

NEWSFRONT

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LEGAL OPINION

Labour accident

During repairs onboard a vessel, workers died because of a fire caused by an explosion in a tank with flammable gas residuals. Their heirs sued owners claiming remuneration. The Court found safety regulations had not been observed; procedure to render tanks gas-free prior to the workers entering them was not completed, and gas residuals remained, causing the fire which led to the death of the workers. No contributory negligence on the part of the workers was found either.

In view of this, the owners were found liable for breach of safety regulations and had to pay full damages.

Supreme Court Judgment no 360/2020, Presidency: N. Pipilingas, Attorney at law: A. Koutsofios, N. Makrystathis, M. Kazantzaki, Maritime Law Review vol. 48, p.1.

NOTE: The shipowner's contractors fault in performing gas-free procedure creates joint liability of them and the owners, whose servants they are. Whereas, in labour accidents occurring without breach of safety regulations, the worker's side has a right to limited remuneration, where the accident occurs due to breach of safety rules, the worker is entitled to full/unlimited remuneration.

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