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LEGAL OPINION

Time-and bare boat charter

A seafarer was employed onboard a vessel which was chartered to another maritime company. A dispute occurred as to his wages, and the question arose as to who was his employer.

The seafarer had sued the charterer, who was also clearing his accounts. However, the charter party was not a bareboat one; it was a time charter party. Accordingly, the crew, among other operating issues, was provided by the owner, who was therefore the exploiter of the vessel as well.

In view of this, the employer of the seafarer was the shipowner, and his lawsuit against the charterer was rejected.

One-membered Piraeus Court of Appeal Judgment no 188/2017, Judge: M. Kottaki, Attorneys at Law : N. Kountouris, Ath. Kondoyianni, Maritime Law Review vol.46, p.6.

NOTE: The seafarer sued the charterer, probably considering he was an "exploiting" time-charterer. Indeed, there are time-charters where the exploitation and maritime command of the vessel is assumed by the time-charterer. This was not the case here, and the seafarer sued the wrong party.

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