

**JEREMY PRAIN**

Partner
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Overview

Jeremy Prain is a partner in our Cape Town office in the Shipping and Logistics practice.

He specialises in shipping and transport law and has expertise in admiralty dispute resolution, emergency response, shipping finance, ship sale and purchase, carriage of goods, marine insurance, road and rail transportation, and commodities and regulatory law.

Jeremy is described in the Legal 500 as "providing top-notch service".

He has BA and LLB degrees from Stellenbosch University and an LLM from the University of Cape Town. He is dual qualified as a lawyer in South Africa and England and Wales and is a member of the Maritime Law Association.

Experience

Jeremy's significant matters include:

- Acting for P&I insurers in response to casualties along the South African coastline, most recently involving a collision between the "Sunrise Jade" and mv "Lezandi" and fires aboard the car carrier "Tai Shan" and the container vessel "Maersk Londrina"
- Acting for financiers in the judicial sale of the mv "Tarik III" and related litigation
- Successful associated ship arrests and attachments to enforce maritime claims
- Acting for lenders in ship finance transactions for the acquisition of diamond mining vessels
- Advising a major clothing retailer with regard to a bills of lading dispute

He has represented successful parties in the following High Court cases:

- *Kuehne & Nagel Ltd v Moncada Energy Group SRL* [2016] ZAGPJHC 26
- *CH Offshore Ltd v PDV Marina SA and Others* [2013] ZAKZDHC 62
- *KP7 International SA v Glory Wealth Shipping (PTE) Limited* 2011 (4) SA 461 (WCC)
- *MSC Gina: Mediterranean Shipping Co SA v Cape Town Iron and Steel Works* 2011 (2) SA 547 (KZD)
- *Chambers and Partners, 2018* recognised Jeremy and an Up and Coming lawyer for Shipping.
- Recognised by *Best Lawyers 2017* for Maritime Law.
- *Chambers and Partners 2017* ranked Jeremy as "up and coming" for Shipping.
- Jeremy is listed in the Legal 500 (a guide to the world's leading law firms), which describes him as an "outstanding practitioner". He is also a contributor to the South African chapter of *The Shipping Law Review* published by Law Business Research.

The "user-friendly" Jeremy Prain is qualified to practise in England and Wales as well as South Africa. He acts alongside department head Craig Cunningham at the firm's Cape Town office, and is building a considerable reputation for ship arrests and collisions work. He recently led a case on behalf of the owners of a vessel and their P&I and hull and machinery insurers, in the aftermath of a collision off Cape Point

which resulted in loss of the vessel. Market sources praise his pragmatic approach, saying: "He is impressive and has great skills. He gets things done." – **Chambers and Partners 2017**

"Jeremy Prain, who is 'knowledgeable', 'embedded in the maritime industry' and is 'comfortable with working in cross-border matters'" – **Legal 500**

Publications & Insights

- Admiralty procedure: more than just 'associated ship' arrests
- Arresting a bareboat charterer's rights in South Africa
- Bareboat charter claims and judicial ship sales
- Court recognises territory of Western Sahara's prima facie right in cargo dispute
- Cross-border insolvency and ship arrests
- High Court clarifies effect of arrest in rem pending appeal
- High Court upholds arbitration agreement in cargo handling services agreement
- How effective are protective writs?
- Judgment and arbitration award enforcement: the admiralty law perspective
- Marine insurance: High Court revisits breach of warranty
- Marine insurance: High Court revisits insurable interest
- Market woes continue as ships go under the hammer
- MV Alina II: Judge declares charterparty a fraud
- Parent company guarantee held to be maritime claim
- Performance Guarantees in Shipbuilding Agreements
- Pre-action security: advantages of South Africa in an uncertain market
- Protecting The Necessaries
- Reefer owners beware
- SA Constitution comes to the fore in North African cargo dispute
- Shark diving operators: test for negligence and limitation of liability
- Supreme Court of Appeal considers Merchant Shipping Act warranty
- Viking Fishing v Mutual and Federal, Round Two: Supreme Court of Appeal considers the Merchant Shipping Act Warranty