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Luther designs contracts for semester ticket

Starting in the winter semester 2018/19, around 220,000 students will enjoy free travel on all regional trains and suburban trains in Lower Saxony and Bremen. The reason for this is the new semester ticket. The Landesnahverkehrsgesellschaft Niedersachsen relied on Luther Rechtsanwaltsgesellschaft to draft the complex contracts.

The semester ticket is coming. As of the winter semester 2018/19, Lower Saxony will be the second federal state in Germany to offer its students a new solidarity ticket after North Rhine-Westphalia. On Wednesday, the Landesnahverkehrsgesellschaft Niedersachsen (LNVG) announced that all parties, in particular the student decision-making bodies, had agreed.

There were several hurdles to be overcome in the design of a contract that was as lean as possible. "The high degree of complexity resulted from the large number of over 40 parties on the one hand and from dynamic factors that had to be mapped contractually," explains Dr. Sebastian Rabe of Luther, who was involved in drafting the contract. "An example of this is a change in the railway companies involved. Currently 15 companies are involved. There are regular calls for tenders which ensure a turnover rate. This is why we had to make sure that the recognition of the semester ticket would always be guaranteed even when the state of Lower Saxony reallocated sections of the route."

Further challenges arose from the statutes of the various student bodies. "The statutes differ in many respects - for example in the extent to which votes or committee approvals are necessary. Especially when it comes to price adjustments, complicated

constellations can arise," says Luther's lawyer Dr. Henning Holz, who accompanied the project under the lead of Ulf-Dieter Pape during negotiations. "Here we have drafted uniform regulations for the various requirements of the statutes and integrated possible solutions with regard to voting and the permanent maintenance of the solidarity model. In addition, by bundling invoices, we have been able to set up effective payment processes for all parties involved". The admissibility of antitrust law was also examined as part of the drafting of the contract.

Already in January, the student decision-making bodies at 32 universities voted for the new ticket. This was preceded by negotiations for a period of almost four years between student representatives, the VerkehrsLandesAstenKonferenz Niedersachsen (VLAK), railway companies, the Region Hannover, the Regionalverband Großraum Braunschweig and Niedersachsentarif GmbH. The effort has paid off, all those involved are happy about the successful completion, especially the students. Starting in the winter semester, the ticket can be used not only in Lower Saxony, but also in Hamburg, Bremen and on connections to the surrounding federal states.

For Landesnahverkehrsgesellschaft Niedersachsen mbH:

LNVG Inhouse: Susanne Wecken, Matthias Koch

Luther Rechtsanwaltsgesellschaft mbH:

Ulf-Dieter Pape (Lead Partner), Dr. Henning Holz (Counsel, Public law, negotiation); Dr. Sebastian Rabe, MLE (Senior Associate, Drafting of contracts, negotiations), Dr. Helmut Janssen (Partner, Antitrust law), Tim Börker (Associate, Antitrust law)

Brief Profile Luther

Luther is a leading German commercial law firm that offers comprehensive legal and tax services. The full-service law firm employs more than 350 lawyers and tax advisors and is represented at 10 German economic centres and at important investment locations and financial centres in Europe and Asia with international offices in Brussels, London, Luxembourg, Shanghai, Singapore and Yangon. Our clients are 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 worldwide. On the Continent, Luther is part of a group of independent leading law firms who have worked together for many years on joint cross-border projects.

Luther Rechtsanwalts-gesellschaft 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.

Our lawyers and tax advisors have a solid understanding of interdisciplinary matters and a wealth of experience in collaborating on complex tasks. Further information is available at: www.luther-lawfirm.com

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