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LEGAL OPINION

Ship's Agent

A company wishing to engage in ship's agency in the port of Piraeus was still to obtain an agent's license when it agreed with an already licensed agent to appear as the "official" one, while the work would be done by the company which had no license. The "official" agent would, as a consideration for offering their name in the agency of the vessels, receive 50% of the agent's fee. A dispute arose between the parties to the agreement, and the "official" agent sued the non-licensed company for agents' fees and expenses.

It was proved the expenses were being paid by the non-licensed company and that no fees were paid to the "official" agent as per the agreement. Accordingly, the claim for the expenses was rejected. On the other hand, the claim for the 50% of the agent fees was approved by the Court, and the "official" agent was found eligible to receive same.

Piraeus Court of Appeal Judgment no 657/ 2014, Presiding: Ch. Gianerrikos, Rapporteur Judge: F. Tserketzoglou, Attorneys at law: N. Gerasimou, K. Tatakis, Maritime Law Review vol. 42, p. 224.

NOTE: The agent's relationship with the principal is both one of mandate and of hiring of services. In the case under examination, the real agent was the non-licensed one, whereas the "official" agent was entitled to receive 50% of the fees through their informal, yet binding agreement.

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