



EUROPEAN  
COMMISSION

Brussels, **XXX**  
[...](2019) **XXX** draft

**COMMISSION REGULATION (EU) .../...**

**of **XXX****

**amending Regulation (EC) No 906/2009 as regards its period of application**

(Text with EEA relevance)

# COMMISSION REGULATION (EU) .../...

of **XXX**

**amending Regulation (EC) No 906/2009 as regards its period of application**

(Text with EEA relevance)

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 to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia)<sup>1</sup>, and in particular Article 1 thereof,

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

Whereas:

- (1) Commission Regulation (EC) No 906/2009<sup>2</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 applies until 25 April 2020.
- (2) Based on the Commission's evaluation of Regulation (EC) No 906/2009, following a public consultation, the Commission considers that the reasons justifying a block exemption for consortia are still valid.
- (3) The conditions on the basis of which the scope and content of Regulation (EC) No 906/2009 were determined have remained sufficiently similar for the application of the Regulation to be extended.
- (4) In order to allow the Commission to take into account possible changes in market circumstances and in line with the Commission's powers under Article 2, paragraphs 1

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

and 2 of Regulation (EC) No 246/2009, the period of application of Regulation (EC) No 906/2009 should only be extended by four years.

(5) Regulation (EC) No 906/2009 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 7 of Regulation (EC) No 906/2009, ‘25 April 2020’ is replaced by ‘25 April 2024’.

*Article 2*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels,

*For the Commission*  
*On behalf of the President*  
*[...]*  
*[Position]*