

Allegation: Anti-competitive Agreement by Shipping Agents of Barbados

Case Opened: March 2010

The Commission has completed its investigation into the allegation of the setting of Local Administration Charges (LAC) by shipping agents. The allegation in this matter is that in June 2004 the Shipping Association of Barbados (SAB) met and the agents agreed among themselves to introduce a local administration charge. All Agents except one implemented these charges in the way agreed in 2004.

The Commission agreed that the conduct of the agents had the potential to amount to a breach of the Fair Competition Act CAP 326C. In February 2011 the Commission forwarded its preliminary findings to the Association and invited them to respond. In May 2011 The Association communicated to the Commission that their conduct represented a "case of price fixing" and that there had been no appreciation of the gravity of the action which had been undertaken at the time. In June the Commission directed that with immediate effect, the LAC be terminated in the manner in which it was now administered.

In August 2011 the legal representative for the SAB confirmed that the SAB had convened a special meeting to consider the directive of the Commission regarding the discontinuance of the Local Administration Charges. At that meeting the Association accepted the decision taken by the Commission and agreed to rescind the decision taken in June 2004 regarding the same. In September 2011, the Commission received communication from all of the Shipping Agents in regard to the type of administrative arrangements they now had in place. The communication indicated that the agents now exercised various different arrangements with regard to administration charges and some have discontinued the charge.

Case Closed: September 2011