

# NEWSFRONT

## GREEK SHIPPING INTELLIGENCE

1 November 2019

Vol. 20 / No. 41



### LEGAL OPINION

#### Collision

In a collision in Greek territorial waters, the Brussels International Treaty 1911 applied. The Treaty provides for the limitation of liability of a liable party, through creation of a liability fund. This is established with the Court or any other competent authority, in a state where a lawsuit is filed for claims which are subject to limitation. Creation of the fund has considerable impact, as where it is created by one debtor entitled to limitation of liability, it extends to all debtors for claims arising from the same incident, provided they can also limit their liability.

Piraeus Court of Appeal Judgment no 748/2018, President: D. Tsoutsani, Rapporteur Judge: Ch. Saramandi, Attorneys at law: A. Xirokosta, Eir. Kroupa, Maritime Law Review vol. 46, p. 112.

NOTE: In the case of the creation of the fund, pursuance of claim satisfaction against the debtor personally is not permitted.

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

**NEWSFRONT**  
GREEK SHIPPING INTELLIGENCE

132 Syngrou Avenue, 117 45 Athens, Greece

Tel: +30 210 9214.205 • Fax: +30 210 9214.675 • E-mail: amaroid@otenet.gr • Website: www.newsfront.gr

Editor: David Glass, Deputy Editor: Panagiotis Nikolakopoulos, Subscriptions Manager: Sophia Bacoula

It is illegal except for the personal use of the registered subscriber to reproduce part or all of the contents of this publication by any means — including photocopying, fax and electronic data capture. The publishers reserve the right to cease providing this publication in cases where abuse of copyright is evident, and to take appropriate legal action. While every effort is made to ensure information contained in this publication is correct, the publishers accept no responsibility for any inaccuracies that may occur.