



LEGAL OPINION

Labour Accident – Time Bar

A master died when his vessel sank for reasons attributed to unseaworthiness. His heirs sued the individual controlling the owning company on tort.

From the evidence, it was found that that the individual had failed to properly maintain the vessel and that he was liable for the death of the master. His liability however, was found to be that of negligence. Negligence claims have a 5-years time bar.

This finding led to the claim being rejected due to time-bar.

Piraeus One-membered Court of Appeal Judgment no 218/2023, Judge: E. Nikolakopoulou, attorneys at law: A. Athanasiadis, G. Trantalidis, NOMOS legal platform.

NOTE: When we have concurrent civil and penal liability, time bar of the civil is extended to the duration of the penal, even if a shorter time-bar is provided. Here, the time bar of the negligence was five years; in case the crime under consideration was found to be a felony (and not a misdemeanor, as it eventually was held), time-bar would be 20-years and the claim would not have been time-barred.

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