

UNITED STATES/AUSTRALASIA
DISCUSSION AGREEMENT
FMC NO. 011117-044 (3RD EDITION)
First Revised Page No. 1

ARTICLE 1 -- FULL NAME OF THE AGREEMENT

The full name of this Agreement is the United States/Australasia Discussion Agreement.

ARTICLE 2 -- PURPOSE OF THE AGREEMENT

The purpose of this Agreement is to promote service, stability and efficiency in the Trade (as defined in Article 4) by authorizing the parties to exchange information, to discuss matters of mutual interest and concern in the Trade, to reach voluntary and non-binding agreements upon rates, rules, terms and conditions of common carrier service in the Trade, to enter into joint service contracts, and to discuss and formulate cooperative service arrangements in the Trade.

ARTICLE 3 -- PARTIES TO THE AGREEMENT

The names and addresses of the parties to this Agreement are set forth in Appendix A hereof.

ARTICLE 4 -- GEOGRAPHIC SCOPE OF THE AGREEMENT

This Agreement covers the trade (the "Trade") from all ports and interior and coastal points in the United States, via direct, transshipment or intermodal service, to all ports and interior and coastal points in Australia and New Zealand to the extent permitted by applicable legislation.

ARTICLE 5 -- AGREEMENT AUTHORITY

5.1. (a) The parties, or any of them, are authorized, but not required, to meet, collect and exchange information (including but not limited to trade statistics and expected supply of and/or demand for liner transportation services in the Trade), and discuss and reach consensus or agreement upon uniform or differential transportation rates, charges, surcharges, classifications, rules, service items including arranging or not arranging inland transport to the extent permitted by applicable legislation, freight forwarder compensation, credit and per diem terms and conditions (including detention and demurrage) allowed to or payable by their individual customers, rates and terms of service contracts, practices, general revenue recovery and restoration, identification, recovery, reduction or containment of carrier costs in the Trade, and any other term or condition within the scope of Part X of the Australian Trade Practices Act 1974 (as amended) relating ~~without limitation to any aspect of~~ ocean transportation or common carrier service in the Trade, whether or not such rates, charges, surcharges, classifications, etc. are required to be included in a tariff or a service contract. Matters subject to this authority include, but are not limited to, port-to-port rates, overland rates, volume rates, port area intermodal rates,

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APPENDIX A

The parties to the United States/Australasia Discussion Agreement are as follows:

CMA CGM
P.O. Box 1232
4, quai d'Arenc
13215 Marseilles
France

Hamburg Südamerikanische
Dampfschiffahrts-Gesellschaft KG
~~doing business under its own name
and the name Fesco Australia/
New Zealand Liner Services (FANZL)~~
Willy Brandt Str. 59-61
20457 Hamburg
Germany

Compagnie Maritime Marfret S.A. ("Marfret")
13 Quai de La Joliette
13002 Marseille
France

A.P. Moller-Maersk A/S trading under the
name of Maersk Line*
50 Esplanaden
DK-1098 Copenhagen K
Denmark

~~*Maersk Line and Safmarine shall
act as a single party.~~

Wallenius Wilhelmsen Logistics AS
188 Broadway
Woodcliff Lake, NJ 07677

Hapag-Lloyd AG
Ballindamm 25
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ANL Singapore Pte Ltd.
ANL House
432 St Kilda Road
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Australia

~~Safmarine Container Lines NV*
De Gerlachekai 20
Antwerp, Belgium 2000~~

U.S. Lines Limited
3621 South Harbor Blvd.
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