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**COMPETITION ACT
(CHAPTER 50B)**

**COMPETITION (BLOCK EXEMPTION FOR
LINER SHIPPING AGREEMENTS)
(AMENDMENT) ORDER 2021**

In exercise of the powers conferred by section 36 of the Competition Act, the Minister for Trade and Industry makes the following Order:

Citation and commencement

1.—(1) This Order is the Competition (Block Exemption for Liner Shipping Agreements) (Amendment) Order 2021 and, except for paragraph 2, comes into operation on 1 January 2022.

(2) Paragraph 2 comes into operation on 15 November 2021.

Amendment of paragraph 2

2. Paragraph 2 of the Competition (Block Exemption for Liner Shipping Agreements) Order (O 1) (called in this Order the principal Order) is amended by deleting the words “31 December 2021” and substituting the words “31 December 2024”.

Amendment of paragraph 3

3. Paragraph 3(1) of the principal Order is amended —

(a) by inserting, immediately before the definition of “liner operator”, the following definition:

““feeder service” means a liner shipping service provided to a liner operator operating a liner shipping service on a route between Singapore and another port outside of Southeast Asia or South Asia, where a vessel is used to transport containers owned by the liner operator on a

route between Singapore and another port in Southeast Asia or South Asia;”;

(b) by deleting paragraph (b) of the definition of “liner operator” and substituting the following paragraph:

“(b) is a vessel operating carrier;”;

(c) by deleting the words “vessel-operating carriers which provide liner shipping services” in the definition of “liner shipping agreement” and substituting the words “liner operators”;

(d) by inserting, immediately after the definition of “price”, the following definition:

““price discussion agreement” means an agreement between 2 or more liner operators pursuant to which the parties to the agreement discuss commercial arrangements relating to the provision of liner shipping services, including prices and remuneration terms offered to third parties;” and

(e) by deleting the full-stop at the end of the definition of “transport user” and substituting a semi-colon, and by inserting immediately thereafter the following definition:

““vessel sharing agreement” means an agreement between 2 or more liner operators pursuant to which the parties to the agreement agree on operational arrangements relating to the provision of liner shipping services, including the coordination or joint operation of vessel services, and the exchange or charter of vessel space, and that does not include any discussion or agreement on prices or remuneration terms offered to third parties.”.

Amendment of paragraph 5

4. Paragraph 5 of the principal Order is amended —

(a) by inserting, immediately after sub-paragraph (a) of sub-paragraph (1), the following sub-paragraph:

“(aa) the agreement is —

(i) a vessel sharing agreement; or

(ii) a price discussion agreement for the provision of feeder services;”;

(b) by deleting the words “liner operators” in sub-paragraph (1)(b) and substituting the words “the parties to the agreement”;

(c) by deleting the words “the liner operators” in sub-paragraph (1)(c) and substituting the words “the parties to the agreement”; and

(d) by deleting the words “sub-paragraph (1)(b) and (c)” in sub-paragraph (2)(a) and substituting the words “sub-paragraph (1)(aa), (b) and (c)”.

Amendment of paragraph 7

5. Paragraph 7 of the principal Order is amended by deleting sub-paragraph (1) and substituting the following sub-paragraph:

“(1) Where —

(a) there has been a breach of any condition specified in paragraph 5(1)(b) or (c); or

(b) the agreement ceases to be of a type mentioned in paragraph 5(1)(aa),

then the exemption under paragraph 5(1) or (2) (as the case may be) is cancelled from the date specified by the Commission.”.

Made on 12 November 2021.

GABRIEL LIM
*Permanent Secretary,
Ministry of Trade and Industry,
Singapore.*

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