

Warranty and Indemnity Insurance in Asia

105 lawyers ranked
in 84 categories

– *Chambers Global*

47 lawyers ranked,
including 12 in top
band or higher

– *Chambers Asia
Pacific*

135 lawyers ranked,
including 34 in top
band or higher

– *Chambers USA*

47 lawyers ranked
including 11 in top
band or higher

– *Chambers UK*

Mayer Brown

Mayer Brown is a distinctively global law firm, uniquely positioned to advise the world's leading companies and financial institutions on their most complex deals and disputes. With extensive reach across four continents, we are the only integrated law firm in the world with approximately 200 lawyers in each of the world's three largest financial centers—New York, London and Hong Kong—the backbone of the global economy. We have deep experience in high-stakes litigation and complex transactions across industry sectors, including our signature strength, the global financial services industry. Our diverse teams of lawyers are recognized by our clients as strategic partners with deep commercial instincts and a commitment to creatively anticipating their needs and delivering excellence in everything we do. Our "one-firm" culture—seamless and integrated across all practices and regions—ensures that our clients receive the best of our knowledge and experience.

Global Insurance Industry Group

Our global insurance industry group represents over 400 insurers, reinsurers and insurance-related entities in transactional, regulatory and dispute resolution matters. Across global markets, Mayer Brown represents insurers and reinsurers, as well as brokers, banks and investors, in a range of transactional matters that include mergers and acquisitions, capital raising and sophisticated insurance structured finance at the convergence of the insurance markets and the broader capital markets.

Warranty & Indemnity Insurance

The use of Warranty & Indemnity insurance (sometimes also referred to as Representation & Warranty Insurance – "R&W" or "W&I") in mergers and acquisitions in Asia has grown rapidly in recent years following a similar trend in the US and Europe. Our Insurance M&A group has developed an extensive and market-leading practice representing insurers in underwriting W&I insurance policies and buyers and sellers in using these policies.

27 lawyers ranked including five in top band or higher

– *Chambers Europe*

17 Tautil & Chequer lawyers ranked

– *Chambers Latin America*

Band 1 Insurance (Contentious), China

– *Chambers Asia Pacific* (2010, 2011, 2013-2018)

Tier 1 Insurance, Hong Kong

– *The Asia Pacific Legal 500* (2008 – 2018)

Insurance Law Firm of the Year

– *ALB Hong Kong Law Awards* (2010, 2011, 2013-2015, 2017)

Insurance & Reinsurance Firm of the Year

– *China Business Law Awards* 2016

Insurance Firm of the Year

– *China (International) Law & Practice Awards* 2016

Since 2010, when we handled our first W&I insurance matter for one of our London-based insurance clients, we have handled hundreds of W&I insurance matters and have expanded our client base to many different W&I insurers.

Our lawyers have had front-row seats to the development of the W&I insurance industry over the last several years and therefore have developed deep insights on how W&I insurance works and how W&I insurers think. We also have close relationships with various top W&I brokers who can help place the insurance.

Tax

Our tax structuring practice is led by Pieter de Ridder, a Singapore-based partner who has extensive experience in the tax aspects of private equity, mergers and acquisitions, capital markets transactions, and a range of other tax related services. He regularly assists underwriters, buyers and sellers by reviewing the possible tax coverage in W&I policies across Asia.

W&I Asia Deal Highlights

- Advised a multinational insurance company on a number of sell-side W&I insurance policies.
- Advised on the first W&I policy on a Vietnamese transaction on the acquisition of a petrochemicals plant.
- Advised a PE buyer on the terms of W&I policy in connection with an acquisition in SE Asia.
- Advised a multinational insurance company on a buy-side warranty and insurance policy with respect to a US\$90 million management buy-out. The target was based in Singapore with operations in Sri Lanka, Malaysia, and Vietnam.
- Advised a multinational insurance company in relation to a sell-side W&I insurance on the sale of PRC real estate holding companies.
- Advised multiple insurers (in London and overseas) on a notification to a buy-side W&I policy alleging a €300m loss as a result of accounting misconduct, where the facts, documents, governing law and parties involved are based in Germany and China.
- Advised W&I insurers in respect of a claim by a tech company in relation to a variety of alleged breaches of warranty arising from labour disputes, third party demands and tax claims in various jurisdictions.
- Advised insurers on notifications to a W&I policy arising from alleged breaches of warranty by the seller of a group of companies.
- Advised insurers on coverage in respect of a notification to a W&I policy by the buyers of a pharmaceutical business.
- Advised insurers of a sell-side W&I policy on coverage of claims in relation to alleged breaches of accounting warranties.
- Advised a global insurer on coverage issues arising from W&I policy issued to sellers of a high-tech business in the PRC focusing on the manufacturer of voltage variable frequency drive.
- Advised a global insurer on coverage issues on a buy side W&I policy for acquisition of forestry business in the PRC in relation to failure by seller to disclose underlying litigation against group.

Contact Us



David Harrison
Partner | Corporate & Securities
+84 28 3513 0310
david.harrison@mayerbrown.com



Tow Lu Lim
Partner | Litigation - Insurance
+852 2843 4490
tl.lim@mayerbrown.com



Pieter de Ridder
Partner | Tax
+65 6922 2240
pieter.deridder@mayerbrown.com



Our Global Presence

MAYER BROWN AT A GLANCE

More than
1,800
lawyers worldwide



250
Lawyers
Chambers-ranked



27
offices located in
the Americas,
Asia, Europe and
the Middle East



Clients' global, cross-
border legal needs all
fully supported
A wide selection of practices
servicing key industries




Mayer Brown is a distinctively global law firm, uniquely positioned to advise the world's leading companies and financial institutions on their most complex deals and disputes. With extensive reach across four continents, we are the only integrated law firm in the world with approximately 200 lawyers in each of the world's three largest financial centers—New York, London and Hong Kong—the backbone of the global economy. We have deep experience in high-stakes litigation and complex transactions across industry sectors, including our signature strength, the global financial services industry. Our diverse teams of lawyers are recognized by our clients as strategic partners with deep commercial instincts and a commitment to creatively anticipating their needs and delivering excellence in everything we do. Our "one-firm" culture—seamless and integrated across all practices and regions—ensures that our clients receive the best of our knowledge and experience.

Please visit mayerbrown.com for comprehensive contact information for all Mayer Brown offices.

This Mayer Brown publication provides information and comments on legal issues and developments of interest to our clients and friends. The foregoing is not a comprehensive treatment of the subject matter covered and is not intended to provide legal advice. Readers should seek legal advice before taking any action with respect to the matters discussed herein.

Mayer Brown is a global services provider comprising associated legal practices that are separate entities, including Mayer Brown LLP (Illinois, USA), Mayer Brown International LLP (England & Wales), Mayer Brown (a Hong Kong partnership) and Tauil & Chequer Advogados (a Brazilian law partnership) and non-legal service providers, which provide consultancy services (collectively, the "Mayer Brown Practices"). The Mayer Brown Practices are established in various jurisdictions and may be a legal person or a partnership. PK Wong & Nair LLC ("PKWN") is the constituent Singapore law practice of our licensed joint law venture in Singapore, Mayer Brown PK Wong & Nair Pte. Ltd. Details of the individual Mayer Brown Practices and PKWN can be found in the Legal Notices section of our website. "Mayer Brown" and the Mayer Brown logo are the trademarks of Mayer Brown.

© 2023 Mayer Brown. All rights reserved.

Attorney Advertising. Prior results do not guarantee a similar outcome.