

HFW



COMPREHENSIVELY YACHTS



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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 yacht team has been an integral part of the yachting industry for over 35 years and our in-depth knowledge of this intimate industry, combined with our global reach, ensures we are pre-eminent in the provision of legal services to yachting.

We provide full service legal support to the yachting industry and advise on all legal issues a yacht is likely to encounter during its life, including in relation to design and construction, ownership structures, VAT arrangements, sale and purchase transactions, financing, operation, management, crewing, refit, chartering, physical and cyber security and insurance. We also advise on personal injury, health and safety, regulatory compliance and dispute resolution. Further we support owners with legal issues concerning related assets, such as berths, tenders, submarines, helicopters and business jets.

Our admiralty and crisis management team frequently acts for owners, insurers, lenders managers and other stakeholders in the yachting industry. We offer 24/7 crisis management support and are able to provide remote or on scene assistance as required. We have extensive experience advising on the full spectrum of incidents including: collision, grounding, fire, flood, salvage, total loss, berthing incidents, piracy, pollution, helicopter emergency, loss of life, cyber threats and inspection or detention issues. Members of our admiralty and crisis management team can be reached via the contact details on our website or through our 24 hour emergency line +44 (0)20 7709 7702.

You will find enclosed details of our core services to the yachting industry. For more information on these services and full contact details of each member of our yacht team please visit **www.hfwyachts.com**.



“Between the Monaco and London offices, and a global presence, their network allows them to address every issue that may arise in yachting.”

CHAMBERS, HNW: YACHTS AND SUPERYACHTS, 2023

TRANSACTIONAL

The yachting industry is an intimate one, in which an ultimate beneficial owner's desires and requirements are usually quite separate to any business activities they may undertake. With more than 35 years of experience in the yachting industry, our market leading yacht team has at its core a group of expert, international transactional lawyers with an in-depth technical and commercial knowledge of this specialist industry.

Breadth of experience

Our transactional clients come from across the spectrum of the yachting industry and include yacht owners, designers, builders, banks and other financial institutions, charterers, sale and purchase brokers, managers and insurers. 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 commercial differences.

Depth of expertise

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

- Design agreements and intellectual property issues
- Construction agreements
- Financing and leasing arrangements
- Yacht sale and purchase transactions
- Ownership structures
- Registration arrangements
- Import and export formalities
- VAT and other tax issues
- Management agreements
- Crewing and employment matters
- Refit and repair contracts
- Charterparties
- Sale and purchase of berths

- Restructuring of distressed loans for yacht owners, banks and builders
- Physical and cyber security arrangements
- Health, safety and regulatory compliance

Commercial perspective

The expertise of our yacht team is founded upon many years of experience within the yachting and wider maritime industries. Such expertise enables us to bring a broad commercial perspective to the advice and support we give 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, admiralty and crisis management, employment and regulatory practices allows the transactional specialists in our yacht team to obtain insightful support from colleagues around the world with a wealth of experience and expertise. Several of those colleagues are ex-seafarers with experience of large yachts and other passenger vessels. Such breadth of experience enables us to provide practical advice on technical and operational issues far beyond that offered by most other lawyers.

“Every question, advice or legal paper concerning my business is individually tailored to the project or client; HFW has proven to be able to handle it all. They are very well connected within the industry and are viewed as an industry standard.”

CHAMBERS, HNW: YACHTS AND
SUPERYACHTS, 2023

“HFW’s capability to handle complex and sophisticated matters is second to none.”

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



YACHT FINANCE

Within our yacht team sits a group of experts in international asset finance. Our commitment to, and experience of, the yachting industry and its specific financing requirements has made us one of a handful of preferred legal advisors to the yachting industry and its lenders.

Industry wide expertise

Our finance lawyers act for the full range of stakeholders in the yacht finance market including:

- Yacht owners
- Private banks, commercial lenders and alternative lending houses
- Shipyards
- Managers

Solutions focused

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 of a wide range of yachts, including some of the largest yachts ever built
- Cross collateralised facilities involving security over other yachts, aircraft and separate diverse assets
- Sharia compliant financings of various large yachts and other maritime assets

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 yacht 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 transactional matters, disputes and accidents in the yachting industry. Several of those colleagues are ex-seafarers experienced in the operation of yachts 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 marine lawyers.

“The team are pragmatic and collaborative. They help to find practical solutions to commercial issues identified in the course of various projects.”

**LEGAL 500 UK, TRANSPORT
FINANCE AND LEASING, 2024**

“HFW’s yacht lawyers advise clients on sophisticated cross-border financings, transactions and contentious matters. They serve some of the largest institutional clients in the market.”

**CHAMBERS, HNW: YACHTS
AND SUPERYACHTS 2024**

“HFW have a large team covering an extremely wide range of services.”

**CHAMBERS, HNW: YACHTS
AND SUPERYACHTS, 2024**

“HFW has a superb shipping law disputes practice with outstanding capabilities.”

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



DISPUTE RESOLUTION

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

Our approach

We combine global disputes handling expertise with in-depth market knowledge of the yachting and wider maritime industries, and focus on delivering the best results for our clients, whether through dispute avoidance or dispute resolution, in court or by arbitration. Our clients include yacht owners, builders, banks and other financial institutions, designers, charterers, managers and sale and purchase brokers. They trust us to protect their interests whenever and wherever the need arises.

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

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, commission agreements and brokerage agreements.

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. In those jurisdictions in which we not are present, we have longstanding contacts with local litigation specialists.

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 as well as 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 yachting industry. We are ready to protect our clients' rights and interests whenever and wherever required.

Litigation Funding

We are experienced in obtaining litigation funding for our clients. We were one of the first leading law firms to set up a dedicated funding committee within the firm. We have relationships with all of the major litigation funders and funding brokers and have recently entered into a £25 million, non-exclusive, funding portfolio facility with Augusta.

“The skilled disputes team at HFW is regularly involved in complex commercial litigation. The firm is adept at handling international disputes concerning parties in multiple jurisdictions.”

**CHAMBERS UK, COMMERCIAL
AND CORPORATE LITIGATION, 2024**

“HFW boasts an outstanding shipping disputes team.”

CHAMBERS GLOBAL, SHIPPING (LITIGATION), 2024

“HFW has a renowned team that represents both leading insurance entities and policyholders in complex coverage and reinsurance disputes.”

CHAMBERS UK, INSURANCE: CONTENTIOUS CLAIMS & REINSURANCE, 2024



MARINE INSURANCE

With one of the oldest and largest maritime law practices in the world and deep roots in the marine insurance market, our specialist insurance lawyers 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 and assureds 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 our clients to respond to business critical events and to 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 which a yacht and/or its guests and crew may suffer. We advise on all legal issues arising from such casualties and our experienced casualty response lawyers and 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 with experience in the operation of large yachts and other passenger vessels. We also have a former naval architect who

specialised in yacht design. This provides us with an unparalleled depth of knowledge and understanding of insurance claims and other matters as they relate to the yachting industry. We speak your language.

Policy reviews

We regularly advise yacht owners, lenders, yacht 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 risk. We are experts at ensuring the wordings reflect the intentions of the insurance product and dovetail with the client's contractual obligations and risk appetite.

Market Leading


We have been at the forefront of the most market leading marine insurance cases of recent years.

“HFW has very good experts who bring everything to the table.”

CHAMBERS UK, INSURANCE:
CONTENTIOUS CLAIMS & REINSURANCE, 2024

“The firm is very knowledgeable and experienced within insurance, and their lawyers are to the point and practical.”

CHAMBERS UK, INSURANCE:
CONTENTIOUS CLAIMS AND REINSURANCE, 2024



“The team provide tailored solutions and their client care is excellent.”

CHAMBERS UK, SHIPPING, 2024

ADMIRALTY AND CRISIS MANAGEMENT

Our yacht team includes members of the firm's renowned admiralty and crisis management team, which itself is comprised of over 40 lawyers and master mariners based in offices across our global network.

We are regularly called upon to assist clients in dealing with the aftermath of marine casualty incidents involving yachts.

Universally regarded as one of the world's leading crisis management law firms, we advise on all legal issues arising from yacht related emergencies, including: collisions, grounding, pollution, fire and explosion, salvage, wreck removal and towage as well as death and personal injury, security in complex environments, piracy, kidnap and ransom and cyber breaches.

Focused 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 the personal relationship our clients expect.

Strength in depth

Our admiralty and crisis management team includes experienced casualty response lawyers, master mariners versed in the operation of large yachts and passenger vessels, and a formal naval architect specialised in designing yachts. With members of our admiralty and crisis management team integrated within our yacht 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

Our casualty response lawyers and master mariners are available to travel anywhere in the world, on demand, 24 hours a day, 7 days a week, 365 days a year. Our global network enables us to be on location within 24 hours practically anywhere in the world.

Our approach

- We understand the need for total confidentiality and work closely with clients to ensure their privacy and anonymity are preserved to the fullest extent possible.
- Our expertise in managing crises of all types, combined with our understanding of the specialised and sophisticated operations involved in yachting and the industry's specific concerns and need for confidentiality, enables us to protect our clients' interests in the most appropriate manner.
- We operate seamlessly across our network of offices, enabling us to offer local knowledge and around the clock support.

Members of our admiralty and crisis management team can be reached via the contacts on our website www.hfwyachts.com or through our 24 hour emergency telephone number below.

“An enviable roster of clients turn to HFW to assist with high-profile and complex maritime matters.”

LEGAL 500 UK, SHIPPING, 2024



EMERGENCY OUT OF HOURS
TELEPHONE NUMBER

+44 (0)20 7709 7702



“Industry-leading depth and expertise in all maritime matters.”

LEGAL 500, TRANSPORT: SHIPPING, 2024

EMPLOYMENT

Our yacht team includes within its ranks a group of employment lawyers with extensive experience advising and representing employers in the yachting industry and the wider maritime sector.

Our approach

We combine our global disputes handling expertise with in-depth employment and counselling experience to deliver consistently strong results for clients in both contentious and non-contentious matters.

We provide support in connection with the employment of individuals at sea and ashore, advising both large multi-national companies and individual yacht owners. We approach our work with skill, care and commercial pragmatism.

Advisory and transactional expertise

We advise on a full range of non-contentious employment matters including: individual and team moves, drafting employment contracts and procedures, and the employment aspects of mergers and acquisitions, restructurings and reorganisations, outsourcing and industry consolidation generally.

Recent non-contentious work includes:

- Drafting a suite of seafarers employment agreements and an employee handbook for a privately managed large yacht
- Reviewing and updating a client's crew grievance policy
- Advising on applicable data protection issues
- Advising on the operation of TUPE regulations and redundancy issues in connection with the sale of yachts
- Guiding a yacht owner through the process of laying off crew
- Advising a client on team moves, business protection measures and bonus clawback provisions

- Drafting employment contracts for a client in preparation for the acquisition of a company
- Advising a client on the employment aspects of their multi-million Euro business acquisition
- Advising on French social security arrangements and other matters as they affect yacht crew

Dispute resolution

We are experienced in resolving employment disputes and have a track-record of success both in the Employment Tribunal and the High Court of England & Wales. We understand the complexities of handling employment litigation, and we approach every dispute on its own merits to achieve the best result for our clients.

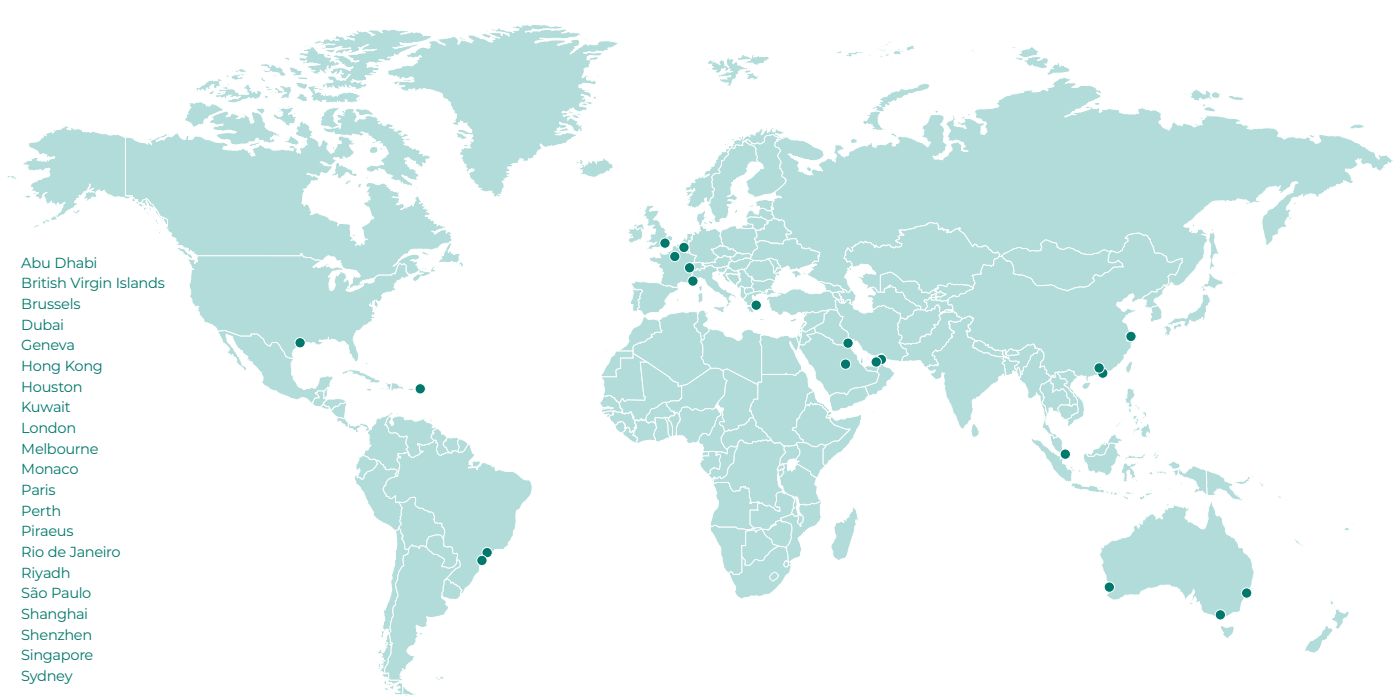
Recent contentious work includes:

- Advising on issues arising out of the dismissal of multiple crew members for misconduct
- Supporting a grievance investigation into claims of discrimination and whistleblowing
- Resolving a dispute between a yacht owner and a crew member regarding failure to work a notice period
- Successfully representing an employer in a High Court claim against a former employee for the misuse of confidential information and breach of restrictive covenants

“The team at HFW provides responses that are swift, accurate and of the highest quality.”

**CHAMBERS GLOBAL, SHIPPING
(INTERNATIONAL FIRMS), 2024**

Our global reach



www.hfwyachts.com

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