

# BOOK REVIEWS

**Competition Law and Shipping**, by Philip Wareham  
(Cameron May Publishing, 2010)  
ISBN: 978-1-907174-025.

Since the creation of the European Community, the shipping industry has been largely immune from EU competition law. Liner conferences benefited from generous exemptions under Regulation 4056/86 [1986] OJ L378/4 and Tramp Shipping and Cabotage were effectively excluded altogether.

On October 18, 2008, Regulation 4056/86 was withdrawn and the Commission made clear its intention to apply the full rigours of EU competition law to all aspects of international shipping, to the extent that it gives rise to effects within the European Union. For an industry founded on a large measure of co-operation between competitors in market sharing and uniform tariffs, the transition has not been easy. Few ship operators—or their lawyers—are familiar with the competition rules and there remains a high degree of uncertainty and confusion as to what is permissible and what is not permissible under the competition rules.

The European Maritime Law Organisation (EMLO) has played an important role in developing awareness of the competition rules and their application to the shipping industry, running a series of conferences and seminars on the subject over recent years, and this book is the product of one such conference, the 14th EMLO Annual Conference held in Copenhagen in 2008.

Publishing a book of conference papers has its difficulties. Presentations at a conference can often cover an eclectic mix of topics, which do not present well in a single volume. Furthermore, stylistic and presentational differences can give rise to confusion for the reader. These problems can be overcome by careful planning, high-quality contributions and careful editing as is well demonstrated by this book. The General Editor, Philip Wareham, with the help of his Co-Editor, Dr Vincent Power, and the other contributors should be congratulated for producing a very useful practical guide to the impact of EU competition law to all aspects of the shipping industry.

The book is divided into seven topic areas:

- “Historical Perspective and New Maritime Guidelines”;
- “Impact on the Liner Industry”;
- “Impact on the Tramp Industry”;
- “Impact on Short Sea Shipping and Ferries”;
- Impact on Port, Essential Facilities and Vertical Arrangements”;
- “State Aid and Public Service Obligations for Ports and Shipping”;
- “Private Enforcement and Future Changes”.

Twenty-six specialist practitioners have been brought together to provide a practical and yet highly readable insight into the issues, which the shipping industry faces in competition law compliance.

This book must be essential reading both to the lawyer and non-lawyer seeking to steer a safe course in shipping contracts, so as to avoid foundering on the reefs of antitrust infringement.

**Julian Maitland-Walker**