

**Regulations on the Registry for Interest over Movable Property no. ( ) for the Year 2018  
Issued in accordance with Articles (13), (15/a), and (26/b) of Law on Securing Rights with  
Movable Property no. (20) for the Year 2018**

**Article (1)**

These Regulations shall be cited as (Regulations on the Registry for Interest over Movable Property for the Year 2018) and shall come into force as of the date of its publication in the Official Gazette.

**Definitions**

**Article (2)**

- a- Wherever used in these Regulations, the following words and phrases shall have the meanings ascribed thereto hereunder, unless the context otherwise provides:

**Law:** Law on Securing Rights with Movable Property Law no. (20) for the Year 2018

**Registrar:** The officer assigned by the Minister of Industry, Trade, and Supply to keep and supervise the Registry.

**Notice:** A statement entered into the Registry through publicizing which includes information about interests over movable property.

**Identifier:** Any numeric, alphabetical or alphanumeric description used to index or search Security Providers in the registry database

- b- Words and phrases used in these Regulations shall have the meanings ascribed thereto in the Law

**Scope of Application of the Regulations**

**Article (3)**

The provisions of these Regulations shall apply to the registration of interests provided for in the Law in the following cases:-

- a- If the Collateral is a tangible Movable Property or an instrument transferable by delivery or endorsement that is located in the Kingdom at the time of publicizing.
- b- If the Collateral is a tangible movable property that is ordinarily used in more than one state and was destined to the Kingdom or the domicile of the Security Provider is in the Kingdom, even if the Collateral is not located in Jordan.
- c- If the Collateral is an intangible movable property or receivables and the domicile of the Security Provider is in the Kingdom even if the Collateral is not located or payable in Jordan.

**Registry Data**

**Article (4)**

The following shall be registered in the Registry in accordance with the procedures mentioned in these Regulations:

- a- Publicizing Security Interests provided for in Articles (3) and (4) of the Law and any amendment, continuation or termination thereof or objection thereon.
- b- Publicizing Interests and procedures provided for in Article (16) of the Law and any amendment, continuation or termination thereof.

### **General Principles**

#### **Article (5):**

A single notice may be registered for several security interests created by the security provider in favor of the secured party under one or more than one security contract.

### **Security Provider's Authorization on the Registration of Notices**

#### **Article (6)**

- a-
  - 1- A notice may be registered before the creation of a security interest or the conclusion of a security contract which created the interest to which the notice relates.
  - 2- Registration of a notice with respect to a security interest in movable property shall only be effective after obtaining the written authorization from the security provider.
  - 3- Registration of an amendment notice that adds an additional collateral shall only be effective after obtaining the written authorization from the security provider.
  - 4- Registration of an amendment notice that adds an additional security provider shall only be effective after obtaining the written authorization from the security provider added.
  - 5- Registration of a continuation notice that extends the period of effectiveness of the registration of a notice shall only be effective after obtaining the written authorization from the security provider.
  - 6- Authorization may be given by the security provider before or after the registration of an initial, amendment, or extension notice.
  - 7- A written security contract is sufficient to constitute authorization by the security provider for the registration of a notice or amendment notice covering a collateral described in that security contract.
  - 8- Notwithstanding the provisions of this Article, the Registrar may not require evidence of the interest to be publicized including the existence of the security provider's authorization.
- b- Notwithstanding any contrary provision of these Regulation, the approval of the judgment debtor shall not be required to register the interest referred to in Articles (15), (16) and (17) of these Regulations.

### **Conditions for Registration of Notices**

#### **Article (7)**

A Notice will not be accepted into the Registry unless all data is entered in the mandatory fields.

## **Drawing Notices**

### **Article (8)**

- a- Notices shall be drawn in Arabic through the Registry website as per the electronic forms prepared for this purpose. However, it is permissible to use letters and characters of other languages if Notices cannot be completed without using such language.
- b- The Registry shall electronically determine the sufficiency of data submitted for registration of the Notice, and in case it is insufficient, an electronic message shall be displayed stating the requirements to render it sufficient.
- c- Once the data required for the registration of a notice is entered into the Registry, registration shall be accepted, and an electronic confirmation shall be issued which includes the date, time, and unique registration number of the Notice and all data included in the Notice.

## **Liability for the Notice Data**

### **Article (9)**

- a- Acceptance of registration of a notice shall not be evidence that it is legally sufficient or that the data included therein is accurate, or that it is enforceable between its parties, or towards third parties.
- b- The Registrar shall not be liable for the correctness and accuracy of the data and information included in the Notice where the Secured Party who effected the publicizing shall remain responsible for the correctness and accuracy of such data and information.

## **Conditions for Registration of Initial Notices**

### **Article (10)**

An Initial Notice may not be registered unless it includes the following:

- a- Particulars of the Security Provider, as follows:
  - 1- Name in Arabic and numeric characters according to his/her/its official documents. In case the Security Provider is a non-Jordanian natural or juridical person, the name can be entered in Latin characters.
  - 2- Identifier as follows:
    - i- If he/she is a Jordanian natural person: The National Number where neither the registration number of a sole proprietorship nor the national number of the establishment for the said sole proprietorship may be used.

- ii- If he/she is a non-Jordanian natural person: Passport number and its date of expiry and the personal unified number given by the Jordanian authorities, if applicable.
  - iii- If it is a Jordanian juridical person: Registration number and the National Number for the Establishment.
  - iv- If it is a non-Jordanian juridical person: Registration number.
- b – The name, data, contact details, and address of the Secured Party.
- c- A description of the Collateral covered by the Notice in a manner that reasonably allows its identification, and such requirement may be satisfied if the description of the collateral indicates that the collateral consists of all of the Security Provider’s movable property, or of all of the Security Provider’s movable property within a certain category or class.
- d- The duration of the Notice.
- e- Any statistical data included in the registration form prepared for this purpose.

#### **Effectiveness and Term of Notice**

##### **Article (11)**

- a- An Initial Notice shall be effective upon becoming discoverable in the registry records and for the term specified therein, unless the period is extended prior to its expiry.
- b- A Notice shall be ineffective with respect to any security provider in the event of an error in the relevant identifier in such a way that it cannot be retrieved upon searching in the registry.
- c- An error in the security provider’s identifier that renders the registration of a notice ineffective with respect to that security provider does not render the registration of the notice ineffective with respect to other security providers correctly identified in the notice.
- d- An error in the description of a collateral that renders the registration of a notice ineffective with respect to that collateral does not render the registration of the notice ineffective with respect to other collaterals sufficiently described in the notice.

#### **Amending Notice**

##### **Article (12)**

- a- A registered Notice may be amended by filing an amending Notice, which shall include, in addition to the data required for registration of an Initial Notice in accordance with paragraphs (a) through (e) of Article 10 of these Regulations, the name and capacity of the Secured Party's representative effecting the amendment.
- b- The secured party must register an amendment notice deleting collateral described in a registered notice if the Security Provider has not authorized the registration of a notice in relation to that

collateral and the Secured Party has been informed by the security provider that it will not authorize that registration, in which case such amendment notice must be registered no later than 15 days as of the date on which the Secured Party was informed by the Security Provider that it will not authorize registration.

- c- The Secured Party must register an amendment notice deleting collateral described in a registered notice if the security contract to which the registered notice relates has been amended to release that collateral from the security interest unless the security provider has otherwise authorized the registration of a notice covering that collateral, in which case such an amendment notice must be registered no later than 15 days as of the date on which the security contract has been so amended.

#### **Continuation Notice**

##### **Article (13)**

- a- A Notice may be extended by filing a continuation Notice, which shall include the unique registration number of the initial Notice being extended and the period by which the Notice's effectiveness is to be extended.
- b- Once a continuation Notice is accepted, the Notice shall be deemed extended for the period stated in the continuation Notice.

#### **Objection Notice**

##### **Article (14)**

- a- Any person whose name is included as a Security Provider or Debtor in any Notice and any Security Provider intending to object to the data of a Notice may file an objection in the Registry.
- b- An objection Notice shall include the following:
  - 1- Name of the person objecting.
  - 2- The unique registration number of the Notice being objected to.
  - 3- Grounds for objection including any claim that the Notice objected to is not correct or that the data therein is inaccurate.
- c- Filing an objection Notice shall not affect the effectiveness of the Notice being objected to.
- d- Objection Notices may not be registered in connection with Notices filed under Article (16) of the Law, however, the aggrieved party may resort to the competent courts.

#### **Notice of the Treasury Lien**

##### **Article (15)**

- a – For the purposes of these Regulations, the expression "Notice of Treasury Lien" means the data entered into the Registry by a party authorized under the laws in force to collect treasury dues, public institutions or official public institutions, which includes information on interests on movable property and any notice amending or terminating same.
- b- A Notice of Treasury Lien must include the following data:
  - 1- The name, address, and Identifier of the Treasury Lien debtor as per paragraph (a) of Article (10) of these Regulations.
  - 2- Name, address and contact details of the Treasury Lien holder.
  - 3- Description of the movable property subject to the Treasury Lien.
  - 4- A Scanned copy (PDF file) of the attachment order issued for the collection of the treasury dues.

### **Notice of Judgment Lien**

#### **Article (16)**

- a - For the purposes of these Regulations, the expression "Notice of Judgment" means the data entered in the Registry by a competent court at the request of a plaintiff or a judgment creditor, as the case may be, which contains information on the interests over movable property arising from a judicial decision or judgment and any notice amending or cancelling same.
- b- A Notice of Judgment must include the following data:
  - 1- The name, address, and Identifier of the judgment debtor as per the rules referred to in paragraph (a) of Article (10) of these Regulations;
  - 2- Name, address and contact details of the judgment creditor.
  - 3- Name of the court which issued the judgment.
  - 4- Description of the movable property that is attached if the decision included a specific asset or description of the movable property indicated in the application for enforcement, as the case may be.
  - 5- A scanned copy of the attachment order or the application for enforcement in PDF format, as the case may be.

### **Notice of Insolvency and Liquidation**

#### **Article (17)**

- a - For the purposes of these Regulations, the expression "Notice of Insolvency and Liquidation" shall mean the data entered in the Registry by a competent court upon the declaration of insolvency or

declaration of compulsory liquidation or by the General Controller of Companies upon filing for voluntary liquidation and any notice amending or cancelling same.

- b- A Notice of Insolvency or Liquidation must include the following data:
  - 1- The name, address, and Identifier of the debtor as per the rules referred to in paragraph (a) of Article (10) of these Regulations;
  - 2- Name of the court that issued the Insolvency or Liquidation judgment or the General Controller of Companies.
  - 3- A scanned copy of a court decision to declare insolvency or compulsory liquidation or declaration of voluntary liquidation in PDF format, as the case may be.

### **Termination Notice**

#### **Article (18)**

- a- A Notice may be terminated by the secured party prior to the date of its expiry by filing a termination Notice.
- b- The secured party must register a termination notice if the registration of the initial notice was not authorized by the security provider and the secured party has been informed by the security provider that it will not authorize the registration of the initial notice, in which case the registration of termination notice must be filed within 15 days from the date on which the secured party has been so informed by the security provider.
- c- The secured party must register a termination notice if the security right to which the initial notice relates has been extinguished prior to the date delineated therein, in which case the registration of termination notice must be filed within 15 days from the day the security right becomes extinguished.
- d- Treasury Lien holder, judgment creditor, the court, or the General Controller of Companies must register a termination notice of Treasury Lien, notice of judgment lien or notice of bankruptcy or liquidation within 15 days from the date on which the circumstances that gave rise to registration of the said notices cease to exist provided that a scanned copy of the document (PDF file) must be attached to the notice.
- e- In all cases, a Termination Notice shall include the following data:
  - 1- The unique registration number of the Initial Notice.
  - 2- The name and capacity of the person who is effecting the termination on behalf of the secured party or beneficiary of the interest, as the case may be.
  - 3- A declaration that the Notice to be terminated is no longer effective towards the person who is requesting termination.

### **Termination by a Court Order**

#### **Article (19)**

- a- Should the Secured Party fail to file an amendment notice within the periods specified in the paragraphs (b) and (c) of the Article (12) or termination Notice within the periods specified in the paragraphs (b), (c) of the Article (18) of these regulations or any of the beneficiaries of the Treasury Lien, the Judgment creditor, the court and the General Controller of Companies to register the notice of termination within the period specified in the paragraph (d) of Article (18) of these regulations the Security Provider, debtor of the Treasury Lien , Judgment debtor and the interested party may resort to the competent courts to obtain a decision to this effect.
- b- The Registrar shall register the notice without delay upon receipt of a request with a certified copy of the court decision issued by the competent court to register a notice in accordance with paragraph (a) of this Article.

### **Non completion of Registration**

#### **Article (20)**

- a- Registration of Notices shall be declined in any of the following cases:
  - 1- In the case of an Initial Notice, if it does not include the information provided for in Article (10) of these Regulations.
  - 2- In the case of an Amending Notice, if it does not include the information required for registration of an Initial Notice, the unique registration number of the Initial Notice to be amended, the name and capacity of the person effecting the amendment on behalf of the Security Party, or does not relate to an effective Initial Notice.
  - 3- In the case of a Continuation Notice, if it does not specify the unique registration number of the Initial Notice to be continued, the name and capacity of the person effecting the extension on behalf of the Security Party or it is related to an expired Initial Notice.
  - 4- In case of a Termination Notice, if it does not specify the unique registration number of the Initial Notice to be terminated, does not specify the name and capacity of the person effecting the termination on behalf of the Security Party, or does not relate to an effective Initial Notice.
  - 5- In case an Objection Notice, it does not specify the unique registration number of the Initial Notice objected to or the name of the person objecting.
- b- The Registry shall issue electronic messages to inform the registrant of the missing fields which caused failure to register.

### **Procedures for Search in the Registry**



**Article (21)**

- a- Any person may search the Registry through the data base posted on its website through entering the unique registration number of the Notice or the following Identifier of the Security Provider or the Debtor referred to in Article (16) of the Law:
  - i- If he/she is a Jordanian natural person: The National Number where neither the registration number of a sole proprietorship nor the national number of the establishment for the said sole proprietorship may be used.
  - ii- If he/she is a non-Jordanian natural person: Passport number and its date of expiry.
  - iii- If it is a Jordanian juridical person: Registration number and the National Number for the Establishment.
  - iv- If it is a non-Jordanian juridical person: Registration number.
- b- The search request shall be rejected if no information is entered in one of the fields designated for entering a search criterion. The Registry shall display electronic messages to inform the reasons of the reasons for not accepting the application.
- c- The data displayed as a result of a search shall be restricted to the following:
  - 1- Whether the Registry contains any effective notices that are identified by a particular registration number or by identifier of the Security Provider.
  - 2- The date and time of conducting the search.
  - 3- All data included in each notice, including notice registration number, date and time of the registration but not including information to be entered for statistical purposes.
- d- The notice data shall be displayed in chronological sequence according to the date and time of filing of each initial notice, with the amended notices, continuation notices, termination notices and objection notices related to each initial notice. The search result may be put into printable format and printed by the person who conducts the search.
- e- Any person who conducts a search in the Registry may generate the search result in the form of a Certified Search Report called "Electronically Certified Search Report. The Certified Search Report shall be generated under a unique Electronically Certified Search Report number and will include certification language and the facsimile signature of the Registrar, showing the date and time of its issuance.
- f - The Certified Search Report shall be electronically saved in the Registry system, and any interested party or the competent court may obtain a copy thereof from the Registrar. The Certified Search Report that purports to have been issued by the Registry is proof of the date, time and content of the notices included in the report.

g- In case the search does not yield any data the registry shall issue a confirmation indicating the following data:

- 1- Time and date of conducting the search.
- 2- Criterion entered by the party conducting the search.
- 3- The result of the search.

Such a search result may be issued as a certified report which includes the above data.

**Article (22)**

- a- It shall be permitted to register in the Registry notices of prior transactions under Article (42) of the Law where it would be indicated that a notice pertains to an interest created under prior law. In such case, the search report shall indicate that a notice is a notice of prior transaction.
- b- Notices of financial leasing transactions already registered in the Registry under the “Instructions on Registry of Movable Leased Assets for the Year 2017” issued under the provisions of Article (16) of the Financial Leasing Law No. 45 of 2008 shall be considered as have been publicized as prior transactions under the provision of Article 42 of the Law, The date of registration is the fixed date in the Registry.

**Article (23)**

The Registrar may obtain any statistical data that is required for the work of the Ministry or any other competent official department, provided that such data may not be available for the public with respect to any particular Notice.

**Article (24)**

Regulations on Fees for Placing Movable Property as Security for Debt no. 158 for the year 2016 shall be repealed.

**Article (25)**

The Minister of Industry, Trade and Supply may issue the necessary instructions to implement the provisions of these Regulations.