

Luther.

Insurance Law

Our range of advisory services

Insurance Law

Our experts provide competent and efficient advice on all current topics and future challenges in the insurance industry. The team advises national and international primary insurers, reinsurers, insurance intermediaries, policyholders and insured persons, in particular, companies and their governing bodies, on all aspects of insurance law.



Due to our years of experience, we are very familiar with all the relevant legal issues, the commercial background, the special requirements and the regulatory framework of the insurance industry. We provide advice on our core areas, insurance supervisory law and insurance contract law, including product design, as well as in the areas of insurance intermediary and insurance distribution law.

Another focus of our work is representing our clients in insurance disputes, in and out of court. Our range of advice comprises not only insurance cover issues but also liability and claim settlement issues. Depending on the type of claim – for example, product liability claims or D&O liability claims against management board or supervisory board members or managing directors – our team of lawyers that specialise

in insurance law work closely with experts from the other fields of law that our full-service law firm provides, for example, corporate law, banking and finance law, or commercial and distribution law. Our international offices and our international network of partner law firms are well-versed in handling cross-border matters and, therefore, can quickly provide help.

If you are a foreign insurer or insurance intermediary who wishes to enter the German market, we will be happy to clear the way for you. As an experienced and reliable partner, we will, of course, continue to support you in all your activities after you have entered the German market, in particular when it comes to designing your products or setting up a distribution system.

Insurance contract law

- Examining whether insurance cover exists
- Examining rights and obligations under the insurance contract, e.g.
 - Rights of withdrawal and rights of termination
 - Notification duties
 - Obligations

Insurance supervisory law

- Insurance licence
- Activities of EU/EEA insurers in Germany based on the freedom of establishment and the freedom to provide services
- Transfer of portfolios
- Outsourcing

Insurance intermediary law

- Trade law, including – without limitation –
 - Licencing and registration
 - Distinguishing between activities requiring a licence and licence-free activities (ad hoc advice, intermediation below de minimis thresholds)

Insurance distribution law

- Establishing and structuring classic and digital sales organisations, including drafting all the documentation required for this purpose

Product design

- Drafting insurance conditions
- Drafting Insurance Product Information Documents (IPIDs)
- Drafting insurance applications
- Drafting insurance policies

Insurance company law

- Establishing holding companies
- Transforming mutual insurance companies into stock corporations
- Mergers

International insurance law

- Insurance private international law
- EU regulations, directives and other legal acts

Litigation and arbitration

- Directors & Officers (D&O)
- Errors & Omissions (E&O)
- Product liability
- Professional indemnity
- Warranty & Indemnity (W&I)
- Damage from construction work and planning
- Industrial claims

Asset management for insurance companies

- Advising on the capital resources of insurers, including the “cover pool eligibility” of capital investments

Your contacts



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Dr Alexander Mönnig studied law in Hamburg, Germany, from 1993 to 1998 and was a research assistant at the Faculty for Insurance Sciences at the University of Hamburg from 1998 to 1999. He participated in the post-graduate program “Law & Economics” from 1999 to 2000 in Rotterdam, The Netherlands, Ghent, Belgium, and Manchester, UK, finishing with a LL.M. and an E.M.L.E. He was awarded a Dr. jur. from the University of Hamburg in 2002 (Dissertation: Supervision of Shareholders in the Insurance System). He was admitted to the bar in 2003 and joined Luther’s predecessor firm in 2004. He has remained with the firm ever since. Dr Alexander Mönnig is a member of the insurance association „Versicherungswissenschaftlichen Verein in Hamburg e.V.“

Areas of practice

Dr Alexander Mönnig provides comprehensive legal advice to domestic and foreign insurance companies as well as insurance intermediaries in all areas of insurance supervision law and insurance contract law, including product design and the development of distribution channels, and also in the field of insurance intermediary law. Further insurance law services are, in particular, the judicial and extrajudicial representation of insurers, policyholders and insured persons in insurance disputes as well as the analysis of the insurance aspects within legal due diligences. In the field of corporate law Dr Alexander Mönnig specializes in the ongoing advice of managing directors and management board members as well as in the legal support for the establishment, restructuring and acquisition of companies.

Dr Alexander Mönnig has special expertise in the areas of life insurance, creditor insurance / payment protection, and insurances for accidental damage and warranty extension (e.g. for electronic devices), together with related products. In addition, he regularly renders advice in case of disputes in the field of D&O / E&O.

Your contacts



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Dr Rolf Kobabe, a trained savings bank clerk, was initially assistant to the board of the private bank Hallbaum, Maier & Co. AG in Hanover. After completing his doctorate with a thesis on the law of EU central banks, he from 1998 initially practised as a commercial lawyer with a focus on financing measures for small and medium-sized enterprises. Dr Kobabe has published numerous books, brochures and essays on current developments in the capital markets, among other things, most recently as co-author of the commentary on the German Banking Act and the CRR published by Schäffer-Poeschel Verlag (4th edition 2023).

Areas of practice

Dr Rolf Kobabe specialises in the areas of regulatory law, asset management and funds. Here, Dr Kobabe advises on all issues relevant to supervisory law, in particular from the KWG, WpIG, ZAG, WpHG, KAGB, VAG, VVG and the Gewerbeordnung (Trade Regulation Act), and assists his clients with all necessary BaFin authorisation and ownership control procedures, the specific organisational and conduct obligations as well as in the drafting of contracts and documentation for the launch and management of mutual and special funds of all asset classes (including crypto assets). His regulatory expertise also includes questions regarding the German Money Laundering Act (GwG). A further focus of his work is banking contract law, banking supervisory law and capital market law in all its facets.

Within the scope of his work, Dr Rolf Kobabe advises international and national credit institutions, investment firms, financial service providers, asset managers, capital management companies, custodians, issuing houses and insurance companies, but also capital-seeking and financial market-oriented SMEs, as well as FinTechs and start-ups.

Hits the mark. Luther.

Luther Rechtsanwaltsgesellschaft mbH is one of the leading corporate law firms in Germany. With some 420 lawyers and tax advisors, we can advise you in all fields of German and international corporate law. In addition to having offices in every economic centre throughout Germany, we are also present in 11 locations abroad: in Brussels, London and Luxembourg in Europe, and in Bangkok, Delhi-Gurugram, Ho Chi Minh City, Jakarta, Kuala Lumpur, Shanghai, Singapore and Yangon in Asia.

Our advisory services are tailored to our clients' corporate goals. We take a creative, dedicated approach to achieving the best possible economic outcome for each of our clients. The name "Luther" stands for expertise and commitment. With a passion for our profession, we dedicate all our efforts to solving your issues, always providing the best possible solution for our clients. Not too much and not too little – we always hit the mark.

We know how crucial it is to use resources efficiently and to plan ahead. We always have an eye on the economic impact of our advice. This is true in the case of strategic consulting as well as in legal disputes. We have complex projects on our agenda every day. At Luther, experienced and highly specialised advisors cooperate closely in order to offer our clients the best possible service. Thanks to our fast and efficient communication, permanent availability and flexibility, we are there for you whenever you need us.

Luther has been named "Law Firm of the Year: Germany 2021" and also "European Law Firm of the Year 2021" by The Lawyer, one of the most well-known legal magazines worldwide.



About unyer

unyer, founded by Luther and Fidal in 2021, is a global organisation of leading international professional services firms. Besides law firms, unyer is also open to other related professional services, especially from the legal tech sector. unyer is based in Zurich as a Swiss Verein. unyer is globally connected but has strong local roots in their respective markets.

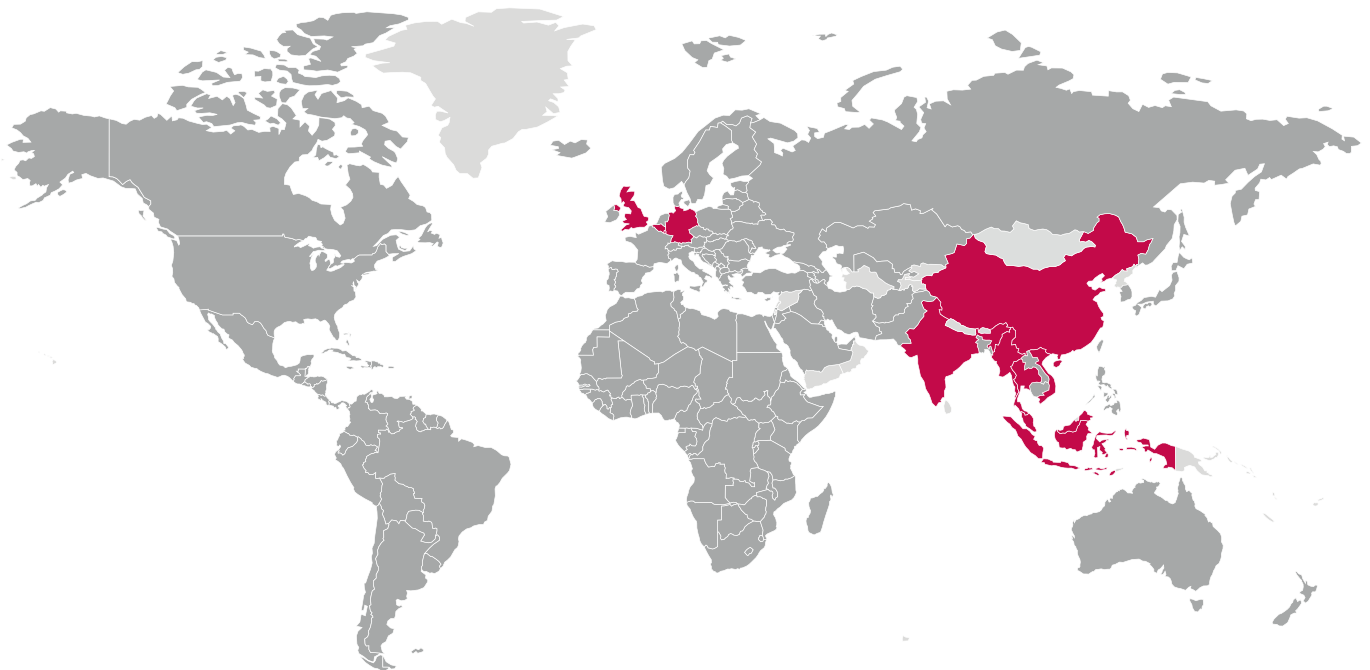
unyer has an exclusive approach and only accepts one member firm from each market. unyer members offer its clients full services across all jurisdictions with a compelling industry focus. The organisation has an annual turnover of more than EUR 650 million and includes over 2,550 lawyers and advisors in more than 10 countries in Europe and Asia. In September 2021, Pirola Pennuto Zei & Associati joined the international organisation. In the spring of 2023, the Austrian law firm KWR joined the group. www.unyer.com



Our locations

We have a global outlook, with international offices in 11 key economic and financial centres in Europe and Asia. We also maintain close relationships with other commercial law firms in all relevant jurisdictions. Luther is a founding member of unyer (www.unyer.com), a global organisation of leading professional services firms that cooperate exclusively with each other. This way, we ensure a seamless service for our clients throughout their demanding international projects.

Our partner firms are based in Africa, Australia and New Zealand, Europe, Israel, Japan and Korea, the Middle East, Russia and the CIS, South and Central America, the US and Canada.



- Luther locations
- Best friends

Our locations

Bangkok	Jakarta
Berlin	Kuala Lumpur
Brussels	Leipzig
Cologne	London
Delhi-Gurugram	Luxembourg
Dusseldorf	Munich
Essen	Shanghai
Frankfurt a.M.	Singapore
Hamburg	Stuttgart
Hanover	Yangon
Ho Chi Minh City	

Our industries

We focus on advising transactions with respect to targets in five industries.

Energy



Conventional or renewable energies: We work efficiently and sustainably.

Health Care & Life Science



With our expertise, we have our finger on the pulse of time.

Information Tech & Telecommunications



We connect today with tomorrow.

Mobility & Logistics



We understand what gets you moving and can set you on the right course.

Real Estate & Infrastructure



We lay the foundation for you to build on.

Our practice areas

Antitrust Law

Capital Markets &
Banking

Commercial &
Distribution Law,
Product Liability/
Product Compliance

Complex Disputes

Compliance &
Internal Investigations

Corporate/M&A

Data Protection Law

Employment Law

Energy Law

Environment &
Planning Law
Regulatory

Financial Services
Investment Funds &
Alternative Investments

Insurance Law

International
Trade Law

IP & Copyright Law

IT Law

Media & Entertainment

Notarial Services

Public Procurement
Law

Public Subsidies/
State Aid Law

Real Estate

Restructuring &
Insolvency

Start-ups & Venture
Capital

State, Administration,
Public Undertakings

Tax Law

Telecommunications
Law

White-Collar Crime &
Tax Offences

Our awards



JUVE

In the 2022/2023 JUVE Guide to Commercial Law Firms, 52 lawyers from Luther were recommended, and 10 of these were also listed as “leading advisors”. The legal publisher JUVE ranked Luther in 31 areas of law. In 2022, Luther was nominated for the JUVE award “Employment Law” as well as “Real Estate” and was named “Law Firm of the Year” by JUVE in 2019. In the past, Luther already won the JUVE award “Law Firm of the Year 2017 for Environmental and Regulatory Law”.



The Legal 500

The Legal 500 Germany 2023 recommends Luther in 30 areas of law, with “Top Tier” rankings in two of these areas. 72 lawyers are being recommended, 12 of whom have been specially recognised as “Leading Individual” or “Next Generation Partner”. Luther has also been included for Germany in the first edition of **The Legal 500 Green Guide EMEA 2022**. This guide provides an overview of law firms’ engagement with sustainability, including both work for clients as well as firms’ own best practices and initiatives.



Chambers

In 2023, Luther was recognised by Chambers Europe for 13 practice areas in Germany as well as in two practice areas in Luxembourg. Moreover, 15 partners were included in the Individual Ranking. Additionally, in 2023, Luther was recognised by Chambers Global in three advisory areas in Germany and Myanmar, while five partners were also included in the Individual Ranking.



The Lawyer European Awards

Luther has been named “Law Firm of the Year: Germany 2021” and also “European Law Firm of the Year 2021” by The Lawyer, one of the most well-known legal magazines worldwide.



Kanzleimonitor

Kanzleimonitor 2022/2023 recommends Luther in 25 areas of law and has also included 16 Luther lawyers among the recommended lawyers mentioned by name.

Best Lawyers

„Best Lawyers in Germany 2024“

For the year 2024, 99 lawyers have been recommended by Luther as “Best Lawyers in Germany 2024”, an award presented by the US publisher “Best Lawyers” in cooperation with the German Handelsblatt, including one partner as “Lawyer of the Year” for his area of law, and 19 colleagues who have received the recommendation “Best Lawyers - Ones to Watch”.



WHO'S WHO LEGAL

WHO'S WHO LEGAL listed 21 lawyers in December 2022, four of whom were recognised as Thought Leaders, which is the highest award, and three of whom were named Future Leaders.

Digitalisation

The digital revolution is well under way. In a highly competitive market new business models are always being developed and existing processes are continually being challenged. Groups, medium-sized businesses and start-ups are all looking for the best possible ways to position themselves in this environment. In this way, new, innovative forms of cooperation are constantly being created. This revolution is being driven by numerous recent technological developments: cloud computing, digital platforms, Big Data and artificial intelligence, the Internet of Things and blockchain technology.

Luther advises on all legal topics relating to digital business models, agile architectures and technical levers. Our team provides support in all phases of the necessary transformation processes within the company, the law firm or the group, from strategic dialogue to conceptual work and the realignment of value chains, also including the subsequent change process. When providing advice, the Luther team also considers relevant topics and changes in commercial and distribution, employment, IT and data protection law.



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For reasons of better legibility, the simultaneous use of gender-specific language forms is dispensed with. Corresponding terms apply in principle to all genders in the sense of equal treatment. The abbreviated form of language has editorial reasons and does not imply any valuation.

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Luther.

Bangkok, Berlin, Brussels, Cologne, Delhi-Gurugram, Dusseldorf, Essen,
Frankfurt a.M., Hamburg, Hanover, Ho Chi Minh City, Jakarta, Kuala Lumpur,
Leipzig, London, Luxembourg, Munich, Shanghai, Singapore, Stuttgart, Yangon

You can find further information at:

www.luther-lawfirm.com

www.luther-services.com

