

SHIPPING

July, 2014

1	<p>Cyprus - contributed by Andreas Neocleous & Co LLC</p> <p><u>New marine accidents investigation regime</u></p> <p>The Marine Accidents Investigation Committee (MAIC) was recently established under the Marine Casualties and Incidents Investigation Law (2012) which implemented EU Directive 2009/18/EC. The MAIC is an independent committee responsible for investigating all types of marine accident (casualties and incidents) and is supported by the Marine Accidents and Incidents Investigation Service.</p> <p>Author: <u>Vasileios Psyrras</u></p> <p><u>Read more</u> http://www.internationallawoffice.com/?i=55592&l=7LQ2DSD</p>
2	<p>Cyprus - contributed by Andreas Neocleous & Co LLC</p> <p><u>Passenger manifest procedures for coastal passenger vessels</u></p> <p>With the summer tourist season beginning, the Cyprus Department of Merchant Shipping has issued a circular reminding operators of coastal passenger vessels of their obligation to submit a proper passenger manifest under the Ferry and Coastal Passenger Vessel Regulations of 2012 and to comply with the procedures set out in the regulations.</p> <p>Author: <u>Vasileios Psyrras</u></p> <p><u>Read more</u> http://www.internationallawoffice.com/?i=55592&l=7LHH7V5</p>
3	<p>Denmark - contributed by Birch Windahl</p> <p><u>Road carrier liable for damage occurring after goods are no longer in its custody</u></p> <p>The Maritime and Commercial Court has clarified that a road carrier may be liable for damage that occurs after termination of the transport undertaken by the road carrier and regardless of the fact that the goods are no longer in its custody. Such liability, under Danish law, follows from general legal principles and is not based on the Convention on the Contract for the International Carriage of Goods by Road.</p> <p>Author: <u>Jesper Windahl</u></p> <p><u>Read more</u> http://www.internationallawoffice.com/?i=55592&l=7LQ2DSR</p>

4	<p>New Zealand - contributed by Wilson Harle</p> <p><u>The interrelationship between cross-border insolvency and admiralty claims</u></p> <p>For the first time, the New Zealand courts have directly considered the interrelationship between cross-border insolvency and admiralty claims. The case arose from a foreign administration order that was recognised by the New Zealand High Court as a qualifying foreign proceeding and therefore operated as an automatic stay of proceedings in New Zealand. However, the court allowed the claimants to continue their admiralty claims.</p> <p>Author: <u>Kerryn Webster</u></p> <p>Read more http://www.internationallawoffice.com/?i=55592&l=7LQ2DTC</p>
5	<p>USA - contributed by Fowler Rodriguez</p> <p><u>It's not a race! Lifting stay in limitation of liability proceedings</u></p> <p>In <i>Offshore of the Palm Beaches, Inc, DBA Freedom Boat Club v Lynch</i> the Eleventh Circuit reviewed the district court's decision to lift the stay imposed in a limitation proceeding where there was only a single claimant, but the vessel had filed a limitation complaint before the claimant filed her state court claim.</p> <p>Author: <u>Philip Powell</u></p> <p>Read more http://www.internationallawoffice.com/?i=55592&l=7LQ2DTT</p>
6	<p>Germany - contributed by Dabelstein & Passehl</p> <p><u>Time bar for recourse claims against sub-carrier</u></p> <p>The Federal Court of Justice has clarified that the legal nature of a claim against the first carrier in a recent case had no influence on the time bar of the recourse claim of the first carrier against the sub-carrier, according to the Commercial Code. The court held that it made no difference whether the claim against the first carrier was governed by transportation or shipping law.</p> <p>Authors: <u>Steffen Lück</u>, <u>Marco G Remiorz</u></p> <p>Read more http://www.internationallawoffice.com/?i=55592&l=7LK8S19</p>
7	<p>Philippines - contributed by Del Rosario & Del Rosario law Offices</p> <p><u>Supreme Court upholds company doctor's fit-to-work declaration</u></p> <p>The Supreme Court recently ruled that a seafarer was not entitled to disability benefits after the seafarer had wilfully concealed pre-existing illnesses. The court held that the failure of the pre-employment medical examination to reveal the seafarer's undisclosed hypertension could not shield him from the consequences of wilful concealment of this information.</p> <p>Author: <u>Ruben T Del Rosario</u></p> <p>Read more http://www.internationallawoffice.com/?i=55592&l=7LEE8RB</p>

