

Polarworthiness – a new standard of seaworthiness in the Polar context?

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Mr. Cullen’s presentation will speak to issues of seaworthiness arising in the context of commercial shipping in Polar waters (contracts of carriage including bills of lading and charter parties, insurance, regulations, etc). The presentation will review the risk analysis approach favoured by the authors of the Polar Code and its implications for risk management in such waters, particularly as it pertains to the defence of “due diligence”. It will also touch upon similar issues arising under a number of international conventions whose application is currently uncertain in the Polar context. Mr. Cullen’s thesis – that the Polar Code elevates the applicable standards of fitness to a new level described as “polarworthiness” – will point out the challenges faced by owners, operators, regulators and shipping interests in meeting and abiding by such standards.