

---

*Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping(Liner Conferences) Act 1982, Cross Heading: Article 23. (See end of Document for details)*

---

## SCHEDULE

### THE TEXT OF THE CODE

#### PART TWO

#### CHAPTER VI

### PROVISIONS AND MACHINERY FOR SETTLEMENT OF DISPUTES

#### *Article 23*

1 The provisions of this chapter shall apply whenever there is a dispute relating to the application or operation of the provisions of this Code between the following parties:

- (a) A conference and a shipping line;
- (b) The shipping lines members of a conference;
- (c) A conference or a shipping line member thereof and a shipper's organization or representatives of shippers or shippers; and
- (d) Two or more conferences.

For the purposes of this chapter the term "party" means the original parties to the dispute as well as third parties which have joined the proceedings in accordance with (a) of article 34.

2 Disputes between shipping lines of the same flag, as well as those between organizations belonging to the same country, shall be settled within the framework of the national jurisdiction of that country, unless this creates serious difficulties in the fulfilment of the provisions of this Code.

3 The parties to a dispute shall first attempt to settle it by an exchange of views or direct negotiations with the intention of finding a mutually satisfactory solution.

4 Disputes between the parties referred to in article 23, paragraph 1 relating to:

- (a) Refusal of admission of a national shipping line to a conference serving the foreign trade of the country of that shipping line;
- (b) Refusal of admission of a third-country shipping line to a conference;
- (c) Expulsion from a conference;
- (d) Inconsistency of a conference agreement with this Code;
- (e) A general freight-rate increase;
- (f) Surcharges;
- (g) Changes in freight rates or the imposition of a currency adjustment factor due to exchange rate changes;
- (h) Participation in trade; and
- (i) The form and terms of proposed loyalty arrangements

which have not been resolved through an exchange of views or direct negotiations shall, at the request of any of the parties to the dispute, be referred to international mandatory conciliation in accordance with the provision of this chapter.

**Changes to legislation:**

There are currently no known outstanding effects for the Merchant Shipping(Liner Conferences) Act 1982, Cross Heading: Article 23.