

**Instructions No. (3) of 2001**  
**Survey and Assessment of the Damages of the Carried**  
**and Insured Goods Instructions \***  
**Issued pursuant to the provisions of paragraph (B) of Article (108) \*\***  
**of the Insurance Regulatory Act No. (33) of 1999\*\*\***

**Article (1):**

These Instructions shall be known as the (Survey and Assessment of the Damages of the Carried and Insured Goods Instructions of 2001) and shall come into force as of the date of its publication in the Official Gazette.

**Article (2):**

The following words, wherever mentioned in these Instructions shall have the meanings ascribed thereto hereunder, unless otherwise indicated by context:-

- Commission** : The Insurance Commission  
**Director General** : The Director General of the Commission.  
**Loss Adjuster** : The Loss Adjuster licensed by the Commission.

**Article (3):**

The company has the right to settle the claim of the damages of the insured carried goods, provided that the claim amount agreed upon between the parties of the insurance contract shall not exceed five thousand Dinars.

**Article (4):**

If the claim amount exceeds five thousand Dinars or if the parties disagree on the claim value, the subject of compensation shall be referred to a Loss Adjuster to determine the damages and the amount of claim.

**Article (5):**

The Loss Adjuster shall be appointed by an agreement between the parties of the contract, as well as the fees which shall be determined equally between them. In case of disagreement, the Director General shall appoint the Loss Adjuster and determine his fees.

**Article (6):**

The Company has the right to settle the claim of the damages of the insured carried goods without having to comply with the procedures stated in Articles (4) and (5) of these Instructions, in the following cases:-

- A- If the goods arrive at the port of destination short-listed from the items registered in the invoice, packing list and the bill of lading provided that such deficit is registered in the ship log book or the customs declaration.
- B-1- If the general average was declared on the cargo vessel: provided that the shortage of the goods, its damage or loss is registered in the ship log book,

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\* These Instructions were published in the Official Gazette volume (4494) dated 1/7/2001 page (2544).

\*\* Article (77) of the original Act has been renumbered to become Article (108) according to Article (37) of the Temporary Act No. (67) of 2002, known as the Act Amending the Insurance Supervision Act, published in the Official Gazette number (4572) dated 17/11/2002 page (5482).

\*\*\* The title of the Act has been amended according to Article (2) of the Temporary Act No. (67) of 2002.

together with the general average declaration decision. Any of the parties concerned has the right to appoint a Loss Adjuster to survey the goods to assess the amount of damage arising from the general average if the goods upon arrival to the port of destination.

- 2- If the vessel had been lost, sunk or collided: provided that the shortage in the goods, its loss or damage is registered in documents that confirm that the vessel had been lost, sunk or collided.
- 3- If the general average was declared at the Aqaba Port: a Jordanian Loss Adjuster must be appointed to assess the damage and the expenses resulting thereof. Otherwise the Jordanian Loss Adjuster shall join the Loss Adjuster appointed by the owner of the vessel or its agent.
- C- If it was proven by official documents that the goods carried through air or land are lost, damaged or short-listed.
- D- If official authorities destroy the goods at the port of destination or customs points due to reports or laboratoric examinations that recommends the destruction of such goods, provided that the official documents of proof are represented.
- E- Other exceptional cases where the Director General decides that there is no need for the survey on the goods and where by the Director General would settle for presenting documents that confirm the damage.

**Article(7):**

These Instructions shall repeal the Procedures of Inspection and Assessment of the Amount of Compensation of the Deficient, Harmed or Damaged Goods covered by Insurance Contracts of the Transport Peril Instructions of 1995 and the amendments thereto, as well as Decisions No. 6/91 dated 10/08/1991 and No. 8/4/1/7031 dated 27/06/1995.

**Article(8):**

The Director General shall issue the necessary Decisions for implementing the provisions of these Instructions.

**Board of Directors of the Insurance Commission**