

Luther advises Peach Property Group on change of legal form of Danish subsidiaries

Essen/Cologne, 29.09.2022 – Luther Rechtsanwaltsgesellschaft has advised the real estate company Peach Property Group on a restructuring of its subsidiaries across the German-Danish border.

Peach Property Group has restructured its Danish portfolio companies. These were transferred from the Danish legal form of ApS to the legal form of GmbH in Germany. The ApS (Anpartsselskab) is comparable to the German GmbH and is one of the most widely used corporate forms in Denmark. The aim of the cross-border change of legal form was in particular to simplify the legal structure of the group and to enable more efficient legal management.

In Germany, the cross-border change of legal form has not yet been regulated by law. However, the admissibility is recognised on the basis of fundamental freedoms under European law. The UmRUG is not due to come into force until 31 January 2023, which will, among other things, explicitly regulate the cross-border change of legal form in Germany for the first time. Against this background, careful preparation of the transformation documentation (transformation plan and report, etc.) as well as extensive preliminary consultations, in particular with the Danish Business Authority and the German Commercial Register, were required during the transitional period until the UmRUG came into force. Thanks to the good cooperation of all parties involved and the timely clarification of all requirements in Denmark and Germany, all measures were implemented smoothly and successfully.

About Peach Property Group AG:

Peach Property Group is a real estate investor with an investment focus on rental flats in Germany. The portfolio consists of high-yielding existing properties, typically in B-cities in the catchment area of conurbations. In addition, the Group develops properties in Switzerland for marketing in condominium ownership.

Peach Property Group is headquartered in Zurich and has its German headquarters in Cologne. Peach Property Group AG is listed on the SIX Swiss Exchange (PEAN, ISIN CH0118530366). More information: <https://www.peachproperty.com/>

On behalf of the Peach Property Group:

Inhouse: Susanne Hünermann (Head of Legal (Germany))

Luther, Corporate/M&A: Dr Cédric Müller, LL.M. (Partner) and Dr Philipp Honisch (Counsel, both Lead), Philipp Dietz, LL.M. (Partner), Dr Madeleine Martinek, LL.M. (Associate)

Bech-Bruun Law Firm, Copenhagen: Ole Nørgaard (Partner), Sebastian Thorsager (Junior Associate)

PWC (tax advisory): Ralf Grammel (Partner), Dr Lars Hölzer (Senior Manager)

Luther Rechtsanwaltsgesellschaft mbH

Luther is a leading German commercial law firm that offers comprehensive legal and tax advice. The full-service law firm employs over 420 lawyers and tax advisors and is represented in ten German economic hubs as well as with 11 of its own international offices in key investment locations and financial centres in Europe and Asia. Its clients include medium-sized enterprises and large corporations, as well as the public sector.

Luther works closely with other commercial law firms in all the prevailing jurisdictions. Luther is a founding member of unyer (www.unyer.com), a global organisation of leading professional services firms that cooperate exclusively with each other.

Luther Rechtsanwaltsgesellschaft mbH is a law firm with a business approach: our innovative awareness aspires us to provide our clients with customised legal advice that addresses individual needs and delivers the greatest possible economic benefit. All of Luther's lawyers and tax advisers have a solid understanding of interdisciplinary matters and a wealth of experience in collaborating on complex tasks. Luther has been named "Law Firm of the Year: Germany 2021" and also "European Law Firm of the Year 2021" by The Lawyer, one of the most well-known legal magazines worldwide. Further information is available at: www.luther-lawfirm.com.

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