FMC Agreement No.: 011223-003 Effective Date: Monday, February 4, 1991
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other rate and cargo adjustments and service matters, containership capacity structure and adjustment of the Maximum Allowed Capacity for any or all Parties in anticipation of cargo demands.

5.2 The Maximum Allowed Capacity for each Party is calculated as set forth in Appendix B to this Agreement and shall be in effect for one year (i.e., for at least four consecutive Accounting Periods) following the Effective Date of this Agreement. The Maximum Allowed Capacity for any Party may be increased or decreased by action of the Parties at any time, provided that the total of all Parties' Maximum Allowed Capacities for any Accounting Period may not be reduced to less than 85 percent of the total of all Parties' actual cargo capacities in the Trade during such Accounting Period, prior to reduction pursuant to this Agreement, unless and until an appropriate amendment of this Agreement has become effective in accordance with the regulations of the FMC; and, provided further, that the Chairman, Secretariat, counsel to the Agreement or other designee of the Parties will notify the FMC in writing, in the form of an updated Appendix B hereto, on or before 30 days following any other action by the Parties that does not require the filing of an amendment, as aforesaid, to increase or decrease a Party's Maximum Allowed Capacity.

82