STATUTORY INSTRUMENTS

1968 No. 1382

MERCHANT SHIPPING

The Shipping Contracts (Foreign Measures) Order 1968

Made - - - -	26*th August* 1968
Laid before Parliament	29*th August* 1968
Coming into Operation	30*th August* 1968

WHEREAS

(1) The North Atlantic Westbound Freight Association (hereinafter called "the Association") is an association of shipping lines for the purpose of providing regular services and stabilising freight rates from the United Kingdom and the Republic of Ireland to the Atlantic ports of the United States of America:

(2) The Association is governed by an agreement dated 4th October 1944, as currently amended, which provides, inter alia, for the settlement of disputes and complaints as to breaches of the agreement in manner therein set out:

(3) Complaint has been made by a member of the Association to the effect that a through service started by Container Marine Lines, a division of American Export Isbrandtsen Lines Inc., another member of the Association, between places in the United Kingdom and ports on the Atlantic coast of the United States of America is a breach of the said agreement:

(4) The Association and its member lines have initiated in the United Kingdom the procedure laid down in the said agreement for investigating the complaint:

(5) The Federal Maritime Commission of the United States of America have by Order served on 25th July 1968 directed the Association and its member lines to cease and desist from any further action under the Association's Conference arrangements with respect to the matter complained of:

(6) It appears to the Board of Trade that—

(*a*) the said Order of the Federal Maritime Commission is a measure taken by or under the law of a foreign country, the United States of America, for regulating or controlling terms or conditions of contracts or arrangements relating to the carriage of goods or passengers by sea;

(*b*) insofar as the said Order applies to things done or to be done outside the territorial jurisdiction of the United States of America by persons carrying on business in the United Kingdom it constitutes an infringement of the jurisdiction which under international law belongs to the United Kingdom:

Now, therefore, the Board of Trade in exercise of their powers under section 1(1) of the Shipping Contracts and Commercial Documents Act 1964(a) as having effect by virtue of the Transfer of Functions (Shipping and Construction of Ships) Order 1965(b), and of all other powers enabling them in that behalf, hereby make the following Order—

1. Section 1 of the Shipping Contracts and Commercial Documents Act 1964 shall apply to the Order of the Federal Maritime Commission of the United States of America served on 25th July 1968 being the measure referred to above.

2. This Order may be cited as the Shipping Contracts (Foreign Measures) Order 1968 and shall come into operation on 30th August 1968.

Edmund Dell,
Minister of State,
Board of Trade.

26th August 1968.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, made under the Shipping Contracts and Commercial Documents Act 1964, applies section 1 of that Act (which enables the Board of Trade to give directions for maintaining the jurisdiction of the United Kingdom) to an Order of the Federal Maritime Commission of the United States of America directed to the North Atlantic Westbound Freight Association and its member lines.

(a) 1964 c. 87. (b) S.I. 1965/145 (1965 I, p. 438).