

# Court adjourns shipping agencies' suit against Shippers' Council

**A** Federal High Court in Lagos has adjourned a suit brought by the Association of Shipping Line Agencies (ASLA) against the Nigerian Shippers' Council (NSC) to Dec. 1, for hearing.

The Presiding Judge, Ibrahim Buba,

said that the parties had sought for a declaratory relief. According to Buba, the law says parties are at liberty to appeal to court for a declaratory relief.

A declaratory relief is a judge's determination (declaratory judgment) of the parties' rights under a contract or a statute often consulted for information in a lawsuit over a contract.

The theory of declaratory relief is that an early resolution of legal rights will resolve some or all of the other issues in the matter.

"The law has said that a party is at liberty to appeal to court for declaratory relief, whether it will confer benefit on him or not.

"This court shall in the interest of speedy disposal of this matter allow the party (shippers' association) to come in as the second defendant, since it has interest in this matter," Buba said.

The shipping agencies had filed a case against the Shippers' Council on Oct. 31. The shipping lines filed the case against the NSC as a result of a publication by the council, announcing the reversal of storage fees at the ports. The publication called for a reversal to rates as at May 1, 2009.

The NSC, as the ports' economic regulator, also ordered an increase in the free storage period at the ports from three to seven days. The council equally directed shipping companies to reduce their shipping line agency fees from N26, 500 to N23, 850 per 20ft container and from N48,000 to N40, 000 per 40ft container.

It also directed shipping agencies to refund container deposits to importers and agents, within 10 working days, after the return of the empty containers.

Counsel to the second defendant (Shippers' Association, Lagos State), Mr Osuala Nwagbara, said the association was interested in the case filed by ASLA against the NSC.

"It does not matter if it takes longer time to attain justice. It does not matter if other people come in.

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