

NEWSFRONT

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LEGAL OPINION

Passenger's claim – Time bar

Claims in case of death or injury of a passenger on international voyages is governed by Athens International Convention 1974. A time-bar of two years is established there. Time starts from disembarkation or, in case of death, from date when deceased passenger would have disembarked.

In a case of claim for injuries to a passenger on a voyage between Ancona (Italy) – Igoumenitsa (Greece) and Patras (Greece), the plaintiff alleged no two years time-bar should apply, because no international voyage existed, given that ports involved are all within the European Union.

The Court did not share this approach, considered the voyage as an international one and rejected the lawsuit.

Piraeus one – membered Court of Appeal Judgment no 455/2016, Judge: A. Theofanis, Attorneys at law: K. Kourtesis, Ev. Lioukos, Maritime Law Review vol. 44, p. 29.

NOTE: The plaintiff delayed to file the lawsuit and sought recourse to the domestic provisions, allowing a longer time bar. However, although EU members, Greece and Italy are sovereign states and the voyage fell within the definition of an international one.

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