Recent Development in Maritime Law Around the World – POLAND

Arrest of ships & Shipbuilding

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Arrest of ships & Shipbuilding in POLAND

Last year

bills' of lading law and jurisdiction clauses from the POLISH perspective



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Developments since last year

> worrying jurisprudence on arrest of ships

Sovernmental support and new legislation on shipbuilding



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Chapter One Arrest of ships

- the vessel of the 1952 Brussels Convention's relating to arrest State's flag
- deliveries to the vessel ordered by others, then her registered owners



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Chapter One Arrest of ships

- the purchaser (debtor) does not pay to the supplier (creditor)
- the vessel arrives to Poland



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Chapter One Arrest of ships

Law

- Poland is a party to the 1952 Brussels Convention's relating to arrest of ships
- deliveries to the vessel maritime claims according to art. 1.(1).(k) of the Convention



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Chapter One Arrest of ships

Law

art. 3.(1) of the Convention – right to arrest a particular ship in respect of which maritime claim arose, or a sister ship

> art. 3.(1) of the Convention subject to art. 3.(4)



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Chapter One Arrest of ships

Law

art. 3.(4) of the Convention – right to arrest a particular ship in respect of which maritime claim arose, even when others, than her registered owners, are liable in respect of the claim



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Chapter One Arrest of ships

Courts' decisions

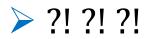
arrest of a ship is not permitted when liable for maritime claim are others than her registered owners



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Chapter One Arrest of ships

Comments and considerations





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Chapter Two Shipbuilding

- Ministry of Development presented an exemplary development program named "Batory"
- initial (primary) goal construction of ro-paxes and LNG tankers for Polish industry (within general goal – reindustrialisation)



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Chapter Two Shipbuilding

- Iongstanding goal (target) move the shipbuilding sector into constructions of large and specialised ships
- implementation 2017 through 2018



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Chapter Two Shipbuilding

Facts

funds (possibly available) – all together, to the "Batory" and other development programs, said to exceed EUR 250 billions



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Chapter Two Shipbuilding

Law

in mid 2016, the Act on activating of shipbuilding industry published (enters into force as from the 2017)

tax preferences to shipbuilding industry



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Chapter Two Shipbuilding

Comments and considerations

> invitation to foreign investors to engage

> preferences and support proposed



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THANK YOU FOR ATTENTION AND PATIENCE

