

Competition and Markets Authority  
The Cabot  
25 Cabot Square  
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**7 December 2023**

### **Response to the Liner Shipping Consortia Block Exemption Regulation Provisional Decision**

1. The British International Freight Association (“**BIFA**”), on behalf of its members, would like to thank the Competition and Markets Authority (“**CMA**”) for its efforts and time in coming to a provisional decision in relation to the Retained Liner Shipping Consortia Block Exemption Regulation (“**Retained CBER**”) dated 17 November 2023 (“**CBER Provisional Decision**”).
2. BIFA is the trade association representing freight forwarders and logistics providers.
3. BIFA supports the CMA’s findings in the CBER Provisional Decision, which is not to recommend replacement of the Retained CBER when it expires on 25 April 2024.
4. In particular, BIFA supports the CMA’s provisional finding that broader market developments serve as a reason why it is more appropriate to consider the impact of consortia on a case-by-case basis in their actual market context, rather than providing for an automatic exemption (paragraph 8.46). BIFA also supports the contention that it is no longer sufficiently certain that consortia covered by the Retained CBER will produce efficiencies which outweigh their potential impact on competition (paragraph 8.47).
5. BIFA is therefore of the view that the CMA’s provisional decision should be restated and carried forward in the CMA’s final decision.
6. However, as indicated in our submission to the CMA dated 22 February 2023, given the volatility of the market and the fact liner shipping is one part of a wider supply chain (as acknowledged by the CMA at paragraph 4.2 of the CBER Provisional Decision), the conduct of the liners has a significant impact on different aspects of the wider supply chain, such as freight forwarders. BIFA therefore trusts that the CMA will continue to keep the market under close review and robustly monitor the trends in the liner shipping industry, using its enforcement powers where necessary.

7. BIFA remains at the CMA's disposal to discuss any questions that the CMA may have in relation to the industry and would welcome continued dialogue.

Yours sincerely

For British International Freight Association  
Director (Policy and Compliance)