

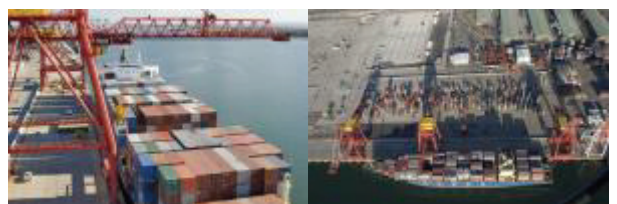


**Asia-Pacific
Economic Cooperation**

Liner Shipping Competition Policy: Non-Ratemaking Agreements Study (Stages 1)

APEC Transport Working Group (TWG)

May 2008



Final Report, Project TPT 02/2007: Stages1 – Information Gathering

Prepared by:

Steve Meyrick
Managing Director
Meyrick Consulting Group Pty Ltd
Level 2, 63A Market Street, Wollongong NSW 2500 Australia
TEL +61 2 4227 1484 FAX +61 2 4227 1515
Email: steve@meyrick.com.au

Meyrick Reference: 11162

For

APEC Secretariat
35 Heng Mui Keng Terrace Singapore 119616
Tel: (65) 68919 600 Fax: (65) 68919 690
Email: info@apcc.org Website: www.apcc.org

© 2008 APEC Secretariat

APEC#208-TP-01.3

Table of Contents

EXECUTIVE SUMMARY AND CONCLUSIONS	2
1. INTRODUCTION	4
1.1 Background to the study.....	4
1.2 Methodology of Stage One.....	4
1.3 Structure of Stage One report.....	5
2. BACKGROUND DEVELOPMENTS IN EUROPE.....	5
3. EXISTENCE OF NON-RATEMAKING AGREEMENTS	8
3.1 Potential for non-ratemaking agreements	8
3.2 Scope of requirements to register non-ratemaking agreements	10
3.3 United States.....	10
3.3.1 Regulatory framework for non-ratemaking agreements.....	10
3.3.2 Identified non-ratemaking agreements with the FMC	11
3.4 Canada.....	12
3.4.1 Regulatory framework for non-ratemaking agreements.....	12
3.4.2 Identified non-ratemaking agreements covering trades to/from Canada	13
3.5 Australia	14
3.5.1 Regulatory framework for non-ratemaking agreements.....	14
3.5.2 Identified non-ratemaking agreements covering trades to/from Australia.....	14
3.6 Singapore.....	15
3.6.1 Regulatory framework for non-ratemaking agreements.....	15
3.6.2 Identified non-ratemaking agreements covering trades to/from Singapore	16
3.7 People's Republic of China (PRC).....	16
3.7.1 Regulatory framework for non-ratemaking agreements.....	16
3.7.2 Identified non-ratemaking agreements.....	17
3.8 Chinese Taipei	17
3.8.1 Regulatory framework for non-ratemaking agreements.....	17
3.8.2 Identified non-ratemaking agreement	18
3.9 Japan.....	18
3.9.1 Regulatory framework for non-ratemaking agreements.....	18
3.9.2 Identified non-ratemaking agreements covering trades to/from Japan	19
3.10 Republic of Korea.....	20
3.10.1 Regulatory framework for non-ratemaking agreements.....	20
3.10.2 Identified non-ratemaking agreements covering trades to/from the Republic of Korea	20
3.11 Other APEC member economies	20
3.11.1 Hong Kong, China.....	20
3.11.2 New Zealand.....	20
3.11.3 Remaining other APEC member economies	21
3.12 Assessment of coverage and the impact of commercial confidentiality	21
4. INVENTORISATION OF THE IDENTIFIED NON-RATEMAKING AGREEMENTS.....	22
4.1 Categorisation	22
4.2 Prevalence	23
4.3 Main features and typical content.....	23
4.3.1 Potential areas of competitive influence	24
4.3.2 Examination of typical key clauses	24
4.3.3 Typical key clauses – some preliminary observations	29
APPENDIX 1 – GLOSSARY AND DEFINITIONS.....	30
APPENDIX 2 – QUESTIONS FOR CONSULTATIONS.....	31
APPENDIX 3 – SPECIFIC FEEDBACK FROM CANADIAN FIELD VISIT	33
APPENDIX 4 – SPECIFIC FEEDBACK FROM AUSTRALIA FIELD VISIT	36

APPENDIX 5 – SPECIFIC FEEDBACK FROM PRC FIELD VISIT.....	37
APPENDIX 6 – SPECIFIC FEEDBACK FROM CHINESE TAIPEI	39
APPENDIX 7 – SPECIFIC FEEDBACK FROM JAPAN FIELD VISIT	43
APPENDIX 8 – SPECIFIC FEEDBACK FROM REPUBLIC OF KOREA FIELD VISIT	46
APPENDIX 9 – PREVALENCE OF NON-RATEMAKING AGREEMENTS IN APEC REGION	48
APPENDIX 10 – FIELD VISIT CONSULTATIONS	92

EXECUTIVE SUMMARY AND CONCLUSIONS

The scope and approach of the study involve identifying and analysing existing liner shipping non-ratemaking agreements in the APEC region and evaluating their impacts on competition, shippers, ports, inland transporters and trade, in order to develop a suitable set of common (harmonised) regulatory guidelines which both promote the positive aspects of such agreements and address the non-competitive aspects.

This Stage One report covers the work on information gathering, and more specifically deals with:

- Identification of non-ratemaking agreements in the APEC region, including discussion of the various legislative requirements (if existing) to register these agreements in the APEC member economy
- Categorisation of the identified non-ratemaking agreements into various meaningful types
- Analysis of the prevalence of the various types of non-ratemaking agreements occurring in the APEC region, and
- Analysis of the content of typical non-ratemaking agreements occurring in the APEC region.

As a result of literature research, analysis of the United States Federal Maritime Commission (FMC) register and the Australian Government register of filed agreements, and field visits to Canada, the People's Republic of China, Japan and the Republic of Korea, we have managed to identify and view a representative range of carrier non-ratemaking (operational) agreements covering trades to/from APEC member economies.

In terms of regulations, Europe is the only region that has specific regulations regarding operational (consortia) agreements. All other jurisdictions either explicitly or implicitly cover operational agreements as part of regulations on conference ratemaking agreements.

Analysis of the U.S. FMC's register shows, as of January 2008, a total of 184 agreements (81 per cent of the grand total filed) which can be considered to be 'pure' non-ratemaking (operational) agreements. In February 2008, a new additional vessel operational agreement has been filed with the FMC involving the top three global carriers and the Trans-Pacific trade, which will be of interest in Stage Two of the study.

At the start of the study, twenty liner shipping activity areas were identified as potential ones in which carriers could, in theory, collaborate at the operational level and have agreements in place. It was found that there is a core area, covering the sharing of vessel operations, upon which the vast majority of identified non-ratemaking agreements between carriers are focussed. The secondary area where non-ratemaking agreements have been identified is often incidental and mainly covers inland liner shipping activities such as container equipment, road chassis equipment, and the possible sharing of operational (port) offices.

The vessel operations agreements are categorised into four types:

- Alliance
- Vessel sharing
- Vessel space charters

-
- Vessel space swaps.

Further analysis of the U.S. FMC filed agreements reveals that alliance agreements are typically between more than two carriers, while vessel sharing, space charter and swap agreements are typically between two carriers.

We have found clauses in non-ratemaking agreements which covered:

- Duration (term)
- Termination and withdrawal
- Voting
- New entrants
- Sub-chartering (to third parties).

An evaluation of these types of clauses, in terms of possible impacts on competition, will be presented in the forthcoming Stage Two Study Report.

1. INTRODUCTION

1.1 Background to the study

The overall objective of this study is to support the implementation of the Bogor Goals in the maritime sector. The Maritime Expert Group (MEG) agreed at the 24th APEC TPT-WG meeting in Bangkok in August 2004 to pursue these goals by adopting the nine policy elements of the Facilitation of International Shipping Project. The second of these policy elements is that:

APEC member economies develop a set of guidelines relating to liner shipping.

This study is intended to contribute to the implementation of this particular policy element by focussing on the development of guidelines for APEC member economies to address the non-competitive aspects of non-ratemaking agreements among liner shipping companies.

The scope and approach of the study involves identifying and analysing existing non-ratemaking agreements in the APEC region and evaluating their impacts on competition, shippers, ports, inland transporters and trade, in order to develop a suitable set of common (harmonised) regulatory guidelines which both promote the positive aspects of such agreements and address the non-competitive aspects.

It is believed that few, if any, of the advanced economies have legislation that specifically addresses the possible non-competitive aspects of non-ratemaking agreements. These agreements would therefore be subject to competition laws or anti-trust regulations in those economies. However, there are commonly held views by a number of international trade organisations and regulatory bodies that non-ratemaking agreements should be allowed as a valid operational tool as long as they do not provide undue market power to the group of carriers involved.

The overall study has been conducted in two phases using a three-stage approach:

- Stage One – Information gathering
- Stage Two – Evaluation
- Stage Three – Policy recommendations and the development of general guidelines.

The first phase comprises stage one which then informs the second phase consisting of stages two and three.

This document is a Progress Report and covers Stage One of the study.

1.2 Methodology of Stage One

The methodology used in stage one of the study consisted of a combination of literature research, investigation of registered liner shipping agreements with various APEC member economy governmental organisations (where publicly filed), followed by a sample set of field visits to Canada, Australia, the People's Republic of China (PRC), Japan, and the Republic of Korea, to discuss the initial findings with the various local stakeholders (governmental organisations, shipping lines, shipper bodies, etc.) to either confirm or expand upon the initial findings.

1.3 Structure of Stage One report

This stage one report is divided into four main topic areas:

- Identification of non-ratemaking agreements in the APEC region, including discussion of the various legislative requirements (if existing) to register these agreements in the APEC member economy
- Categorisation of the identified non-ratemaking agreements into various meaningful types
- Analysis of the prevalence of the various types of non-ratemaking agreements occurring in the APEC region, and
- Analysis of the content of typical non-ratemaking agreements occurring in the APEC region.

The reader should be aware of a glossary and definitions contained in Appendix One which aims to improve the readability of the report. The report is also fully referenced to ensure that sources of information and opinions are clearly stated (i.e. as Meyrick and Associates or third parties).

2. BACKGROUND DEVELOPMENTS IN EUROPE

Before focussing on the APEC region, it is worthwhile examining the most recent developments in the European Union as these are likely to be relevant and offer guidance to this study on liner non-ratemaking agreements given that some of the most important trades to/from Europe are with APEC member economies.

The European Council, on the recommendation of the European Commission's competition directorate, recently decided to repeal the competition block exemption regulation 4056/86 for liner shipping rate-making conferences. This means that as of October 2008, carriers will be subject to normal European Union competition law with regard to the collective setting of freight rates and capacity regulation. As a follow-up to the repeal of the block exemption regulation 4056/86, the European Commission intends to issue a set of Guidelines to assist the maritime transport sector. These Guidelines, released in September 2007, are currently in draft form and are being finalised in consultation with industry. The Guidelines are intended to help maritime transport companies carry out a self-assessment of whether their agreements with other maritime transport companies comply with European Union competition law.

It is worth noting the following text of the draft Guidelines in the context of this study:

Horizontal agreements in the maritime transport sector

Cooperation agreements are a common feature of maritime transport markets. Considering that these agreements may be entered into by actual or potential competitors and may adversely affect the parameters of competition, undertakings must take special care to ensure that they comply with the competition rules. In service markets, such as maritime transport, the following elements are particularly relevant for the assessment of the effect an agreement may have in the relevant market: prices, costs, quality, frequency and differentiation of the service provided, innovation, marketing and commercialisation of the service.

Three issues are of particular relevance to the services covered by these guidelines: technical agreements, exchanges of information and pools.

Technical agreements - *Certain types of technical agreements may not fall under the prohibition set out in Article 81 of the Treaty on the ground that they do not restrict competition. This is the case, for instance, of horizontal agreements the sole object and effect of which is to implement technical improvements or to achieve technical cooperation. Agreements relating to the implementation of environmental standards can also be considered to fall into this category. Agreements between competitors relating to price, capacity, or other parameters of competition will, in principle, not fall into this category.*

Unlike other jurisdictions, the European Union does have a specific regulation concerning carrier operational (non-ratemaking) agreements in the form of the ‘Consortia agreements block exemption regulation 611/2005’. This regulation is summarised by the European Commission as follows:

Consortia, as defined in the Regulation, enable liner shipping companies to rationalise their operations and improve the quality of maritime transport services. These agreements should, therefore, be granted a block exemption provided that they do not allow the companies concerned to eliminate competition in a substantial part of the trades concerned.

A "consortium" is an agreement between two or more vessel-operating carriers which provide international liner shipping services exclusively for the carriage of cargo, chiefly by container, relating to one or more trades and the object of which is to bring about cooperation in the joint operation of a maritime transport service by improving the service offered by means of technical, operational and/or commercial arrangements, with the exception of price fixing.

Conditions on which exemption is granted:

Provided that there is effective price competition, a consortium must, in order to benefit from exemption, possess on each market upon which it operates a market share of under 30% calculated by reference to the volume of goods carried when it operates within a conference and under 35% when it operates outside a conference.

If a consortium exceeds the threshold of 30% or 35% of the volume of goods carried but does not, however, exceed 50% on any of the markets, it may benefit from exemption if it was correctly notified to the Commission and if the latter has not opposed the exemption within six months.

To ensure effective competition on the market, the Regulation lays down other conditions, e.g. the fact that the consortium must allow each of its members to offer its own service arrangements. With the same aim in mind, it imposes several obligations on the parties, such as real and effective consultations between users or their representatives and the consortium.

The Commission may, however, withdraw the benefit of the exemption.

When this regulation was renewed in 2005, both carriers and transport users considered it was working well and supported its renewal. However, the European Commission's competition directorate has issued in July 2007 an extensive consultative questionnaire to the carriers involved in container trades to/from Europe in order to verify whether the Consortia block exemption regulation still reflects today's market reality. This initiative, closely following on the heels of the decision to repeal the block exemption, created uncertainty in the industry as to whether the Consortia block exemption regulation would be renewed after its current term in 2010. In October 2007, the European Commission's competition directorate re-assured the carrier community that the investigations by the Commission does not signal a decision not to renew the Consortia block exemption after it expires in 2010.

There are no plans to repeal the law in three year's time despite a general move away from sector specific rules.

In terms of the longer term, the situation post-2015 with regard to the continuation of the Consortia block exemption regulation is uncertain – no guarantees are currently being given by the European Commission beyond 2015.

The questionnaire on carrier operating agreements and co-operative ventures issued by the European Commission is not (yet) in the public domain and the carrier responses are still being collected and analysed by the Commission. It is unclear at this stage when the responses will be placed in the public domain. However, it is believed, through contact with industry sources, the questionnaire covers the following main points of relevance to this study, by:

- Seeking to obtain an overview of all consortia, their carrier members (including slot charterers and NVOCCs), TEU capacities and numbers of vessels contributed by individual carriers, service aspects, market shares of consortia, and the terms and conditions of consortia agreements on trades to/from Europe
- Establishing the operational scope of consortia and groups of carrier members within the consortia given the background of the consortia block exemption which is based on the principles that the form of competitor cooperation is necessary to generate greater efficiencies (technical or economic) and that the resulting benefits are passed on to shippers (exporters/importers)
- Establishing whether consortia agreements extend to:
 - Marine terminals - ownership, use, joint purchase of services
 - Feeders - ownership, use, joint purchase of services
 - Equipment exchange – ownership, leasing, empty exchange
 - Computerised data exchange systems
 - Joint documentation and bill of lading
 - Cost and revenue sharing
 - Joint purchase of vessel fuel (bunkers)
 - Co-ordination of inland activities – transport and depots
 - Dedicated management for daily operations of the consortia

-
- Ascertaining how issues, such as the use of members' services/assets, the adjustment of capacity, the selling of unused space to third parties, carriers entering/exiting, and geographical limits, are dealt with in consortia agreements, i.e. whether there exist any preferential obligations and/or restrictions.

A number of interesting conclusions can be drawn from the European situation which helps set the scene for the APEC region situation. Firstly, it appears that the European Commission competition regulators are currently unaware of the extent and scope of carrier non-ratemaking (operational) agreements on trades to/from Europe which is the reverse of the United States (Federal Maritime Commission) situation where public-domain filing is a requirement. Secondly, the European Commission competition regulators appear to currently accept the existence of carrier operational agreements in principle provided that the agreements result in greater efficiencies and these benefits are being passed on to users.

3. EXISTENCE OF NON-RATEMAKING AGREEMENTS

3.1 Potential for non-ratemaking agreements

As a starting point, there are theoretically a whole range of potential non-ratemaking agreements which reflect the span of operational activities and assets of carriers. It is also possible that non-ratemaking agreements are not just stand-alone agreements but could be part of overarching ratemaking agreements. Furthermore, there could be non-ratemaking agreements which are between a group of carriers as one party and a non-liner company as the other party.

Table 1 provides a check-list of twenty areas of liner shipping activities performed by carriers which could be the subject of potential non-ratemaking agreements.

TABLE 1: POTENTIAL ACTIVITIES FOR NON-RATEMAKING AGREEMENTS

Liner shipping activity area	<i>Potential subject and scope of agreement</i>
1. Container equipment	<i>Interchanging containers, 'grey' box pool, joint leasing</i>
2. Road (truck) chassis equipment	<i>Interchanging chassis', chassis pools, joint leasing</i>
3. Empty container depots	<i>Joint use of facilities / joint contract with operator</i>
4. Inland container ports / terminals	<i>Joint use of facilities / joint contract with operator</i>
5. Inland trucking services	<i>Joint dispatch / use of truckers (hauliers)</i>
6. Inland rail services	<i>Joint use / sharing of shuttle (block) trains</i>
7. Inland barge services (if waterways exist)	<i>Joint use / sharing of barges</i>
8. Container freight stations (consolidation)	<i>Joint use of facilities / joint contract with operator</i>
9. Marine terminals	<i>Joint use of facilities / joint contract with stevedore</i>
10. Mainline (linehaul) vessel services	<i>Joint use / sharing of vessels</i>
11. Feeder (relay) vessel services	<i>Joint use / sharing of vessels</i>
12. Sales and marketing / customer service	<i>Joint organisation / shared operations</i>
13. Bookings	<i>Joint organisation / shared operations</i>
14. Documentation (bills of lading, etc.)	<i>Joint organisation / shared operations</i>
15. Administration (invoicing, finance, claims)	<i>Joint organisation / shared operations</i>
16. Operations offices and related IT	<i>Joint organisation / shared operations</i>
17. Web portals, schedules, track & trace	<i>Joint organisation / shared operations</i>
18. Security, X-ray facilities	<i>Joint organisation / shared operations</i>
19. Groupage services (LCL)	<i>Joint organisation / shared operations</i>
20. Secondary warehousing & distribution	<i>Joint organisation / shared operations</i>

The ‘flavour’ of these potential non-ratemaking agreements is very much about achieving efficiencies of operation, increased productivity / asset utilisation, and reducing the level of capital investments needed to offer shipping services.

The expectation, to be verified by the field research, is that non-ratemaking agreements will mostly exist for vessel operations and little or none will exist for those more commercial activities where there is more direct interfacing with customers (i.e. unique selling points and competitive advantages can occur which allow for individual carrier branding).

This check-list was used for field research and consultations to systematically establish the presence and type of non-ratemaking agreements in container trades connecting the APEC member economies.

3.2 Scope of requirements to register non-ratemaking agreements

It is anticipated that the scope of the regulatory requirements in the various APEC member economies will vary from the necessity for carriers to register both conference and non-ratemaking agreements with a government agency (in order to be exempt from national competition law) to no requirements to register agreements. There may well be the middle ground of requirements to register conference rate agreements for exemption purposes but no clear position regarding non-ratemaking (operational) agreements. A further layer of requirements can be the necessity, or not, to publicly disclose any filed agreements.

A combination of literature research and field work confirmed a variation in the requirements to register non-ratemaking agreements in the APEC region with specific feedback reported upon for:

- The United States
- Canada
- Australia
- Singapore
- People’s Republic of China (PRC)
- Chinese Taipei
- Japan
- Republic of Korea.

3.3 United States

3.3.1 Regulatory framework for non-ratemaking agreements

The regulatory framework for liner shipping in the United States is set out by the Ocean Shipping Reform Act of 1998 (“OSRA”, effective in May 1st, 1999), which amended the Shipping Act of 1984, and is administered by the Federal Maritime Commission.

In the United States, efficiency-enhancing consortia and operational agreements are subject to the regulatory filing requirements of the FMC, which is the opposite of the situation in Europe. Since OSRA was enacted, the FMC states that the majority of agreements filed with the Commission involve operational matters (including vessel sharing) with the minority involving pricing authority. The filing of these operational agreements with the Commission entitles carriers to immunity from United States antitrust laws.

3.3.2 Identified non-ratemaking agreements with the FMC

All ratemaking and non-ratemaking agreements filed with the FMC are in the public domain and can be viewed (downloaded) via their website www.fmc.gov /

Table 2 provides an overview, as of January 2008, of the liner shipping agreements filed by type according to FMC classification. A total of 228 agreements are electronically filed of which 184 (approximately 81%) can be considered to be 'pure' non-ratemaking (operational) agreements.

TABLE 2: OVERVIEW OF LINER SHIPPING AGREEMENTS BY TYPE FILED WITH THE FMC PER. JAN. '08

Type (FMC classification)	Description	Number filed	Non-ratemaking
Alliance agreement	An agreement of a group of ocean carriers to jointly operate a network of vessel services (a form of consortia agreement)	2	Yes
Conference agreement	An agreement of a group of ocean carriers to set rates and manage capacity of a specific trade route	8 (incl. one for inland shipping)	No
Cooperative working agreement	An agreement between two or more ocean carriers regarding joint services	11 (incl. one for administration)	Yes
Equipment interchange agreement	An agreement between a group of ocean carriers to jointly use and manage a pool of truck chassis	6	Yes
Joint service agreement	An agreement between two or more ocean carriers regarding joint services	7	Yes
Non-rate discussion agreement	An agreement between a group of ocean carriers to discuss service-related and capacity management matters	8 (incl. cruising, credit, reefer, and hazardous)	Yes
Rate discussion agreement	An agreement between a group of ocean carriers to discuss advised rate-levels and capacity management matters for a specific trade route	27 (incl. equipment, and security)	No

Type (FMC classification)	Description	Number filed	Non-ratemaking
Sailing agreement	An agreement between two or more ocean carriers regarding coordinated sailings	1	Yes
Vessel sharing (VSA) / Sail agreement	An agreement between two or more ocean carriers regarding sharing of vessel space (space or slot charters and/or swaps) and coordinated sailings	66	Yes
Vessel sharing agreement (VSA)	An agreement between two or more ocean carriers regarding sharing of vessel space (space or slot charters and/or swaps)	83	Yes
VSA / Rate agreement	An agreement between two or more ocean carriers regarding sharing of vessel space (space or slot charters and/or swaps) and rates	1	Mixed
VSA / Sail / Rate agreement	An agreement between two or more ocean carriers regarding sharing of vessel space (space or slot charters and/or swaps), coordinated sailings, and rates	8	Mixed

The filings also include some agreements between a few non-container shipping operators – notably ro/ro and vehicle carriers, reefer shipping operators, and cruise lines. A detailed list of the FMC-filed non-ratemaking agreements, showing the parties to the agreement and geographical coverage, can be found in Appendix 9.

In February 2008, a new additional vessel operational agreement has been filed with the FMC involving the top three global carriers (Maersk Line, MSC and CMA-CGM) and the Trans-Pacific trade, which will be of interest to evaluate in Stage Two of the study.

3.4 Canada

3.4.1 Regulatory framework for non-ratemaking agreements

The regulatory framework for liner shipping non-ratemaking agreements in Canada has been studied through a field visit to Canada and interviews with two Canadian Federal Government Agencies, as well as with representatives from Canadian carriers and shippers (for a report on the specific feedback, see Appendix 3).

It appears that the liner shipping and competition regulations in Canada are indecisive about non-ratemaking agreements. The issue of the requirement to file for exemption under antitrust competition law has not yet been tested in law for non-ratemaking agreements.

Both the carriers and government consider it prudent to file non-ratemaking agreements with the Canadian Transportation Agency (“CTA”). Any conference ratemaking agreements with non-ratemaking parts are required to be filed with the CTA for exemption under the Competition Act. The filing and exemption of conference rate agreements is covered in Canadian federal law under the Shipping Conferences Exemption Act (known as “SCEA”).

The CTA does not appear to make any filed agreements available for public viewing, as is the case with the U.S. FMC, since the requirement for public viewing is placed on the carrier to provide access at their Canadian office.

3.4.2 Identified non-ratemaking agreements covering trades to/from Canada

There appear to be two potential sources of filed non-ratemaking agreements covering trades to/from Canada. The first source is with the CTA but is likely to be limited due to the lack of clarity on the legal requirement to file these types of agreement. The second source is with the United States FMC where filed non-ratemaking agreements often include a North American port range coverage and/or United States – Canadian cross-border traffic (i.e. inland points in Canada are served via U.S. ports).

Inquiries made by Transport Canada with the CTA revealed that, as of 2007, fourteen liner shipping agreements are filed with the CTA under the SCEA regulation, of which twelve are conference ratemaking agreements and two non-ratemaking agreements (one a cooperative working agreement involving a joint service between four carriers on the Canada/Americas Pacific Coast – North Asia trade, and the other a joint service agreement between subsidiaries of the same parent company – this later agreement being also filed with the U.S. FMC).

Research conducted by Transport Canada and Meyrick and Associates over the same period has found that seven non-ratemaking agreements filed on the U.S. FMC website include Canada in their geographical scope. These seven non-ratemaking agreements comprise:

- Two global alliance agreements (the Grand Alliance and the New World Alliance), and
- Five vessel sharing agreements (space / slot charters).

Additionally, discussions with Canadian carrier representatives revealed that there most likely exist agreements between a group of carriers (as one party) and a stevedore, or, alternatively, where one alliance partner is nominated as the lead party on behalf of the group to negotiate and agree terms with a stevedore. Also there are likely to be some container equipment interchange agreements between carriers which are not acted upon that often (i.e. their scope is to deal with exceptions and problems as opposed to daily operations).

Non-ratemaking agreements between carriers were felt not to exist for inland rail operations in Canada as conference exemption regulations do not extend to carriers collectively negotiating and contracting with Canadian rail operators (this being different to the situation in the United States). As such, each carrier negotiates and contracts individually with the Canadian rail operators.

3.5 Australia

3.5.1 Regulatory framework for non-ratemaking agreements

In Australia, the regulatory framework for international liner shipping is contained within Part X of the *Trade Practices Act 1974* (Commonwealth). Part X allows international shipping lines to collaborate in setting prices (conference ratemaking) and other non-price measures (such as service arrangements) that would most likely be deemed anti-competitive and therefore illegal under Australian law were it not for the special protection offered under this section of the Act.

To seek protection under Part X, carriers are required to file price setting agreements with the federal government registrar of liner shipping, as administered by the Department of Infrastructure, Transport, Regional Development and Local Government. Although non-ratemaking (operational) agreements are not explicitly defined in the law, carriers have taken and continue to take a preventive / cautionary approach and also file non-ratemaking agreements with the registrar. The registry of filed agreements is not as publicly accessible as that of the U.S. FMC, but upon request and payment of a fee, the agreements can be viewed by the public according to the rights of freedom of information legislation.

3.5.2 Identified non-ratemaking agreements covering trades to/from Australia

As with Canada, there are potentially two sources of filed non-ratemaking agreements covering trades to/from Australia: the first being the Registrar of Liner Shipping in Australia, and the second being the U.S. FMC for agreements covering the United States - Australia trade (note: this trade should also be covered by the Registrar of Liner Shipping in Australia).

A review of the agreements filed with the Registrar of Liner Shipping shows that there are four main groups of agreements registered:

- Conference ratemaking agreements
- Discussion agreements (also termed ‘Trade Facilitation Agreements’)
- Trade rationalisation agreements, and
- Non-ratemaking (operational) agreements.

According to the Registrar, as of August 2007, there are in total around 450 registered files dating from 1990, of which a large proportion is historical (no-longer valid) and/or concern variations to initial agreements. The majority of the currently valid files are non-ratemaking (operational) agreements covering trades between Australia and Asia, Europe, North and South America, and the South Pacific (including New Zealand).

It is interesting to note the variation in the naming of the various non-ratemaking (operational) agreements between carriers registered over the years:

- Consortium operating agreement
- Integrated service agreement
- Joint service agreement
- Master slot agreement
- Operating agreement

-
- Sailing agreement
 - Slot (charter) agreement
 - Slot (charter) exchange agreement
 - Space charter
 - Vessel sharing agreement
 - Wool cargo sharing agreement.

This list provides a flavour of the scope of collaborative vessel operations being undertaken by carriers.

In terms of the non-ratemaking agreements filed with the U.S. FMC for the United States – Australia trade, the same types of operational agreements can be found with the addition of a type termed ‘cooperative working agreement’.

Discussions with Government agency such as the Department of Infrastructure, Transport and Regional Development, as well as peak industry body such as Shipping Australia, have indicated that many of the carriers are parties to a number of non-ratemaking operational agreements – the specific types are marked in a table as part of the interview feedback notes relating to this stage of the study as shown in Appendix 4 of this report.

3.6 Singapore

3.6.1 Regulatory framework for non-ratemaking agreements

In Singapore, the regulatory framework for international liner shipping is contained within the Competition (Block Exemption for Liner Shipping Agreements) Order 2006 (“BEO”). The BEO exempts carriers from section 34 of the Competition Act, which prohibits, inter alia, agreements that have as their object or effect the prevention, restriction or distortion of competition. The BEO and filing requirements are administered by the Competition Commission of Singapore. For the filing of carrier agreements to be triggered, a threshold carrier aggregate market share of more than 50% needs to occur. Carriers then have an obligation to make transport users aware of the relevant terms of such agreements.

The types of agreements covered by the BEO include non-ratemaking agreements:

an agreement between two or more vessel-operating carriers which provide liner shipping services pursuant to which the parties agree to co-operate in the provision of liner shipping services in respect of one or more of the following: (a) technical, operational or commercial arrangements; (b) price; and (c) remuneration terms (‘liner shipping agreement’)

The BEO is valid until 31 December 2010 but it may be reviewed by the CCS before its expiry if the circumstances so warrant. Developments both in Singapore and internationally are relevant considerations.

3.6.2 Identified non-ratemaking agreements covering trades to/from Singapore

Examination of the CCS website (4Q2007) on filed liner shipping agreements reveals that no non-ratemaking (operational) agreements have been filed. Only conference rate-making and discussion agreements are filed (notably for the Europe – Far East trade (such as FEFC) and Trans-Pacific trade). Interestingly, one of the discussion agreements involves Asian feeder operators. All of the agreements filed with the CCS involving a United States trade can also be found filed with the U.S. FMC.

3.7 People's Republic of China (PRC)

3.7.1 Regulatory framework for non-ratemaking agreements

The regulatory framework for liner shipping non-ratemaking agreements in PRC has been studied through a field visit to the PRC and interviews with the relevant Government Agency – the Ministry of Communications (MOC), as well as with representatives from Chinese carriers (COSCO). For a summary on the specific feedback please refer to Appendix 5 of this report.

In the PRC, international liner shipping is regulated under 'Regulation of the People's Republic of China on International Maritime Transportation (effective as of 1st January 2002)'. Some details of the Regulation help to shed light on its scope.

In particular, Article 16 stipulates that:

An international shipping operator who intends to be engaged in international liner services to and from the ports of the People's Republic of China shall acquire the qualifications for operation of international liner services in accordance with the provisions of these Regulations. Those who have not acquired the qualifications for the operation of international liner services shall not be engaged in international liner services, nor publish their liner shipping schedules, nor accept space booking. Where the operation of international liner services is conducted through joint employment of vessels, slot exchange of freight spaces or joint operation of services, the provisions in Paragraph one of this Article shall apply.

Also, Article 3 of the Implementing Rules for the Regulation (effective as of 1st March 2003), provides the definitions of "international liner services" and "operational agreement":

"International liner services" shall mean the regular international maritime cargo/or passenger transportation services provided between the fixed ports by means of using the owned or operated vessels or by means of the cases specified in paragraph 3, Article 16 of the Maritime Transportation Regulations.

“An operational agreement” shall mean an agreement relating to the increase or decrease of shipping capacity in one or more shipping routes concluded between two or more than two international operators of international liner services for the purpose of stabilizing or controlling the freight rates, or other agreement coordinating the joint efforts of operators of international liner services. Such an agreement includes the agreed minutes with the natures of the above-mentioned agreement. Such an agreement shall also mean the agreement relating to the joint operation of the vessels, joint usage of the port facilities and other cooperative operation agreement and various kinds of alliance or consortia agreements concluded between two or more than two operators of international liner services for the purpose of improving the operational efficiency.

The definitions indicate that non-ratemaking (operational) agreements do fall, in the strict sense, under PRC liner shipping regulations. However, MOC indicated in their interview that the emphasis/priority is placed on the regulation of liner shipping ratemaking agreements.

In terms of filing, the Regulation on International Maritime Transportation stipulates that all liner shipping agreements must be filed with the MOC within fifteen working days after the agreement is signed.

In general, the MOC pays more attention to ratemaking agreements than to non-ratemaking agreements. However, according to Article 21 of the Regulation of the People’s Republic of China on International Maritime Transportation, agreements, service agreements, rate agreements concluded among international shipping operators who are members of liner conferences, discussion agreements, shall be filed with MOC. This provision covers both ratemaking and non-ratemaking agreements. In order to further clarify the filing details and procedures, the MOC further issued a regulation in March 2007 governing the supervision over liner conferences and discussion agreements.

3.7.2 Identified non-ratemaking agreements

Due to the fact that filed agreements with the MOC are not accessible in the public domain, we were unable to view or ascertain the existence of non-ratemaking agreements registered with the MOC. However, the U.S. FMC website does have accessible non-ratemaking (operational) agreements which cover the United States – PRC trade (i.e. Chinese ports implicitly covered as part of a North or East Asia port range).

Discussions with the main Chinese carrier COSCO revealed that they are parties to a number of non-ratemaking operational agreements – the specific types are marked in a table as part of the interview feedback notes relating to this stage of the study as shown in Appendix 5.

3.8 Chinese Taipei

3.8.1 Regulatory framework for non-ratemaking agreements

According to the feedback from the Ministry of Transportation and Communications (MOTC), Article 39 of Shipping Law requires the registration of agreements made between joint parties (including carriers). Examples of agreements include ratemaking agreements, cross slot charter agreements, slot exchange agreements, slot allocation agreements, connecting feeder service agreements, operating agreements (joint service agreements) and vessel sharing agreements.

Although these agreements are not open for public access, for the purpose of business promotion, the liner shipping companies usually make a press release to the public upon signing an agreement.

The cooperative agreements in relation to container trucks servicing the ports need to be filed with local authorities only.

The Government believes that for a highly investment-intensive and globalized industry such as the shipping industry, close cooperation among carriers is essential. The main motive of such cooperation is not only to enhance asset turnaround and operational efficiency, more importantly it also helps to ensure more sustainable services to the customers. At the same time, the Government plans to review and adjust its regulation and policies on non ratemaking agreement in line with the development of the international maritime market.

3.8.2 Identified non-ratemaking agreement

Since filed agreements with the MOTC are not in the public domain, we were unable to ascertain the existence of registered non-ratemaking agreements. However, the U.S. FMC website does have accessible non-ratemaking (operational) agreements which cover the United States – Chinese Taipei trade.

Feedback from MOTC has indicated that some of the carriers are members to non-ratemaking operational agreements. Based on the questionnaire which we received from MOTC, we have made the inference of existing non-ratemaking agreement in Chinese Taipei, which is shown in Appendix 6.

3.9 Japan

3.9.1 Regulatory framework for non-ratemaking agreements

The regulatory framework for liner shipping non-ratemaking agreements in Japan has been studied through a field visit to Japan and interviews with the relevant Government Agency – the Ministry of Land, Infrastructure, Transport and Tourism (MLIT), as well as with representatives from Japanese carriers. For a report on the specific feedback relating to this stage of the study, see Appendix 7.

In Japan, the Anti-Monopoly Act (AMA) exemption system for agreements by international shipping operators is regulated mainly in Articles 28 and 29(2) of the Marine Transportation Law of Japan. Two parts of the Marine Transportation Law of Japan are worth citing – one a definition of scope, the other criteria used for approval by MLIT.

The conclusion of agreements or contracts, or joint actions by ship operators concerning freight rates, charges, other transport conditions, trade routes, ship deployment and cargo loading on the routes between a Japanese port and a port of other regions outside Japan.

The Minister of Transport may not grant the approval under the preceding paragraph unless he acknowledges that the contents of the agreements which have been applied for approval under the same paragraph meet the following criteria: (1) Users' interests are not unduly impaired; (2) No undue discrimination arises; (3) Participation in or withdrawal from the agreement is not unduly restricted; (4) Contents of the agreement are at the minimum level judging from the purpose of the agreement.

It is worth noting that the basis of the liner shipping regulatory framework in Japan is that the Japanese government regards the formation and operation of shipping conferences as necessary to attract stable services to Japan and that the MLIT is able to take measures to alternate or suspend the agreements in case the MLIT decides that the contents of the agreement do not comply with four criteria set forth in the Marine Transportation Law.

As informed by the MLIT, all kinds of agreements, contracts and joint acts between one ship operator and another ship operator in regard to a route between a Japanese port and a port outside Japan (both passenger and cargo), including non-ratemaking ones, must be filed with MLIT together with subsequent notifications of changes. These filed agreements are available to the public following the Information disclosure Act procedures. Before filing an agreement, the carriers are recommended by MLIT to conduct prior consultation with the shippers association and report to MLIT on the results of the consultation. After filing the agreement, any substantive alternation of the agreement and termination of the agreement needs to be notified to MLIT. After filing the agreement, MLIT is expected to notify the Shippers' Association of the framework of the agreement. As part of the administrative process, MLIT also submits notification of the filing to the Fair Trade Commission (FTC) of Japan. The FTC is able to request Minister of Land, Infrastructure, Transport and Tourism to order to alternate or suspend the agreements in case the FTC decides that the contents of the agreement do not comply with four criteria set forth in the Marine Transportation Law. As a result, regarding these filing processes for international shipping agreements, Japan has the transparent regulation system in which both the MLIT and the FTC doubly check the agreements so as not to unduly damage users' benefits by the agreements.

3.9.2 Identified non-ratemaking agreements covering trades to/from Japan

According to the MLIT, as of February 2007, there are 147 liner shipping agreements (except the case not in operating) filed with the Ministry, of which 40 are conference ratemaking agreements, 18 are discussion agreements, and the remaining 89 are consortia (non-ratemaking, operational) agreements. Due to the restricted disclosure of the filed agreements, we were unable to view the 89 non-ratemaking (operational) agreements filed with the Ministry. However, the U.S. FMC website does have accessible non-ratemaking (operational) agreements which cover the United States – Japan trade.

Discussions with the Japanese Shipowners' Association (JSA) and Mitsui OSK Lines Ltd. (MOL) revealed that Japanese carriers (including MOL) are party to a number of non-ratemaking operational agreements – the specific types are marked in a table as part of the interview feedback notes relating to this stage of the study as shown in Appendix 7.

3.10 Republic of Korea

3.10.1 Regulatory framework for non-ratemaking agreements

The regulatory framework for liner shipping non-ratemaking agreements in the Republic of Korea has been studied through a field visit to the Republic of Korea and interviews with the relevant Government Agency – the Ministry of Maritime Affairs and Fisheries (MOMAF), as well as with representatives from Korean carriers (including Hanjin and Hyundai). For a report on the specific feedback please refer to Appendix 8.

According to the MOMAF, all kinds of liner shipping agreements, contracts and joint arrangements must be filed with the MOMAF. Prior to filing, the carriers are recommended by the MOMAF to consult with the shippers and report back to the MOMAF regarding the results of the consultations. If no agreement can be reached between carriers and shippers during prior consultations, the MOMAF is then tasked to review the relevant issues concerned. After filing with the MOMAF, the agreements are available for public viewing. Thereafter, only substantive alterations of the filed agreements need to be notified to the MOMAF. The termination of the filed agreements does not need to be notified.

MOMAF states that it generally does not have clear knowledge of the number and types of active non-ratemaking agreements.

3.10.2 Identified non-ratemaking agreements covering trades to/from the Republic of Korea

We were unable to view or ascertain the existence of non-ratemaking agreements registered with the MOMAF. However, the U.S. FMC website does have accessible non-ratemaking (operational) agreements which cover the United States–Republic of Korea trade (i.e. Korean ports implicitly covered as part of a North or East Asia port range).

Discussions with the Korean carriers Hanjin and Hyundai revealed that they are parties to a number of non-ratemaking operational agreements – the specific types are marked in a table as part of the interview feedback notes relating to this stage of the study as shown in Appendix 8.

3.11 Other APEC member economies

3.11.1 Hong Kong, China

According to the feedback from its Transport and Housing Bureau, the Hong Kong government maintains a general policy objective of strengthening Hong Kong, China's position as an international maritime centre. However, it does not have any specific policy or regulatory regime regarding liner shipping. The government states that it currently has no plans to regulate, in particular, liner shipping non-ratemaking agreements.

3.11.2 New Zealand

Discussions with the New Zealand government's Ministry of Transport have revealed that there are no regulations or filing requirements relating to international carrier agreements, both rate-making and non-ratemaking (operational).

3.11.3 Remaining other APEC member economies

We have also emailed/faxed our questionnaire to the government departments responsible for maritime transport of the following APEC member economies:

- The Philippines
- Thailand
- Russia
- Chile
- Peru.

Till this moment we have not received feedback from these economies. However the Maritime Industry Authority of the Philippines has expressed its interest to contribute comments to this Stage of the study. Any inputs we receive from them will be taken into consideration in Stage 2 work.

Given their lack of response, we suspect that this can be interpreted to mean that there is no, or very limited, focus on liner shipping regulation.

3.12 Assessment of coverage and the impact of commercial confidentiality

In general, agreements (contracts) between companies of a strategic and operational nature are considered by companies to be commercially confidential as resources have been invested in their development and information may be contained therein which, if widely circulated, could put the respective companies at a competitive disadvantage or diminish/prevent the objectives of the agreement from being achieved. This situation of commercial “in confidence” makes it extremely difficult to achieve full identification of all cooperative agreements and their content. The exception, as in the case of the United States for liner shipping, is where companies are forced by government regulators to file specific agreements for monitoring/review or disclosure for exemption purposes with the filed agreements either being fully in the public domain or available upon request (i.e. through the application of freedom of information regulations).

In the case of this study, and its scope of work, it is almost certain that there exist non-ratemaking agreements between carriers for trades to/from the Asian APEC region (i.e. excluding the United States and Australia) which remain confidential and have not been identified – in particular, trades covering Intra Asia, Africa, the Middle East, Europe, and Latin America. However, the coverage achieved through the United States and Australian filed agreements together with the speculated content of the European Commission consortia questionnaire, would suggest that the type and content of these confidential (unidentified) carrier non-ratemaking operational agreements are likely to be very similar to those so far identified.

4. INVENTORISATION OF THE IDENTIFIED NON-RATEMAKING AGREEMENTS

4.1 Categorisation

At the start of the study, twenty liner shipping activity areas were identified as potential where carriers could, in theory, collaborate at the operational level and have agreements in place. It was found that there is a core area, covering the sharing of vessel operations, where the vast majority of identified non-ratemaking agreements between carriers are focussed upon. The secondary area where non-ratemaking agreements have been identified is often incidental and mainly covers inland liner shipping activities such as container equipment, road chassis equipment, and the possible sharing of operational (port) offices.

TABLE 3: CATEGORISATION OF THE IDENTIFIED NON-RATEMAKING AGREEMENTS

Category:	Activity area	Form of agreed cooperation	Operational scope	Operational scale
A (core)	Vessel Operations	Alliance	Multi-trade, multi-service	Global, 20+ vessels
		Vessel Sharing	Service (vessel string)	Trade, 2-20 vessels
		Space Charters	Service (vessel string)	Trade, share of vessel sailing
		Space Swaps	Service (vessel string)	Trade, share of vessel sailing
B (minor)	Inland & Other Operations	Container Interchange	Country, Port Range	Incidental
		Road Chassis Interchange	Country, Port Range	Frequent (in United States)
		Office, Info./IT Sharing	Country, Port Range	Occasional
		Other	Country, Port Range	Occasional

There are various alternatives used in terminology for the agreements, but in essence all relate to the forms of agreed cooperation outlined in Table 3.

Examples of alternative terminologies are:

- ‘Consortium’ used as an alternative term for Alliance and Vessel Sharing
- Joint Service or Coordinated Sailing used as alternative terms for Vessel Sharing
- ‘Slot’ used as an alternative term for Space
- ‘Exchange’ used as an alternative term for Swap.

Other forms of agreed cooperation can be found in Alliance agreements and relate to the sharing of expenses and information exchange with regard to bookings, documentation, administration, regulatory compliance, and marine terminal operations.

The activity area of vessel operations is also found to cover cooperation in the field of feeder/transshipment operations – this being in addition to cooperation in the line-haul (mainline) vessel operations. This extension to feeder/transshipment operations is seen in Alliance agreements and some vessel sharing agreements.

4.2 Prevalence

Due to the fact that non-ratemaking agreements are not publicly available in regions and economies such as Europe, the People’s Republic of China, Chinese Taipei, Japan and the Republic of Korea, we believe it is difficult to conduct an exact analysis of the overall prevalence of non-ratemaking agreements covering trades to/from the APEC region.

Given the fact that non-ratemaking agreements are publicly available in the United States with the FMC and the United States trades with most (if not all) of the other APEC member economies, we have decided to use the FMC filed agreements as a proxy / indication of the overall prevalence of different types of non-ratemaking agreements in the APEC region.

Appendix 9 provides an analysis of all of the non-ratemaking agreements filed with the U.S. FMC as of January 2008. The analysis shows:

- The type of agreement (as classified by the FMC)
- Name and nature of the agreement
- Parties to the agreement
- Trading routes covered
- APEC member economies covered.

The two main Alliance agreements (the Grand Alliance and the New World Alliance) are global in nature and cover trades to/from the complete APEC region. The vessel sharing, space charter and swap agreements cover trades to/from all of the major APEC member economies as well as some minor ones such as Papua New Guinea (PNG).

All of the road chassis interchange agreements cover the pooled use of chassis in the United States whereby the inland road transport to/from a port or rail terminal is part of an international move (including to/from the APEC region).

4.3 Main features and typical content

Further analysis of the U.S. FMC filed agreements, as listed in Appendix 9, reveals that:

-
- Alliance agreements are typically between more than two carriers
 - Vessel sharing, space charter and swap agreements are typically between two carriers.

Typical clauses in the agreements are:

- Name, Purpose, and Parties
- Geographic scope
- Agreement authority
- Administration and delegation of authority
- Effectiveness, duration and termination
- Voting
- Assignment
- Law and arbitration
- Language
- Notices
- Enforceability
- Disclaimer of partnership.

4.3.1 Potential areas of competitive influence

Non-ratemaking agreements between two or more carriers could in theory contain clauses which have the potential to influence competition – namely those in the form of preferences or restrictions on the use of certain services/assets and conditions on entering/exiting/terminating the agreement or operating independently outside of the agreement. The remainder of this chapter provides an examination of a cross-section of non-ratemaking agreements, as filed with the U.S. FMC, to reveal their typical content on these points. An evaluation of the likely impact of the content on competition will be conducted in Stage Two of the study.

4.3.2 Examination of typical key clauses

The key clauses of non-ratemaking agreements considered here concern:

- Duration (term)
- Termination and withdrawal
- Voting
- New entrants
- Sub-chartering (to third parties).

Table 4 through 7 below show the results of an analysis of the typical key clauses of a selection of different types of non-ratemaking agreements (as classified by the U.S. FMC) broken-down by four trade routes (US – Europe, US – Asia, US – South America, and US – Australia).

TABLE 4: ANALYSIS SUMMARY OF TYPICAL KEY CLAUSES OF A SELECTION OF VESSEL SHARING AGREEMENTS (FILED WITH U.S. FMC)

	US - Europe											
		Term	Termination/Withdrawal	Voting	New Entrants	Sub-chartering	Other clauses					
	CMA CGM/MARUBA AMERIGO EXPRESS SPACE CHARTER AGREEMENT	15 mth + 6 mth option	<ul style="list-style-type: none"> anytime by mutual agreement subject to change in other agreements, i.e. CGM/ELISA 	Unanimous	Unanimous voting from all members	<ul style="list-style-type: none"> with Vessel Provider's consent and/or following other Maruba agreements with other carriers 						
	MSC/K-LINE SPACE CHARTER AGREEMENT	12 mth + 12 mth option	<ul style="list-style-type: none"> binding agreement, no exit only reason for exit is change of shareholding for one of the parties. 	Unanimous	Unanimous voting from all members	<ul style="list-style-type: none"> with Vessel Provider's consent 						
US - Asia	MAERSK LINE/MOL SPACE CHARTER AGREEMENT	Indefinite	<ul style="list-style-type: none"> anytime by mutual agreement with 30 days notice 	Mutual consent	Unanimous voting from all members	<ul style="list-style-type: none"> permitted permitted to subsidiaries 	<ul style="list-style-type: none"> clause 10 on selling subsidiaries to third party carrier 					
	COSCON/WHL SPACE CHARTER AGREEMENT	No term	<ul style="list-style-type: none"> anytime by mutual agreement 	Unanimous	Unanimous voting from all members	<ul style="list-style-type: none"> or with Vessel Provider's consent 						
US - South America	MSC/APL/MOL SPACE CHARTER AGREEMENT	Indefinite, with minimum 6 months binding duration	<ul style="list-style-type: none"> anytime with 6-mth notice 3-mth notice in case of change in shareholding structure of one party 15-day notice in case of schedule changes by MSC immediate effect in case of insolvency 	Unanimous	Unanimous voting from all members	<ul style="list-style-type: none"> with Vessel Provider's consent APL & MOL may sub-charter to each third party other without MSC's consent 	<ul style="list-style-type: none"> clauses 9.4 regarding sale of slots to third party 					
	CSAV/NYKLC SPACE CHARTER AGREEMENT	9 mth + automatically renewable for 1 yr at a time afterwards	<ul style="list-style-type: none"> anytime with 30-day notice 	Unanimous	Unanimous voting from all members	<ul style="list-style-type: none"> with consent of other parties 						
US - Australia	MAERSK LINE/ HLAG SLOT CHARTER AGREEMENT	Indefinite, with minimum 24 months' binding duration for Hapag Lloyd, and 6 months' binding duration for Maersk	<ul style="list-style-type: none"> anytime with 6-mth notice 3-mth notice in case of change in shareholding structure of one party immediate effect in case of insolvency 	Mutual consent	No mention	<ul style="list-style-type: none"> with Vessel Provider's consent 						

TABLE 5: ANALYSIS SUMMARY OF TYPICAL KEY CLAUSES OF A SELECTION OF SPACE CHARTER AGREEMENTS (FILED WITH U.S. FMC)

	Term	Termination/Withdrawal	Voting	New Entrants	Sub-chartering	Other clauses
US - Europe						
	Indefinite, with minimum 24 months' binding duration	<ul style="list-style-type: none"> anytime with 6-mth notice unanimous agreement immediate effect in case of default by one party 	No mention	No mention	<ul style="list-style-type: none"> permitted to subsidiaries or with Vessel Provider's consent 	
	Indefinite	<ul style="list-style-type: none"> anytime with 3-mth notice immediate effect in case of default by one party 	CCNI to exercise all authority under the agreement	May be accepted, refer to CCNI's authority.	<ul style="list-style-type: none"> with Vessel Provider's consent 	
US - Asia						
	Indefinite, with minimum 24 months' binding duration, or at the completion of a full EB & WB roundtrip	<ul style="list-style-type: none"> anytime with 6-mth notice unanimous agreement immediate effect in case of default by one party 3-mth notice in case of change in shareholding structure of one party 	No mention	No mention	<ul style="list-style-type: none"> permitted to subsidiaries or with Vessel Provider's consent 	
	Indefinite, with minimum 12 months' binding duration	<ul style="list-style-type: none"> anytime with 6-mth notice immediate effect in case of default by one party 	Mutual consent	Unanimous consent	<ul style="list-style-type: none"> permitted to subsidiaries or with Vessel Provider's consent 	
US - South America						
	Indefinite, with minimum 12 months' binding duration + renewable for 1 yr at a time afterwards	<ul style="list-style-type: none"> anytime with 6-mth notice 3-mth notice in case of change in shareholding structure of one party immediate effect in case of default by one party 	Unanimous	No mention	<ul style="list-style-type: none"> subject to mutual consent 	
	Indefinite, with minimum 21 months' binding duration	<ul style="list-style-type: none"> anytime with 3-mth notice 3-mth notice in case of change in shareholding structure of one party immediate effect in case of default by one party 	Unanimous	Unanimous	<ul style="list-style-type: none"> with Vessel Provider's consent 	
US - Australia						
	Indefinite	<ul style="list-style-type: none"> anytime with 3-mth notice 3-mth notice in case of change in shareholding structure of one party immediate effect in case of default by one party 	No mention	No mention	<ul style="list-style-type: none"> with Vessel Provider's consent 	

TABLE 6: ANALYSIS SUMMARY OF TYPICAL KEY CLAUSES OF A SELECTION OF VESSEL SHARING/SAILING AGREEMENTS (FILED WITH U.S. FMC)

	US - Europe		Term	Termination/Withdrawal	Voting	New Entrants	Sub-chartering
	ZIM/ELJSA AGREEMENT		Indefinite, with minimum 24 months' binding duration	<ul style="list-style-type: none"> anytime with 6-mth notice anytime with mutual agreement 3-mth notice in case of change of shareholding structure immediate in case of insolvency immediate effect in case of default by one party anytime with 6-mth notice 	Unanimous	Unanimous	<ul style="list-style-type: none"> permitted to subsidiaries or with Vessel Provider's consent
	CMA CGM/CSC/ CROSS SPACE SHARTER, SAILING AND COOPERATIVE WORKING AGREEMENT		Indefinite	<ul style="list-style-type: none"> anytime with mutual agreement immediate effect in case of default by one party 6-mth notice in case of change of shareholding structure 	No mention	No mention	<ul style="list-style-type: none"> permitted with mutual consent among parties
	US - Asia		2 years binding duration + renewable 1 yr at a time	<ul style="list-style-type: none"> anytime with 6-mth notice anytime with mutual agreement 6-mth notice in case of change of shareholding structure 	Unanimous	No mention	<ul style="list-style-type: none"> not permitted
	CMA CGM/MS/ RECIPROCAL SPACE CHARTER, SAILING AND COOPERATIVE WORKING AGREEMENT		10 years	<ul style="list-style-type: none"> anytime with 6-mth notice but not prior to 10th anniversary of service anytime with mutual agreement 6-mth notice in case of change of shareholding structure immediate effect in case of default by one party 	Unanimous	Unanimous	<ul style="list-style-type: none"> permitted with mutual consent among parties
	US - South America		2 years' binding duration + renewable 1 yr at a time	<ul style="list-style-type: none"> anytime with 2-mth notice prior to beginning of following year anytime with 90-day notice anytime with mutual agreement 90-day notice in case of default by one party 90-day notice in case of insolvency by one party 	No mention	No mention	<ul style="list-style-type: none"> permitted with mutual consent among parties
	APL/HL/AG SPACE CHARTER AND SAILING AGREEMENT		Indefinite	<ul style="list-style-type: none"> 3-mth notice in case of change of shareholding structure immediate effect in case of default by one party immediate effect in case of insolvency by one party 	No mention	Unanimous	<ul style="list-style-type: none"> with Vessel Provider's consent
	US - Australia		Indefinite, with minimum 12 months' binding duration	<ul style="list-style-type: none"> 3-mth notice in case of change of shareholding structure immediate effect in case of default by one party immediate effect in case of insolvency by one party 	Unanimous	Unanimous	<ul style="list-style-type: none"> after consultation with other parties of the trade

TABLE 7: ANALYSIS SUMMARY OF TYPICAL KEY CLAUSES OF A SELECTION OF ALLIANCE AGREEMENTS (FILED WITH U.S. FMC)

	Term	Termination/Withdrawal	Voting	New Entrants	Sub-chartering	Other clauses
THE GRAND ALLIANCE AGREEMENT II	9 years with total binding duration	<ul style="list-style-type: none"> 6-mth notice after 30-mth binding duration to withdraw from services to and from Europe 12-mth notice in case of change of shareholding structure immediate in case of insolvency 	<ul style="list-style-type: none"> unanimous on major issues simple majority on routine matters 	Unanimous	<ul style="list-style-type: none"> with unanimous consent from all parties for permanent arrangements with consultation from all parties for ad hoc sub-chartering 	<ul style="list-style-type: none"> Section 5.A.7. referring to selection of feeder vessels operators to/from the Trade could potentially prevent non-selected operators from dealing directly with parties of the Trade. Section 5.A.14. specifies conditions for rate-making arrangements within the Trade

4.3.3 Typical key clauses – some preliminary observations

There are a few key clauses which may have the potential to affect competition. One of them is the clause on agreement authority, and the others are the clauses on effectiveness, duration and termination.

The clause on agreement authority regulates issues such as vessels, vessel schedule/port rotation, space allocation, use of space, third parties, terminals and operational and administrative matters. Some of these sub-clauses may affect third parties' access to the space and services. For example, the sub-clause on "Third Parties" typically stipulates that:

No party (to the agreement) may sub-charter space allocated to it hereunder to unaffiliated third-party ocean common carriers without the prior consent of the other parties, which consent shall not be unreasonably withheld.

The clauses on effectiveness, duration and termination set conditions on the parties' withdrawal from the agreement. Typically the clause asks for six months' prior written notice of withdrawal if any party wishes to withdraw from the agreement. Furthermore, in most cases, another condition for withdrawal is that the notice (of withdrawal) may not be given prior to the expiration of the first eighteen months after the Effective Date and that such termination shall not be effective until expiration of 24 months from the Effective Date (this is generally less stringent for space charters).

We have also observed that the agreements we have analysed generally have common characteristics with regards to the obligations binding the parties:

- Voting and admission of new members generally requires unanimous agreement between all parties, with very few exceptions
- Withdrawal and termination of agreements requires substantial notice in most cases, with six months being the most common requirement for notification.

However, the content of the agreements may vary substantially in certain areas:

- Terms cover a wide range of durations, from less than two years to indefinite. Additionally, some agreements include binding periods of time during which no party may withdraw from the trade (binding for durations spanning from six months to two years).
- Rules governing sub-chartering range from a complete ban of the practice to graded levels of freedom, depending on the parties involved (subsidiaries, or other third parties).

More substantive observations, linked to further evaluations, will be presented in the forthcoming Stage Two study.

APPENDIX 1 – GLOSSARY AND DEFINITIONS

The following abbreviations and terms have been used in the report and are explained here.

Term / abbreviation	Description
BEO	Competition (Block Exemption for Liner Shipping Agreements) Order 2006 of the Competition Commission of Singapore
Bogor Goals	The Maritime Expert Group (MEG) agreed at the 25 th APEC TPT-WG meeting in Washington DC in June 2005 to pursue the Bogor Goals in the maritime sector by adopting the nine policy elements of the Facilitation of International Shipping Project.
CFS	Container freight station
CITA	Canadian Industrial Shippers Association
Consortium (plural consortia)	A consortium is an agreement between two or more vessel-operating carriers that provides international liner shipping services exclusively for the carriage of cargo.
CTA	Canadian Transportation Agency
FEFC	Far Eastern Freight Conference
FMC	Federal Maritime Commission of the United States
FTC	Fair Trade Commission of Japan
IT	Information technology
JSA	Japanese Shipowners' Association
LCL	Less-than-Container-Load
MEG	Marine Expert Group of APEC
MLIT	Ministry of Land, Infrastructure and Transport of Japan
MOC	Ministry of Communications People's Republic of China
MOL	Mitsui O.S.K. Lines, Ltd.
MOMAF	Ministry of Maritime Affairs and Fisheries of Korea
NVOCC	Non-vessel operating common carrier
OSRA	Ocean Shipping Reform Act of 1998 of the United States
PRC	People's Republic of China
SCEA	Shipping Conferences Exemption Act of Canada
VSA	Vessel sharing agreement

APPENDIX 2 – QUESTIONS FOR CONSULTATIONS

Questions for government agencies:

What is the scope of your current regulatory requirements (if any) for liner shipping companies to register and disclose agreements made between themselves?

For example – only ratemaking agreements or all types of agreements are included?

If requirements to register (file) do exist, are these agreements public and to what level of disclosure?

For example – full public disclosure of agreements or only a summary of the key items in the agreements for public disclosure or registration (filing) only with no public disclosure?

Are liner shipping non-ratemaking agreements registered with you and are they available for public viewing?

Also please provide details of number and type of non-ratemaking agreements and the availability (of representative samples) for analysis by ourselves. Please note: ratemaking agreements may contain non-ratemaking parts which may be of relevance to our study – does this occur in your situation?

What is the scope of the parties covered by your current liner shipping regulatory regime?

For example – only liner shipping companies, or does this extend to agreements between liner shipping companies and other parties (such as marine terminals, depot operators, inland transport companies, etc.) or between other parties involved in the container logistics chain (forwarders, terminals, and other inland operators)?

Which types of liner shipping non-ratemaking agreements (if any) do you consider to be important for regulation?

Are there particular types of interest to you as regulators / policy-makers? What is your view on the positive and (potential) negative aspects of the different types of non-ratemaking agreements for the various players in the container logistics chain? Do you have any previous written assessments for us to view?

Do you plan in the future to have regulations or policies for liner shipping non-ratemaking agreements?

If yes, then we would be pleased to understand the nature/content of these plans.

Can you confirm and/or add to our initial list of possible types of liner shipping non-ratemaking agreements?

Questions for liner shipping companies (carriers) and others:

What are the government regulatory requirements (if any) for liner shipping companies to register and disclose agreements made between themselves?

For example – only ratemaking agreements or all types of agreements are included?

If requirements to register (file) do exist, are these agreements public and to what level of disclosure?

For example – full public disclosure of agreements or only a summary of the key items in the agreements for public disclosure or registration (filing) only with no public disclosure?

Are liner shipping non-ratemaking agreements registered with the government and are they available for public viewing?

Are we able to have copies if available or an understanding of the content? Please note: ratemaking agreements may contain non-ratemaking parts which may be of relevance to our study – does this occur in your situation?

In general, what are all the types of non-ratemaking agreements with other liner shipping companies you may enter into?

What are the types, contents and types of other parties involved (i.e. do also extend to or include marine terminals, depot operators, inland transport companies, and others).

Which types of liner shipping non-ratemaking agreements (if any) do you consider to be important for regulation or not and what are their benefits?

What is your view on the positive and (potential) negative aspects of the different types of non-ratemaking agreements for the various players in the container logistics chain?

Do you foresee new types of non-ratemaking agreements in the liner shipping industry in the future?

If yes, then we would be pleased to understand the nature/content of these new developments.

Can you confirm and/or add to our initial list of possible types of liner shipping non-ratemaking agreements – which ones are currently applicable to you.

APPENDIX 3 – SPECIFIC FEEDBACK FROM CANADIAN FIELD VISIT

Feedback from Canadian Federal Government Agencies

During the field work of this Project, two Canadian federal government agencies were interviewed – Transport Canada, and the Competition Bureau. The Canadian Transportation Agency was unable to attend the meeting we had with the Competition Bureau.

It was explained that the filing of conference rate agreements with the Canadian Transportation Agency (CTA) for exemption from s. 45 of the *Competition Act* is covered under SCEA. However, SCEA is seen by the Competition Bureau as being indecisive as to whether carrier non-ratemaking (operational) agreements when filed with the CTA are strictly exempt from competition law. The issue of non-ratemaking (operational) agreements and exemption under SCEA has never been legally tested in Canada though non-ratemaking agreements have been accepted by the CTA. A conference rate making agreement filed with the CTA which also covers non-ratemaking (operational) issues is also seen as being covered under SCEA as was evidenced in the St. Lawrence Co-ordinated Service (SLCS) conference agreement.

The application of the *Competition Act* (section 45) by the Competition Bureau to non-ratemaking (operational) agreements between carriers would be around issues of unduly limiting supply or unduly preventing competition or unduly injuring competition. In addition, non-ratemaking agreements could also raise an issue under the abuse of dominance and the merger provisions. Most likely, market shares of a company or consortia below 30-35% would not be problematic, similarly if the top four companies had a combined market share of less than 65%. For the Competition Bureau to act regarding carrier non-ratemaking agreements generally a complaint would have to be received from a shipper which has not been the case up to now - hence no inquiry has been initiated. The issue of efficiency is a grey area for the Competition Bureau in merger cases. Their belief is that if an agreement between carriers is purely for efficiency reasons then, it is unlikely to raise an issue under the *Competition Act*. However, if a non-ratemaking (operational) agreement affects competition then a balancing of efficiency and competition will be considered, a matter which is currently under review.

Conference agreements with inland carriers covering intermodal (inland) rates in Canada are not given an exemption under section 5(2) of SCEA so as to foster greater competition between individual shipping lines. This is also the case with conferences and marine terminal operators (stevedores). Container cabotage (the operational use of international containers for domestic cargoes) is not permitted in Canada and is seen as an issue. In the United States, international containers can be used for up to 365 days for domestic cargoes which permits efficiencies and transport cost savings.

Transport Canada, as input into the APEC study, investigated which non-ratemaking agreements have been filed directly with the CTA, and also those filed with the United States Federal Maritime Commission (FMC) which has a stated Canadian market component (i.e. Canadian port call coverage or US - Canada cross-border activity). The results of these investigations have been communicated to Meyrick and Associates and will be incorporated into the stage one study report.

Transport Canada also made reference to an example of a ship pooling agreement regarding Great Lakes grain shipments, but the Competition Bureau had not looked into this as no complaint had been received (this being the trigger for investigations in these sorts of cases).

Both Transport Canada and the Competition Bureau made reference to the changes occurring in the European Union on liner shipping competition exemptions (conferences) and that other countries will probably need to also re-examine their positions on liner shipping competition regulation if they have not already done so. There is also the choice to follow a more clearly defined approach as administered by the FMC in the United States.

Feedback from Representatives of Canadian Carriers

Two peak bodies, representing the shipping lines (carriers) serving Canadian trades, were interviewed – the Shipping Federation of Canada, and the BC Chamber of Shipping.

It appears that carriers do have non-ratemaking agreements covering Canadian international container trades - the types / detail summarised in Table 8 below.

TABLE 8: CANADIAN NON-RATEMAKING AGREEMENTS

LINER SHIPPING ACTIVITY AREA:	Non-ratemaking agreement	Parties	Status
1. Container equipment	Interchange (<i>ad hoc use</i>)	Lines	Existing but very limited
2. Chassis equipment	Interchange / chassis pools; leasing	Lines (often as part of alliances)	No
3. Empty Container depots	Not identified	Lines	No
4. Inland container ports/terminals	Not identified	Lines	No
5. Inland trucking services	Not identified	Lines	No
6. Inland rail services	Not identified	Lines	No
7. Inland barge services	Not identified	Lines	No
8. Container freight stations (consolidation)	Not identified	Lines	No
9. Marine terminals	Service	Lines	Existing
10. Mainline (linehaul) vessel services	1. Discussion (non-rate)	Lines	Existing
	2. Cooperative working	Lines	Existing
	3. Coordinated sailing	Lines	Existing
	4. Vessel sharing	Lines	Existing
	5. Joint service	Lines	Existing
	6. Alliance (vessel share)	Lines as an alliance/consortia	Existing
	7. Vessel slot charters	Lines	Existing
	8. Vessel space swaps	Lines	Existing
11. Feeder (relay) vessel services	<As with mainline above>	Lines	Existing
12. Sales and marketing, customer service	Not identified	Lines	No
13. Bookings	Not identified	Lines	No
14. Documentation (Bills of Lading)	Not identified	Lines	No
15. Administration (Invoicing / Freight bills / Claims)	Not identified	Lines	No
16. Operations offices & related IT	Not identified	Lines	No

17. Web portals, schedules, track and trace	Three incorporated entities	(Lines, Forwarders, IT companies)	Existing
18. Security, X-ray facilities	Yet to be identified	(Lines, Customs, Operators)	No
19. Groupage services (LCL)	Yet to be identified	(Lines)	No
20. Secondary warehousing, distribution & logistics	Yet to be identified	(Lines, Land transporters)	No
21. Other	Yet to be identified	-	-

In terms of inland transportation, the shipping lines have individual rate and service agreements with the rail companies. It is believed that this is also the case with the inland barge / river transporters connecting with Vancouver, BC. There are no real separate feeder services as such in Canada and consequently no non-ratemaking agreements for this liner shipping activity.

There have been instances of some smaller freight forwarders / consolidators (non-vessel ocean carriers) having agreements to jointly stuff boxes at a particular container freight station (CFS) and/or agree to share the operational coverage of a range of overseas ports in a particular trade (i.e. one port is operationally covered by one party and the other port by the other party).

In terms of obligations with Canadian federal government agencies, a number of non-ratemaking agreements have been filed with Canadian Transportation Agency seeking the provisions under the Shipping Conferences Exemption Act (SCEA).

Feedback from Representatives of Canadian Shippers

Two peak bodies, representing Canadian shippers (importers and exporters), were interviewed – the Canadian Industrial Shippers Association (CITA), and the Forest Producers Association.

Both associations are aware of the existence of non-ratemaking or operational agreements between liner shipping companies (carriers). The associations' views as to the benefits and any potential areas of concern will be evaluated and reported upon in Stage Two of the study.

APPENDIX 4 – SPECIFIC FEEDBACK FROM AUSTRALIA FIELD VISIT

Field test visits to the Department of Infrastructure, Transport and Regional Development, and Shipping Australia revealed that the major types of non-ratemaking operational agreements covering Australian international container trades are as follows in Table 9.

TABLE: 9 AUSTRALIAN NON-RATEMAKING AGREEMENTS

LINER SHIPPING ACTIVITY AREA:	Non-ratemaking agreement	Parties	Status
1. Container equipment	Interchange	Lines	Existing but limited
2. Chassis equipment	Interchange / chassis pools; leasing	Lines (often as part of alliances)	No
3. Empty Container depots	Not identified	Lines	No
4. Inland container ports/terminals	Not identified	Lines	No
5. Inland trucking services	Not identified	Lines	No
6. Inland rail services	Not identified	Lines	No
7. Inland barge services	Not identified	Lines	No
8. Container freight stations (consolidation)	Not identified	Lines	No
9. Marine terminals	Service	Lines	Existing
10. Mainline (linehaul) vessel services	1. Discussion (non-rate)	Lines	Existing
	2. Cooperative working	Lines	Existing
	3. Coordinated sailing	Lines	Existing
	4. Vessel sharing	Lines	Existing
	5. Joint service	Lines	Existing
	6. Alliance (vessel share)	Lines as an alliance/consortia	Existing
	7. Vessel slot charters	Lines	Existing
	8. Vessel space swaps	Lines	Existing
11. Feeder (relay) vessel services	<As with mainline above>	Lines	Existing
12. Sales and marketing, customer service	Not identified	Lines	No
13. Bookings	Not identified	Lines	No
14. Documentation (Bills of Lading)	Not identified	Lines	No
15. Administration (Invoicing / Freight bills / Claims)	Not identified	Lines	No
16. Operations offices & related IT	Not identified	Lines	No
17. Web portals, schedules, track and trace	Three incorporated entities	(Lines, Forwarders, IT companies)	Existing
18. Security, X-ray facilities	Yet to be identified	(Lines, Customs, Operators)	No
19. Groupage services (LCL)	Yet to be identified	(Lines)	No
20. Secondary warehousing, distribution & logistics	Yet to be identified	(Lines, Land transporters)	No
21. Other	Yet to be identified	-	-

APPENDIX 5 – SPECIFIC FEEDBACK FROM PRC FIELD VISIT

Government’s feedback on non-ratemaking agreements – Ministry of Communications (MOC)

During our field visit, consulting meeting with MOC was held in Beijing China in July 2007. The MOC pays more attention to ratemaking agreements than to non-ratemaking agreements. However, ratemaking and non-ratemaking agreements are both needed to be filed with the MOC according to the Regulation of the People’s Republic of China on International Maritime Transportation

Industry’s feedback on non-ratemaking agreements – COSCO

Consulting meeting with COSCO was held in its headquarters in Beijing China in July 2007. COSCO has strategic alliance agreements with a number of international liner shipping companies. Some of the alliances involve multi-dimensional cooperation on different trading routes, such as with Hanjin Shipping of Korea; other alliances may be more casual and limited to certain single route.

Due to the fact that many of the non-ratemaking agreements are based on casual cooperation, in practice COSCO does not submit notification of each agreement to MOC.

TABLE 10: COSCO’S INVOLVEMENT IN NON-RATEMAKING AGREEMENTS

LINER SHIPPING ACTIVITY AREA:	Non-ratemaking agreement	Parties	Status
1. Container equipment	Interchange	Lines (often as part of alliances)	Exists mainly on routes with North America
2. Chassis equipment	Interchange / chassis pools; leasing	Lines (often as part of alliances)	Exists mainly on routes with North America
3. Empty Container depots	Yet to be identified	(Lines)	Exists mainly on routes with North America
4. Inland container ports/terminals	Yet to be identified	(Lines)	No very popular
5. Inland trucking services	Joint dispatch	Lines (often as part of alliances)	Not very popular
6. Inland rail services	Shuttle train sharing	Lines (often as part of alliances)	Not very popular
7. Inland barge services	Barge sharing	(Lines)	No
8. Container freight stations (consolidation)	Yet to be identified	(Lines)	May exist as some carriers’ subsidiary companies
9. Marine terminals	Service	Lines (often as part of alliances)	Major form of cooperation
10. Mainline (linehaul) vessel services	1. Discussion (non-rate)	Lines	Major form of cooperation
	2. Cooperative working	Lines	Major form of cooperation
	3. Coordinated sailing	Lines	Major form of cooperation
	4. Vessel sharing	Lines	Major form of cooperation
	5. Joint service	Lines	Major form of cooperation
	6. Alliance (vessel share)	Lines as an alliance/consortia	Major form of cooperation
	7. Vessel slot charters	Lines	Major form of cooperation

	8. Vessel space swaps	Lines	Major form of cooperation
11. Feeder (relay) vessel services	<As with mainline above>	Lines	COSCO may invest in such services, but no agreements with other carriers.
12. Sales and marketing, customer service	Yet to be identified	(Lines)	No
13. Bookings	Yet to be identified	(Lines)	No
14. Documentation (Bills of Lading)	Yet to be identified	(Lines)	No
15. Administration (Invoicing / Freight bills / Claims)	Yet to be identified	(Lines)	No
16. Operations offices & related IT	Yet to be identified	(Lines)	COSCO has its own IT system
16. Web portals, schedules, track and trace	Three incorporated entities	(Lines, Forwarders, IT companies)	No
17. Security, X-ray facilities	Yet to be identified	(Lines, Customs, Operators)	No
18. Groupage services (LCL)	Yet to be identified	(Lines)	Exist but not frequent
19. Secondary warehousing, distribution & logistics	Yet to be identified	(Lines, Land transporters)	No
20. Other	Yet to be identified	-	-

APPENDIX 6 – SPECIFIC FEEDBACK FROM CHINESE TAIPEI

Government's feedback on non-ratemaking agreements

2. Questions for government agencies

2.1 What is the scope of your current regulatory requirements (if any) for liner shipping companies to register and disclose agreements made between themselves?

Answer:

According to Article 39 of Shipping Law, a brief agreement made between joint parties is required to register, such as ratemaking agreements, cross slot charter agreement, slot exchange agreement, slot allocation agreement, connecting feeder service agreement, operating agreement (joint service agreement), and vessel sharing agreement.

2.2 If requirements to register (file), are these agreements public and to what level of disclosure?

Answer:

We don't have regulations ruling these agreements to be public.

2.3 Are liner shipping non-ratemaking agreements registered with you and are they available for public viewing?

Answer:

Liner shipping non-ratemaking agreements shall register with government; however, they are not available for public viewing.

2.4 What is the scope of the parties covered by your current liner shipping regulatory regime?

Answer:

Only cover liner shipping companies.

2.5 Which types of liner shipping non-ratemaking agreements (if any) do you consider to be important for regulation?

Answer:

We respect all kinds of agreements registered if they are adopted by a consensus from each party.

2.6 Do you plan in the future to have regulations or policies for liner shipping non-ratemaking agreements?

Answer:

We will review and adjust our related regulations and policies in line with the global maritime trend in the future.

2.7 Can you confirm and/or add to our initial list of possible types of liner shipping non-ratemaking agreements?

Answer:

After confirming your initial list, we think it has already covered all types of liner shipping non-ratemaking agreement.

3. Questions for liner shipping companies (carriers) and others

3.1 What are the government regulatory requirements (if any) for liner shipping companies to register and disclose agreements made between themselves?

Answer:

The cooperative agreements in relation to service trunk to/from Chinese Taipei's ports have to be filed to the authority locally.

3.2 If requirements to register (file), are these agreements public and to what level of disclosure?

Answer:

These agreements are not open to the public. But, for business promotion and marketing purpose, liner shipping companies normally would make a brief press release to the public locally.

3.3 Are liner shipping non-ratemaking agreements registered with the government and are they available for public viewing?

Answer:

Followed above question 3.1, only a summary of main items of the non-ratemaking agreements has to be registered, but no duty to disclosure to the public due to the reason of business confidentiality.

3.4 In general, what are all the types of non-ratemaking agreements with other liner shipping companies you may enter into?

Answer:

For the purpose of smooth operation, it may contain the basic cooperative structure in vessel deployment, service rotation and container terminals as well as its relevant matters.

3.5 Which types of liner shipping non-ratemaking agreements (if any) do you consider to be important for regulation or not and what are their benefits?

Answer:

In view of shipping transport, it is a highly investment-intensive and cross-border industry; the close cooperation among liners thus becomes the main stream of the shipping industry. It mainly aims enhance asset turnaround and operation efficiency. Meanwhile, it most importantly also ensure sustainable better service to its customers. We think the cooperative model would benefit not only liners and industry but also shippers.

Actually, the existing cooperative agreements totally do not involve ratemaking matters as it is prohibited in every market. As we know, the shipping industry is a highly competitive and fragmented market. In case the cooperation does not cover joint ratemaking, it shall leave commercial deal for non-ratemaking matters. Our shipping companies believe the looser at a maximum the regulation is, the better the overall result would be.

3.6 Do you foresee new types of non-ratemaking agreements in the liner shipping industry in the future?

Answer:

According to the comments of our shipping companies, they do not yet foresee any.

3.7 Can you confirm and/or add to our initial list of possible types of liner shipping non-ratemaking agreements – which ones are currently applicable to you

Answer:

Currently, the cooperation of marine terminals and mainline vessel services stated in appendix / reference table are normally applicable to agreements between carriers.

Industry's feedback on non-ratemaking agreements

Due to the fact that we did not conduct field testing work in Chinese Taipei, nor did we consult with the industry directly, all the information we can obtain is the above questionnaire which we received from MOTC. Based on this, we have made the following inference on the existing non-ratemaking agreements in Chinese Taipei. Although the information in the Table is to the best of our knowledge, it should not be interpreted as conclusive or exhaustive.

TABLE: 11 CHINESE TAIPEI NON-RATEMAKING AGREEMENTS

LINER SHIPPING ACTIVITY AREA:	Non-ratemaking agreement	Parties	Status
1. Container equipment	Interchange	Lines	Might exists but limited
2. Chassis equipment	Interchange / chassis pools; leasing	Lines (often as part of alliances)	No
3. Empty Container depots	Not identified	Lines	No
4. Inland container ports/terminals	Not identified	Lines	No
5. Inland trucking services	Not identified	Lines	No
6. Inland rail services	Not identified	Lines	No
7. Inland barge services	Not identified	Lines	No
8. Container freight stations (consolidation)	Not identified	Lines	No
9. Marine terminals	Service	Lines	Existing
10. Mainline (linehaul) vessel services	1. Discussion (non-rate)	Lines	Existing
	2. Cooperative working	Lines	Existing
	3. Coordinated sailing	Lines	Existing
	4. Vessel sharing	Lines	Existing
	5. Joint service	Lines	Existing
	6. Alliance (vessel share)	Lines as an alliance/consortia	Existing
	7. Vessel slot charters	Lines	Existing
	8. Vessel space swaps	Lines	Existing
11. Feeder (relay) vessel services	<As with mainline above>	Lines	Existing
12. Sales and marketing, customer service	Not identified	Lines	No

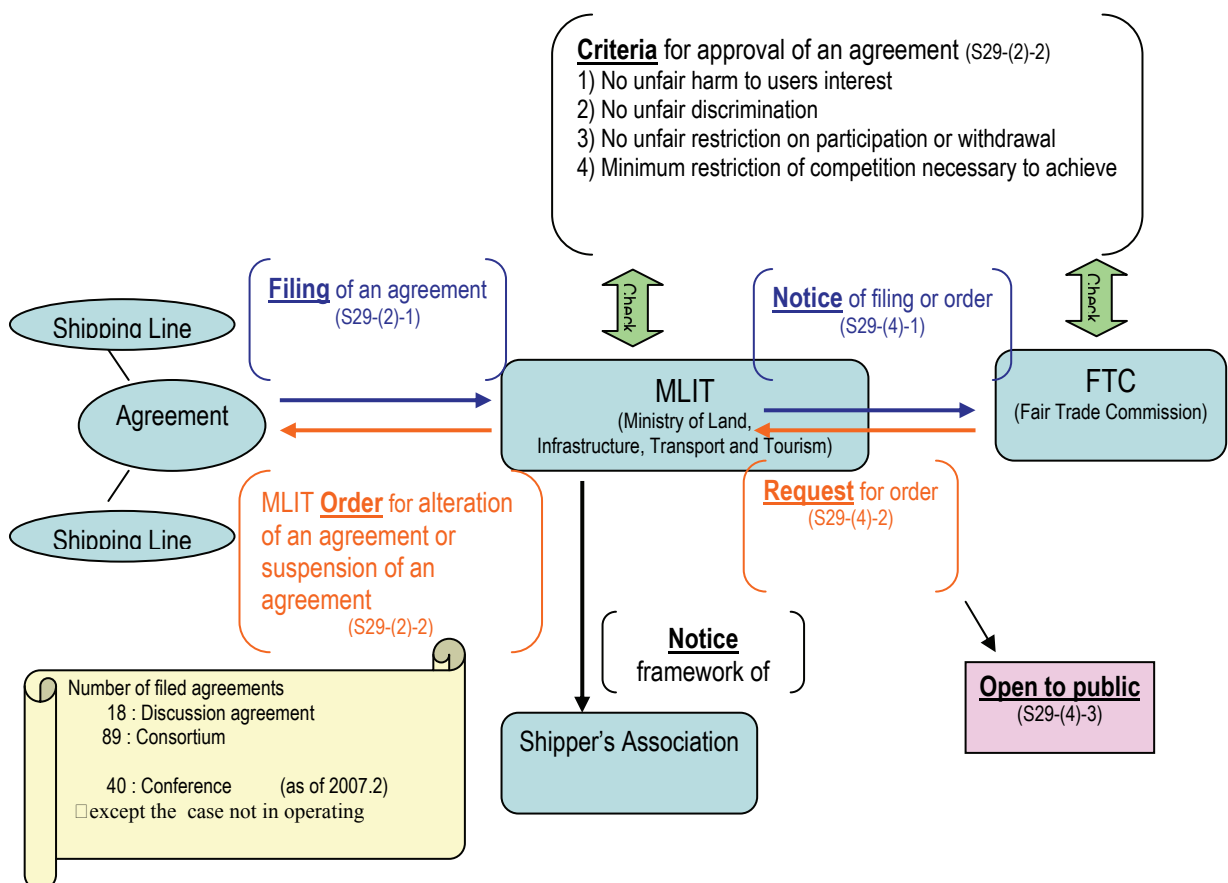
13. Bookings	Not identified	Lines	No
14. Documentation (Bills of Lading)	Not identified	Lines	No
15. Administration (Invoicing / Freight bills / Claims)	Not identified	Lines	No
16. Operations offices & related IT	Not identified	Lines	No
17. Web portals, schedules, track and trace	Not identified	(Lines, Forwarders, IT companies)	No
18. Security, X-ray facilities	Not identified	(Lines, Customs, Operators)	No
19. Groupage services (LCL)	Not identified	(Lines)	No
20. Secondary warehousing, distribution & logistics	Not identified	(Lines, Land transporters)	No
21. Other	Not identified	-	-

APPENDIX 7 – SPECIFIC FEEDBACK FROM JAPAN FIELD VISIT

Government’s feedback on the current regulatory system of liner shipping agreements

Consulting meetings with MLIT were held in Tokyo Japan in July 2007. As shown in Figure 1 below, up to February 2007, there are 18 discussion agreements and 89 consortia filed with MLIT. The agreements are negotiated between ship operators and shippers for compromise. Once agreement is reached, the ship operator comes to register with MLIT. MLIT asks if prior consultation with shipper was conducted before allowing registration. MLIT reviews the agreement on basis of the criteria set out in 29(2) of Marine Transportation Law of Japan. No fixed periodical assessment is required.

FIGURE 1: FILING PROCESS FOR INTERNATIONAL SHIPPING AGREEMENT TO ENSURE ANTIMONOPOLY IMMUNITY IN JAPAN



Source of figure: presented by MLIT in the consultation meeting July 2007, Tokyo Japan

Industry’s feedback on the current regulatory and operational system for liner shipping agreements – Japanese Shipowners’ Association (JSA) and Mitsui OSK Lines Ltd. (MOL)

Consulting meetings with JSA and MOL were held in July 2007.

The main types of non-ratemaking agreements for MOL are marine terminals and mainline vessels services. The specific types of agreements depend on the local laws and regulations of the trading partners. For example, the inland transport services such as trucking, rail, barge, do not exist on the EU routes.

MLIT and FTC (Fair Trade Commission) hold periodical public discussions and studies among the carriers, shippers and other stakeholders on the current system and its operation. These discussion and studies, together with the system of prior consultation between carriers and shippers prior to the filing of agreements, help to ensure healthy growth of the industry and achieve balance between the interests of carriers and shippers.

TABLE 12: MOL INVOLVEMENT IN NON-RATEMAKING AGREEMENTS

LINER SHIPPING ACTIVITY AREA:	Non-ratemaking agreement	Parties	Status
1. Container equipment	Interchange / grey-box pools; leasing	Lines (often as part of alliances)	Not prevailing. Major form includes inter-change agreements for misuse of containers
2. Chassis equipment	Interchange / chassis pools; leasing	Lines (often as part of alliances)	Exists mainly on routes with North America
3. Empty Container depots	Yet to be identified	(Lines)	No
4. Inland container ports/terminals	Yet to be identified	(Lines)	No
5. Inland trucking services	Joint dispatch	Lines (often as part of alliances)	Some carries make investment in these services
6. Inland rail services	Shuttle train sharing	Lines (often as part of alliances)	Some carries make investment in these services
7. Inland barge services	Barge sharing	(Lines)	No
8. Container freight stations (consolidation)	Yet to be identified	(Lines)	May exist as some carriers’ subsidiary companies
9. Marine terminals	Service	Lines (often as part of alliances)	Major form of cooperation
10. Mainline (linehaul) vessel services	1. Discussion (non-rate)	Lines	Major form of cooperation
	2. Cooperative working	Lines	Major form of cooperation
	3. Coordinated sailing	Lines	Major form of cooperation
	4. Vessel sharing	Lines	Major form of cooperation
	5. Joint service	Lines	Major form of cooperation
	6. Alliance (vessel share)	Lines as an alliance/consortia	Major form of cooperation
	7. Vessel slot charters	Lines	Major form of cooperation
	8. Vessel space swaps	Lines	Major form of cooperation
11. Feeder (relay) vessel services	<As with mainline above>	Lines	No
12. Sales and	Yet to be identified	(Lines)	No

marketing, customer service			
13. Bookings	Yet to be identified	(Lines)	No
14. Documentation (Bills of Lading)	Yet to be identified	(Lines)	No
15. Administration (Invoicing / Freight bills / Claims)	Yet to be identified	(Lines)	No
16. Operations offices & related IT	Yet to be identified	(Lines)	No
16. Web portals, schedules, track and trace	Three incorporated entities	(Lines, Forwarders, IT companies)	No
17. Security, X-ray facilities	Yet to be identified	(Lines, Customs, Operators)	No
18. Groupage services (LCL)	Yet to be identified	(Lines)	No
19. Secondary warehousing, distribution & logistics	Yet to be identified	(Lines, Land transporters)	No
20. Other	Yet to be identified	-	-

APPENDIX 8 – SPECIFIC FEEDBACK FROM REPUBLIC OF KOREA FIELD VISIT

Government’s feedback on the current regulatory system of non-ratemaking agreements

Consulting meeting with MOMAF was held in Seoul Korea in July 2007.

Due to the fact that after filing the agreements, the carriers are not obliged to notify MOMAF of minor alternation and termination of the agreements, MOMAF does not have clear knowledge of the number and types of active non-ratemaking agreements in existence.

Industry’s feedback on non-ratemaking agreements – Korea Shipowners’ Association, Korea Shippers’ Council, Hanjin Shipping and Hyundai Merchant Marine Co. Ltd.

Consulting meetings with Korea Shipowners’ Association, Korea Shippers’ Council, Hanjin Shipping and Hyundai Merchant Marine Co. Ltd. were held in Seoul Korea in July 2007.

Similar to MOL of Japan, the main types of non-ratemaking agreements in Korea are marine terminals and mainline vessels services. The specific types of agreements depend on the local laws and regulations of the trading partners.

TABLE 13: MAIN TYPES OF NON-RATEMAKING AGREEMENTS FOR HANJIN AND HYUNDAI

LINER SHIPPING ACTIVITY AREA:	Non-ratemaking agreement	Parties	Status
1. Container equipment	Interchange / grey-box pools; leasing	Lines (often as part of alliances)	Not exist in Hanjin; Exist in Hyundai
2. Chassis equipment	Interchange / chassis pools; leasing	Lines (often as part of alliances)	Exists on routes with North America for both Hanjin and Hyundai. Main form is chassis pools agreement
3. Empty Container depots	Yet to be identified	(Lines)	Not exist in Hanjin Exist in Hyundai but not popular
4. Inland container ports/terminals	Yet to be identified	(Lines)	Not exist for Hanjin. Hyundai has its own terminals, may have agreements for exchanging space
5. Inland trucking services	Joint dispatch	Lines (often as part of alliances)	No
6. Inland rail services	Shuttle train sharing	Lines (often as part of alliances)	No
7. Inland barge services	Barge sharing	(Lines)	No
8. Container freight stations (consolidation)	Yet to be identified	(Lines)	Hanjin has its own container freight stations; not exist for Hyundai
9. Marine terminals	Service	Lines (often as part of alliances)	Both Hanjin and Hyundai have their exclusive terminals
10. Mainline (linehaul) vessel services	1. Discussion (non-rate)	Lines	Major form of cooperation
	2. Cooperative working	Lines	Major form of cooperation
	3. Coordinated sailing	Lines	Major form of cooperation

	4. Vessel sharing	Lines	Major form of cooperation
	5. Joint service	Lines	Major form of cooperation
	6. Alliance (vessel share)	Lines as an alliance/consortia	Major form of cooperation
	7. Vessel slot charters	Lines	Major form of cooperation
	8. Vessel space swaps	Lines	Major form of cooperation
11. Feeder (relay) vessel services	<As with mainline above>	Lines	May exist in some economies but not popular in Korea
12. Sales and marketing, customer service	Yet to be identified	(Lines)	May be reached through discussion agreement. For Hyundai, there are joint marketing agreements with other carriers.
13. Bookings	Yet to be identified	(Lines)	No
14. Documentation (Bills of Lading)	Yet to be identified	(Lines)	No
15. Administration (Invoicing / Freight bills / Claims)	Yet to be identified	(Lines)	No
16. Operations offices & related IT	Yet to be identified	(Lines)	No
16. Web portals, schedules, track and trace	Three incorporated entities	(Lines, Forwarders, IT companies)	No
17. Security, X-ray facilities	Yet to be identified	(Lines, Customs, Operators)	No
18. Groupage services (LCL)	Yet to be identified	(Lines)	No
19. Secondary warehousing, distribution & logistics	Yet to be identified	(Lines, Land transporters)	No
20. Other	Yet to be identified	-	-

APPENDIX 9 – PREVALENCE OF NON-RATEMAKING AGREEMENTS IN APEC REGION

TABLE 14: PREVALENCE OF NON-RATEMAKING AGREEMENTS IN APEC REGION

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
ALLIANCE AGREEMENT(S)	The Grand Alliance Agreement II (cooperative working agreement)	HL (Hapag-Lloyd AG and Hapag-Lloyd US LLC), NYK (Nippon Yusen Kaisha), OOCL (Orient Overseas Container Line Ltd. HK)	All ports in the countries listed in Appendix A of the agreement and all inland and coastal points via such ports, and all ports on the US Atlantic and Gulf coast, and inland and coastal points via such points.	US, Japan, Hong Kong
	The New World Alliance Agreement (space charter and sailing agreement)	APL (American President Lines, Singapore and US), MOL (Mitsui O.S.K Lines Ltd., Japan), Hyundai Merchant Marine Co. Ltd., Korea	Vessels that call US ports: US port ranges: US Pacific Coast; US Atlantic and Gulf Coasts; non-US port ranges: far east; Northern Europe, Panama, Mediterranean, Canada Pacific Coast Vessels that do not call US ports: including vessels that operate on voyages within or between the far east, Northern Europe and/or Mediterranean port ranges.	Singapore, US, Japan, Korea
COOPERATIVE WORKING AGREEMENT(S)	Ocean Carrier Working Group Agreement	Maersk Line; Evergreen Marine Corporation (Taiwan) Ltd.; King Ocean Service de Venezuela, S. A.; Star Shipping A.S.; Tropical Shipping & Construction Company Ltd.; Wallenius Wilhelmsen Logistics AS (US); Zim Integrated Shipping Services, Ltd.; Hapag-Lloyd AG	The agreement covers trades between ports in the US, and all US points served via those ports, and ports and points in all other countries worldwide.	All APEC member economies

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	Transpacific Carrier Services, Inc. Agreement	American President Lines, Ltd. and APL Co. Ptd. Ltd.; Evergreen Line Joint Service Agreement (Taiwan); Hanjin Shipping Co. Ltd.; Hapag-Lloyd AG; Hyundai Merchant Marine Co. Ltd.; Kawasaki Kisen Kaisha Ltd.; Mitsui O. S. K. Lines Ltd.; Nippon Yusen Kaisha Ltd.; Orient Overseas Container Line Ltd.; Yang Ming Marine Transport Corp.; COSCO Container Lines Co. Ltd.; CMA CGM S. A. (France); Zim Integrated Shipping Services Ltd. (Israel)	The geographic scope of this agreement is the same as the geographic scope of all constituent agreements.	Chinese Taipei, Korea, Singapore, US, Japan, China
	NYK/WWL Joint Service Contract Agreement	Nippon Yusen Kaisha, Wallenius Wilhelmsen Logistics AS (US)	The agreement covers trades between ports in the US, and ports in Mexico, Central America, South America and the Caribbean Islands.	US, Mexico, Chile and Peru
	Hamburg-Sud/Crowley Cooperative Service Contract Agreement	Hamburg-Sued (US), Crowley American Transport (US)	The agreement covers trades between ports in the US, and ports in Central and South America, and the Caribbean.	US, Mexico, Chile and Peru

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	Common Ocean Carrier Platform Agreement	Shareholder parties: Maersk Lines (Denmark); Hamburg Sued (Germany); Mediterranean Shipping Company (Switzerland); CMA CGM (France); Hapag-Lloyd (Germany); United Arab Shipping Company (S. A. G) (US); Non shareholder parties: Alinaca Navegacao e Logistica Ltda. (Brazil); Safmarine Container Lines N. V. (Belgium); Nippon Yusen Kaisha; Tasman Orient Line C.V.(The Netherlands); Mitsui O. S. K. Lines Ltd.; Kawasaki Kisen Kaisha, Ltd.	The agreement covers trades between ports in the US and all foreign ports.	US, Japan
Global Transportation Network Agreement		APL Co. Ltd. (Singapore); American President Lines, Ltd. (US); CP Ships Holding Inc. (England); Crowley Maritime Corporation (US); CSAV Group Cooperative Working Agreement (Chile); Hanjin Shipping Co. Ltd.; Hyundai Merchant Marine Co. Ltd.; Kawasaki Kisen Kaisha, Ltd.; Mitsui O. S. K. Lines Ltd.; Senator Lines GMBH (Germany); Wan Hai Lines Ltd. (Taiwan); Yangming Marine Transport Corp. (Taiwan); Zim Integrated Shipping Services Ltd. (Israel)	The agreement covers trades between ports worldwide.	All APEC member economies

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	HSDG/FOML Agreement	Hamburg Suedamerikanische Dampfschiffahrts-Gesellschaft KG (HSDG); FESCO Ocean Management Limited (FOML) (Cyprus)	The agreement covers trades between ports in Asia (excluding Russia), and ports in Australia and New Zealand, and ports in the US, and ports in the Pacific Islands.	US, Australia, New Zealand and all Asian APEC member economies
	Florida Shipowners Group Agreement (non-substantive administrative services agreement)	Caribbean Shipowners Association (Bernuth Lines Ltd.; CMA CGM SA; Crowley Liners Services, Inc.; Interline Connection, NV; Seaboard Marine, Ltd.; Seafreight Line, Ltd.; Sea Star Line Caribbean, LLC; Tropical Shipping & Construction Co., Ltd; Zim Integrated Shipping Services, Ltd), Florida-Bahamas Shipowners and Operators Association (Atlantic Caribbean Line, Inc; Crowley Liner Services, Inc; Nina (Bermuda) Ltd. d/b/a FTD Shipping Line; Pioneer Shipping Ltd.; Seaboard Marine Ltd.; SeaFreight Line, Ltd. C/O Seafreight Agencies, Inc.; Tropical Shipping & Construction Co., Ltd	The geographic scope of this agreement is the same as the geographic scope of all constituent agreements.	All APEC member economies
	The 360 Quality Association Agreement	NYKCool AB and Seatrade Group NV	The agreement covers trades between all ports and points in all countries worldwide.	All APEC member economies

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
EQUIPMENT INTERCHANGE AGREEMENT(S)	Steamship Line Co-Operative Chassis Pool Agreement (cooperative working agreement)	Compania Sud Americana de Vapores, S. A.; Hanjin Shipping Co., Ltd; Zim Integrated Shipping Services, Ltd; Evergreen Marine Corp. (Taiwan) Ltd.; COSCO Container Lines (Hong Kong) Co., Ltd; Yangming Marine Transport Corporation (US), Kawasaki Kisen Kaisha, Ltd; CMA CGM S. A. (France)	The agreement covers trades between ports and points in the US and all other countries.	US
	N.S. Inman Chassis Program L.L.C. Limited Liability Company Operating Agreement (cooperative working agreement)	COSCO Americas, Inc.; K Line America; NYK Line (North America), Inc.; Yangming Line	Within the US	US
	Sea Girt Chassis Cooperative, L.L.C. Limited Liability Company Operating Agreement (cooperative working agreement)	COSCO Container Lines Company, Ltd.; Mediterranean Shipping Company (USA); CMA CGM, S. A. (USA); Compania Sudamericana de Vapores, S. A. US	The agreement covers trades between ports and points in the US and all other countries.	US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	Hampton Road Chassis Pool II Agreement (cooperative working agreement)	Virginia International Terminals, Inc., and the Ocean Carrier Equipment Management Association for itself and on behalf of the following member lines: APL, Co. Ltd.; American President Lines, Ltd; Atlantic Container Lines; CMA CGM, S.A; Compania Sud Americana de Vapores, S. A.; COSCO Container Lines Company Ltd; Evergreen Marine Corp. (Taiwan) Ltd.; Hamburg-Sued; Hapag-Lloyd AG; Hyundai Merchant Marine Co. Ltd.; Kawasaki Kisen Kaisha, Ltd.; CP Ships USA, LLC; Mitsui O. S. K. Lines Ltd; Nippon Yusen Kaisha Line; Orient Overseas Container Line Limited; and Yang Ming Marine Transport Corp.	The geographic scope includes terminals operated by the Virginia International Terminals and any near-by rail-operated depots in the Hampton Roads vicinity, with respect to shipments moving in the foreign commerce of the US.	US
	Consolidated Chassis Management Pool Agreement (cooperative working agreement)	CMA CGM S. A. (France), Compania Sud Americana de Vapores, S. A.; Compania Libra de Navegacao, Compania Libra de Navegacion Uruguay S. A. (Chile); Norasia Containers Lines Limited (Chile), COSCO Container Lines Company Ltd. (China); Evergreen Line Joint Service Agreement (Taiwan); Hamburg-Sudamerikanische (Germany)	The scope of the agreement includes Marine Terminals and Inland Intermodal Terminals located within the US at which containers moving to or from Marine Terminals in the foreign commerce of the US, or chassis which transport such containers, are received, delivered, handled, stored, repaired, maintained, loaded, unloaded, inspected or interchanged.	US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	South Atlantic Chassis Pool Agreement (cooperative working agreement)	Georgia Ports Authority, South Carolina State Ports Authority, Ocean Common Carrier Parties (Maersk Line, Denmark; APL Co. Pte. Ltd.; American President Lines, Ltd.; CMA CGM S. A.; Compania Sud Americana de Vapores, S. A.; COSCO Container Lines company Ltd.; Hamburg-Sudamerikanische; Hanjin Shipping Co. Ltd.; Hapag-Lloyd AG; Hapag-Lloyd US; Evergreen Line Joint Service Agreement (Taiwan); Hyundai Merchant Marine Co. Ltd.; Mitsui O. S. K. Lines Ltd.; Nippon Yusen Kaisha Line; Orient Overseas Container Line Limited; Crowley Maritime Corporation (USA); Yang Ming Marine Transport Corp. (Taiwan); Kawasaki Kisen Kaisha, Ltd.; Atlantic Container Line	The agreement covers trades between the US and other Asian and European countries included in this agreement.	US
JOINT SERVICE AGREEMENT(S)	Somers Isles Shipping Agreement	Somers Isles Shipping Ltd. (Bermuda); Bermuda Container Line Ltd.; Bermuda International Shipping Ltd.	The agreement covers trades between ports and points in the US, Mexico and Canada, and ports and points in Bermuda.	US, Canada and Mexico
	Greater Bali Hai Service	Mitsui O. S. K Lines Ltd.; Nippon Yusen Kaisha; The China Navigation Company Ltd. (UK); The Kyowa Shipping Co. Ltd.	The scope of joint service includes: (1) between ports in Japan/Korea and some South Pacific ports specified in this agreement; (2) between the South Pacific ports specified in this agreement.	Japan, US and Korea

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	West Coast Industrial Express Joint Service Agreement	Associated Transport Line, LLC (US); Industrial Maritime Carriers, LLC (US); ATL Investments Ltd.; West Coast Industrial Express, LLC	Ports, inland and coastal points in the US and Panama, Ecuador, Peru and Chile.	US, Chile and Peru
	Greensea Inc. Joint Service Agreement	Green Chartering AS (Norway); Seatrade Group N. V. (Netherlands)	Geographic scope of the agreement covers trades between ports, inland and coastal points in the US and ports in Continental Europe.	US
	APS Joint Service Agreement	BBC Chartering & Logistics GmbH & Co., KG (Germany); Clipper Elite Carrier Ltd. (Bahamas); Asia Project Services Ltd. (Bahamas)	The joint services in this agreement cover trades between ports and points in the US and those in Asia, Australia, New Zealand, the Indian Subcontinent, the Middle East and Africa.	US, Australia, New Zealand and Asian APEC economies
	BBC Chartering and Logistic - Caytrans Project Services (Americas) Joint Service Agreement	BBC Chartering & Logistics GmbH & Co., KG (Germany); Caytrans Project Services (Americas) Ltd. (US)	The joint services cover trades between ports in the US and the Caribbean, the East Coast of Mexico, the East Coast of Central America, the North Coast of South America on the other.	US, Mexico and other APEC member economies covered in the agreement
	Evergreen Line Joint Service Agreement	Evergreen Marine Corp. (Taiwan) Ltd.; Evergreen Marine Corp. (UK) Ltd.; Evergreen Marine Corp. (HongKong) Ltd.; Italia Marittima S. P. A.	The agreement covers services for the transportation of cargo, whether moving in all-water or intermodal service, under port-to-port or through bill of lading, direct or by transshipment, from ports and points worldwide to ports and points in the US and vice versa.	All APEC member economies

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
<p style="text-align: center;">NON-RATE DISCUSSION AGREEMENT(S)</p>	<p style="text-align: center;">International Council Of Containership Operators (cooperative working agreement)</p>	<p>Maersk Line (Denmark); Atlantic Container Line AB (US); China Ocean Shipping (Group) Company (China); China Shipping (Group) Company (China); CMA CGM Line (France); Compania Sud Americana de Vapores, S. A (Chile); Crowley Maritime Corp. (US); Evergreen Maritime Corporation (Taiwan) Ltd.; Hamburg-Sudamerikanische (Germany); Hanjing Shipping Co. Ltd. (Korea); Hapag-Lloyd AG, Hyundai Merchant Marine Co. Ltd.; Kawasaki Kisen Kaisha. Ltd.; Malaysia International Shipping Corporation Berhad; MSC Mediterranean Shipping Company S. A. (Switzerland); Mitsui O. S. K. Lines Ltd.; Neptune Orient Lines Ltd. (Singapore); Nippon Yusen Kaisha (NYK Line); Orient Overseas Container Line Ltd.; Pacific International Lines (Pte) Ltd.</p>	<p>The agreement covers trades between ports and points in the US, and all foreign ports and points.</p>	<p>All APEC member economies</p>

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	International Vessel Operators Hazardous Material Association Agreement (cooperative working agreement)	APL Co. Pte. Ltd. (US); Atlantic Container Line AB (England); Crowley Maritime Corporation (US); Horizon Lines, LLC (US); CMA CGM SA; COSCO Container Lines, Inc. (US); Evergreen Marine Corporation (Taiwan) Ltd.; Hamburg Sudamerikanische; Hapag-Lloyd AG; Hyundai Merchant Marine Co., Ltd.; Independent Container Line Ltd. (US); Kawasaki Kisen Kaisha Ltd.; Maruba SCA (US); Matson Navigation Company (US); Mitsui O. S. K. Lines Ltd.; Maersk Line; National Shipping Co. of Saudi Arabia; Nippon Yusen Kaisha Line; Orient Overseas Container Line Ltd.; Safmarine Container Lines; Senator Lines GmbH (Germany); Tropical Shipping & construction Co., Ltd.; Zim Integrated Shipping Services Ltd.; Marine Transport Management, Inc.; Bermuda Container Line; United Arab Shipping Co. S. A. G.; Alianca Navegacao E Logistica Ltda.; China Shipping Container Lines Co., Ltd.; Hanjin Shipping Co. Ltd.; Seaboard Marine Ltd.; Yang Ming Marine Transport Corp.	The agreement covers trades between ports and points in the US, and ports and points worldwide.	All APEC member economies
	The Credit Agreement (conference agreement)			

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	Japanese-United States Flag Carrier Discussion Agreement (cooperative working agreement)	Kawasaki Kisen Kaisha Ltd.; American President Lines Ltd.; Mitsui O. S. K. Lines Ltd.; Nippon Yusen Kaisha Line	The agreement covers trades between ports and points in Asia and the US.	US and all Asian APEC member economies
	Specialised Reefer Shipping Association Agreement (cooperative working agreement)	NYK Cool AB (Sweden); Seatrade Group NV (Netherlands)	The agreement covers trades between ports and points in all countries worldwide.	All APEC member economies
The Maritime Credit Agreement (cooperative working agreement)		Alianca Navegacao E Logistica Ltda.; A. P. Moller Maersk A/S; CMA CGM S. A.; Atlantic Container Line AB (Sweden); China Shipping Container Lines Co. Ltd.; Companhia Libra de Navegacao (Brazil); Compania Sud Americana de Vapores, S. A. (Chile); COSCO Container Lines Company Ltd.; Dole Coean Cargo Express; Hamburg Sudamerikanische; Hapag-Lloyd AG; Hoegh Autoliners A/S; Independent Container Line Ltd.; Compania Libra de Navegacion Uruguay S. A. (Uruguay); Norasia Container Lines Ltd. (Malta); Safmarine Container Lines N.V (Belgium); Tropical Shipping & Construction Co. Ltd.; United Arab Shipping Company; Wallenius Wilhelmsen Logistics AS; Zim Integrated Shipping Services Ltd.; Kawasaki Kisen Kaisha, Ltd.	This agreement covers cargo moving between the US and all foreign countries.	All APEC member economies

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
SAILING AGREEMENT(S)	US Flag Roll-On Roll-Off Carrier Vessel Schedule Discussion and Voluntary Adherence Agreement (cooperative working agreement)	American Roll-on Roll-off Carrier, LLC; Waterman Steamship Corporation	The agreement applies to trades between US Atlantic and Gulf Coast ports on the one hand, and, on the other hand, Mediterranean Sea ports and Middle East ports in the range between the Gulf of Suez and the West Coast of Pakistan and India, including the Gulf of Aqaba, the Red Sea, the Gulf of Aden, the Gulf of Oman, and the Persian Gulf.	US
VESSEL SHARING (VSA)/SAIL AGREEMENT(S)	ACL/H-L Reciprocal Space Charter and Sailing Agreement (space charter and sailing agreement)	Atlantic Container Line, AB; Hapag-Lloyd Container AG (Germany)	The agreement applies to ocean carrier services between a) ports on the Atlantic and Gulf Coasts of the US, the Atlantic Coast of Canada, and the Canadian side of the Lawrence River, on the one hand, and ports in Europe excluding the Mediterranean, on the other hand; b) ports on the Atlantic and Gulf Coasts of the US, on the one hand, and ports on the Atlantic side of Canada, the Canadian side of the Lawrence River, and the East Coast of Mexico, on the other hand; c) the European ports referred to above.	US, Mexico and Canada

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	ACL/Wallemius Wilhelmsen Lines Agreement (space charter, sailing and cooperative working agreement)	Atlantic Container Line AB (Sweden); Wallemius Wilhelmsen Lines AS (Norway)	The geographic scope of this agreement covers trades between US ports and points and ports and points in Europe.	US
	HANJIN/United Arab Vessel Sharing and Slot Allocation Agreement (cooperative working agreement)	Hanjin Shipping Co. Ltd.; United Arab Shipping Co. (Kuwait)	The agreement covers worldwide inbound/outbound services.	All APEC member economies
	M.O.S.K./Hoegh Autoliners Space Charter Agreement (space charter and sailing agreement)	Mitsui O.S.K Lines Ltd.; Hoegh Autoliners (Norway)	The agreement covers trade from ports in the UK and Northern Europe to ports in the US.	US
	MPA Space Charter And Sailing Agreement (space charter and sailing agreement)	Mediterranean Shipping Company, S. A. (Switzerland); Atlantic Container Line AB (Sweden)	The agreement covers trade between US and Europe.	US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	APL/Hflag Space Charter Agreement (space charter agreement)	American President Lines; APL CO. PTE. LTD (Singapore); Hapag-Lloyd AG	The agreement covers various trades and subtrades between ports and points in the Far East and the US. The “Far East” includes: Japan; Siberia; Korea; China; Chinese Taipei; Hong Kong; China; Macao; Thailand; Cambodia; Vietnam;; Singapore; Malaysia; Laos;; Burma; Brunei; Philippines; Sri Lanka and Indonesia.	Japan; Korea; China; Chinese Taipei; Hong Kong; China; Thailand; Vietnam; Singapore; Malaysia; Brunei; Philippines; and Indonesia
	NYK/Hoegh Autoliners Space Charter Agreement (cooperative working agreement)	Nippon Yusen Kaisha; Hoegh Autoliners AS (Norway)	The agreement applies to trades between US ports and ports in the Red Sea and Arabian Gulf.	US
	Matson/APL Space Sharing Agreement (cooperative working agreement and space charter agreement)	American President Lines, Ltd.; Matson Navigation Company, Inc.	The agreement applies to trades between US ports and ports in the Far East. “Far East” includes Japan, Okinawa, Chinese Taipei, the Philippines, Indonesia and the Penang-Pusan range in continental Asia.	US, Japan, Chinese Taipei, the Philippines, China, Thailand, Malaysia, Vietnam, Korea and Indonesia
	M.O.S.K./Hoegh Autoliners Space Charter Agreement (space charter and sailing agreement)	Mitsui O.S.K Lines Ltd.; Hoegh Autoliners AS (Norway)	The agreement covers trades between ports in the US and ports in the UK and Northern Europe; between ports in the US and ports in the Dominican Republic.	US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	East Coast Americas Service (cooperative working agreement)	Hanjin Shipping Co. Ltd.; Hyundai Merchant Marine Co. Ltd.; Kawasaki Kisen Kaisha; Yang Ming Marine Transport Corp.	The agreement covers trades between US ports and ports in Colombia, Venezuela, Guyana, Suriname, French Guiana, Brazil, Uruguay, Argentina and islands of the Caribbean Sea.	US
	CGM TDM/Marfret Space Charter, Sailing and Cooperative Working Agreement (space charter, sailing and cooperative working agreement)	CGM Tour du Monde S. A. (France); La Compagnie Maritime Marfret S. A. (France)	The agreement applies to (1) trades between ports in the US and ports in continental Europe, the UK, Ireland, Scandinavia and Mediterranean; (2) trades between ports in the US and ports in Central and South Pacific, including PNG, Australia, Asia, South-East Asia and the Indian subcontinent.	US and other APEC economies
	CLNU/HIag Space Charter And Sailing Agreement (space charter and sailing agreement)	Compania Libra de Navegacion Uruguay S. A.; Hapag-Lloyd AG	The trade scope covers: (1) between ports in the US and ports in Brazil, Argentina, Paraguay, Uruguay, Venezuela, Colombia, the Dominican Republic and the Trinidad and Tobago; (2) between ports in the US and ports in Mexico.	US, Mexico
	CSAV/NYK Space Charter Agreement (space charter agreement)	Compania Sud Americana de Vapores, S. A (Chile); Nippon Yusen Kaisha	The agreement covers trades between ports in the US and ports in Korea, Japan, Chinese Taipei, China and Hong Kong, the Philippines, Singapore, Malaysia, Indonesia, Thailand, the West Coast of South and Central America, and Mexico.	Korea, Japan, Chinese Taipei, China and Hong Kong, the Philippines, Singapore, Malaysia, Indonesia, Thailand and Mexico

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	APL/Hflag Space Charter And Sailing Agreement (space charter and sailing agreement)	American President Lines; APL CO. PTE. LTD (Singapore); Hapag-Lloyd AG	The agreement covers trades between ports in the US and ports in Brazil, Argentina, Paraguay, Uruguay, Venezuela, Colombia, the Dominican Republic and the Trinidad and Tobago.	US
	Joint Operating Agreement Between Interocean Lines, Inc./Trinity Shipping Line, S.A. (cooperative working agreement)	Interocean Lines, Inc.; Trinity Shipping Lines, S. A.	The agreement covers trades between ports in the US and ports in Panama, Ecuador, Colombia and Peru.	US, Peru
	West Coast North America/Pacific Islands Vessel Sharing Agreement (space charter agreement)	Hamburg-Sudamerikanische Dampfschiffahrt-Gesellschaft; Polynesia Line Ltd.	The agreement covers transportation between ports and points in the US and ports and points in Papua New Guinea and some other Pacific islands.	US, Papua New Guinea
	IMC/ATL Space Charter And Sailing Agreement (space charter and sailing agreement)	Industrial Maritime Carriers, L.L.C.; Associated Transport Line, L.L.C.	Trading scope covers trades between ports and points in the US and ports and points in Aruba, Colombia, Dominican Republic, French Guiana, Guyana, Jamaica, Suriname, Trinidad and Venezuela.	US
	New World Alliance/ Maersk Line Slot Exchange Agreement (space charter and sailing agreement)	Maersk Line, New World Alliance (APL Co. Pte. Ltd. and American President Lines, Co. Ltd.; Mitsui O. S. K. Lines Ltd.; Hyundai Merchant Marine Co. Ltd.	Trading scope covers ports and coastal points between the US and Europe.	US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	Maersk Line/APL Mediterranean Slot Charter Agreement (space charter agreement)	Maersk Line; APL Co. Pte. Ltd. and American President Lines, Ltd.	The agreement covers trade between ports and points in the US and ports in the Mediterranean.	US
	GWF/Dole Space Charter And Sailing Agreement (space charter and sailing agreement)	Great White Fleet (US) Ltd.; Dole Ocean Cargo Express, Inc.	Trade between the US and Costa Rica, Guatemala and Honduras.	US
	U.S. Pacific Coast-Oceania Agreement (space charter and sailing agreement)	Hamburg-Sudamerikanische Dampfschiffahrt-Gesellschaft (trading under its own name and the name Fesco Australia/New Zealand Liner Services; Hapag-Lloyd AG; Maersk Line	The geographic scope of this agreement covers: (1) trade between ports and points in the US and ports and points in Australia, New Zealand and the Pacific Islands; (2) trade between ports and points in the US and Canada and Mexico.	US, Canada, Australia, New Zealand, Mexico
	Hoegh Autoliners/Eukor Space Charter Agreement (space charter agreement)	Hoegh Autoliners; Eukor Car Carriers, Inc. (Korea)	The agreement covers trade between ports in Korea and the US.	US, Korea
	Seafreight/Crowley Space Charter Agreement (space charter agreement)	Seafreight Line, Ltd.; Crowley Liner Service, Inc.	The agreement covers trade between ports in the US and in Jamaica.	US
	NMCC/Hoegh Autoliners Space Charter Agreement (space charter agreement)	Nissan Motor Car Carrier Co. Ltd. (Japan); Hoegh Autoliners (Norway).	The agreement covers trade between ports in Japan and Korea and ports in the US (including Puerto Rico).	US, Japan, Korea

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	NSCSA/NYK Middle East Space Charter Agreement (space charter agreement)	National Shipping Company of Saudi Arabia; Nippon Yusen Kaisha	The scope of the agreement covers trades between ports in the US and ports in countries bordering on the Arabian Gulf, Red Sea, Gulf of Aden, Gulf of Oman and Arabian Sea.	US
	COSCON/KL/YMUK/HAN JIN/Senator Worldwide Slot Allocation & Sailing Agreement (space charter, sailing and cooperative working agreement)	COSCO Container Lines Company, Ltd.; Kawasaki Kisen Kaisha, Ltd.; Yangming (UK) Ltd.; Hanjin Shipping Co. Ltd.; Senator Lines GMBH (Germany)	The geographic scope of the agreement covers all worldwide trades, subject to the limitations of joint activities set up in this agreement.	All APEC member economies involved.
	Puerto Rican Cross Space Charter and Sailing Agreement (space charter and sailing agreement)	Compania Chilena de Navegacion Interocanica, S. A. (Chile); Compania Sudamericana de Vapores S. A. (Chile)	The agreement covers trades between ports and points in the US and ports and points in some European countries and South American countries.	US, Peru, Chile
	Industrial Maritime Carriers/Nordana Line Slot Charter and Sailing Agreement (space charter and sailing agreement)	Industrial Maritime Carriers (USA), Inc.; Nordana Line AS (Denmark)	The agreement covers trades between ports in the US and ports in Colombia and Venezuela.	US
	WWL/WLS Space Charter Agreement (space charter agreement)	Wallenius Wilhelmsen Logistics AS; World Logistics Service (USA), Inc.	The agreement covers trade between US and Mexico.	US, Mexico

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	Priority/Crowley Space Charter Agreement (space charter agreement)	Priority Transport, Inc.; Crowley Liner Service, Inc.	The agreement covers trade between Puerto Rico and Dominican Republic.	US
	CMA CGM-HL- APL INDAMEX 3 Cross Space Charter, Sailing And Cooperative Working Agreement (space charter, sailing and cooperative working agreement)	Hapag-Lloyd AG; CMA CGM SA (France); APL Co. Pye. Ltd./American President Lines, Ltd. (Singapore)	The agreement covers trade between the US and (1) ports and points in India, Pakistan, Sri Lanka, and the Bangladesh to Philippines ranges; (2) ports and points in countries bordering the Mediterranean and in Portugal; (3) ports and points in countries bordering the Red Sea and in the UAE.	US, Thailand, Malaysia, Singapore, Vietnam, China and Philippines
	WWL/K-Line Americas Space Charter Agreement (space charter agreement)	Wallenius Wilhelmsen Logistics AS; Kawasaki Kisen Kaisha, Ltd	Trades between ports in the US and Mexico as well as the east coast of South America.	US, Mexico, Peru and Chile
	Hoegh Autoliners/Eukor Caribbean and Central America Space Charter Agreement (space charter agreement)	Hoegh Autoliners; Eukor Car Carriers, Inc. (Korea)	Trades between ports in the US and ports in South American countries.	US, Chile and Peru
	MOL/WLS Space Charter Agreement (space charter agreement)	Mitsui O. S. K. Lines, Ltd.; World Logistics Services (USA), Inc.	Trades between Mexico and the US	US and Mexico

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	Crowley/Dole Space Chartering And Sailing Agreement (space charter and sailing agreement)	Crowley Line Services; Dole Ocean Cargo Express, Inc.	Trades between ports and points in the US and ports and points in Costa Rica.	US
	ELJSA/ZIM Cross Space Charter and Sailing Agreement (space charter and sailing agreement)	Evergreen Line Joint Service Agreement (Taiwan); Zim Integrated Shipping Services, Ltd.	Trades between ports and points in the US and ports and points in the Caribbean, Central America, and in the Far East in the Japan Singapore range.	US, Japan, Singapore and other relevant APEC economies.
	WWL/K-Line Transatlantic Space Charter Agreement (space charter agreement)	Wallenius Wilhelmsen Logistics AS; Kawasaki Kisen Kaisha, Ltd.	Trades between ports and points in the US and ports and points in Europe.	US
	Usatlan Cross Space Charter, Sailing, And Cooperative Working Agreement (space charter, sailing and cooperative working agreement)	Compania Sudamericana de Vapores S. A. (Chile); Compahia Libra de Navegacao (Libra); Compania Libra de Navegacion Uruguay S. A.	The agreement covers trades between ports in the US and ports in Argentina, Brazil, Paraguay, Uruguay and Venezuela.	US
	Seafreight/Crowley Eastern Caribbean Space Charter Agreement (space charter agreement)	Seafreight Lines Ltd.; Crowley Liner Services, Inc.	The agreement covers trades within the US.	US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	CMA CGM/MSC Reciprocal Space Charter, Sailing and Copperative Working Agreement (space charter, sailing and cooperative working agreement)	CMA CGM S.A.; Mediterranean Shipping CO S.A.	The agreement covers trades between ports in the US and ports in Singapore, Malaysia, China, Korea, Japan, the Philippines, and Indonesia.	US, Singapore, Malaysia, China, Korea, Japan, the Philippines and Indonesia
	Hapag-Lloyd/NYK Space Charter Agreement (space charter agreement)	Hapag-Lloyd AG; Nippon Yusen Kaisha	The agreement covers trades between ports in the US and ports in Brazil, Jamaica, Dominican Republic, Uruguay, Venezuela and Argentina.	US
	Crowley/Maersk Line Trinidad Space Charter Agreement (space charter agreement)	Crowley Liner Service, Inc.; Maersk Line	The agreement covers trades between ports in Trinidad and ports in the US.	US
	Westwood/Star Sailing and Space Charter Agreement (space charter and sailing agreement)	Westwood Shipping Lines, Inc.; Star Shipping A.S.	The agreement covers trades between ports in Canada and the US, and ports in Japan, Korea and China.	Canada, US, Japan, China, Korea
	K-LINE/CSAV CAR Carrier Agreement (space charter and sailing agreement)	Compania Sud Americana de Vapores; Kawasaki Kisen Kaisha, Ltd.	The agreement covers trades between ports in South America and ports in the US.	US, Chile, Peru

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	TNWA/GA Cooperative Working Agreement (cooperative working agreement)	APL Co. Pte. Ltd.; Hyundai Merchant Marine Co. Ltd.; Mitsui O.S.K. Lines, Ltd.; Hapag-Lloyd AG; Nippon Yusen Kaisha	The agreement covers trades between ports in Japan, Korea, China, Hong Kong, Chinese Taipei and Panama, and ports in the US.	US, Japan, Korea, China, Chinese Taipei
	WHL/NORASIA/Sinolines Slot Exchange And Sailing Agreement (space charter and sailing agreement)	Wan Hai Lines, Ltd.; Norasia Container Lines, Ltd.; SinoTrans Container Lines Co. Ltd.	The agreement covers trades between ports in China and Korea, and ports in the US.	China, Korea, US
	CMA CGM/CSCL Cross Space Charter, Sailing and Cooperative Working Agreement (space charter, sailing and cooperative working agreement)	CMA CGM S.A.; China Shipping Container Lines Co. Ltd.	The agreement covers trades between ports in the US, and ports in Germany, the Netherlands, Belgium, the UK and France.	US
	CMA/CGM/Maruba Cross Space Charter, Sailing and Cooperative Working Agreement (space charter, sailing and cooperative working agreement)	CMA CGM S.A.; China Shipping Container Lines Co. Ltd.; Maruba S.A.	The agreement covers trades between ports in the US, South and Central America, and ports in Korea, China, Chinese Taipei and Korea.	China, Korea, Chinese Taipei, US, Peru, Chile, Mexico

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	CMA CGM/CSCL Cross Space Charter, Sailing and Cooperative Working Agreement-Far East/US Gulf Loop, PEX2/PEX3/AAE2 Service (space charter, sailing and cooperative working agreement)	CMA CGM S.A.; China Shipping Container Lines Co. Ltd.	The agreement covers trades between ports in the US, Central America and the Caribbean, and ports in China, Hong Kong, Chinese Taipei and Korea.	US, Mexico, China, Chinese Taipei, Korea
	CMA CGM/CSCL Cross Space Charter, Sailing, and Cwa - Far East/USEC Loop, PEX1/AAE1 Service (space charter, sailing and cooperative working agreement)	CMA CGM S.A.; China Shipping Container Lines Co. Ltd.	The agreement covers trades between ports in the US, and ports in China, Korea, Hong Kong and Chinese Taipei, and ports in Central America including Jamaica.	US, Chinese Taipei, China, Korea, Mexico
	CMA CGM/CSCL Cross Space Charter, Sailing And Cwa-Central China/US West Coast, Yang Tse/AAE2 Service (space charter, sailing and cooperative working agreement)	Agreement page unavailable on FMC server		

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	CMA CGM/CSCL/ELJSA Cross Space Charter, Sailing And Cooperative Working Agreement North Europe/Usec and Us Gulf And Mexico Loop (space charter, sailing and cooperative working agreement)	CMA CGM S.A.; China Shipping Container Lines Co. Ltd.; Evergreen Line Joint Service Agreement FMC – consisting of Evergreen Marine Corporation, Ltd., Italia Marittima S.P.A., and Hatsu Marine Ltd.	The agreement covers trades between ports in the US, and ports in Mexico, and ports in Germany, the Netherlands, Belgium and France.	US, Mexico
	IDX Vessel Sharing Agreement (cooperative working agreement)	ZIM Integrated Shipping Services, Ltd.; Shipping Corporation of India, Ltd.; Emirates Shipping Line, FZE; Orient Overseas Container Lines, Ltd.; Evergreen Line Joint Service Agreement FMC	The agreement covers trades between ports in the US, and ports in Italy and Spain, and ports in Pakistan, India, Bangladesh and Sri Lanka.	US
	West Coast Usa - Mexico & Canada Vessel Sharing Agreement (cooperative working agreement)	Compañía Chilena de Navegación Interoceánica, S.A.; Compañía Sud Americana de Vapores, S.A.; Hamburg Südamerikanische Dampfschiffharts Gesellschaft KG; Maruba S.C.A.	The agreement covers trades between ports in the US, and ports in Canada and Mexico.	US, Canada, Mexico
	ZIM/ELJSA Agreement (cooperative working agreement)	ZIM Integrated Shipping Services, Ltd.; Evergreen Line Joint Service Agreement FMC	The agreement covers trades between ports in the US, and ports in France, United Kingdom, Belgium, the Netherlands and Germany.	US
	USL/ANL Space Charter And Sailing Agreement (space charter and sailing agreement)	US Lines, Ltd.; ANL Singapore Pte, Ltd.	The agreement covers trades between ports in the US, and ports in Australia and New Zealand, and ports in Asia.	US, Australia, New Zealand, all Asian APEC member economies

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	HANJIN/KL/YMUK/UASC Vessel Sharing And Slot Chartering Agreement (space charter and cooperative working agreement)	Hanjin Shipping Co., Ltd.; Kawasaki Kisen Kaisha, Ltd.; Yang Ming UK, Ltd.; United Arab Shipping Co., S.A.G.	The agreement covers trades between ports in South East Asia and Indian Subcontinent, and ports in Egypt, the Red Sea, the Mediterranean, the Arabian Sea, and ports in Europe, and ports in North America.	US, Canada, Mexico and all South East Asia APEC member economies
	WHL/PIL Slot Exchange And Sailing Agreement (space charter and sailing agreement)	Wan Hai Lines, Ltd.; Pacific International Lines, Ltd.	The agreement covers trades between ports in Asia, specifically China, Hong Kong, Korea and Chinese Taipei, and ports in the US.	US and all Asian APEC member economies
	CMA CGM/Maruba New Brasex Cross Space Charter, Sailing and CWA (space charter, sailing and cooperative working agreement)	Maruba S.C.A.; CMA CGM S.A.	The agreement covers trade between ports in the US, and ports in South America and the Caribbean.	US, Chile, Peru
	Gulf, Central America and Caribbean Vessel Sharing Agreement (cooperative working agreement)	Compañía Chilena de Navegación Interoceánica, S.A.; Compañía Sud Americana de Vapores, S.A.	The agreement covers trades between ports in the US, and ports in Central America and the Caribbean.	US, Mexico

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	APL/CMA CGM/HMM/MOL China/U.S. East Coast Via Panama Vessel Sharing Agreement (cooperative working agreement)	CMA CGM S.A.; APL Co. Pte. Ltd. and American President Lines, Ltd.; Hyundai Merchant Marine Co. Ltd.; Mitsui O.S.K. Lines, Ltd.	The agreement covers trades between ports in China including Hong Kong and Panama, and ports in the US.	US, China
	HMM/ELJSA Slot Exchange Agreement (space charter and cooperative working agreement)	Hyundai Merchant Marine Co. Ltd.; Evergreen Line Joint Service Agreement FMC	The agreement covers trades between ports in the US, and ports in China including Hong Kong, Japan, Korea, Chinese Taipei and Panama.	US, China, Japan, Korea, Chinese Taipei
	COSCON / Sinolines Vessel Sharing Agreement (cooperative working agreement)	COSCO Container Lines Co., Ltd.; SinoTrans Container Lines Co., Ltd.	The agreement covers trades between ports in Japan, China and Korea, and ports in the US.	US, China, Japan, Korea
	APL/CMA CGM Central America/US East Coast (space charter agreement)	CMA CGM S.A.; APL Co. Pte. Ltd. and American President Lines, Ltd.	The agreement covers trades between ports in Guatemala and Honduras, and ports in the US.	US
	Grand Alliance / Zim Atlantic Vessel Sharing Agreement	Agreement page unavailable on FMC server		
VESSEL SHARING AGREEMENT(S)	Mediterranean Space Charter Agreement (space charter agreement)	Mediterranean Shipping Company, S.A.; Hapag-Lloyd AG; ZIM Integrated Shipping Services, Ltd.; Maersk Line; Hapag-Lloyd USA LLC	The agreement covers trades between ports in Spain, Portugal and all Mediterranean countries, and ports in the US.	US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	WWL/NYK Atlantic Space Charter and Cooperative Working Agreement (space charter and cooperative agreement)	Wallenius Wilhelmsen Logistics AS (US); Nippon Yusen Kaisha	The agreement applies to trades in cargoes suitable for carriage in roll-on roll off vessels between US Atlantic, Gulf and Pacific coast ports, and ports in the UK, Eire, continental Europe, and islands of the Atlantic.	US, Japan
	Transpacific Space Utilization Agreement (space charter agreement)	Kawasaki Kisen Kaisha Ltd.; Mitsui O.S.K. Lines Ltd.; Nippon Yusen Kaisha, Ltd.; Orient Overseas Container Line Limited; American President Lines Ltd.; Hapag-Lloyd AG; Hanjin Shipping Company Ltd.; Hyundai Merchant Marine Co. Ltd.; Evergreen Joint Service Agreement (Taiwan); Westwood Shipping Lines (US); Yang Ming Lines (Taiwan)	The agreement applies to trade from port and points in the US to ports and points in Japan, Korea, Chinese Taipei, Russia, the People's Republic of China, Hong Kong, Macao, Vietnam, Cambodia, Thailand, Laos, the Republic of Philippines, the Republic of Singapore, Malaysia, Brunei, Indonesia, India, Pakistan, Bangladesh, Sri Lanka and Burma.	Japan, Singapore, Korea, Chinese Taipei, US, Vietnam, Russia, Thailand, the Philippines, Indonesia, Russia, China and Brunei
	Toko Line/Shinwa Space Charter and Cooperative Working Agreement (space charter and cooperative working agreement)	Toko Kaiun Kaisha, Ltd.; Shinwa Kaiun Kaisha, Ltd.	The agreement covers trades between ports in Japan, and ports in the US.	US and Japan
	Space Charter Agreement Between Kyowa Shipping Co., Ltd/Nippon Yusen Kaisha (space charter agreement)	Nippon Yusen Kaisha, Ltd.; Kyowa Shipping Co. Ltd.	The agreement covers trades between ports in East and South East Asia, and ports in Guam and Saipan.	US and all Asian APEC member economies

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	CSAV/NYKLC Space Charter Agreement (space charter agreement)	Compañía Sud Americana de Vapores, S.A.; NYKCool AB	The agreement covers trades between ports in Chile, and ports in the US.	US and Chile
	WWL/Hoegh Autoliners Space Charter Agreement (space charter agreement)	Wallenius Wilhelmsen Logistics AS (US); Höegh Autoliners AS	The agreement covers trades between ports in the US and ports in Europe.	US
	Wallenius Wilhelmsen Lines/Nyk Space Charter Agreement (space charter agreement)	Nippon Yusen Kaisha, Ltd.; Wallenius Wilhelmsen Logistics AS (US)	The agreement covers trades between ports in Japan, and ports in the US.	Japan and US
	EUKOR/WWL Space Charter Agreement (space charter agreement)	Wallenius Wilhelmsen Logistics AS (US); Eukor Car Carriers, Inc.	The agreement covers trades between ports in Japan and Korea, and ports in the US.	Japan, Korea and US
	MOL/APL Slot Transfer Agreement (space charter and sailing agreement)	Mitsui O.S.K. Lines Ltd.; American President Lines Ltd.	The agreement covers trades between ports in the US, ports on the Gulf of Mexico and the Caribbean, and ports in Central and South America.	US, Mexico, Peru and Chile
	Space Charter Agreement Between Kambara Kisen Co., Ltd. and Kyowa Shipping Co., Ltd. (space charter agreement)	Kyowa Shipping Co. Ltd.; Kambara Kisen Co. Ltd.	The agreement covers trades between ports in Hong Kong, Kaohsiung, Keelung, and ports in Guam and Saipan.	China, Chinese Taipei and US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	Kambara Kisen Co., Ltd./Mariana Express Lines Limited Space Charter Agreement (space charter agreement)	Kambara Kisen Co. Ltd.; Mariana Express Lines, Ltd.	The agreement covers trades between ports in Hong Kong, Chinese Taipei and South East Asia, and ports in Guam, Koror, Yap and Saipan.	US and South East Asia APEC member economies
	CCNI/CMA CGM Space Charter Agreement (space charter agreement)	Compañía Chilena de Navegación Interoceánica, S.A.; CMA CGM S.A.	The agreement covers trades between ports in Germany, the Netherlands, Belgium, France and Spain, and ports in Puerto Rico.	US
	ZIM/CSCL Space Charter Agreement (space charter agreement)	ZIM Integrated Shipping Services, Ltd.; China Shipping Container Lines Co. Ltd.	The agreement covers trades between ports in the US and Canada, and ports in China, Hong Kong, Korea, Chinese Taipei, Japan, Thailand, Malaysia, Singapore, India, Sri Lanka, Jamaica, and ports in Slovenia, Italy, France, Greece, Egypt, Spain and Israel.	China, Japan, Korea, Thailand, Malaysia, Singapore, Chinese Taipei, US and Canada
	NSCSA/Safmarine Space Charter Agreement (space charter agreement)	National Shipping Company of Saudi Arabia; Safmarine Container Lines N.V.	The agreement covers trades between ports in India, Pakistan, the Arabian Gulf, the Red and the Mediterranean, and ports in the US.	US
	King Ocean/Sol Y Mar Slot Exchange Agreement (space charter agreement)	Sol y Mar; King Ocean Central America, S.A.	The agreement covers trades between ports in the US, and ports in Honduras and Guatemala.	US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	CSAV/CMA CGM Space Charter Agreement (space charter agreement)	CMA CGM S.A.; Compañía Sud Americana de Vapores, S.A.	The agreement covers trades between ports in the US, and ports in the Caribbean, Panama, Colombia, Ecuador, Peru and Chile.	US, Peru and Chile
	ZIM/NORASIA/CSAV Slot Exchange Agreement (space charter agreement)	Compañía Sud Americana de Vapores, S.A.; ZIM Integrated Shipping Services, Ltd.; Norasia Container Lines, Ltd.	The agreement covers trades between ports in the US and Canada, and ports on the Adriatic Sea, Israel, Greece, Sri Lanka and the Far East.	US, Canada and all Asian APEC member economies
	HLAG/CCNI Slot Charter Agreement (space charter agreement)	Compañía Chilena de Navegación Interoceánica, S.A.; Hapag-Lloyd AG	The agreement covers trades between ports in the US, and ports in the Dominican Republic, Mexico, Venezuela, Colombia, Panama and Costa Rica.	US and Mexico
	Dole Ocean Cargo Express/King Ocean Services Limited Slot Allocation Agreement (cooperative working agreement)	Dole Ocean Cargo Express, Inc.; King Ocean Services, Ltd.	The agreement covers trades between ports in the US, and ports in Costa Rica.	US
	Eastern Car Liner/Foml Space Charter Agreement (space charter agreement)	Eastern Car Liner, Ltd.; Fesco Ocean Management, Ltd.	The agreement covers trades between ports in the US, and ports in Japan.	US and Japan
	HSDG/King Ocean Space Charter Agreement (space charter agreement)	King Ocean Services, Ltd. and King Ocean Services de Venezuela, S.A.; Hamburg Südamerikanische Dampschiffharts Gesellschaft KG	The agreement covers trades between ports in the US, and ports in Venezuela, Colombia, Aruba, Bonaire and Curacao.	US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	MSC/CMA CGM Space Charter Agreement (space charter agreement)	CMA CGM S.A.; Mediterranean Shipping Company, S.A.	The agreement covers trades between ports in Belgium and France, and ports in the US.	US
	Yang Ming Marine Transport Corporation/Wan Hai Lines Ltd. (YM/WHL) AISA/U.S. Pacific Coast Slot Allocation & Sailing Agreement (space charter and sailing agreement)	Yang Ming Marine Transport Co.; Wan Hai Lines, Ltd.	The agreement covers trades between ports in the US, and ports in Asia.	US and all Asian APEC member economies
	Maersk Line/Hapag Lloyd Mediterranean U.S. East Coast Slot Charter Agreement (space charter agreement)	Maersk Line; Hapag-Lloyd AG	The agreement covers trades between ports in the US, and ports in France, Spain, Italy, Israel, Egypt and Turkey.	US
	Med-Gulf Space Charter Agreement (space charter agreement)	Compañía Sud Americana de Vapores, S.A.; Hapag-Lloyd AG	The agreement covers trades between ports in the Mediterranean, and ports in the US, and ports in Mexico.	US, Mexico
	Crowley Liner Services/Frontier Liner Services, Inc. Space Charter and Sailing Agreement (space charter and sailing agreement)	Crowley Liner Services; Frontier Liner Services, Inc.	The agreement covers trades between ports in the US, and ports in the Dominican Republic.	US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	Compañia Chilena De Navegacion Interoceanica S.A./Frontier Liner Services, Inc. Space Charter and Sailing Agreement (space charter and sailing agreement)	Compañía Chilena de Navegación Interoceánica, S.A.; Frontier Liner Services, Inc.	The agreement covers trades between ports in the US, and ports in Central America, the Caribbean and Colombia.	US and Mexico
	USAC-Norasia Space Charter (space charter agreement)	Norasia Container Lines, Ltd.; United Arab Shipping Co. S.A.G.	The agreement covers trades between ports in the US, and ports on the Mediterranean, Red Sea, Arabian Gulf and Indian Ocean.	US, Thailand, Malaysia, Singapore, Indonesia and Australia
	Haiti Shipping Lines/Frontier Liner Service Space Charter and Sailing Agreement (space charter and sailing agreement)	Haiti Shipping Lines, Inc.; Frontier Line Services, Inc.	The agreement covers trades between ports in the US, and ports in Haiti.	US
	ZIM/Hapag-Lloyd Usec Slot Charter Agreement (space charter agreement)	ZIM Integrated Shipping Services, Ltd.; Hapag-Lloyd AG	The agreement covers trades between ports in the US, and ports in Jamaica and Canada.	US and Canada
	HLAG/Mol Slot Charter Agreement (space charter agreement)	CP Ships (USA) LLC; Mitsui O.S.K. Lines, Ltd.	The agreement covers trades between ports in the US, and ports in Mexico, Honduras, Costa Rica, Dominican Republic, Venezuela, Panama and Colombia.	US and Mexico

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	ZIM/Coscon Slot Charter Agreement (space charter agreement)	ZIM Integrated Shipping Services, Ltd.; COSCO Container Lines Co., Ltd.	The agreement covers trades between ports in the US, and ports in Portugal, Spain, France, the UK, Belgium, the Netherlands, Germany, Denmark, Sweden and Norway.	US
	HMM/MOL Space Charter Agreement (space charter agreement)	Mitsui O.S.K. Lines, Ltd.; Hyundai Merchant Marine Co., Ltd.	The agreement covers trades between ports in the US, and ports in Korea and China.	US, Korea and China
	ZIM/CCNI Space Charter Agreement (space charter agreement)	ZIM Integrated Shipping Services, Ltd.; Compañía Chilena de Navegación Interoceánica, S.A.	The agreement covers trades between ports in the US, and ports in Jamaica, South America, Europe and Asia.	US, Peru, Chile and Asian APEC member economies
	SCM Lines Ltd./Seaboard Marine Ltd. Space Charter Agreement (space charter agreement)	SCM Lines, Ltd.; Seaboard Marine, Ltd.	The agreement covers trades between ports in the US, and ports in Venezuela.	US
	HSDG/Evergreen Space Charter Agreement (space charter agreement)	Hamburg Südamerikanische Dampschiffharts Gesellschaft KG; Evergreen Line Joint Service Agreement FMC	The agreement covers trades between ports in the US, and ports in Venezuela, Brasil, Argentina, Uruguay and Paraguay.	US
	Dole Ocean Cargo Express Inc. and Hamburg-Sud Space Charter and Sailing Agreement (space charter and sailing agreement)	Hamburg Südamerikanische Dampschiffharts Gesellschaft KG; Dole Ocean Cargo Express, Inc.	The agreement covers trades between ports in the US, and ports in Central America, and ports in North Europe.	US and Mexico

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	HLCL/CCNI Med-Gulf Space Charter Agreement (space charter agreement)	Compañía Chilena de Navegación Interoceánica, S.A.; Hapag-Lloyd Container Line, GmbH	The agreement covers trades between ports in Italy, Malta and Spain, and ports in the US, and ports in Mexico.	US and Mexico
	Seaboard Marine/Frontier Liner Services Space Charter Agreement (space charter agreement)	Seaboard Marine, Ltd.; Frontier Liner Services, Inc.	The agreement covers trades between ports in the US, and ports in Colombia.	US
	Maersk Line/Hlag Slot Charter Agreement (space charter agreement)	Hapag-Lloyd AG; Maersk Line	The agreement covers trades between ports in the US, and ports in Australia, New Zealand and Panama.	US, Australia and New Zealand
	Hapag-Lloyd/ZIM Mediterranean Slot Exchange Agreement (space charter agreement)	Hapag-Lloyd AG; ZIM Integrated Shipping Services, Ltd.	The agreement covers trades between ports in the Mediterranean, and ports in the US.	US
	Eastern Car Liner Ltd. Industrial Maritime Carriers, Llc Space Charter Agreement (space charter agreement)	Eastern Car Liner, Ltd.; Industrial Maritime Carriers, LLC	The agreement covers trades between ports in the US, and ports in Venezuela, Colombia and Guyana.	US
	HSDG/ALIANCA/CSAV/LIBRA/CLNU Cooperative Working Agreement (cooperative working agreement)	Hamburg Südamerikanische Dampschiffharts Gesellschaft KG; Companhia Sud Americana de Vapores, S.A.; Aliança Navegação e Logística, Ltda e CIA; Companhia Libra de Navegação; Companhia Libra de Navegación Uruguay, S.A.	The agreement covers trades between ports in the US, and ports in Argentina, Brazil, Uruguay and Venezuela.	US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	CMA CGM/ELJSA Amerigo Express 3 Mus Cross Space Charter, Sailing and Cooperative Working Agreement (space charter, sailing and cooperative agreement)	CMA CGM S.A.; Evergreen Line Joint Service Agreement FMC	The agreement covers trades between ports in the US, and ports in France, Spain, Portugal, Italy and Malta.	US
	CMA CGM/CSCL Cross Space Charter, Sailing and CWA-Far East/Pacific North West Loop, ANW/Seattle Bridge Service (cooperative working agreement)	CMA CGM S.A.; China Shipping Container Lines Co., Ltd.	The agreement covers trades between ports in the US and Canada, and ports in China including Hong Kong, Korea and Chinese Taipei.	US, Canada, China, Korea and Chinese Taipei
	Maersk Line/MOL Space Charter Agreement (space charter agreement)	Mitsui O.S.K. Lines, Ltd.; Maersk Line	The agreement covers trades between ports in the US, and ports in Argentina, Uruguay, Brazil and Jamaica.	US
	FOML/Sinolines Space Charter Agreement (space charter agreement)	Fesco Ocean Management Ltd.; SinoTrans Container Lines Co., Ltd.	The agreement covers trades between ports in the US, and ports in China and Korea.	US, China and Korea
	Maersk Line/APL Space Charter Agreement (space charter agreement)	Maersk Line; APL Co. Pre Ltd.	The agreement covers trades between ports in the US, and ports in Brazil, Uruguay and Jamaica.	US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	Maersk Line/Westwood Space Charter Agreement (space charter agreement)	Maersk Line; Westwood Shipping Lines, Inc.	The agreement covers trades between ports in Japan and Korea, and ports in the US.	US, Japan and Korea
	FOML/ZIM Space Charter Agreement (space charter agreement)	Fesco Ocean Management Ltd.; ZIM Integrated Shipping Services, Ltd.	The agreement covers trades between ports in the US, and ports in Korea.	US and Korea
	ZIM/ESL Agreement (cooperative working agreement)	ZIM Integrated Shipping Services, Ltd.; Emirates Shipping Lines FZE	The agreement covers trades between ports in the US, and ports in Jamaica, Panama, China, Korea and Japan.	US, China, Korea and Japan
	Maersk Line/USL Space Charter Agreement (space charter agreement)	Maersk Line; U.S. Lines, Ltd.	The agreement covers trades between ports in the US, and ports in China including Hong Kong.	US and China
	Maersk Line/MOL Space Charter Agreement (space charter agreement)	Maersk Line; Mitsui O.S.K. Lines, Ltd.	The agreement covers trades between ports in Japan, and ports in the US.	US and Japan
	Matson/Sinolines Space Charter Agreement (space charter agreement)	SinoTrans Container Lines Co., Ltd.; Matson Navigation Company, Inc.	The agreement covers trades between ports in China, and ports in the US.	US and China
	HANJIN-ELJSA Cross Slot Charter Agreement (space charter agreement)	Evergreen Line Joint Service Agreement FMC; Hanjin Shipping Co., Ltd.	The agreement covers trades between ports in the US, ports in Argentina, ports in Brazil, ports in Uruguay, ports in China, ports in Chinese Taipei, ports in Singapore and ports in South Africa.	China, Singapore, US and Chinese Taipei

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	HSDG/Alianca/CMA CGM Space Charter Agreement (space charter agreement)	CMA CGM S.A.; Hamburg Südamerikanische Dampschiffharts Gesellschaft KG; Aliança Navegação e Logística, Ltda e CIA	The agreement covers trades between ports in the US, and ports in Brazil and Venezuela.	US
	COSCON/WHL Space Charter Agreement (space charter agreement)	COSCO Container Lines Co., Ltd; Wan Hai Lines, Ltd.	The agreement covers trades between ports in China and Japan, and ports in the US.	US, China and Japan
	USATLAN/MARUBA Space Charter Agreement (space charter agreement)	Maruba S.A.; Companhia Libra de Navegação; Companhia Libra de Navegação Uruguay, S.A.; Companhia Sud Americana de Vapores, S.A.	The agreement covers trades between ports in the US, and ports in Argentina, Brazil, Uruguay and Venezuela.	US
	CSAV/WWL Caribbean Space Charter Agreement (space charter agreement)	Compañía Sud Americana de Vapores, S.A.; Wallenius Wilhelmsen Logísticas A.S.	The agreement covers trades between ports in the US, to ports in Panama and Venezuela.	US
	EUKOR/WWL Mexico Space Charter Agreement (space charter agreement)	Wallenius Wilhelmsen Logísticas A.S.; Eukor Carriers, Inc.	The agreement covers trades between ports in Mexico, and ports in the US.	Mexico and US
	HSDG/Maersk Slot Charter Agreement (space charter agreement)	Hamburg Südamerikanische Dampschiffharts Gesellschaft KG; Maersk Line; Aliança Navegação e Logística, Ltda e CIA	The agreement covers trades between ports in Argentina, Brazil and Uruguay, and ports in the US.	US
	MSC/APL/MOL Space Charter Agreement (space charter agreement)	Mistui O.S.K. Lines, Ltd.; APL Co. Pte Ltd.; Mediterranean Shipping Co. S.A.	The agreement covers trades between ports in Argentina and Brazil, and ports in the US.	US
	Maersk Line/Eljisa Slot Exchange Agreement (space charter agreement)	Maersk Line; Evergreen Line Joint Service Agreement FMC	The agreement covers trades between ports in Japan, Korea and China, and ports in the US.	US, Japan, Korea and China

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	Dole/South Pacific Shipping Space Charter Agreement (space charter agreement)	Dole Ocean Cargo Express, Inc.; South Pacific Shipping Company, Ltd.	The agreement covers trades between ports in Costa Rica, and ports in the US.	US
	CSAV/Eukor Venezuela Space Charter Agreement (space charter agreement)	Compañía Sud Americana de Vapores, S.A.; Eukor Car Carriers, Inc.	The agreement covers trades between ports in the US, and ports in Venezuela.	US
	Hapag-Lloyd/NYK Slot Exchange Agreement(space charter agreement)	Hapag-Lloyd AG; Nippon Yusen Kaisha	The agreement covers trades between ports in the US, and ports in Thailand, Singapore, India, Sri Lanka, Pakistan, Saudi Arabia, Egypt and Italy.	US, Thailand and Singapore
	CMA CGM/MARUBA Amerigo Express Space Charter Agreement (space charter agreement)	CMA CGM S.A.; Maruba S.A.	The agreement covers trades between ports in the US, and ports in France, Spain, Italy, Malta and Portugal.	US
	MARUBA/ZIM USEC-MED Space Charter Agreement (space charter agreement)	Maruba S.A.; ZIM Integrated Shipping Services, Ltd.	The agreement covers trades between ports in the US, and ports in France, Spain, Italy, Malta and Portugal.	US
	CSCCL/CMA CGM Slot Charter And Cross Slot Charter Agreement (space charter agreement)	CMA CGM S.A.; China Shipping Container Lines Co. Ltd.	The agreement covers trades between ports in the US, ports in Mexico, ports in Germany, the Netherlands, Belgium, France, Spain, Italy, Malta and Portugal.	US and Mexico

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	HMM/ELJSA Suez Slot Exchange Agreement (space charter agreement)	Evergreen Line Joint Service Agreement FMC; Hanjin Shipping Co., Ltd.	The agreement covers trades between ports in the US, and ports in Italy, Spain, Saudi Arabia, Sri Lanka, Dubai, Malaysia, Singapore and China.	US, China, Malaysia and Singapore
	APL/CGM South East Asia and Sri Lanka/U.S. East Coast Via Suez Slot Charter Agreement (space charter agreement)	CMA CGM S.A.; APL Co. Pte Ltd.	The agreement covers trades between ports in the US, and ports in Sri Lanka, UAE, Malaysia and Singapore.	US, Malaysia and Singapore
	APL/MOL INDIAN Sub-Continent/U.S. East Coast Via Suez Slot Charter Agreement (space charter agreement)	Mitsui O.S.K. Lines, Ltd.; APL Co. Pte Ltd.	The agreement covers trades between ports in the US, ports in India, Pakistan, Bangladesh, Sri Lanka and South East Asia, ports in the Mediterranean and Portugal, and ports in the Red Sea and UAE	US and South East Asian APEC member economies
	MSC/K-Line Space Charter Agreement (space charter agreement)	Mediterranean Shipping Co., S.A.; Kawasaki Kisen Kaisha, Ltd.	The agreement covers trades between ports in the US, and ports in Spain and Italy.	US
	MSC/YML Space Charter Agreement (space charter agreement)	Mediterranean Shipping Co., S.A.; Yang Ming (UK) Ltd.	The agreement covers trades between ports in the US, and ports in Spain and Italy.	US
	MSC/Cosco Space Charter Agreement (space charter agreement)	Mediterranean Shipping Co., S.A.; COSCO Container Lines Co., Ltd.	The agreement covers trades between ports in the US, and ports in Spain and Italy.	US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	BBC Chartering & Logistic - Dockwise Yacht Transport Space Charter (space charter agreement)	BBC Chartering & Logistics GmbH & Co. KG.; Dockwise Yacht Transport LLC	The agreement covers trades between ports in the US, and ports worldwide.	All APEC member economies
	Maersk Line / Wan Hai Space Charter Agreement (space charter agreement)	Maersk Line; Wan Hai, Ltd.	The agreement covers trades between ports in the US, and ports in China and Korea.	US, China and Korea
	Matson / Mell Space Charter Agreement (space charter agreement)	Matson Navigation Company, Inc.; Marianas Express Lines, Ltd.	The agreement covers trades between ports in Guam, and ports in Palau and Yap.	US
	CMA CGM/MARUBA Central America (space charter agreement)	CMA CGM S.A.; Maruba S.A.	The agreement covers trades between ports in the US, and ports in Central America and the Caribbean.	US and Mexico
	COSCON/Sinolines Slot Charter Agreement	COSCO Container Lines Co., Ltd.; Sinotrans Container Lines Company, Ltd.	The agreement covers trades between ports in the US, and ports in China and Japan.	US, China and Japan
	CSAV-NYK ECUS-WCSA Space Charter Agreement	Agreement unavailable on FMC server		
	K-Line/NYK Atlantic Space Charter	Agreement unavailable on FMC server		
	PSW / NC Space Charter	Agreement unavailable on FMC server		

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
VSA/RATE AGREEMENT(S)	Agreement Between CSAV and Mitsui (cooperative working agreement)	Compañía Sud Americana de Vapores, S.A.; Mitsui O.S.K. Lines, Ltd.	The agreement covers trades between ports in the US, and ports in Mexico, Central and South America and the Caribbean.	US, Chile, Peru and Mexico
VSA/SAIL/RATE AGREEMENT(S)	CSAV/SSI Cooperative Working Agreement (cooperative working agreement)	Swordfish Shipping, Inc.; Compañía Sud Americana de Vapores, S.A.	The agreement covers trades between ports in the US, and ports in Chile.	US and Chile
	Space Charter And Cooperative Working Agreement Between NYK and WW Lines (space charter/cooperative working agreement)	Wallenius Wilhelmsen Logistics AS; Nippon Yusen Kaisha	The agreement covers trades between ports in the US, and ports in the Mediterranean, the Black Sea, the Red Sea, the Arabian Gulf, the Gulf of Aden and the Gulf of Oman.	US
	Southern Africa/Oceania Agreement (cooperative working agreement)	Safmarine Container Lines, NV; Mediterranean Shipping Co. S.A.; Maersk Sealand	The agreement covers trades between ports in the US, and ports and points in South Africa, Swaziland, Botswana, Lesotho, Zimbabwe, Mozambique, Namibia, Malawi, Zambia, Mauritius, Comoros, Seychelles and Madagascar.	US

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	East Coast North America To West Coast South America and Caribbean Cooperative Working Agreement (cooperative working agreement)	Compañía Sud Americana de Vapores, S.A.; Hamburg Südamerikanische Dampfschiffharts Gesellschaft KG; Compañía Chilena de Navegación Interoceánica, S.A.	The agreement covers trades between ports in the US, and ports and points in the Caribbean, Colombia, Chile, Peru, Ecuador, Panama, Argentina and Bolivia.	US, Chile and Peru
	CSAV Group Cooperative Working Agreement (cooperative working agreement)	Compañía Sud Americana de Vapores, S.A.; Companhia Libra de Navegação de Uruguay, S.A.; Norasia Container Lines, Ltd.	The agreement covers trades between ports in the US, and ports worldwide.	All APEC member economies
	Evergreen/Italia Marittima/Hatsu Marine Alliance Agreement (cooperative working agreement)	Italia Marittima S.P.A.; Hatsu Marine Ltd.; Evergreen Marine Corp. Ltd.	The agreement covers trades between ports in the US, and ports in Japan, China, Korea, Chinese Taipei, Singapore, Hong Kong, Malaysia, Thailand, Philippines, Indonesia, Australia, India, Bangladesh, Pakistan, and ports in Germany, the Netherlands, Belgium, the UK, France, Portugal and Spain, and ports in Central America and the Caribbean.	US, Japan, China, Korea, Chinese Taipei, Singapore, Hong Kong, Malaysia, Thailand, Philippines, Indonesia and Australia
	NYK/WWL SOUTH America Space Charter Agreement (space charter agreement)	Wallenius Wilhelmsen Logistics AS; Nippon Yusen Kaisha	The agreement covers trades between ports in the US, and ports in Mexico, Central and South America, and the Caribbean.	US, Mexico, Chile and Peru

Type of Agreement	Name of the Agreement & its Nature (in brackets)	Parties to the Agreement	Trading Routes	Coverage of APEC Member Economies
	NYK/CSAV South America Space Charter Agreement (space charter agreement)	Nippon Yusen Kaisha; Compañía Sud Americana de Vapores, S.A.	The agreement covers trades between ports in the US, and ports in Ecuador, Chile, Peru and Colombia.	US, Chile and Peru

APPENDIX 10 – FIELD VISIT CONSULTATIONS

Field visit country	Consultee	Consultee representatives (name and role)	Meeting date	Meyrick representative
Canada	Transport Canada	Mr. Doug O'Keefe	Sep 2007	Guy Reynolds
	Competition Bureau		Sep 2007	Guy Reynolds
	Shipping Federation of Canada	Mr. Michael Broad	Sep 2007	Guy Reynolds
China (PRC)	Ministry of Communications (MOC), Beijing, PRC	Ms. Cong-yun Gao, Assistant Manager, Department of International Maritime Transportation Mr. Jin-ti Zhang, vice Director, Department of International Maritime Transportation Professor Huijun Gao, Deputy Director, Waterborne Transportation Institute of MOC	July 2007	Chuyang Liu
	COSCO (Group), Beijing, PRC	Mr. Bin Chen, Deputy Manager, Transportation Management Department, Transportation Division	July 2007	Chuyang Liu
Japan	Ministry of Land, Infrastructure, Transport and Tourism, (MLIT) Tokyo, Japan	Mr Masanori Yoshida, Special Assistant Director, International Maritime Agreements Office, International Shipping Division, Maritime Bureau Mr Takanori Nakagawa, Deputy Director, International Shipping Division, Maritime Bureau Mr Tokuji Ohara, Director for International Maritime Transport, Maritime Bureau	July 2007	Chuyang Liu
	The Japanese Shipowners' Association, Tokyo, Japan	Mr Yuichi Sonoda, General Manager, Planning Division Mr Daijito Mizushima, Planning Division	July 2007	Chuyang Liu
	Mitsui O. S. K. Lines Ltd., Tokyo, Japan	Mr Noboru Kitazawa, Executive Officer	July 2007	Chuyang Liu

Field visit country	Consultee	Consultee representatives (name and role)	Meeting date	Meyrick representative
Korea	Ministry of Maritime Affairs & Fisheries, Seoul, Korea	Mr Soon Tae Kwon, Logistics Cooperation Team, Office for International Logistics Policy	July 2007	Chuyang Liu
		Mr Jong Uk Hong, Director of Logistics Cooperation Team, Office for International Logistics Policy		
	Korea Shipowners' Association, Seoul, Korea	Mr Hae Yong Cheong, Managing Director	July 2007	Chuyang Liu
		Captain Bongjee Joh, International Affairs Team		
	Hanjin Shipping, Seoul, Korea	Mr H. J. Kang, General Manager, Container Business Planning Team	July 2007	Chuyang Liu
Hyundai Merchant Marine Co. Ltd. Seoul, Korea	Mr Byoung Chul, Assistant Manager, Corporate Planning Office Mr Sung Yong Jung, Assistant Manager, Corporate Planning Office	July 2007	Chuyang Liu	