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203-011679

ASF/STC Agreement

A Cooperative Working Agreement

Expiration Date: None

This Agreement Has Not Been Published Previously

EFFECTIVE
NOV 19 1999
UNDER THE SHIPPING ACT OF 1984
Federal Maritime Commission

FMC Agreement No.: 011679 Effective Date: Friday, November 19, 1999
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THE PARTIES HERETO HAVE AGREED AS FOLLOWS:

ARTICLE 1: NAME OF AGREEMENT

This agreement shall be known as the ASF/STC Agreement (the "Agreement").

ARTICLE 2: BACKGROUND AND PURPOSE

The Asian Shipowners Forum ("ASF") consists of the shipowner associations of Australia, China, Hong Kong, Japan, Korea, Chinese Taipei and the associations of the ASEAN region (Indonesia, Malaysia, Philippines, Singapore, Thailand and Vietnam) ("Associations"). The members of these associations include liner and non-liner carriers operating in various international ocean trades. The purpose of the ASF is to foster mutual trust and cooperation among shipowners in the Asian region and the promotion of their shipping interests in world bodies and international trade. Amongst the subjects ASF addresses are safety, security, removal of substandard ships, ship insurance, seamanship and trade stability. The committee dealing with trade stability is the Stabilization of Trade Committee ("STC"). Activities in the STC described in this Agreement are primarily undertaken by the Members, who otherwise participate through Associations in the ASF and its various committees. This Agreement is intended to provide express legal authority for the Members' participation in the STC and related ASF activities under applicable national legislation.

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ARTICLE 3: MEMBERS

The carriers that are participants in the STC are listed in Appendix A hereto ("Members").

ARTICLE 4: SCOPE

The ASF covers the general subject of international maritime transport between all countries worldwide. The terms of this Agreement and the filing of it with the Federal Maritime Commission ("FMC") do not and are not intended to bring within the scope of the U.S. Shipping Act of 1984, as amended (including the antitrust exemption conferred by the Act), or the jurisdiction of the FMC, any activities hereunder relating to service wholly between foreign ports or points.

ARTICLE 5: AUTHORITY

5.1 The Members, in the context of the ASF, the STC or any other ASF committee, are authorized to exchange information, discuss and reach non-binding agreement with respect to:

(a) general issues affecting the industry such as standards and/or training for vessel crewing and operations; port and canal operation and development; removal of substandard vessels; environmental regulations, controls and issues; the safety of vessels, crew and cargo, including navigational aids and systems and piloting and tug requirements; piracy, terrorism, smuggling, stowaways and other security issues; safe navigation; insurance; and technological developments relating to or affecting the industry;

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(b) general economic trends affecting the industry such as fiscal and monetary policies of national governments and/or international bodies, trends in trade growth or development, trade and cargo flows and trade imbalances, and vessel overcapacity or undercapacity;

(c) the general level of rates, charges and surcharges and trends with respect to same, as well as general practices, rules, regulations and terms and conditions relating to the carriage of cargo; and

(d) membership in carrier agreements and associations.

5.2 The Members, in the context of the ASF, the STC or any other ASF committee, are authorized to exchange information, discuss and take a common position with respect to any existing or proposed law, policy, regulation, or court decision of any national or international government, organization or body.

ARTICLE 6: ADMINISTRATION

6.1 Chairmanship of the STC shall rotate among the Members.

6.2 The ASF shall have such standing and *ad hoc* committees as the ASF deems appropriate.

6.3 Agreement counsel is authorized to execute and file any amendments to this Agreement approved by the Members.

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ARTICLE 7: MEMBERSHIP

The Members are listed in Appendix A. Additional members may be admitted in accordance with Article 8 hereof. Carrier members herein must be members of a shipowner's association which participates in the ASF. Any Member may resign from this Agreement by providing written notice of such resignation to the other Members. Associations may participate in any activities provided for hereunder.

ARTICLE 8: ACTIONS OF MEMBERS

Actions hereunder shall be made on a voluntary adherence basis and no Member shall be bound by any proposed action hereunder unless it so chooses; provided, however, that admission of a new Member, amendments to this Agreement, and decisions on administrative and housekeeping matters shall require the consent of a majority of the Members.

ARTICLE 9: DURATION

This Agreement shall remain in effect indefinitely.

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IN WITNESS WHEREOF, the members have executed this Agreement as of this 2nd day of September, 1999.

CHINA OCEAN SHIPPING (GROUP) COMPANY

By: _____

Name: Gao Weijie

Title: Vice President

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IN WITNESS WHEREOF, the members have executed this Agreement as of this 3rd day of September, 1999.

EVERGREEN MARINE CORP. (TAIWAN) LTD.

By: _____

Name: George Hsu

Title: Vice Chairman

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IN WITNESS WHEREOF, the members have executed this Agreement as of this 08th day of September, 1999.

HANJIN SHIPPING CO., LTD.

By : _____

Name : H. T. Hwang

Title : Senior Vice President

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In Witness Whereof, the members have executed this Agreement as of this 13th day of September, 1999.

Hyundai Merchant Marine Co., LTD.

BY : [illegible]

NAME : Y. W. YOON

TITLE : S. E. V. PRESIDENT

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IN WITNESS WHEREOF, the members have executed this Agreement as of this 2nd day of Septmeber, 1999.

KAWASAKI KISEN KAISHA, LTD.

By:

Name: Ken-ichi Kuroya, "K" Line, Tokyo
Title: Associate Director & General Manager of Container Business Dept. for Pricing & Agreements

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IN WITNESS WHEREOF, the members have executed this Agreement as of this 2nd day of September, 1999.

MITSUI O.S.K. KINES LTD.

By:_____

Name: Hiroyuki Sato

Title: Executive Managing Director

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IN WITNESS WHEREOF, the members have executed this Agreement as of this 6 day of September, 1999.

NIPPON YUSEN KAISHA

BY : [signature]

Name: Tsuguji Yamaguchi

Title: Senior Managing Director

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IN WITNESS WHEREOF, the members have executed this Agreement as of this 2nd day of September 1999.

YANG MING MARINE TRANSPORT CORPORATION

By: _____

Name: C.C. Wu

Title: EVP

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APPENDIX A – LIST OF MEMBERS

1. Cosco Container Lines Ltd.
   1551-1555, Chang Yang Road
   Shanghai, 200090
   People's Republic of China

2. Evergreen Marine Corporation
   Evergreen Building
   330, Mincheng East Road
   Taipei, Taiwan

3. Hanjin Shipping Co., Ltd.
   9th Floor, 25-11, Yoldo-dong
   Youngdeungpo-ku
   Seoul, Korea

4. Hyundai Merchant Marine Co., Ltd.
   15th Floor Hyundai Building
   178 Se Chong Ro, Chongro-Ku
   Seoul, Korea

5. Kawasaki Kisen Kaisha, Ltd.
   Hibiya Central Building
   2-9 Nishi-Shinbashi 1-chome
   Minato-Ku
   Tokyo 105, Japan

6. Mitsui O.S.K. Lines, Ltd.
   1-1, Toranomon, 2-Chome
   Minato-Ku
   Tokyo 105-91, Japan

7. Nippon Yusen Kaisha, Ltd.
   Yusen Building
   3-2, Marunouchi 2-chome
   Chiyoda-Ku
   Tokyo 100-91, Japan

8. Yang Ming Marine Transport Corporation
   53 Hwai Ning Street, 5th Floor
   Taipei, Taiwan 100

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