Pérez-Llorca

Rafael Fernández

Contacto
rfernandez@perezllorca.com
T: +34 91 389 01 03
M: +34 645 910 300
Paseo de la Castellana, 50
28046 Madrid

Práticas e Setores

- Seguros e resseguros

Profile

Rafael Fernández is a partner of Pérez-Llorca's Insurance and Reinsurance practice area. Prior to this, Rafael worked in the Insurance and Reinsurance areas in two highly prestigious international firms, in the legal department of the World Bank's Multilateral Investment Guarantee Agency in Washington DC and as Vice President, Legal Counsel at the head office of the reinsurer Swiss Re Europe in Luxembourg.

Studies:

- 2016 Master's degree in Law, with honours, Georgetown University Law Center
- 2012 Degree in Business Administration, Universidad Complutense de Madrid
- 2009 Degree in Law, Universidad Complutense de Madrid.

He speaks Spanish and English.

Experience

Rafael has over 15 years of experience providing legal advice to entities from the insurance sector. In the commercial field, Rafael has been involved in a number of the most significant transactions in the Spanish insurance sector, including the sale and purchase of large insurance companies and cross-border portfolio transfers. He also advises insurers and underwriting agencies on underwriting all types of transactional risk insurance, including underwriting W&I insurance in M&A transactions, contingent insurance risks and handling claims related to these types of losses.

Elsewhere, Rafael has provided regulatory advice on insurance distribution, including the design of structures for insurance distribution in Spain, review and adaptation of terms and conditions, aspects related to the governance of (re)insurance entities and assistance in inspection procedures initiated by the DGSFP. In the litigious field, Rafael has taken part in various civil liability claims (D&O, professional, product liability and warranty), major claims, bancassurance alliance ruptures, coverage dispute resolution and recovery actions.

Rafael has also worked as Secretary and Vice-Secretary for insurance entities, both in Spain and Luxembourg, where he ran the secretariat and provided advice related to corporate governance to Boards of Directors and Delegate Committees (including the Audit and Management Committees).

In terms of international experience, Rafael has been part of the Multilateral Investment Guarantee Agency (MIGA)'s legal team, where he was involved in insurance against political risks and guarantees against losses from non-commercial risks, as well as Vice President, Legal Counsel at the head office of the insurance firm Swiss Re Europe in Luxembourg.

Academic and publishing collaborations

Rafael has been an Adjunct Professor of Law at IE Law School since 2018, where he currently teaches modules on Commercial and Business Law, Manifest and Collateral Insurance in M&A Transactions and General Concepts of Law for the IE Law School Legal Clinic.

Additionally, he has published a large number of articles and works related to the insurance sector, including:

- "Directors' and Officers' Liability Insurance (Spain), Practical Law UK Articles w-029-8356" Thomson Reuters (August 2024).
- "EIOPA y la DGSFP advierten sobre malas prácticas y riesgos de conducta en la distribución de seguros de protección crediticia"; Actualidad Jurídica Aranzadi (January 2023).
- "Impacto de la Web3 en el sector asegurador"; Pérez-Llorca Legal Journal no. 8 (December 2022).
- "Los tratamientos singulares de datos personales por parte de entidades aseguradoras, sus distribuidores y agencias de suscripción"; Pérez-Llorca Legal Journal no. 6 (December 2021).
- "Directors and Officers' Liability Insurance (Spain)", Thomson Reuters (July 2021).
- "The rules on the training of insurance and reinsurance distributors are finalised: the resolution of the DGSFP enters into force."; Pérez-Llorca Legal Briefing (June 2021).
- Coordinator of the book "Principales novedades normativas y jurisprudenciales en el sector asegurador 2021"; Thomson Reuters Aranzadi (May 2021)
- "Engagement policy and investment strategy of life insurance and reinsurance companies regarding listed companies following the publication of RD 288/2021"; Pérez-Llorca Legal Briefing (May 2021)
- "Notas sobre la nueva normativa de formación de los distribuidores de seguros y reaseguros"; Inese (April 2021).
- "Insurance and Reinsurance in Spain: Overview; Practical Law Guide 2017"; Thomson Reuters (December 2017).
- "El canal de bancaseguros conforme a los criterios de la DGSFP"; Revista Española del Seguro no. 148 (June 2011).

Books he has contributed to:

- "Derecho de los videojuegos: Aspectos jurídicos y de negocio"; Editorial Aranzadi, 2023.
- "Principales novedades normativas y jurisprudenciales en el sector asegurador"; Editorial Aranzadi, 2023, 2022 y 2021.

Professional organisations

The Madrid Bar Association (ICAM).

Senior Vice Chair Officer of the Insurance Committee of the IBA (International Bar Association).

Officer for Institutional Relations and Member of the Board of Directors of the Association of Young Insurance Professionals (AJPS).

The Spanish Branch of the International Association of Insurance Law (SEAIDA).

Member of the Insurance Working Group of the Madrid International Arbitration Centre (CIAM).

Recognition

- *Best Lawyers*®: 'Insurance Law' (since 2025)
- Chambers Europe: Insurance (Up and Coming).
- Legal 500 EMEA: Insurance (Next Generation Partner).

Awards

- Nominated for Best Insurance Lawyer in Spain and Portugal by Iberian Lawyer's Forty under 40 (2021; 2022; 2023 and 2024).
- INESE: 40under40 for the insurance sector 2022.
- IE Award for teaching excellence in the Commercial Law and Corporations module (2019; 2022 and 2024).