

# NEWSFRONT

## GREEK SHIPPING INTELLIGENCE

21 October 2016

Vol. 17 / No. 39



### LEGAL OPINION

#### Ship's agent – remuneration for clientele creation

When a ship's agent brings a clientele for the vessel, if the agreement is terminated, the shipowner is liable to pay, apart from commissions agreed for the agent's work, further amounts, as "clientele remuneration". Such remuneration is similar to that received by commercial representatives.

This is applicable when a new client is involved, but also for the increase of volume of existing clients.

Such claims arise where the following apply concurrently: Termination of agreement for the provision of agency services; introduction of new clients; maintenance; after the agreement termination of the benefits to the shipowner represented; and fair calculation of the remuneration.

The remuneration is defined after taking into account various factors, eg the volume of work remaining to be done with the shipowner after termination of the agreement, the corresponding benefit, and the profit the agent would enjoy if the agreement was not terminated.

Supreme Court Judgment no 1806/ 2014, Presiding: G. Chrysikos, Rapporteur Judge: D. Kranis, Attorneys at law: I. Dryllerakis, G. Apergis, Maritime Law Review vol. 43, p. 31.

NOTE: The case examined involved a passenger ferry engaged in liner transport. It is less probable it could apply for oceangoing vessels.

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