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LEGAL OPINION

Maritime liens / Auction / St Vincent flag

Where an auction of a vessel takes place in Greece, the existence of maritime liens is acknowledged where the maritime lien invoked is considered as such by both the flag-state of the vessel and Greece.

Ranking will be defined by the law of place of auction, as this is a procedural matter.

Costs for the maintenance of the vessel in the last port of call and after the seizure are vested with a maritime lien under Greek law, however not the ones before seizure.

Further, supplies to the vessel are vested with maritime lien under St. Vincent law, but not under Greek law.

Creditors who assisted in the maintenance of the vessel before seizure and suppliers sought maritime lien ranking. In view of above, their requests were rejected.

Piraeus One membered Court of Appeal Judgment no 191/2017, Judge: Z. Karachaliou, Attorneys at law: G. Michailidis, P. Patouliotis, Maritime Law Review vol. 45, P. 345.

NOTE: Above Greek law maritime lien was provided prior to law amendments in 2012, however it was applied because the claim arose prior to the amendment. Further, maintenance costs after seizure enjoy maritime lien as they preserve the vessel's value in view of the action.

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

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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

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