements. It has been stated that, according to this article, international customs procedures must be taken into account; i.e., the procedures that were agreed upon in bilateral or multilateral trade agreements such as GAFTA, WTO, etc. It also means that the customs law should provide guidelines to the benefit of the commercial and national economies.

Import Regulations

Deemed Union Goods: These are goods introduced under the regulations for the implementation of the provisions of the appropriate customs union agreements between the Kingdom and other countries or Union countries. These goods are subject to exemption or suspension and are available in the Kingdom for the purpose of being exempted from duties or partially exempted from them. They are placed under customs control from the point of their introduction into the country. Goods subject to customs control are held by Royal Logistics at its various customs facilities for a specified period

determined by the relevant customs authorities. These goods are not to be disclosed and are used for other purposes for which they have been admitted to the Kingdom's customs territory.

Goods that enter the country through fixed ports are subject to examination by the agencies specified by the Council of Ministers after the necessary customs documents are presented to them. Prohibited import or export goods are those that the law prohibits from entering the Kingdom's borders or leaving them due to the impact they have, such as their threat to national security or damage to human, animal, or plant health. Temporary admission goods are goods admitted into the customs zone on the basis of exemption from customs duties or subject to suspension of the duties and taxes imposed by legislation on the suspended goods. These goods are used for specific purposes, such as display, participation in exhibitions and fairs, conferences and seminars, and meeting requirements that are not available in sufficient quantities in the country.

Export Regulations

Additionally, vehicles imported under the temporary export system for operating licenses, as well as petrol, paraffin, fuel oil, and liquid gas, are also exempt from export duties.

Article 62 provides exemptions from export duties for certain goods. These include goods and materials related to the temporary export system for display and participation in international fairs. These goods can be used in various industries, agriculture, and trade. They are considered essential for savings and any losses incurred due to their absence.

One of the exemptions is the exemption from export duties. According to Articles 60 and 61 of the Jordanian Customs Law, export duties are applied to all goods intended for export abroad. The duty is determined based on the List of Goods and Customs, which is regularly updated. The goods must be accompanied by the prescribed export declaration on the approved unified forms.

There are certain customs exemptions provided by the Jordanian Customs Law that are of practical importance for businessmen involved in the export and import process. These exemptions are explained in Articles 62 and 63 for exported and imported goods.

Article 44 of the Jordanian Customs Law identifies some prohibited goods for export. These goods are determined based on the provisions of the current legislation. However, this article has become void as it does not specify the prohibited goods according to the current legislation.

Tariffs and Taxes

Another aspect of the state's resources issue is collecting taxes according to the taxation law. According to the customs law (18), all taxes on any good that was not naturally in Jordan are subject to change, regardless of whether the good is for trading or not, if it is a necessity or luxury good, or if it came by sea, nearest land, maritime, or air weapons (32) continued to explain in an obligation (40), exemption (41) - are filler of the import to do immediately and maintaining the imports for five years before expiry. A collection of the taxes according to the taxation law occurred simultaneously with the customs.

Because the government needs to have the resources to maintain a certain standard of living for its citizens, and the trade between nations seems to have an adverse effect on these resources, some means have to be created to enable the government to secure its revenues. Jordan is not excluded from this rule and thus has implemented tariffs. Among the aims of these tariffs are not only increasing the price of foreign goods but also making the imported prices not cheaper than the locally produced prices. The laws which regulate custom fees on foreign goods are the calculations law (58) and the table of the law (1/2001). Now, the tariff fees are to be calculated on the price of the imported good plus the internal sales tax, the transportation and shipment expenses up to the point of entering the customs, and local loading and transportation until the point of exit at the customs. In addition to this, with the transfer costs replaced by the price of the imported goods in customs, the transportation and loading costs for the shipment from its country are also included. It is also to be mentioned that the table of the law (3/2007) and the calculations law (35) had an item similar to the calculations law (58) for having the tariff rates for the free trade agreements.

Customs Procedures

Every customs procedure in one method of the desired customs procedures, or more, is indicated to what is not included within the scope of that procedure. Rulings on what is included or what is included in a customs system may be of a clear nature such as what is not included in the desert customs, as, for example, the offenses punished by the desert customs, which are the legal design of the prohibited thing, or things of an explanatory nature, such as the definite and indefinite attempt to interrupt the law, which must be subject to a decision of the customs department, and on what has been decided, the product of a recourse in the following paragraphs a further indication of the legal rules that help distinguish goods within the system of production customs and goods excluded from the production customs system, as well.

The process of importing into the country and exporting outside the country is through customs centers that are authorized to practice at those centers, and the procedure that a person who deals with customs in the methods of export and import is called or passed through is called "customs procedure". It is subject to all the principles produced by the Department based on global developments in the foreign legislation, including things classified, which are not included within the framework of the prevailing customs system.

Trade Agreements

Jordan has entered into several agreements with many countries, entities, and organizations. There are the General Agreement on Tariffs and Trade (GATT), the Arab League, Turkey, and India. Jordan has signed the Greater Arab Free Trade Agreement in 1997. Jordan has also signed a large number of bilateral agreements with different foreign countries. The most distinguished ones are with the United States of America. The most important agreement is the Industrial and Commercial Simple, Strategic and Comprehensive Industrial and Commercial Simple between Jordan and the United States of America. Jordan is the first Arab country to apply this agreement. It was implemented in 2000, allowing apparel and textile products to be exported to American markets freely, without any customs, fees, or quotas, for a period of 10 years. Finally, there will be trade benefits between the two countries with 0% customs duties, whether industrial, commercial, medical, IT, or healthcare.

Trade agreements have become vital for many countries around the world, whether economically or strategically. Commercial trade agreements, also known as commercial treaties, refer to contracts and agreements concluded between two or more countries to establish specific commercial links or achieve certain economic goals among the contracting parties. It may be one or more of the following objectives: the reduction and removal of any trade limitations, the establishment of common economic markets, the application of special treatment to products from certain origins, or the prohibition of special treatment.

Intellectual Property Rights

Participation in the old age market has become increasingly effective due to the wide-reaching communication sector, including education and cyberspace for scholars. Strong legal protection and economic benefits linked to research and invention investment create incentives for more innovation, which raises the global level of human beings. Based on theory, strong growth standards increase as income per capita rises. Products and services express creations and intellectual ideas that are present within individuals in a nation, thus creating intellectual property that is publicly justified in large states. The concept of control is the need to develop a product that cannot be copied or a concept that cannot be repeated if the appropriate strategies are known.

Research and study on intellectual property rights began with the recognition of the success of human creativity. It formed a property right that could be protected and adopted by instruments. This has become an issue of protecting the results of professional activity in various fields. Each know-how or technology that can benefit from its privacy and can be achieved in general needs to be protected. This allows the owner to fully benefit from their interests and also creates conditions to invest in their business or work. The necessity that led to this protection is patenting. It ensures that the inventor receives the potential benefits and is also in the interest of the public. Intellectual property guarantees that inventors can achieve ideas that enrich society. When rights are not protected, work is not encouraged and other business projects may be hindered.

Dispute Resolution

The customs court has jurisdiction over the electronic channel as it hears the requests for customs decisions related to customs cases and the collection of duties and related taxes, the release of personal property from customs warehouses, the release of transportation means from the lockers of the customs department and from customs custody, the address of the customs department to send the issues regarding approvals of the department's work policy, the confiscation of seized funds that are deposited in the department or confiscated and deposited or transferred to the competent authorities. It may also be claimed to clarify the rights and obligations that relate to customs work and the decisions taken by the customs department. Moreover, the customs court has been assigned before the last day of Requests for the following purpose, and there are requests that the Customs Court is not competent to hear them, so it is valid before any court of public jurisdiction, which is the request to cancel the appeal to the Customs and Income Appeals issued by the customs department or to accept or replace them. When raising any of these letters, the court files are formed and the fees paid are at all stages of the case and determined in accordance with the order of the legal costs for civil cases 21 of 2015.

The legislator referred to four authorities therein: administrative, criminal, civil, and administrative audit. The Sieida courts, the courts, were established to resolve customs requests, and this is followed by the customs and Saudi Appeals Court. A decision in this regard was issued regarding the customs jurisdiction by the government of Abu Dhabi No. 364 of 2005, confirming that the competent court to resolve customs requests is the customs court in the State. This decision was issued to implement the provisions of Federal Law No. 7 of the year about the regulation of the ownership of the funds of the Department and to regulate the inheritance of the funds of the Department of Customs and related matters that are attached to the department as stipulated in Articles 65 to 75 of this. The decision also guaranteed to inherit the funds seized at the Department, whether they are in the customs lockers or are in the customs custody.

Trade Documentation

This is done through numerous procedures, foremost of which are the documents, which may be general or specific depending on legal variables. The objectives of the General Documents are to fulfill the export and/or import requirements as well as the foreign exchange requirements. Furthermore, the customs and trade documents that guide the container from one port to another fall under what is known as LECTA documents. These documents are specific to the country and vary depending on the requirements and documentation of each state. There are specific rules available for specific shipments from and to Kingdom of Jordan ports. Moreover, countries have ongoing committees, which aim for easy access to information, guidelines, and international trade documentation information. This is already happening in some Asian countries such as Korea.

In the Kingdom of Jordan, Jordanians who would like to execute any activity, including investing, exporting, and importing, have to fill out forms and/or provide documents. These requirements may apply to both Jordanians and non-Jordanians. In accordance with the Foreign Exchange and Trade Law, selling is prohibited unless it is in accordance with regulations that license this selling process. This may derive from existing conditions on the requirements or it may emerge from financial restrictions. This law is no different between the procedures of the Import and Export Bills, as both require the seller to register their sales, as well as a written approval from the Central Bank of Jordan. This means the seller must wait for confirmation within several days before the process can be finished. The Export and Import Laws and Instructions are specifically aimed at the business sector in order to ensure unified proper operation in accordance with the laws of the Kingdom of Jordan, with no exceptions.

Trade Facilitation

However, the international trade customs system started when countries agreed to export/import controls to monitor the success and maintain the permits of goods traded. In the countries, these procedures were being managed through their border control authorities to examine and receive the products. The main problem that faces the international trade customs system are the mandatory documents to be in each unit and the lengthy procedures of goods declarations in some international trade authorities. Therefore, the customs controlling particular cross-border activities has a significant impact on the international trade process. Rather than a regulatory function, management of transactions between groups and an effective and efficient process have become a trade protocol, that has acknowledged since 1950, is to simplify the customs formalities and to enable a rapid movement of goods.

Trade facilitation is a process to simplify procedures and control measures during the process of trading goods. This process helps to reduce the time required to clear goods and the cost of transaction due to the world and different systems and regulations of customs; consist of peace and stability. It also leads to a severe weakness for developing countries as the increased of administrative fees and in some cases it reduced the movement of trading goods. Historically, international trade relations extend to the barter system for the exchange of commercial goods between the countries. The barter system was a basic mode of trading goods and then it converted to the locally metttled money of the trading countries.

Trade Compliance

Trade compliance means conforming with different legal and regulatory requirements. Orbel and Maria have seen this as an operation related to merchants and producers. Because trade compliance involves more than dealing with customs, trade compliance departments are now being established among many businesses, including retailers, consumer electronics, grocers, fast-moving consumer goods, specialty retailers, automakers, manufacturers of highly automation, industrials, pharmaceuticals, and healthcare. Some organizations have also indicated that international trade compliance is made the corporate council. Such departments ensure that the business has to coordinate all processes in place to meet these requirements, which includes importation and exportation.

Trade compliance means conforming with different legal and regulatory requirements. The term is also used to specify conforming to export compliance guidelines. In contrast to taxes, which are legislated, regulations are often specific to the area of concern. For instance, commercial goods are traveling internationally on a daily basis. These goods are subjected to customs laws and other laws that control the importation of commodities into Jordan or control the exportation of commodities from Jordan. Examples of such laws include the commercial customs law, the anti-dumping duty law, the law of imported cars, the single invoice law, the law of spare parts and exported parts, the law of a qualified economic zone, the law of protecting industrial property, the unified guidelines of the Quality and Conformity Commission, the general sales tax law, the income tax law, Iraq sanctions, Canadian sanctions, United States' OFAC and BXA, U.S. White House, military goods and technology, Coast in security of the UN Security Regulations.

Trade Promotion

Since Jordan is a member of the World Trade Organization (WTO) and its commercial policy requires liberalization, direct foreign investment for the state is working to develop the national economy. It is important to coordinate the foreign trade policy of the state with the economic and development plans. Jordan's foreign trade policy attaches great importance to political and economic conditions and preferences in accordance with the interests of the state, with respect to the principles of the WTO and national legislation, and with the availability of export and local industry promotion related problems. Jordan's concern for broad and diverse economic activities has increased trade volume notably. Industries and local products that require protection are part of the growth and development in the majority of economic sectors. In light of this, we propose further specific ideas that are important to Jordanians.

Jordan is famous for its participation in international trade. Based on this belief and in support of the development of the national economy, Jordan deals with a number of countries with requests and offers relating to International Copartnership Agreements such as the Group of Three, the European Union, the Agadir Agreement, the Great Arab Free Trade Area, and the Turkey Agreement. Also, the number of countries with which Jordan has signed a free trade agreement is increasing today. Moreover, negotiation rounds have continued with many other countries and are at various stages.

Trade Restrictions

When it comes to the rules established for the purpose of fulfilling the goals of international trade, we can say that they are established with a specific purpose in mind. These rules aim to achieve their purposes either through widely accepted behavior or by compelling others to adopt this behavior. They pertain to foreign trade and involve the profits of customs offices. However, in order to maximize profits from customs duties, attempts by many nations

to restrict trade cannot be considered a victory for e-commerce. The policy towards external trade rules states that the maximum profits from customs duties collected from individuals importing or exporting commodities should remain at a particular level associated with current economic conditions. According to Saudi Arabia, it has very ancient laws and it is widely known that the Salafi movement had a strong influence in Saudi Arabia and the Arabian Peninsula in the 1960s. During that time, the kingdom implemented a generalized 100 percent import duty.

To achieve the desired objectives of international trade, particularly the international balance of payments, Jordan has essentially liberalized its trade structure. It has taken a number of measures and procedures to support the trade sector successfully, allowing the foreign market to be open to Jordanian products under specific conditions. On the other hand, foreign products face no significant obstacles when entering the local market. Jordan was also a founding member of GATT in 1948, participating in multilateral negotiations for imports. However, in March 1999, Jordan considered a peaceful request and received an invitation from the then GATT members. The Accord of Interdependence was signed to promote reciprocal trade, revising the terms of the Act of Interdependence, which remained effective until further provisions were considered. Jordan also participated in the ministerial meeting held in Marrakesh on April 8th, 1994, where the establishment of the World Trade Organization (WTO) was authorized.

Conclusion

Empowering the status of Jordan as a commercial center at the geographical crossroads requires concretizing all of the facilities aimed at stimulating trade interest in this country, which is increasingly becoming involved in the global trade industry. Commercial customs facilitate the commercial linking of more than one party and are considered to be a necessity for regulating these commercial links, given that goods are still subject to buying and selling, and to transportation from one party to the other. Despite the effects of contractual customs as derived from the contract of goodwill and contracts as considered rules of behavior, they follow an agreement voluntarily reached by the two parties. An evidence for that is that the trade council has pointed out those merchant customs, clearing and parceling that do not apply to those customs that are applied within free trade zones, and that commercial customs in general are treated as completed customs, i.e. those which the merchants still follow even after their realization.

The true understanding of the texts of laws demands not only knowing languages, but also the comprehension of the legal language and its requirements. The knowledge of customs and usages is also indispensable for understanding the legal texts, for the customs and usages are considered part of the legal context, and their ignorance is an obstacle to knowing the true implications of the legal text unless they are so clear in practical life on which a reasonable man can rely. Also, the comprehension of a text requires discerning the purposes for which it was laid down, and its validity through time. Lastly, the understanding of texts becomes necessary through the confrontation of texts with reality, since what we know about a subject shows us in the light to realize what we ignore. Yet, an intellectual effort to go beyond the mere texts to look for the reasons behind them and to understand their implications is required in order to ensure that the texts meet people's needs and serve their interest.

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