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LEGAL OPINION

Salvage

For salvage remuneration right to arise, following should apply: (a) Assistance to a vessel or other property (b) peril of loss or damage (c) positive outcome.

Peril need not be present, but reasonably apprehended. Situations denoting peril are: (i) abandonment of voyage (ii) use of peril signs (iii) substantial or entire loss of means to sail (iv) loss of anchors, chains etc.

Remuneration is to be calculated under following criteria: 1) salvaged value of vessel and other property 2) skillfulness and efforts of salvor to minimise environmental damage 3) degree of success achieved by the salvor 4) nature and extent of the peril 5) skillfulness and efforts of the salvor to save the vessel 6) time devoted, expenses and losses incurred by the salvor 7) perils to which salvor was exposed, including liability 8) timeous rendering of the services 9) potential use of other vessels/equipment 10) degree of readiness and adequacy of equipment and value thereof.

Piraeus One-membered Court of Appeal Judgment no 255/2020, Judge: M. Papadogrigorakou, Attorneys at law: N. Gerassimou, N. Machairiotis, Maritime Law Review vol. 48, p. 123.

NOTE: Law applicable on salvage in Greece can be found in the provisions of Brussels treaty 1910, Greek Private Maritime Law Code and London treaty 1989.

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