

DELAWARE NORTH MARINE EXPERIENCE PTY LTD v THE SHIP "EYE-SPY"

Charterparty (bareboat) – Due diligence – Latent defect – Bareboat charterers bringing proceedings in rem for breach of charterparty following failure of stern tube assembly – Whether shipowners in breach of due diligence obligation – Whether defect was latent – Effect of delivery "as is – where is" – Whether defect caused by negligence of charterers – Whether charterers in breach of obligations relating to redelivery – Whether daily rate for delay in redelivery was a penalty – Whether security for arrest excessive.

[2017] 2 Lloyd's Rep. 463