



Ship Type: All Trade Area: Algeria

Bulletin 409 - 04/05 - Arrest of Ships - Algeria

Algeria has ratified by Presidential Decree No. 03-474 of 06.12.2003, the International Convention of the Arrest of Sea-Going Ships (the Arrest Convention) dated 12 March 1999, replacing the previous Brussels 1952 International Arrest Convention.

The most important provision of this new legislation ratified by Algeria is article 6 (stated below) which states that the court which decides on the ship arrest has the right to compel the arrestor to provide a counter security to face any loss incurred by an abusive ship arrest or an excess of the security amount claimed and issued.

Article 6

Protection of owners and demise Charterers of arrested ships 1. The Court may as a condition of the arrest of a ship, or of permitting an arrest already effected to be maintained, impose upon the claimant who seeks to arrest or who has procured the arrest of the ship the obligation to provide security of a kind and for an amount, and upon such terms, as may be determined by that Court for any loss which may be incurred by the defendant as a result of the arrest, and for which the claimant may be found liable, including but not restricted to such loss or damage as may be incurred by that defendant in consequence of:

- (a) the arrest having been wrongful or unjustified; or
- (b) excessive security having been demanded and provided.

Source of information: Loss Prevention Department
UK P&I Club
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