

C L I F F O R D  
C H A N C E



**INSURANCE LUXEMBOURG**  
2023

## **OUR INSURANCE CAPABILITIES**

We are a trusted advisor to the world's leading insurers and reinsurers on complex transactions, disputes, financing, regulatory and commercial matters.

Many international insurers turn to the Luxembourg market for their insurance and reinsurance undertakings as well as acquisitions. Our integrated team thrives to offer a unique mix of experience, connections and pragmatism to successfully assist on the setting-up of Luxembourg (re)insurance subsidiaries and vehicles for investment by insurers, reinsurers and pension funds, including incorporation, regulatory authorisation process, drafting of contractual documentation, legal opinions or sales and acquisitions. We are advising insurers and reinsurers on all stages of their projects, from the setting up and incorporation and the related due diligence, over drafting and negotiation of all contracts and agreements in addition to all other questions of pre- and post-closing.

The fact that we regularly advise insurance and reinsurance undertakings, as well as other professionals of the insurance sector, including intermediaries, and their shareholders and investors, enables us to provide results-driven commercial advice to insurance sector professionals on some of their most complex transactions and to help them address some of their most challenging business issues.

Our Luxembourg and other network office teams have close working relationships with the Luxembourg insurance sector supervisory authority (the Commissariat aux Assurances, CAA), with other domestic regulators in other European jurisdictions and with the European supervisory authorities that help us to successfully advise and guide on insurance regulatory questions and processes.

# OUR INSURANCE PRACTICE

## KEY REASONS THAT SET US APART

The Luxembourg insurance practice has long-standing experience advising on a wide range of insurance regulatory aspects including on the set-up and licensing as well as mergers and acquisitions, including portfolio transfers, of insurance and reinsurance undertakings. Our team works closely with the global insurance team as well as with the other practice areas in Luxembourg.



### Strong Insurance Sector Team

We have leading insurance sector experience. With an established global insurance sector group, we are used to working together internationally and across practice areas to support our clients. Our team has an in-depth understanding of the market, regulatory landscape and commercial drivers for financial investment in the sector. Our sector focus means that we understand the issues that you will face and are used to dealing with them. We will be able to offer valuable insights and cost-effective, streamlined project delivery.



### Insurance Regulatory Expertise

We are market leaders in insurance regulatory matters and can advise on the full range of regulatory and policy issues our clients face. We have established relationships with regulators, including: close working relationships with the UK regulators and HM Treasury, the Luxembourg insurance sector supervisory authority (the Commissariat aux Assurances, CAA), with other domestic regulators in other European jurisdictions and with the European supervisory authorities.



### We support our insurance clients across the full range of their legal needs

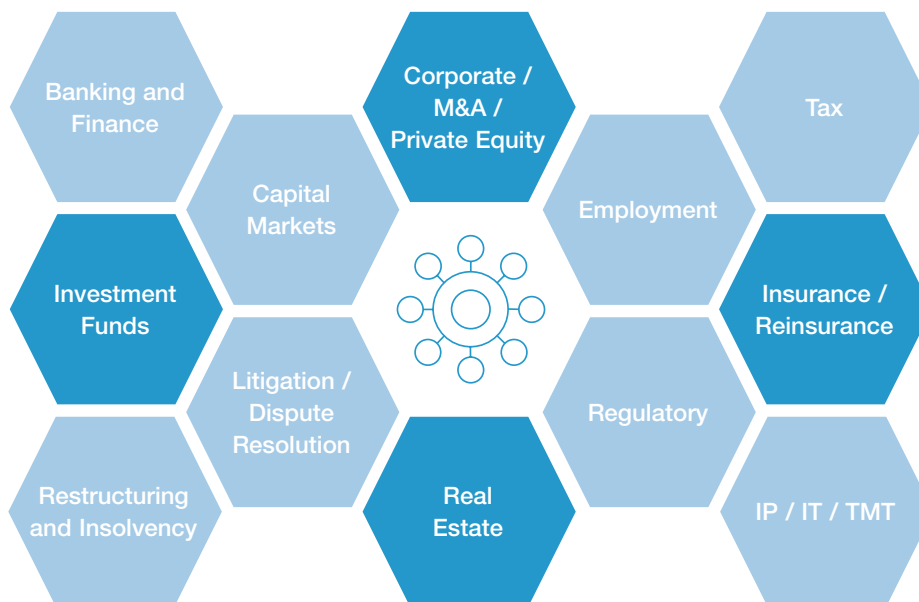
- M&A and joint ventures including large cross-border M&A transactions
- financial services regulation and enforcement
- corporate restructuring and reorganisation
- establishment of new operations
- development of complex insurance products
- raising capital
- reinsurance and alternative risk transfer
- distribution including bancassurance arrangements
- major insurance/reinsurance disputes
- outsourcing and other commercial contracts
- real estate investments
- asset management / investment funds
- sanctions and anti-money laundering
- tax advice

## OUR INSURANCE PRACTICE FULL RANGE LAW FIRM

Our insurance practice will work closely with other practice areas depending on our client's needs.

In Luxembourg, we have a strong team of more than 130 lawyers, including 15 partners. Our lawyers have a thorough understanding of different business cultures, the ability to work in many languages and experience in multijurisdictional work.

**We have a full range of legal advisory capability in the following core areas:**



# “ONE EUROPE” INSURANCE PRACTICE OUR LUXEMBOURG OFFICE WORKS CLOSELY WITH THE OTHER EUROPEAN INSURANCE TEAMS

## Our European offices are located in:



Amsterdam	Madrid
Barcelona	Milan
Brussels	Munich
Bucharest	Newcastle
Düsseldorf	Paris
Frankfurt	Prague
Istanbul	Rome
London	Warsaw
Luxembourg	

## First rate domestic and cross-border expertise across Europe:

Through our extensive network of offices in Europe we can offer an unparalleled ability to assist on pan-jurisdictional insurance business. We have offices across Europe, including major financial districts, and will be delighted to work closely with our colleagues from these offices.

Our multi-disciplinary team includes sector experts from across our corporate and M&A, regulatory, banking & finance, capital markets, dispute resolution, antitrust, tax, real estate, IT/IP pensions and employment teams.

## Established relationships with regulators, including:

close working relationships with domestic regulators in European jurisdictions and with the European supervisory authorities.

## Trusted advisor to the world's leading insurance and reinsurance companies and brokers:

We advise clients from across the global life, general, specialty and reinsurance markets.

We also advise insurance brokers, London Market participants, Bermudan based insurers, mutuals, run-off specialists and banks as counterparties to insurers.

## We support our insurance clients across the full range of their legal needs including.

- financial services regulation and enforcement
- corporate restructuring
- M&A and joint ventures
- establishing new operations
- restructuring and run-off
- development of complex insurance products
- raising capital
- reinsurance and alternative risk transfer
- distribution including bancassurance arrangements
- major insurance/ reinsurance disputes
- outsourcing and other commercial contracts
- real estate investments
- asset management/funds
- sanctions and anti-money laundering

# OUR GLOBAL INSURANCE PRACTICE

## A COLLABORATION BEYOND EUROPE

Through our extensive network of offices in the Americas, Europe, Asia Pacific, the Middle East and Africa, we offer an unparalleled ability to assist insurance companies throughout their global operations. Our size of team and breadth of experience enables us to advise on life and non-life sectors, intermediaries and other businesses in the insurance sector.

Our multi-disciplinary team includes sector experts from across our corporate and M&A, regulatory, banking & finance, capital markets, dispute resolution, antitrust, tax, real estate, IT/IP pensions and employment teams.

We offer an award winning and top tier ranked global team of over 200 fee-earners providing first class domestic and cross-border advice across the world's main financial centres and the emerging markets.

Our **Americas** Insurance practice represents many of the world's top 20 global insurers and reinsurers, large multinational companies, banks, as well as sophisticated new market entrants such as global private equity houses and hedge funds. We also advise insurance brokers, Bermudan-based insurers, London Market participants, Lloyd's, mutuals, run-off specialists, trade associations and banks as counterparties to insurers.

**BAND**  
**1**

**Chambers Global :  
Multi-Jurisdictional  
Insurance**

Chambers Global 2023

**“They are really pragmatic  
and assist us to the right  
extent depending on what  
the business needs.”**

**“Superb technical skills”**



# CURRENT ISSUES FACING GLOBAL INSURERS

As a leading global practice we have a unique insight into the latest insurance market trends and deal terms in the sector. Not only do we offer transactional support but also board and general counsel level advice.

## Corporate Governance

- board effectiveness
- systems and controls
- operational risk
- securing group consistency versus subsidiary independence

## Processes and Systems

- sharing best practices
- embedding group standards
- risk management and compliance
- protection of IP
- data privacy controls

## HR Issues

- boardroom/executive changes
- pensions
- employee benefits and incentives
- employment contracts

## Regulation

- Global systemically important insurers
- (G-SIIs) classification and resolution planning
- global and local market regulatory enforcement
- implementation of Solvency II as it evolves
- market conduct regulation
- senior management responsibilities

## Investment Activities

- minimising counterparty risk
- treasury activities, e.g. derivatives, cash pooling
- innovative risk transfer structures,
- e.g. Insurance Linked Securities (ILS) and Value-in-Force transactions
- alternative investment strategies including Infrastructure, Private Equity, Property, Corporate debt

## Group Structures

- corporate reorganisations
- mergers and acquisitions
- effective deployment of capital
- minority shareholdings and joint ventures
- group service companies
- regulatory capital and other financing arrangements

## ESG

- Climate Change for Insurers
- Sustainable Corporate Governance and New Due Diligence Duties in Europe
- The impact of Coronavirus on the EU's ESG priorities

## Operational Efficiency

- outsourcing
- distribution including bancassurance arrangements
- IT contracts
- dealing with non-core business
- reinsurance
- new products

## Sanctions and anti-money laundering

- cross-border sanctions risks;
- risk management;
- enforcement and regulatory inspection related advice;
- financial crime and sanctions compliance obligations;
- foreign investment barriers.

# OUR RANKINGS AND AWARDS

## MARKET RECOGNITION



### Luxembourg

#### **TIER 2: “INSURANCE LUXEMBOURG”**

LEGAL 500 EMEA 2023

#### **“FIRM OF THE YEAR: LUXEMBOURG”**

IFLR European Awards 2022

#### **BAND 1: “FINANCIAL AND CORPORATE LUXEMBOURG”**

IFLR 1000 2022



### European and Global

#### **“INTERNATIONAL LAW FIRM OF THE YEAR”**

IFLR European Awards 2023



#### **“EUROPE WIDE LAW FIRM OF THE YEAR 2023”**

Chambers European Awards 2023



#### **BAND 1: “INSURANCE IN GLOBAL: MULTI-JURISDICTIONAL LEGAL RANKINGS”**

Chambers & Partners Global 2023

**“Effectively able to draw upon experts within the finance, corporate and litigation teams, in particular, with significant regulatory know-how and strong track records in the insurance space, both domestically and internationally.”**

Legal 500 2023 – Insurance

**“Excellent regulatory insurance knowledge and is creative in finding solutions.”**

Legal 500 2023 – Insurance

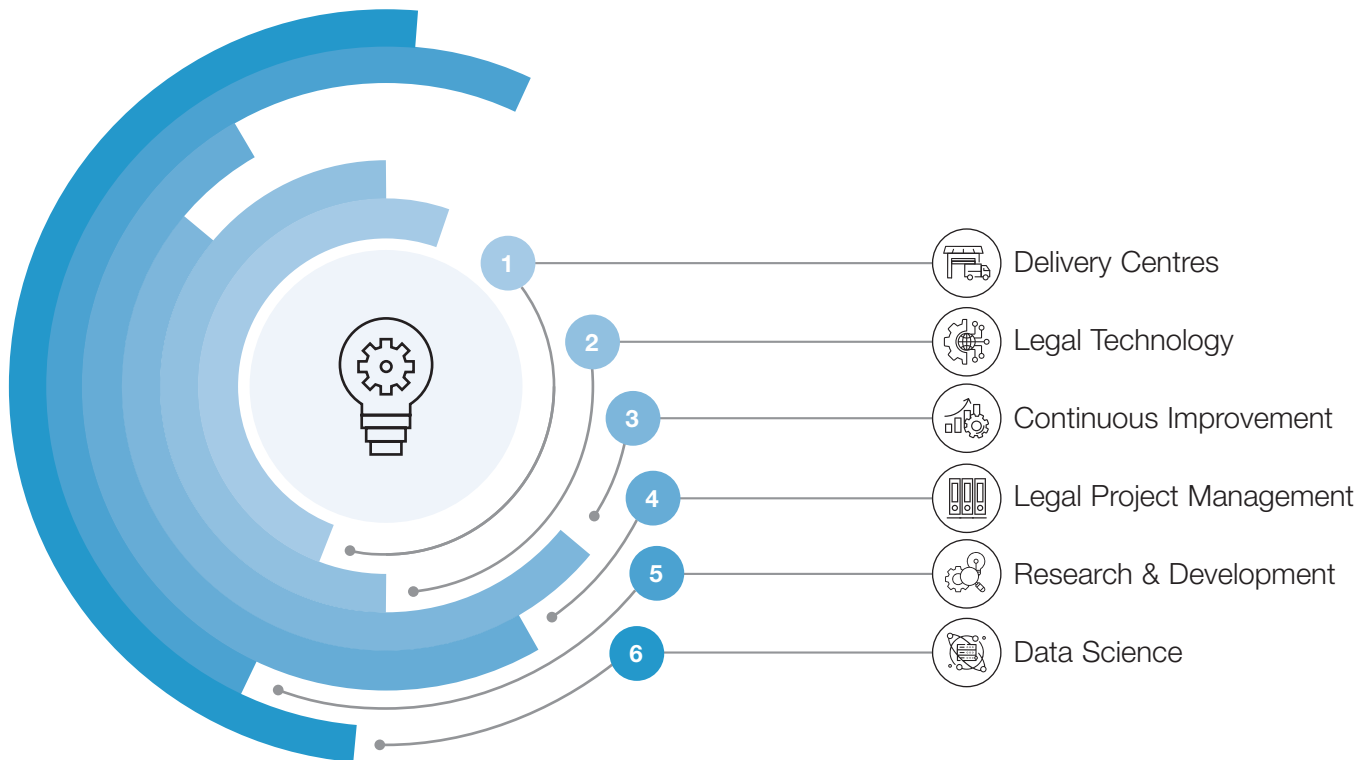
**“The team is extremely involved and permanently reliable, with superb depth and breadth of knowledge and skills”**

Chambers Global 2022 – Insurance



# INNOVATION IN ACTION

Putting evolution into evidence, in every facet of our work, every day. Whether it's the way we work today and how we pave the way for future methods, or the new answers we bring to our clients. Our capabilities, insights and research speak for themselves. And so do the results.



# KEY CONTACTS

## INSURANCE REGULATORY



**Christian Kremer**  
Senior Partner  
Luxembourg  
T: +352 48 50 50 201  
E: christian.kremer@cliffordchance.com



**Udo Prinz**  
Counsel  
Luxembourg  
T: +352 48 50 50 232  
E: udo.prinz@cliffordchance.com

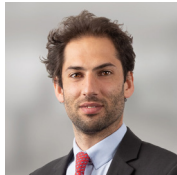


**Isadora Rouselle**  
Senior Associate  
Luxembourg  
T: +352 48 50 50 467  
E: isadora.rouselle@cliffordchance.com

## CORPORATE



**Christian Kremer**  
Senior Partner  
Luxembourg  
T: +352 48 50 50 201  
E: christian.kremer@cliffordchance.com



**Louis Mamère**  
Senior Advisor  
Luxembourg  
T: +352 48 50 50 466  
E: louis.mamere@cliffordchance.com



**Paul Van den Abeele**  
Partner  
Luxembourg  
T: +352 48 50 50 478  
E: paul.vandenabeele@cliffordchance.com

## TAX



**Geoffrey Scardoni**  
Partner  
Luxembourg  
T: +352 48 50 50 410  
E: geoffrey.scardoni@cliffordchance.com

## LITIGATION/GDPR/EMPLOYMENT



**Albert Moro**  
Partner  
Luxembourg  
T: +352 48 50 50 204  
E: albert.moro@cliffordchance.com



**Ada Schmitt**  
Partner  
Luxembourg  
T: +352 48 50 50 435  
E: ada.schmitt@cliffordchance.com



**Charles-Henri Laevens**  
Senior Associate  
Luxembourg  
T: +352 48 50 50 485  
E: charleshenri.laevens@cliffordchance.com



**John Ted**  
Senior Associate  
Luxembourg  
T: +352 48 50 50 379  
E: john.ted@cliffordchance.com



# CLIFFORD CHANCE

Clifford Chance, 10 boulevard G.D. Charlotte, B.P. 1147,  
L-1011 Luxembourg, Grand-Duché de Luxembourg

© Clifford Chance 2023

Clifford Chance LLP is a limited liability partnership  
registered in England and Wales under number OC323571

Registered office: 10 Upper Bank Street, London, E14 5JJ

We use the word 'partner' to refer to a member of Clifford  
Chance LLP, or an employee or consultant with equivalent  
standing and qualifications.

[www.cliffordchance.com](http://www.cliffordchance.com)