

International Insurance Regulatory

Overview

In today's increasingly complex global regulatory and technology-driven environment, international insurance and related financial services companies regularly seek our counsel on matters involving foreign country laws and regulations. Our clients include insurance and reinsurance companies, captive insurers, insurance agents/brokers/wholesalers, surplus lines insurers, financial institutions, and investment funds and fund managers operating in the United States and abroad.

In concert with our attorneys in the Financial Services Regulatory and the Life, Annuity, and Retirement Solutions groups, we handle foreign insurance regulatory, compliance, and transactional matters, with a particular focus on Latin America, in connection with the following insurance products: life and annuities, health, property and casualty, commercial general liability, extended warranty, representations and warranties, mergers and acquisitions, data privacy and cybersecurity, D&O, title, travel, parametric, maritime, crop, trade credit, and political risk.

Representative international and cross-border insurance matters include foreign insurance company formation and authorization, insurance M&A transactions, sale of policy portfolios and structuring run-off transactions, offshore captive insurance company formation, policy contract drafting and coverage analysis, fronting/reinsurance transactions, insurance agency and intermediary licensing, high net worth trust and estate planning, digital marketing, insurtech, insurance-linked securities, and foreign antitrust laws and cartel regulations.

In addition, we assist in the development of offshore private placement life insurance and annuities products and the formation of insurance-dedicated funds in Bermuda, the British Virgin Islands, the Cayman Islands, and other offshore jurisdictions, and provide counsel on foreign country laws, including insurance, securities, tax, and data privacy implicated in the distribution and international sale of insurance and investment products. We also provide advice on Chapter 61 of the Insurance Code of Puerto Rico (International Insurers and Reinsurers Act) and select state insurance laws in connection with the sale of life and annuity products to non-U.S. residents.

In connection with global operations, and in collaboration with the firm's international practice and regional desks and the firm's tax practice, we help insurance clients manage compliance with the Office of Foreign Assets Control regulations, the USA Patriot Act and foreign country anti-money laundering laws, and the Foreign Corrupt Practices Act and foreign anti-corruption legislation. We also provide counsel on the insurance provisions of the financial services chapter of the recently adopted United States-Mexico-Canada Agreement, which replaced the North American Free Trade Agreement; the initiatives of the International Association of Insurance Supervisors; and the impact on offshore insurers and distributors of the economic substance acts adopted in offshore jurisdictions.

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- Life, Annuity, and Retirement Solutions
- Property and Casualty Insurance

RELATED PRACTICES

- Financial Services Regulatory
- Property & Casualty Insurance