



M&A Insurance – Southern Europe Region

Overview

What is M&A/W&I (Warranty & Indemnity) Insurance?

- A valuable tool to facilitate M&A transactions
- A specialist area of insurance which includes products and solutions such as Warranty & Indemnity Insurance, Tax Liability Insurance and one-off, unique policies created for individual risks
- Provides protection against a defined liability arising under the warranties and indemnities contained in a sale agreement. The policy can either be taken out by the seller or the buyer

Why buy M&A Insurance?

- Clean exit for seller
- Extends the duration and/or cap of warranties
- Faster claims settlement and pay-out (no need for legal actions in buy-side scenarios)
- Protects against seller credit-risk
- Unwillingness to sue the seller/protects relationships with seller

How long does underwriting take?

- Ideally 7 business days – in urgent cases within a shorter period
- The policy is usually negotiated alongside the SPA and taken out at the time of signing

What is covered?*

- Losses suffered as a result of a breach of the seller's warranties or indemnities (buy-side)
- Coverage in the event that the buyer sues the seller for a breach of warranty or indemnity (sell-side)

What is excluded?*

- Known facts or matters identified by a buyer in due diligence or otherwise disclosed by a seller
- Forward-looking warranties, such as the target company achieving post-completion profit goals
- Fines or penalties that may not legally be insured against, price adjustments, leakage, etc.

Why Liberty Global Transaction Solutions (GTS)?

Liberty GTS is a leader in M&A Insurance. Liberty GTS has a presence in ten jurisdictions throughout EMEA, the Americas and APAC – including the largest team of underwriters in the London market who are Tax Insurance and W&I specialists.

The Liberty GTS underwriters close in excess of 500 deals a year and average more than eight years' direct M&A experience across a variety of industry sectors.

Our Southern Europe team is based in London and is committed to providing a market leading W&I insurance product and exceptional service levels for transactions in France, Italy, Portugal and Spain. Our team is led by Nicholas Lunn and is comprised by former M&A lawyers and experts from France, Italy and Spain who are fluent in English, Spanish, Portuguese, Italian and French.

We have the ability to write up to EUR 140 million for a single transaction, which enables us to handle a full spectrum of deal sizes.

Contacts

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**Subject to policy terms and conditions.*

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