

LIFE INSURANCE | FRANCE

The Insurance department at Gide advises life insurance companies, banks and financial institutions on implementing traditional and innovative life insurance products and on all issues relating to life insurance products, their distribution and the rules and regulations governing the sector.

Life Insurance Policies Due Diligence

Individual and Group Life Insurance Policies

- Legal advice relating to entering into life insurance policies (pre-contractual information to the policyholder, information to the insurer, signing group life insurance policies, etc.);
- Advising on any legal or tax issues relating to the termination of an individual or group life insurance policy.

Euro-Based Life Insurance Products

- Advising on any legal or tax issues relating to entering into, performing or terminating a euro-based life insurance policy;
- Recommendations and assistance with drafting euro-based life insurance policies.

Unit-Linked Life Insurance Policies

- Advising on any legal or tax issues relating to entering into, performing or terminating a unit-based life insurance policy;
- Recommendations and assistance with drafting unit-based life insurance policies;
- Legal advice relating to the unit links eligible to the insurance policy;
- Recommendations and assistance with the information to be provided about UCITS.

Broad-Based Investment Products (euros, securities, real estate securities)

- Advising on any legal or tax issues relating to broad-based investment policies;
- Legal advice relating to the unit links eligible to the insurance policies;
- Recommendations and assistance with drafting broad-based life insurance policies.

Capitalisation Contracts

- Advising on any legal or tax issues relating to capitalisation contracts;
- Recommendations and assistance with drafting capitalisation contracts: general and specific terms and conditions, prospectuses about financial supports, commercial brochures, management profiles, information for subscribers and members.

Life Insurance Policies Distribution - Bancassurance

Distribution of Life Insurance Policies via Insurance Brokers and Agents

- Setting up insurance brokerage companies;
- Implementing insurance distribution, bancassurance, management, co-brokerage and introduction agreements;
- Advising on the methods of distribution of life insurance products in the Member States of the European Union (freedom of establishment and freedom to provide services).

ALGIERS

BEIJING

BRUSSELS

CASABLANCA

HO CHI MINH CITY

HONG KONG

ISTANBUL

LONDON

MOSCOW

NEW YORK

PARIS

SHANGHAI

TUNIS

WARSAW

Online Distribution of Life Insurance Policies

- Assisting with setting up web sites including administrative formalities, contracts, procedure for making declarations to the CNIL (French data protection agency), domain name protection, implementing partnership agreements with service providers;
- Recommendations and legal advice with regard to the subscription and management of life insurance policies via Internet;
- Reviewing and drafting the pre-contractual and contractual web site mandatory information.

Life Insurance Disputes and Dispute Avoidance Procedures

- Advising during litigation and pre-litigation procedures resulting from the signature or performance of a life insurance policy;
- Legal advice on preparing and handling pre-litigation issues.

Regulation of Life Insurance Companies

Regulation of Companies

- Assisting with the setting up of insurance firms, subsidiaries and branch offices in France;
- 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;
- Monitoring regulations applicable to insurance and reinsurance companies;
- 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).

M&A and Restructuring

- 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.

Run-Off

- Monitoring the procedure for running off life insurance company portfolios;
- Assisting with insurance compensation payment optimisation.

Liquidation

- Advising on the procedures involved in winding up a life insurance company;
- Assisting with procedures (notifying claims) involving the liquidator.

« 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

« 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'. »

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