

§ 532.6

§ 532.6 Notices.

An NVOCC wishing to invoke an exemption pursuant to this part must indicate that intention to the Commission and the public by a prominent notice in its rules tariff.

[77 FR 33972, June 8, 2012]

Subpart C—Recordkeeping

§ 532.7 Recordkeeping and audit.

(a) An NVOCC invoking an exemption pursuant to this part must maintain original NRAs in an organized, readily accessible or retrievable manner for 5 years from the completion date of performance of the NRA by an NVOCC, in a format easily produced to the Commission.

(b) NRAs are subject to inspection and reproduction requests by the Commission. An NVOCC shall produce the requested NRAs promptly in response to a Commission request. All records produced must be in English or be accompanied by a certified English translation.

(c) Failure to keep or timely produce original NRAs will disqualify an NVOCC from the operation of the exemption provided pursuant to this part, regardless of whether it has been invoked by notice as set forth above, and may result in a Commission finding of a violation of 46 U.S.C. 41104(a)(1), 41104(a)(2)(A) or other acts prohibited by the Shipping Act.

[77 FR 33972, June 8, 2012, as amended at 78 FR 42889, July 18, 2013; 85 FR 9684, Feb. 20, 2020]

§ 532.91 OMB control number issued pursuant to the Paperwork Reduction Act.

The Commission has received OMB approval for this collection of information pursuant to the Paperwork Reduction Act of 1995, as amended. In accordance with that Act, agencies are required to display a currently valid control number. The valid control number for this collection of information is 3072-0071.

46 CFR Ch. IV (10-1-21 Edition)

PART 535—OCEAN COMMON CARRIER AND MARINE TERMINAL OPERATOR AGREEMENTS SUBJECT TO THE SHIPPING ACT OF 1984

Subpart A—General Provisions

- Sec.
- 535.101 Authority.
- 535.102 Purpose.
- 535.103 Policies.
- 535.104 Definitions.

Subpart B—Scope

- 535.201 Subject agreements.
- 535.202 Non-subject agreements.

Subpart C—Exemptions

- 535.301 Exemption procedures.
- 535.302 Exemptions for certain modifications of effective agreements.
- 535.303 Husbanding agreements—exemption.
- 535.304 Agency agreements—exemption.
- 535.305 Equipment interchange agreements—exemption.
- 535.306 Nonexclusive transshipment agreements—exemption.
- 535.307 Agreements between or among wholly-owned subsidiaries and/or their parent—exemption.
- 535.309 Marine terminal services agreements—exemption.
- 535.310 Marine terminal facilities agreements—exemption.
- 535.311 Low market share agreements—exemption.
- 535.312 Vessel charter party—exemption.

Subpart D—Filing of Agreements

- 535.401 General requirements.
- 535.402 Complete and definite agreements.
- 535.403 Form of agreements.
- 535.404 Agreement provisions.
- 535.405 Organization of conference agreements.
- 535.406 Modification of agreements.
- 535.407 Application for waiver.
- 535.408 Activities that may be conducted without further filings.

Subpart E—Information Form Requirements

- 535.501 General requirements.
- 535.502 Agreements subject to the Information Form requirements.
- 535.503 Information Form.
- 535.504 Application for waiver.

Subpart F—Action on Agreements

- 535.601 Preliminary review—rejection of agreements.
- 535.602 Federal Register notice.