



THE SUPREME COURT OF APPEAL  
REPUBLIC OF SOUTH AFRICA

**MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL**

**NAME OF SHIP: OLYMPIC COUNTESS**

**FORTIS BANK (NEDERLAND) N V / ORIENT DENIZCILIK TURIZM SANAYI VE  
TICARET A S CASE NO 242/2006**

**From :** The Registrar, Supreme Court of Appeal

**Date:** 21 September 2007

**Status:** Immediate

***Please note that the media summary is for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal.***

The Supreme Court of Appeal today upheld an appeal against a judgment of the High Court, Durban, concerning the ranking of claims under s 11 of the Admiralty Jurisdiction Regulation Act. The question was whether the claim of a creditor who had paid the person who had rendered services to a ship at Istanbul more than a year before the creditor instituted proceedings in Durban ranked ahead of the claim of a Dutch mortgagee. The Supreme Court of Appeal held that on a proper construction of the section the claim of the mortgagee enjoyed priority.

**- ends -**