



# You, pipelines & Ince, in any case

In this fast-paced world you are seeking a pro-active business services partner that moves your company forward, someone who understands your challenges and the importance of commitment. Meet Ince, your trusted partner, in any case.

From our offices in Europe, the Middle East and Asia, our dedicated team of legal and business services professionals can guide you in developing and delivering on your roadmap for sustainable success and provide you with advice that will not only safeguard your business interests but ensure you reap commercial rewards.

Providing you with strategic guidance and well considered advice, we are renowned for the depth and breadth of our legal services and our understanding of the industries in which you operate. We recognise your needs and offer business focussed legal services, together with advice that makes commercial sense.

#### One firm, in any case

With about 150 years of experience, we have cultivated a seamless 'one-firm' approach that is tailored to your personal needs and pairs you with the best legal and strategic business professionals in your field; whenever, wherever, and in any case.

#### Support, every step of the way

By leveraging our sector expertise, legal skills and market experience, you can feel safe in the knowledge that we will both handle complex legal issues on your behalf while providing you with expert strategic advice when the need arises.



**7**

countries



**14**

offices



**30**

different  
language  
capabilities



**800+**

employees  
worldwide,  
including  
support staff



**500+**

legal and  
business services  
professionals



multiple  
nationalities



Ince's Energy team has an in-depth understanding of the issues and challenges that face onshore and offshore pipeline projects and associated facilities.

We will assist you throughout the full project life-cycle: from the initial financing stage, throughout the tendering process, during contract drafting and negotiation, subsequent project management support and, where necessary, dispute resolution. We are dedicated to serving your best interests from 'cradle to grave'. By offering you continuous support and assistance, we are well-placed to maximise efficiencies and ultimately help you to reduce project costs.

#### Financing

Our specialist finance lawyers are available to advise banks, project owners and contractors on all aspects of project finance, restructuring and workouts. They excel at complex and structured forms of financing including cross-border project finance in developing countries and project bonds. We have acted over a number of years for the leading commercial lenders and multilateral agencies (including the Asian Development Bank and the European Bank for Reconstruction and Development) as well as the export credit agencies active in the area of onshore project financing such as JBIC and KfW.

#### Contract tendering, drafting and negotiations

We have many years' experience that we can bring to bear to assist you at every step of the tendering process, from pre-qualification through to bid award.

We are often instructed to review and discuss draft contract wording before it is signed. We will provide a risk matrix, with comments and suggestions for revisions or additions during negotiations, or will participate directly in negotiations depending on the level of support you require. We understand the practical problems that are likely to arise and we know how to address them in the draft contract.

### Project management support

Once the pipeline contract has been signed and the project is underway, we will use our extensive experience to help you minimise the risk of disputes, anticipate problems and plan ways to manage their impact. We will work with your project team to advise on and help to manage live issues.

We are familiar with all regions of the world where pipeline projects are performed and regularly assist with socio-political issues. We have a dedicated insurance team who advise on political risk, war, kidnap and ransom and CAR insurances, to name but a few. Our specialist political risk team can also assist you in structuring your pipeline projects to take advantage of the most effective Bilateral Investment Treaties available. We also advise on personal injury, hijack, piracy and hostage situations and have a 24 hour, 365 day hotline for use in emergency situations of any kind.

Together with you, as part of your risk management, we will give guidance to your personnel on how they can and should operate the terms of the contract during the project. We will also provide a concise manual summarising the key contents of the contract and, where appropriate, a check list for ease of reference throughout the project. This can be a good investment to help reduce the risk of substantial legal costs later. A clear contract scheme and a good briefing can save time and streamline your work.

We will assist you with the evaluation, preparation, management and negotiation of the full array of project claims, including those relating to: acceleration, business interruption, change orders, cost overruns, defective design or work, delay and disruption, guarantees and warranties, loss of life and injury, property damage, sub-contractor disputes and variations. We will provide full support when issues arise by effectively assessing risk and designing a strategy to achieve the best possible commercial solution to claims. If this requires on-the-ground assistance, we are available to travel anywhere in the world at short notice.

“Ever more international in its reach, the energy practice at Ince has established itself as a highly trusted and professional source of counsel.”

**- Chambers & Partners**

### Dispute resolution

Where disputes are unavoidable, we will work with you to resolve them, by way of litigation, international arbitration or alternative dispute resolution. We are experts in handling disputes of any size involving, among other things, delay/programme and technical issues regarding oil and gas pipelines, flow stations, pump stations, compressor and meter stations. We are used to working alongside independent consultants such as programming experts, quantity surveyors and engineers on a daily basis.

As offshore oil and gas exploration has become deeper and more remote, this has raised numerous challenges for the design, fabrication and installation of marine pipelines, subsea production systems and subsea umbilicals, risers and flowlines (SURF). We have been involved in, to name just a few examples, high-value and technical disputes concerning the stability of marine pipelines, SURF installation, corrosion issues, the adequacy of welding, defective metrology, the effectiveness of intelligent pigging and route deviation, as well as late completion, cost overruns and contract termination.

We handle cases of all sizes and complexity. We tailor our teams to ensure the right level of resources and mix of expertise, including cross-border with our international network of offices where appropriate.



### Global reach and emerging markets

We have been involved in pipeline projects all over the world and in all types of habitat and environment.

We practice English, German, Greek, Hong Kong, PRC and UAE law. Singapore law advice is provided by Incisive Law LLC with whom Ince Singapore has a formal law alliance.

We also have a wide network of law firms with whom we have long-standing and close links, thus allowing us to manage local litigation in any other jurisdiction around the world. We are well aware that different cultures and working practices in developing countries have an impact on getting the job done. We are expert in dealing with the local issues which can arise.

### Our pricing

We adopt an open and commercial approach to pricing. Our priority is to provide you with a range of pricing and billing options and to work with you to put in place an arrangement that meets your requirements and which addresses issues such as certainty of pricing, flexibility and value creation. We are happy to discuss pricing in respect of any matter on which you wish to instruct us, and will always present a range of options in our pricing proposals.



## Our matters

- Representing a leading engineering and construction contractor in connection with claims in the region of US\$200 million resulting from changes in the scope of work of a contract for the installation of subsea pipelines off the coast of Nigeria.
- Assisting a marine technology company in connection with shut-down, demobilisation and loss of production claims resulting from terrorist attacks on pipelines and offshore units in the Gulf of Guinea.
- Advising a client in relation to their rights, obligations and potential claims concerning a proposed Kenya to Uganda oil pipeline extension project.
- Acting in litigation for a leading offshore construction company in respect of claims against underwriters for losses incurred following two wet buckle incidents during installation of a pipeline offshore Taiwan. Total repair costs were in excess of US\$100 million.
- Representing contractors in a significant London arbitration under EPIC contracts concerning welding issues and the replacement of thousands of components of small bore piping in Kazakhstan with claims totalling circa US\$120 million.
- Acting for a French contractor in an arbitration in Belgium under English law in relation to the construction of an oil pipeline in Zambia and related political risk insurance issues.
- Advising an international oil company on the design and construction of two gas platforms and pipelines on the Tangguh LNG Project in Indonesia.
- Advising a major US pipeline contractor in a dispute with an oil major arising out of an EPC contract for a large bore gas pipeline and related facilities to be installed in a number of West African countries.
- Representing a leading offshore construction company in relation to allegations of damage caused to a ship wreck of cultural importance in Swedish waters during installation of the Nord Stream pipeline.
- Assisting various international pipeline contractors and their insurers with issues of force majeure, impossibility of performance and termination due to sabotage of onshore pipelines under construction in Nigeria and the kidnapping of personnel from offshore units in various oil and gas regions.
- Assisting a contractor in respect of claims, including for liquidated damages, and repairs required as a consequence of wet buckles that occurred during the installation of a subsea pipeline off the coast of Denmark.
- Representing a leading offshore construction company in litigation in the Courts of Ghana, including successfully applying to the Ghanaian Supreme Court (three times), concerning matters arising with a sub-contractor on the West African Gas Pipeline Project.
- Acting in defence of a US\$300 million claim under a performance guarantee for the alleged costs of completing a gas pipeline project following termination of the original construction contract. The matter included an array of alleged technical and scheduling issues, local law issues and a number of difficult legal points relating to the interpretation and enforcement of guarantees.
- Acting for the Russian subsidiary of a leading offshore construction company on a US\$3 billion pipeline project in Eastern Russia. The matter concerned claims and counterclaims valued in excess of US\$100 million arising out of allegedly defective workmanship in pipeline river crossing design which was required to take account of predicted river bed movement over a 30 year period.
- Representing a US-based construction contractor in ICC arbitration in respect of claims arising out of allegedly defective valves incorporated into a pipeline supplying water to Las Vegas.
- Acting for a US pipeline construction company in English High Court litigation arising out of claims for payments in respect of pipeline installation equipment used for various projects across the southern USA. The matter included issues of maintenance and repair during the lease period and the condition of equipment upon return to the owner.
- Advising various contractors on the development of the Blue Stream Project, at the time the world's deepest undersea gas pipeline, a 360 km conduit running 2.1 km below the Black Sea.

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**LEGAL ADVICE TO BUSINESSES GLOBALLY FOR ABOUT 150 YEARS.**

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