

Article 85 (3) (b) of the Treaty the Commission shall withdraw the benefit of the block exemption and shall, at the same time, rule on whether and, if so, under what additional conditions and obligations an individual exemption should be granted to the relevant Conference agreement;

If competition is or may be eliminated as a result of action by a third country, the Commission shall enter into consultations with the competent authorities of the third country concerned, followed if necessary by negotiations under directives to be given by the Council, in order to remedy the situation.

Article 8

Conflicts of international law

1. Where the application of this Regulation to certain restrictive practices or clauses is liable to enter into conflict with the provisions laid down by law, regulation or administrative action of certain third countries which

would compromise important Community trading and shipping interests, the Commission shall, at the earliest opportunity, undertake with the competent authorities of the third countries concerned, consultations aimed at reconciling as far as possible the abovementioned interest with the respect of Community law.

2. Where the number or the nature of such consultations give rise to the need for the Commission to negotiate an arrangement with the competent authorities of the third country concerned as respects the exercise of their powers the Commission shall take the appropriate measures.

3. Where it appears that an amendment to the powers of the competent authorities of the third country or to this Regulation is desirable, the Commission shall ask the Council for authority to negotiate in accordance with directives which it shall establish. Amendments to this Regulation shall be confined to the conditions and obligations under which an exemption is given to liner conferences and shall ensure that a proper balance is maintained between the shipping and shipowning interests of the Community.

Draft Council Regulation on unfair pricing practices in maritime transport

(85/C 212/07)

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 84 (2) thereof,

Having regard to the draft Regulation submitted by the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas there is reason to believe, *inter alia*, on the basis of the information system referred to in Council Decision 78/774/EEC⁽¹⁾, that the competitive participation of the fleets of Member States in international liner shipping is adversely affected by certain unfair practices of shipping lines of third countries;

Whereas such practices consist of continuous charging of freight rates for the transport of certain selected commodities which are lower than the lowest freight charged for the same commodities by an established and representative non-conference shipowner;

Whereas such pricing practices are made possible by non-commercial advantages enjoyed by the lines concerned, either because they are government owned or controlled, or because they have preferential access to cargo through national legislation or because they operate ships flying the flag of countries which have not ratified and do not implement certain international safety conventions;

Whereas the Community should be able to take redressive action against such pricing practices;

Whereas there are no internationally-agreed rules as to what constitutes an unfair price in the maritime transport field;

Whereas appropriate factors relevant for the determination of injury should be set out;

⁽¹⁾ OJ No 258, 21. 9. 1978, p. 35.

Whereas it is necessary to lay down the procedures for anyone acting on behalf of Community shipowners who consider themselves injured or threatened by unfair pricing practices to lodge a complaint; whereas it seems appropriate to make it clear that in the case of withdrawal of a complaint, proceedings may, but need not necessarily, be terminated;

Whereas there should be cooperation between the Member States and the Commission both as regards information about the existence of unfair pricing practices and injury resulting therefrom, and as regards the subsequent examination of the matter at Community level; whereas, to this end, consultations should take place within an advisory committee;

Whereas it is appropriate to lay down clearly the rules of procedure to be followed during the investigation, in particular the rights and obligations of the Community authorities and the parties involved, and the conditions under which interested parties may have access to information and may ask to be informed of the essential facts and considerations on the basis of which it is intended to recommend definitive measures;

Whereas it is necessary that the Community's decision-making process permits rapid and efficient action, in particular through measures taken by the Commission, as, for instance, the imposition of provisional duties;

Whereas, in order to discourage unfair pricing practices, but without preventing, restricting or distorting price competition by non-conference lines, it is appropriate to provide, in cases where the facts as finally established show that there is an unfair pricing practice and injury, for the possibility of definitive collection of provisional duties, even if no decision were made on the imposition of a definitive redressive duty on particular grounds;

Whereas it is essential, in order to ensure that redressive duties are levied in a correct and uniform manner, that common rules for the application of such duties be laid down; whereas, by reason of the nature of the said duties, such rules may differ from the rules for the levying of normal import duties;

Whereas open and fair procedures should be provided for the review of measures taken and for the investigation to be reopened when the circumstances so require;

Whereas appropriate procedures should be established for examining applications for refunds of redressive duties,

HAS ADOPTED THIS REGULATION,

Article 1

Scope

This Regulation lays down the procedure to be followed in order to respond to unfair pricing practices by certain shipowners engaged in cargo liner shipping, which cause serious disruption of the freight pattern on a particular route to or from the Community or which otherwise cause injury to Community shipowners.

Article 2

Principle

A redressive duty may be applied in accordance with this Regulation where foreign shipowners engage in unfair pricing practices which cause injury to Community shipowners.

Article 3

Definitions

1. For the purposes of this Regulation:

- (a) *foreign shipowners*: means cargo liner shipping companies established in a third country, which enjoy the advantages of being:
 - owned or controlled directly or indirectly by any State which is not a Member of the Community, and/or
 - more favourable placed than Community shipowners as to the access to cargo in ocean trades through national legislation, and/or
 - the operators of ships flying the flag of countries which have not ratified and do not implement the international Conventions of the IMO and ILO referred to in Annex;
- (b) *unfair pricing practices*: means the continuous charging of a freight rate on a particular shipping route to or from the Community for certain selected commodities which is lower than the lowest freight rate charged during at least one year for the same commodity or commodities on the same shipping route by an established and representative non-conference shipowner not enjoying the above advantages;
- (c) *an established and representative non-conference shipowner*: means a cargo liner shipping company which operates and has operated during a significant period of time regular services independently from the conference and which has committed a notable volume of tonnage to the trade in question;
- (d) *injury*: means any material injury caused or threatened to Community shipowners;
- (e) *Community shipowners*: means all cargo liner shipping companies which have their management head office and their effective control in a Member State.

2. When there is no established and representative non-conference shipowner active on the shipping route in question, comparison may be made with the lowest freight rate regularly charged for the same or similar commodities on a similar route by an established and representative non-conference shipowner.

3. Where the freight rates vary, weighted averages may be established.

Article 4

Examination of injury

1. An examination of injury shall involve in particular the following factors:

- (a) the freight rate offered by the Community shipowners' competitors, in particular in order to determine whether there has been, on the shipping route in question, significant underbidding of the freight rates of Community shipowners, taking into account the level of service offered by all carriers concerned;
- (b) the share reserved under national legislation to the Community shipowners' competitors and the possibility of waivers to be granted to associated lines or other carriers or of chartering-in ships under other flags, in particular to determine whether there has been, on the shipping route in question, a significant decrease of the share of Community shipowners;
- (c) consequent impact on Community shipowners and as indicated by trends in certain economic factors such as:
 - sailings,
 - utilization of capacity,
 - cargo bookings,
 - market share,
 - freight rates (that is depression of freight rates or prevention of freight rate increases which would normally have occurred),
 - profits,
 - return on capital,
 - investment,
 - employment.

2. Where a threat of injury is alleged, the Commission shall also examine whether it is clearly foreseeable that a particular situation is likely to develop into actual injury. In this regard, account may also be taken of factors such as:

- (a) the increase of tonnage deployed on the shipping route where the competition with Community shipowners is taking place;

(b) capacity in the country of the foreign shipowners, which is already in existence or will be operational in the foreseeable future, and the likelihood that the deployment of tonnage resulting from that capacity will be on the shipping route referred to at (a).

3. Injury caused by other factors which, either individually or in combination, are also adversely affecting Community shipowners, must not be attributed to the practices under consideration.

Article 5

Complaint

1. Any natural or legal person, or any association not having legal personality, acting on behalf of Community shipowners which consider themselves injured or threatened by unfair pricing practices may lodge a written complaint.

2. The complaint shall contain sufficient evidence of the existence of the unfair pricing practice and injury resulting therefrom.

3. The complaint may be submitted to the Commission, or a Member State, which shall forward it to the Commission. The Commission shall send Member States a copy of any complaint it receives.

4. The complaint may be withdrawn, in which case proceedings may be terminated unless such termination would not be in the interest of the Community.

5. Where it becomes apparent after consultation that the complaint does not provide sufficient evidence to justify initiating an investigation, then the complainant shall be so informed.

6. Where, in the absence of any complaint, a Member State is in possession of sufficient evidence both of unfair pricing practices and of injury resulting therefrom for Community shipowners, it shall immediately communicate such evidence to the Commission.

Article 6

Consultations

1. Any consultations provided for in this Regulation shall take place within an Advisory Committee, which shall consist of representatives of each Member State, with a representative of the Commission as chairman. Consultations shall be held immediately on request by a Member State or on the initiative of the Commission.

2. The Committee shall meet when convened by its chairman. He shall provide the Member States, as promptly as possible, with all relevant information.

3. Where necessary, consultation may be in writing only; in such case the Commission shall notify the Member States and shall specify a period within which they shall be entitled to express their opinions or to request an oral consultation.

4. Consultation shall in particular cover:

- (a) the existence of unfair pricing practices and the amount thereof;
- (b) the existence and extent of injury;
- (c) the causal link between the unfair pricing practices and injury;
- (d) the measures which, in the circumstances, are appropriate to prevent or remedy the injury caused by unfair pricing practices and the ways and means for putting such measures into effect.

Article 7

Initiation and subsequent investigation

1. Where, after consultation it is apparent that there is sufficient evidence to justify initiating a proceeding the Commission shall immediately:

- (a) announce the initiation of a proceeding in the *Official Journal of the European Communities*; such announcements shall indicate the foreign shipowner concerned and his country of origin, give a summary of the information received, and provide that all relevant information is to be communicated to the Commission; it shall state the period within which interested parties may make known their views in writing and may apply to be heard orally by the Commission in accordance with paragraph 5;
 - (b) so advise the shipowners, shippers and freight forwarders known to the Commission to be concerned and the complainants;
 - (c) commence the investigation at Community level, acting in cooperation with the Member States; such investigation shall cover both unfair pricing practices and injury resulting therefrom and shall be carried out in accordance with paragraphs 2 to 8; the investigation of unfair pricing practices shall normally cover a period of not less than six months immediately prior to the initiation of the proceeding.
2. (a) Where appropriate the Commission shall seek all the information it deems necessary and attempt to check this information with the shipowners, agents, shippers, freight forwarders, conferences, associations and organizations, provided that the undertakings or organizations concerned give their consent;

(b) Where necessary the Commission shall, after consultation, carry out investigations in third countries, provided that the firms concerned give their consent and the government of the country in question has been officially notified and raises no objection. The Commission shall be assisted by officials of those Member States who so request.

3. (a) The Commission may request Member States:

- to supply information,
- to carry out all necessary checks and inspections, particularly amongst shippers, freight forwarders, Community shipowners and their agents,
- to carry out investigations in third countries, provided the firms concerned give their consent and the government of the country in question has been officially notified and raises no objection;

(b) Member States shall take whatever steps are necessary in order to give effect to requests from the Commission. They shall send to the Commission the information requested together with the results of all inspections, checks or investigations carried out;

(c) Where this information is of general interest or where its transmission has been requested by a Member State, the Commission shall forward it to the Member States, provided it is not confidential, in which case a non-confidential summary shall be forwarded;

(d) Officials of the Commission shall be authorized, if the Commission or a Member State so requests, to assist the officials of Member States in carrying out their duties.

4. (a) The complainant and the shippers and shipowners known to be concerned may inspect all information made available to the Commission by any party to an investigation as distinct from internal documents prepared by the authorities of the Community or its Member States provided that it is relevant to the defence of their interests and not confidential within the meaning of Article 8 and that it is used by the Commission in the investigation. To this end, they shall address a written request to the Commission, including the information required;

(b) Shipowners subject to investigation and the complainant may request to be informed of the essential facts and considerations on the basis of which it is intended to recommend the imposition of definitive duties or the definitive collection of amounts secured by way of a provisional duty;

(c) (i) requests for information pursuant to (b) shall:

- be addressed to the Commission in writing,
- specify the particular issues on which information is sought,
- be received, in cases where a provisional duty has been applied, not later than one month after publication of the imposition of that duty;

(ii) the information may be given either orally or in writing, as considered appropriate by the Commission. It shall not prejudice any subsequent decision which may be taken by the Commission or the Council. Confidential information shall be treated in accordance with Article 8;

(iii) information shall normally be given no later than 15 days prior to the submission by the Commission of any proposal for final action pursuant to Article 12. Representations made after the information is given shall be taken into consideration only if received within a period to be set by the Commission in each case, which shall be at least 10 days, due consideration being given to the urgency of the matter.

5. The Commission may hear the interested parties. It shall so hear them if they have within the period prescribed in the notice published in the *Official Journal of the European Communities*, made a written request for a hearing showing that they are an interested party likely to be affected by the result of the proceeding and that there are particular reasons why they should be heard orally.

6. Furthermore, the Commission shall, on request, give the parties directly concerned an opportunity to meet, so that opposing views may be presented and any argument put forward by way of rebuttal. In providing this opportunity the Commission shall take account of the need to preserve confidentiality and of the convenience of the parties. There shall be no obligation on any party to attend a meeting and failure to do so shall not be prejudicial to that party's case.

7. (a) This Article shall not preclude the Community authorities from reaching preliminary determinations or from applying provisional measures expeditiously;

(b) In cases in which any interested party refuses access to, or otherwise does not provide, necessary information within a reasonable period, or significantly impedes the investigation, preliminary or final findings, affirmative or negative, may be made on the basis of the facts available.

8. Proceedings on unfair pricing practices shall not constitute a bar to customs clearance of the goods to which the freight rates concerned apply.

9. (a) An investigation shall be concluded either by its termination or by definitive action. Conclusion should normally take place within one year of the initiation of the proceeding;

(b) A proceeding shall be concluded either by the termination of the investigation without the imposition of duties and without the acceptance of undertakings or by the expiry or repeal of such duties or by the termination of undertakings in accordance with Articles 14 or 15.

Article 8

Confidentiality

1. Information received in pursuance of this Regulation shall be used only for the purpose for which it was requested.

2. (a) Neither the Council, nor the Commission, nor Member States, nor the officials of any of these, shall reveal any information received in pursuance of this Regulation for which confidential treatment has been requested by its supplier, without specific permission from the supplier;

(b) Each request for confidential treatment shall indicate why the information is confidential and shall be accompanied by a non-confidential summary of the information, or a statement of the reasons why the information is not susceptible of such summary.

3. Information will ordinarily be considered to be confidential if its disclosure is likely to have a significantly adverse effect upon the supplier or the source of such information.

4. However, if it appears that a request for confidentiality is not warranted and if the supplier is either unwilling to make the information public or to authorize its disclosure in generalized or summary form, the information in question may be disregarded.

The information may also be disregarded where such request is warranted and where the supplier is unwilling to submit a non-confidential summary, provided that the information is susceptible of such summary.

5. This Article shall not preclude the disclosure of general information by the Community authorities and in particular of the reasons on which decisions taken in

pursuance of this Regulation are based, or disclosure of the evidence relied on by the Community authorities insofar as necessary to explain those reasons in court proceedings. Such disclosure must take into account the legitimate interest of the parties concerned that their business secrets should not be divulged.

Article 9

Termination of proceedings where protective measures are unnecessary

1. If it becomes apparent after consultation that protective measures are unnecessary, then, where no objection is raised within the Advisory Committee referred to in Article 6(1), the proceeding shall be terminated. In all other cases the Commission shall submit to the Council forthwith a report on the results of the consultation, together with a proposal that the proceeding be terminated. The proceeding shall stand terminated if, within one month, the Council, acting by a qualified majority, has not decided otherwise.

2. The Commission shall inform the parties known to be concerned and shall announce the termination in the *Official Journal of the European Communities* setting forth its basic conclusions and a summary of the reasons therefor.

Article 10

Undertakings

1. Where, during the course of investigation, undertakings are offered which the Commission, after consultation, considers acceptable, the investigation may be terminated without the imposition of provisional or definitive duties.

Save in exceptional circumstances, undertakings may not be offered later than the end of the period during which representations may be made under Article 7(4)(c)(iii). The termination shall be decided in conformity with the procedure laid down in Article 9(1) and information shall be given and notice published in accordance with Article 9(2). Such termination does not preclude the definitive collection of amounts secured by way of provisional duties pursuant to Article 12(2).

2. The undertakings referred to under paragraph 1 are those under which rates are revised to an extent such that the Commission is satisfied that the unfair pricing practice, or the injurious effects thereof, are eliminated.

3. Undertakings may be suggested by the Commission, but the fact that such undertakings are not offered or an invitation to do so is not accepted, shall not prejudice consideration of the case. However, the continuation of unfair pricing practices may be taken as evidence that a threat of injury is more likely to be realized.

4. If the undertakings are accepted, the investigation of injury shall nevertheless be completed if the Commission, after consultation, so decides or if request is made by the Community shipowners concerned. In such a case, if the Commission, after consultation, makes a determination of no injury, the undertaking shall automatically lapse. However, where a determination of no threat of injury is due mainly to the existence of an undertaking, the Commission may require that the undertaking be maintained.

5. The Commission may require any party from whom an undertaking has been accepted to provide periodically information relevant to the fulfilment of such undertakings, and to permit verification of pertinent data. Non-compliance with such requirements shall be construed as violation of the undertaking.

6. Where an undertaking has been withdrawn or where the Commission has reason to believe that it has been violated and where Community interests call for such intervention, it may, after consultations and after having offered the shipowner concerned an opportunity to comment, apply provisional duties forthwith on the basis of the facts established before the acceptance of the undertaking.

Article 11

Provisional duties

1. Where preliminary examination shows that an unfair pricing practice exists and that there is sufficient evidence of injury caused thereby and the interests of the Community call for intervention to prevent injury being caused during the proceeding, the Commission, acting at the request of a Member State or on its own initiative, shall impose a provisional duty on the foreign shipowners concerned, the definitive collection of which shall be determined by the subsequent decision of the Council under Article 12(2).

2. The Commission shall take such provisional action after consultation or, in cases of extreme urgency, after informing the Member States. In this latter case, consultations shall take place 10 days at the latest after notification to the Member States of the action taken by the Commission.

3. Where a Member State requests immediate intervention by the Commission, the Commission shall within a maximum of five working days of receipt of the request, decide whether a provisional duty should be imposed.

4. The Commission shall forthwith inform the Council and the Member States of any decision taken under this Article. The Council, acting by a qualified majority, may decide differently. A decision by the Commission not to impose a provisional duty shall not preclude the

imposition of such duty at a later date, either at the request of a Member State, if new factors arise, or on the initiative of the Commission.

5. Provisional duties shall have a maximum period of validity of four months. However, where the Community shipowners concerned so request or, pursuant to a notice of intention from the Commission, do not object, provisional duties may be extended for a further period of two months.

6. Any proposal for definitive action, or for extension of provisional duties, shall be submitted to the Council by the Commission not later than one month before expiry of the period of validity of provisional duties. The Council shall act by a qualified majority.

Article 12

Definitive action

1. Where the facts as finally established show that there is an unfair pricing practice and injury caused thereby and the interests of the Community call for Community intervention, a definitive duty shall be imposed by the Council, acting by qualified majority on a proposal submitted by the Commission after consultation.

2. (a) Where a provisional duty has been applied, the Council shall decide, irrespective of whether a definitive duty is to be imposed, what proportion of the provisional duty is to be definitively collected. The Council shall act by a qualified majority on a proposal from the Commission;

(b) The definitive collection of such amount shall not be decided upon unless the facts as finally established show that there has been an unfair pricing practice and injury.

Article 13

General provisions on duties

1. Redressive duties, whether provisional or definitive, shall be imposed on the foreign shipowners concerned by Regulation.

2. Such Regulation shall indicate in particular the amount and type of duty imposed, the commodity or commodities transported, the name and the country of origin of the foreign shipowner concerned and the reasons on which the Regulation is based.

3. The amount of the duties shall not exceed the difference between the rate charged and the lowest freight rate charged by the established and representative non-conference shipowner referred to in Article 3 provisionally estimated or finally established; it should be

less if such lesser duty would be adequate to remove the injury.

4. (a) Duties shall be neither imposed nor increased with retroactive effect and shall apply to the transport of commodities which, after entry into force of such duties, are loaded or discharged in a Community port;

(b) However, where the Council determines that an undertaking has been violated, the definitive duties may be imposed on the transport of commodities which were loaded or discharged in a Community port not more than 90 days prior to the date of application of provisional duties, except that in the case of violation of an undertaking such retroactive assessment shall not apply to the transport of commodities which were loaded or discharged in a Community port before the violation.

5. Duties shall be collected by Member States in the form, at the rate and according to the other criteria laid down when the duties were imposed, and independently of the customs duties, taxes and other charges normally imposed on imports of goods transported.

6. Permission to load or discharge cargo in a Community port may be made conditional upon the provision of security for the amount of a provisional or definitive duty.

7. After expiration of the period of validity of provisional duties, the security shall be released as promptly as possible to the extent that the Council has not decided to collect it definitively.

Article 14

Review

1. Regulations imposing redressive duties and decisions to accept undertakings shall be subject to review, in whole or in part, where warranted.

Such review may be held either at the request of a Member or on the initiative of the Commission. A review shall also be held where an interested party so requests and submits evidence of changed circumstances sufficient to justify the need for such review, provided that at least one year has elapsed since the conclusion of the investigation. Such requests shall be addressed to the Commission which shall inform the Member States.

2. Where, after consultation, it becomes apparent that review is warranted, the investigation shall be re-opened in accordance with Article 7, where the circumstances so require. Such re-opening shall not *per se* affect the measures in operation.

3. Where warranted by the review, carried out either with or without re-opening of the investigation, the

measures shall be amended, repealed or annulled by the Community institution competent for their introduction.

Article 15

1. Subject to the provisions of paragraph 2, redressive duties and undertakings shall lapse after five years from the date on which they entered into force or were last modified or confirmed.

2. The Commission shall normally, after consultation and within six months prior to the end of the five-year period, publish in the *Official Journal of the European Communities* a notice of the impending expiry of the measure in question and inform Community shipowners known to be concerned. This notice shall state the period within which interested parties may make known their views in writing and may apply to be heard orally by the Commission in accordance with Article 7 (5).

Where an interested party shows that the expiry of the measure would again lead to injury or threat of injury, the Commission shall carry out a review of the measure. The measure shall remain in force pending the outcome of this review.

Where redressive duties and undertakings lapse under this Article the Commission shall publish a notice to that effect in the *Official Journal of the European Communities*.

Article 16

Refund

1. Where the shipowner concerned can show that the duty collected exceeds the difference between the rate charged and the lowest freight rate charged by the established and representative non-conference shipowner referred to in Article 3, consideration being given to any application of weighted averages, the excess amount shall be reimbursed.

2. In order to request the reimbursement referred to in paragraph 1, the foreign shipowner concerned may submit an application to the Commission. The application shall be submitted via the Member State in the port of which the commodities transported were loaded or discharged and within three months of the date on which the amount of the definitive duties to be levied was duly determined by the competent authorities or of the date on which a decision was made definitively to collect the amounts secured by way of provisional duty.

The Member State shall forward the application to the Commission as soon as possible, either with or without an opinion as to its merits.

The Commission shall inform the other Member States forthwith and give its opinion on the matter. If the Member States agree with the opinion given by the Commission or do not object to it within one month of being informed, the Commission may decide in accordance with the said opinion. In all other cases, the Commission shall, after consultation, decide whether and to what extent the application should be granted.

Article 17

Final provisions

This Regulation shall not preclude the application of any special rules laid down in agreements concluded between the Community and third countries.

Article 18

Entry into force

This Regulation shall enter into force on 1 July 1986.

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

BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I —
BIJLAGE I

Liste over de i artikel 3 omhandlede internationale konventioner

Liste der internationalen Übereinkommen nach Artikel 3

Κατάσταση διεθνών συμβάσεων που αναφέρονται στο άρθρο 3

List of international conventions referred to in Article 3

Liste des conventions internationales visées à l'article 3

Lista delle convenzioni internazionali di cui all'articolo 3

Lijst der in artikel 3 bedoelde internationale verdragen

- International Convention on Load Lines, 1966;
 - International Convention for the Safety of Life at Sea, 1974;
 - Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974;
 - International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978 relating thereto;
 - International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978;
 - Convention on the International Regulations for Preventing Collisions at Sea, 1972;
 - Merchant Shipping (Minimum Standards) Convention, 1976 (ILO Convention 147).
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- Convention internationale sur les lignes de charge, 1966.
 - Convention internationale de 1974 pour la sauvegarde de la vie humaine en mer.
 - Protocole de 1978 relatif à la convention internationale de 1974 pour la sauvegarde de la vie humaine en mer.
 - Convention internationale de 1973 pour la prévention de la pollution par les navires telle qu'amendée par le Protocole de 1978.
 - Convention internationale de 1978 sur les normes de formation des gens de mer, de délivrance des brevets et de veille.
 - Convention sur le règlement international de 1972 pour prévenir les abordages en mer.
 - Convention concernant les normes minima à observer sur les navires marchands, 1976 (Convention OIT-147).

ANNEX II

Status of ratification and entry into force of various relevant IMO and ILO instruments

Information as at 1. 7. 1984	Safety of life at sea (SOLAS 1974)	1978 Protocol to SOLAS 1974	Prevention of Maritime Pollution (MARPOL 1973/78)	ILO Convention No 147 on minimum standards on ships	Standards of Seafarers Training (STCW 1978)	Collision Regulation (COLREG 1972)	Loadlines (LL 1966)		
							1966	Amended 1971	Amended 1975 Amended 1979
Recommended ratification date by EC	1. 1. 1979	30. 6. 1979	1. 6. 1980	1. 4. 1979	31. 12. 1980				
Belgium	x	x	x	x	x	x	x	x	x
Denmark	x	x	x	x	x	x	x	x	x
France	x	x	x	x	x	x	x	x	x
Germany (FR)	x	x	x	x	x	x	x	x	x
Greece	x	x	x	x	x	x	x	x	x
Ireland	x	x	O	O	O	x	x	x	O
Italy	x	x	x	x	O	x	x	O	O
Netherlands	x	x	x	x	O	x	x	x	x
United Kingdom	x	x	x	x	x	x	x	x	x
Finland	x	x	x	x	x	x	x	O	O
Norway	x	x	x	x	x	x	x	x	x
Portugal	x	x	O	x	O	x	x	O	O
Spain	x	x	x	x	x	x	x	O	O
Sweden	x	x	x	x	x	x	x	x	x
Other contracting states	67	35	16	3	23	74	88	29	20
Total	81	49	28	16	33	88	102	39/64	36/64 29/64
Date of entry into force	25. 5. 1980	1. 5. 1981	2. 10. 1983	28. 11. 1981	28. 4. 1984	15. 7. 1977	21. 7. 1968		

x = has ratified
O = has not ratified