Title: O.W. Bunker: National solutions to a global collapse

ABSTRACT:

The Danish company O.W Bunker & Trading A/S collapsed in dramatic fashion on 7 November 2014 amid allegations of fraud and improper dealing. The abrupt disappearance of this important intermediary in the business of bunker supply caused immediate financial problems for bunker suppliers and ship operators all over the world, leading to litigation in many different countries that continues to this day. This paper will attempt a comparative analysis of the many different ways that countries around the world have approached the difficult task of choosing where a substantial loss should be allocated between two innocent parties, the bunker supplier and the ship operator. Several different legal concepts have been used in different parts of the world, highlighting different national approaches to such centrally important legal issues as contractual privity, agency, title to goods, and risk management.