



Wolfgang Lauss

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Partner

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Main areas

- Corporate
- Mergers & Acquisitions
- Tax Law
- Antitrust / State Aid
- Compliance
- China / South East Asia

Background

Wolfgang Lauss studied law at the Johannes Kepler University in Linz and gained a doctorate in law in 1985.

In 1990, he passed the lawyer's examination with very good marks and has been a lawyer since 1990 and a managing partner for SAXINGER since 1991, primarily at the offices in Linz and Vienna. He also gained his licence to practise as a lawyer in the Czech Republic in 2003.

Wolfgang Lauss is a university lecturer at the Johannes Kepler University in Linz and a lecturer for the university course in market-oriented international business.

He is also a member of several Boards of Trustees of foundations.

Expertise

Wolfgang Lauss advises domestic and foreign companies in particular on corporate and corporation law issues. He has substantial experience in the structuring of corporations, starting with the creation of organisation concepts, the planning and implementation of all start-up steps, the accompaniment of merger registrations under cartel law to the conceptual planning and implementation of modern corporate governance and compliance structures.

He also advises on national and international M&A transactions and on capital market transactions, in particular IPOs and SPOs or private placements.

In addition, Wolfgang Lauss advises public law entities during privatisations, outsourcing projects and PPP projects including the resolution of any issues related to subsidy and public procurement law.

He advises on the corporate structuring of family-run businesses, including the conceptual planning of syndicate agreements and

succession and exit regulations as well as private foundation models.

Dr. Wolfgang Lauss gives talks and regularly publishes articles on particular on topics relating to company law and private foundation law and is a university lecturer and speaker at the Johannes Kepler University in Linz.

He is in the Examination committee of the Austrian Chamber of Chartered Public Accountants and Tax Consultants and a member of several foundation associations.

Wolfgang Lauss also holds a licence to practise as a lawyer in the Czech Republic and serves clients, in particular in the Czech Republic, Slovakia and Hungary. He is also responsible for the SAXINGER China Desk in Austria.

References

- Privatisation of publicly owned provincial energy supply companies, regional energy suppliers, public tourism organisations and publicly owned banks.
- Advice on several outsourcing projects in the public sector, in particular in the hospital sector of the province of Upper Austria and the city of Linz, shareholdings management and the education and innovation sector of the province of Upper Austria or also in connection with the introduction of the HGV toll in the Republic of Austria.
- Introduction of a modern corporate governance and compliance structures at a large energy supply company, various industrial corporations and family-run businesses.
- Structuring and implementation of major infrastructure projects, in particular in the area of construction of power plants, gas and district heating pipeline projects as well as hotel and spa facilities.
- Preparation and management of shareholders' and general meetings, including AGMs.
- Various real estate projects, in particular also for the construction of central warehouses of food retail chains at home and abroad.

Languages

German, English

Publications

Der elektronische Datenraum: Datenschutzrecht bei Due-Diligence-Prüfungen

Zur Parteistellung der Privatstiftung im gerichtlichen Bestellungs- und Abberufungsverfahren gemäß § 27 PSG

Foundation Governance: Ein Vorschlag für eine moderne Organisation und Überwachung von Privatstiftungen

OGH: Haftung des Stiftungsvorstands nach § 29 PSG wegen unterlassener gerichtlicher Genehmigung nach § 17 Abs 5 PSG

§ 27 Abs 1 Z 1 PSG: OGH präzisiert weitere Gründe, die die Abberufung eines Vorstandsmitgliedes wegen grober Pflichtverletzung rechtfertigen

Rahmenbedingungen für Stiftungsvorstandsmitglieder: Unvereinbarkeit bei Vertretung eines Begünstigten,

Genehmigungsbedürftigkeit der Doppelvertretung, Parteistellung im Verfahren

§ 15 Abs 2 PSG – Unvereinbarkeit gilt auch für den (Rechts-)Vertreter des Begünstigten

§ 27 Abs 1 Z 1 PSG: OGH präzisiert weitere Gründe, die die Abberufung eines Vorstandsmitgliedes wegen grober Pflichtverletzung rechtfertigen

Zum Ausmaß der Berichtspflicht des Vorstandes gegenüber dem Aufsichtsrat, insbesondere bei Konzernmuttergesellschaften

Die Bedeutung der Privatstiftung bei Fusionen

Aktuelle Fragen des Energierechts 2003

Recent Developments in Austrian Competition Law

Firmenzusatz AG auch in der Mitte der Firma zulässig

Größenmerkmale bei der GmbH im Zusammenhang mit Umgründungsschritten

Kapitalerhaltung und Verbot der Einlagenrückgewähr im Spaltungsgesetz, Grundsätzliche Zulässigkeit der Spaltung up-stream und ihre Grenzen

Neue Entscheidung zu den Grenzen der Zulässigkeit des Down-Stream-Mergers

Neue OGH-Entscheidung zu den Grenzen der Zuständigkeit des Down-Stream-Mergers