

ACL/H-L RECIPROCAL SPACE CHARTER
AND SAILING AGREEMENT
FMC Agreement No. 213-010955-008
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5.2 Equipment

The Parties may discuss and agree on standards for, and may interchange, purchase, lease, sublease, or otherwise cooperate in connection with, containers, chassis or other equipment as between themselves, or to, from or with others, on such terms as they may from time to time agree.

5.3 Facilities, Services and Supplies

The Parties may discuss and agree on the use of any terminal facilities, including their own; may jointly negotiate and enter into leases, subleases or assignments of such facilities; and may contact for stevedoring, terminal or other related services or supplies with each other or jointly with third parties.

5.4 Conferences, Competition

- (a) The Parties may discuss and agree on their respective memberships in any conference or rate agreement in the Trade, provided that each Party shall retain the unilateral right to join or withdraw from any such conference or rate agreement in accordance with the terms of such agreement.
- ~~(b) Except as mutually agreed by the Parties, no Party, or any subsidiary, affiliate or shareholder of any~~

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~~Party, may directly or indirectly engage or participate in the carriage of containers in any Transatlantic service in the Trade that is not subject to this Agreement.~~

5.5

Administration

- (d) The Parties may establish a staff or entity to perform administrative and operational functions (including, but not limited to, scheduling, allocating space, forecasting, terminal operations and stowage planning) relating to the implementation of the authority under this Agreement, and may agree on the sharing of administrative and operational expenses incurred in the implementation of the authority under this Agreement.
- (e) The Parties may implement this Agreement by meetings, writings and other communications between them, and may act through a Steering Committee, or in the staff referred to in Article 5.5(a), or make other arrangements as may be necessary or appropriate to effectuate the purposes and provisions of this Agreement.
- (f) The Parties, in implementing the Agreement, may agree on their respective rights, liabilities, and