

The “Tai Prize”: permission to appeal refused by the Supreme Court

The Supreme Court has refused permission to appeal in The “Tai Prize”, so affirming the decision of the Court of Appeal ([2021] EWCA Civ 87; [2021] 2 Lloyd’s Rep 36).

That decision, commented on more fully [here](#), therefore stands as the leading authority on a number of important issues concerning inter alia the meaning of “apparent good order and condition” in bills of lading, the extent to which there are to be implied indemnities in voyage charters at common law, and how any such implied indemnities might fit alongside the Hague/Hague-Visby Rules where incorporated. It also admits of the interesting possibility that a claim might be brought against a voyage charterer with actual knowledge of defects in a cargo before loading, but nonetheless invites the Master to sign a clean bill.

Members of 4 Pump Court appeared for both parties in this interesting and significant dispute, reflecting the strength in depth of Chambers’ leading shipping team. [James Leabeater KC](#) and [Rani Noakes](#), instructed by Nicholas Woo, Lisa Wortley, Melanie Bonte and Xianguang Ni of Birketts LLP, acted for the disponent owners. [Alexander Wright KC](#), instructed by Darryl Kennard and Andrew Hawkins of Penningtons Manches Cooper LLP, acted for the voyage charterers.