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*(Information)*INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES  
AND AGENCIES

## EUROPEAN COMMISSION

**Invitation to submit comments on the draft Commission Regulation amending Regulation (EC) No 906/2009 on liner shipping consortia as regards its period of application**

(2014/C 56/01)

Interested parties may submit their comments within one month of the date of publication of this draft Regulation to:

European Commission  
Directorate-General for Competition  
Antitrust Registry  
1049 Bruxelles/Brussel  
BELGIQUE/BELGIË

E-mail: COMP-GREFFE-ANTITRUST@ec.europa.eu

The text is also available on the following website: [http://ec.europa.eu/competition/consultations/2014\\_maritime\\_consortia/index\\_en.html](http://ec.europa.eu/competition/consultations/2014_maritime_consortia/index_en.html)

**DRAFT COMMISSION REGULATION (EU) No .../...****of 24 February 2014****amending Regulation (EC) No 906/2009 as regards its period of application****(Text with EEA relevance)**

(2014/C 56/02)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 246/2009 of 26 February 2009 on the application of Article 81(3) of the Treaty <sup>(1)</sup> to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) <sup>(2)</sup>, and in particular Article 1 thereof,

Having published a draft of this Regulation <sup>(3)</sup>

After consulting the Advisory Committee on Restrictive Practices and Dominant Positions,

Whereas:

- (1) Commission Regulation (EC) No 906/2009 <sup>(4)</sup> grants a block exemption to liner shipping consortia from the prohibition contained in Article 101(1) of the Treaty, subject to certain conditions. That Regulation will

<sup>(1)</sup> With effect from 1 December 2009, Articles 81 and 82 of the EC Treaty have become respectively Articles 101 and 102 TFEU.

<sup>(2)</sup> OJ L 79, 25.3.2009, p. 1.

<sup>(3)</sup> OJ C 56, 27.2.2014, p. 1.

<sup>(4)</sup> Commission Regulation (EC) No 906/2009 of 28 September 2009 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) (OJ L 256, 29.9.2009, p. 31).

expire on 25 April 2015, in accordance with the maximum 5 year duration provided for in Article 2(1) of Regulation (EC) No 246/2009. On the basis of the Commission's experience in applying the block exemption, it appears that the justifications for a block exemption for consortia are still valid and that the conditions on the basis of which the scope and content of Regulation (EC) No 906/2009 were determined have not substantially changed.

- (2) Regulation (EC) No 906/2009 simplified and introduced substantial modifications to the rules applicable to consortia. Since the new legal framework has been in place/applied for only short period of time, further changes should be avoided at this stage. This will avoid

increasing the compliance costs of the operators in the industry.

- (3) The period of application of Regulation (EC) No 906/2009 should therefore be extended by five years,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 7 of Regulation (EC) No 906/2009 '25 April 2015' is replaced by '25 April 2020'.

*Article 2*

This Regulation shall enter into force on 25 April 2015.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 24 February 2014.

*For the Commission*  
*The President*  
[...] [...]

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