



You, our shipping practice in Asia & **Ince**, in any case

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We are the market's premier shipping practice. We speak and understand the language of the maritime world and those involved in the industry.

Consistently ranked as a Tier One Shipping law firm, we offer a depth and breadth of maritime expertise by legal specialists who have a holistic understanding of maritime operations and marine investigations.



We are qualified to handle everything from a ship arrest to complex structured ship finance transactions and anti-competition actions, from ship conversion disputes to offshore oil and gas disputes. We advise a broad range of clients including ship owners and operators, bunker vessel operators, P&I Clubs, international maritime banks, trading houses, lessors, charterers, oil majors, LNG operators, brokers, ship builders, container shippers and cruise ship operators.

Dry shipping

Our dry shipping lawyers are regularly instructed in relation to drafting or dealing with issues arising from bareboat, voyage or time charters; contracts of affreightment or slot charters; dry cargo or oil and gas; bulk, containerised or general issues. We advise on and draft bills of lading, way bills, consignment and booking notes and electronic bills of lading. We have been involved with all types of cargo and vessel, from general and bulk oil and grain, through to containerised carriage, and specialist cargoes such as LNG and atomic waste.

The team in Asia is regularly instructed on "dry" shipping arbitrations in London (particularly those under the LMAA Rules), Hong Kong and Singapore (SCMA and SIAC). We are also highly active in the Singapore and Hong Kong Courts and the team has handled a number of significant cases, including, in Singapore: *The Reecon Wolf* [2012] SGHC 22; *Precious Shipping Public Co Ltd and OW Bunker Far East (Singapore) Pte Ltd and others* [2015] 4 SLR 1229 and in Hong Kong, *Birnam Ltd v. The Owners of the Ship or Vessel Hong Ming* [2011] HKCFI 577 and *Fan Yun 203* (a Hong Kong High Court (Admiralty Court) case) which remains the authority on identification of Mainland China beneficial but not registered shipowners.

We also deal with court litigation and all other forms of dispute resolution when applicable, such as mediation.

Admiralty

We are specialised in dealing with the legal aspects of ship fires, sinkings, standings, groundings, collisions and their aftermath – such as pollution and clean-up, salvage and towage or wreck removal. We have a team of ex-mariners based in Hong Kong and Singapore, who between them have sailed on the majority of vessel types. Their wealth of experience proves invaluable advising clients during a casualty investigation.

- ALNIC MC collision with the US John S. McCain, off Singapore
- Yao Hai and Neftegaz 67: Believed to be the first collision-based criminal trial to be appealed to the Court of Final Appeal (CFA) in Hong Kong. The Yao Hai and the Neftegaz 67 collided in Hong Kong in 2008. The Neftegaz 67 sank after the collision with the loss of the lives of 18 of her crew. Ince Gordon Dadds advised the owners and insurers of the Neftegaz 67 and her Master who was charged and convicted of a criminal offence and sentenced to imprisonment. The case attracted much critical notice in international shipping circles for its application and analyses of Rule 9 of the Collision Regulations.
- Prestige: Ince represented the owners and P&I club of the tanker Prestige, which broke in two and sank, resulting in substantial pollution to the coastline of Spain and France. The casualty dominated the front pages of the trade press and led to a Europe-wide review of many issues, including the obligation on states to provide a port of refuge, rights of passage for ships in territorial waters and the viability of a complete European ban on 'single skin' tankers.

Maritime crisis response

Ince international emergency response team is available 24 hours a day, 365 days per year to respond to every type of maritime casualty anywhere in the world. Whether the issues relate to the ship, salvage, the environment or reputation, we offer our clients a comprehensive service encompassing legal, auditing and media advice.

As well as responding to maritime crises, we work with our clients to ensure they are prepared to handle whatever an emergency situation demands, advising on pre-planning, effective response and crisis communications, including dealing with the media.

Emergency Response 24 Hour Number
+44 20 7283 6999

Environmental

Our environmental practice has been involved in many of the significant pollution incidents which have occurred over the past century. We have advised on matters involving civil fines and penalties and/or criminal prosecutions arising from pollution incidents, or non-compliance with environmental regulations, such as the International Convention for the Prevention of Pollution from Ships (MARPOL) and the Prevention of Pollution of the Sea Act. Our lawyers have been involved in the majority of major oil spills and pollution incidents in Asia including: The Prestige, Rena, Alyarmouk, Orapin Global/ Evoikos, Bunga Kelana 3, Natuna Sea, Sima Saman and the Hebei Spirit and are experienced liaising with international and governmental authorities; dealing with the clean-up efforts; representing clients in civil and criminal proceedings arising from pollution incidents; resolution of third-party claims; and the filing and successful handling of claims in accordance with the Merchant Shipping (Civil Liability and Compensation for Oil Pollution) Act and Merchant Shipping (Civil Liability and Compensation for Bunker Oil Pollution) Act.

- Hebei Spirit - In one of the largest spills of recent years, the VLCC Hebei Spirit spilt some 11,000 tonnes of crude oil into the Yellow Sea off South Korea, when she was struck, while at anchor, by a giant crane barge after a tow line parted in heavy seas. Ince advised the owners and insurers of the Hebei Spirit and her Master and Chief Officer who were criminally prosecuted in Korea.



Salvage

Ince has wide experience of dealing with the legal issues connected with shipping casualties and salvage operations. Our lawyers have knowledge of all types of salvage agreement, including Lloyd's Open Form, SCOPIC, common law and general commercial agreements. We deal with all parties that may be involved in salvage operations, including owners, charterers, insurers, salvors, government and local interests.

- *MV "CSCL Indian Ocean"* one of the world's biggest boxships grounding: The fully laden CSCL Indian Ocean was grounded in the waters off Germany on 3 February 2016. The issues involved in the salvage operation were complex; attempts to refloat the vessel were unsuccessful and salvors were forced, with some difficulty, to tow the ship to the port of Hamburg. Our Hong Kong team was the hub for client communication, overseeing the handling of the case and advising on issues such as salvage, general averages, provision of security, and the investigation on causation.

"A stalwart of the shipping industry."

– Chambers Asia Pacific

Marine insurance

Our marine insurance group receives instructions from all parts of the insurance community, including Lloyd's and London marine insurance companies, international broking houses and ship and cargo owners. Our expertise covers the full spectrum of marine insurance, including hull, cargo and freight, builders' risk, mortgagees' interest, strikes, war and owners', charterers' and ship repairers' liability and we advise on the best forum for resolving disputes, general average, claims calculation and limitation and insurance claims.

Whether provided by P&I Clubs or fixed premium insurers, we advise our clients on issues ranging from the drafting of terms of cover and rules, through coverage issues and the principles of mutuality, to the collection of unpaid premium and calls.

Our recent work includes advising on insurer's coverage position under a Marine Through Cover policy in respect of a HK\$200 million claim following Typhoon Usagi, on major property losses in China arising from 2015 Tianjin port explosion, loss on coverage under war risks policy for claims arising from piracy attacks, on freight forwarders liability from sinking of MOL Comfort in 2013, and losses in relation to Hong Kong's worst maritime accident in the history – the collision between *Lamma IV* and *Feng Hai Tai* in 2012.

Ship finance and sale & purchase

Ince is involved in all aspects of asset financing for clients in the shipping and offshore energy industries, advising a diverse range of international clients including leading banks, contractors, owners and operators. Our dedicated ship finance lawyers work closely alongside our casualty, corporate and specialist insurance teams to evaluate the whole range of risks and advise on strategies to minimise exposure on transactions.

Our advice to clients covers ship finance and leasing transactions, corporate structures for ship ownership and joint ventures, complex structured and syndicated financings, ship sale and purchase for trading, operations or scrap, ship construction, ship and mortgage registration, restructurings and work outs on defaulting loans and newbuildings. We also advise banks and owners in relation to the restructuring of existing financings. Our expertise extends to conventional ships, offshore drilling and production units and other specialist vessels.

Recent highlights include advising Oro Negro as issuer of the largest high yield bond ever issued in the Norwegian market to refinance the acquisition of four jack-up drilling rigs recognised as Norwegian Bond Deal of the Year by Marine Money Offshore, 2015. Also, Sumitomo Mitsui Banking Corporation as lead arranger with respect to two non-recourse term loan facilities provided to BW Pavilion LNG awarded the accolade Deal of the Year (projects) Marine Money 2016.

Adding to our list of award-winning transactions, we advised three major Asian banks on the financing of three 13,200 TEU container vessels for a Hong Kong shipowner under a Japanese operating lease structure with the aggregate loan amount over US\$310 million. The transaction was named "Deal of the Year" at Lloyd's List Awards Asia 2013.

Maritime restructuring and insolvency

Driven by global consideration and challenging economics in the shipping industry, there continues to be a significant trend for restructuring. Our capabilities cover the full spectrum of contentious and non-contentious insolvency and restructuring scenarios and we do this work day in, day out.

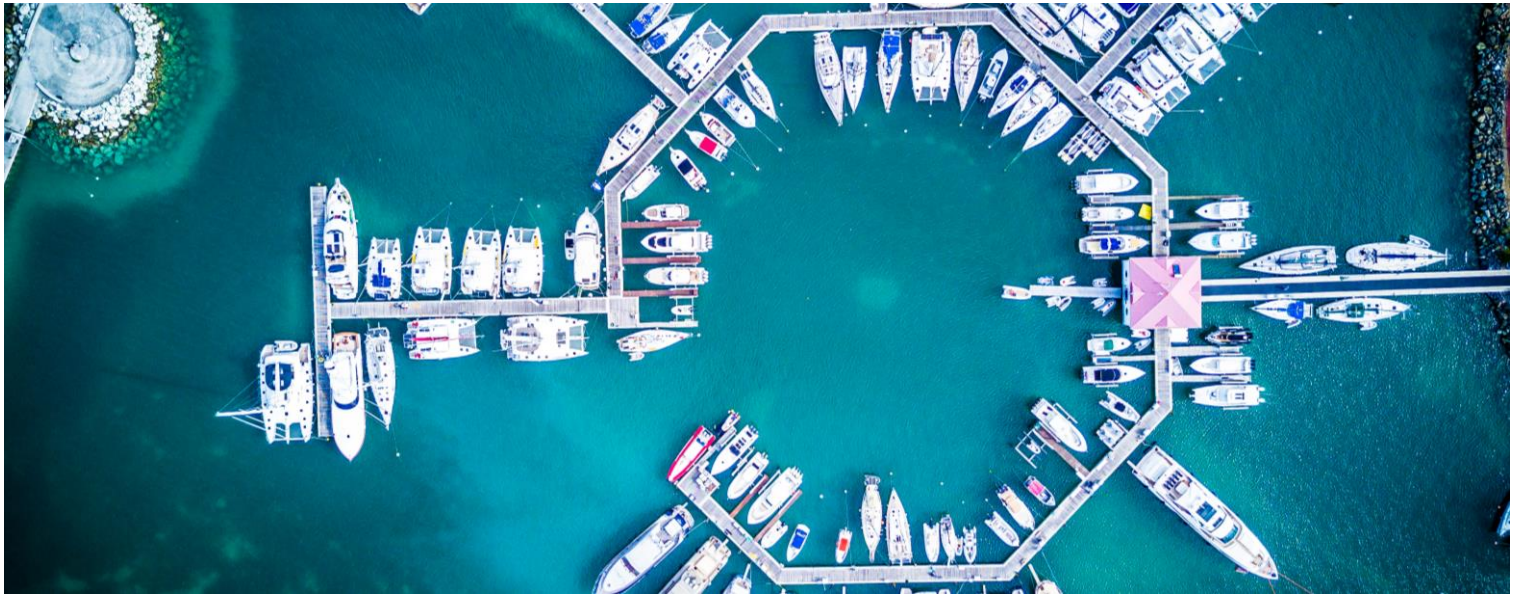
We have represented creditor groups in some of the largest maritime restructuring and/or disputes including claims originating from OW Bunkers, Hanjin and Swiber. We also provide advice in the context of liquidation of Chinese companies affecting the rights of overseas creditors.

Shipbuilding and ship repair

We have teams who specialize in shipbuilding, conversion and repair contracts for all types of vessels, acting for shipowners, builders, repairers and consultants on projects in (among other places) Korea, Singapore, China, Europe, the Middle East and South America. We advise on the wording of contracts for newbuildings, together with associated documents such as performance and refund guarantees, and also the financing of such projects. Experience includes the drafting of many contracts "from scratch" and negotiations between shipowners and builders. We advise on conventional commercial ships, through to specialist vessels for the offshore industry, including bulk carriers, container ships, tankers of all sizes, methane, LPG and LNG carriers, cruise liners, specialised vessels such as seismic craft, cable-layers and buoy tenders, FPSOs, support vessels, work boats, drill ships and other fixed and floating offshore structures.

We can draw on our experience of disputes when drafting and negotiating contracts to anticipate and avoid potential pitfalls for clients. We know where the problems may arise because we have seen many of them before.

Our expertise and focus on shipbuilding is evidenced by Ince Gordon Dadds' appointment to the drafting committee for the BIMCO NEWBUILDCON standard shipbuilding contract.



Piracy

The ongoing threat of piracy and hijackings continue to generate much concern in the industry and we have acted on some of the high-profile piracy cases in Malacca Straits, Somalia and the Niger Delta. We advise owners, charterers and cargo interests on all aspects of piracy incidents, covering the legal and practical aspects of responding to a hijacking, release of vessels, insurance and mitigating the risk of such incidents reoccurring. Our international emergency response hotline allows us to provide global coverage to clients 24 hours a day, so that we respond immediately to any incident.

“Lawyers are “highly qualified in their particular areas of maritime expertise, whether this be wet or dry.”

– Chambers Asia Pacific

Passenger and cruise ships

In recent years, we have acted for owners and their insurers in a significant number of major ferry and cruise ship projects, transactions and accidents. We have expertise in managing cruise newbuild and joint-venture projects; dealing with passenger and crew claims; drafting charterparty, crewing and management agreements and ticket conditions; handling the disputes that may arise under these contracts; and advising on corporate acquisitions and shareholder agreement in relation to cruise lines. Highlights in Asia include recently advising a leading cruise company in their project to develop its cruise brand and operation in the Chinese market with Chinese partners.

Yachts and superyachts

We provide legal services to yacht owners, charterers, managers, lenders, insurers, brokers, designers or builders – whatever the size or type of craft – from sailing craft to the biggest superyachts.

Our yacht lawyers advise on new building projects, the sale and purchase of second-hand yachts, financing, registration, tax and customs matters, statutory compliance, commercial management and operation, insurance, sponsorship, crewing and chartering. In addition, our team advises on the drafting and negotiation of design, building and repair contracts for yachts.

Our approach

Understanding the commercial and technical aspects of your business and the markets in which you operate are important to us. It helps ensure that we provide you with the very best levels of service. We take a very commercial approach and seek to add value in terms of strategy and risk allocation, particularly when it impacts price and timing.

From the outset, a Client Relationship Partner is assigned to a client and this partner will be the point of contact for the client and oversee the day to day running of the matter. The partner may also call upon the services and support of other partners and associates with each member of the team possessing the relevant experience and capability to execute major components of the mandate.

"...Its traditional strengths in marine insurance continue to make Ince 'among the first choices for marine disputes'..."

– Chambers and Partners

You & Ince, in any case

With a heritage reaching back 150 years, Ince is a dynamic international law firm, trusted by the world's most ambitious individuals and organisations. We are a collaborative and proactive partner who service our global client base from our 11 offices in Europe, the Middle East and Asia. We are renowned for providing the highest quality legal advice and strategic guidance to our clients, from the world's oldest and biggest businesses to ultra-high net worth individuals.

By combining our deep expertise, legal knowledge and market experience, we are able to service our clients' most complex disputes, transactions and projects. With over 500 people, including over 100 partners worldwide, we practise English, German, Greek, Hong Kong and PRC law.

Through being part of Gordon Dadds Group and being listed on the London Stock Exchange as well as our first class legal services, we are able to provide a wealth of professional services and advice to our clients. Our broad reach enables us to add real value and create opportunities for our clients by making connections between them and our extensive network of contacts and experts.



Accolades

Tier 1 in China for Shipping

Chambers & Legal 500 Asia Pacific 2019

Tier 1 in Singapore, China & Hong Kong for Shipping

Legal 500 Asia Pacific 2019

Tier 1 in Asia Pacific for Shipping Litigation

Legal 500 Asia Pacific 2019

Tier 1 in Hong Kong for Asset Finance

Legal 500 Asia Pacific 2019

Ship Finance Award

Seatrade Maritime Award Asia 2017

Best in Insurance & Reinsurance

Asialaw Asia-Pacific Dispute Resolution Awards 2017

Best in Shipping

Best in International Trade

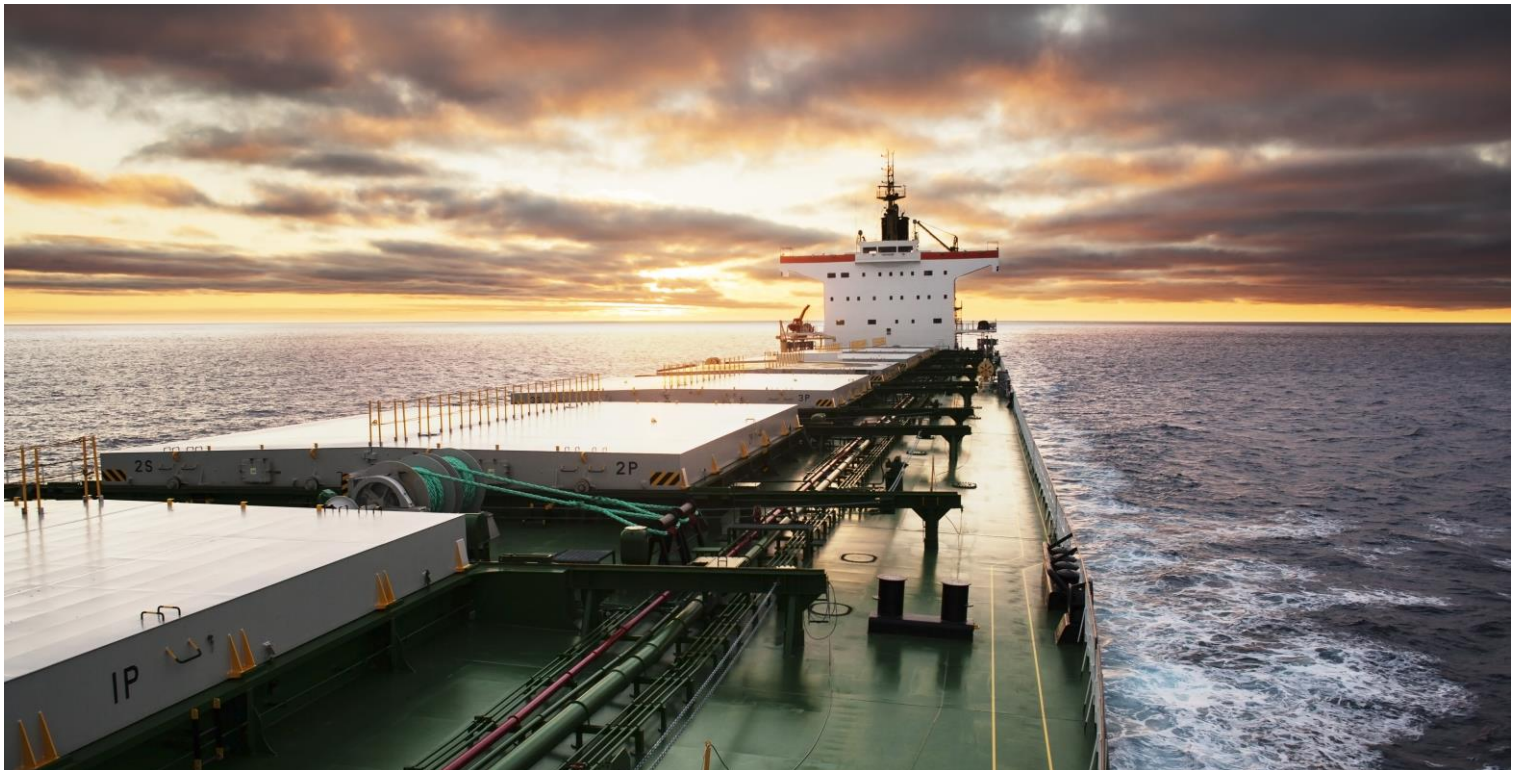
Best in Insurance and Reinsurance

Best in Dispute Resolution

China Business Law Awards 2017

Best in Shipping and Maritime

Asialaw Asia-Pacific Dispute Resolution Awards 2016



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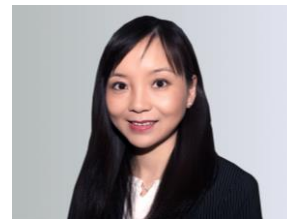
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