

NEWSFRONT

GREEK SHIPPING INTELLIGENCE

7 August 2020

Vol. 21 / No. 31



LEGAL OPINION

Hague Visby Rules

Hague Visby Rules apply in Greece where a sea carriage is effected between ports in different states, provided it is covered under a bill of lading.

The sea carrier can be liable towards any party having an interest in the cargo, and in case of loss or damage the carrier bears the onus of proof he is not in fault. Crucial time frame for the liability is that loss or damage to cargo should have occurred during carriage, from loading to discharge.

The measure of damages is the exchange or current market value of the goods. If such are not available, the usual value of the goods of the same kind at time of discharge at the discharging port is taken into account.

Piraeus one-membered Court of Appeal Judgment no 113 / 2019, Judge: Ath. Theofanis, Attorneys at law: An. Bayati, N. Gerassimou, D. Pliatsikas, Maritime Law Review vol. 47, p. 20.

NOTE: Parties entitled to claim damages from the sea carrier are the shipper, receiver-holder of the bill of lading, the subrogated insurer, the pledgee of the cargo or the assignee of the receiver's rights.

*The legal column was written by Manolis Eglezos, Attorney at law,
Manolis Eglezos & Associates Law Firm, Attorneys at Law and Consultants*