

eller for at hindre arrest, skal enhver senere arrest i skibet eller i et andet skib som har samme ejer, efter begæring af samme sagsøger for samme søretskrav, ophæves og skibet frigives af retten eller den kompetente juridiske myndighed i vedkommende stat, medmindre sagsøgeren for nævnte ret eller myndighed fører fyldestgørende bevis for, at sikkerheden var endelig frigivet før den senere arrest blev gjort, eller at der er en anden gyldig grund til at opretholde arresten.

- (4) Når i tilfælde af bareboat-befragtning befragteren, men ikke den registrerede reder, er personlig ansvarlig for et søretskrav, som gælder skibet, kan sagsøgeren arrestere dette skib eller et andet skib, som ejes af befragteren, i overensstemmelse med bestemmelserne i denne konvention: men intet andet skib, som tilhører den registrerede reder, kan arresteres for sådanne søretskrav.

Bestemmelserne i dette stykke skal også gælde i andre tilfælde, hvor en anden person end den registrerede reder er ansvarlig for et søretskrav i forbindelse med det pågældende skib.

Artikel 4

Et skib kan kun arresteres efter afgørelse af en domstol eller anden kompetent juridisk myndighed i den kontraherende stat, hvor arresten er begæret.

Artikel 5

Den domstol eller kompetente juridiske myndighed, inden for hvis jurisdiktion et skib arresteres, skal ophæve arresten, hvis tilstrækkelig sikkerhed stilles, med undtagelse af tilfælde, hvor et skib er arresteret for et søretskrav som nævnt i artikel 1 (l) (o) eller (p). I sådanne tilfælde kan retten eller vedkommende myndighed tillade den person, som har skibet i sin besiddelse, at fortsætte med at bruge skibet mod tilstrækkelig sikkerhed, eller den kan træffe anden bestemmelse med hensyn til brugen af skibet i den tid arresten varer.

any one of such jurisdictions, or bail or other security has been given in such jurisdiction either to release the ship or to avoid a threatened arrest, any subsequent arrest of the ship or of any ship in the same ownership by the same claimant for the same maritime claim shall be set aside, and the ship released by the Court or other appropriate judicial authority of that State, unless the claimant can satisfy the Court or other appropriate judicial authority that the bail or other security had been finally released before the subsequent arrest or that there is other good cause for maintaining that arrest.

- (4) When in the case of a charter by demise of a ship the charterer and not the registered owner is liable in respect of a maritime claim relating to that ship, the claimant may arrest such ship or any other ship in the ownership of the charterer by demise, subject to the provisions of this Convention, but no other ship in the ownership of the registered owner shall be liable to arrest in respect of such maritime claims.

The provisions of this paragraph shall apply to any case in which a person other than the registered owner of a ship is liable in respect of a maritime claim relating to that ship.

Article 4

A ship may only be arrested under the authority of a Court or of the appropriate judicial authority of the Contracting State in which the arrest is made.

Article 5

The Court or other appropriate judicial authority within whose jurisdiction the ship has been arrested shall permit the release of the ship upon sufficient bail or other security being furnished, save in cases in which a ship has been arrested in respect of any of the maritime claims enumerated in Article 1 (1), (o) and (p). In such cases the Court or other appropriate judicial authority may permit the person in possession of the ship to continue trading the ship, upon such person furnishing sufficient bail or other security, or may otherwise deal with the operation of the ship during the period of the arrest.