

NEWSFRONT

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LEGAL OPINION

Carrier's Liability

A car was immobilised in an island and required transport to the repairer in Athens. It was loaded on a vessel by an employee of the car's insurance company; the latter did not follow the instructions of the crew, and, although wedges were placed in the tires and footbrake was activated, the employee left the gear in neutral position, despite being instructed to place it in the first gear. Further, he failed to deliver the car keys to the crew.

The car, upon sailing, moved backwards and sustained damages, which the insurance company covered and sued the vessel's interests.

The court found that there was no liability, as the car was not properly immobilised due to actions of the insurer's employee and despite opposite instructions by the vessel's interest crew. Accordingly, the lawsuit was rejected.

Piraeus One-membered Court of Appeal Judgment no 115/2024, Judge: M. Papadogrigorakou, Attorneys at law: G. Georgopoulos, N. Tranakidis, NOMOS legal platform.

NOTE: Hague Visby rules applied here, as this was a transport between two Greek ports.

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