



EUROPEAN COMMISSION

Brussels, 09 -01- 1997

SG (97) D/ 89

Registered with acknowledgement of receipt

Dear Sirs,

Subject: Case No IV/35.681 -North Sea Liner Conference Agreement

I refer to your clients' application in the case referred above, which you notified, on 16 August 1995, pursuant to Article 12 of Council Regulation N° 4056/86.

Further to the publication of a Notice in the Official Journal concerning the above case⁽¹⁾, I am pleased to inform you that the Commission has decided not to raise serious doubts and accordingly allow the agreement to be deemed exempt for the time already elapsed and for a period of six years for those activities falling within Regulation N° 4056/86 and for a period of three years for those activities falling within Regulation N° 1017/68. In accordance with Article 12(3) of Council Regulation N° 4056/86 and of Council Regulation N° 1017/68, those periods will start to run as from 19 October 1996, the date of publication of the Notice in the Official Journal .

The Commission's reasons for believing that the conditions of Article 85(3) are fulfilled in this case are those summarised in the published Notice.

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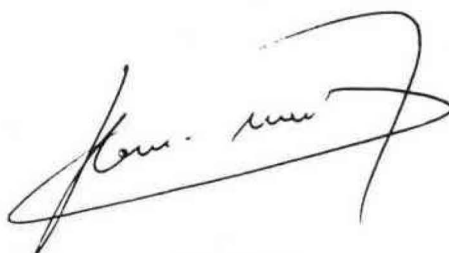
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⁽¹⁾ OJ N°C 310, 19.10.96, p.7

In particular, we believe that weight should be given to the fact that the cooperation in question has increased the efficiency of the parties' operations and has enabled them to undertake significant investment in equipment particularly suited to the climatic conditions in the Gulfs of Bothnia and Finland which allow the shippers to benefit from a regular service all year round even in winter. The services also appears well adapted as well as to the special needs of Finnish shippers which are located in a peripheral region. The parties' share of the relevant market does not appear to be such as to allow them to eliminate competition for a substantial part of the services in question.

The Commission has also given weight to the declaration that the parties to the Agreement intend to comply with the conditions attached to the group exemption for liner conferences contained in Regulation (EEC) No 4056/86 in their most important respects.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Karel Van Miert', with a large, sweeping flourish at the end.

Karel VAN MIERT
Member of the Commission