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LEGAL OPINION

Joint Venture-Liability in loss of transported goods

Goods transported were destroyed due to fire allegedly attributable to the fault of the owner of the vessel onboard which they were carried; insurance company remunerated the cargo interests and sued the owner under the doctrine of subrogation.

However, the owner was member of a joint venture for the exploitation of the vessels, and, although owner of the vessel, had not issued the carriage documents itself. It was the joint venture which did.

The Court found that the defendant should be the joint venture and/or its members. The lawsuit was not addressed to the owner as member of the joint venture but as carrier, directly liable. Accordingly the claim was dismissed.

Piraeus One-membered Court of Appeal Judgment no 61/2025, Judge: M. Papadogrigorakou, attorneys at law: N. Gerasimou, Aik. Protopapa, NOMOS legal platform.

NOTE: Joint venture has in principle no legal personality, unless it engages in commercial actions, in which case it is officially registered with the competent authorities. Liability of its members is that of the partnership members, ie they are liable jointly and severally for the debts of the joint venture. Their liability is not direct, but derives from their capacity as joint venture members.

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