

## **Cruise ship law**

Cruise ships have been used to ferry cargo and passengers in international trade between countries for close to 3000 years. It is currently a huge part of the hospitality business. Cruise ships spend most of their time in international waters and thus usually under international water laws. Each ship is required to carry a flag of the country where it is registered.

While a ship is at sea, the laws of the country of the flag carried by ship would apply. Usually, countries do not have many laws that apply to the ship at sea, so the ships are on their own to govern themselves. However, there are laws that apply when something gets lost, or someone gets injured. The use of such laws depends on where the ship touched land. For instance, for cruise ships that departed from or returned to United States ports, the United State's laws would apply. For United States passengers on a cruise ship in any part of the world, U.S. laws will apply because they are American citizens. However, general maritime laws have been developed to be consistent from one country to another to ensure that the law is uniform.

There are two variables for passengers on cruise ships; the U.S. laws and the laws of Europe, generally named as the Athens Convention laws. The U.S laws are more protective towards cruise ship passengers compared to laws of the European Union.

Crew members are rarely U.S or European citizens; generally, they are from countries where labor costs are very low, to allow cruise ships to hire workers at very economical wages. The laws between the ship and the crew members are governed by the contract conditions between the crew members and the cruise line. For instance, if crew members happen to be injured in a place where they can get ashore in the U.S. or European Union, they should be protected by these jurisdictions' laws. However, the cruise line will prefer sending them back to

the country of origin, so they will be subject to those countries' laws where the treatments will generally be more favorable to the cruise line.

Passengers in cruise ships are governed by laws in the ticket contract conditions. Usually, ticket contracts are very long and difficult to comprehend by people who are not maritime lawyers. A passenger should know in a ticket contract include the filing of a lawsuit within a year in case of an injury. Cruise line tickets also specify exactly where any lawsuit claims must be brought. For instance, most cruise ships that operate from U.S ports specify that any lawsuits must be brought in federal courts without a jury in Miami, Florida. Passengers should also be aware that there are very strict liability limitations in the cruise line ticket contracts for damages or lost passenger property.

One of the principles that have been used to protect crew members and individuals who provide equipment, services, and supplies to the ship is the concept of maritime liens. Maritime liens are claims against the ship itself, not the company that owns and operates the ship, but against the ship itself. The concept personifies the ship. So the person who has an injury, whether it is a crew member or a passenger or any party who has provided goods, supplies, and services to that ship, has a claim against the ship itself. That means that the person with the claim can seize the ship. The ship can be held by the marshal or the authorities in any court of the world that recognizes maritime liens. This is used to get ships to make payments on claims. If the cruise line wishes to protest a claim, they must file a bond before the ship is released to go on its way.

Cruise passengers are urged by cruise lines to take shore excursions, and the cruise lines sponsor the shore excursions. However, the cruise passengers are not protected by the laws under maritime laws while they are on land. Maritime laws apply to water excursions. A particular

issue that is not commonly known but passengers need to know is that medical staff on cruise lines are not employees of the cruise line. They are independent contractors and are, therefore, liable for errors and mistakes that they commit. The cruise line can only be held liable if they knew that the medical staff was incompetent.

Cruise ships are also bound by environmental regulations. Ships of all kinds are strictly restricted from discharging dangerous products into the oceans or bringing any dangerous hazardous products onshore.

As a manager, I have learned that Cruise ship laws are different from laws on land. Cruise lines should educate their staff on the maritime laws and laws from their respective countries. Passengers should also understand the conditions of the cruise line tickets and also learn about the Maritime laws. As a manager who in the future would be in a business that provides goods, supplies, or services to a ship, it was interesting to learn about the concept of maritime liens.