

subject to the terms and conditions of any conference, rate, discussion or other agreement to which any party may subscribe from time to time, discuss and agree upon any rates, terms and conditions of service contracts or tariffs maintained or contemplated by any party or by a conference on their behalf in any portion of the Trade. The authority contained in this Article 5.A.14 shall not apply in those trades referred to in Article 4.A of the AGREEMENT covering routes to and from countries belonging to the European Union. The parties may jointly exercise any voting rights held by the AGREEMENT in any conference within which the parties operate, in so far as the vote being jointly exercised concerns the AGREEMENT's activities as such.

15. Subchartering. Any space chartering arrangement with a non-party VOCC provided for herein, other than an ad hoc or emergency subcharter, shall not be implemented until it has been filed with the Federal Maritime Commission and become effective under the Shipping Act of 1984, if such filing is legally required.

16. Market Growth. Aspiration of the parties to pursue individual growth in excess of the natural market growth must not be irresponsible and should be discussed frankly. The parties are authorized to discuss their respective growth aspirations.

17. Suspension of Rate/Contract Authority. The authority contained in Articles 5.A.11 and 5.A.14 above is suspended as of the effective date of the amendment adding this Article 5.A.17 and such authority shall not be exercised again hereunder until the parties agree to terminate the suspension, which termination shall be effective thirty (30) days after written notice thereof has been given to the Federal Maritime Commission.

B. Cargoes. Without limitation, the cargoes subject to this AGREEMENT include containerized cargo (whether moving in dry, reefer, open top or other containers) and noncontainerized cargo for shipment on the parties' vessels, whether such cargoes are moving in all-water or intermodal service, whether moving by direct, feeder, relay or transshipment service, and whether moving under a through bill of lading or otherwise.