

INSURANCE & REINSURANCE COMPANIES AND INTERMEDIARIES FRANCE

The Insurance department at Gide assists insurance companies, brokers and agents in general insurance and life insurance issues, providing both advice and litigation services.

Regulation of Insurance and Reinsurance Companies

- Advising on regulations applicable to insurance and reinsurance companies;
- Assisting with the regulatory licence and approval application procedures;
- Advising on relations with the *Autorité de Contrôle Prudentiel* (ACP), the French Insurance and Banking Supervisory Authority;
- Assisting with the setting up of insurance subsidiaries and branch offices in France;
- Legal advice and assistance on insurance company investments;
- Advising on the insurance *modus operandi* in the various Member States of the European Union (freedom of establishment and freedom to provide services) and in non-EU states;
- Assisting with implementing the rules for the prevention of money laundering.

M&A - Restructuring - Run-Off - Liquidation

- Advising and assisting in corporate restructuring transactions involving mergers (with or without portfolio assignments), acquisitions and changes in corporate control;
- Due diligence work on target company insurance and reinsurance contracts;
- Monitoring the procedures for running off insurance company portfolios;
- Assisting with the acquisition and management of run-off portfolios (life and non-life);
- Assisting with insurance compensation payment optimisation;
- Advising on the procedures involved in winding up insurance and reinsurance companies;
- Assisting with procedures (notifying claims) involving the liquidator.

Insurance Policy Distribution

- Setting up insurance product distribution schemes for banks and distribution companies (automotive constructors, IT equipment manufacturers, etc.);
- Setting up insurance brokerage companies;
- Widening a company's scope of activity to include insurance brokerage;
- Implementing insurance distribution, management, co-brokerage and introduction agreements;

ALGIERS
BEIJING
BRUSSELS
CASABLANCA
HO CHI MINH CITY
HONG KONG
ISTANBUL
LONDON
MOSCOW
NEW YORK
PARIS
SHANGHAI
TUNIS
WARSAW

- Advising on the methods of distribution of insurance products in the Member States of the European Union (freedom of establishment and freedom to provide services);
- Online distribution of insurance policies.

Disputes - Pre-Dispute Procedures & Claims Settlement

- Legal advice on preparing and handling pre-litigation issues;
- Assessing the legal risks as a result of a loss;
- Assisting and representing clients with regard to amicable and legal appraisals;
- Assisting with the assessment of losses and in costing tangible and moral prejudice to be declared to insurers;
- Setting up preventive procedures;
- Identifying actions, applicable statutes of limitation and means for archiving evidence;
- Analysing insurance policy clauses and claim notifications;
- Establishing a general losses management strategy;
- Urgent legal actions (summary procedure/legal appraisal);
- Assisting with claims notification and termination of the prescriptive period with regard to insurers, and in appointing loss adjusters.

Alternative Claims Settlement Methods

- Run-Off - Delegated management;
- Insurance and reinsurance arbitration;
- Mediation - Conciliation - Compromise.

« Gide's 'highly strategic' team 'immediately grasps and addresses issues at stake', has 'comprehensive expertise' and is recommended for contractual, regulatory or litigation issues. Clients include many leading insurers such as Chartis and Axa. Practice head Richard Ghuedre ranks among the 'top experts in France and Europe'. Senior associate Charles-Eric Delamare Deboutteville is 'a reference for distribution-related regulatory matters and life insurance'. »

Legal 500 EMEA 2014

« Broad insurance and reinsurance practice covering corporate, regulatory and contentious matters. Corporate work includes restructuring, M&A and portfolio transfers. Active in industrial risk litigation and product liability, also handling professional, D&O and operations liability cases. Advising on new products, distribution and compliance are other lines of work. Clients include international insurers, brokers, financial institutions and industrial groups. Notable practitioners: Richard Ghuedre is highly regarded for regulatory and corporate insurance matters and is complimented by clients for the breadth of his knowledge: 'He has a very strong background in insurance and it is easy to speak with him about reinsurance, distribution and claims.' His expertise covers both French and EU insurance and reinsurance law. »

Chambers Europe 2014

« Gide provides 'a good quality of service' to leading insurers in contentious and non-contentious matters, and is highly regarded for its regulatory expertise. It is acting for Axa in one of France's first class actions in the insurance sector. The practice is led by Richard Ghuedre, who is one of the 'the few all-around insurance specialists in France', and newly promoted partner Capucine Bernier. »

Legal 500 EMEA 2015

CONTACT PARTNERS

RICHARD GHUEDRE
tel. +33 (0)1 40 75 22 55
ghuedre@gide.com

CAPUCINE BERNIER
tel. +33 (0)1 40 75 29 19
bernier@gide.com