

# Luther.



## Insurance Law

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Apart from the classical insurance law topics which are subject to constant changes, in particular, due to numerous amendments to the law and the development of the law by jurisprudence, actors in the insurance industry face an increasing number of further challenges, such as e.g. the sustainment and expansion of their position in the market by innovating new products and finding alternative sales channels.

In order to be able to assist the insurance industry in a competent and effective way with regard to the current and future topics and challenges Luther has established a team in which its insurance law experts closely co-operate with further Luther lawyers specialized in adjacent fields of the law.

Our insurance law team focusses on national and international clients, e.g. insurance companies, re-insurance companies and insurance intermediaries as well as policyholders and insured persons (in particular companies and their legal representatives).

We are rendering advice to our clients in all areas of insurance law. Besides the main fields such as insurance supervisory law and insurance contract law (including product development) this also includes e.g. insurance intermediary law and insurance distribution law. As insurance law experts with many years of experience we are not only familiar with the legal questions that arise but are also well acquainted with the economic background in the insurance industry. Therefore, we are able to offer our clients well-balanced and goal-oriented solutions.

A further emphasis of our work is the judicial and extra-judicial representation of insurers, policyholders and insured persons in insurance disputes. In this regard our range of advice comprises the insurance cover side as well as the liability and the loss adjustment side. Depending on the type of the insured event (e.g. in case of product liability, professional liability or in D&O / E&O cases) we closely co-operate with our colleagues from other Luther departments which are specialized in the affected field of law in order to render the best possible advice.



For non-German insurers and insurance intermediaries we pave the way for their market entry in Germany and are at their side as an experienced and always available partner for all the following activities such as the product development for the German market and the establishment of a sales infrastructure.

With our offices outside Germany and based upon our international network of partner law firms we are also in a position to provide fully-fledged and prompt legal support not only in the German market but also with regard to cross-border activities.

In addition, as a full-service law firm Luther is able to offer legal advice on the highest level also in areas of law which are adjacent to insurance law and other fields of law which are of interest for clients in the insurance industry. For example, with a view to the effects of the current low interest rate environment for the business of life insurance companies, our comprehensive advisory services in connection with the outsourcing, transfer and run-off of insurance portfolios can be mentioned.

## Areas of advice regarding insurance law

- **Insurance supervisory law**  
(e.g. insurance license, activities of EU/EEA insurers in Germany by way of a branch or on a freedom of services basis, transfer of insurance portfolios, outsourcing)
- **Insurance company law**  
(e.g. establishment of holding companies, transformation of a mutual insurance company into a stock corporation, mergers)
- **Insurance intermediary law**  
(intermediary business law, e.g. licensing and registration, demarcation of license-free mediation activities according to German law and IMD / IDD)
- **Insurance distribution law**  
(e.g. set-up and organization of distribution networks)
- **Product development**  
(e.g. draft of terms & conditions, product information sheets, application forms and insurance certificates)
- **Insurance contract law**  
(check of insurance cover, check of rights and duties from an insurance contract, e.g. revocation and cancellation rights, reporting duties, further obligations, etc.)
- **International insurance law**  
(e.g. conflict of laws, EU-Regulations and Directives)
- **Litigation and arbitration**  
(e.g. product liability, D&O / E&O, professional liability, damage in connection with construction and planning, industry damage)

- **Tax law for insurers and policyholders**  
(e.g. insurance premium tax, withholding tax for policyholders, corporate tax)
- **Asset management for insurance companies**  
(advice with regard to capital endowment of insurers)

## Adjacent fields of legal advice (selection)

- Corporate law
- Banking and capital markets law
- Commercial and distribution law
- Litigation and mediation

## Further areas of legal advice provided by Luther for the insurance industry (selection)

- Labour law
- Data protection law & IT law
- Real estate law
- Competition law & Trademark law
- Public procurement law
- Anti-trust law

We also provide legal advice to re-insurance companies.

Luther Rechtsanwaltsgesellschaft mbH advises in all areas of business law. Our clients include medium-sized companies and large corporations, as well as the public sector.

Berlin, Brussels, Cologne, Dusseldorf, Essen, Frankfurt a. M., Hamburg, Hanover, Leipzig,  
London, Luxembourg, Munich, Shanghai, Singapore, Stuttgart, Yangon

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Hits the mark. Luther.

