



SHIPPING, LNG, AND OFFSHORE OIL AND GAS NEWSLETTER

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INTRODUCTION

I am pleased to say that since the last edition of our newsletter, the fifth edition of *The Law of Shipbuilding Contracts* written by Simon Curtis and William Cecil, together with Ian Gaunt, the President of The London Maritime Arbitrators Association 2017-2020, has been published. Further details about the book and a series of webinars that William Cecil is running can be found [on our website](#).

I have recently hosted our first Women in Energy and Shipping Event, a Wellbeing Virtual Workshop, with Helen Conybeare Williams and Amanda Larrington. The workshop, Reboot Your Life After Lockdown, looked at resilience, sleep and how to work effectively in the new-normal. It was great to have the opportunity to connect with some of our female contacts. If you would like to join us for future events, please do let me know.

In this newsletter, you will find a summary of the recent articles and other news items from my London colleagues related to Shipping, LNG, and Offshore Oil and Gas, as well as details of other events that we have been involved with, which I hope you will find of interest.

I wish you a lovely Summer.

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SHIPPING

[Sound Legal Advice for Ship Repair Yards Trying to Navigate the COVID-19 Pandemic](#): In an update to their article for *Drydock Magazine* in March, Mark Johnson and James Brown examine a number of matters that various shipyards are confronting now as a result of the changed environment caused by COVID-19.



Following William Cecil's [alert](#) on the recent arbitration appeals in *Jiangsu Guoxin Corp v Precious Shipping Public Co Ltd*, he has now written an article for *Hellenic Shipping News* on the case entitled [The English High Court Again Declines to Apply the 'Prevention Principle' to a Shipbuilding Contract](#).

Helen Conybeare Williams has also written for *Drydock Magazine* in [Force Majeure Resolution During the Coronavirus Pandemic](#) taking a look at whether parties are entitled to terminate their contracts without penalty based on continuation of the force majeure event.



LIQUIFIED NATURAL GAS (LNG)

Our US colleague, Gil Porter, was quoted in an [article](#) for *Reorg News* about how buyers of LNG are finding it difficult to prove that their inability to meet contract obligations is the result of a force majeure event.



OFFSHORE OIL AND GAS

In [COVID-19 and its impact on offshore construction](#), published in *Offshore Magazine* this month, Andreas Dracoulis and Jonathan Morton discuss the differences in the force majeure wording in standard form LOGIC contracts and the FIDIC Yellow Book - a result of there being no definition of force majeure in English law.

In [Wrongful termination in good faith: reconciling the authorities in the context of force majeure](#), Andreas Dracoulis and Jonathan Morton explore the sometimes conflicting case law on a discrete, but nonetheless critical issue, concerning the effect of a wrongful termination for force majeure made in "good faith".

Anna Nerush and Shu Shu Wong's article, [High Court Judgment Illustrates English Courts' Reluctance to Imply Terms for Contractual Interpretation](#) published in the *Journal of World Energy Law & Business*, reviews the decision in *TAQA Bratani Ltd v RockRose UKCS8 LLC* that a right of non-operators to remove an existing operator "without cause" under a long-term joint operating agreement was not subject to any implied terms, such as the duty to act rationally and/or in good faith.

OTHER ALERTS AND PUBLICATIONS

Mark Johnson and Maren Strandevold recently participated in a webinar for the Norwegian-British Chamber of Commerce about negotiations between Norwegian and English parties, looking at how cultural differences can impact on how you should conduct meetings and discussions. To watch a recording of this webinar, [please click here](#). Maren Strandevold was also interviewed by the Norwegian-British Chamber of Commerce about [Working Remotely During COVID-19](#).

In [Managing Disputes in the Future](#) for Litigation Futures, Maren Strandevold comments on how the

courts, arbitration institutions and lawyers have become experts in virtual hearings and questions what lessons do we take with us into the future and what is best left for the history books.

I also take this opportunity to remind about our [COVID-19 Resource Centre](#) with links to articles, alerts and podcasts produced by Haynes and Boone covering a wide range of practices and industries and which includes a link to the popular [Weekly Energy Tracker](#) with Enercom and Aegis and hosted by our US colleague, Jeff Nichols.

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