



Ship Type: All Trade Area: Algeria

Bulletin 292 - 03/03 - Problems with vessel arrests - Algeria

We have been advised, by the Club's correspondent in Algeria that in some recent vessel arrest situations, Algerian private cargo receivers are insisting on the payment of their claims in cash and foreign currency, and refusing to accept a bank guarantee as provided for by Article 156 of the Maritime Code.

Vessel arrests in Algeria are made through an ex-parte demand made to the President of the Court, who renders an arrest ordinance. The President of the Court also has to lift the arrest through an ex-parte demand issued by the arresting party once the Algerian bank, counter-secured by the shipowners' foreign bank, has provided the bank guarantee.

The refusal of the private receivers to accept a bank guarantee constitutes an infringement of Article 156 of the Maritime Code and compels the owners to file an urgent writ of summons to obtain a judgement to lift the arrest. This may take many weeks with the result of that the ship is detained and congestion is caused in the ports.

Ships suffering these prolonged arrests are blocking quays and causing serious problems leading to demurrage and higher costs including freight costs.

We advise all Members to make their operations and chartering departments aware of this situation.

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