

NEWSFRONT

GREEK SHIPPING INTELLIGENCE

12 January 2024

Vol. 25/ No. 2



LEGAL OPINION

Time-Bar

Claims arising from supply of materials or food and from works related to shipbuilding, shiprepairs are subject to a one-year time-bar. Such a time-bar begins in the end of the year when the claim arose.

Filing of a lawsuit suspends the time-bar. When the judgment on the lawsuit is finalised, a new time bar begins.

A time-bar is also suspended when the debtor admits the claim, directly or indirectly, through his behavior. Any action or behavior of the debtor showing that he accepts existence of the debt suffices to suspend the time-bar; accordingly, in such cases, there is no need for the claimant to file a lawsuit to suspend the time-bar.

Such behavior should take place before the time-bar lapses and should be shown to the claimant and not to third party.

Piraeus three-membered Court of Appeal Judgment no 485/2020, Judge: D. Tsoutsani, Rapporteur Judge: Ev. Tsiora, Attorneys at law: K. Pontiki, M. Daras, K. Roussos, Maritime Law Review vol. 48, p. 180.

NOTE: Suspension of the time-bar is a concern for a claimant. Therefore, the latter tries to act in such a way as to be able to evidence suspension of the time-bar. On the other hand, the time-bar is not automatically examined by the court. If the defendant/debtor does not invoke it, then the Court proceeds with examination of the case without being obliged to apply the time-bar.

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