

HFW



WHY CHOOSE HFW
OUR TRAVEL, CRUISE AND LEISURE PRACTICE



OUR CRUISE 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 600 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 travel, cruise and leisure team is spread across our international network of 20 offices, and supports the full spectrum of industry stakeholders; including cruise lines, ship managers, shipyards, airlines, lenders, hotel operators, insurers and a range of suppliers. We are gold Executive Partners of the Cruise Lines International Association (CLIA).

At its core, our travel, cruise and leisure team consists of a specialist group of experienced, international corporate and transactional lawyers, regulatory lawyers, litigators, travel specialists, personal injury lawyers and admiralty and crisis response experts, all with an in-depth technical and commercial knowledge of the cruise 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 cruise ships and other large passenger ships and the ports and terminals they sail from, 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 cruise industry and some examples of our travel, cruise and leisure team's broad industry and technical experience.

For more information on these services and our travel, cruise and leisure team please visit <https://www.hfw.com/Travel-Cruise-and-Leisure>.





“HFW'S MULTIDISCIPLINARY OFFERING STANDS OUT FOR ITS LEISURE, AVIATION AND CRUISE SECTOR EXPERTISE.”

LEGAL 500, LONDON: TRANSPORT, TRAVEL: REGULATORY AND COMMERCIAL, 2020

TRAVEL LAW

Our travel, cruise and leisure team advises cruise lines, airlines and tour operators on all aspects of their businesses, including:

Terms and conditions

We regularly advise clients on their terms and conditions, including ensuring compliance with the regulations and local law applicable in the place of sale. We have particular experience in advising on:

- PTR compliant terms of sale
- conditions of carriage and compliance with passenger protection legislation
- Website T&Cs
- GDPR compliance and the drafting and reviewing of Data Protection Policies and Notices

Financial protection regimes

We have expertise on the ATOL licensing regime and related financial protection requirements, and of the complex interplay between ATOL requirements and other financial protection obligations arising outside of the ATOL regime, such as ABTA bonding.

Commercial contracts

We assist our clients in the drafting and negotiation of all types of commercial contracts with their suppliers, ranging from agreements for the supply of fly-cruise arrangements to general terms agreements used by tour operators when contracting with providers of accommodation and other travel components. We have also helped clients develop template documentation for use with their travel agents, tour operators and others and provided drafting notes to make their contracting process more efficient.

Regulatory advice

More broadly, we advise local, as well as foreign, cruise lines, airlines and tour operators, on the impact of UK and EU wide regulations on their businesses with recent examples including:

- Advising foreign airlines on the potential impact of the Package Travel Directive and the PNR Directive to their businesses and their sales channels
- Advising on the application of the PRM regulations to a major retrofitting project undertaken by an airline in respect of its fleet
- Advising on the potential impact of Brexit on the operation and licensing of airlines and aircraft maintenance organisations
- Advising on UK and EU airline ownership and control requirements
- Advising leading cruise lines on anti-bribery and anti-corruption policies and wordings, competition law, the potential impact of Brexit (including on contracts and charterparties, disputes, employees and crew, tonnage tax, immigration and data protection) and on EU regulations on anti-pollution.

“IT IS INSTRUCTED BY AIRLINES, CRUISE LINES, FERRY COMPANIES, HOLIDAY COMPANIES, TOUR OPERATORS, INDUSTRY BODIES AND INSURERS, AND IT HANDLES A RAFT OF REGULATORY, DISPUTES AND COMMERCIAL WORK. HEALTH AND SAFETY ISSUES, CRISIS MANAGEMENT, IT, IP AND DATA PROTECTION WORK ARE ALSO KEY FOCUSES.”

LEGAL 500, LONDON: TRANSPORT, TRAVEL: REGULATORY AND COMMERCIAL, 2020

A photograph of a ship's deck at sunset. The sun is low on the horizon, casting a warm, golden glow over the scene. The deck is made of light-colored wood and has a metal railing. The sky is a mix of orange and blue. The water is visible in the distance.

“CLIENTS CONSISTENTLY PRAISE ITS GLOBAL REACH; IT IS A ‘WELL-KNOWN AND PERFECTLY CONNECTED FIRM THAT PROVIDES EXCELLENT AND PROFESSIONAL SERVICES.’”

LEGAL 500, LONDON: SHIPPING, 2020

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 admiralty and 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 advise on all legal implications arising from such casualties and our experienced master mariners can provide on the ground support. We are adept at working with marine insurers fulfilling a supporting casualty management role to assureds for cases that fall below deductible.

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 a variety of different sized passenger ships. This provides us with an unparalleled depth of knowledge and understanding of insurance claims and other matters as they relate to the cruise industry. We speak your language.

Club Rules and Extended Passenger Liability Cover

We regularly advise on covered risks within the relevant Club rules and the operation of Extended Passenger Liability Cover to excluded risks and liabilities arising outside of the scope of standard P&I cover.

Policy reviews

We regularly advise cruise lines, 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.

INTERVIEWEES VALUE THE TEAM’S “CAPABILITY TO DEAL WITH ALL INSURANCE MATTERS, WHETHER IT’S LITIGATION, TRANSACTIONS OR REGULATORY.”

CHAMBERS, EUROPE: TRANSPORTATION: INSURANCE, 2020



“ALL MY EXPERIENCES WITH HFW HAVE BEEN GOOD - THEY GIVE GOOD ADVICE, PRODUCE WORK TO A VERY HIGH STANDARD AND ARE REALLY HELPFUL IN TRYING TO EXPLAIN THINGS TO US.”

CHAMBERS, UK-WIDE: INSURANCE: CONTENTIOUS CLAIMS & REINSURANCE, 2020

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 aircraft, cruise ships and other passenger vessels.

Our maritime specialists assist cruise lines 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 health related claims and serious or fatal accidents arising either on board during sporting activities and shore excursions.

We are on standby to assist clients with:

Shore excursions

Assisting with analysis of the factual matrix to establish with whom responsibility lies and the applicable legislative framework / associated insurance cover for incidents arising either during or in transit to / from shore excursions.

Health related claims

Advising on a broad spectrum of health related claims, ranging from isolated cases of a gastrointestinal nature affecting individual passengers 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.

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 in such inquiries.

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.

Liability assessment

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

Quantum

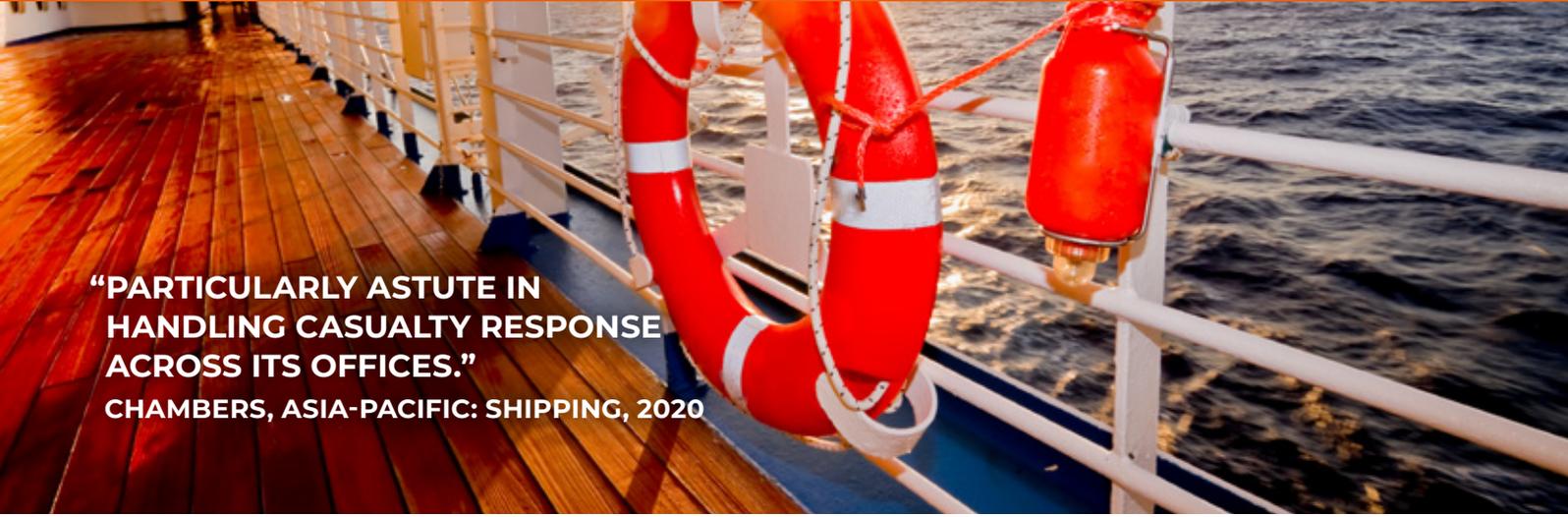
Assessing the quantum of any claim with the aim of concluding cases as efficiently and cheaply as possible.

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.

“TOP-TIER PRACTICE WITH A STRONG TRACK RECORD HANDLING DISPUTES RELATED TO CLAIMS, ACCIDENT AND INJURY MATTERS AND PRODUCT LIABILITY ISSUES. OFFERS AN EXPERIENCED REGULATORY PRACTICE, CARRYING OUT RISK ASSESSMENT AND DUE DILIGENCE CHECKS DURING THE DRAFTING AND REVIEW OF INSURANCE POLICIES. ALSO RECOGNISED FOR ITS EXPERIENCE HANDLING MARITIME REGULATION MATTERS.”

CHAMBERS, EUROPE: TRANSPORTATION: INSURANCE, 2020



**“PARTICULARLY ASTUTE IN
HANDLING CASUALTY RESPONSE
ACROSS ITS OFFICES.”**
CHAMBERS, ASIA-PACIFIC: SHIPPING, 2020

ADMIRALTY AND CRISIS MANAGEMENT

Our travel, cruise and leisure team includes members of the firm’s renowned admiralty and crisis management team, which is comprised of over 40 lawyers and master mariners spread across our global network, including many with in-house sector experience.

We are the world’s leading admiralty and crisis management law firm. We support clients with all legal issues arising from maritime emergencies which can include 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 of varying degrees of scale. In recent years, we have advised ship owners, operators and their insurers in relation to several major marine casualties involving a broad spectrum of passenger shipping from class 1 cruise vessels operating on worldwide schedules to smaller inland vessels.

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.

At HFW, we recognise that casualties involving passenger shipping will often attract an increased level of media and even political scrutiny, thereby requiring elevated sensitivity and a requirement to work closely with other specialisms, such as public and government relations, of which we have extensive experience.

Strength in depth

Our admiralty and crisis management team includes skilled casualty response lawyers, complimented by master mariners experienced in the operation of

passenger ships of a variety of sizes and schedules. With members of our admiralty and crisis management team integrated within our travel, cruise and leisure team we are able to deliver comprehensive support globally. By virtue of our international offices being located close to the major passenger shipping turnaround ports and company offices, we are perfectly placed to support our clients on the most urgent, challenging and complex matters, including attending in-house if desired..

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 cruise and the cruise 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.
- We employ the utmost discretion, being mindful of protecting clients’ corporate and personal profiles.

Our admiralty and crisis management team can be reached via the contact details on our website or through the emergency line:

+44 (0)20 7709 7702



“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, 2020

SHIP FINANCE

Within our travel, cruise and leisure team sits a group of experts in international ship finance. Our commitment to and experience of the cruise 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:

- Cruise lines
- Banks and financial institutions
- Export credit agencies
- Leasing houses
- Private equity
- Shipyards

The breadth of the firm’s travel, cruise and leisure team allows our finance lawyers to draw on insightful support from colleagues around the world with a wealth of experience and expertise on all aspects of the cruise industry. Several of those colleagues are ex-seafarers who have served on board cruise ships and other large passenger vessels and who are therefore able to provide practical advice on technical and operational issues far beyond the expertise of most other shipping lawyers.

Solutions focussed

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

Experience

Our ship finance experience includes:

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

Challenging Situations

We are experienced in helping our clients manage challenging situations, including restructurings and workouts and, if need be, the enforcement of security in the event of an insolvency or other breach.

The breadth of the firm’s travel, cruise and leisure 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 crisis management in the cruise industry. Several of those colleagues are ex-seafarers who have served on board cruise ships 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.

“THE FIRM REALLY UNDERSTANDS THE BUSINESS OF ITS CLIENTS, AND GUARANTEES TOP-LEVEL INTERNATIONAL LEGAL ADVICE.”

**LEGAL 500, EMEA - GREECE:
SHIPPING FINANCE, 2020**

A high-angle, close-up photograph of the white hull of a ship's bow as it cuts through dark water, creating a large, white, turbulent wake. The ship's hull is centered in the frame, pointing downwards.

**THE FIRM “EXCELS IN INTERNATIONAL
CONTENTIOUS MATTERS AND OFFERS
A STRONG PRESENCE THROUGH ITS
INTERNATIONAL NETWORK.”**

**CHAMBERS, UK-WIDE: INSURANCE:
CONTENTIOUS CLAIMS & REINSURANCE, 2020**

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 cruise and wider maritime 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 arising out of the full spectrum of contractual arrangements encountered in the cruise and the wider maritime industries.

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. Where we are not physically present we are able to utilise our 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 cruise industry. We are ready to protect our clients' rights and interests whenever and wherever required.

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

**CHAMBERS, UK-WIDE:
TRANSPORT: LOGISTICS, 2020**

**“WE ONLY INSTRUCT THEM ON VERY
COMPLEX CASES - WHERE THE
FINANCIAL STAKES ARE VERY HIGH
AND WHERE THEIR STRONG
EXPERTISE IS ABSOLUTELY REQUIRED.”**

**CHAMBERS, EUROPE
TRANSPORTATIONS 2020**

A nighttime photograph of a city skyline, likely Hong Kong, with numerous illuminated skyscrapers and a prominent curved structure on the right. The lights are reflected in the water in the foreground.

“A PROFESSIONAL AND RELIABLE FIRM WITH EXPERT KNOWLEDGE IN TRANSPORT LAW, ABLE TO PROVIDE VERY STRONG AND PRACTICAL ADVICE.”
CHAMBERS, UK-WIDE: TRANSPORT: LOGISTICS, 2020

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 cruise and other passenger shipping 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 cruise lines, leading global port and terminal operators, national and international stevedores, national port authorities, investment funds, foreign governments and transport and logistics companies. Our ports and terminals team is experienced in the production of bid and response documents and negotiating concessions, construction and lease agreements, terminal services agreements and dedicated berth arrangements.

In addition, our ports and terminals team advises clients on:

- The sale and purchase of berths and terminals
- Development of ports and terminals, whether individually by a cruise line or in conjunction with local authorities and/or other third parties
- The negotiation of port access and concession agreements
- The financing of infrastructure development
- Equipment purchase agreements
- Supply-chain connection
- Appointment of terminal managers and marine services
- Port facility security compliance
- Terms and conditions for use of ports and terminals
- Negotiation of specific ship operator terminal service agreements

“MARKET-LEADING PRACTICE WITH EXPERIENCE IN A WIDE ARRAY OF MATTERS INCLUDING TRANSACTIONS, LOGISTICS DISPUTES AND COMPETITION ISSUES. MAINTAINS A STRONG MULTI-MODAL TRANSPORT PRACTICE. NOTABLE STRENGTH IN PORTS AND TERMINALS WORK.”

CHAMBERS, UK-WIDE: TRANSPORT: LOGISTICS, 2020

A photograph of a large cruise ship at sea during sunset. The sky is a mix of orange, yellow, and blue, and the water is dark. The ship's upper decks and railings are visible on the right side of the frame.

**“THE TEAM PROVIDES “VAST EXPERIENCE,
FAST RESPONSES, HIGH-QUALITY WORK,
GOOD ADVICE AND STRONG RESULTS.”**

CHAMBERS, UK-WIDE: SHIPPING, 2020

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 advisors.

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 experience and specialism that enables us to deliver practical and commercial responses to the legal requirements of our clients’ businesses.

Our clients range across the spectrum of stakeholders in the cruise industry, from state owned entities and large multinational corporations, 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 the strength and experience of our corporate team across our global network.

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 cruise experience includes:

- Advising a global cruise line on the set up, establishment and asset structure for a new joint venture company, in a significant cross border transaction
- Advising a global investment group on the negotiation and drafting of a cruise terminal use agreement, joint venture agreement, management agreement and strategic cooperation agreement, for a significant cross border investment project.
- Advising a leading cruise line in relation to the development and operation of a potential new cruise port project in the UK, including the ownership structure of the development and the drafting of the memorandum of understanding between the cruise line and the existing port operator setting out the key terms of cooperation.

“ROBUST COMMERCIAL AND REGULATORY TEAM WITH PARTICULAR EXPERTISE IN REPRESENTING CLIENTS FROM THE SHIPPING SECTOR. ADVISING ON COMMERCIAL, REGULATORY AND FINANCING MATTERS.”

CHAMBERS, UK-WIDE: TRAVEL, 2020

“ALWAYS AVAILABLE, EXTREMELY RESPONSIVE AND VERY QUICK TO GRASP THE COMMERCIAL REALITIES OF ANY SITUATION.”

CHAMBERS GLOBAL, 2020



**“THEY ARE HIGHLY RESPONSIVE
AND THERE IS ALWAYS RELIABLY
ACURATE EXPERTISE AT HAND.”**

CHAMBERS, UK-WIDE : TRAVEL 2020

TRANSACTIONAL

Within our travel, cruise and leisure team we have a group of expert, international transactional lawyers with experience of all aspects of the cruise industry.

Breadth of experience

We represent the full spectrum of the cruise 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 cruise team is founded upon many years’ experience within the cruise industry and wider maritime sector. 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 cruise ships 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.

**“CLIENTS HIGHLIGHT THE TEAM’S
DIVERSE SKILL SET, PINPOINTING
ITS “EXPERIENCE, KNOWLEDGE
AND REPUTATION IN THE
TRANSPORT SECTOR.”**

**CHAMBERS, EUROPE :
TRANSPORTATION : SHIPPING, 2020**

**“THEIR PEOPLE ARE EASILY THE MOST
APPROACHABLE AND PLEASANT TO
WORK WITH, IT’S LITTLE WONDER
WE KEEP USING THEM.”**

CHAMBERS, ASIA-PACIFIC: SHIPPING, 2020

Our global reach



[hfw.com](https://www.hfw.com)

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Americas | Europe | Middle East | Asia Pacific