

50819 3 2 1 "Who may render assistance to a distressed vessel and become a salvor?"

On land, the person who rushes in to save another's property from danger is considered a nosey intermeddler with no right of reward. At sea, the person who voluntarily saves property from a maritime peril is a salvor entitled to a liberal monetary salvage award.

To be entitled to an award for salvage services, first, one must be a volunteer, in the sense that he is under no legal obligation to render that service. Second, one must personally contribute to the service rendered. One exception is made for owners and charterers who may be entitled to share a salvage award without rendering personal services to the distressed vessel, if they provide their ship voluntarily for the salvage effort. Examples of those who cannot claim salvage as volunteers are members of the Coast Guard whose duty it is to render assistance to vessels in distress and city firemen who extinguish a fire aboard a docked ship.

The master, officers, and the crew of the salving vessel are all eligible for an award for their salvage services. Even individuals who do not participate in the salvage operation by manning pumps or boarding the distressed vessel are entitled to share in an award, if they contribute to the mission as a whole.

However, there is a limit. In the case of The Barge ULAK the admiralty court was faced with salvage claims from a double crew on a tug. The crew on duty fought and extinguished the fire from Hades on an oil barge. The on duty crew was dirty and exhausted, and some

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were injured . . . the relief crew slept through the salvage. With no cameras in the courtroom, the court summarily denied salvage to the sleeping crew.

Over the years, shipowners made too many seamen "voluntarily" give up their rights to salvage as a condition of employment. Now 46 U.S.C. § 10317 prevents seamen from forfeiting or abandoning their rights to salvage by agreement. Non-seamen entitled to salvage may freely give up their rights to salvage and may waive an award.

More next week on The Admiralty Docket. Until then, remember your rights and responsibilities may change as you approach the shore and may God Almighty grant you pleasant sailing. 50819

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