

NEWSFRONT

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LEGAL OPINION

Auction proceeds / Creditors ranking

Claims of master and crew arising out of an employment contract are privileged in the ranking to receive auction proceeds. The claim should be adequately described and be specific as to the nature, amount and facts giving rise to the claim and to the alleged privilege.

Mere reference to the title awarding the claim, even if this is a judgment, does not suffice; the accurate definition of the claim amount is sought.

If the total amount consists of more smaller amounts deriving from different causes, eg allowances, wages due, dismissal remuneration, same should be specified. The privileged nature of the claim should also be mentioned.

Piraeus One Membered Court of Appeal Judgment no 539/2016, Judge: A. Anastasiou, Attorneys at Law: G. Kondoseas, A. Symiakos, Maritime Law Review vol. 44, p.358.

NOTE: In case the claim description is not complete, the Court will reject the claim as inadequately defined. In such a case, no additional specifications can take place in the appeal, as they constitute new allegations, which cannot be presented at that stage.

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