

Chapter 41

ARREST OF A SHIP DOES NOT INCLUDE CARGO

If a ship is ordered to be arrested while she is in the course of discharging her cargo, the Sheriff or the Marshal or the other officer will not stop the discharge operations except when the claim is in respect of a claim for salvage and the cargo is to be arrested. Normally, when an order of arrest of ship is obtained it is only the ship and their appurtenance are arrested but does not include the cargo unless there is an order from the court for arrest of the cargo also.

ARREST OF CARGO DOES NOT INCLUDE SHIP

If cargo on board the ship is ordered to be arrested, the Sheriff or the Marshal will arrest the cargo. Without intervening in the claim in which the cargo has been arrested the ship owners or the vessel interest can request the Sheriff or the Marshal to take the appropriate steps to enable the ship to be discharged, the Sheriff or Marshal will make an application to the court for appropriate relief.

Alternatively, the ship owner or the vessel interest can make an appropriate application to the court for the ship to be discharged.