

TRADE AGREEMENT BETWEEN
THE HASHEMITE KINGDOM OF JORDA
AND THE KINGDOM OF MOROCO

- Introduction :

The Government of the Hashemite Kingdom of Jordan and the Government of the Kingdom of Morocco, here in after referred to as the contracting parties :

- -Being desirous to consolidate the bonds of brotherhood and friendship existing between the two brotherly countries, and
- -Being keen to deepen and expand the fields of economic integration between both countries, as set up towards the Arab economic integration, have agreed as follows :

Chapter One General Provisions

Article One This Agreement aims at the following :

- A- Develop the economic relations between both countries through he expansion and diversification of their trade exchanges on the basis of equality and mutual benefits.
- B- Provide similar competitive circumstances trade economic dealers of both countries.
- C- Participate in the decampment and expansion of riter-Arab trade and international trade, by eliminating the obstacles from the way of their trade exchanges.

Article Two

Both contracting parties shall endeavor to develop and consolidate their trade exchanges, in accordance with the requirements of this agreement, with our regard to the laws and regulations in force in both countries, taking in consideration their obligations within the framework of :

- * The agreements of commercial nature concluded between the states of the Arab Maghreb union.
- * The General Agreement on Tasiffs & Trade (GATT).

Chapter Two

Rules Pertaining to the Exchange of Commodities

Article Three

- Both contracting parties shall exempt partly or wholly, the commodities of local origin and source, which are exchanged directly between themselves, and which are stated in the lists to be agreed upon by the contracting parties, from customs duties, with the exception of the taxes of similar effect.
- Customs duties are intended to mean the duties shown in customs tariffs of both parties.
- Taxes of similar effect are intended to mean the other dues and taxes imposed by either party on the imported commodities, but to which the products of the party state itself are not subject, regardless of the name of such dues or taxes whenever they occur.

Article Four

The commodities exchanged between both countries shall be accorded the same treatment of the national commodities with respect to the internal taxes imposed in the importing country on similar local products.

Article Five

The base of the tax dues on the added value or sales tax or similar taxes imposed in both countries on the products imported within the framework of the lists referred to above, shall be determined without taking in account the customs duties from which the commodities exchanged between both contracting parties are exempted, in conformity with the requirements of Article three above.

Article Six

The commodities exchanged between both countries, which are stated in the lists to be agreed upon by the contracting parties, shall be liberated from non-customs restraints applied at the time of import provided that the list of such restraints shall be specified in a schedule to be agreed upon by the contracting parties. However, any restraint which is not included in such schedule, shall be considered as void and null.

Article Seven

The commodities which are not included in the lists referred to in Articles three and six of this Agreement, shall be subject to the laws and regulations in force in

the field of foreign trade, and to the taxes and fees applied at the time of import in both countries.

Article Eight

The commercial transactions performed within the framework of this agreement, shall be settled in transferable currencies, in conformity, with the exchange regulations valid in both countries.

Article Nine

The procedures for preventing or restraining the import or export, relating to the maintenance of morals, security, public order, health of the individuals, protection of plants, animals and national historical, archeological and artistic heritage of both parties, shall be excepted from the provisions of this Agreement.

Chapter Three

Rules of Origin

Article Ten For the purposes of this Agreement, the following shall be considered to be of local origin :

- The materials wholly produced by both contracting parties, including agricultural, animal-based and fish products, live animals and natural resources which were not subjected to any industrial conversion.
- The industrial products in which the ratio of the added value resulting from their manufacturing in the country of either party is not less than 40% of the final value of the finished commodity (value ex-factory). This ratio, however, shall be applied to the commodities manufactured within the scope of the joint enterprises set up between both countries.

Article Eleven

- The products of local origin which are exported from the country of either party to the country of the other party, shall be accompanied by a certificate of origin issued and attested by the competent authorities of both countries.

Chapter Four

Precautionary Measures

Article Twelve

Each contracting party shall undertake to present anything which may constitute

activities for dumping the market of the other party, and shall refrain from providing support to the commodity exported to the said party.

When the exercise of dumping or support of the commodities exported by either party is confirmed, the prejudiced party may impose temporarily and exceptional charge against the dumping, or compensation for the support of export (as stated in Article thirteen).

Article Thirteen

- A Before starting the application of the precautionary measures referred to in Article twelve, both contracting parties shall to in Article twelve, both contracting parties shall undertake to consult together.
- B In the cases referred to in Article Twelve, the prejudiced party shall, prior to taking the precautionary measures, notify the other party thereof and shall provide it with all the useful information for the purpose of consultation, in order to find out appropriate solutions acceptable to both parties. But, If the party which caused the prejudice does not put a limit for such practices within three months from the date of its notification, then the prejudiced party may take the precautionary measures which it sees necessary for eliminating the prejudice.

However, precautionary measures of minimum prejudice to the implementation of this Agreement shall be resorted to. The precautionary measures which are taken, shall be notified immediately to the other party. Their extent and period, however, shall be restricted to the elimination of the prejudice which necessitated these application, and they should not exceed the level of such prejudice. The precautionary measures shall be the subject of consultations during the meeting of the technical committee referred to in Article fourteen, which shall be held upon the request of either party for the purpose of alleviating their security or their change or cancellation as early as possible.

- C Where exceptional circumstances impose immediate interference and cannot tolerate any delay, the prejudiced party may, in the cases provided for in Article twelve and after contacting the other party, take the urgent precautionary measures for eliminating the prejudice.

Chapter Five

Commercial Cooperation

Article Fourteen

For the situation of the good performance of this Agreement and of facilitating the flow of goods smoothly between both countries, or joint trade committee shall be formed under the chairmanship of the two competent ministers of both

countries, and shall meet alternately in Rabat and Amman. A technical committee shall be formed under the chairmanship of the secretary general for the two relevant ministries or their designee, and shall meet every six months alternately in Rabat and Amman, or at the request of either party. The said committee, however, shall present its resolutions and recommendations to the joint trade committee, and shall be entrusted with the following :

- Follow up the implementation of the requirements of this Agreement.
- Suggest the appropriate means and methods for strengthening the commercial relations between both countries.
- Resolve the differences arising from the setting of the precautionary measures referred to in Chapter Four of this Agreement.
- Any other matters which are desired to be discussed by either or both parties.

Article Fifteen

- Both contracting parties shall encourage reciprocal participation in the international exhibitions and markets held in their two countries.
- Each party shall allow the other party to hold permanent or temporary exhibitions, and each of them shall grant the other all the facilities required for the exhibitions and commercial centers, in conformity with this Agreement and with the laws and regulations in force in both countries.

Article Sixteen

For the purpose of consolidating the commercial relations, the contracting parties shall encourage the exchange of visits by commercial and economic delegations between themselves from both of the public and private sectors, and shall intensify the contacts between the economic dealers of both countries.

Chapter Six

Final Provisions

Article Seventeen

This agreement shall come into force temporarily on its signing date, and permanently after the exchange of the documents of its attestation, in conformity with the constitutional procedures applicable in both countries. This agreement shall be effective for a period of three years, and shall be renewed automatically for a similar period, unless either contracting party gives at least a six-month notice in writing to the other party of its willingness to cancel it.

Article Eighteen

This Agreement shall supersede and replace the commercial agreement concluded between the Kingdom of Morocco and the Hashemite Kingdom of Jordan on 11 May 1978. However, the contracts concluded under it shall remain valid up to the end of the term of such contracts.

Article Nineteen

The provisions of this Agreement shall remain effective after its termination, with respect to the contracts concluded during the period of its validity, and which were not yet completed as at the date of termination of this Agreement.

Article Twenty

Executive protocols shall stem from this Agreement.

This Agreement was signed at Amman on the twenty seventh of Rabi'e Thani 1415H, corresponding to 3/10/1994G.

For the Government of
the Hashemite Kingdom of Jordan
Dr. Rima Khalaf Huneidi
Minister of Industry & Commerce

For the Government of
The Kingdom of Morocco
Idreis Jatoo
Minister of Industry, Commerce,
Traditional Industry & Foreign Trade

Protocol

The Government of the Hashemite Kingdom of Jordan and the Government of the Kingdom of Morocco, being desirous to facilitate the implementation of the Commercial Agreement signed between both countries at Amman on 3/10/1994, and based on Article twenty of the Commercial Agreement referred to above, both parties have agreed as follows :

Article One

Lists of Commodities

1. The provisions of Articles three and six of the Commercial Agreement shall apply to the commodities indicated in the list attached to this Protocol.
2. The commodities which are not included in the list attached to this Protocol, shall be subject to the provision of Article seven of the Agreement.
3. The commodities indicated in the list shall be itemized according to the harmonizing system (H5) applicable in both countries (the customs harmonizing system).
4. In the case of existence of a difficulty in determining the commodities at the level of customs itemization (classification), priority shall be given to the commodity name as set out in the list.

Article Two

Non-Customs Restraints

- In conformity with Article six of the Commercial Agreement, and as of the date of entry of this Protocol into force, both contracting parties shall cancel the non-customs restraints detailed below with respect to the commodities set out in the list attached to this Protocol.
1. The Hashemite Kingdom of Jordan :
 - Import licenses (import approvals).
 2. The Kingdom of Morocco
 - Customs exemption requests (import licenses and import approvals).
 - Referential or similar prices.

Article Three

Certificate and Rules of Origin

1. Pending the approval of the unified Arab form for the certificate of origin, both parties shall continue to use the two certificates of origin applicable in both countries.
2. The Authorities concerned with the Insurance and attestation of the certificate of origin :

- a. The Kingdom of Morocco :

The Department of Customs & Indirect Taxes, in respect of the insurance and attestation of the certificate.

- b. The Hashemite Kingdom of Jordan :

The Chambers of Industry or Commerce, in respect of the insurance of the certificate, and the Ministry of Industry & Commerce in respect of its attestation.

3. Subsequent Control

The competent authorities of both countries shall be entitled to request classifications, in order to verify the accuracy of the information stated in the certificate of origin.

4. Calculations of the Value added Ratio.

The value added ratio shall be calculated by applying the following formula :

“Total value of the commodity ex-factory net of dues and taxes, less the value of foreign materials directly included in the manufacture of the commodity (CIF). The resultant, however, shall be divided over the total value of the commodity ex-factory net of fees and taxes, multiplied by 100 (one hundred)”.

5. Direct Transport of Goods

The provisions of Articles three and six of the commercial Agreement shall apply to the commodities of local origin exchanged directly between both countries and which are set out in this Protocol, even if these are stored in or imported to or through the free zones of both countries, provided that no change, manufacture or assignment will occur thereto in the free zones, and that such commodities will be subject to the control of the competent authorities of both countries.

Likewise, the said commodities shall be considered as transported directly to any of the two countries, in case they are transported by transit from and to any of them, provided that no change, conversion or assignment will occur thereto in the

country of transmit.

Article Four Exhibitions

1. The holding of exhibitions for display or sale shall be allowed annually in both countries, where each party shall submit a request to the competent authorities of the hosting country, indicating therein the time and place of the exhibition, provided that the approvals will be granted within one month from the date or which the request was submitted.
2. The commodities displayed in such exhibitions shall be subject to the provisions of the Commercial Agreement signed between both countries.
3. The sale proceeds of the exhibition shall be remitted in transferable free currencies, and the unsold commodities or those brought in for the purposes of display in such exhibitions, shall be allowed to stay these, in conformity with the laws and regulations in force in both countries
4.
 - a. Each party shall allow the other party to bring in the commodities allocated for display only, under a written guarantee from the relevant authorities of both countries, according to the lists proposed by each party.
 - b. As regards the commodities allocated for sale, the relevant guarantees shall be provided, in conformity with the laws and regulations in force in both countries.

Article Five

This Protocol shall come into force as of the date of its approval by the relevant authorities of both countries.

This Protocol was done and signed at Amman on the twenty seventh of Rabi'e Thani 1425H, corresponding to 3/10/1994G.

For the Government of
the Hashemite Kingdom of Jordan
Dr. Rima Khalaf Huneidi
Minister of Industry & Commerce

For the Government of
The Kingdom of Morocco
Idreis Jatoo
Minister of Industry, Commerce,
Traditional Industry & Foreign Trade

Consolidated list for goods exempt of customs fees and free from non-customs restriction

- 1- Fish, fresh or chilled, including fish fillets and other fish meat except for crustaceans.
- 2- Processed cheese, not grated or powdered
- 3- Seeds of coriander
- 4- Sardines, sardinella and brisling or sprats Tunas, skipjack an bonito (Sarda spp.) Mackerel Anchovies
- 5- Marble and travertine : Crude or roughly trimmed
- 6- Oil or petrol-filters for internal combustion engines Intake air filters for internal combustion engines (oil and air filters).
- 7- Pressure-reducing valves for propane and potane gases.
- 8- Ballasts for discharge lamps or tubes
- 9- Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, surge suppressors, plugs, sockets, lamp-holders, junction boxes), for a voltage not exceeding 1000 Volt.
- 10- Metal furniture of a kind used in offices
- 11- Radiators of the motor vehicles of headings Nos. 87.01 to 87.05.
- 12- Gaskets and similar joints of metal sheeting combined with other material or of two or more layers of metal
- 13- Variable or adjustable (pre-set) capacitors of the type used in vehicles.
- 14- Electric sound or visual signaling apparatus (bells, burglar or fire alarms)
- 15- Cotton thread.
- 16- Sewing thread and single threads of synthetic or artificial filaments.
- 17- Sewing thread of synthetic or man-made staple fibbers.
- 18- Non wovens, whether or not impregnated, coated, covered or laminated.

- 19- Knitted Of man-made textile materials :
- 20- Clasps, frames with clasps, buckles, buckle-clasps, hooks, eyes, eyelets and the like, of base metal, of a kind used for clothing, footwear, winnings, handbags, travel goods.
- 21- Uppers and parts thereof, other than stiffeners Outer soles and heels, of rubber or plastic shoes.
- 22- Trunks, suit-cases, vanity-cases, -- With outer surface of leather, of composition leather or of patent leather
- 23- Slide fasteners and parts thereof. Blankets and travelling rugs.
- 24- Footwear with outer soles of natural leather.
- 25- Embroidery clothes of traditional industry (Embroidery garments and dresses for women , men, and children.
- 26- Cotton, carded or combed.
- 27- Prepared unrecorded media for sound recording or similar recording of other phenomena, other than products of Chapter 37.
- 28- Aluminum ladders.
- 29- Baby carriages and parts thereof.
- 30- Gas Heaters.
- 31- Brakes and servo-brakes and parts thereof :
- 32- Electrical panels (including digital control panel).
- 33- Curtain rails made of metal or plastic.
- 34- Thermal apparatus for heating mosquito killer disk.
- 35- Dead Sea preparations except for table salt.
- 36- White cement, whether or not artificially colored
- 37- Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked.

- 38- Safety glass, consisting of toughened (tempered) or laminated glass. (except for forms and sizes suitable for vehicles, aircrafts, boats and ships or other transport equipment).
- 39- Glass mirrors not framed,
- 40- Ball point pens
- 41- Fountain pens.
- 42- Pencils crayons, pencil leads, pastels, drawing charcoals, black or colored.
- 43- Fertilizers liquids`
- 44- Agricultural or horticultural irrigation systems (pipes, droplets and filters).
- 45- Contact lenses
- 46- Spectacle lenses of glass
- 47- Spectacle lenses of other materials
- 48- Electric motors
- 49- potassium chloride
- 50- Gloves for surgery of rubber.
- 51- Tubes, pipes and hoses, of vulcanized rubber other than hard rubber, - Reinforced or otherwise combined only with textile material, without fittings
- 52- Blood-grouping reagents
- 53- Diagnostic or laboratory reagents other than those of heading No. 30.02 or 30.06
- 54- Rubber thread and cord, textile covered
- 55- Calcium carbonate
- 56- Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant-growth regulators.