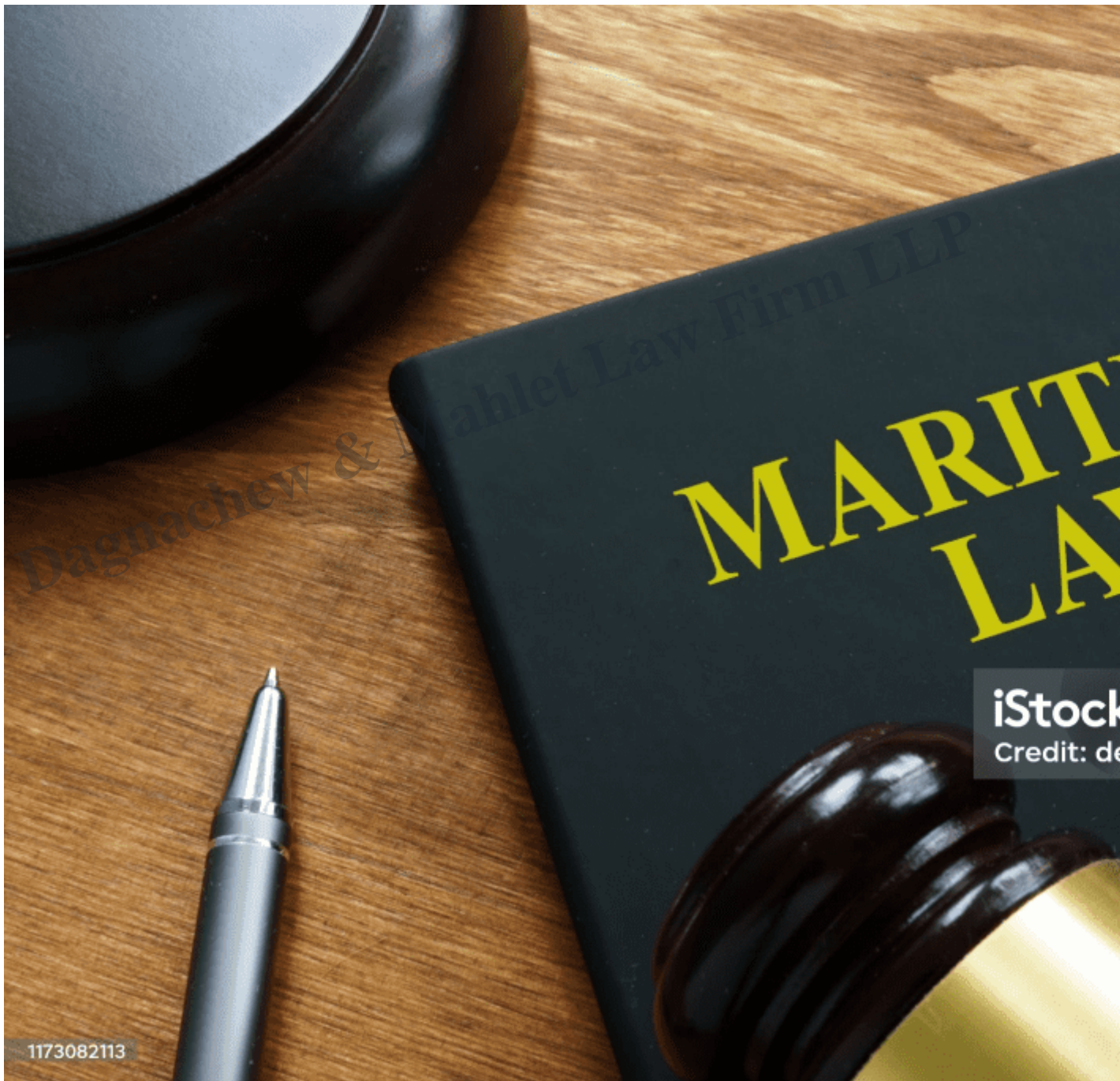


Revisiting the Maritime Code of Ethiopia

Description

By Mahlet Mesganaw, Partner at DMLF



The Maritime Code of Ethiopia was promulgated on the 5th of May 1960 by Proclamation No 164/1960. The Preamble of the Maritime Code provides the following: ‘ whereas the development of the ports of our Empire and the expansion of our merchant navy requires a comprehensive maritime

code be enacted' therefore this Maritime Code is proclaimed.

The Maritime Code is divided into 371 Articles in total apportioned into 9 Titles namely: Ships (I); Shipowners, managers and the master (II); Regulation of maritime employment (III). Contracts relating to the use of the ship (IV); Maritime collisions, assistance, and salvage (V); Participation in general average (VI); Insurance (VII); Penal provisions and (VIII); Miscellaneous.

Under Title I, Ships, there are 7 chapters that deal with Nationality of Ships, Ownership of Ships, Maritime Liens and Mortgage of a Ship, Registration of Ships and of Rights of Rem relating to the Ship and Arrest of a Ship.

Title II is about Shipowners, Managers and the Master. There are two chapters that deal with Liability of Shipowners and Managers, and the Appointment and Duties of the Master.

Title III provides Regulation of Maritime Employment. The seaman includes persons employed or engaged in any capacity on board any ship (except masters, pilots and apprentices duly indentured and registered).

Title IV deals with Contracts Relating to the Use of the Ship. One party may undertake to procure to the other party the possession of a ship for a definite period subject to payment of a rent. So this title deals with the rent, contract of affreightment and carriage of passengers.

Title V is focused on Maritime Collisions, Assistance and Salvage at sea. Any collision between ships, the compensation due for damage caused to the ships, or to any property or persons on board thereof, shall be settled in accordance with this Maritime code provisions. Every act of assistance or salvage which has been successful shall give a right to equitable remuneration which shall not exceed the value of the property salvaged.

The next title, Title VI deals with Participation in General Average. There is a general average act when and only when any extraordinary sacrifice or expenditure is intentionally and reasonably made or incurred for the common safety for the purpose of preserving from peril the property involved in a common maritime adventure.

Title VII is about Insurance. Any policy of insurance having its principal object to guarantee a maritime risk, including collateral risk, shall be subject to the provisions of this title. This Title is divided into four chapters that deal with contracts of insurance, rights and obligations of the assured and the Underwriter, settlement of damage and period of limitation.

Title VIII focuses on penal provisions. Any person who contravenes the provisions of this code or regulation made there under shall be subject to penalty in the form of fines ranging from Eth \$2000-500.

The final Title IX deals with miscellaneous provisions concerning definitions and regulation making power.

Thus, the Maritime Code of Ethiopia with 371 articles, 9 titles still governs the maritime legal relationships of the persons, properties, rights and obligations involved in maritime trade.

For any inquiries related to the subject matter you may contact us at info@dmethiolawyers.com

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[RESPONDING TO CHILD ABUSE AND NEGLECT](#)

By Dagnachew Tesfaye, Partner at DMLF The Alternative Child Care and Support Directive Number 976/2023 by Ministry of Women and Social Affairs, October 2023, incorporates a section namely Responding to Child Abuse and Neglect. The State is given the responsibility to respond to child abuse and neglect. The procedure of reporting, assessment, court approval, emergency...

June 30, 2024

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[Gold Purchase Price Adjustment](#)

By DMLF The National Bank of Ethiopia has introduced an amendment Directive namely NBE Amendment Procedure on Price of Gold Purchase No 1/2024, effective as of June 17/2024. This Directive is an amendment to a similar Directive number 3/2023. The amendment Directive encompasses price adjustment for provision of gold in terms of its weight and...

June 23, 2024

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[The New Public Holidays Proclamation](#)

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June 16, 2024

[Membership to American Bar Association \(ABA\)](#)

Partners to DMLF namely Mr.Dagnachew Tesfaye Abetew and Mrs.Mahlet Mesganaw Getu are proud to announce the membership to the American Bar Association (ABA). We hope the ABA membership will provide us with professional advantages in building networks for rendering life changing legal services for our communities.

June 9, 2024

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[The Madrid System for the International Registration of Marks](#)

By DMLF The Madrid System for the International Registration of Marks is a centralized system that simplifies the process of registering trademarks in multiple countries. It's administered by the World Intellectual Property Organization (WIPO). Under this system, trademark owners can file a single application with WIPO to protect their mark in multiple member countries. This...

June 9, 2024

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[Ethiopian National Dialogue](#)

By DMLF The Ethiopian National Dialogue Commission (hereafter the Commission) was established by Proclamation 1265 /2021(hereafter the Proclamation). The Proclamation was done as of 13th of January 2022. The term of office of the Commission is three (3) years.The term of the Commission shall begin from the time Commissioners have been appointed in accordance...

June 2, 2024

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