



Insurance and Liability

OUR INSURANCE AND LIABILITY PRACTICE

Insurance is all about risk management and monitoring. At Liedekerke, we understand our clients' viewpoints. **For over 40 years we have been providing risk-balanced solutions to our clients**, helping them to achieve their business goals.

Liedekerke has developed its insurance practice over the years, keeping in mind that liability and insurance issues are closely related and that dispute resolution is not limited to litigation before the courts.

Our Insurance Team is specialised in all areas of the insurance sector, such as life and non-life, maritime and transport insurance. We regularly advise on intermediation and regulatory compliance matters.

Our specialists offer a complete range of services including advising on claims, negotiating cooperation agreements, drafting or updating insurance policies, advising on regulatory matters, and dispute resolution.

OUR CLIENTS

Our team advises and represents a wide array of Belgian and foreign insurance and reinsurance companies, brokers and agents, retail and commercial banks and other financial intermediaries, as well as trade associations and insured persons.

Our clients include domestic entities as well as foreign insurers and loss adjusters who operate in Belgium under freedom of services. We are also regularly instructed by UK and US law firms to advise their clients in relation to Belgian insurance law matters.

We are proud to be able to count amongst our longstanding clients some of the best known insurers with a strong local presence. Our Insurance and Liability practice has earned a particularly strong reputation for representing corporate clients.

OUR APPROACH

We look at insurance as an activity and as a sector.

We have a client-orientated approach, which allows us to efficiently service the needs of the various players in the insurance market.

OUR TEAM

Our insurance team is truly multilingual; it advises in French, Dutch and English, and has built a strong reputation over the years.

Our specialist insurance lawyers work closely together with sector specialists from other practice areas, such as regulatory, corporate, finance, tax, commercial contracts and competition law.

OUR SERVICES

Insurance lines in which we have particularly strong expertise include property insurance, product liability insurance, professional liability insurance, credit insurance, technical insurance (including construction all risks), fine art & valuables insurance, transport insurance, marine & aviation insurance, and environmental coverage. Our team has also developed a strong practice in the life and health insurance segments.

We advise and assist clients in matters including:

- Claims monitoring
- Handling of complex claims (e.g. fraud and embezzlement and professional liability claims)
- Drafting, updating and negotiating insurance policies and endorsements
- Dispute resolution, either through mediation, negotiation, arbitration or litigation before the Belgian or EU courts
- Agreements between insurers, brokers, banks and other players in the insurance products distribution market
- Validating remote selling process of insurance products
- Regulatory law applicable to insurers, reinsurers and insurance intermediaries
- Setting up underwriting agencies
- Captives and alternative risk transfer

On the corporate and regulatory side, we advise life and non-life insurers and reinsurers, service providers, brokers and other intermediaries on the application of Belgian and European regulations affecting the insurance market and we assist clients with entry to the Belgian market under the EEA 'passport' system.

We also work in close collaboration with the real estate and employment practice groups for business transfers and reorganisations and with the tax practice group as regards the taxation of insurance companies and insurance products or operations.

EXPERIENCE HIGHLIGHTS

Recent work highlights include:

- Assisting a foreign insurer in developing and implementing the telemarketing of a **range of insurance contracts adapted to the Belgian market**, including an accident and health insurance policy and a term life policy
- Assisting a US insurer in a **fraud** case linked to a life insurance policy
- Advising a foreign insurer to **restructure** its activities in Belgium (insurance products, regulatory and employment)
- Assisting an industrial company in the coverage issue of a **serial loss**
- Acting for an insurer in relation to a large **D&O claim** brought before a French Court in connection with an insurance policy subject to Belgian law
- Advising a UK based insurer on exercising its subrogation rights against the insured's contractor and its Belgian insurer under a **construction all risks insurance policy**
- Advising insurers in relation to their refusal to provide coverage under a **professional liability insurance** policy for claims brought against a bank and an insurer based in Luxembourg



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PARTNER

- Olivier Vanden Berghe

COUNSEL

- Jean Pierre Kesteloot

WHAT OTHERS SAY ABOUT US

"What we particularly appreciate is the team's success rate in litigation, its adherence to deadlines, its great pro-activity and the quality of its drafts. Also of great importance is Liedekerke's experience and familiarity with our insurance business" says the Legal Counsel of a specialist insurer.

The Head of Legal at another company praises *"the great availability of the team"*. He adds: *"Their opinions are concise, practical, to the point"*.

For the Head of Legal of one of the largest Belgian insurers, Liedekerke *"is in a very strong position since we are looking for a pragmatic service, with experienced, responsive lawyers"*.

Liedekerke Client Survey

Member

LexMundi
World Ready

CONTACT

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