

Latin American Bulletin

December 2015

The Standard
for service and security

The Standard



Constantino Salivaras
Manager

+55 21 3736 3653
constantino.salivaras@ctplc.com

In this third Latin American special edition of The Standard Bulletin, we wanted to focus on a common theme that we believe is affecting many countries in the region: shipping legal updates and reforms.

Latin American jurisdictions are undergoing some legal changes. Many countries are trying to update and strengthen their legal institutions and regulations to align them with international practices, focusing on integration, security and certainty:

- integration – at regional and international levels;
- security – by having a more robust legal system;
- certainty – by developing and improving the laws to be applied by judges.

In this bulletin, we focus on Chile, Brazil, Uruguay and Argentina, as these are some of the countries that are making changes.

For example, Brazilian Congress is revising the Commercial Code that has been in existence since 1850. The code may be amended to include a chapter on carriage of goods by sea and would also allow the right to limit in Brazil, amongst other reforms. Likewise, Uruguay has enacted a new 2014 law, which has reduced time bars from 20 to two years.

The articles in this bulletin look at these developments and others that aim to align Latin American jurisdictions with the rest of the world.

However, these legal updates are yet to be tested by the local courts, and they cover only a small part of the region, which, as a whole, requires substantial changes to be implemented if Latin America is to maximise its potential.



In this edition

- 2 Arbitration: a solution to Brazilian judiciary crisis?
- 4 Introduction of a new right to limit liability in Brazil – implications for the offshore sector
- 6 Latest developments in Chilean Shipping Law
- 8 Uruguayan Shipping Law update
- 10 New Argentinian Civil and Commercial Code
- 12 Map of Latin American countries covered in legal overview
- 14 Property cover from The Standard Syndicate