

Greece: Increased pollution fines

This update is in response to the recent changes in Greek environmental law and the higher pollution fines that are now being imposed by the authorities. The intention of this update is to enhance Members' awareness and provide some practical tips should a pollution incident occur.

Revised level of fines

By virtue of Presidential Decree 113/2019, the administrative fines for breaches of the Greek statute on ship-source pollution have been increased to implement EU Directives 2005/35 and 2009/123. This coincides with an increase of the administrative fines for breaches of the General Marine Environment Protection Statute (Law 743/1977 as codified by PD 55/1998).

Specifically, there have been major increases for fines in the event of oil pollution which came into effect on 31 December 2019:

	Maximum fine before 31 December 2019	Maximum fine after 31 December 2019	
A	Everyday pollution situations, i.e. such that are not deemed to cause a serious detrimental effect to the marine environment.	EUR60,000	EUR100,000
B	Serious pollution.	EUR1,200,000	EUR2,000,000
C	Where pollution is caused deliberately in order to benefit the interests of a company or other legal entity in addition to A or B.	EUR500,000	EUR800,000
D	In the event of continued pollution, daily fine for each day of exceeding the deadline set by authorities for rehabilitation.	EUR 8,000/day	EUR 15,000/day

There is no definition of what constitutes a serious pollution incident for the purposes of A or B,

but we anticipate that this will include pollution extending to a large area, which has a detrimental effect on the marine environment and potentially impacts the tourist industry.

What to do when pollution occurs

The key to minimising Members' exposure is to act promptly by:

1. Collecting and storing any relevant evidence;
2. Notifying the relevant authorities and cooperating with their investigations;
3. Taking immediate steps to stop the source of pollution and to clean the pollutant;
4. Appointing a clean-up contractor; and
5. Contact appropriate Claims Department of the Club as soon as possible to ensure for case specific advice and assistance.

For further queries on the legal liabilities or practical advice on avoiding pollution incidents, advice should be sought from the Club's correspondents and Loss Prevention Department.