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SELECTED LEGAL ASPECTS OF SHIP MANAGEMENT

Abstract

Ship management is a topic that has rarely been approached in the modern Polish maritime legal sciences. There are numerous reasons behind the present state of affairs but it seems that the foremost one is, that the focus in political, legal and economic discourse is still on the legal aspects of ship ownership. This trend continues despite the fact that today over 73% of world shipping tonnage is managed by the specialized ship management entities. An economic analysis has proven that year after year Poland was ceasing to be a large ship owning nation, it used to be, and that this trend is unlikely to be reversed in the short and mid-term perspective. Poland may, however, still continue to play a vital role in the world of shipping by becoming a ship management centre. This article aims to introduce the Readers to the selected aspects of ship management operations.

Keywords: ship management, shipping entrepreneur, ship management operations

INTRODUCTION

There is no legal definition of ship management in Polish law aside from the Tonnage Tax Act 2006¹, where “managing of a third-party vessel” is distinguished into the following categories: technical management – characterized as “ensuring the ship’s ability to navigate as well as compliance with technical, safety and security”, and crew management – characterized as “[...] ensuring that the ship is

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¹ Tonnage Tax Act 2006, Journal of Laws of 2006 No 183, item 1353 as amended.

properly manned with properly qualified crew, as well as conducting crew operations especially with regard to preparing payroll, providing accident and disability insurance for crew members, organizing crew travel to and from the ship, obtaining required visas, providing medical care and performing crew's work performance and training assessment"²

Furthermore, it is worth noting that an "entity involved in managing ships belonging to the third party" can be either a natural person, a legal person or other entity (such as a partnership limited by shares) - each one falling into the category of a "shipping entrepreneur" as defined in Article 2 item 3 of the Tonnage Tax Act³.

Unfortunately, this is the only act in the whole Polish system of maritime legislation with such a clear cut definition of ship management activities. Since September 2017, despite the proposals from the Maritime Law Codification Committee⁴, the definition of a *ship manager* has not been included in the Polish Maritime Code, yet.

The aforementioned definitions of technical and crew management are mostly corresponding with the scope provided by the Communication from the Commission providing guidance on State aid to shipmanagement companies (2009/C 132/06) which distinguishes the following types of ship management activities: crew management, technical management and commercial management. However, it should be noted that the Communication also defines "commercial management", which the Polish Tonnage Tax Act does not define at all.

Commercial Management, according to the Communication, "[...] consists in promoting and ensuring the sale of ships' capacity, by means of chartering the ships, taking bookings for cargo or passengers, ensuring marketing and appointing agents. Commercial management represents a very small part of the ship management industry."⁵

The Communication 2009/C 132/06 also determines that crew management represents the largest part of the ship management industry, followed by the technical management and commercial management, respectively⁶.

The reasons for outsourcing management of ships may be numerous but the foremost ones are the following: ship management is treated by the owner as a cost saving measure, especially during a down market; no in-house expertise to operate the ships – the market transformation has encouraged multiple actors to invest

² *Ibidem.*

³ *Ibidem.*

⁴ Report on the activities of the Maritime Law Codification Committee in the period 2011-2015.

⁵ Communication from the Commission providing guidance on State aid to shipmanagement companies (Official Journal of the European Union: 2009/C 132/06).

⁶ *Ibidem.*

in shipping. Many of these actors have no prior experience in managing ships⁷; benchmarking purposes – the owner compares how well and cost-effectively the ship may be operated; reducing the problems of legislative demands and resources needed to tackle the issues.⁸ A further part of this paper will concentrate on problems mentioned in point 3.

1. UNCLOS AND THE FOUR PILLARS OF LEGISLATION

Ship owners and ship managers operate in a myriad of different laws and customs. It is a fact of life dating back to the ancient times, with the process gaining traction after the creation of first flags of convenience.

At the level of international maritime law, there are four basic acts regulating shipping today.

United Nations Convention on the Law of the Sea (UNCLOS), signed on 10th December 1982, effective as of 16th November 1994 provides the core element of international legislation for maritime industry today. For the purpose of this study, two articles are the most important:

Article 91

1. Every State shall fix the conditions for the grant of its nationality of ships, for the registration of ships in its territory, and for the right to fly its flag.

Ships have the nationality of the State whose flag they are entitled to fly.

There must exist a genuine link between the State and the ship.

2. Every State shall issue to ships to which it has granted the right to fly its flag documents to that effect⁹.

Furthermore, Article 94 defines the duties of the Flag State, especially the need to assume jurisdiction under its internal law over ship flying its flag with regard to manning of ships, labour conditions and the training of crews, taking into account the applicable international instruments¹⁰.

The first “pillar” is the International Convention for the Safety of Life at Sea (hereinafter referred to by its English abbreviation: SOLAS) which applies to ships of convention size (500 GT and above) engaged in an international voyage. The

⁷ As evidenced in the article “German Ship Owners Face a Perfect Storm” (Financial Times, 9 March 2010) describing the collapse of the KG funds – tax-efficient companies owned by the ship-owning companies and investors from the professional classes.

⁸ J.W. Dickie, “21st Century Ship Management”, Adlard Coles Nautical, London 2014, p.3.

⁹ United Nations Convention on the Law at Sea 1982.

¹⁰ *Ibidem*.

Current Edition of SOLAS is the 2009 consolidated edition, but it must be noted that there have been numerous amendments ever since, for example in the form of IMO MSC Circulars.

From the point of view of this study one provision is especially important – the ISM Code incorporated into IX Chapter of the Convention, which will be discussed in detail in the following chapter of the study.

The second “pillar” is the International Convention for the Prevention of Pollution (MARPOL) adopted on 2 November, 1973 at the IMO and amended by protocols of 1978 as well as 6 Annexes adopted from 1983 to 2005. This is the main international convention covering prevention of pollution of the marine environment by ships due to either operational or accidental causes.

From the operational point of view, it is vital to list all these Annexes together with the impact on ship manager’s daily operations:

- 1) Prevention of pollution by Oil (Annex I) – both from operational as well as from accidental discharges;
- 2) Control of Pollution by Noxious Liquid Substances in Bulk (Annex II) - it is worth noting that 250 evaluated substances were included in the list appended to the Convention¹¹. Discharge of their residues is allowed only to reception facilities complying with the requirements of the Convention. Furthermore, no discharge of residues is permitted within 12 nautical miles of the nearest land¹²;
- 3) Prevention of Pollution by Harmful Substances Carried by Sea in Packaged Form (Annex III)¹³ – for the purpose of this Annex “harmful substances” are defined as substances identified in the International Maritime Dangerous Goods Code (IMDG Code) or meet criteria set in Appendix to this annex. Further provisions regulate the issue of detailed standards on marking, labeling, packing, quantity limitation, stowage, documentation, exceptions and notifications;
- 4) Prevention of Pollution by Sewage from Ships (Annex IV)¹⁴ – includes requirements regarding prohibiting the discharge of sewage into the sea, unless the ship has in operation an approved sewage treatment plant;
- 5) It is also worth noting that discharging of comminuted and disinfected sewage using the approved systems is permitted when the ship is more than three nautical miles from the nearest land;
- 6) Prevention of Pollution by Garbage from Ships (Annex V)¹⁵ - that annex deals with different types of garbage which may be disposed of, with one notable

¹¹ IMO Resolution MSC.369(93) introducing the IBC Code

¹² Annex II Chapter V - to the International Convention for the Prevention of Pollution

¹³ Annex III Regulation 1 1.1.- to the International Convention for the Prevention of Pollution

¹⁴ Annex IV Chapter III – to the International Convention for the Prevention of Pollution

¹⁵ Annex V Regulations 4, 5 and 6 to the International Convention for the Prevention of

feature: a complete ban imposed on the disposal into the sea of all form of plastics;

Prevention of Air Pollution from Ships (Annex VI) - the most recent addition to the list of Annexes, which limits the emissions of sulphur oxide and nitrogen oxide from ship exhausts and prohibits deliberate emissions of ozone depleting substances.

The “Third Pillar” is the “The International Convention and Code on Standards of Training, Certification and Watchkeeping for Seafarers (STCW)” signed on 7 July 1978 and effective as of 28 April 1984. As of today, this Convention has over 161 signatories, with main country-sources of maritime labour among its signatories. The last set of amendments to the STCW Convention, called “The Manila Amendments”, entered into force in 2012, with the implementation period ending by 1st January 2017.

STCW introduces the definition of responsibilities in Chapter I (Definitions and Clarifications) Section A-I/1 as well as list of functions in Chapter II (Master and Deck Department), Chapter III (Engine Department), IV (Radiocommunication and Radio Personnel). The relationship between the functions and the level of responsibility is illustrated by the table below¹⁶:

FUNCTION	JOB CHARACTERISTICS	LEVELS OF RESPONSIBILITY		
		Management	Operational	Support
Deck	Navigation	X	x	x
	Cargo handling and stowage	X		
Deck & Engine	Controlling the operation of a ship and care for personnel on board	X	x	
Engine	Marine Engineering	X	x	x
	Electrical, Electronics and Control Engineering	X	X	
	Maintenance and Repair	x	X	

Pollution, RESOLUTION MEPC.219(63) adopted on 2 March 2012 - 2012 GUIDELINES FOR THE IMPLEMENTATION OF MARPOL ANNEX V Table 1.1.

¹⁶ Certification provisions of Chapter II (Master and Deck Department), III (Engine Department), IV (Radiocommunication and Radio Personnel) and Chapter I Section A-I/1 (Definitions and Clarifications), STCW Convention of the STCW Convention (Journal of Laws of 1984 No 39 item 201 as amended).

Radio	Radio Communication		X	
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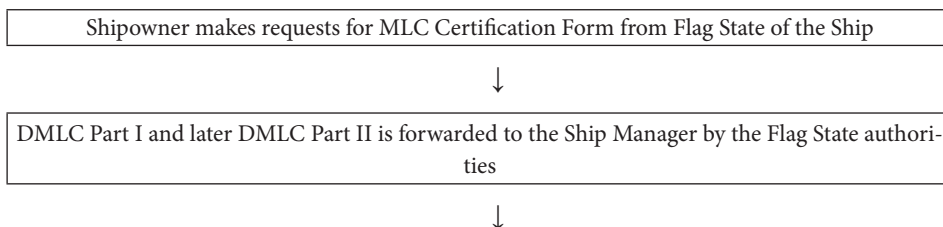
The levels of responsibility are defined as follows:

- 1) Management Level means the level of responsibility associated with: serving as a master, chief mate, chief engineer officer or second engineer officer on board a seagoing ship, and ensuring that all functions within the designated area of responsibility are properly performed.
- 2) Operational Level means the level of responsibility associated with: serving as an officer in charge of a navigational or engineering watch or as a designated duty engineer for periodically unmanned machinery spaces or as a radio operator on board a seagoing ship, and maintaining direct control over the performance of all functions within the designated area of responsibility in accordance with proper procedures and under the direction of an individual serving at the management level for that area of responsibility;
- 3) Support Level means the level of responsibility associated with performing assigned tasks, duties or responsibilities on board a seagoing ship under the direction of an individual serving at the operational or management level.¹⁷

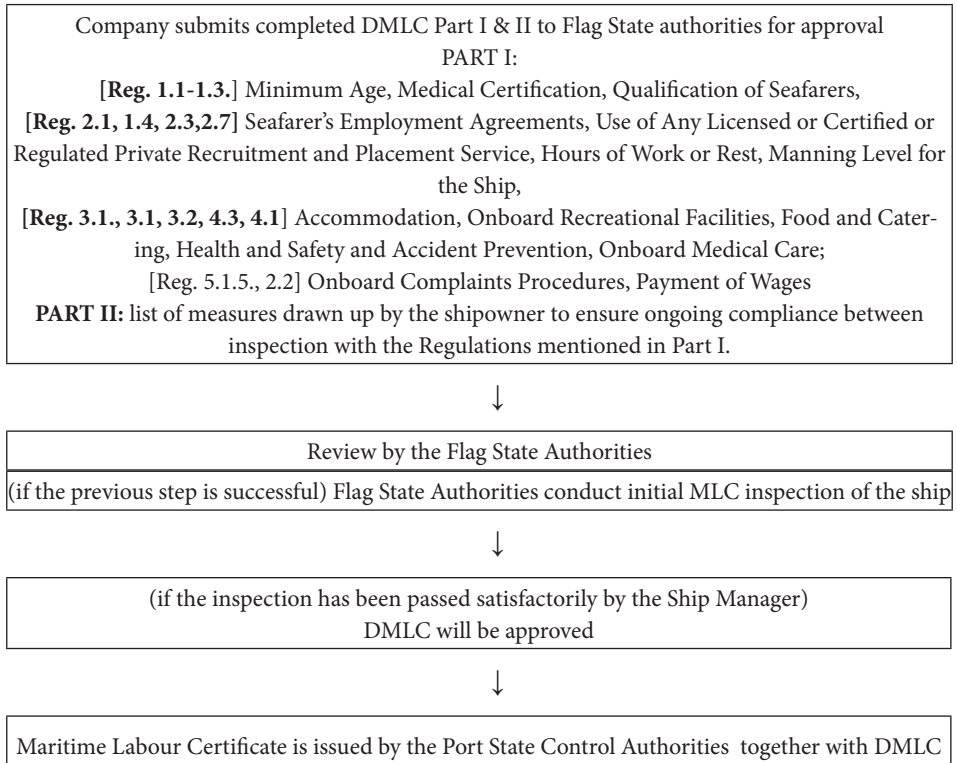
The “last but not least pillar” of maritime legislation is the Maritime Labour Convention (MLC), which entered into force on 20 August, 2013. This newest “addition” to international maritime law, the MLC Convention, unlike the previous “pillars”, is an act developed by the International Labour Organization (ILO) instead of the International Maritime Organization.

The ability of the ship manager to operate in accordance with the MLC Convention is certified by the competent authority or by a recognized organization according to the provisions of the Standard A 5.1.3. of the Convention.

This is accomplished through a lengthy audit process regulated, depicted as follows:



¹⁷ Section A-I/1 Standards Pt 1 regarding general provisions STCW Convention



2. ISM CODE AND SAFETY MANAGEMENT SYSTEM

Following the series of disasters caused by human factor (with the most notable ones being the “Herald of Free Enterprise” in 1987, “Scandinavian Star” in 1990), the need to create a new safety management system became apparent.

IMO responded with adopting Resolution A.741 (18) during its XVIII Session (17th September 1993)¹⁸ introducing the International Management Code for the Safe Operation of Ships and for Pollution prevention – more commonly referred to as the ISM Code.

The stated objectives of the Code are as follows:

¹⁸ ASSEMBLY – 18th session Protocol of 17 November 1993, Agenda item 11, Resolution A.741(18) adopted on 4 November 1993 “International management code for the safe operation of ships and for pollution prevention”.

“1.2.1. [...]to ensure safety at sea, prevention of human injury or loss of life, and avoidance of damage to the environment, in particular to the marine environment, and to property.

1.2.2 Safety-management objectives of the Company should, inter alia:

- 1. provide for safe practices in ship operation and a safe working environment;*
- 2. assess all identified risks to its ships, personnel and the environment and establish appropriate safeguards; and*
- 3. continuously improve safety-management skills of personnel ashore and aboard ships, including preparing for emergencies related both to safety and environmental protection.”*

Safety Management System (or SMS) is defined as *“a structured and documented system enabling Company personnel to implement effectively the Company safety and environmental protection policy”*¹⁹

Properly functioning SMS should ensure, pursuant to Paragraph 1.2.3.:

- 1. compliance with mandatory rules and regulations; and*
- 2. that applicable codes, guidelines and standards recommended by the Organization, Administrations, classification societies and maritime industry organizations are taken into account”*²⁰

The definition of the “Company” is broad and includes not only the ship owner but also *“[...] any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the shipowner and who, on assuming such responsibility, has agreed to take over all the duties and responsibility imposed by the Code”*²¹.

The ISM Code was made mandatory in 1998 (once again, as a result of 1994 “Estonia” ferry disaster, which claimed 852 lives), with the text incorporated into IX Chapter of the SOLAS Convention.

If the entity, other than the ship owner, is responsible for the operation of the ship, it is the owner’s duty to report the full name and details of that entity to the competent authorities of the Flag State of the vessel²². Thus, the link between the ship and the ship owner becomes severed, as far as operational management is concerned and a ship manager is the entity primarily responsible before the administration.

To ensure that all of these requirements are met - Paragraph 4 of the Code establishes the function of the Designated Person (DP) ashore having direct access to the highest level of management.

¹⁹ Paragraph 1.1.4 of the ISM Code.

²⁰ *Ibidem*, paragraph 1.2.3.

²¹ Paragraph 1.1.2 of the ISM Code.

²² Paragraph 3.1. of the ISM Code.

The main task of the DP is to ensure the safe operation of each ship and provide the channel of communication between the Company itself and those on board. It is the responsibility of the DP to monitor the safety and pollution prevention aspects of the operation of each ship and to ensure that adequate resources and shore based support are applied, as required, in the shortest time possible.

Adherence to these requirements by the Company is then surveyed (as stipulated by Paragraph 13.2 of the ISM Code) and certified via the Document of Compliance and Safety Management Certificates issued either by administration of the Flag State or by Classification Societies recognized by the Flag States and on their behalf.

The Document of Compliance is issued only for the types of ships explicitly indicated in the document. Other ship types may only be added after the recognized organization verifies the Company's capability to comply with the requirements of the Code with regard to these types of vessels.

DoC may be issued for the period specified by the Administration, which should not exceed five years. Each year the validity of the DoC is subject to verification by the Administration or organization recognized by the Administration within three months before or after the so called "anniversary date" (in other words: expiry date).

Not all certificates are "permanent" – there are instances where issuing a "normal" certificate may not be possible. In these circumstances, an Interim Document of Compliance may be issued to facilitate the initial implementation of the Code. An Interim DoC is usually issued when:

- a) a Company is a newly established entity;
- b) new ships are to be added to an existing Document of Compliance.

The Company needs to prove before the relevant Administration/Recognized Organization that it plans to implement a safety management system meeting the full requirements of the Code. This requirement must be met within the period mentioned in the interim Document of Compliance, which shall not exceed 12 months.

Furthermore, Interim DoC may also be issued to:

- 1) new ships on delivery;
- 2) when a ship takes on responsibility for the operation of a ship which is new to the Company; or
- 3) when a ship changes its flag.

3. SHIP MANAGEMENT CONTRACTS

Since ship management is, first and foremost, a contractual relationship with terms agreed between a Shipowner and a Ship Manager, this section will be devoted to the most popular types of contracts.

The Baltic and International Maritime Council's (BIMCO) standard ship management agreement, also known as SHIPMAN 2009, is most commonly used. This 22-page document is a further development of the successful SHIPMAN 1998 contract form.

The key to its success is that all potential specifics of ship management contracts are included in this form thus, allowing the contracting parties to shape a unique business relationship between the Owner and the Ship Manager. The main structure of the SHIPMAN 2009 Contract is as follows:

Structure of the BIMCO standard ship management agreement (SHIPMAN 2009) ²³
Part I – Standard information concerning parties to the agreement
Part II
Section 1 – Basis of the agreement
Section 2 – Services
Section 3 – Obligations
Section 4 – Insurance, budgets, income, expenses and fees
Section 5 – Legal, general and duration of agreement
Annex A – Details of vessel or vessels
Annex B – Details of crew
Annex C – Budget
Annex D – Associated vessels
Annex E – Fee schedule

Not all shipowners decide to cede technical management or commercial management of their ships. According to the aforementioned Communication from the Commission providing guidance on State aid to ship management companies (2009/C 132/06) – crew management is the most developed segment of ship management activities in Europe, followed by technical management and commercial management, respectively.

BIMCO, responding to that type of needs, has therefore created the CREWMAN 2009 contract form which comes in two variants:

CREWMAN 2009 A + Cost + Fee²⁴ designated for larger crew administration services and

²³ *Shipman 2009: Standard Ship Management Agreement*. BIMCO; 2009, available at www.bimco.org/contracts-and-clauses

²⁴ *Crewman 2009. Standard Crew Management Agreement A (Cost Plus Fee)* BIMCO; 2009

CREWMAN 2009 B Lump Sum²⁵ designated for smaller crewing businesses

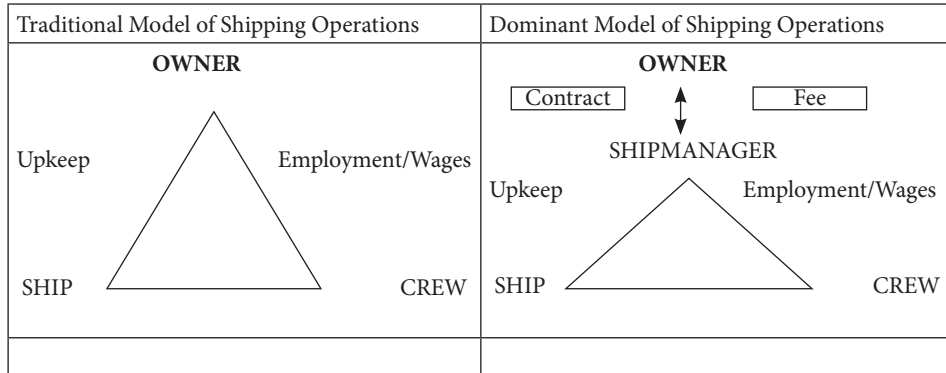
STRUCTURE OF THE CONTRACTS – COMPARISON	
BIMCO CREWMAN 2009 A Cost + Fee	BIMCO CREWMAN 2009 B Lump Sum
<p>Part I – <i>Standard Information Concerning Parties of the Agreement</i></p> <p>Annex A – Details of the Vessel/Vessels Annex B – Details of Crew Annex C – Budget Annex D – Associated Vessels</p> <p>Part II</p> <p>Section 1 – Basis of the Agreement Definitions Commencement & Appointment Authority of the Crew Managers</p> <p>Section 2 – Services Crew Management Crew Insurances</p> <p>Section 3 – Obligations Crew Managers' Obligations Owners' Obligations</p> <p>Section 4 – Insurance, Budgets, Income, Expenses and Fees Insurance Policies Crew Management Fee and Expenses 10. Budgets and Management of Funds</p>	<p>Part I – <i>Standard Information Concerning Parties of the Agreement</i></p> <p>Annex A – Details of the Vessel/Vessels Annex B – Details of Crew</p> <p>Part II</p> <p>1. Definitions 2. Appointment of Crew Managers 3. Basis of Agreement 3.1 Crew Management 3.2. Crew Insurance Arrangements 4. Crew Managers' Obligations 5. Owners' Obligations</p>

available at www.bimco.org/contracts-and-clauses

²⁵ *Crewman 2009. Standard Crew Management Agreement B (Lump Sum) BIMCO; 2009* available at www.bimco.org/contracts-and-clauses

<p>Section 5 – Legal, General and Duration of Agreement</p> <ol style="list-style-type: none"> 11. Trading Restrictions 12. Replacement 13. Crew Managers’ Right to Sub-Contract 14. Responsibilities 15. General Administration 16. Compliance with Laws and Regulations 17. Duration of the Agreement 18. Termination 19. BIMCO Dispute Resolution Clause 20. Notices 21. Entire Agreement 22. Third Party Rights 23. Partial Validity 24. Interpretation 	<ol style="list-style-type: none"> 6. Crew Management Lump Sum 7. Trading Restrictions 8. Replacement 9. Crew Managers’ Right to Sub-Contract 10. Responsibilities 11. Documentation 12. General Administration. 13. Compliance with Laws and Regulations. 14. Duration of the Agreement. 15. Termination 16. Law and Arbitration 17. Notices
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The end result of both the ISM Code implementation, market conditions and widespread use of the BIMCO Contract Forms, such as SHIPMAN 2009 and CREWMAN 2009 A and B, is the noticeable change in the model of shipping operations as depicted by the graphs below:



Traditional responsibility for the upkeep of the ship and employing the crew has shifted from the Shipowner to the Ship Manager, who conducts the same functions as the former used to perform, on the basis of the contract provisions and upon receiving a fee.

4. EMPLOYMENT OF CREW MEMBERS

From the Owner's perspective – more than half of the daily operating costs is spent on crew – whether they are crew wages (approx. 50%) or crew expenses (approx. 10%)²⁶. Therefore, from the economical point of view, it is vital for it to decrease this type of expenditures as much as possible while maintaining the necessary safety and quality standards.

While making a decision to hire a seafarer, the Ship Manager (if its ship management contract allows it to hire crewmembers) will face the following issues:

- 1) What is the nationality and place of residence of a seafarer?
- 2) What is the level of skills, knowledge and attitude of the seafarer?
- 3) What is the place of effective management/registered office of the employer?
- 4) What are the tax and social security regulations in the countries mentioned in pts 1 and 2?
- 5) With reference to pts 1-4 – what are the provisions of the agreements on avoidance of double taxation (if any)?
- 6) Is the ship on which a perspective seafarer is employed, flying the Flag of Convenience or not?

The answers given to all of the aforementioned questions will determine the composition of the ship's crew. Since the minimal requirements for seafarer's employment agreements set by the MLC Convention have already been discussed in the previous part of this study, I will hereby focus on the pts 5 and 6.

According to the OECD there are over two thousand agreements on avoidance of double taxation known in existence. Most of them follow the OECD Model Tax Convention on Income and on Capital which regulate the issue of avoiding double taxation of seafarers in Articles 14 and 23. There are presently two models of avoiding double taxation:

- 1) tax exemption – as is the case with most agreements between the Member States of the European Union such as (for example) between Poland and: Germany, Cyprus, Malta, Sweden;
- 2) proportional deductions – as is the case (for example) with the agreement between Poland and Norway with regard to incomes earned by Polish seafarers employed on NIS-registered ships.

It should be noted, however, that on 7 June 2017, over 70 Ministers and other high-level representatives participated in the signing ceremony of the Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting (hereinafter referred to as the MLI).

²⁶ Agathe Rialland & Dag Atle Nesheim & Jan Arthur Norbeck & Ørnulf Jan Rødseth "Performance-based ship management contracts using the Shipping KPI standard" published by World Maritime University on 11 February, 2014.

Since Article 5 of this Convention (although the Party may decide not to apply that Article to tax agreements covered by the provisions of the MLI Convention) signifies OECD's departure from the tax exemption towards the proportional deductions as methods of avoiding double taxation in order to prevent Base Erosion and Profit Shifting – the tax landscape may be substantially changed in the coming years. Presently, none of the countries has (as of 15th September, 2017) ratified the Convention, which is due to enter into force on the first day of the month following the expiration of a period of three calendar months beginning on the date of deposit of the fifth instrument of ratification, acceptance or approval²⁷.

CONCLUSIONS

As it was mentioned at the beginning and demonstrated throughout this study, a ship manager operates under the myriad of different laws and customs affecting different aspects. This article hopes to raise awareness of the most common problems encountered by ship managers during their daily operations in need of further examination.

An economic transformation from the centrally planned economy to market economy has drastically reduced the role of Polish ship owners. Presently, only 96 ships are owned by the Polish shipowners – a far cry from 261 ships owned by Polish Oceanic Lines and Polsteam on 31st December, 1986²⁸. However, the number of Polish seafarers is still significant – during the legislative process leading to the adoption of the Law on Labour on Sea-Going Commercial Ships 2015²⁹, the Ministry of Infrastructure has assessed that the potential impact of the regulation may affect approximately 35 000 Polish seafarers, while only 65 of them worked onboard Polish flagged vessels³⁰. Most of them were employed by employment agencies registered in Poland and performing technical and crew management services for foreign shipowners.

²⁷ Multilateral convention to implement tax treaty related measures to prevent base erosion and profit shifting Signatories Positions <http://www.oecd.org/tax/treaties/beps-mli-signatories-and-parties.pdf>.

²⁸ “Gospodarka Morska w 2016”/”Maritime Economy of Poland in 2016” published by the Main Statistics Office (GUS) & 1987 Report of Prime Minister Zbigniew Messner on closing the Office of Maritime Economy

²⁹ Explanatory note to the bill on the Act on Maritime Labour 2015 of June 23rd June, 2015 Parliamentary Document 3645 of the Polish Parliament p. 50.

³⁰ *Ibidem* p. 50.

This fact alone serves as a startling example that despite the downfall of the major Polish shipowners, the Polish ship management branch provided jobs to thousands of Polish seafarers and generated an added value to the Polish maritime economy. Therefore, further legal aspects of ship management are definitely worth of further study.

WYBRANE ASPEKTY PRAWNE ZARZĄDZANIA STATKAMI MORSKIMI

Słowa kluczowe: zarządzanie statkiem, przedsiębiorca żeglugowy, operacje zarządzania statkiem morskim

Abstrakt

Zagadnienie zarządzania statkami (ang. *ship management*) jest rzadko poruszane w polskiej doktrynie. Istnieją różne przyczyny takiego stanu rzeczy, aczkolwiek niewątpliwie znaczący jest priorytet nadany w politycznym, prawnym jak i ekonomicznym dyskursie zagadnieniom prawnym poświęconym właścicielom statków. Obecny trend utrzymuje się pomimo faktu, iż ponad 73% światowego tonażu jest zarządzane przez specjalistyczne podmioty „ship managerskie”.

Analiza ekonomiczna rok po roku dostarczała dowodów, że Polska przestała być krajem liczącym się pod względem ilości posiadanych przez nią statków i ten trend nie ulegnie odwróceniu w perspektywie krótko i średnioterminowej. Polska może jednak odegrać kluczową rolę w świecie żeglugi poprzez przekształcenie się w centrum zarządzania statkami. Niniejszy artykuł ma na celu przedstawienie wybranych aspektów zarządzania statkami morskimi.

