United Nations Convention on a Code of Conduct for Liner Conferences

2006/0308(COD) - 11/12/2007 - Final act

PURPOSE: to repeal Council Regulation (EEC) No 954/79 concerning the ratification by Member States of, or their accession to, the United Nations Convention on a Code of Conduct for Liner Conferences.

LEGISLATIVE ACT : Regulation (EC) No 1490/2007 of the European Parliament and of the Council repealing Council Regulation (EEC) No 954/79 concerning the ratification by Member States of, or their accession to, the United Nations Convention on a Code of Conduct for Liner Conferences.

CONTENT: Council Regulation (EEC) No 954/79 dealt with the accession to or ratification by Member States of the United Nations Convention on a Code of Conduct for Liner Conferences. The Convention sets out an international regulatory framework for shipping conferences, in particular by means of rules on access to shares of trade by ship owners established in the territories of the State parties to the Convention, which serves mutual foreign trade. On 25 September 2006, the Council adopted Regulation (EC) No 1419 /2006 repealing Regulation (EEC) No 4056/86. Regulation (EEC) No 4056/86 provided for a block exemption of liner conferences from the EC Treaty's ban on restrictive business practices (Article 81).

For reasons of legal consistency, the repealing of Council Regulation No 954/79 will enter into force at the moment of the repeal of the exemption from the prohibition in Article 81(1) of the Treaty in respect of shipping conferences, that is to say at the end of the two years transitional period foreseen by Council Regulation (EC) No 1419/2006 repealing Regulation No 4056/86.

At the end of the transition period, the prohibition in Article 81 (1) of the Treaty will apply to scheduled maritime transport services and as a consequence shipping conferences will no longer be allowed to operate in trades to/from the ports of the Member States. The Member States will therefore be prevented from fulfilling their obligations under the Convention on a Code of Conduct for Liner Conferences. From that time, Member States will no longer be in a position to ratify, approve or accede to that Convention. Regulation (EEC) No 954/79 will therefore become inapplicable and is repealed with effect from the end of the transition period provided for in Regulation (EC) No 1419/2006, that is to say on 18 October 2008.

ENTRY INTO FORCE: 18/12/2008.