

CMS Insurance Group The Netherlands

Insurance Sector Experts

CMS is a recognised market leader in providing legal services to the insurance industry. We understand the insurance market, how it operates and the issues you face. Whether you are delivering strategic organisational change, or handling a high-profile claim.

Rated as one of the leading firms in the field, and with one of the largest claims teams in the market, we work with the biggest names in the industry.



Industry expertise

Because of the CMS sector approach, we have a multi-disciplinary team of lawyers who can provide all of the legal support you need across your insurance business. Collaboration between the different service lines is a key part of the way we operate at CMS, meaning that we can deliver this service seamlessly.



International coverage

We focus on developing close personal working relationships across our international network so we can offer you consistent service, particularly on claims and coverage advice. We have over 260 insurance specialists across 33 jurisdictions.



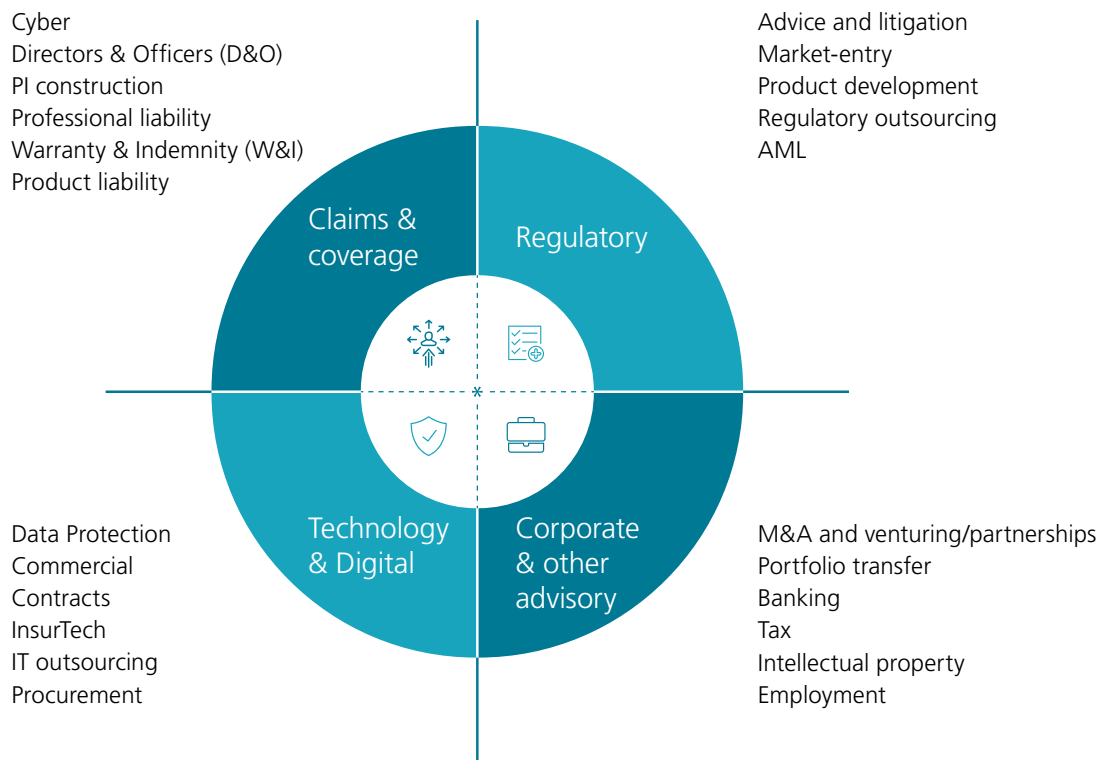
Innovation throughout

As a future-facing law firm, we put innovation at the heart of what we do, applying legal tech to deliver the best service in the most efficient way. More than that, we constantly seek out innovative legal solutions for our clients. Because of this, we are often the go-to firm for particularly challenging and complex projects, or 'market-first' transactions.



Clients attest that the team is “capable of handling the most difficult issues” and provides “a very good international network that really works seamlessly.” Another sources comments: “They are very approachable and responsive.”

Our key advisory services to the insurance sector



This is one of the biggest liability and insurance teams in the market. They combine great knowledge with a pragmatic approach. A very flexible team that is not focused on the billable hours, but on the result for their clients. Of course we also sometimes work with other law firms, but at the end of the day this does not lead to the same level of service/knowledge. This team also believes in knowledge sharing and also organises many great events each year to share their experiences for free with all parties interested.'

How can we help you



Claims & coverage

The global (re)insurance industry has more contracts in place, containing more nuanced information than its underwriters, brokers, captives and buyers could ever hope to read. Meanwhile, regulators are demanding clarity on the market's exposures to emerging risks such as cyber and terrorism and a well-publicised tendency towards relaxing terms and conditions has increased this risk considerably.

We are helping (re)insurers, brokers and risk managers to solve disputes and manage exposures in new and dynamic ways. This includes advising on policy wordings both domestically and internationally.

With our CMS network we offer depth and breadth of expertise and daily advise on complex, multi-jurisdictional matters. We are a leading practice for general and professional liability, construction, cyber insurance, transactional insurance, reinsurance and complex coverage issues. We act for a very wide range of clients including brokers, insurers and reinsurers.



Example of our expertise

Our team has handled a large number of high profile insurance claims for key insurers in the Dutch market. Most of these cases are confidential, but just last and this year we were involved in market influencing cases in areas like PI construction, PI lawyers, D&O, building insurance, transactional insurance (W&I) and cross-border (life sciences) product liability.



Transactional insurance (W&I)

Appetite for warranty and indemnity insurance (W&I insurance) has seen a market wide increase in recent years and that trend continues. This is seeping through into an increased amount of claims under W&I insurance policies on the Dutch market.

We are a market leader in providing input into transaction liability due diligence at the underwriting stage (i.e. specific tax and legal warranties and indemnities in envisaged transactions) and in advising W&I insurers on coverage matters when claims are made under policies.



Example of our expertise

We assist insurers by providing the right balance of transaction liability and local law expertise to advise on claims. We have expertise in advising insurers on complex coverage, breach of warranty and quantum issues. Utilising CMS's full-service capabilities to advise insurers on claims related to a wide variety of sectors and subject matters, ranging from accountancy to environmental issues, from construction and property to tax issues.



Regulatory

Our insurance regulatory team has extensive advisory, procedural and transactional expertise, enabling us to provide focused, comprehensive and practical advice. We advise on (cross-border) regulatory, market-entry, compliance and anti-money laundering regulations, handle new products (including PARP) and deal with a wide range of agreements and the required insurance documentation (e.g. IPID).

We assist insurers, authorized agents (MGA's) and intermediaries (including InsurTechs) in dealing with the Dutch supervisory authorities DNB and the AFM and handling various matters such as supervisory and enforcement issues, capital adequacy and distribution channels.



Example of our expertise

Advising Lemonade on all aspects – including legal, insurance, regulatory, GDPR, consumer law – of their launch in The Netherlands (successfully launched in April 2020).

As a result of the complexity of the project, as well as the innovative working methods of Lemonade, the CMS team acted beyond the borders of traditional advocacy and closely advised Lemonade in their development of a new means of insurance.



Technology & Digital

An increasing feature of, and challenge to, the insurance industry is the adoption and implementation of technological innovations. CMS has one of the largest, most varied and embedded technology practices in the industry – we do not see this as an add-on to what the team delivers, but a core part of what we can deliver for our insurance clients. Our lawyers are i.e. active participants in the Dutch Blockchain coalition, the Dutch AI coalition and actively participate in the Holland FinTech network.

We advise at the core of the insurance sector's digital transformation, from AI, automation, blockchain and cloud solutions in the start-up scene to outsourced business critical transformation projects and market-wide technology implementations.



Example of our expertise

Advising various financial institutions on (its movement to) a paperless and digital process regarding its documentation. Our advice addressed the recommended electronic and technical means (e.g. the recommended type of the electronic signature) and we advised to what extent the documents in digital form are legally valid, binding and enforceable in the Netherlands.



Technology & Digital: Privacy & Cybersecurity

Hand-in hand with fast-paced technological change and market disruption come concerns about data – quality, integrity, sharing across subsidiaries and partner organisations and, of course, GDPR compliance and breach response. We know particularly from our work with insurtech businesses that data issues, whether real or hypothetical, are a major impediment to partnering and, subsequently, to innovation. Our data experts advise across the full spectrum of data protection issues.



Example of our expertise

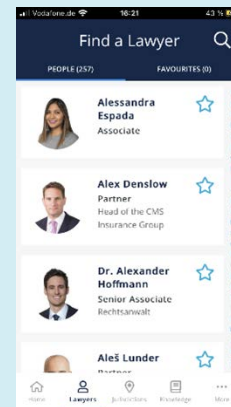
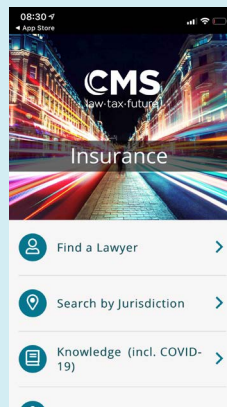
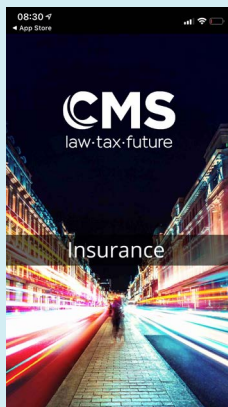
We provide 24/7/365 cyber incident response services to policy holders of multiple cyber insurers (including a global carrier). Our Privacy & Cybersecurity Team acts in dozens of domestic and international cyber incident matters every year, such as business e-mail compromise, CEO fraud and ransomware attacks. Besides legal expertise, our core capabilities also include multistakeholder incident management (board, legal & compliance, public relations, IT, and external advisors). Our team is highly familiar with representing clients in breach notification procedures and investigations by supervisory authorities, such as the Dutch Data Protection Authority.

CMS Insurance App - Expertise at your fingertips

The CMS Insurance app offers user-friendly digital resources, cutting to the key issues at the touch of a button for (re)insurers, brokers and insureds.

Why download the CMS Insurance app?

- **Practical guidance, seminars and webinars** on the latest legal developments in the insurance sector
- **Find a lawyer** for claims, coverage, corporate and regulatory issues from across:
 - **33** jurisdictions worldwide
 - **33** claims and coverage lines of business
 - **30** corporate and regulatory lines of business



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Claims & coverage



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