

3. THAT Sections 7, 8 and 9 of the Tariff be revoked and the following substituted therefor:

Incentive Tolls Program

7.(1) Notwithstanding anything contained in the Tariff, the portion of the composite toll related to charges per metric ton of cargo charged on new business shall be reduced by fifty percent for a Seaway transit beginning and ending during the 1994 navigation year.

(2) The discount mentioned in (1) above shall be granted for the remainder of the navigation season if:

- (a) a vessel carries, for each transit, 1,000 metric tons or more of new business or a minimum of 1,000 cubic metres of new business project cargo; and
- (b) a complete and accurate application for a new business discount, in the manner set forth in the Appendix hereto, is submitted to the Authority for evaluation and audit prior to the beginning of a Seaway transit.

(3) For the purposes of this section, "new business" means cargo that has not moved through a Seaway lock between an origin and a destination as defined below during the navigation seasons of 1991, 1992 and 1993 or cargo that has moved through a Seaway lock in quantities representing less than five percent of the average of Seaway traffic between an origin and a destination during the navigation seasons of 1991, 1992 and 1993. For the purposes of this subsection, "origin" and "destination" mean the country in which cargo is loaded or unloaded, but if the cargo is loaded or unloaded in North America, "origin" and "destination" mean the geographic region in which cargo is loaded or unloaded, those geographic regions being as follows: