



FEDERAL MARITIME COMMISSION

**NEWS ALERT REGARDING FOREIGN-BASED, UNLICENSED
NON-VESSEL OPERATING COMMON CARRIERS (NVOCC)**

On July 12, 2013 the Federal Maritime Commission published a final rule that expands a current tariff rate publication exemption, allowing foreign-based, unlicensed NVOCCs to enter into Negotiated Rate Arrangements (NRA) in lieu of publishing a rate for cargo shipments in its tariff, and requires foreign-based unlicensed NVOCCs to register with the Commission. This rule became effective on July 19, 2013. The registration requirement for foreign-based unlicensed NVOCCs must be completed by October 17, 2013. Please note that the registration applies to all foreign-based NVOCCs regardless of whether they enter into NRA's.

The final rule at 46 CFR §515.19 states in part: "Any NVOCC whose primary place of business is located outside of the United States and does not elect to become licensed by the Commission shall register with the Commission by submitting to the Director of the Bureau of Certification and Licensing (BCL) a completed registration form, Form FMC-65 (Foreign-based Unlicensed NVOCC Registration/Renewal). A notice of each registration shall be published on the Commission's Web site www.fmc.gov. It is a violation of the Commission's regulations implementing the Shipping Act for a foreign-based unlicensed non-vessel operating common carrier to provide NVOCC services in the U.S. foreign trade without a valid registration and an effective tariff."

A copy of Form FMC-65 is included with this file, and can also be found at http://www.fmc.gov/form_fmc-65/. There is currently no fee for filing this registration. Completed Form FMC-65s can be sent via email to OTI@fmc.gov with the Subject Heading "NVOCC Registration/renewal" or mailed to:

Federal Maritime Commission
Office of Ocean Transportation Intermediaries
800 North Capitol Street, N.W
Washington, D.C. 20573

If you have any questions regarding this rule, please do not hesitate to contact the Office of Transportation Intermediaries by phone at [\(202\) 523-5843](tel:(202)523-5843), by fax at [\(202\) 523-5830](tel:(202)523-5830) or by e-mail at OTI@fmc.gov.

CERTIFICATION

I certify that I have read a copy of the Federal Maritime Commission's ocean transportation intermediary regulations, 46 CFR Part 515, and pertinent sections of the Shipping Act of 1984, as amended by the Ocean Shipping Reform Act of 1998 and the Coast Guard Authorization Act of 1998 (46 U.S.C. 40101 et seq.), governing ocean transportation intermediaries, and that I will abide by all the provisions thereof from this date forward.

I further certify that I shall use a licensed ocean transportation intermediary for any ocean transportation intermediary activities performed on my behalf in the United States.

Under penalties of perjury, I declare that I have examined this registration and to the best of my knowledge and belief, it is true, correct and complete.

Note: Certification must be executed by the sole proprietor if registrant is a sole proprietorship, by all partners if registrant is a partnership, by a corporate officer if registrant is a corporation, or by a member if registrant is a limited liability company.

Signature

Name

Title

Date