

HFW



**WHY CHOOSE HFW?**  
**OUR FERRY PRACTICE**



## OUR FERRY PRACTICE

HFW is an international law firm with a global reputation for excellence and innovation. We deliver a practical and commercial response to our clients' legal requirements no matter where they are in the world.

We have over 700 lawyers working across the Americas, Europe, the Middle East, Asia and Australia. We advise clients on legal issues in relation to all aspects of international commerce.

Our multi disciplinary ferry team is spread across our international network of 21 offices, and supports the full spectrum of industry stakeholders and asset types; including ro-ro, ro-pax and passenger only ferries.

At its core, our ferry team consists of a specialist group of experienced, international corporate and transactional lawyers, regulatory lawyers, litigators and admiralty and crisis response experts, all with an in-depth technical and commercial knowledge of the ferry industry. The team is able to draw on additional specialist legal skills, support and experience from across our global network.

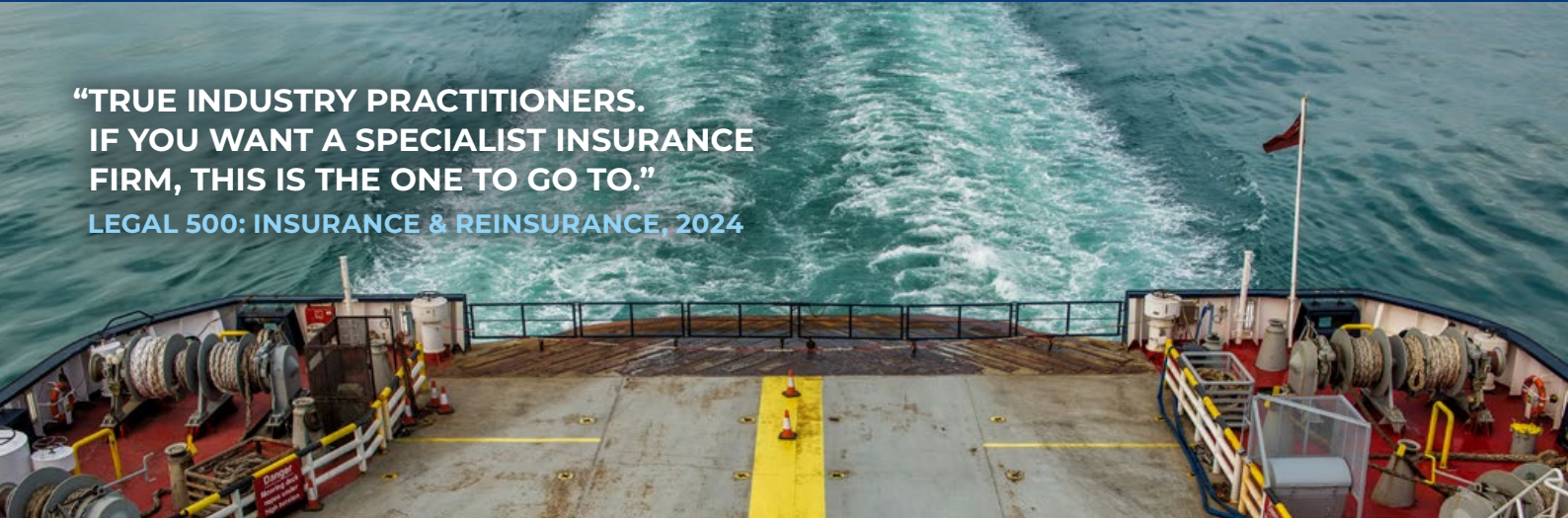
Our in-depth knowledge and first-hand experience of the operation of ro-ro and ro-pax vessels and other large passenger ships and the ports and terminals they serve, combined with our international reach, ensures we are pre-eminent in the provision of full service legal support to your industry.

You will find enclosed details of our core services to the ferry industry and some examples of our ferry team's broad industry and technical experience.

For more information on these services and full contact details of each member of the team please visit [www.hfw.com/shipping](http://www.hfw.com/shipping).

**“TRUE INDUSTRY PRACTITIONERS.  
IF YOU WANT A SPECIALIST INSURANCE  
FIRM, THIS IS THE ONE TO GO TO.”**

**LEGAL 500: INSURANCE & REINSURANCE, 2024**



## MARINE INSURANCE

**With one of the oldest and largest marine practices in the world, our specialists are able to advise on all aspects of marine insurance.**

### Casualty Support

We are the world's leading crisis management law firm and regularly assist insurers in the resolution of claims arising out of major marine casualties which pose substantial risk to life, property, the environment and reputation. We are trusted by insurers to respond to business critical events and support them thereafter for as long as they need us. We have extensive experience of responding to fires, collisions, groundings, piracy attacks, personal injuries and the full range of other incidents suffered by ferries and their passengers, cargo and crew. We advise on all legal implications arising from such casualties and our experienced master mariners can provide on the ground support.

### Coverage

We support clients on policy coverage and subrogation disputes and are often retained by insurers, assureds, insurance brokers and lenders to advise on the correct application and effect of a particular insurance policy. Such disputes often give rise to complex questions of fact and detailed technical knowledge. Within our team we have master mariners who have sailed as deck officers on board ro-ro and ro-pax vessels and other large passenger ships. This provides us with an unparalleled depth of knowledge and understanding of insurance claims and other matters as they relate to the ferry industry. We speak your language.

### Policy reviews

We regularly advise ship owners, lenders, managers, insurers and shipyards on the drafting of wordings for marine, insurance policies, including in respect of new

building projects, property, liability, crew, war and builder's risks. We are experts at ensuring that insurance wordings reflect the intentions of the product and dovetail with the client's contractual obligations and risk appetite.

### Market Leading

We have been at the forefront of many leading, marine insurance cases in recent years:

- *Venetico Marine SA v International General Insurance Company Limited and Nineteen Others* [2013] EWHC 3644 (Comm) (the “IRENE EM”) when we updated the law on CTL/ATL and how a CTL is calculated.
- *Kairos Shipping Ltd v Enka & Co LLC and Ors* [2014] EWCA Civ 217 (the “ATLANTIK CONFIDENCE”) when we broke the tonnage limitation for the first time ever in a common law jurisdiction and successfully proved that the vessel was scuttled.
- *Versloot Dredging BV and another (Appellants) v HDI Gerling Industrie Versicherung AG and others (Respondents)* [2016] UKSC 45 (the “DC MERWESTONE”) when we redefined the scope of the fraudulent device doctrine.
- *Cosco Bulk Carrier Co Ltd v Tianjin General Nice Coke and Chemicals Co Ltd (the “JIA LI HAI”)* [2017] EWHC 2509 (Comm) when we successfully claimed contribution from cargo interests against an unseaworthiness defence.

**“A HIGHLY EXPERIENCED TEAM  
WITH ENORMOUS BREADTH  
AND DEPTH OF EXPERTISE -  
ONE OF THE MARKET LEADERS IN  
LONDON AND INTERNATIONALLY.”**

**LEGAL 500, INSURANCE:  
INSURANCE & REINSURANCE, 2024**



The background image of the top section shows a close-up of a ship's propeller on the right side, with the sea and distant mountains visible in the background under a cloudy sky.

**“UNIQUE IN COMBINING SECTOR EXPERTISE WITH DEEP KNOWLEDGE AND UNDERSTANDING OF LITIGATION AND ARBITRATION PROCEDURE.”**

**LEGAL 500, DISPUTE RESOLUTION 2023**

## DISPUTE RESOLUTION

**HFW has a market-leading disputes practice, representing clients in international arbitration and court proceedings throughout the world. The strength of our disputes practice is reflected by the range of disputes that we advise on and our successful track record.**

### **Our approach**

We combine global disputes-handling expertise with in-depth market knowledge of the ferry and wider shipping industries and a focus on delivering the best results for our clients; whether through dispute avoidance or dispute resolution, in court or by arbitration. Our clients include ship owners, builders, lenders, designers, charterers and managers. They trust us to protect their interests whenever and wherever the need arises.

### **Arbitration**

We have handled arbitration proceedings in many jurisdictions and under all of the main international arbitral bodies, including: ICC, UNCITRAL, LCIA, SIAC and LMAA. We have successfully represented clients in making or defending claims under building contracts, conversion contracts, memoranda of agreement, charters and brokerage agreements.

Our aim is always to achieve the best result for our clients, whether through settlement or final award. We never forget that our clients are more important than the case.

### **Litigation**

We have represented clients in courts around the world and use our international network of offices to ensure that we leverage the firm's specialist local and industry knowledge. We also have longstanding contacts with litigation specialists throughout the world.

Our work includes: securing and resisting ship arrests, managing or contesting applications for freezing orders, search orders, orders for the preservation of evidence, attachments of property, overseeing substantive proceedings and enforcement issues.

We act quickly and decisively by combining our knowledge of substantive and procedural law with our understanding of the ferry industry. We are ready to protect our clients' rights and interests whenever and wherever required.

**“HFW IS A PRESTIGIOUS SHIPPING PRACTICE NOTED FOR ITS EXTENSIVE GLOBAL REACH.”**

**CHAMBERS GLOBAL, SHIPPING: LITIGATION - GLOBAL MARKET LEADERS, 2024**

**“HFW HAS THE KNOWLEDGE AND COMPETENCE TO OPERATE AT THE VERY HIGHEST LEVEL ON MULTI-JURISDICTIONAL CASES.”**

**LEGAL 500, DISPUTE RESOLUTION: COMMERCIAL LITIGATION, 2024**

**“PARTICULARLY ASTUTE  
IN HANDLING CASUALTY  
RESPONSE ACROSS ITS OFFICES.”**  
CHAMBERS, ASIA-PACIFIC:  
SHIPPING 2024



## ADMIRALTY AND CRISIS MANAGEMENT

**Our ferry team includes members of the firm’s renowned admiralty and crisis management team, which is comprised of over 40 lawyers and master mariners based in our offices across our global network. Clients utilising our admiralty and crisis management expertise include ship owners, P&I clubs, salvors, banks, managers, shipyards, insurance brokers and underwriters and governments.**

We are the world’s leading crisis management law firm. We advise on all legal issues arising from maritime emergencies including collisions, grounding, pollution, fire and explosion, salvage, wreck removal and towage, security in complex environments, personal injury and loss of life, piracy, kidnap and ransom and cyber breaches. We have been involved in several major marine casualties involving ro-ro, ro-pax and other large passenger vessels in recent years.

### **Focussed and collegiate team**

The breadth of experience and collegiate approach of our admiralty and crisis management team enables us to deliver collective knowledge and technical expertise, whilst maintaining a personalised relationship service.

### **Strength in depth**

Our admiralty and crisis management team includes experienced casualty response lawyers and master mariners versed in the operation of ro-ro, ro-pax and passenger vessels, and a formal naval architect. With members of our admiralty and crisis management team integrated within our ferry

team, we are able to deliver comprehensive support when and where required. We deliver the strength and depth necessary to support our clients on the most urgent, challenging and complex matters.

### **Emergency out of hours service**

Members of our admiralty and crisis management team are available to travel on demand, 24 hours a day, 7 days a week, 365 days a year to anywhere in the world. Our global network means we can be on location, if needed, within 24 hours practically anywhere.

### **Our Approach**

- We understand the need for a rapid response and work closely with clients to ensure a timely and efficient response in any situation.
- Our expertise in managing crises of all types, combined with our understanding of the specialised and sophisticated operations involved in ferries and the ferry industry’s specific concerns and needs, enables us to protect our clients’ interests in the most appropriate manner.
- We operate seamlessly across our global network of offices, enabling us to offer local knowledge and around the clock support.

Our admiralty and crisis response team can be reached via the contact details on our website or through the emergency line +44 (0) 20 7709 7702.

**“A VERY EXPERIENCED TEAM WITH  
A RANGE OF EXPERTISE WHICH  
SPANS MULTIPLE DISCIPLINES.”**

**LEGAL 500, TRANSPORT: TRAVEL, 2024**



**“THE TEAM AT HFW PROVIDES RESPONSES THAT ARE SWIFT, ACCURATE AND OF THE HIGHEST QUALITY.”**

**CHAMBERS GLOBAL, SHIPPING: FINANCE, 2024**

## TRANSACTIONAL

**Within our leading ferry team we have a group of expert, international transactional lawyers with experience of all aspects of the ferry industry.**

### **Breadth of experience**

We represent the full spectrum of the ferry industry's stakeholders, including ship owners, banks and financial institutions, builders, charterers and managers. The breadth of our client base enables us to see matters from the perspective of each side and put forward innovative and practical solutions to any commercial differences.

### **Depth of expertise**

We advise on the full contractual life cycle of the ship and assist clients with matters including:

- Design agreements and intellectual property issues
- Construction agreements
- Ownership structures
- Financing and leasing arrangements
- Ship sale and purchase transactions
- Restructuring of distressed loans
- Registration arrangements
- Management agreements
- Crewing and employment matters
- Refit and repair contracts
- Charterparties
- Physical and cyber security arrangements
- Health, safety and regulatory compliance
- Ship recycling

### **Commercial perspective**

The expertise of our ferry team is founded upon many years' experience within the ferry and wider maritime industries. Such expertise and experience enables us to bring a broad commercial perspective to the advice and support that we offer our clients. We take a pragmatic approach to problem solving and risk analysis with the aim of meeting our clients' objectives in an efficient and timely manner.

### **More than just transactional lawyers**

The strength of our litigation and crisis response practice means that our transactional team can obtain insightful support from colleagues around the world with a wealth of experience and expertise on maritime disputes. Several of those colleagues are ex-seafarers who have served as deck officers on board ro-ro and ro-pax vessels and other large passenger ships and who can therefore provide practical advice on technical and operational issues which go beyond the expertise of most other shipping lawyers.

**“HFW'S CAPABILITY TO HANDLE COMPLEX AND SOPHISTICATED MATTERS IS SECOND TO NONE. THEY ARE TRULY A ONE-STOP SHOP, WITH ALL THE NECESSARY EXPERTISE IN ONE FIRM.”**

**CHAMBERS GLOBAL, SHIPPING: FINANCE, 2024**

**“THE TEAM ARE PRAGMATIC AND COLLABORATIVE. THEY HELP TO FIND PRACTICAL SOLUTIONS TO COMMERCIAL ISSUES IDENTIFIED IN THE COURSE OF VARIOUS PROJECTS.”**

**LEGAL 500, FINANCE: TRANSPORT FINANCE, 2024**

**“EXPERIENCED PRACTICE WITH SIGNIFICANT EXPERTISE IN SHIPPING FINANCE MATTERS COVERING WORK FOR CLIENTS INCLUDING SHIPYARDS, OWNERS, OPERATORS AND FINANCIAL INSTITUTIONS, EXCELS IN OPERATIONAL AND TECHNICAL ISSUES.”**

**CHAMBERS, UK-WIDE: ASSET FINANCE, 2024**

## SHIP FINANCE

**Within our ferry team sits a group of experts in international ship finance. Our commitment to and experience of the ferry industry and its specific financing requirements has made us one of a handful of preferred advisors to the industry and its financiers.**

### Industry wide expertise

Our finance lawyers act for the full range of borrowers and financiers including:

- Owners and operators
- Banks and private equity firms
- Export Credit Agencies
- Shipyards

### Solutions focussed

Our experience in assisting such a broad range of clients gives us a deep understanding of the parties' commercial drivers and allows us to offer a pragmatic and solutions-driven approach.

Recent transactions include:

- Pre and post delivery debt financing, both bilateral and syndicated
- Leasing
- ECA supported financings
- Debt capital markets
- Construction financing for yards
- Secured seller's credit
- Corporate debt

### Workouts and enforcement

We are experienced in helping our clients manage challenging times, including restructurings and workouts and, if need be, the enforcement of security.

The breadth of the firm's wider ferry team means that our finance lawyers are able to draw on insightful support from colleagues around the world with a wealth of experience and expertise on disputes and accidents in the ferry industry. Several of those colleagues are ex-seafarers who have served on board ro-ro vessels and other large passenger ships and who are therefore able to provide practical advice on technical and operational issues far beyond the expertise of most other shipping lawyers.

**“A VERY EXPERIENCED TEAM WITH A RANGE OF EXPERTISE WHICH SPANS MULTIPLE DISCIPLINES.”**

**LEGAL 500, TRANSPORT: TRAVEL, 2024**

**“HFW IS A LEADING FIRM IN SHIPPING. THE TEAM IS OUTSTANDING IN FINANCE AND CLASSICAL SHIPPING LAW.”**

**CHAMBERS GLOBAL, SHIPPING: FINANCE, 2024**



**"IT'S A TOP-TIER FIRM FOR LOGISTICS."**

**CHAMBERS UK-WIDE, TRANSPORT: LOGISTICS, 2024**

## PORTS & TERMINALS

**HFW is home to one of the legal industry's largest ports and terminals teams focused on the acquisition, disposal, development and operation of national and international ports and terminals, including a range of freight and passenger shipping ferry terminals.**

Our team is made up of specialist transactional and dispute resolution lawyers and has a wealth of experience, following involvement in ports and terminals projects in more than 100 locations globally (including China, Australia, India, the Middle East, Africa, North and South America as well as in the UK and other European countries).

### **Strength in-depth**

Our experience has been gained, not only from our involvement with the world's leading terminal operators and users, but also through the employment of lawyers and industry experts from terminal operating companies, logistics providers and shipping lines.

### **Our experience**

Our clients include national and international ferry operators, leading global port and terminal operators, national and international stevedores, national port authorities, investment funds, foreign governments and transport and logistics companies. Our recent ports and terminals experience in the ferry industry includes:

- Acting for a European ferry operator in relation to the drafting of a terminal user agreement for the use of ro-ro services and facilities at Felixstowe.
- Assisting a ferry operator with the review and amendment of letters of intent for terminal services and a review of a terminal services agreement and a port agency agreement.

- Advising on a port and terminal service agreement for the Humber Sea Terminal, North Killingholme.
- Representing a UK ferry operator in relation to the termination of a long-term terminal services agreement in connection with the migration of its services to a competing terminal in the region, and providing competition law advice as necessary.
- Acting for a ferry terminal operator following the collapse of a linkspan during installation and considering the issues arising under the installation contract as well as liaising with the involved insurers.
- Advising a ro-ro freight ferry operator on the carriage of livestock on board.
- Advising a European ferry operator in relation to the closure of certain routes and claims arising from terminal operators in connection with premature termination.
- Advising on claims of US\$15m following a passenger ferry allision with a terminal operator's berth and cranes.
- Advising a leading ferry operator on time and bareboat charter party disputes in relation to ro-ro vessels.
- Assisting the North Sea Operators Claims Conference on standard conditions of carriage for ferry operators in the North Sea and the Baltic Sea.

**"HFW HAS A MARKET-LEADING LOGISTICS PRACTICE WITH EXPERIENCE IN A WIDE ARRAY OF MATTERS INCLUDING TRANSACTIONS, LOGISTICS DISPUTES AND COMPETITION ISSUES."**

**CHAMBERS UK-WIDE, TRANSPORT: LOGISTICS, 2024**



**“EXTENSIVE EXPERIENCE ACTING ON  
COMPLEX AND HIGH-VALUE DOMESTIC  
AND CROSS-BORDER TRANSACTIONS.”**  
CHAMBERS UK, 2024

## CORPORATE

**We like to get things done. It is this pragmatism, combined with our creative approach to complex challenges, that makes us our clients’ go-to corporate and commercial advisers.**

Our corporate group includes over 60 lawyers who together have concentrated expertise in a range of industry sectors as well as in our practice specialisms. It is this combination of commercial expertise and practice specialism that enables us to deliver practical and commercial responses to the legal requirements of our clients’ businesses.

Our clients range from state owned entities and large multinational corporations, financial intermediaries and institutional investors to high growth ventures and SME’s. Our team offers substantial international experience having assisted businesses in delivering their objectives throughout the world.

### Our approach

Our approach is commercial and practical; our advice pragmatic and constructive. We are here to get deals done and we can do them anywhere because of our strong, highly-experienced teams that are located both nationally and internationally.

### Our experience

Our international corporate team has extensive experience of advising on high value, domestic and cross-border transactions. We combine deep sector knowledge with experience across all corporate disciplines to deliver pragmatic and commercially valuable advice.

Our recent corporate ferry experience includes:

- Advising one of the world’s leading ferry operators on the acquisition of a majority shareholding in an Eastern Mediterranean ferry operator and logistics company.

- Acting for a European ferry operator providing specialist due diligence advice in relation to port operations and a proposed acquisition of a minority shareholding in a complimentary ferry operation.
- Acting for a North Sea ro-ro operator in connection with their acquisition of a company operating a ro-pax service in the Irish sea, including due diligence and negotiating the sale and purchase agreement with the owners, a US-based venture capital fund. Preparing and submitting competition clearances in the UK and Ireland (in conjunction with Irish counsel).
- Acting for a major bank in connection with a due diligence project for restructuring finance connected with a South American ferry operator.
- Assisting a North Sea ro-ro operator in connection with claims for breaches of the warranties given in the share sale and purchase agreement by a US-based venture capital fund. Successfully recovering certain monies held in a retention account following completion of the original transaction.
- Advising a leading ferry company on a contract to provide emergency freight capacity to the UK Department for Transport.

**“STRONG LEGAL CAPABILITIES,  
UPDATED ON NEWEST LEGAL  
DEVELOPMENTS, GOOD COMMERCIAL  
UNDERSTANDING AND ABILITY TO  
SUGGEST VARIOUS SOLUTIONS TO  
A CONCERN OR RAISED PROBLEM.”**

LEGAL 500, TRANSPORT: SHIPPING, 2024

**“DEDICATION TO MARINE SHIPPING  
SECTOR, TECHNICAL KNOWLEDGE  
AND COMMERCIAL CAPABILITY.”**

LEGAL 500, TRANSPORT: SHIPPING, 2024

**“THEY HAVE PROFESSIONALISM,  
ADAPTABILITY AND THEY’RE  
SOLUTIONORIENTED. THEY UNDERSTAND  
AND ADAPT TO THE NEEDS OF THE CLIENT.”**  
**CHAMBERS, SHIPPING, 2024**



## PERSONAL INJURY

**We have a renowned personal injury team focussing on claims made against our clients across all of our industry sectors by their customers and employees.**

Our personal injury team is experienced in dealing with all types of incident involving injury and/or death on ferries and other passenger vessels.

Our maritime specialists assist a broad range of ferry operators with personal injury claims made by crew, passengers and others. With personal injury lawyers in many of our global offices we are able to offer local support to our clients on a worldwide basis.

We are regularly instructed on health related claims and serious or fatal accidents arising either on board or whilst embarking / disembarking from vessels.

We are on standby to assist clients with:

### **Accident investigation**

Assisting clients with investigations by port state, police and other investigatory bodies and health, safety and environmental authorities. Where required, we will actively participate in such investigations on behalf of our clients.

### **Regulatory application**

Advising clients on the application of the full range of international conventions relating to the injury and/or death of passengers and employees.

### **Embarkation /Disembarkation**

Assisting with analysis of the factual matrix to establish with whom responsibility lies and the applicable legislative framework / associated insurance cover for incidents arising during the embarkation and disembarkation process.

### **Health related claims**

Advising on a broad spectrum of health related claims, ranging from isolated cases of a gastrointestinal nature to global pandemics affecting certain vessels and / or the industry as a whole. If required, in addition to dealing with the litigation arising from these incidents, we are able to provide broader strategic and operational advice based on our experience of the industry.

### **Liability assessment**

Coordinating third party experts in the assessment of damages and advising clients in respect of work related accidents and occupational diseases.

### **Quantum**

Assessing the quantum of any claim with the aim of concluding cases as efficiently and cheaply as possible.

### **Representation**

Representing clients before both civil and criminal courts in respect of personal injury, health and safety and corporate manslaughter prosecutions and/or where we do not have a local office, engaging and supervising local counsel on behalf of the client.

**“SUPERB SHIPPING LAW DISPUTES  
PRACTICE WITH OUTSTANDING  
CAPABILITIES, IT IS WELL PLACED  
TO ASSIST WITH MAJOR SHIPPING  
INCIDENTS INVOLVING CARGO  
DAMAGE, MARINE CASUALTIES  
AND PERSONAL INJURY CLAIMS.”**

**CHAMBERS GLOBAL, SHIPPING:  
LITIGATION ASIA PACIFIC, 2024**

Our global reach



\*via our cooperation arrangement with Brazilian law firm Costa, Albino & Rocha Sociedade de Advogados (CAR)



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