

16. A conference shall provide for appropriate measures in any conference pooling agreement to cover cases where the cargo has been shut out by a member line for any reason excepting late presentation by the shipper. Such agreement shall provide that a vessel with unbooked space, capable of being used, be allowed to lift the cargo, even in excess of the pool share of the line in the trade, if otherwise the cargo would be shut out and delayed beyond a period set by the conference.

17. The provisions of article 2, paragraphs 1 to 16 inclusive concern all goods regardless of their origin, their destination or the use for which they are intended, with the exception of military equipment for national defence purposes.

Article 3

Decision-making Procedures

The decision-making procedures embodied in a conference agreement shall be based on the equality of all the full member lines; these procedures shall ensure that the voting rules do not hinder the proper work of the conference and the service of the trade and shall define the matters on which decisions will be made by unanimity. However, a decision cannot be taken in respect of matters defined in a conference agreement relating to the trade between two countries without the consent of the national shipping lines of those two countries.

Article 4

Sanctions

1. A shipping line member of a conference shall be entitled, subject to the provisions regarding withdrawal which are embodied in pool schemes and/or cargo-sharing arrangements, to secure its release, without penalty, from the terms of the conference agreement after giving three months' notice, unless the conference agreement provides for a different time period, although it shall be required to fulfil its obligations as a member of the conference up to the date of its release.

2. A conference may, upon notice to be specified in the conference agreement, suspend or expel a member for significant fail-

16. En konference skal sørge for, at enhver pool-aftale indeholder de nødvendige forholdsregler til behandlingen af sager, hvor en medlemslinie har udelukket en ladning af andre grunde end forsinket levering fra afskiberens side. En sådan aftale skal bestemme, at et skib med ledig plads, som kan benyttes, skal have lov til at transportere ladingen, selv om det vil medføre en overskridelse af liniens pool-andel, hvis ladingen i modsat fald vill blive udelukket og forsinket udover et af konferencen nærmere fastsat tidsrum.

17. Bestemmelserne i art. 2, stk. 1-16 inkl. vedrører alt gods uanset oprindelse, bestemmelsessted eller formål, dog med undtagelse af militært udstyr beregnet til nationalt forsvar.

Artikel 3

Fremgangsmåde når der træffes beslutninger

De i en konferenceaftale indeholdte beslutningsprocedurer skal være baseret på lighed mellem alle linier, der nyder fuldt medlemskab af konferencen; de skal sikre, at afstemningsreglerne ikke sinker konferencens arbejde eller trafikens afvikling og skal anføre de sager, hvor beslutninger kræver enstemmighed. En beslutning kan dog ikke tages med hensyn til sager, som er angivet i en konferenceaftale som vedrørende farten mellem to lande, uden at de nationale linier i de pågældende to lande giver tilladelse hertil.

Artikel 4

Sanktioner

1. En medlemslinie i en konference er under iagttagelse af bestemmelserne angående udtræden, som indeholdes i pool-ordninger og/eller lastfordelingsordninger, berettiget til at sikre sig, at de uden bod kan løses fra bestemmelserne i konferenceaftalen med tre måneders varsel, medmindre konferenceaftalen fastsætter en anden opsigelsesfrist, dog skal pågældende linie opfylde sine forpligtelser som konferencemedlem indtil udtrædelsesdagen.

2. En konference kan, med et varsel som fastsat i konferenceaftalen, suspendere eller ekskludere et medlem på grund af væsentlig