
Graduate Certificate in Advanced Maritime Law

Law of Salvage and General Average

Law of Salvage

The Law of Salvage is a legal principle that governs the rights and obligations of individuals or organizations who voluntarily assist in rescuing or recovering vessels or cargo in peril at sea. Salvage operations may involve towing a disabled vessel to safety, extinguishing a fire onboard, or recovering cargo lost overboard. The salvor, the individual or entity providing the salvage services, is entitled to a reward known as a salvage award. The Law of Salvage is based on the principle that salvors should be rewarded for their efforts in preventing further damage to the environment, property, and lives at sea.

General Average

General Average is a maritime legal principle that allows for the equitable sharing of losses incurred during a voyage among all parties involved, including the shipowner, cargo owners, and freight forwarders. When a vessel encounters a perilous situation, such as a fire or grounding, and sacrifices are made to save the common venture, all parties benefitting from the sacrifice are required to contribute proportionally to cover the losses. The concept of General Average dates back to ancient maritime customs and has been codified in various legal systems around the world.

Related Terms:

- Salvage Award: The compensation granted to salvors for their efforts in rescuing or recovering vessels or cargo at sea.
- Salvage Operation: The act of providing assistance to vessels or cargo in distress in exchange for a salvage award.
- Average Adjuster: A professional appointed to calculate and apportion General Average contributions among the interested parties.
- York-Antwerp Rules: A set of international rules that provide guidelines for determining General Average and Salvage contributions.

The Law of Salvage and General Average are crucial concepts in maritime law, as they ensure the safety of vessels, crew, and cargo at sea while promoting fairness and equity among all parties involved in maritime ventures. Understanding these principles is essential for maritime professionals, including shipowners, insurers, and legal practitioners, to navigate the complexities of salvage operations and General Average incidents effectively. By adhering to established legal frameworks and industry best practices, stakeholders can mitigate risks, resolve disputes, and uphold the integrity of maritime commerce worldwide.