

NEWSFRONT

GREEK SHIPPING INTELLIGENCE

27 January 2017

Vol. 18 / No. 3



LEGAL OPINION

Ship's agent

The function of ship's agent, although not specifically regulated, resembles that of a commercial representative, principals being the ship's interests. The agent may act in the principal's name or in its own name, always on the principal's behalf.

The agent, where he has contributed to attracting new clients or substantially increased volume of existing clientele, is entitled to a "clientele remuneration".

This applies when the representation agreement is terminated, and the clientele is maintained, thus benefiting the ship's interests.

The measure of such remuneration is judged from the volume of clientele remaining with the ship's interests, the corresponding benefit and the profit the agent would have in case the agreement continued. Supreme Court Judgment no 2219/2014, Presiding: G. Chrysikos, Rapporteur Judge: I. Maginas, Attorneys at law: P. Rousias, D. Taglis, Maritime Law Review vol. 43, p. 20.

NOTE: In view of lack of specific regulations covering ship's agents, courts tend to apply relevant EU provisions for commercial representatives as incorporated in Greek law. This is especially so when ship's agent is prevented from competing with the principal, is bound by commercial confidentiality, promotes the principal's business and is controlled by the latter, advertises the business and notifies the principal of the clientele.

*The legal column was written by Manolis Eglezos, Attorney at law,
Manolis Eglezos & Associates Law Firm, Attorneys at Law and Consultants*

NEWSFRONT
GREEK SHIPPING INTELLIGENCE

132 Syngrou Avenue, 117 45 Athens, Greece

Tel: +30 210 9214.205 • Fax: +30 210 9214.675 • E-mail: amaroid@otenet.gr • Website: www.newsfront.gr

Editor: David Glass, Deputy Editor: Panagiotis Nikolakopoulos, Subscriptions Manager: Sophia Bacoula

It is illegal except for the personal use of the registered subscriber to reproduce part or all of the contents of this publication by any means — including photocopying, fax and electronic data capture. The publishers reserve the right to cease providing this publication in cases where abuse of copyright is evident, and to take appropriate legal action. While every effort is made to ensure information contained in this publication is correct, the publishers accept no responsibility for any inaccuracies that may occur.