

# Pérez-Llorca

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## Joaquín Ruiz Echaury

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### Practices and Sectors

- Insurance and Reinsurance
- Litigation

### Profile

Joaquín Ruiz Echaury is the head of our Insurance and Reinsurance, and Safety and Product Liability practices.

#### *Studies:*

- 1992 Degree in Law, Universidad de Navarra
- 1992 Program of Instruction for Lawyers (P.I.L.), Harvard University
- 1993 Master's degree in Corporate Law, IE Business School

He speaks English, French and Spanish.

### Experience

Joaquín Ruiz Echaury has more than 30 years of experience providing corporate, regulatory and litigious advice for the insurance and reinsurance industry, as well as to manufacturers and distributors of consumers' products in safety and product liability matters.

During his career he has worked with major national and international clients on M&A transactions, bancassurance alliances, VIF reinsurance agreements, portfolio transfers and reorganisations and all types of corporate matters. In the area of regulation, he has provided advice on product design, contract interpretation, insurance and reinsurance distribution and pension plans and funds, as well as in consumers' products safety and regulation. He has advised in almost all the most relevant deals in the Spanish insurance market happened during the last twenty years, as well as in regulatory matters of all kinds, of maximum complexity and novelty.

Joaquín is also a recognised specialist in the field of insurance litigation, as well as in product liability matters. Specifically, his experience covers P&C, PI, D&O, E&O, Cyber W&I, MedMal, and mass tort litigation, as well as claims handling, refusals of coverage, recoveries and actions of all kinds, including arbitration, where he has acted as arbitrator and expert in insurance matters. Since 1993, he has acted before courts and tribunals of all jurisdictions in complex matters of utmost importance for insurers, reinsurers, manufacturers, distributors and other intervenient in production and delivery of goods and services to consumers.

### **Academic and Publishing Collaborations**

Joaquín is a professor of Private Law at the Universidad Pontificia Comillas (ICADE). In addition, he collaborates on journals and specialised press and has published a wide variety of articles and works related to his practice area.

A list of Joaquín's research output can be found below:

#### **Academic and Publishing Collaborations**

- Implications of the new sports law on the amounts of the minimum benefits of compulsory sports insurance, *Revista de responsabilidad civil, circulación y seguro*, ISSN 1133-6900, no. 5, 2023, pp. 32-43
- Legal regime of the outsourcing of processes and services of insurance and reinsurance companies, *Revista de Derecho del Sistema Financiero: mercados, operadores y contratos*, ISSN 2695-9534, no. 3, 2022
- The improper policyholder in Spanish insurance law in light of the CJEU judgment of 29 September 2022 (C-633/20), *Revista española de seguros: Publicación doctrinal de Derecho y Economía de los Seguros privados*, ISSN 0034-9488, no. 191, 2022, pp. 521-527
- An analysis of Law 20/2015, of 14 July, on the regulation, supervision and solvency of insurance and reinsurance companies, *Revista española de seguros: Publicación doctrinal de Derecho y Economía de los Seguros privados*, ISSN 0034-9488, no. 165-166, 2016, pp. 13-175
- An analysis of Royal Decree 1060/2015, of 20 November, on planning, supervision and solvency of insurance and reinsurance companies. *Revista española de seguros: Publicación doctrinal de Derecho y Economía de los Seguros privados*, ISSN 0034-9488, no. 165-166, 2016, pp. 177-318.
- The position of international business groups in CR products claims. *Diario La Ley*, ISSN 1989-6913, no. 8401, 2014.
- Payment Protection Insurance: the impact on our legal system of the problems that have arisen in the United Kingdom with respect to PPI. *Revista de la Asociación Española de Abogados Especializados en Responsabilidad Civil y Seguro*, ISSN-e 1887-7001, no. 39, 2011.
- The banking-insurance operator in the criteria of the Directorate-General of Insurance and Pension Funds. *Revista española de seguros: Publicación doctrinal de Derecho y Economía de los Seguros privados*, ISSN 0034-9488, no. 148, 2011.

- The role of the place of residence in determining the law and jurisdiction applicable to life insurance contracts. *Revista española de seguros: Publicación doctrinal de Derecho y Economía de los Seguros privados*, ISSN 0034-9488, no. 147, 2011, pp. 631-653.
- Articles 77 and 78. *Revista española de seguros: Publicación doctrinal de Derecho y Economía de los Seguros privados*, ISSN 0034-9488, no. 143-144, 2010.
- Articles 79 to 96. *Revista española de seguros: Publicación doctrinal de Derecho y Economía de los Seguros privados*, ISSN 0034-9488, no. 143-144, 2010.
- Nature and effects of a claim settlement offer by an insurer to its policyholder (II). *Revista de responsabilidad civil, circulación y seguro*, ISSN 1133-6900, no. 5, 2008, pp. 8-15.
- The final problem: the distinction between limiting and delimiting clauses in insurance contracts. *Icade: Revista de las Facultades de Derecho y Ciencias Económicas y Empresariales*, ISSN 1889-7045, no. 71, 2007 (Issue dedicated to: Nuevos retos del contrato de Seguro).
- Juan Palomo's insurance: the "self-settlement" of the claim by the insured party, *Revista de responsabilidad civil, circulación y seguro*, ISSN 1133-6900, no. 5, 2006
- Multiple employers, responsibility and insurance: the case of contractors, subcontractors and temporary employment agencies in accidents at work. *Revista de responsabilidad civil, circulación y seguro*, ISSN 1133-6900, no. 3, 2006.
- Nature and effects of a claim settlement offer by an insurer to its policyholder. *Revista de responsabilidad civil, circulación y seguro*, ISSN 1133-6900, no. 8, 2005.
- The assessment of civil liability claims and the procedural intervention of experts. *Revista de responsabilidad civil, circulación y seguro*, ISSN 1133-6900, no. 2, 2005.
- Progress towards the European Insurance Contract: the Opinion of the European Economic and Social Council of 15 December 2004. *Revista española de seguros: Publicación doctrinal de Derecho y Economía de los Seguros privados*, ISSN 0034-9488, no. 123-124, 2005.
- Legal problems surrounding accidents with articulated vehicles. *Revista española de seguros: Publicación doctrinal de Derecho y Economía de los Seguros privados*, ISSN 0034-9488, no. 122, 2005.
- Credit institutions' commitments to pensions: their jurisprudential treatment and their regulation by the Bank of Spain. *Revista de derecho bancario y bursátil*, ISSN 0211-6138, Year no. 23, no. 94, 2004.
- The awarding of contracts through public tendering in public and private companies: Directive 93/38/CEE. *Actualidad administrativa*, ISSN 1130-9946, no. 16, 1997.
- Cross-border contamination in nuclear law. *Actualidad administrativa*, ISSN 1130-9946, no. 4, 1996.

#### Collaboration on joint publications

- Procedural elements of the claim. *Practicum daños 2015* / coordinated by Ana Soler Presas, Pedro del Olmo García, 2014.
- Procedural elements of the claim. *Practicum daños 2015* / coordinated by Ana Soler Presas, Pedro del Olmo García, 2014.
- Damage to motor vehicle traffic. *Practicum daños 2015* / coordinated by Ana Soler Presas, Pedro del Olmo García, 2014.
- The balance between supervision and efficiency. Supervision in private insurance: Towards solvency II. Minutes of the Congress on Regulation and Supervision in Private Insurance. Valencia, 15 and 16 September 2011. Coordinated by Félix Benito Osma, María Teresa Olavarría Iglesia, Francisco Javier Vercher Moll; Vicente Cuñat Edo (dir.), Juan Bataller Grau (dir.), 2013.
- Good governance of companies before and after the financial crisis. Study on the insurance sector in Spain 2010: the qualitative aspects of solvency II. Coordinated by Pilar Blanco-Morales Limones, Montserrat Guillén Estany, Inmaculada Domínguez Fabián, 2010.
- Restructuring and liquidation of insurance companies. Comments on the reform of the regulations governing the organisation and supervision of private insurance: analysis of Law 34/2003 and the

regulations approved by Royal Decrees 297 to 301/2004. Coordinated by Joaquín Ruiz Echaury, 2004.

## Books

- “*Estudios jurídicos sobre sostenibilidad: cambio climático y criterios ESG en España y la Unión Europea*”. Editorial Aranzadi, 2023.
- Insurance Contract Law. Coordinated by Luis Fernando Reglero Campos. Editorial Aranzadi, 2007.
- Comments on the reform of the regulations governing the organisation and supervision of private insurance: analysis of Law 34/2003 and the regulations approved by Royal Decrees 297 to 301/2004. Coordinated by Joaquín Ruiz Echaury. Editorial Aranzadi, 2004.

## Professional Organisations

The Madrid Bar Association (ICAM).

Board of Directors Member of the Spanish Section of AIDA / INLA

Chairman of SEAIDA Reinsurance working group.

Chairman of the CIAM-SEAIDA working group on expert witness and arbitration.

Member of the Editorial Boards of the Spanish legal publications “*Revista Española de Seguros*” and “*Revista Española de Responsabilidad Civil, Circulación y Seguro*”.

## Recognition

Joaquín Ruiz Echaury features in various legal directories such as:

- Chambers Europe: recognised as a ‘Star Individual’ for the area of ‘Insurance Law’ (2019, 2020, 2021, 2022, 2023 & 2024) and prior to this continuously listed as ‘Band 1’ since this category’s publication by this directory.
- Legal 500 EMEA: included in the ‘Hall of Fame’ category for the area of ‘Insurance Law’ (2020, 2021, 2022, 2023 & 2024) and prior to this continuously recognised as a “Leading Individual” since 2015.
- Who’s Who Legal: Insurance & Reinsurance 2024 / Product Liability 2023.
- *Best Lawyers®*: ‘Insurance Law’, ‘Litigation’, ‘Corporate and M&A Law’ and ‘Financial Institutions’. Recognised as among the best lawyers in Spain from 2013 to 2023 consecutively.
- Acritas Stars from 2017 to 2020 consecutively.
- Ranking Expansión 2021: Which lawyers advise large Spanish companies – Joaquín Ruiz Echaury no. 1 in transactions in the financial sector.

## Awards

- Thomson Reuters Stand-out Lawyers 2023
- Iberian Lawyer: Top 60 Lawyers in Business Law 2021.
- ILO Choice Awards, Lawyer of the Year, Insurance, Spain (2012, 2015, 2016, 2017 and 2018).
- *Best Lawyers®*: Insurance “Lawyer of the Year” (2021) in Madrid.