

# NEWSFRONT

## GREEK SHIPPING INTELLIGENCE

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## LEGAL OPINION

### Pollution

Where a pollution incident takes place, the master and the shipowner's representative are duty bound to report the incident to the competent Port Authority (or ministry) and to take preventive and reparatory action. If they cannot do so through their own means, they have to appoint specialist companies to do the work.

The port authority also assumes relevant action and accordingly advises the master, and shipowner or agent. The port authority supervises the actions and coordinates any private parties involved and can even request the involvement of specialist companies. Regardless of who appoints the specialist, the vessel's interests are liable to pay for them. Liable parties are the person who caused pollution, and jointly the ship's master, the shipowner, and the manager of the vessel in Greece. If the vessel belongs to a SA, the chairman of the BoD and the managing director are also liable.

Piraeus One Membered Court of Appeal Judgment no 83/ 2015, Judge: I. Apostolopoulos, Attorneys at law: G. Pierratou, M. Stamouli, Al. Eleftheriou, Maritime Law Review vol. 43, p. 153.

NOTE: Pollution incidents are regulated by strict provisions, aiming to broaden the scope of liable persons / entities and thus to encourage prevention actions in view of the severe penalties threatened. This sometimes works, and shipowners take all necessary measures to avoid pollution. Of course incidents beyond control of the parties causing pollution can always happen and immediate reaction is imposed.

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