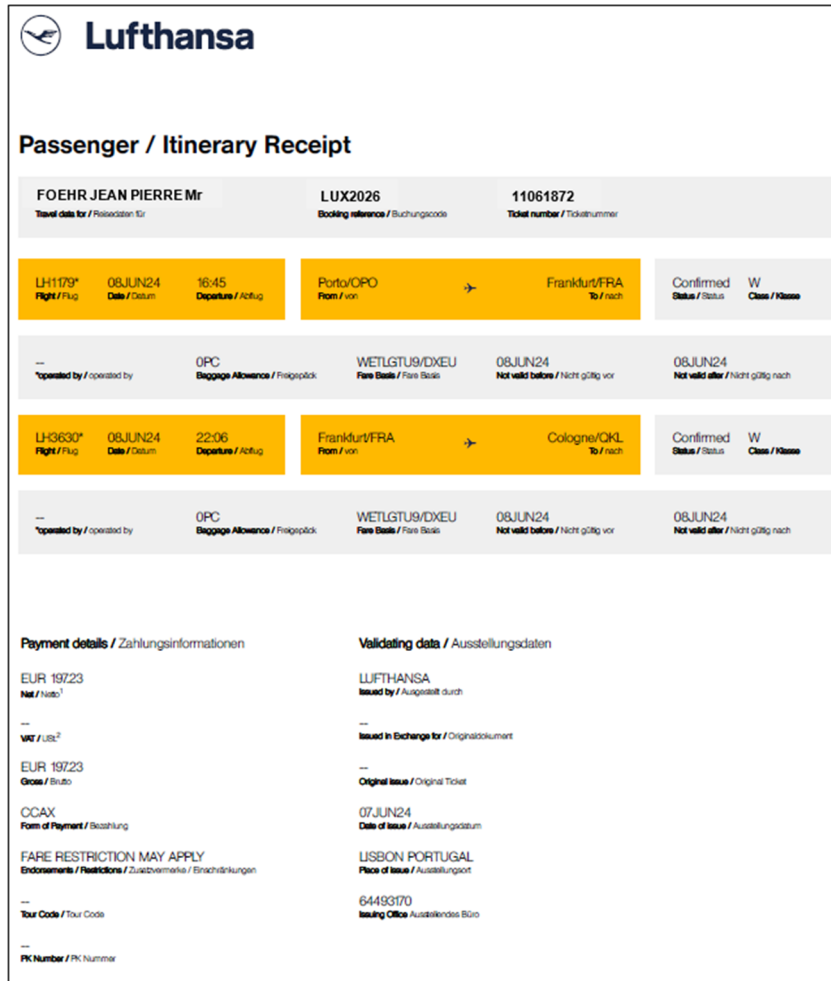


Case 4: LH Express - Air and Rail Journey

The journey

Mr Jean Pierre Föhr (fictive name and reference numbers) booked a Lufthansa journey from Porto (PT) to Cologne (DE) via Frankfurt am Main (DE). The first leg is a Lufthansa flight; the second leg is a train journey with a DB ICE train (ICE 100), marketed also as LH flight 3630. Mr Föhr paid 197.23 EUR for the whole journey.



Passenger / Itinerary Receipt

FOEHR JEAN PIERRE MR
Travel date for / Reise datum für

LUX2026
Booking reference / Buchungscode

11061872
Ticket number / Ticketnummer

Flight / Flug	Date / Datum	Departure / Abflug	From / von	To / nach	Status / Status	Class / Klasse
LH1179*	08JUN24	16:45	Porto/OPO	Frankfurt/FRA	Confirmed	W
*operated by / operated by: 0PC Baggage Allowance / Freigeplack: WETLGTU9/DXEU Fare Basis / Fare Basis: 08JUN24 Not valid before / Nicht gültig vor: 08JUN24 Not valid after / Nicht gültig nach:						
LH3630*	08JUN24	22:06	Frankfurt/FRA	Cologne/CKL	Confirmed	W
*operated by / operated by: 0PC Baggage Allowance / Freigeplack: WETLGTU9/DXEU Fare Basis / Fare Basis: 08JUN24 Not valid before / Nicht gültig vor: 08JUN24 Not valid after / Nicht gültig nach:						

Payment details / Zahlungsinformationen

EUR 197.23
Net / Netto¹

EUR 197.23
Gross / Brutto

CCAX
Form of Payment / Bezahlung

FARE RESTRICTION MAY APPLY
Endorsements / Restrictions / Zusatzvermerke / Einschränkungen

Tour Code / Tour Code

PK Number / PK Nummer

Validating data / Ausstellungsdaten

LUFTHANSA
Issued by / Ausgestellt durch

Issued in Exchange for / Originaldokument

Original issue / Original Ticket

07JUN24
Date of issue / Ausstellungsdatum

LISBON PORTUGAL
Place of issue / Ausstellungsport

64493170
Issuing Office / Ausstellendes Büro

Boarding pass for the rail leg



Boarding pass for the rail leg

PO - FRA - FRA - QKL

Lufthansa

FOEHR JEAN PIERRE MR

Status: TK*G Economy

QR Code

08JUN24 LH3630

FRA QKL

Frankfurt 22:06 Köln Hbf. 23:07

Gleis 006 Wagen 004 Sitz 024

Information received while heading for Frankfurt



Verbindungsdetails

Sa. 8. Juni 2024 Dauer: 1h 1min

Reise merken

22:06 Frankfurt(M) Flughafen Gl. Fern 6
23:14 Fernbf

ICE 100
nach Dortmund Hbf

1h 1min
Geringe Auslastung erwartet
Result of a switch

Zuginformationen

1 Station stop

23:07 Köln Hbf Gl. 4
00:10

What happened?

- The flight Porto–Frankfurt arrives on time. After receiving information about the delay to his connecting train, Mr Föhr decides not to continue his journey to Cologne.
- He turns to DB and claims reimbursement of the fare for the Frankfurt–Cologne rail leg.
- DB refuses, arguing that the journey was booked with Lufthansa, which would therefore be the carrier and the addressee for the claim. DB also points out that it does not know what fare Mr Föhr paid for the rail leg.
- Mr Föhr insists on reimbursement, referring to Article 18 of Regulation (EU) 2021/782 and arguing that the railway undertaking operating the delayed train is obliged to reimburse the fare.

Questions for discussion

- Which contracts of carriage and which carriers are involved in this multimodal journey?
- Who is right? Was the passenger entitled to reimbursement?

Relevant contractual and legal framework

The following provisions and information are relevant to the case:

Source	Relevant point
Regulation (EU) 2021/782 - Article 18(1) - extract	<i>Where it is reasonably to be expected, either at departure or in the event of a missed connection or a cancellation, that arrival at the final destination under the transport contract will be subject to a delay of 60 minutes or more, the railway undertaking operating the delayed or cancelled service shall immediately offer the passenger the choice between one of the following options, and shall make the necessary arrangements:</i> <i>(a) reimbursement of the full cost of the ticket, under the conditions by which it was paid, for the part or parts of his or her journey not made and for the part or parts already made if the journey is no longer serving any purpose in relation to the passenger's original travel plan, together with, when relevant, a return service to the first point of departure at the earliest opportunity.</i>
Regulation (EU) 2021/782 - Article 3 - extract	<i>For the purposes of this Regulation:</i> <i>(1) 'railway undertaking' means a railway undertaking as defined in point (1) of Article 3 of Directive 2012/34/EU;</i> <i>(6) 'transport contract' means a contract of rail carriage for reward or free of charge between a railway undertaking and a passenger for the provision of one or more transport services.</i>

Variation

If one concedes to the claimant that his journey Frankfurt-Cologne fell under Regulation (EU) 2021/782, would he be entitled to a refund anyway? Would it be relevant whether he might have had alternative rail travel options?

Further information

Lufthansa information concerning "Zugbindung" (obligation to use a specific train):

Do I have to take a specific Lufthansa Express Rail train or can I use any train on the route I have booked? ^

Your Lufthansa Express Rail booking is for a specific train. This means that the booking is for a specific train on a specific date and time. So you should always use the train specified in the itinerary of your booking.

If your train is cancelled or will arrive your destination with a delay of more than 20 minutes, this obligation no longer applies. In this case you can also take other Deutsche Bahn (DB) trains on the route you have booked.

Information about trains departing from Frankfurt Airport Train Station around 22:00 on the travel date:

ICE 526	München Hbf Via Köln Messe/Deutz Gl.11-12 Düsseldorf Hbf Duisburg Hbf	Dortmund Hbf	21:20 (+58) 22:18	21:22 (+58) 22:20	Fern 7 Fern 6	Verspätung aus vorheriger Fahrt
ICE 205	Hamburg-Altona Via Mannheim Hbf	Karlsruhe Hbf	21:50 (+9) 21:59	21:51 (+9) 22:00	Fern 5	- Kundentext: LH 3564 - Lufthansa Express Rail - LH 3564 - Andere Reihenfolge der Wagen - Kein gastronomisches Angebot - Reparatur an der Strecke
ICE 910	München Hbf Via Siegburg/Bonn	Köln Hbf	21:51 (+12) 22:03	21:55 (+11) 22:06	Fern 6	- Kundentext: LH 3596 - Lufthansa Express Rail - LH 3596 - Kein gastronomisches Angebot - Mehrere Wagen fehlen - Bauarbeiten
ICE 22	Wien Hbf Via Mainz Hbf Koblenz Hbf Köln Messe/Deutz Gl.11-12	Dortmund Hbf	21:55 (+171) 00:46	21:58 (+170) 00:48	Fern 7	- Unwetterauswirkungen - Andere Reihenfolge der Wagen
ICE 1021	Ostseebad Binz Via Frankfurt(Main)Hbf Hanau Hbf Aschaffenburg Hbf	Nürnberg Hbf	21:59 (+15) 22:14	22:02 (+13) 22:15	Fern 4	- Bitte Fahrtverlauf beachten: ICE 1021 Fährt heute nur bis Frankfurt(Main)Hbf. - Andere Reihenfolge der Wagen - Sonstige Qualitätsmängel - Reparatur an einem Signal
ICE 100	Basel SBB Via Siegburg/Bonn Köln Hbf Solingen Hbf	Berlin Ostbahnhof	22:06 (+64) 23:10	22:06 (+68) 23:14	Fern 6	- Bitte Fahrtverlauf beachten: ICE 100 Änderung im weiteren Strecke - Kundentext: Fährt über Dortmund Hbf +++ LH 3630 - Lufthansa Exp - LH 3630 - Reparatur an einer Weiche
ICE 524	München Hbf Via Limburg Süd Montabaur Siegburg/Bonn	Dortmund Hbf	22:20 (+70) 23:30	22:21 (+71) 23:32	Fern 7	- Bitte Fahrtverlauf beachten: ICE 524 Beginnt heute erst in Nürnberg - Kundentext: LH 3532 - Lufthansa Express Rail - LH 3532 - Unwetterauswirkungen
			22:54 (+17) 23:11	22:55 (+18) 23:13	Fern 5	- Kundentext: LH 3442 - Lufthansa Express Rail - LH 3442