



marine

overview

Marine freight and passenger transportation is a vital part of Canada's economy. It is also replete with challenges, from a vast geography to rapidly changing economics and even to physical changes brought on by technological innovation and even new marine channels. Regulation governs everything from intra- and inter-modal competition, as well as environmental compliance and response, safety and service levels. A smart legal partner can help navigate these waters by combining strategic foresight about the industry with a strong track record of assisting many of the leading organizations that engage in marine commerce.

McMillan's Transportation Industry lawyers understand and stay current with the laws that govern shipping. We help our clients anticipate challenges before they surface, while assisting with day-to-day operational matters in coastal, inland and ocean freight transport.

Our marine experience includes working with shippers, ship owners and charter parties, suppliers of marine equipment, lenders and government agencies. We also participate in the regulatory and public policy aspects of marine law, as well as commercial and regulatory dispute resolution. Our firm has represented the consortium of users that organized and formed the St. Lawrence Seaway Management Corporation in the commercialization of the management and operations of the Seaway.

McMillan professionals help clients lead by:

- Representing clients in commercial and regulatory disputes
- Comparative legal and economic analysis Advising on contracts of affreightment and cargo claims
- Advising on the transportation of dangerous goods
- Negotiating the supply and financing of marine equipment and services
- Advising on bills of lading and the liability of carriers for damage to goods
- Securing insurance coverage and negotiating or litigating claims
- Advising on environmental compliance, claims and remediation
- Assisting with the importation of non-Canadian vessels into Canada and coasting trade waivers and duty remission
- Advising on the purchase, sale and mortgaging of ships
- Advising with respect to the arrest of vessels and cargoes

firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan's commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at www.mcmillan.ca.

contacts

François Tougas
604.691.7425



marine

- Advising in fisheries matters, including administrative and criminal claims and charges

representative transactions

- Acted for a bulk handling terminal on corporate, commercial and dispute resolution matters
- Acted for Canadian lenders taking security by way of ship mortgages
- Acted for suppliers of security equipment to shippers and cruise operators and a manufacturer of deepwater robotics
- Acted for Transport Canada in connection with the commercialization of the Port of Oshawa
- Acted for a Canadian ship-owner on a new shipbuilding contract in China
- Acted on the structuring and implementation of a 700 passenger/200 vehicle high speed ferry service between Toronto and Rochester, including the negotiation of agreements for the operation of the ferry service and the construction, lease and operation of a Toronto Ferry Terminal with international border crossing facilities
- Acted for major Canadian consignor in connection with transportation of dangerous goods legislation and policy
- Acted for a European yacht manufacturer on construction and importation of large yachts