

The English Law of Salvage and Wreck Removal

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INTRODUCTION

The aim of the research is to examine the evolution of English maritime law of salvage and wreck removal. Salvage law has its origins in the law of equity and has developed over centuries to encourage salvors to provide assistance to vessels in danger. Since the late nineteenth century commercial contracts, in the form of Lloyd's Open Form, have largely been used by the salvage industry. The removal of wrecks, not just those obstructing navigable waters, but wrecks within the exclusive economic jurisdictional waters of coastal States is now not only desirable by those States but enforceable under the Wreck Convention 2007 enacted in to English law as Wreck Removal Convention Act 2011 .

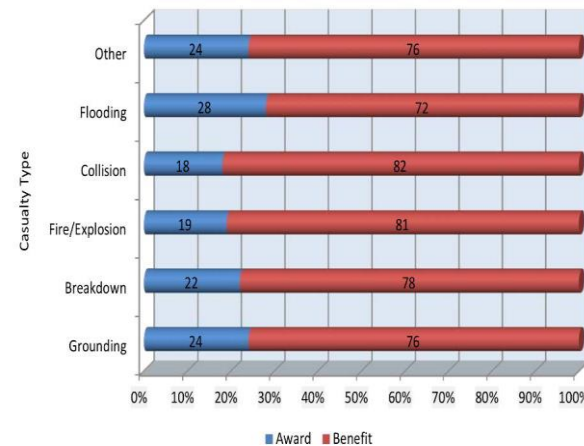


Torrey Canyon 1967

AIM

The interface of the differencing legal instruments governing traditional salvage operations and wreck removal is an area of potential conflict that should be examined. The substantive question this research aims to address is whether the English laws of salvage and wreck removal are commercially compatible in the 21st Century.

LOF AWARD AS A PERCENTAGE OF THE SALVED VALUE



METHODS

The research is approached from a socio-legal empirical research perspective. Mixed methods are employed. An examination of the common law of salvage and wreck removal will be done by examining the rich body of case law that exists.

Data obtained from interviews with parties involved in the salvage and wreck removal industry is undertaken to determine the wider industry view of the existing laws and operational challenges for the salvage industry in the short and medium term future.



MV Rena 2011



Costa Concordia 2012

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Prior to lecturing at Southampton Solent University Nicola worked as a lawyer and before that in a number of operational and managerial roles for A.P. Moller/Maersk Line and Hamburg Sud. She also has extensive experience of lecturing and running programmes at Liverpool John Moores University and lecturing in Greece and Iran.

