

Insurance

Our practice

ALTIUS has developed a strong multi-disciplinary Insurance practice covering the full legal spectrum of: dispute resolution; regulatory compliance; M&A and joint ventures; trade practices; distribution channels; labour; money laundering; privacy and data protection; consumer protection; and other commercial issues.

As European and Belgian insurance legislation has become increasingly complex, we have been advising insurance institutions such as insurance companies, reinsurers, 'mutualities' and insurance intermediaries on a regular basis about the regulatory framework that applies to them.

Our close co-operation with the tax firm, Tiberghien, has strengthened our ability to optimise financial and insurance transactions and restructurings from both a tax and legal perspective.

We offer a hands-on, personal service to our clients and help you to reach your objectives. We invest in understanding our clients' business needs and make sure that your legal and commercial interests are protected in the best possible way.

How we can help

Regulatory/Compliance

- Advising on the regulatory framework (licence requirements, prudential supervision, etc.)
- Providing support in the relations/discussions with the regulatory authorities (National Bank of Belgium, FSMA, and OCM)
- Performing compliance due diligence on various aspects (regulatory, distribution structure, contractual documents, data protection/privacy set-up, etc.)
- Advising on regulatory issues regarding mergers and portfolio transfers
- Advising on the applicable code of conduct

Distribution and contractual documents

- Advising on the structuring of insurance distribution channels: direct or indirect distribution (via brokers, agents or tied agents)
- Advising on the rules applying to insurance intermediaries (Agency Act, Insurance Distribution Directive, etc.)
- Advising on the principles and differences between the exercise of insurance activities under the freedom to provide services or the freedom of establishment
- Advising on trade practices applying to the insurance sector (online sales, advertising campaigns, etc.)
- Reviewing and drafting cooperation contracts between insurers and third parties, contracts between insurers and insurance intermediaries, T&C, insurance policies and any other insurance-related document

Dispute Resolution

- Insurance coverage disputes (mediation, court proceedings and arbitration)
- Underlying liability claims, direct actions and mass-tort situations
- Reinsurance disputes
- All types of insurance policies, such as professional indemnity, product liability, property, business-interruption, D&O liability, the public offering of securities, construction (all risk).

Corporate

- Due diligence review of insurance portfolios and assistance to clients in the case of portfolio transfer
- Assisting clients in all aspects of cross-border mergers
- Supporting clients in setting up their Belgian insurance branch
- Helping clients with the run-off of insurance portfolios

ICT – Internet law

- ERP
- Outsourcing
- Software development and licensing
- SaaS/ASP
- Software transfer and distribution

- Cloud computing
- E-commerce, including mobile commerce
- E-invoicing
- E-signature
- Online advertising/marketing
- Online intermediaries, including search engines
- Trade practices and consumer protection
- Data retention

Data protection

- Data protection audit
- Data processor agreement
- Data transfer
- Data protection policy
- Direct marketing
- Security measures

Market recognition

Clients stress that the team *"has a lot of expertise,"* and particularly appreciate *"the personal contact and patience"* that ALTIUS offers. – Chambers Europe, 2022

"Collaboration with Altius is always a pleasure. They are on topic, think out strategy and consult with you for the best possible solution. Above all, they never stop." – Legal 500, 2022

"Alexander Hansebout is not only an exceptional lawyer, but also an exceptional person. He has extensive knowledge in many areas and very extensive practical experience. Working with him ensures that things are in good hands. Alexander is always available and is a very easy person to work with; that really makes him stand out. Working with him is a real pleasure."
-Legal 500, 2021

"We especially appreciate the knowledge and service provided by Jérôme Vermeylen. Jérôme definitely has great expertise and knowledge in insurance matters. With Jérôme, we can be sure that with any question or problem he will help to prepare an analysis of the situation, in collaboration with lawyers who have specific knowledge, and provide the perfect support to allow us to choose the best solution." - Legal 500, 2021

"Stijn Van Schel is a distinguished lawyer with extensive knowledge. What makes him stand out is that he is always professional, perfectly prepared and helpful at every step." - Legal 500, 2021

"ALTIUS" top-notch practice generates work from insurance companies, reinsurers and insurance intermediaries. The cross-practice team, which is jointly led by Alexander Hansebout and Jérôme Vermeylen, handles a wide ambit of matters for clients, including regulatory/compliance advice, insurance distribution, and corporate, intellectual property and real estate related questions." – Legal 500, 2020

"Hansebout has extensive experience assisting insurance companies with complex and significant liability and coverage disputes. Vermeylen is recommended for his insurance regulatory expertise, as well as his knowledge of M&A and reorganisations. Counsel Stijn Van Schel is also recommended." - Legal 500, 2020

Clients say: *"ALTIUS still has lawyers who we started working with years ago to help us get clear and quality legal advice. In addition to the team's stability, we would like to highlight the fact that it is highly accessible and ready to provide an opinion even in the face of tough deadlines"* – Legal 500, 2020

"Jérôme Vermeylen is always able to anticipate the needs of the clients, which always helps to resolve any matter quickly and save money." - Legal 500, 2020

Insurance Litigation: *"Highly Recommended"* - Leaders League 2020

Contact



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