

Federal Maritime Commission

§ 582.1

FEDERAL MARITIME COMMISSION

Monitoring Report For Class C Agreements Between or Among Ocean Common Carriers

Agreement Number _____ (Assigned by FMC)

Part I Agreement

Name: _____

Part II Other Agreements

Indicate any change occurring during the calendar quarter to the list of other agreements set forth in Part II of the Information Form.

Part III Port Service

For each party, state any change in the nature or type of service (such as base port designation, frequency of vessel calls, use of indirect rather direct service, etc.) effected at any port within the entire geographic scope of the agreement during the calendar quarter.

Part IV

(A) Identification of Person(s) to Contact Regarding the Monitoring Report

- (1) Name _____
(2) Title _____
(3) Firm Name and Business _____
(4) Business Telephone Number _____
(5) Cable Address, Telex or Fax Number _____

(B) Certification

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

Name (please print or type) _____

Title _____

Relationship with parties to agreement _____

Signature _____

Date _____

[61 FR 11584, Mar. 21, 1996]

PART 582—CERTIFICATION OF COMPANY POLICIES AND EFFORTS TO COMBAT REBATING IN THE FOREIGN COMMERCE OF THE UNITED STATES

Sec. 582.1 Scope.

- 582.2 Form of certification.
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582.91 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

APPENDIX A TO PART 582—CERTIFICATION OF POLICIES AND EFFORTS TO COMBAT REBATING IN THE FOREIGN COMMERCE OF THE UNITED STATES.

AUTHORITY: 5 U.S.C. 553; 46 U.S.C. app. 1701, 1702, 1707, 1709, 1712, and 1714-1716.

SOURCE: 51 FR 30864, Aug. 29, 1986, unless otherwise noted.

§ 582.1 Scope.

(a) The requirements set forth in this part are binding upon every common carrier by water and ocean freight forwarder in the foreign commerce of the United States and, at the discretion of the Commission, will apply to any shipper, shippers' association, marine terminal operator, or broker. In the case of a joint service operated as a single entity, the joint service, rather than the participants, is responsible for the provisions of this part.

(b) Information obtained under this part will be used to maintain continuous surveillance over common carrier and ocean freight forwarder activities and to deter rebating practices. Failure to file the required certification may result in a civil penalty of \$5,000 for each day such violation continues. Failure of a common carrier to file an anti-rebate certification and publish notice of certification in its tariffs as provided by this part and part 514 of this chapter will result in tariff cancellation effective forty-five (45) days after notice, as provided in §514.1(c)(1)(iii)(C) of this chapter or, if an initial tariff filing, rejection. In the event a common carrier's rates are published in one or more conference tariffs, the name of the common carrier will be stricken from the list of carriers participating in those conference tariffs. The tariff(s) of any common carrier who files an anti-rebate certification after December 31 but before the end of the forty-five days notice period will not be cancelled; however, those common carriers will be subject to civil penalties. Failure of an ocean freight forwarder to file an anti-rebate certification as provided by this part and part 510 of this chapter will result in suspension of that ocean