

## **Federal Maritime Commission**

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### **Information Form for Agreements between or among Ocean Common Carriers**

For assistance in preparing agreement data and information to complete the Information Form, please refer to the instructions contained in appendix A of 46 CFR part 535, or contact the Federal Maritime Commission, Bureau of Trade Analysis at (202) 523-5845, or [tradeanalysis@fmc.gov](mailto:tradeanalysis@fmc.gov). As provided in 46 CFR 535.501(b), the Information Form may be downloaded from the Commission's home page at <http://www.fmc.gov>. Parties to agreements subject to the Information Form requirements may complete and submit their Information Form in the Commission's prescribed electronic format, either on diskette or CD-ROM.

### **Use of Electronic Form**

An electronic version of the Information Form has been prepared in *Microsoft Office Word 2003* ("Word") and allows filers to electronically fill out the required Information Form and submit agreement data electronically. The tables embedded in this form contain *Worksheets* in *Microsoft Office Excel 2003* ("Excel"). Although the format is slightly different, the form collects the same information and data collected by the Information Form published in appendix A of 46 CFR part 535. To open the *Worksheets*, right click on the tables, select *Worksheet Object*, and then select *Open*. The *Worksheet* will open to the main menu in Excel (if the software is installed on your computer).

The applicable data for each agreement party may be entered directly into the *Worksheet* cells in the prescribed format. Alternatively, for convenience, data or *Worksheets* from external Excel files may be copied or imported into the *Worksheet* tables contained in this form. Please ensure that the format of the data in any external Excel files fully complies with the required format prescribed in appendix A of 46 CFR part 535. For technical assistance on copying or importing Excel files, please refer to *Microsoft Excel Help*.

To add more *Worksheets* ("Tabs") within the tables, left click on *Insert* from the Excel menu bar, and select *Worksheet*. To exit the *Worksheet* tables when completed, left click on *File* from the Excel menu bar, and select "*Close & Return to Info\_Form.doc*," or simply left click on the Excel *Close Button*. The table will return to the main body of the form; however, the table will still be in the active select mode and may be deleted by accident. To deactivate the select mode, left click outside the table area in the main body of the form. If a table is deleted by accident, it can be retrieved in Word. To retrieve a deleted table, left click on *Edit* from the Word menu bar, and select *Undo*. Once these steps have been completed, the table should be saved from within Word. To save the table, left click on *File* from the Word menu bar, and select *Save*.

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## Section I

Section I applies to all agreements identified in 46 CFR 535.502. Parties to such agreements must complete parts 1 through 4 of this section.

### ***Part 1 – Name***

Agreement Name:

### ***Part 2 – Purpose***

Narrative statement on agreement purpose, and commercial or other circumstances requiring the agreement:

### ***Part 3 – Other Agreements***

List all effective agreements covering all or part of the geographic scope of this agreement, whose parties include one or more of the parties to this agreement.

**Part 4 – Authorities**

This agreement includes:

- (A) Authority to discuss or agree upon rates or charges? Yes  No
- (B) Joint service? Yes  No
- (C) Pooling of cargo traffic or revenues? Yes  No
- (D) Authority to discuss or agree on service contracts and their terms? Yes  No
- (E) Authority to discuss or agree on capacity rationalization? Yes  No
- (F) Conditions or restrictions on the parties' agreement participation, and/or use or offering of competing services in the geographic scope? Yes  No
- (G) Authority to charter vessel space? Yes  No
- (H) Authority to rationalize sailings or services? Yes  No

## Section II

Section II applies to agreements identified in 46 CFR 535.502(a) that contain any of the following authorities: (a) the charter or use of vessel space in exchange for compensation or services; or (b) the rationalization of sailings or services relating to a schedule of ports, the frequency of vessel calls at ports, or the size and capacity of vessels for deployment. Such authorities do not include the establishment of a “joint service,” nor “capacity rationalization” as these terms are defined in 46 CFR 535.104(o) and (e). Parties to agreements identified in this section must complete all items in part 1.

### **Part 1 – Vessel Calls**

(A) Provide carrier data for the agreement-wide trade.

Time Period: [12-months]

[Help](#)

<b>Name of Trade:</b>				
(State whether U.S. inbound or U.S. outbound)				
	Port 1 [Name]	Port 2	Port 3	Etc...
Carrier A [Name]				
Carrier B				
Carrier C				
Etc.				

(A) Narrative statement on significant changes in vessel calls:

## Section III

Section III applies to agreements identified in 46 CFR 535.502 that contain the authority to discuss or agree on capacity rationalization as defined in 46 CFR 535.104(e). Parties to such agreements must complete parts 1 and 2 of this section.

### ***Part 1 – Vessel Capacity and Utilization***

Provide carrier data for the agreement-wide trade.

Time Period:            [Calendar Quarter]

[Help](#)

<b>Name of Trade:</b>		
(State whether U.S. inbound or U.S. outbound)		
	(A) Vessel Capacity	(B) Utilization
	[TEUs or other units]	[Percent]
Carrier A [Name]		
Liner Service 1 [Name]		
Liner Service 2		
Liner Service 3		
Etc.		
Carrier B		
Liner Service 1		
Liner Service 2		
Liner Service 3		
Etc.		

(C) Narrative statement on significant changes in vessel capacity:

**Part 2 – Vessel Calls**

(A) Provide carrier data for the agreement-wide trade.

Time Period: [12-months]

[Help](#)

<b>Name of Trade:</b>				
(State whether U.S. inbound or U.S. outbound)				
	Port 1 [Name]	Port 2	Port 3	Etc...
Carrier A [Name]				
Carrier B				
Carrier C				
Etc.				

(B) Narrative statement on significant changes in vessel calls:

## Section IV

Section IV applies to agreements identified in 46 CFR 535.502 that contain any of the following authorities: (a) the discussion of, or agreement upon, whether on a binding basis under a common tariff or a non-binding basis, any kind of rate or charge; (b) the establishment of a joint service; (c) the pooling or division of cargo traffic, earnings, or revenues and/or losses; or (d) the discussion of, or agreement on, any service contract matter. Parties to such agreements must complete parts 1 through 5 of this section.

### **Part 1 – Market Share**

Provide carrier data for the agreement-wide trade and sub-trades.

Time Period:            [Calendar Quarter]

[Help](#)

<b>Name of Trade (or Sub-Trade):</b>		
(State whether U.S. inbound or U.S. outbound)		
	TEUs	Percent
	[or other units]	
Agreement Market Share		
Line A [Name]		
Line B		
Line C		
Etc...		
Total Agreement		
Non-Agreement Market Share		
Line X		
Line Y		
Line Z		
Etc...		
Total Non-Agreement		
Total Trade (or Sub-Trade)		



**Part 2 – Total Liner Cargo and Revenues**

Provide carrier data for the agreement-wide trade.

Time Period: [12-months]

[Help](#)

<b>Name of Trade:</b>			
(State whether U.S. inbound or U.S. outbound)			
	Total	TEUs	Average
	Revenues	[or other units]	Revenue
Carrier A [Name]			
Carrier B			
Carrier C			
Etc.			

**Part 3 – Top Liner Commodities**

Provide carrier data for the agreement-wide trade.

Time Period: [12-months]

[Help](#)

<b>Name of Trade:</b>			
(State whether U.S. inbound or U.S. outbound)			
	Carrier A [Name]	Carrier B	Etc.
Commodity 1 [Name & 4-digit code]			
TEU [or other units]			
Revenue			
Commodity 2			
TEU			
Revenue			
Etc.			

**Part 4 – Vessel Capacity and Utilization**

Provide carrier data for the agreement-wide trade.

Time Period: [Calendar Quarter]

[Help](#)

<b>Name of Trade:</b>		
(State whether U.S. inbound or U.S. outbound)		
	(A) Vessel Capacity	(B) Utilization
	[TEUs or other units]	[Percent]
Carrier A [Name]		
Liner Service 1 [Name]		
Liner Service 2		
Liner Service 3		
Etc.		
Carrier B		
Liner Service 1		
Liner Service 2		
Liner Service 3		
Etc.		

(B) Narrative Statement on significant changes in vessel capacity:

**Part 5 – Vessel Calls**

(A) Provide carrier data for the agreement-wide trade.

Time Period: [12-month]

[Help](#)

<b>Name of Trade:</b>				
(State whether U.S. inbound or U.S. outbound)				
	Port 1 [Name]	Port 2	Port 3	Etc...
Carrier A [Name]				
Carrier B				
Carrier C				
Etc.				

(B) Narrative statement on significant changes in vessel calls:

## Section V

Section V applies to all agreements identified in 46 CFR 535.502. Parties to such agreements must complete all items in part 1 of this section.

### ***Part 1 – Contact Persons and Certification***

#### **(A) Contact Persons.**

Person(s) to Contact Regarding Information Form.

- (1) Name
- (2) Title
- (3) Firm Name and Business
- (4) Business Telephone Number
- (5) Fax Number
- (6) E-Mail Address

**(B) Individual Located in the United States** Designated for the Limited Purpose of Receiving Notice of an Issuance of a Request for Additional Information or Documents (see 46 CFR 535.606).

- (1) Name
- (2) Title
- (3) Firm Name and Business
- (4) Business Telephone Number
- (5) Fax Number
- (6) E-Mail address

**(C) Certification.**

This Information Form, together with any and all appendices and attachments thereto, was prepared and assembled in accordance with instructions issued by the Federal Maritime Commission. This information is, to the best of my knowledge, true, correct, and complete.

Name (please print or type)

Title

Relationship with parties to agreement

Signature \_\_\_\_\_

Date