

port of origin, and receivers will be qualified based on the particular commodity unloaded at their port of destination. Shippers and receivers located within the Seaway will be qualified based on the total of their upbound and downbound shipments or receipts of the particular commodity. Should a shipper and receiver of the same commodity qualify for a volume rebate, the rebate will be divided equally between the shipper and the receiver.

(2) Volume rebates shall be granted only with respect to commodities whose shipper and receiver have shipped or received the subject commodity in the years 1991, 1992, 1993 and 1994 and have not been the subject of a merger or take-over during 1991, 1992, 1993, 1994 or 1995.

(3) The volume rebate shall be equal to a fifty percent reduction of the portion of the composite toll related to charges per metric ton of cargo paid for the shipments that surpass the shipper's or receiver's highest tonnage for that commodity during 1991, 1992, 1993 or 1994. Payment of rebates will be made directly to the qualified receiver or shipper.

(4) A description of the shipper's or receiver's Seaway traffic history for 1991, 1992, 1993, 1994 and 1995 by port, vessel name, transit date, commodity description and tonnage shall be submitted by the shipper or receiver prior to the end of 1995 and shall be subject to audit by the Authority.

(5) Cargoes having been the subject of a new business discount or an alternate use of bulker discount described in section 9 below shall be excluded from the statistics used for the calculation of volume rebates.

9. Notwithstanding anything in the Tariff, the toll for steel slab, general, or containerized cargo for any vessel documented under the laws of the United States or registered in Canada in accordance with the laws of Canada that has been engaged primarily in the bulk trade within