



ECONOMIC  
LAWS  
PRACTICE  
ADVOCATES & SOLICITORS



**HOSPITALITY PRACTICE**



# WHAT WE OFFER

## Acquisition of Land

- Due diligence reviews, covering transactional, financial, environmental, tax and compliance related issues
- Verification of title to the land and drafting and negotiation of sale deeds, lease deeds or development rights agreements or other conveyance deeds

## Construction & Development of Hotel

Drafting, negotiation and execution of documentation including:

- Construction contracts, architect's contracts, interior design consultancy contracts and other contracts for the appointment of experts for the development phase; and
- Equipment supply and other agreements with sub-contractors and vendors

## Structuring of Investment

- Designing and implementing tax efficient structures to identify tax exposures and the most optimal tax structure
- Risk analysis of project documentation, covering legal, structuring, commercial and tax issues
- Drafting, negotiation and execution of documentation including joint venture agreements, investment agreements, shareholders' agreements, private equity documentation and other equity and/or quasi-equity funding documentation

## Operator & Brand Selection

Drafting, negotiation and execution of documentation including:

- Hotel management agreements, technical services agreements, franchise agreements, marketing and publicity agreements for the provision of services by brand-owners for development of the hotel; and
- Trademark license agreements for the license of trademarks and service marks by brand-owners

## Financing

- Drafting, negotiation and execution of documentation including facility agreements and security documents such as guarantees and documents of charge and lien
- Assistance in refinancing the project
- Drafting of resolution plans and assistance

## Finalisation of consultants & service providers

- Drafting, negotiation and execution of documentation with consultants and other entities for provisions of pre-opening and post opening services

## Operation & Maintenance

- Advice on compliance processes under all applicable laws, for example, labour law, corporate law, indirect tax laws and developmental and/or environmental regulations
- Advice on issues faced in the day-to-day operations of the hotels, including on account of the COVID-19 pandemic
- Assistance in further investments into the hotel
- Resolution of disputes, either through the conciliation process or through arbitration

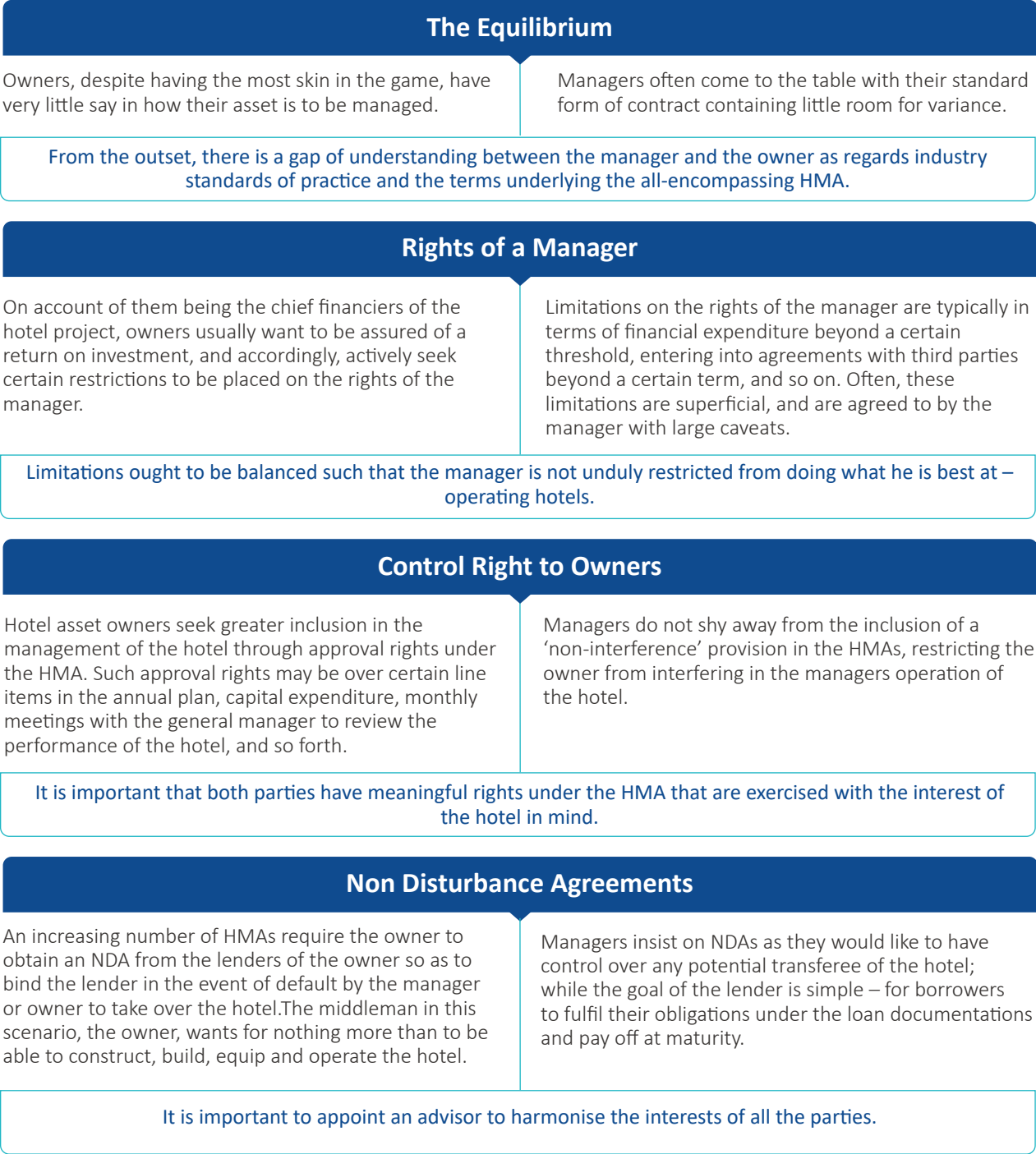
## Exit

- Structuring of the exit in the most tax efficient manner
- Drafting, negotiation and execution of documentation including share sale and share purchase agreements



# HOTEL MANAGEMENT AGREEMENTS: THE BALANCING ACT

Hotel Management Agreements (HMA's) are a peculiar form of contract involving a complex array of documentation – the operations agreement, the license agreement, the technical specifications agreement and the centralized services agreements. Managing hotels and leisure facilities inevitably lead to a complex range of commercial and legal issues. To the extent possible, it is important to ensure that the HMA comprehensively provides the terms governing the relationship between the owner and the manager so as to ensure a smooth partnership between the owner. and manager. A few of the issues that invariably come up are:



# ABOUT ECONOMIC LAWS PRACTICE

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Established in 2001 with the aim of bringing together a diverse set of professionals to deliver effective solutions for clients, Economic Laws Practice (ELP) is today a leading full-service law firm in India with more than 200 professionals – lawyers, chartered accountants, cost accountants, company secretaries, sector experts and economists – assisting clients on transactional, advisory, litigation, regulatory and tax matters.

ELP was recently featured as among the top 10 law firms in India in the RSG India Report 2019 and several of our practices are rated as Tier 1 by leading agencies in India and globally. ELP has an extensive client base across multiple industry sectors with clients from Fortune 500 companies, public sector undertakings, multinationals, Indian corporate power houses and startups. We work closely with leading global law firms in the United Kingdom, the United States, the Middle East and Asia-Pacific region, giving us the ability to provide real-time support on cross-border concerns. ELP is the India representative for the Taxand global network- the world's largest network of independent tax organizations (Taxand represents leading tax firms across 50 global jurisdictions) allowing us to offer a wider portfolio of services to our global clients.

ELP is actively engaged and collaborates with governments, regulators, legislators, businesses and industry associations to achieve positive and sustainable long-term conditions.

## Client Testimonials



*The firm has an extended range of practice areas with lawyers in each “well versed in the subject matter that they deal with” and adept at “managing large scale work.” They have a strong “commercial sense” and are considered “quite unlike other law firms operating in this sphere.” One client commented that the lawyers at ELP “feel passionate about the cases they deal with and their understanding of the operational aspects of capital markets also holds them in good stead.”*

- RSG India Report



*The team is conscientious, hard-working and very responsive. They are also tactful in dealing with stakeholders. They have a good breadth of resources for dealing with market issues.*

- Chambers Asia Pacific



*[A client] considers Economic Laws Practice to be among the best firms in India due to its personalized attention and strategizing.*

- India Business Law Journal



*Economic Laws Practice was started in 2001, but has most definitely become “one of the most exciting firms to look out for”, comments a peer.*

- Asialaw Profiles



# OUR AWARDS AND RECOGNITIONS

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| <div></div>  | <div></div>  | <div></div>  |  |  |  |
| <div></div> <div><p><b>Law Firm of the Year for:</b></p><ul style="list-style-type: none"><li>• Taxation</li><li>• International Trade</li><li>• Policy &amp; Regulation</li></ul></div>   | <div><p><b>Top Tier Firm in India for:</b></p><ul style="list-style-type: none"><li>• Tax</li><li>• WTO/ International Trade</li></ul></div> <div><p><b>Ranked for:</b></p><ul style="list-style-type: none"><li>• Banking &amp; Finance</li><li>• Competition &amp; Antitrust</li><li>• Dispute Resolution</li><li>• Projects, Infrastructure &amp; Energy</li><li>• Private Equity</li><li>• Corporate &amp; M&amp;A</li></ul></div> <div><p><b>Spotlight Table:</b></p><p>International Cross Border Capabilities</p></div>   | <div><p><b>Top Tier Firm in India for:</b></p><ul style="list-style-type: none"><li>• Dispute Resolution</li><li>• Projects and Energy</li><li>• Tax</li><li>• WTO/ International Trade</li><li>• Antitrust &amp; Competition</li><li>• Corporate and M&amp;A</li></ul></div> <div><p><b>Highly Recommended for:</b></p><ul style="list-style-type: none"><li>• Banking and Finance</li><li>• Capital Markets</li><li>• Investment Funds</li><li>• Real Estate and Construction</li><li>• TMT</li></ul></div> |  |  |  |
| <div></div> <div><p>One of the world’s top specialist arbitration firms, and amongst the only three firms in India that have been recognized and recommended for arbitration expertise.</p></div>  | <div></div> <div>ASIALAW PROFILE RANKINGS 2022</div> <table><tr><td><div><p><b>Outstanding Firm for</b></p><ul style="list-style-type: none"><li>• Tax</li></ul></div><div><p><b>Highly Recommended for:</b></p><ul style="list-style-type: none"><li>• Banking &amp; Finance</li><li>• Competition &amp; Antitrust</li><li>• Dispute Resolution</li><li>• Energy &amp; Natural Resources</li><li>• Projects &amp; Infrastructure</li><li>• Regulatory</li><li>• Restructuring &amp; Insolvency</li></ul></div></td><td><div><p><b>Recommended for:</b></p><ul style="list-style-type: none"><li>• Capital</li></ul></div><div><p><b>Recognized for:</b></p><ul style="list-style-type: none"><li>• Real Estate</li></ul></div></td><td><div><p><b>Notable for:</b></p><ul style="list-style-type: none"><li>• Investment Funds</li><li>• Financial Services</li><li>• Technology &amp; Telecommunications</li></ul></div></td></tr></table> |   | <div><p><b>Outstanding Firm for</b></p><ul style="list-style-type: none"><li>• Tax</li></ul></div> <div><p><b>Highly Recommended for:</b></p><ul style="list-style-type: none"><li>• Banking &amp; Finance</li><li>• Competition &amp; Antitrust</li><li>• Dispute Resolution</li><li>• Energy &amp; Natural Resources</li><li>• Projects &amp; Infrastructure</li><li>• Regulatory</li><li>• Restructuring &amp; Insolvency</li></ul></div> | <div><p><b>Recommended for:</b></p><ul style="list-style-type: none"><li>• Capital</li></ul></div> <div><p><b>Recognized for:</b></p><ul style="list-style-type: none"><li>• Real Estate</li></ul></div> | <div><p><b>Notable for:</b></p><ul style="list-style-type: none"><li>• Investment Funds</li><li>• Financial Services</li><li>• Technology &amp; Telecommunications</li></ul></div> |
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