



## Pojišťovnictví

Na společnosti, s nimiž spolupracujeme, pohlížíme nejen jako na klienty v jednotlivých projektech, ale také jako na obchodní partnery, s nimiž usilujeme o vytváření hodnot z krátkodobého i dlouhodobého hlediska. Soustředíme se na poskytování poradenství v souvislosti s odvětvím pojišťovnictví jako celku i existujících okolností klientů a jejich ambicí v rámci tohoto průmyslu.

Tým naší kanceláře pro klienty z oblasti pojišťovnictví a zajišťování je jedním z největších a nejsilnějších na světě; je složen z více než 300 právníků, pracujících pro odvětví pojišťovnictví po celém světě. Nabízíme komplexní škálu specializovaných služeb pro pojišťovny, včetně záležitostí transakcí, regulací, obchodněprávních otázek, pojistného plnění, řešení sporů a žalob, hospodářské soutěže, restrukturalizace a řešení mimořádných situací.

Zastupujeme jak začínající, tak i etablované mezinárodní životní i neživotní pojišťovny a zajišťovny, společnosti skupiny Lloyd's, zprostředkovatele, banky, další finanční instituce, poskytovatele kapitálu (včetně hedgových fondů, soukromých investičních fondů a rizikových investičních fondů), regulační úřady a další účastníky odvětví pojišťovnictví.

Rozumíme záležitostem pojišťovnictví i všem právním otázkám, které toto odvětví charakterizují. Mnozí z našich právníků dříve pracovali jako obchodní manažeři, podnikoví právníci, bankéři a poradci manažerů v pojišťovacím průmyslu. Tato kombinace právních dovedností a zkušeností přímo z odvětví nám umožňuje uskutečňovat praktická a cenově efektivní řešení pro naše klienty.

Naše silná mezinárodní síť právníků zajišťuje rychlý přístup k vědomostem a koordinovanou spolupráci napříč různými odvětvími práva a jurisdikcemi.

Naše kancelář pravidelně vysílá své právníky, aby pracovali pro klienty přímo v jejich společnostech. Tuto příležitost vítáme a využíváme k tomu, aby si naši právníci prohloubili porozumění danému odvětví. Věříme, že budování hlubokého porozumění podnikání každého jednotlivého klienta je to, co nám umožňuje poskytovat poradenství v odpovídající kvalitě – ať se záležitost týká strukturování, vyjednávání a uzavírání složitých transakcí, složitých obchodněprávních soudních sporů nebo sporů o pojistné plnění, nebo řešení potíží v oblasti dodržování právních předpisů.

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### SOUVISEJÍCÍ SLUŽBY

- Litigation, Arbitration and Investigations
- Restrukturalizace
- Tax

- Soudní spory: Poskytování poradenství společnosti Swiss Re, druhé největší zajišťovně na světě, v mnoha mezinárodních soudních sporech, řízeních, arbitrážích a důležité práci související s kapitálovými trhy.
- Arbitráže: Naši právníci řešili několik mezinárodních arbitráží zajišťoven (v Londýně a New Yorku) a účastnili se soudního sporu v zastoupení společnosti IRB Brazil Re.
- Náhrady: Po povodních v Thajsku v roce 2011 jsme se stali hlavním poradcem velkých mezinárodních pojišťoven a zajišťoven ve věci údajné ztráty, majetkové škody a souvisejících nároků v hodnotě přes 20 miliard amerických dolarů.
- Finance: Poradenství v otázkách vysoce strukturovaných cenných papírů souvisejících s pojištěním, řešení zajišťování nadnárodních kapitálových trhů před ztrátami a nadnárodní transformace pojistného rizika u velkých klientů z oblasti pojišťovnictví z celého světa.
- Fúze a akvizice: Účastnili jsme se několika významných, cenově důvěrných fúzí a akvizic pro nadnárodní pojišťovací společnosti. Tyto fúze a akvizice obchodních společností s veřejně obchodovatelnými cennými papíry zahrnovaly složité pojišťovací/zajišťovací a migrační dohody a v některých případech i analýzy proveditelnosti ve vztahu k „Části VII“ převodu aktiv portfolií nebo pravidlům amerického Úřadu pro finanční služby (Financial Services Authority, FSA) pro případ změny ve vedení společnosti.

## AKTUALITY

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### publikace

#### **Coronavirus in Luxembourg – An overview of the main measures adopted in the corporate, financial and insurance sectors**

8 April 2020

A state of crisis has been declared by the Luxembourg Government until June 24, 2020, following the adoption of a Grand-Ducal Regulation dated March 18, 2020,[1] and a law dated March 24, 2020.[2]

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#### **COVID-19: Nine practical steps for employers, right now (Australia)**

7 April 2020

Employers and employees are facing extraordinary challenges because of the COVID-19 pandemic and the measures imposed to ameliorate its spread and its impact on the economy.

In this article we discuss practical steps that employers should be aware of in respect of the COVID-19 pandemic. This article discusses some of the most recent policy initiatives released by the Government including the new JobKeeper regime.

We will provide further guidance as the measures imposed to address the COVID-19 pandemic continue to evolve. To ensure that you do not miss any updates or if you require support globally, please email us at [CoronavirusEmployment@dlapiper.com](mailto:CoronavirusEmployment@dlapiper.com).

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#### **Coronavirus: Directors' duties and making decisions in a crisis**

1 April 2020

Directors need to carefully consider the risks of the COVID-19 outbreak within their business, given its impact on the global economy. As many now face significant, and increasing, cash flow pressure, directors should carefully consider their actions in the context of the legal framework.

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#### **Coronavirus COVID-19 Tax Q&A: France**

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1 April 2020

This Q&A will explore the main tax law and related issues raised by the coronavirus COVID-19 outbreak in France. This will include practical answers on main issues and risks, impacts of home working, Financial assistance to group companies, generation of additional cash and Supply chain management.

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### **COVID-19 and the impact on asset-based lenders and their customers**

31 March 2020

The outbreak of coronavirus COVID-19 represents one of the most significant global public health crises in recent memory and is causing major disruption and unprecedented volatility in markets, economies and businesses.

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### **NYDFS requires insurers to provide certain information relating to COVID-19 (United States)**

18 March 2020

Two circulars from the NYDFS.

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### **Coronavirus (COVID-19): ten practical steps for global employers, right now (Global)**

13 March 2020

These steps are not based on laws of any one jurisdiction but rather are designed to provide a global employer with themes to consider, understanding that what may be suitable for each employer may vary greatly depending on the employer's unique circumstances.

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### **Coronavirus COVID-19: The legal impact on force majeure events (Australia)**

12 February 2020

Key considerations for parties that may wish to declare a force majeure event or dispute the declaration of a force majeure event by a counterparty in relation to coronavirus COVID-19.

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### **An update on the impact of the coronavirus on business in Singapore**

12 February 2020

Due to the evolving 2019- nCoV acute respiratory disease (the COVID-19) situation, the Ministry of Health (the MOH) and the Ministry of Manpower (the MOM) have, since January 2020, issued advisories which employers will need to be aware of. In particular, the MOH and MOM have, since our last update on February 12 2020, updated and issued new advisories due to the increased risk of importation of COVID-19 into Singapore.

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### **Hong Kong Government introduces mandatory quarantine measures**

11 February 2020

On 9 February 2020, the number of deaths due to the rapidly spreading coronavirus in Mainland China officially surpassed the figure seen during the 2002/2003 SARS epidemic.

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Numerous governments have been implementing restrictions barring entry to those with recent travel history through Mainland China, including Singapore, Japan, Australia and the United States. Following pressure from public health workers, the Hong Kong Government has now followed suit and has begun a mandatory two-week quarantine for anyone arriving from Mainland China.

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### **How to resume business amid the coronavirus outbreak (China)**

11 February 2020

As reported in our previous article, China has extended its Chinese New Year holiday and work suspension period as a result of the novel coronavirus outbreak which has now infected more than 40,000 people around the world.

This is a summary of the Back to Work Day and compensation for working before Back to Work Day in key cities and provinces across China.

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### **EU Policy & Regulatory Alert**

3 February 2020

On 29 January 2020, the new European Commission has adopted its 2020 annual Work Programme, announcing 43 new concrete policy and legislative measures to be introduced over the course of the year of 2020, and thereby translating into practice the Political Guidelines of new European Commission President Ursula von der Leyen.

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### **APAC employment issues arising out of the Coronavirus (AsiaPac)**

31 January 2020

On 29 January 2020, the number of confirmed cases of the rapidly spreading coronavirus in Mainland China officially surpassed the figure seen during the 2002/2003 SARS epidemic.

Multinationals with local operations around the APAC region have been significantly affected. As staff return to the office following the Chinese New Year holiday period, businesses are now considering what they can do to minimise any risk to health and safety and support staff through this challenging period where anxiety and uncertainty is rife, whilst at the same time complying with their employment obligations and maintaining business continuity. Putting in place detailed business and contingency plans and ensuring careful communications with staff to address key topics and concerns is key, as is keeping such plans and communications under frequent review given the fluidity of the current situation.

This alert considers some of the key issues that HR and business leaders should be considering across the APAC region.

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### **Harsher penalties on discriminatory employment practices in Singapore**

29 January 2020

The Fair Consideration Framework was updated in January 2020 to impose harsher penalties on employers found to be engaging in discriminatory practices such as by favouring the hiring of foreigners over Singaporeans.

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## China extends holidays for workers amid coronavirus outbreak (China)

28 January 2020

Learn about how the widely publicised corona virus outbreak affects business in Greater China.

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## Iran nuclear deal: the launch of the 'Dispute Resolution Mechanism' and the 'potential snapback' of UN and EU sanctions

17 January 2020

This week, France, Germany and Britain have triggered the Dispute Resolution Mechanism against Iran under the Joint Comprehensive Plan of Action (JCPOA). Will this process lead to the re-imposition of UN and EU sanctions on Iran?

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## EU launches preparatory work for a global sanctions regime for human rights violations

17 December 2019

On 9 December 2019, High Representative/Vice-President of the European Union Josep Borrell announced that the Foreign Affairs Council has agreed with strong consensus to start the preparatory work for a global sanctions regime to address serious human rights violations.

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## New European Commission Assumed Office on 1 December 2019

2 December 2019

The new leadership of the European Commission has officially assumed office yesterday, Sunday, 1 December 2019, for a five-year term. The newly assembled College of Commissioners obtained a comfortable majority in an approval vote in the European Parliament plenary session on Wednesday, 27 November 2019.

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## FCA releases report on general insurance pricing practices

18 October 2019

### [INSURANCE HORIZONS](#)

Following a thematic review the Financial Conduct Authority has released its interim report on General Insurance pricing practices, focusing on home and motor insurance.

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## Brexit for the insurance sector: No-deal regimes in the UK and Europe

17 September 2019

### [INSURANCE HORIZONS](#)

This guide has been prepared by DLA Piper's insurance regulation team to provide a high level overview of post-Brexit regimes that are being implemented in key EU markets, and in the UK. It is intended to help insurers and intermediaries with their planning in the run up to a possible no-deal Brexit.

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## No-deal Brexit: What should insurers do now?

1 September 2019

### [INSURANCE HORIZONS](#)

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While a range of outcomes, including [a departure under the terms of the current Withdrawal Agreement](#), remains possible, it is important for businesses to plan for a no-deal Brexit, in which the UK leaves the EU without a withdrawal agreement or other deal. Here we look at the potential impact of a no-deal Brexit on insurers.

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### **UK Court refuses to sanction transfer of annuity portfolio - Re Prudential Assurance Company**

23 August 2019

On 16 August 2019, the UK High Court declined to sanction the transfer of a portfolio of annuity policies from Prudential Company Assurance Ltd (Prudential) to Rothesay Life PLC (Rothesay) under Part VII of the Financial Services and Markets Act 2000.

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### **New proposed tax regulations affecting certain PFICs – foreign reinsurance companies take note**

7 August 2019

While the new proposed regulations present compliance issues for foreign reinsurance companies, there are planning opportunities to be explored.

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### **Updated guide on the insurability of GDPR fines across Europe**

11 July 2019

We've partnered again with Aon for the second edition of The Price of Data Security, our guide to the insurability of GDPR fines across Europe, which includes common issues faced by organisations and practical case studies.

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### **W&I insurance: A global perspective on a growing product**

5 July 2019

#### **INSURANCE HORIZONS**

Warranty and indemnity (W&I) insurance is on the rise. Although there are variances in coverage and forms between jurisdictions, its primary purpose is to transfer, to a third-party insurer, the risks associated with a seller's breach of warranty or liability under an indemnity in an acquisition agreement.

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### **EU Impact - Issue 5/2019**

2 July 2019

Despite record temperatures in some EU countries these days, political developments in Brussels and Member States' capitals have rather sped up than slowed down. Following the elections to the EU Parliament in May 2019, the leaders of the EU Member States have been engaged in intense negotiations on the upcoming major re-shuffle of EU top jobs.

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### **Technology and disruption in the insurance sector: 2019 and beyond**

21 MAY 2019

#### **INSURANCE HORIZONS**

The past decade has seen disruption become a key catchphrase in business, politics and public thought, as the impact of disruption

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spreads across economies. While this disruption may manifest as new business models, and the upending of old ones, it is technology that is enabling all of this change.

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### **Brexit: What comes next for insurers?**

17 MAY 2019

#### **INSURANCE HORIZONS**

Uncertainty continues. The UK and the EU have not yet concluded a withdrawal agreement. It is possible they will do so before the latest extension to the UK's notice period, which expires on 31 October 2019, and that there will then be an implementation period during which the UK will remain in the EEA single market before leaving at the end of 2020, or later.

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### **Insurance asset management**

30 APR 2019

#### **INSURANCE HORIZONS**

In times of increasingly strict product and governance regulation, asset management has become one of the main drivers for the business profitability of insurers all over the world.

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### **EU Policy & Regulatory Alert - EU Publishes Artificial Intelligence Ethics Guidelines**

12 APR 2019

On 8 April 2019, the EU's High-Level Expert Group ("AI HLEG") on Artificial Intelligence ("AI") published the much-anticipated "Ethics Guidelines for Trustworthy AI", setting out a horizontal framework for the development and deployment of ethical and robust AI systems across the EU

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### **Data breaches and group litigation: Still the perfect storm?**

2 APR 2019

#### **INSURANCE HORIZONS**

Many organisations feared the worst after the introduction of the EU General Data Protection Regulation (GDPR) in May 2018. The levels of fines that can be imposed by regulators have been significantly increased; it is easier for individuals and consumer groups to bring claims regarding a data breach; and individuals can now claim non-pecuniary damages, including for distress arising from the loss of personal data.

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### **EU Policy & Regulatory Update: EU Adds 8 Russian Officials on Sanctions List in response to Kerch Strait and the Sea of Azov Incident**

19 MAR 2019

On 14 March 2019, the Council of the European Union adopted Council Implementing Regulation 2019/409 and Council Decision (CFSP) 2014/145 adding eight Russian officials to the list targeting those "undermining the territorial integrity, sovereignty or independence of Ukraine".

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### **GDPR goes global**

13 MAR 2019

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## INSURANCE HORIZONS

The introduction of the EU General Data Protection Regulation (GDPR) in May 2018 represented, for many insurance companies, the culmination of a multiyear transformational compliance project. Now, as we look ahead to 2019, the regulatory trend that began in the EU looks set to spread across the globe.

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### **DFS Circular Letter No. 1 requires life insurers to justify use of external data sources and models in life underwriting**

19 FEB 2019

The Circular sets out two “principles” for life insurers to follow when using external data sources, algorithms or predictive models in underwriting or rating

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### **US and Australian regulators enter into FinTech cooperation agreement**

24 JAN 2019

At the heart of the agreement is a desire to enhance mutual understanding about FinTech regulatory issues, identify market developments, promote innovation and encourage use of technology in market oversight.

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### **EU Policy & Regulatory Alert: New Regulation on Foreign Direct Investment Screening in the EU**

22 NOV 2018

The European Union is moving fast towards establishing a joint regulatory and policy framework for Europeans to seize the opportunities provided by Artificial Intelligence (AI) and to reinforce Europe's competitiveness in this field.

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### **Insurance Regulation at a Crossroads: Lessons Learned from the Last Ten Years**

5 SEP 2018

Insurance regulators are at an important juncture and have the chance to chart their course for the near to mid-term.

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### **Blockchain - a revolution for the insurance sector with some risks**

9 MAR 2017

Blockchain is “the most important invention since the Internet itself” according to Marc Andreessen. And there is no doubt that there are huge potentials for the insurance sector to exploit such technology, but as any new technology, it will also lead to new legal risks.

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### **Insurance Review May 2016**

5 MAY 2016

Welcome to *Insurance Review May 2016*. DLA Piper's annual publication dedicated to the insurance industry. In this issue we look at the following topics:

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## Using representations and warranties insurance in global M&A deals: 8 questions and answers

16 FEB 2016

R&W insurance can offer both buyers and sellers the additional confidence often needed to close the deal. Such insurance may be especially useful in global M&A transactions, particularly in Latin America.

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## AKCE

uplynulé

### TopCo liability panel

25 JUN 2019

London

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### Breakfast Seminar: Insurance in Brazil

25 OCT 2018

London

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### Digital Transformation in Financial Services

6 SEP 2018

London

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## NOVINKY

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### DLA Piper lawyers named Acritas Stars

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

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### DLA Piper advises on Allied Domecq Pension Fund's GBP3.8 billion buy-in with Rothesay Life

30 September 2019

DLA Piper has advised long-standing client, the Trustee of the Allied Domecq Pension Fund, on the completion of a GBP3.8 billion buy-in of pensioner and deferred members' liabilities with Rothesay Life.

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## **DLA Piper makes key partner hire in London to launch pensions de-risking offering**

25 September 2019

DLA Piper has appointed Amrit McLean as a partner in London to launch the firm's pensions de-risking offering.

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## **DLA Piper announces launch of Artificial Intelligence practice**

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising from the creation and deployment of AI systems.

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## **DLA Piper announces partnership promotions for 2019**

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

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## **DLA Piper advises China Ping An Insurance Overseas (Holdings) Co. Ltd. on investment in GDS Holdings Limited**

18 MAR 2019

DLA Piper represented China Ping An Insurance Overseas (Holdings) Co. Ltd. (Ping An Overseas) in entering into a definitive agreement to make an equity investment in the NASDAQ listed GDS Holdings Limited (GDS), a leading developer and operator of high-performance data centers in China. Ping An Overseas paid a subscription price of US\$150 million for convertible preferred shares in GDS.

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## **DLA Piper announces launch of Blockchain and Digital Assets practice**

26 FEB 2019

DLA Piper announced today the launch of its Blockchain and Digital Assets practice, which will offer strategic advice on a global basis to address the needs of companies implementing blockchain technology solutions and creating and deploying digital assets.

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## **DLA Piper welcomes senior insurance hire**

3 SEP 2018

DLA Piper has announced the hire of leading international insurance and reinsurance partner, Rebecca Hopkirk.

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## **DLA Piper hires financial services and insurance sector team in Belgium**

2 JUL 2018

DLA Piper in Antwerp has today been joined by a team of financial services and insurance sector lawyers from Baker McKenzie.

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## **DLA Piper and Aon review insurability of GDPR fines across Europe**

16 MAY 2018

DLA Piper and Aon (NYSE:AON) have launched a guide 'The price of data security', ahead of the General Data Protection Regulation (GDPR), effective from 25 May 2018.

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