

NEWSFRONT

GREEK SHIPPING INTELLIGENCE

28 September 2018

Vol. 19 / No. 36



LEGAL OPINION

Pollution – Liability

In case of pollution, the master or representative of the vessel is duty bound to report this to the competent port authority / ministry. They should also undertake any adequate measure to minimise the pollution, and if they cannot do so, they should request the assistance of recognised anti-pollution companies.

Similarly the port authority should also assume action to minimise pollution either on its own or seeking also the assistance of anti-pollution companies. The authority maintains control of the anti-polluting operation. Liable to rectify damages for the deterrence of pollution is the party that caused it, and jointly and severally also the master, inter alios.

Piraeus Court of Appeal Judgment no 716/2017, President: Chr. Gianerrikos, Rapporteur Judge: Er. Liouli, Attorneys at law: V. Skounteris, M. Tsigas, G. Koutroubousis, G. Theodorakopoulos, Ev. Gougis, K. Sotiriadis, G. Floros, P. Karamitsios, I. Vrellos, G. Skorinis, I. Papadopoulos, N. Papachronopoulos, Maritime Law Review vol. 45, p. 31.

NOTE: National act 743/1977 broadens the scope of liable of persons in a pollution incident, introducing "subjective" liability, despite the fact the Brussels Convention acknowledges "objective" liability of the polluting party.

*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.