

SHIP ARRESTS IN PRACTICE

TWELFTH EDITION
2020

A COMPREHENSIVE GUIDE TO SHIP ARREST &
RELEASE PROCEDURES IN 93 JURISDICTIONS

WRITTEN BY MEMBERS OF
THE SHIPARRESTED.COM NETWORK



Welcome to the twelfth edition of *Ship Arrests in Practice*.

For more than a decade now, this publication has been circulated among the maritime industry. It is a very welcome guide for parties willing to arrest or release a ship worldwide: suppliers, owners, insurers, P&I Clubs, law firms, and banks are some of our day to day readers.

Thanks are due to all of the members contributing to this year's publication and my special thanks goes to the members of the Editorial Committee who, as busy as we all are, have taken the time to review the publication to make it the first-rate source that it is.

The law is stated as of 31st of December 2019.

Felipe Arizon

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N.B.: The information contained in this book is for general purposes, providing a brief overview of the requirements to arrest or release ships in the said jurisdictions. It does not contain any legal or professional advice. For a detailed synopsis, please contact the members' law firm.

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OVERVIEW

1. Please give an overview of ship arrest practice in your country.

APPLICABLE LAWS

2. Which International Convention applies to arrest of ships in your country?
3. Is there any other way to arrest a ship in your jurisdiction?
4. Are there alternatives e.g. saisie conservatoire or freezing order?

CLAIMS SUBJECT TO SHIP ARREST

5. For which types of claims can you arrest a ship?
6. Can you arrest a ship irrespective of her flag?
7. Can you arrest a ship irrespective of the debtor?
8. What is the position as regards sister ships and ships in associated ownership?
9. What is the position as regards Bareboat and Time-Chartered vessels?

ARREST PROCEDURE

10. Do your Courts require counter-security in order to arrest a ship?
11. Is there any difference in respect to arresting a ship for a maritime claim and a maritime lien?
12. Does your country recognise maritime liens? Under which International Convention, if any?
13. What lapse of time is required in order to arrest a ship from the moment the file arrives to your law firm?
14. Do you need to provide a POA or any other documents of the claim to the Court?
15. What original documents are required, what documents can be filed electronically, what documents require notarisation and/or apostille, and when are they needed?
16. Will your Courts accept jurisdiction over the substantive claim once a vessel has been arrested?

RELEASE PROCEDURE

17. What is the procedure to release a ship from arrest?
18. What type of security needs to be placed for the release?
19. Does security need to cover interest and costs?
20. Are P&I LOUs accepted as sufficient to lift the arrest?
21. How long does it take to release the ship?
22. Is there a procedure to contest the arrest?

MISCELLANEOUS

23. What period of time will be granted by the Courts in order for the claimants to take legal action on the merits?
24. Do the Courts of your country acknowledge wrongful arrest?
25. Do the Courts of your country acknowledge the piercing and lifting of the corporate veil?
26. Is it possible to have a ship sold pendente lite; if so how long does it take?