

Latin America

Kaufman Dolowich's Latin America team assists clients engaged in cross-border business transactions, including regulatory and transactional matters throughout Latin America. Our Latin America Practice attorneys appreciate the regulatory environment implicated in various business transactions in Latin America with a particular focus in the insurance space. We assist a range of clients with a domestic as well as a global presence, including those in the insurance and financial services industry, to navigate the complex regulatory compliance challenges arising out of their operations in Latin America.

Our attorneys have handled acquisitions, product distribution, and enforcement with respect to life/annuities, health, P&C, cyber, D&O, extended warranty, travel, title, reps & warranties, and other insurance products in numerous Latin American countries. In addition, we have assisted private wealth advisors and insurance distributors in appreciating the legal framework applicable to high net worth individuals domiciled in foreign countries who seek life and annuities products as part of their estate and financial planning.

We also advise clients on data privacy, cybersecurity, corporate governance matters, anti-money laundering and anti-corruption laws. In connection with the foregoing, we assist clients in establishing operations in select Latin American countries, including creating insurance subsidiaries and securing authorization and licensing. Our attorneys also advise with respect to distribution arrangements in connection with the sale of insurance in cross-border transactions, as well as in connection with fronting and reinsurance transactions.

We regularly advise clients with respect to NAFTA and the USMCA modification thereof, bilateral free trade agreements (FTAs) with Mexico, Colombia, Chile, Peru and Chile as well as the FCPA, USA Patriot Act, OFAC Foreign Asset Control Regulations and related laws in Latin America. In collaboration with law firms we've developed working relationships with in Latin America, we assist clients in connection with their insurance and financial services business transactions. We also advise foreign insurers seeking to do business in the United States.

Our team regularly advises clients on the complicated risk management and complex compliance issues implicated in setting-up captive insurance companies for Latin America domiciled companies and helps structure captive insurance arrangements that address an evolving regulatory environment both in the U.S. and Latin America.

Kaufman Dolowich appreciates the insurance regulatory landscape and conducts surveys of laws of various Latin American countries where our clients operate or have elected to explore as potential markets. On the enforcement side, we help clients resolve regulatory compliance challenges and we work with them to ensure that they develop policies and procedures to avoid regulatory challenges when conducting business in Latin America. Further, we advise clients regarding related criminal and civil compliance matters in Latin America.