

Pérez-Llorca



Jesús Almarcha Jaime

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Profile

Jesús is an associate in Pérez-Llorca's Insurance and Reinsurance practice. Prior to joining the firm, Jesús worked as a lawyer at an international firm specialised in financial regulation, the Spanish Association of Insurers and Reinsurers (UNESPA), and another prestigious Spanish firm.

Studies:

- 2015 Master's degree for Access to the Legal Profession, Universidad de Castilla-La Mancha (UCLM)
- 2014 Degree in Law, Universidad de Castilla-La Mancha (UCLM)

He speaks Spanish and English.

Experience

Jesús Almarcha has over eight years of experience providing legal advice to Spanish and international companies in the insurance and reinsurance sector, as well as to institutions in the financial sector.

Jesús is an expert in project and operations management and in the resolution of technical queries in the field of national and international regulation in the insurance sector. Jesús has extensive experience in the following areas, among others:

- Improving insurance and reinsurance companies' business models and adapting them to the requirements of Solvency II.
- Advising insurance companies on the valuation of technical provisions and investment management.
- Improving and managing insurance companies' governance systems, including developing corporate policies, managing key functions, outsourcing functions, etc.
- Communicating and submitting information to the DGSFP, including advice on inspection procedures.

- Advice on carrying out cross-border activities under the freedom to provide services or the right of establishment in Spain and other European countries, as well as in third countries.
- Obtaining clearance to operate in different lines of insurance.
- Technical analysis, adaptation and development of insurance and reinsurance contracts.
- Advice on insurance distribution activity carried out by both insurance intermediaries and insurance companies, including advice on carrying out the activity, compliance with the rules of conduct and governance of insurance products.
- Advice in the field of underwriting agency activity in Spain and other European countries.
- Issuing opinions and reports on regulatory issues of particular technical complexity.

Jesús has collaborated on the development of regulatory projects in the insurance sector through the preparation of proposals for modifications and amendments before governmental and political institutions.

Jesús is also an expert in transactional advice in the insurance and reinsurance sector. Jesús has experience in the following matters, among others:

- Establishing guarantee schemes using insurance in financing operations.
- Drafting and negotiating commercial agreements in mergers and acquisitions of insurance companies and insurance intermediaries.
- Drafting and negotiating portfolio transfer agreements.
- Drafting and negotiating insurance distribution contracts.
- Creating joint ventures.
- Developing and negotiating reinsurance and coinsurance arrangements to manage risk.

Jesús has also advised on litigation and arbitration in a wide variety of civil, criminal and commercial matters before all courts, relating to damage insurance (general liability, D&O, transport, surety, etc.) and personal insurance (life risk, unit-linked, accident, healthcare, etc.), reinsurance and coinsurance.

Academic and publishing collaborations

Jesús has given classes on Insurance Law at the Universidad de Castilla-La Mancha (UCLM) and the Universidad Complutense de Madrid.

Additionally, Jesús has published a wide variety of articles and legal papers related to the insurance sector published in the most important legal journals, including most recently:

- “*La naturaleza jurídica del seguro de vida unit-linked y su uso como garantía en operaciones de financiación*”, Revista Española de Seguros 196/2023, SEAIDA, 2023.
- Co-author of the book “*Principales novedades normativas y jurisprudenciales en el sector asegurador 2022*”, ARANZADI, 2023.
- Co-author of the book “*Principales novedades normativas y jurisprudenciales en el sector asegurador 2022*”, ARANZADI, 2023.
- Co-author of the book “*Principales novedades normativas y jurisprudenciales en el sector asegurador 2021*”, ARANZADI, 2022.
- “*Régimen jurídico de la externalización de procesos y servicios de empresas de seguros y reaseguros*”, Revista de Derecho del Sistema Financiero, no. 3, ARANZADI, 2022.
- “*Un nuevo esquema de supervisión en el Anteproyecto de Ley para la transformación del sistema financiero (regulatory sandbox)*”, Diario La Ley no. 9427, LA LEY, 2019.
- “*Aspectos clave en la distribución del seguro de vida unit-linked (Libro blanco de los seguros unit-linked)*”, Revista Española de Seguros 176/2018, SEAIDA, 2019.
- “*El Anteproyecto de Ley reguladora de los contratos de crédito inmobiliario desde la perspectiva aseguradora*”, Boletín Diario de Seguros (BDS), INESE, 2017.

- “*La cláusula que aplica un baremo indemnizatorio para el caso de invalidez es limitativa y el asegurado debe aceptarla expresamente también en los seguros colectivos*”, Revista Cuadernos Civitas de Jurisprudencia Civil 104/2017, CIVITAS ARANZADI, 2017.

Professional organisations

- The Madrid Bar Association (ICAM).
- Member of the Spanish Branch of the International Association of Insurance Law (SEAIDA).
- Member of the Spanish Association of Young Insurance Professionals (AJPS).

Recognition

- Legal 500 EMEA: Insurance (Rising Star) 2024, 2023.

Awards

- First SEAIDA Insurance Law Research Award (2023).
- Castilla-La Mancha Bar Association Award for Legal Studies in Private Law with Great Economic and Social Impact (2015).