

Instructions for Form FMC-78

Completed Form FMC-78 should be sent by mail or facsimile to:

Federal Maritime Commission
Bureau of Trade Analysis
800 N. Capitol Street, NW
Washington, DC 20573-0001
Fax (202) 523-5867

Line 1. Organization Number. This is the same as the Regulated Persons Index ("RPI") Number.

Line 2. Registrant. Provide the full name of the firm or individual registering for the automated NSA filing system and any trade names. The Registrant's name should match the corporate charter or business license, etc. The Registrant's name cannot be changed without submission of an amended registration form.

Line 3. FMC License Number. Provide name of Registrant as licensed by the Commission and date of the effectiveness of that license. If Registrant is a bonded but unlicensed foreign-based NVOCC operating pursuant to Commission's regulations at 46 C.F.R. § 515.3, indicate the name and address of the agent for service of process as required by 46 C.F.R. § 515.24. The name and address of the agent for service of process must be the same as that appearing in the NVOCC's tariff, as provided by 46 C.F.R. § 520.11 (b).

Line 4. Registration. Indicate whether this is the initial (first time) registration or an amendment to an existing NSA registration.

Line 5. Address of Headquarters Office. The complete street address of the Registrant's principal place of business should be shown in addition to a post office box (if any). Post office box alone is insufficient. Provide the Registrant's Federal Taxpayer Identification Number, if any.

Line 6. Mailing Address (if different). Provide the mailing address only if it differs from the headquarters address listed in Line 5. Show the street address as well as any post office box. This is the address to which the Registrant's log-on I.D. and password will be mailed via U.S. mail. Also, if the log-on I.D. and password is to be mailed to a third party, indicate here.

Line 7. Persons to be granted registration. Provide the full name of the individual for whom the log-on I.D. and password is requested. If you wish to transfer a log-on I.D. from an existing registration to a new individual, indicate the name of the new registrant and the log-on I.D. to be assigned.

Line 8. Registration by Third Party. Indicate, by checking the applicable box, whether the person to be granted registration in Line 7 is a third party (publisher, agent, etc.) of the registrant named in Line 1. The registration must be accompanied by an indication that the NVOCC has authorized the third party to file NVOCC service arrangements and related documents on its behalf.

Line 9. Signature of Authorized Official. Indicate the date the registration was signed and title of authorized official.

NVOCC SERVICE ARRANGEMENT REGISTRATION

PLEASE TYPE OR PRINT (SEE ATTACHED INSTRUCTIONS)

1. Organization No.

2. Registrant

Full Legal Name of firm (or individual, if not a firm)

(Doing Business As or Trade Name)

3. a. NVOCC OTI License No. _____ **Effective date** _____
MM/DD/YYYY

OR

b. If foreign-based unlicensed NVOCC, provide the following information for agent for service of process:

Name: _____

Address: _____

4. This Registration is: Initial Amendment (Specify change)

5. Headquarters

Address

_____ (Number and Street)

_____ ()

Telephone

_____ (Number and Street)

_____ ()

Fax

_____ (City/State/Zip/Country)

_____ (Federal TIN Number, if any)

_____ E-Mail (optional)

6. Mailing

Address

(If different)

_____ (c/o Name)

_____ (Number and Street)

_____ ()

Telephone

_____ (Number and Street)

_____ ()

Fax

_____ (City/State/Zip/Country)

_____ E-Mail (optional)

7. Person(s) to be granted registration. Please list individual(s) for whom a log-on identifier is requested. If this is a transfer of log-on, please list the existing name and existing log-on ID:

Name: _____ Existing Log-on: _____

8. Is the person listed in question 7 a third party? (check one) Yes No If yes, a letter of authority must be submitted with this form.

9. _____
Signature of Authorized Official Print or type name of Authorized Official

_____ Date (MM/DD/YYYY) Title of Authorized Official

FMC USE ONLY Logon _____
ID _____ Directory _____ DateAsg _____ / _____ AsgBy _____

PAPERWORK REDUCTION ACT NOTICE

The collection of this information is authorized generally by 46 U.S.C. § 40103.

This is an optional form. Submission is completely voluntary. Failure to submit this form will in no way impact the Federal Maritime Commission's assessment of your firm's financial responsibility; however, you will not be able to use the exemption set forth in the Commission's rules at 46 C.F.R. part 531.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. The valid control number for this information collection is 3072-0070. Copies of this form will be maintained until the filer indicates s/he will no longer file NSAs into the electronic filing system.

The time needed to complete and file this form will vary depending on individual circumstances. The total estimated average time to complete this form is: Recordkeeping, 20 minutes; learning about the form, 20 minutes; preparing and sending the form to the FMC, 20 minutes.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can write to the Secretary, Federal Maritime Commission, 800 North Capitol Street, N.W., Washington, D.C. 20573-0001, or e-mail: secretary@fmc.gov.

PRIVACY ACT STATEMENT FORM FMC-78 - NVOCC SERVICE ARRANGEMENT REGISTRATION

Pursuant to 5 U.S.C. § 552a(e)(3), enacted into law by Section 3 of the Privacy Act of 1974 (Public Law 93-579), the following statement is furnished to individuals who supply information to the Federal Maritime Commission (FMC) on Form FMC-78. This information is maintained in a system of records designated as FMC-40 and described at 78 FR 55699 (September 11, 2013), and on the FMC website at <http://www.fmc.gov/assets/1/Page/SORN2013.pdf>.

1. **AUTHORITY:** 46 U.S.C. § 40103

2. **PRINCIPAL PURPOSE(S):** Pursuant to 46 C.F.R. § 531.6, all NVOCC service arrangements (NSA) entered into between one or more NSA shippers and an individual non-vessel operating common carrier (NVOCC) or two or more affiliated NVOCCs shall be filed with the FMC. The FMC's regulations at 46 C.F.R. § 530.5(d) provide a registration procedure for the electronic filing of service contracts into the FMC's SERVCON system. This form collects registration information from an applicant requesting to file NSAs in SERVCON in order to issue a Log-on ID and a Password needed to access the SERVCON system.

3. **ROUTINE USE(S):** The SERVCON records are used or may be used:

- a. By Authorized Organization Representatives for official filing of VOCC and NVOCC related contracts to FMC.
- b. By Authorized Organization Representatives to make approved changes and amendments to filed contracts.
- c. By Authorized Organization Representatives to upload Notices with various information relevant to filed contracts that may be viewed by Commission Officials.
- d. By Commission Officials and Authorized Local Users from other Federal Agencies to verify and review the validity of the contract and operations of registered VOCCs and NVOCCs.
- e. To refer, where there is an indication of a violation or potential violation of law, whether civil or criminal or regulatory in nature, information to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.
- f. By a court of law or appropriate administrative board or hearing having review or oversight authority.
- g. To appropriate agencies, entities, and persons when (a) the Federal Maritime Commission suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the agency has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the agency or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the agency's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

4. **WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL IF NOT PROVIDING INFORMATION:**

This is an optional form. Submission is completely voluntary. Failure to submit this form will in no way impact the Federal Maritime Commission's assessment of your firm's financial responsibility; however, you will not be able to use the exemption set forth in the Commission's rules at 46 C.F.R. part 531.

5. **SYSTEM MANAGER(S) AND ADDRESS:** Federal Maritime Commission, Bureau of Trade Analysis, 800 North Capitol Street, N.W., Washington, DC 20573-0001