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LEGAL OPINION

Labour Accident – Master's liability

In a labour accident during a ship's repair, the injured worker sued – inter alios- the master of the vessel for alleged non-observance of the safety regulations applicable. The master denied liability on the basis of him being appointed by the agent of the shipowner and not by the shipowner itself.

The court found that indeed above applied and rejected the claim as to the master.

Piraeus Three-membered Court of Appeal Judgment no 250/2016, President: A. Plakidas, Rapporteur Judge: A. Anastasiou, Attorney at law: El. Hopsi, Maritime Law Review vol. 44, p. 255.

NOTE: In labour accident, the injured party can request full compensation in case applicable safety rules are not complied with. The master, if appointed by the owner of the works, is jointly liable. However, here, the master (who indeed failed to follow applicable regulations), was appointed by a third party, the agent of the owner of the works. This sufficed to relieve him from liability.

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