



# **Your social security rights in Austria**



## **EUROPEAN COMMISSION**

Directorate-General for Employment, Social Affairs and Inclusion  
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*B-1049 Brussels*

# **Your social security rights in Austria**

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At some point in our lives we may well need to depend on social security benefits. These are available for nationals living in their own country who meet the relevant requirements; but you also have a right to claim if you are from one EU country and are living in another. Read on to find out when you can claim, what you are entitled to and how you can apply.

## Contents

FAMILY.....	6
Family benefits.....	7
Maternity and paternity benefits.....	10
HEALTH.....	13
Sickness cash benefits .....	14
Long-term care .....	16
INCAPACITY.....	21
Benefits in respect of accidents at work and occupational diseases .....	22
Invalidity benefits.....	25
OLD-AGE AND SURVIVORS .....	30
Old-age pensions and benefits .....	31
Survivor's benefits.....	34
SOCIAL ASSISTANCE .....	38
Social assistance / guaranteed minimum resources .....	39
UNEMPLOYMENT.....	44
Unemployment benefit.....	45
MOVING ABROAD .....	49
Any insurance periods you have completed in other Member States will also be taken into account.....	50
MAIN RESIDENCE.....	53
Habitual residence.....	54

# Family

## Family benefits

This chapter provides information about the benefits you can receive in Austria if you are responsible for a child.

These are:

- **Child benefit;**
- **Child tax credit;**
- **Child-raising allowance.**

### In what situation can I claim?

You may be entitled to **child benefit** if you if you have permanent or habitual residence in Austria and if you have minor children living in your household or are mainly responsible for their maintenance costs. In addition to biological parents, grand-parents and adoptive and foster parents may also claim child benefit. If certain conditions are met, even the child him/herself may claim child benefit.

In the EU, you may also be granted entitlement to child benefit if your children live in another Member State (or Norway, Iceland, Liechtenstein, Switzerland or the United Kingdom\*).

All parents who are entitled to child benefit receive a **child tax credit**. This benefit is provided for in Austrian tax legislation and is paid in cash. It is also paid to non-taxable persons.

The receipt of child benefit is also a condition for receiving the child-raising allowance which is provided to parents with young children to compensate and appreciate the provision of care and to make up for lost or potential income.

*\*Note on the UK: Each case must be examined individually to determine whether a person falls within the scope of either Article 30 of the Withdrawal Agreement and thus the EU Coordination Regulations apply, or whether the person falls within the scope of the situations described in Article 32 of the Withdrawal Agreement and/or the national legislation and social security coordination protocol annexed to the Trade and Cooperation Agreement.*

### What conditions do I need to meet?

#### Child benefit

All families are entitled to child benefit, regardless of income.

#### Child tax credit

Child tax credit is paid together with child benefit.

#### Child-raising allowance

To be eligible for child-raising allowance, all general eligibility conditions need to be fulfilled, including entitlement to and receipt of child benefit for the child, centre of interests in Austria and legal residency in Austria.

To be eligible for income-dependent child-raising allowance, additional employment conditions apply.

## What am I entitled to and how can I claim?

### Child benefit

Child benefit is provided in a universal scheme for all Austrian residents and is financed by employers' contributions and taxes. The amount of child benefit depends on the age of the child. In addition, a supplement is paid for two or more children.

The amount of child benefit is determined by the number and age of the children.

Child benefit for the calendar year 2023 is per child per month

- From birth: 120.6 EUR;
- From age three: 129 EUR;
- From age ten: 149.7 EUR;
- From age nineteen: 174.7 EUR.

The monthly total amount of child benefit is increased by sibling staggering for each child if it is paid for

- two children: EUR 7.5 per child;
- three children: EUR 18.4 per child;
- four children: EUR 28 per child;
- five children: EUR 33.9 per child;
- six children: EUR 37.8 per child;
- seven children and more: EUR 55 per child;

An additional EUR 164.9 per month is paid for children with severe disabilities.

A monthly supplement of EUR 21.20 per child is paid for every child after the second one. However, this supplement is granted only if the family's taxable income in the calendar year preceding the calendar year in which the application is made is less than EUR 55,000 (multiple birth supplement).

You can calculate your individual amount of family allowance using the [online calculator](#).

Together with the child benefit, a school start allowance (*Schulstartgeld*) of EUR 100 is paid in September for each child aged 6 to 15. No separate application is required.

Child benefit is paid until the child reaches the age of majority, i.e. until he/she turns 19. The receipt may be prolonged until 24 for children in training for an occupation or receiving further college training in an occupation they have learnt (in the following special cases until 25: pregnant women, women with one or more children, military conscripts, persons with disabilities, persons following a long-term study, persons performing voluntary social service). Child benefit is provided without age limit for children who are expected to remain permanently incapable of work because of a disability which occurred before the age of 21 or during subsequent vocational training (in either case, before the age of 25).

You are not entitled to child benefit, if your child has reached the age of 18 and has an income above a certain monthly amount (a total of EUR 15,000 per year – minor excess permitted without refund obligation).

Child benefit is granted on application only. Payments can be made for the previous five years. Applications must be submitted on a special form to the tax office (*Finanzamt*).

Recipients of child benefit are obliged to inform their tax office, within one month, of any event causing their entitlement to lapse or of any changes in the circumstances on which their entitlement is based.



### Child tax credit

Child tax credit (*Kinderabsetzbetrag*) of EUR 61.80 per child per month is paid in combination with the child benefit from general tax revenue. No separate application is required. It is also paid to non-taxable persons and to persons who pay low taxes.

### Child-raising allowance

The **flat-rate** child-raising allowance (account) is a flexible arrangement to be claimed between 365 and up to 851 days after birth. Parents can take turns in which case the overall period of receipt will be extended (length depending on the selected option). The option with the shortest duration is to switch after 91 days and the one with the longest duration is to switch after 212 days. The daily flat-rate benefit for the short option is EUR 35.85 and EUR 15.38 for the longest option.

The **income-related** child-raising allowance can be claimed up to the 365th day after birth of the child (if the other parent is also involved, until the 426<sup>th</sup> day following the birth of the child). The amount is 80% of the latest income, and the daily rate is maximum EUR 69.83 per day.

Child-raising allowance is only available for the youngest child. In the case of multiple birth, there is a supplement of 50% of the amount of the child-raising allowance for each newborn child. This supplement is not provided in the case of income-related child-raising allowance.

Parents can alternate periods of leave twice, resulting in a maximum of three blocks, each lasting at least 61 continuous days. Simultaneous receipt of the benefit is possible for maximum 31 days only for the first time that parents take turns. The days during which both parents received the benefit will be deducted from the total eligibility period which has a minimum duration of 61 days.

Low-income families receive, under certain conditions, an allowance on top of the child-raising allowance (EUR 6.06/day for maximum 365 days from the application date, regardless of the selected variant). This allowance cannot be claimed in the case of income-related child-raising allowance.

Child-raising allowance and the additional allowance are granted by the relevant sickness insurance provider and can be claimed retroactively for maximum 182 days. Recipients are obliged to immediately inform the relevant sickness insurance fund if their family situation or the information included in the application form has changed.

### Jargon busters

**Maternity benefit (*Wochengeld*)** is another term for maternity pay and a compensation which provides income replacement for the period before and after the mother's (expected) due date, during which the (expectant) mother is not allowed to work.

**Habitual residence** - The terms 'permanent residence' and 'habitual residence' are defined under EU law. Please see the [EU Regulation on the coordination of social security systems](#). In practice, it means the place where you have your centre of interests

### Forms you may need to fill in

- [Online application for child benefit](#)
- [Child benefit application form \(pdf\)](#)
- [Child-raising allowance application form](#)

### Know your rights

The links below set out your rights in law. However, they are not official European Commission sites and do not represent the view of the Commission:

- [Information on child benefit](#)

- [Tax credits and exemptions for families](#)

#### Commission publications:

- [Family-related benefits: Your rights if you live in another Member State](#)

#### Whom do you need to contact?

##### Ministry for Women, Family, Youth and Integration (Section VI Family and Young People)

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## Maternity and paternity benefits

This chapter provides information about the benefits you can receive in Austria if you become a mother.

These are:

- **Maternity benefit (*Wochengeld*);**
- **Benefits in kind in case of childbirth.**

#### In what situation can I claim?

**Maternity leave (*Mutterschaftsurlaub*)** is the statutory time off work for maternity reasons. No woman is allowed to work eight weeks (or 12 weeks in case of high-risk births) before and after her expected due date. This is intended to prevent any stress on, or risk for, the (expectant) mother and the (unborn) child. Maternity benefit (*Wochengeld*) is provided as financial compensation during the maternity break.

You will receive **maternity benefit (*Wochengeld*)** if you have to take a break from employment because of pregnancy.

#### What conditions do I need to meet?

##### Maternity benefit (*Wochengeld*)

If you become pregnant, you should immediately make an appointment with your doctor and obtain a maternity card (*Mutter-Kind-Pass*), which contains information on examinations that need to be performed before and after the birth. This card confirms the examinations performed by the doctor concerning the pregnancy and the well-being of the child. In order to be entitled to **child-raising allowance** at its full rate, the examinations specified in the maternity card must be carried out.

In principle, you are entitled to maternity benefit for the duration of your maternity leave.

If you receive child-raising allowance, you will receive maternity benefit for the next child you are expecting if you were entitled to maternity benefit for your previous child and if you received a childcare allowance at the beginning of the maternity protection period. The amount of the maternity benefit corresponds to the amount of the previously received income-related child-raising allowance.

You should claim maternity benefit through your sickness insurance fund.

Your entitlement to maternity benefit will be suspended if your employer continues to pay your wages (continued payment).

In addition to the cash benefit, you may be entitled to benefits in kind from your sickness insurance fund. They include birth-related care in a hospital. Entitlement to these maternity and childbirth benefits is not subject to prior health insurance because they are also granted to female family members of insured persons.

## **What am I entitled to and how can I claim?**

### **Maternity benefit (*Wochengeld*)**

The amount of your maternity benefit is calculated individually on the basis of your net earnings in the previous three full calendar months before the beginning of maternity leave. You will receive it for eight weeks before your due date, or before the scheduled date of your Caesarean section, and for eight weeks after delivery. The payment period is prolonged to 12 weeks in case of premature and multiple births and in case of Caesarean sections. If a medical officer or specialist has imposed a ban on your employment before or after your maternity protection period, you will continue to receive maternity benefit for the duration of the employment ban.

Self-employed women are entitled to a flat-rate benefit of EUR 61.25 per day. Support for people who are in marginal employment and who have voluntary insurance is EUR 10.35 per day. (Expectant) mothers who claim benefits under the Austrian Unemployment Insurance Act are, in principle, entitled to a maternity benefit equal to 180% of the most recent benefit they have received.

Maternity benefit is paid monthly in arrears and is not taxable.

### **Benefits in kind**

In addition to maternity benefit, all women with a health insurance plan are entitled to **benefits in kind** during both pregnancy and at and around the time of childbirth. These maternity benefits in kind cover:

- consultations with a physician and assistance by a midwife during pregnancy and after delivery;
- consultation by a midwife during pregnancy;
- provision of medicines and medical devices;
- care in a hospital or maternity clinic for a maximum of ten days (or longer if complications arise during pregnancy or childbirth), including care by certified children's nurses and baby nurses.

Austria also offers a reimbursement of 70% of the costs of *in vitro* fertilisation. Separate legislation lays down the conditions of entitlement.

### **Maternity leave**

Employed women, women receiving unemployment benefit and women participating in vocational rehabilitation are subject to a maternity protection scheme at and around the time of childbirth, during which time they are not allowed to work. As a rule this statutory protection period starts eight weeks before a woman's expected due date and ends eight weeks after delivery.

Whenever you have to fulfil certain conditions before being able to claim an Austrian social security benefit, the authorities will also take into account any insurance periods you have completed in other countries. This applies to EU Member States and to Switzerland, Liechtenstein, Norway, Iceland and the United Kingdom\*. No insurance period you have completed in Austria will be affected if you work or are insured in one of these countries.

*\* Each case needs to be assessed individually to determine whether a person falls within the scope of Art 30 of the Withdrawal Agreement, and so the EU Coordination Regulations apply, or whether they fall within the scope of situations described in Art 32 of the Withdrawal Agreement and/or come under domestic legislation and the Protocol on Social Security Coordination attached to the Trade and Cooperation Agreement.*

### Jargon busters

- **Habitual residence** - The terms 'permanent residence' and 'habitual residence' are defined under EU law. Please see the [EU Regulation on the coordination of social security systems](#). In practice, it means the place where you have your centre of interests.

### Know your rights

The links below set out your rights in law. However, they are not official European Commission sites and do not represent the view of the Commission:

- [General information on maternity benefit](#)
- [General information on parental leave](#)

Commission publications:

- <http://ec.europa.eu/social/main.jsp?catId=849&langId=en>

### Whom do you need to contact?

#### Federal Ministry of Social Affairs, Health, Care and Consumer Protection

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# Health

## Sickness cash benefits

This chapter provides information about the benefits you can receive in Austria if you become incapable of work or temporarily disabled because of a sickness.

These are:

- **Sickness cash benefit**
- **Rehabilitation allowance**

### In what situation can I claim?

You can obtain **sickness cash benefit** if you are sick and can no longer work. You must be incapable of work for more than three days. Sickness cash benefit is paid from the fourth day of sickness.

You can obtain **rehabilitation allowance** if you are disabled or unable to do your usual work for more than six months and if it is likely that your health will improve and that you will subsequently no longer be disabled. Another condition is the impracticality or inappropriateness of vocational rehabilitation measures taken in your workplace. In this case, you may be entitled to retraining allowance from unemployment insurance.

### What conditions do I need to meet?

#### Sickness cash benefit

If you are sick and, therefore, incapable of work, you may be entitled to sickness cash benefit. This applies to all employees, recipients of unemployment benefit and people participating in vocational rehabilitation.

Sickness cash benefit is a secondary benefit, which means that it will not be paid while you continue to receive your full salary on the grounds of labour legislation. Depending on the length of service, there is a possibility to receive full salary from six to twelve weeks. After this period, half of the salary is paid for another four weeks, during which time you will receive the sickness cash benefit at half the rate.

If you fail to report your incapacity for work within one week, the sickness cash benefit will only be paid from the date of notification.

Entitlement to sickness cash benefit must be proved by a doctor's sick note.

#### Rehabilitation allowance

You may be entitled to rehabilitation allowance if you are temporarily disabled for at least six months and if rehabilitation measures taken in your workplace are not practical or appropriate (in this case, there is a possibility to receive entitlement to retraining allowance from unemployment insurance). Your sickness insurance fund will check, within a year, whether or not your health can be expected to improve and whether you should continue to receive rehabilitation allowance. If this is not the case, i.e. if there is no prospect of recovery and if you are permanently disabled, you will be entitled to an invalidity pension.

Your pension insurance fund will decide on the granting or withdrawal of rehabilitation allowance.

If you receive rehabilitation allowance, you are required to participate in medical rehabilitation measures. If you refuse to cooperate, your rehabilitation allowance will be withdrawn.

Transitional provisions are in place because the rehabilitation allowance scheme becomes effective only from the beginning of 2014. Anyone who reaches the age of 50 before 1 January 2014 will continue to be subject to previous legal regulations. People who receive a temporary invalidity or occupational disability pension on 31 December 2013 and who

have not reached the age of 50 by 1 January 2014 may continue to receive their temporary pension until expiry of the relevant time limit under the previous conditions.

## What am I entitled to and how can I claim?

### Sickness cash benefit

The amount of sickness cash benefit is calculated on the basis of your last salary. The assessment ceiling is set at EUR 5,850 per month, which means that your remaining income will not be taken into account even if you earn more. Sickness cash benefit amounts to 50% of your salary if you are sick for 42 days or a shorter period. If you are sick for a longer period, sickness cash benefit rises to 60% from the 43rd day.

Where the statutes of the relevant sickness insurance fund so provide, benefit may be increased by a certain percentage if you have a spouse and/or other dependent family members. However, the increased benefit may not exceed 75% of earnings.

The sickness cash benefit for persons in marginal employment who are voluntarily insured is set at EUR 179.90/month.

As a rule, sickness cash benefit is paid for up to 26 weeks, and up to 52 weeks in the case of certain preceding insurance periods. The statutes of the relevant sickness insurance fund can extend this duration to a maximum of 78 weeks (a year and a half).

### Rehabilitation allowance

The amount of rehabilitation allowance is equivalent to that of sickness cash benefit. However, it is set at EUR 1.110.26/month as a minimum.

If you are marginally employed (EUR 500.91/month), you may be entitled to partial rehabilitation allowance only.

Whenever you have to fulfil certain conditions before being able to claim an Austrian social security benefit, the authorities will also take into account any insurance periods you have completed in other countries. This applies to EU Member States and to Switzerland, Liechtenstein, Norway and Iceland. No insurance period you have completed in Austria will be affected if you work or are insured in one of these countries.

### Jargon busters

**Sickness** is any abnormal physical or mental condition which requires medical treatment.

**Incapacity for work due to sickness** occurs when a person in paid employment becomes incapable of work because of a sickness.

**Invalidity** occurs when the working capacity of persons mainly active in the occupations for which they were trained or qualified (skilled workers) decreases to less than half of the working capacity of a healthy insured person, with similar training and equivalent knowledge, working in the same occupation or a similar one (occupational protection or *Berufsschutz*).

Persons not mainly active in the occupations for which they were trained or qualified (unskilled workers) are considered to have an invalidity if they are no longer able to earn at least half of the income by performing any reasonable activity whatsoever which a healthy person would normally earn by performing such an activity. Self-employed people must provide proof that they are incapable of earning a normal income for health reasons.

**Habitual residence** - the terms 'permanent residence' and 'habitual residence' are defined under EU law. Please see the [EU Regulation on the coordination of social security systems](#). In practice, it means the place where you have your centre of interests.

## Forms you may need to fill in

### Forms to download:

- [Application for an interim allowance in case of medical rehabilitation measures](#)

### Online form to be filled in:

- [Application for an interim allowance in case of medical rehabilitation measures](#)

## Know your rights

The links below set out your rights in law. However, they are not official European Commission sites and do not represent the view of the Commission:

- [Information on sickness cash benefits](#)
- [Austrian Health Insurance Fund information on sickness cash benefits](#)

Commission publications:

- <http://ec.europa.eu/social/main.jsp?catId=849&langId=en>

## Whom do you need to contact?

### Federal Ministry of Social Affairs, Health, Care and Consumer Protection

Stubenring 1  
1030 Vienna  
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<https://www.sozialversicherung.at/cdscontent/?contentid=10007.845634&portal=support>  
[al](#)

### Pension Insurance Institution, Main Office

Friedrich-Hillegeist-Straße 1  
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E: [pva@pv.at](mailto:pva@pv.at)  
<http://www.pensionsversicherung.at>

## Long-term care

This chapter provides information about the benefits you can receive in Austria if you are dependent on the care of another person.

These are:

- **Long-term care benefit;**
- **Benefits in kind for people in need of care;**
- **Allowance for the costs of 24/7 care.**

## In what situation can I claim?

You can claim **long-term care benefit** if you have permanent or habitual residence in Austria and if you are dependent on the care of another person and if pursuant to Regulation 883/2004 no other member state is liable for care benefits. You can claim for long-term care benefit even if you have no residence in Austria provided that no other member state is liable for care benefits pursuant to Regulation 883/2004.



You will receive **benefits in kind for people in need of care** if you are permanently dependent on the care of another person.

People in need of care can submit a petition for an **allowance for the costs of 24-hour care**, to be cared for in their familiar environment.

### **What conditions do I need to meet?**

You have to be dependent on care in order to receive the long-term care benefit for persons in need of care. You are in need of care if you require care for more than 65 hours a month on average and it may be expected that you need of care will last more than six months. You may be entitled to long-term care benefit if you have a physical or mental disability or a sensory impairment.

There is no age limit for entitlement to cash benefits and benefits in kind for people in need of care.

Entitlement to cash benefits is not subject to a qualifying period.

When you move from one Austrian *Land* to another, a qualifying period for permanent residence may be required to be eligible for benefits in kind.

Prerequisites for **granting an allowance for 24-hour care** are:

- existence of a care relationship pursuant to the provisions of the Domiciliary Care Act;
- Need of 24-hour-care;
- Entitlement to care benefit of at least level 3;
- Mandatory insurance of carer;
- Quality requirements of carer.

The care relationship can be based on setting up an **employment relationship with the person in need of care** or being a **relative** or signing a contract with a **non-profit service provider** or by employing a **self-employed carer**.

An allowance can be granted if the monthly net income of the person in need of care does not exceed EUR 2,500. In general, income is defined as the sum of all assets a person receives in cash or in kind on a continuous basis and can use without having their assets reduced. Exemptions are regulated in the guidelines on subsidies.

The income limit is increased by EUR 400 for every dependant entitled to maintenance and by EUR 600 for a dependant with disabilities entitled to maintenance.

If income varies, one twelfth of the income received in one calendar year will be considered as the monthly income.

If the monthly income exceeds the respective income limit by less than the maximum endowment, the difference can still be granted as an endowment if it is at least EUR 50.

### **How is long-term care accessed?**

#### **Long-term care benefit**

Long-term care benefit (*Pflegegeld*) is a flat-rate benefit not related to your income or property. Its purpose is to compensate for the expenses resulting from care services and provide dependent persons with the necessary care and support as far as possible. It is intended to increase the chance of maintaining an independent life.

There are seven categories of long-term care benefit. From category one, which is for people who require care between 65 and 95 hours per month, to category seven, which is for those who require care for more than 180 hours, if either they cannot purposefully move their arms and legs or there is a similar situation.

Medical or in certain cases care-related assessment of the degree of dependency is performed according to the regulations issued by the competent federal ministry. The indicators are activities of daily living, e.g. dressing and undressing, personal hygiene, preparing food, going to the toilet, taking medication. Dependency may be reassessed on the request of the beneficiary or at other specific occasions.

The level of long-term care benefit is based on the care category.

Care needs, hours per month	Care category	Monthly (net) amount in EUR
More than 65 hours	1	EUR 175.00
More than 95 hours	2	EUR 322.70
More than 120 hours	3	EUR 502.80
More than 160 hours	4	EUR 754.00
More than 180 hours for extraordinary care expenses	5	EUR 1,024.20
More than 180 hours if uncoordinated support is required over a period of time and if such support has to be provided regularly during day and night time, or the continued presence of a care assistant is required during day and night time because of a risk of self-endangerment or endangerment of others	6	EUR 1,430.20
More than 180 hours if no precise movement of all four limbs is possible, or a similar situation exists	7	EUR 1,879.50

In the case of residential care, a maximum of 80% of the long-term care benefit is transferred directly to the cost-bearing institution. A monthly allowance of EUR 50.30 is left to the beneficiary.

Long-term care benefit is paid for the duration of the period during which an individual requires care. It is paid directly to the beneficiary and can be spent on financing the long-term care at their sole discretion. In case of improper use, the long-term care benefit may be replaced by benefits in kind. There is no free choice between cash benefits and benefits in kind.

No payroll taxes or sickness insurance contributions are deducted from long-term care benefit.

### Benefits in kind for people in need of care

Benefits in kind may encompass mobile and outpatient care and semi-residential and residential care. Mobile services include, for example, the visiting service, domestic help, 24-hour care, extended care, meals on wheels, family support, district nursing and the psychosocial service. Semi-residential services include care in day centres. Residential services include care in a nursing home or comprehensive care in a residential community. Social aspects, such as the income level and rent costs, are considered when benefits in kind are provided by professional providers.

Since January 2018, it is no longer allowed to access, in the context of social assistance, assets of persons residing in residential care facilities or assets of family, heirs and other donation beneficiaries to cover for the care costs.

People in need of care and their relatives may avail themselves of additional advisory and information services. These may range from a citizen's service to legal counsel for disabled persons to support groups and self-help groups. The website [pfllege.gv.at](http://pfllege.gv.at), established on behalf of the Ministry of Social Affairs, provides information relevant to nursing and care – explained in an easy-to-understand way.

Benefits in kind are provided by both public and private service providers, with whom an individual in need of care must sign a contract. As a general rule, benefits in kind are granted for the length of time specified in this contract.

### **Allowance for the costs of 24-hour care**

The amount of the financial allowance is for

- employed carers EUR 640 or EUR 1,280 per month;
- self-employed care persons EUR 320 or EUR 640 per month.

During the COVID-19 pandemic the allowance is EUR 550 per month (instead of EUR 320 as before), if the care is provided without interruption by an independent self-employed care person for at least 14 days.

The allowance is paid regardless of the assets of the person in need of care and twelve times per year.

Petitions for granting an allowance must be submitted with the Ministry for Social Affairs (if possible before commencement of the care relationship or soon afterwards).

### **Jargon busters**

- **Dependency on care** occurs when a person is dependent on constant care and assistance with activities of daily living because of a physical or mental disability or a sensory impairment.
- **Habitual residence** - The terms 'permanent residence' and 'habitual residence' are defined under EU law. Please see the [EU Regulation on the coordination of social security systems](#). In practice, it means the place where you have your centre of interests.

### **Forms you may need to fill in**

- [Long-term care application forms](#) (available in .pdf, .doc, .rtf and .xls format or as links to forms to be filled in online)

### **Know your rights**

The links below set out your rights in law. However, they are not official European Commission sites and do not represent the view of the Commission:

- [General information on long-term care benefit](#)
- [General information on long-term care](#)
- [General information on social services](#)
- [General information on nursing and stationary care homes](#)
- [General information of 24-hour care](#)

### **Commission publications:**

- <http://ec.europa.eu/social/main.jsp?catId=849&langId=en>

### **Whom do you need to contact?**

#### **Federal Ministry of Social Affairs, Health, Care and Consumer Protection**

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**Services of the Ministry for Social Affairs – Regional offices**

[The internet portal for Austrian social security providers](#)

# Incapacity

## Benefits in respect of accidents at work and occupational diseases

This chapter provides information about the benefits you can receive in Austria in the event of an accident at work or an occupational disease.

These are:

- **Healthcare;**
- **Rehabilitation;**
- **Disability pension;**
- **Funeral expenses grant;**
- **Survivor's benefits.**

### In what situation can I claim?

If you have had an accident in the workplace or suffer from an occupational disease, you may be entitled to initial medical aid and further medical treatment as well as to sickness cash benefit and disability pension.

Any accident which occurs in the course of your occupational activity is an occupational accident. Occupational activity also includes travel to and from work.

### What conditions do I need to meet?

#### Occupational disease

First, it must be established that you have a recognised occupational disease before you can receive benefits from accident insurance in respect of an occupational disease. Not every illness in the context of a professional activity is an occupational disease. Recognised occupational diseases are listed and, in addition, a disease that is not listed can be recognised as an occupational disease on a case-by-case basis.

In case of substantial changes, review of the disability pension is possible. After the first two years of entitlement, a review can generally only be carried out in intervals of one year after the last assessment.

### What am I entitled to and how can I claim?

#### Accident at work

In the event of an accident at work, you will receive the cash payments to which you are entitled in the event of incapacity for work due to sickness. These include continued payment of wages (sick pay) and **sickness cash benefit**. However, if disability pension would be higher, the difference is made up from the 27<sup>th</sup> week onwards.

You may be entitled to **comprehensive medical treatment**, provision of medicines and medical devices, and treatment in a hospital or special clinic. The sickness insurance fund usually provides benefits during the first four weeks, but the accident insurance fund can assume provision of benefits at any time. As a rule, there are no co-payments required by the insured person. Exceptions are minor contributions for hospital care, medical or dental treatment and medicines.

If you are in hospital or a special clinic, you may be entitled to a cash benefit, i.e. **family allowance** (*Familiengeld*) or **daily allowance** (*Taggeld*), depending on your family circumstances. If the incapacitated person is entitled to sickness cash benefit, the benefit will start to be paid from the 27<sup>th</sup> week onwards.

In addition to medical rehabilitation measures, occupational and social rehabilitation measures are provided for the victims of accidents at work or occupational disease. **Social**

**rehabilitation**, for example, is provided for example in the form of a home adaptation grant.

**Vocational rehabilitation measures** include:

- Assistance in safeguarding or finding a job;
- Further training;
- Retraining.

During training an **interim allowance** (*Übergangsgeld*) is provided.

### **Disability pension (*Versehrtenrente*)**

You may be entitled to a disability pension from your accident insurance fund after your entitlement to sickness cash benefit expires (27 weeks at the latest after your accident at work or occupational disease). This pension is not to be confused with disability pension from your pension insurance scheme. Your capacity for work has to be reduced by at least 20% and last longer than three months. Pupils' and students' capacity for work has to be reduced by at least 50%.

In the event of total (100%) loss of working capacity, you may receive a pension amounting to two thirds of the calculation basis. If your loss of working capacity is less, you receive a pension in proportion to the degree of disability. In this case, the calculation basis is calculated as an average of the employee's insured income during the previous year.

This pension is paid in 14 annual instalments. Your April and October pension instalments include a supplement.

Where appropriate, **the severely disabled** receive a **supplementary pension** in addition to their basic one. Supplementary pension amounts to 20% of the calculation basis for those whose capacity for work is reduced by at least 50% and less than 70%. For those whose incapacity for work is at least 70% supplementary pension amounts to 50% of the calculation basis.

A **child supplement** amounting to 10% of the pension is paid for each dependent child. In principle, this supplement is paid for children under 18 (or 27 if in education or vocational training). However, the condition for entitlement to these supplements is a reduction in capacity for work of at least 50%.

If, due to an accident at work or occupational disease, you are in need of nursing care, you may be entitled to a **long-term care benefit** in addition to your pension.

In case an accident at work or occupational disease is the result of negligent disregard of employee protection regulations, the pension may be supplemented by lump sum compensation depending on the degree of physical or mental disability caused (*Integritätsabgeltung*).

A **one-off payment** may be paid instead of a disability pension when the degree of incapacity is less than 25%.

**Funeral expenses grant** is provided the death of an accident-insured person is due to an accident at work or occupational disease.

If you are the spouse or registered partner of an insured person who has died as a result of an accident at work or an occupational disease, you may be entitled to a **survivor's pension from the accident insurance fund**. This entitlement may also exist after dissolution of the marriage (or registered partnership) if the deceased was responsible for maintaining their survivors, or was required to do so, at the time of death. The survivor's pension amounts to 40% of the calculation basis for the deceased if you have reached the statutory retirement age or are at least 50% incapacitated. Otherwise, the pension amount to 20% of the calculation basis.

Children may receive an **orphan's pension**. A half-orphan receives 20% and a full orphan 30% of the insured person's calculation basis. In principle, this supplement is paid for children under 18 (or 27 if in education or vocational training).

A pension may also be provided to parents (grandparents) in need or dependent brothers and sisters, if these dependants were mainly maintained by the deceased person. Maximum pension for all beneficiaries may, as a rule, not exceed 20% of the pension calculation basis (parents and grandparents have priority over brothers and sisters).

This benefit is only granted if the widow(er)'s and orphan's pension do not exceed the maximum survivors' pension amount (80% of the calculation base). If you suspect you may have had an accident at work, report it immediately to your employer. Your employer or treating doctor must **communicate** the details of the accident **to the Austrian Workers' Compensation Board (AUVA) within five days**.

Some benefits are granted only **if applied for**. Applications should be submitted to the competent accident insurance fund, using an appropriate form. However, an application without specific form will also be evaluated.

### Occupational disease

As a rule, benefits available in respect of occupational diseases correspond to those for accidents at work.

However, not every disease which occurs in the course of a professional activity is an occupational disease. Recognised occupational diseases are listed and, in addition, a disease that is not listed can be recognised as an occupational disease on a case-by-case basis.

Whenever you have to fulfil certain conditions before being able to claim an Austrian social security benefit, the authorities will also take into account any insurance periods you have completed in other countries. This applies to EU Member States and to Switzerland, Liechtenstein, Norway and Iceland. No insurance period you have completed in Austria will be affected if you work or are insured in one of these countries.

### Jargon busters

- **Accidents at work** are accidents which occur within the context of insured employment, whether they be directly caused by the employment or whether they are contracted in the place of employment or during working hours.
- **Sickness** is any abnormal physical or mental condition which requires medical treatment.
- **Occupational diseases** are the diseases included on the Austrian [Occupational Diseases List](#), under the conditions specified thereon, if they occur in the course of insured employment in any of the companies specified on the list.
- **Accident prevention** - The employer is required to adapt and maintain workstations in a manner which protects the employee from accidents and occupational diseases.
- **Habitual residence** - The terms 'permanent residence' and 'habitual residence' are defined under EU law. Please see the [EU Regulation on the coordination of social security systems](#). In practice, it means the place where you have your centre of interests.

### Forms you may need to fill in

- [Accident reporting for people in paid employment \(pdf\)](#)
- [Reporting accidents online, for people in paid employment](#)
- [Forms for reporting accidents at work and occupational diseases and instructions on how to complete them](#)



## Know your rights

The links below set out your rights in law. However, they are not official European Commission sites and do not represent the view of the Commission:

- [What to do if you have had an accident at work](#)
- [What to do if you have had an accident outside the workplace](#)
- [Occupational Diseases List](#)

Commission publications:

- <http://ec.europa.eu/social/main.jsp?catId=849&langId=en>

## Whom do you need to contact?

### Federal Ministry of Social Affairs, Health, Care and Consumer Protection

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<https://www.sozialversicherung.at/cdscontent/?contentid=10007.845634&portal=support>

### Austrian Workers' Compensation Board (AUVA)

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<http://www.auva.at>

List of [AUVA offices](#)

## Invalidity benefits

This chapter provides information about the benefits you can receive in Austria in case of permanent invalidity.

These are:

- **Invalidity pension;**
- **Rehabilitation measures.**

Information on the benefits for temporary invalidity (**rehabilitation allowance**) is available in other chapters.

## In what situation can I claim?

You may receive invalidity pension in case of permanent invalidity. In addition, rehabilitation measures are provided. The principle that rehabilitation has priority before pension applies.

Recognition of invalidity depends on whether or not you are mainly active in an occupation for which you were trained or qualified (skilled as opposed to unskilled worker). If you are employed in a skilled occupation, you will be considered to have an invalidity if your working capacity has decreased to less than half of the working capacity of a healthy insured person, with similar training and equivalent knowledge and skills. Unskilled workers and self-employed people are considered to have an invalidity only if they are no longer able to earn at least half of the income which a healthy person normally earns by performing their activity. All activities which are available in the labour market as a whole and which can be expected to be offered, taking into account the activities you are performing, are considered. Facilitated access requirements apply to you if you are over 50.

The requirement for entitlement to invalidity pension is that invalidity is expected to be permanent. In case of temporary invalidity, you may be entitled to rehabilitation allowance and retraining allowance.

In Austria, there is no such thing as partial invalidity; you are either capable or incapable of work.

For insured persons aged 60 and over, consideration is given to whether they can still be engaged in the particular occupations they had been pursuing previously.

### **What conditions do I need to meet?**

In case of temporary invalidity, you may be entitled to rehabilitation allowance as a health insurance benefit, or to retraining allowance as an unemployment insurance benefit.

An invalidity pension from a pension insurance scheme is only recognised for permanent invalidity.

### **Invalidity pension**

The principle that rehabilitation has priority before pension applies. This means that invalidity pension is provided only if the insured person's capacity for work cannot be restored.

In order to be entitled to an invalidity pension (*Invaliditätsrente*), you have to complete a certain minimum insurance period in Austria. This period is at least 60 months of insurance in the last 120 calendar months. After reaching the age of 50, the qualifying period is increased by one month and the reference period by 2 months, to a maximum of 180 insurance months within the last 360 calendar months. As soon as you have 180 months of contributions or 300 months of insurance cover, no reference period is required.

The minimum insurance period is not required if invalidity is the result of an accident at work or an occupational disease.

If you become an invalid before you reach the age of 27, you must have at least six months of insurance cover.

Certain periods for which publicly funded contributions are paid are also recognised as contribution periods. These include: child-raising periods (*Kindererziehungszeiten*) for a maximum of four years per child (5 years for multiples), periods of military or war service and assimilated periods (e.g. civilian service), periods of maternity leave when maternity benefit (*Wochengeld*) is received, and periods when unemployment benefit (*Arbeitslosengeld*) or sickness cash benefit (*Krankengeld*) is received.

Invalidity benefits are granted on application only.

### **What am I entitled to and how can I claim?**

#### **Rehabilitation measures**

Pension insurance institutions may provide medical, occupational or social rehabilitation measures. This happens when a rehabilitation measure seems to be promising.

Rehabilitation measures are considered successful if they enable you to regain a suitable position in occupational and economic life and in your community.

All benefits are provided on application only.

### **Invalidity pension**

There is no uniform rate at which invalidity pension is paid. It is calculated individually, taking into account the claimant's age, length of insurance and contributions.

For persons below the age of 50 at the beginning of 2005, a benefit-defined pension account system based on current-income financing ("pay-as-you-go") is in force.

Under this system, pension entitlements are calculated for each contribution year. The basis for calculation is the average income in a calendar year, subject to a ceiling (maximum contribution basis). For each calendar year, 1.78% of this amount is credited to the pension account.

Up to the age of 60, notional contribution months may be credited. The amount of the pension is calculated according to a formula based on the sum of the insurance months and credited months.

In the event of early retirement, the pension is reduced by 4.2% a year, but not more than a total of 15%.

For persons who had reached the age of 50 by the beginning of 2005, the legislation applicable at the end of 2004 still applies. The pension calculation basis is the average income of the 26 best insurance years. This period will be gradually increased to 40 years of insurance by 2028. Pensions from 1 January 2004 onwards may be no more than 5% lower than the comparable pension at 31 December 2003. This figure will be gradually increased to 10% by 2024.

Invalidity pension is paid in 14 annual instalments. Your April and October pension instalments include a supplement.

Invalidity pension is granted at the same amount when you reach the retirement age. It is also possible to transform invalidity pension to an old-age pension on the basis of an application.

### **Compensatory supplement**

If your income, i.e. your monthly pension along with other income, is below a certain [reference level](#), you may be entitled to a supplement. This compensatory supplement is paid to the level of the difference between your income and the reference level. Other income includes income from spouses and registered partners living in the same household.

If you are in need of care, invalidity pension may also be provided as a long-term care benefit.

All benefits are provided on application only.

Whenever you have to fulfil certain conditions before being able to claim an Austrian social security benefit, the authorities will also take into account any insurance periods you have completed in other countries. This applies to EU Member States and to Switzerland, Liechtenstein, Norway and Iceland. No insurance period you have completed in Austria will be affected if you work or are insured in one of these countries.

## Jargon busters

- **Invalidity** occurs when the working capacity of persons mainly active in the occupations for which they were trained or qualified (skilled workers) decreases to less than half of the working capacity of a healthy insured person, with similar training and equivalent knowledge, working in the same occupation or a similar one (occupational protection or *Berufsschutz*). Persons not mainly active in the occupations for which they were trained or qualified (unskilled workers) are considered to have an invalidity if they are no longer able to earn at least half of the income by performing any assessed or reasonable activity in the labour market whatsoever which a healthy person would normally earn by performing such an activity. Self-employed people must provide proof that they are incapable of earning a normal income for health reasons.
- **Occupational protection arrangements (*Tätigkeitsschutz*)** are available for persons who have reached the age of 60 and are no longer able to pursue the occupation in which they had been engaged in the previous 15 years. Any reasonable changes in the particular activity are taken into consideration.
- **Habitual residence** - the terms 'permanent residence' and 'habitual residence' are defined under EU law. Please see the [EU Regulation on the coordination of social security systems](#). In practice, it means the place where you have your centre of interests.

## Forms you may need to fill in

Invalidity pension is provided on application only. As a rule, this application should be submitted to the competent pension insurance fund, using an appropriate form. However, it may also be submitted at any sickness insurance fund or local authority. Applications without specific form will also be evaluated.

- [Online forms](#)

## Know your rights

The links below set out your rights in law. However, they are not official European Commission sites and do not represent the view of the Commission:

- [Pension Insurance Institution information materials](#)
- [Information for expatriate pensioners, available in various languages](#)
- [Information about the new pension account, available in various languages](#)

## Commission publications:

- <http://ec.europa.eu/social/main.jsp?catId=849&langId=en>

## Whom do you need to contact?

### Federal Ministry of Social Affairs, Health, Care and Consumer Protection

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[Pension Insurance Institution offices](#)

# **Old-age and survivors**

## Old-age pensions and benefits

This chapter provides information about the benefits you can receive in Austria when you reach the retirement age.

These are:

- **Standard old-age pension;**
- **Early retirement pension.**

### In what situation can I claim?

You may be entitled to old-age benefits if you reach the required age and if you have completed the necessary number of insurance periods. In principle, the standard old-age pension and various forms of early retirement pension are available.

The standard old-age pension (*Altersrente*) is a continuous cash payment intended to provide financial security in old age, i.e. at the end of normal working life. Currently, the pensionable age in Austria is 60 for women and 65 for men.

Early retirement pension (*vorzeitige Altersrente*) is a continuous cash payment provided before the normal retirement age.

### What conditions do I need to meet?

#### Standard old-age pension

In order to be entitled to the standard old-age pension, you have to complete a certain minimum pension insurance period in Austria.

Persons who had not reached the age of 50 and had no insurance period by 1 January 2005 have to complete 180 months of insurance, at least 84 of which must be accumulated on the grounds of an occupational activity. Persons who reached the age of 50 by 1 January 2005 have to complete 180 months of insurance over the past 360 calendar months, or 180 months of contributions or 300 months of insurance cover without any reference period.

Persons who had not reached the age of 50 by 1 January 2005, but had accumulated at least one month of insurance, will benefit from the most favourable arrangement.

Certain periods for which publicly funded contributions are paid are also recognised as contribution periods. These include: child-raising periods (*Kindererziehungszeiten*) for a maximum of four years per child (5 years for twins), periods of military or war service and assimilated periods (e.g. civilian service), periods of maternity leave when maternity benefit (*Wochengeld*) is received, and periods when unemployment benefit (*Arbeitslosengeld*) or sickness cash benefit (*Krankengeld*) is received.

#### Early retirement pensions

You can claim corridor pension, when you have completed your 62nd year. You can only retire, if you have accumulated the corresponding numbers of months of contributions depending on the reference date (480 months of contributions or 40 years of contributions

In fact, this applies only to men because of women's lower retirement age.

Heavy-labour pension applies to insured persons who have contributed in at least 120 months of heavy work (10 years) within the last 240 calendar months (20 years) before the reference date. You can claim it, when you have completed your 60th year and have accumulated at least 540 months of contributions (45 years).

Moreover, there are other forms of early retirement pension for persons born in certain years, but these are being phased out and are now of only minor importance.

If a person starts work again, early retirement pensions will be suspended.

Both the standard old-age pension and the early retirement pension are taxed.

## **What am I entitled to and how can I claim?**

### **Standard old-age pension**

The amount of the standard old-age pension is calculated taking into account the claimant's age, length of insurance and the amount of contributions paid by the claimant. For persons below the age of 50 at 1 January 2005, a benefit-defined pension account system based on current-income financing ("pay-as-you-go") is in force.

Under this system, pension entitlements acquired are calculated each year. The basis for calculation is the average income in a calendar year, subject to a ceiling (maximum contribution basis). For each calendar year, 1.78% of this amount is credited to the pension account.

For persons who had reached the age of 50 by 1 January 2005, the legislation applicable by the end of 2004 still applies. The pension calculation basis is the average income of the 26 best insurance years. This period will be gradually increased to 40 years of insurance by 2028. For each insurance year, 1.78% of the calculation basis is credited to the pension account.

Pensions from 1 January 2004 onwards may be no more than 5% lower than the comparable pension at 31 December 2003. This figure will be gradually increased to 10% by 2024.

Pension is paid in 14 annual instalments. Your April and October pension instalments include a supplement.

### **Early retirement pension**

If you take early retirement, your pension is reduced by 4.2% a year. The reduction for corridor pension is 5.1% and, for heavy labour pension, 1.8%. However, your pension is reduced by not more than 15% (15.3% for the corridor pension). If retirement is deferred, the pension will be increased by 4.2% per calendar year, up to a maximum increase of 12.6%.

As of 1 January 2022, you will receive an early starter bonus (*Frühstarterbonus*) on your pension if you have acquired at least 25 contribution years based on gainful employment and at least 12 of these months of gainful employment before your 20th birthday. This special allowance amounts to EUR 1 for each contribution month due to gainful employment before the age of 20 ("early starter bonus") and is limited to a maximum of EUR 60.

### **Compensatory supplement**

If your monthly pension(s), along with other income, is/are below certain [reference levels](#), a compensation supplement is paid to the level of the difference between your income and the reference level. Other income includes income from a spouse living in the same household. This supplement may be increased in case of dependent children. If you are in need of care, long-term care benefit may also be provided.

As a rule, pension is paid on application only.

If you have completed insurance periods through pension schemes in other EU or EEA Member States, you do not need to claim your pension in each state separately. You only need to indicate, when making your application in Austria, that you have also completed foreign insurance periods. Your insurance provider will then contact the competent office in the country concerned and initiate an inter-state pension approval process.

Whenever you have to fulfil certain conditions before being able to claim an Austrian social security benefit, the authorities will also take into account any insurance periods you have completed in other countries. This applies to EU Member States and to Switzerland, Liechtenstein, Norway, Iceland and the United Kingdom\*. No insurance period you have completed in Austria will be affected if you work or are insured in one of these countries.



*\* Each case needs to be assessed individually to determine whether a person falls within the scope of Art 30 of the Withdrawal Agreement, and so the EU Coordination Regulations apply, or whether they fall within the scope of situations described in Art 32 of the Withdrawal Agreement and/or come under domestic legislation and the Protocol on Social Security Coordination attached to the Trade and Cooperation Agreement.*

### **Jargon busters**

**Compensatory supplement** - A compensatory supplement is a cash benefit paid in addition to calculated pension that makes up a total amount equivalent to minimum income. The compensatory supplement itself is the difference between the individual pension, other creditable net income and the [reference levels for the compensatory supplement](#), which is adjusted each year in a regulation issued by the Ministry of Labour, Social Affairs and Consumer Protection. You have to be permanently resident in Austria in order to receive the compensatory supplement.

**Pension approval process** - Anyone who has completed pension insurance periods in more than one Member State is often confronted with the problem of having to claim pension in each country separately. In each EU and EEA Member state, pension insurance periods and contributions will be maintained until the claimant reaches the retirement age laid down by the laws of that state. The principle of aggregation of insurance periods applies. Each State takes these periods and any relevant periods completed within its own system into account. Each State also verifies that the aggregated insurance periods are sufficient for entitlement to pension under its legislation. If entitlement does exist under these conditions, each of the States pays a separate pension, only taking into account the periods completed within its own system.

**Habitual residence** - the terms 'permanent residence' and 'habitual residence' are defined under EU law. Please see the [EU Regulation on the coordination of social security systems](#). In practice, it means the place where you have your centre of interests.

### **Forms you may need to fill in**

As a rule, pensions are paid on application only. This application should preferably be submitted to the competent pension insurance fund, using an appropriate form. However, it may also be submitted at any sickness insurance fund or local authority. Applications without specific form will also be evaluated. Late applications will incur a cost.

- [Online forms to be filled in](#)

A list of [harmonised EU forms for the transfer of social security entitlements](#) between the Member States. The form for Austria is available from AMS.

### **Know your rights**

The links below set out your rights in law. However, they are not official European Commission sites and do not represent the view of the Commission:

- [Pension entitlements in more than one Member State](#)
- [How your pension is calculated](#)
- [Paying tax on pensions](#)
- [Pension Insurance Institution information materials](#)
- [Information for expatriate pensioners, available in various languages](#)
- [Information about the new pension account, available in various languages](#)

### **Commission publications:**

- [Retiring abroad: Your rights as an EU citizen](#)

### **Whom do you need to contact?**

#### **Federal Ministry of Social Affairs, Health, Care and Consumer Protection**

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[Pension Insurance Institution offices](#)

## **Survivor's benefits**

This chapter provides information about the benefits you can receive in Austria in case of the death of a spouse, registered partner or parent.

These are:

- **Widow's or widower's pension;**
- **Orphan's pension;**
- **Funeral expenses grant.**

### **In what situation can I claim?**

#### **Widow's or widower's pension**

If the surviving spouse (or dependent former spouse) of a deceased insured person has reached the age of 35 at the time of the latter's death or if the marriage has produced a child, a widow's or widower's pension (*Witwenpension* or *Witwerpension*) may be claimed.

Entitlement to survivor's pension extends not only to widows and widowers, but to registered partners as well.

#### **Orphan's pension**

Orphan's pension (*Waisenpension*) is provided to children up to the age of 18 years. For orphans in training or university education, the entitlement runs up to the age of 27. There is no age limit for children with disabilities.

#### **Funeral expenses**

A funeral expenses grant (*Zuschuss zu den Bestattungskosten*) can be provided in case of need, where the statutes of the insurance fund so provide.

### **What conditions do I need to meet?**

You may be entitled to survivors' benefits if the deceased person had pension insurance and completed the qualifying period. The qualifying period is the same as that for invalidity benefits. This means that you will be entitled to survivor's pension only if the deceased

was insured for at least 60 months in the last 120 calendar months. If the deceased has reached the age of 50, the qualifying period is increased by one month and the reference period by 2 months, to a maximum of 180 insurance months within the last 360 calendar months. If the deceased has paid contributions for at least 180 months or completed 300 months of insurance, no reference period is required.

## **What am I entitled to and how can I claim?**

### **Widow's or widower's pension**

The surviving spouse receives a pension of between 0% and 60% (depending on their other income) of the old-age or invalidity pension to which the deceased was or would have been entitled.

If the sum of the survivor's pension and the beneficiary's own income is below EUR 2,220.47 per month, a corresponding difference of up to 60% of the deceased's pension is paid. A compensation allowance or care allowance may be granted in addition to this pension.

Widow's pension is paid monthly in arrears, i.e. on the first day of each following month. It is paid in 14 annual instalments. Your April and October pension instalments include a supplement.

As a rule, survivors' benefits are taxed.

As a rule, widow's and widower's pensions are provided on application only. An application should be submitted within six months of the death of the deceased spouse if you are seeking entitlement from the day following that of your spouse's death. This application should be submitted to the competent pension insurance fund, using an appropriate form.

### **Orphan's pension**

For half-orphans, orphan's pension amounts to 40% and, for total orphans, 60% of the pension to which the deceased was or would have been entitled.

The [reference levels for compensatory supplements](#) for orphan's pension depend on the age of the orphan. Care allowance may also be claimed in addition to the orphan's pension.

An application for orphan's pension is not required if the pension is provided *ex officio*.

### **Funeral expenses grant**

Allowances for funeral expenses are paid in Austria, if the death was caused by an accident at work or an occupational disease.

Whenever you have to fulfil certain conditions before being able to claim an Austrian social security benefit, the authorities will also take into account any insurance periods you have completed in other countries. This applies to EU Member States and to Switzerland, Liechtenstein, Norway and Iceland. No insurance period you have completed in Austria will be affected if you work or are insured in one of these countries.

### Jargon busters

- **Compensatory supplement** - A compensatory supplement is a cash benefit paid in addition to calculated pension that makes up a total amount equivalent to minimum income. The compensatory supplement itself is the difference between the individual pension, other creditable net income and the [reference levels for the compensatory supplement](#), which is adjusted each year in a regulation issued by the Ministry of Labour, Social Affairs and Consumer Protection. You have to be permanently resident in Austria in order to receive the compensatory supplement.
- A **half-orphan** is any child who has lost one parent.
- A **full orphan** is any child who has lost both parents.
- **Habitual residence** - the terms 'permanent residence' and 'habitual residence' are defined under EU law. Please see the [EU Regulation on the coordination of social security systems](#). In practice, it means the place where you have your centre of interests.

### Forms you may need to fill in

Survivors' benefits after the death of a spouse or registered partner are provided on application only. In principle, this application should be submitted to the competent social security institution, using an appropriate form. However, it may also be submitted at any sickness insurance fund or local authority. Applications without specific form will also be evaluated.

- [Online forms to be filled in](#)

### Know your rights

The links below set out your rights in law. However, they are not official European Commission sites and do not represent the view of the Commission:

- [Pension Insurance Institution information materials](#)
- [Information for expatriate pensioners, available in various languages](#)
- [Information about the new pension account, available in various languages](#)
- [General information on widow's and widower's pension](#)
- [How the rate of widow's or widower's pension is calculated](#)
- [Obligation to pay tax on widow's pension](#)
- [Information on orphan's pension](#)

### Commission publications:

- [Death grants: Your rights if you live in another Member State](#)

### Whom do you need to contact?

#### Federal Ministry of Social Affairs, Health, Care and Consumer Protection

Stubenring 1

1010 Vienna

AUSTRIA

T: +43 1711000

E: [post@sozialministerium.at](mailto:post@sozialministerium.at)

<http://www.sozialministerium.at>

#### Umbrella Association of Social Security Institutions

Kundmannngasse 21

1030 Vienna

AUSTRIA

T: +43 1 71132-0

E: [PosteingangAllgemein@sozialversicherung.at](mailto:PosteingangAllgemein@sozialversicherung.at)  
<https://www.sozialversicherung.at/cdscontent/?contentid=10007.845634&portal=svportal>

**Pension Insurance Institution, Main Office**

Friedrich-Hillegeist-Straße 1

1021 Vienna

AUSTRIA

T: +43 50303

E: [pva@pv.at](mailto:pva@pv.at)

<http://www.pensionsversicherung.at>

[Pension Insurance Institution offices](#)

# Social assistance

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## Social assistance / guaranteed minimum resources

This chapter provides information about the benefits you can receive in Austria as social assistance / guaranteed minimum resources.

These are:

- **Cash benefits for the provision of living requirements;**
- **Supplementary benefits.**

### Sickness insurance

A federal law on social assistance policies (*Sozialhilfe-Grundsatzgesetz*) has been in force since 1 June 2019. The essence of a basic act (*Grundsatzgesetz*) is that it must be implemented more precisely by provincial laws. Execution remains the responsibility of the Bundesländer (provinces). In addition to a binding framework that the Bundesländer must adhere to when implementing this Act, the Act also has a number of optional provisions that give the Bundesländer a great deal of leeway in shaping their new laws.

Since the **Sozialhilfe-Grundsatzgesetz has not yet been implemented across all the Bundesländer** (as of 1 January 2023, *Sozialhilfe* implementation laws are in force in Lower Austria, Upper Austria, Salzburg, Styria, Carinthia and Vorarlberg), **the respective minimum protection laws of the Bundesländer still apply until they come into force**. Vienna has implemented the *Sozialhilfe-Grundsatzgesetz* in some areas (disability supplement, asset regulation, tougher sanctions).

### In what situation can I claim?

You may claim social assistance / guaranteed minimum resources (*Mindestsicherung*) if you have no income or a low one. You have low income if it is below the maximum rates / minimum standard. The aim of social assistance / guaranteed minimum resources is to provide a decent life for people who are not able to meet their daily living costs with their own resources.

If you receive minimum resources, you are also registered with the statutory **sickness insurance**, if you do not have any other sickness insurance at that time.

### What conditions do I need to meet?

#### Means-test

In order to receive social assistance / guaranteed minimum resources, your income must be below the maximum rate/minimum standard. One's own income from work or other benefits, such as unemployment benefits and maintenance payments, are taken into account as income first. However, care and child benefits are not considered when determining a beneficiary's income. Assets are also included in the means test. Single persons and households (e.g. families or domestic partnerships) may be entitled to means-tested needs-oriented guaranteed minimum resources.

**Existing assets** must be **assessed** before social assistance or guaranteed minimum resources can be claimed. The provincial regulations regarding social assistance / guaranteed minimum resources also provide for asset allowances:

- **Guaranteed minimum resources (old system):** In all Bundesländer there is an asset allowance of generally around EUR 5,268. The claim may only be secured in the land register after the benefit has been received for a period of 6 months.
- **Social Assistance Act (Sozialhilfe-Grundsatzgesetz):** The new Social Assistance Act (*Sozialhilfe-Grundsatzgesetz*) raises this allowance to about EUR 6,322 and grants it to every person entitled to benefits. In addition, a land register security for residential assets can only be carried out after three years of continuous benefit receipt.

However, certain assets must be excluded from the means-test insofar as this could trigger or prolong an emergency situation or jeopardise its resolution, for example:

- Objects that are necessary for earning a living or for satisfying appropriate intellectual and cultural needs;
- Motor vehicles which are necessary for occupational reasons or due to special circumstances (in particular due to a disability or inadequate infrastructure);
- Appropriate household goods.

### **Use of the workforce**

Persons capable of work must as a rule be willing to perform reasonable work. They will be sent to the competent labour office in order to be registered as job-seekers. There are some exceptions relating to age (men over the age of 65 and women over the age of 60). Further examples of such exceptions are care obligations or ongoing vocational training or school education which was started before the age of 18. However, studies are not included.

### **Residence**

Social assistance / guaranteed minimum resources are a general non-contributory system for the entire population, which means that residence in Austria is required.

EEA citizens have an unrestricted claim to social assistance / guaranteed minimum resources in Austria as long as they are in Austria as employees or have legally resided in Austria for more than five years.

EU citizens who only enter Austria to look for a job are not automatically entitled to social assistance / guaranteed minimum resources.

Third-country nationals are also only entitled to social assistance / guaranteed minimum resources if they have already lived legally in Austria for more than five years or if there is an obligation under international or Union law for equal treatment with nationals.

## **What am I entitled to and how can I claim?**

### **Social assistance / guaranteed minimum resources**

Guaranteed minimum resources are provided for as long as the situation of need persists. If your household income is under a certain maximum rate / minimum standard, you are assumed to be in need. The amounts for adults are based on the nationally uniform "minimum pension" (*Ausgleichszulage*). The maximum rates / minimum standards for children are set at the national level. In the social assistance system, which "replaces" the previous form of guaranteed minimum resources, the following maximum rates per month will generally apply in 2023:

- The maximum amount of social assistance for single persons and single parents in **2023** is around EUR 1,054.
- A maximum amount of around EUR 1,475 has been set for couples. The amounts are granted 12 times a year.
- The Bundesländer are free to determine the benefits for children.
- Almost all Bundesländer apply a sliding scale according to the number of children.

Furthermore, the Bundesländer can grant a supplement for **single parents**, graded according to the number of children (per month between approx. EUR 126 EUR for the first child and approx. 32 EUR from the fourth child onwards per month and child (maximum rates for 2023).

In addition, the Bundesländer must grant a mandatory supplement for persons with disabilities (2023: max. approx. EUR 190), unless they have already provided for equivalent benefits.



The sum of cash benefits of adults in a household may not exceed the amount of EUR 1,844 (2023) ("capped provision"). Particularly vulnerable groups of persons, such as persons with disabilities, may be exempted from the cap.

### **Coverage of housing costs:**

Guaranteed minimum resources (old system):

- 25% of the minimum standards are for covering housing costs.

If the actual housing costs exceed the 25% housing cost portion, additional benefits (e.g. housing or rent subsidy) may be granted. These additional housing costs are regulated very differently in the *Bundesländer*. Social Assistance Act (new system):

In the guideline rate, no specific share is dedicated to housing anymore. The *Bundesländer* can exceed the guideline rate by 30% if housing prices in the respective Land require this. In this case, a portion of 40% is assumed for housing in the guideline rate. This amount is transferred to the landlord as a benefit in kind together with the 30% "excess". The housing expense also includes costs for heating and electricity.

The amount of the social assistance benefit or guaranteed minimum resources for the year 2023 will be published upon presentation of the respective minimum standard regulations or reference rate ordinance of the *Bundesländer*.

Social assistance / guaranteed minimum resources are paid as a differential amount between own income and the maximum rate, or - if the beneficiary has no chargeable income - as a full amount of the maximum rate.

In order to prove your entitlement to social assistance / guaranteed minimum resources, you have to submit a proof of income and statements of assets to the [district administrative authority responsible for the place of your permanent residence](#). Your application must be accompanied by copies of the following documents for each person living in your household and submitted to:

- Proof of identity (photo ID);
- Personal documents (birth certificates, certificates of citizenship or residence permits/registration certificates or letters of recognition, marriage certificate, legally binding divorce decree, compromise agreement);
- Recent income statements (pay certificate, notification of pension starting, decision letters concerning benefits, alimony and maintenance payments, letters from the Public Employment Service Austria (AMS) and the appointments card, sickness benefit, child-raising allowance, other income);
- Evidence of rent payment (tenancy agreement, proof of amount of current rent, service charges, rent and housing benefit decision letters);
- Evidence of benefits claimed (e.g. AMS benefits, applications for pension, housing benefit, housing benefit granted by the tax office or maintenance, other applications for entitlement to an income);
- Evidence of assets (e.g. car, savings, building loan contracts, life insurance, pension provision, property and land etc.).

The social welfare authority periodically reviews eligibility requirements.

### **Supplementary benefits to cover for additional needs**

Since the cost of housing can be considerably higher in some regions, some *Länder* currently grant additional benefits to cover additional needs.

The *Länder* can also provide support in the case of higher housing cost by offering building subsidies, but this is not done in all *Länder* for social assistance recipients. Benefits provided by the *Länder* can include support to cover special and additional needs, such as heating allowances or the purchase of a new refrigerator. The benefits are always provided individually and may, therefore, vary. The regulations differ throughout the Land.

## Sickness insurance

If you receive social assistance / guaranteed minimum resources, you are automatically registered with the statutory sickness insurance if you do not have sickness insurance.

### Jargon busters

- **Maximum rates / minimum standards** are the basis for calculating social assistance / guaranteed minimum resources. Maximum rates / minimum standards set by the *Länder* aim to provide compensation for the costs of food, clothing repair and alterations, personal hygiene, housing, heating, electricity, as well as for personal needs, such as sufficient participation in social and cultural activities.
- **Habitual residence** - The term 'habitual residence' is defined under EU law. Please see: [EU Regulation on the coordination of social security systems](#). In practice, it means the place where you have your centre of interests.

## Forms you may need to fill in

The application form is only available directly from [the district administrative authority responsible for your place of permanent residence](#).

## Know your rights

- [Information brochure on guaranteed minimum resources](#)
- Detailed information on the respective social assistance system / guaranteed minimum resources system in your state (Land) can be found on the following sites:

[Vienna](#)

[Lower Austria](#)

[Salzburg](#)

[Burgenland](#)

[Styria](#)

[Carinthia](#)

[Tyrol](#)

[Vorarlberg](#)

[Upper Austria](#)

## Commission publications:

- [Social security: Your rights if you live in another Member State](#)

## Whom do you need to contact?

### Federal Ministry of Social Affairs, Health, Care and Consumer Protection

Stubenring 1

1010 Vienna

AUSTRIA

T: +43 0800201611

E: [post@sozialministerium.at](mailto:post@sozialministerium.at)

<http://www.sozialministerium.at>

### Municipal Authority Division (*Magistratsabteilung*) 40 of the City of Vienna - Guaranteed Minimum Resources department

Thomas-Klestil-Platz 8

1030 Vienna

AUSTRIA

T: +43 1400040611

E: [post-fbm@ma40.wien.gv.at](mailto:post-fbm@ma40.wien.gv.at)

[Enquiries to district administrative authorities responsible for places of residence outside of Vienna](#)

# Unemployment

## Unemployment benefit

This chapter provides information on the benefits you can receive in Austria in case of unemployment.

These are:

- **Unemployment benefit;**
- **Unemployment assistance.**

### In what situation can I claim?

You may claim unemployment benefit (*Arbeitslosengeld*) if you lose your job or become unemployed.

You may claim unemployment assistance (*Notstandshilfe*) if you have exhausted your entitlement to unemployment benefit and you remain in a situation of need.

### What conditions do I need to meet?

#### Unemployment benefit

The aim of unemployment benefit is to secure your livelihood while you are looking for work. To be entitled to an unemployment benefit, you must be unemployed, able and willing to work (to accept suitable employment), be at the disposal of the job office and may not have exhausted your entitlement.

Moreover, you must have completed a minimum period of insurance. This applies in case you have been covered by unemployment insurance for at least 52 weeks during the last 24 months, or 26 weeks within the last 12 months if you are below the age of 25 years.

Persons with earnings above the marginal earnings threshold (*Geringfügigkeitsgrenze*) of EUR 500.91 per month (in 2023) are covered by unemployment insurance.

There is no possibility of voluntary insurance for employees. However, self-employed persons may join the unemployment insurance system on a voluntary basis.

#### Unemployment assistance

You may be entitled to unemployment assistance after you exhaust your entitlement to unemployment benefit if you find yourself unemployed. Any other income you may have will be taken into account.

### What am I entitled to and how can I claim?

#### Unemployment benefit

**The basic amount of unemployment benefit is 55% of the daily net income and, depending on the amount of the income to be taken into account, can be increased to up to 80% by the supplementary amount and family supplements.**

The remuneration of the last twelve final monthly contribution bases stored with the umbrella organisation of social insurance institutions will be used as a rule to calculate the basic amount of unemployment benefit.

The contribution bases of the last twelve months before the application are not used because they are still within the correction period. Certain other periods (such as during illness or unemployment) are also generally not taken into account. However, they are taken into account if there are no other monthly contribution bases before the correction period.

Special payments are taken into account on a flat rate basis by adding one sixth to the current contribution bases.

The duration of unemployment benefit depends on the period of insurance and your age. It is paid for at least 20 weeks.

If you are of a certain minimum age and have completed a certain minimum period of insurance, the entitlement period increases to:

This duration can be extended by the period during which you participate in a follow-up training or retraining measure or in a reintegration measure commissioned by the [Labour Market Service](#) or by up to four years if you participate in a work foundation (*Arbeitsstiftung*) (please see "Jargon busters").

If you refuse or obstruct an offer of work or a chance to acquire a vocational training qualification, sanctions will be imposed in the form of your entitlement to unemployment benefit being suspended for at least six weeks. This means that your period of entitlement to unemployment benefit will be reduced.

When you become unemployed, you have to register with the Labour Market Service and claim unemployment benefit. While you are receiving the benefit, you are required to report to the Labour Market Service at the agreed times to discuss your search for employment with your case officer.

You must also immediately inform the Labour Market Service, without being asked, of any changes in your personal circumstances which may affect your entitlement to a benefit. These include taking up employment or other changes in your income situation.

Unemployment benefit is paid from the date of application. However, if you have resigned from your job without good reason, benefit is suspended for four weeks.

While you are unemployed, the Labour Market Service pays sickness and pension insurance contributions on your behalf. In addition, you are insured against certain accidents.

### **Unemployment assistance:**

**Unemployment assistance** amounts to 92% of your most recent [unemployment benefit](#) payment. If the unemployment benefit (without family supplements) is below the [compensatory supplement reference level for single persons](#), unemployment allowance amounts to 95% of unemployment benefit.

In case of short-term entitlement to unemployment benefit, there might be a certain reduction after six months. Unemployment assistance is granted for an unlimited period of time, but only for one year at a time.

You must claim unemployment assistance in person from the competent Labour Market Service (AMS). It is recommended that you apply before your entitlement to unemployment benefit expires. If you have an eAMS account, you can also submit your application online.

Whenever you have to fulfil certain conditions before being able to claim an Austrian social security benefit, the authorities will also take into account any insurance periods you have completed in other countries. This applies to EU Member States and to Switzerland, Liechtenstein, Norway and Iceland. No insurance period you have completed in Austria will be affected if you work or are insured in one of these countries.

### Jargon busters

- You are **willing to work** if you are prepared to take up suitable employment.
- **Work foundation** is a special employment training scheme, organised together with one or more companies concerned, which provides skills training at an early stage of unemployment or in situations where a large group of people are likely to become unemployed because of staff reductions.
- Your **eAMS account** is your personal access point to the Austrian Labour Market Service (AMS). An eAMS account allows you to access your personal AMS data and to use AMS's online services.
- **Habitual residence** - The term 'habitual residence' is defined under EU law (please see the [EU Regulation on the coordination of social security systems](#)). In practice, it means the place where you have your centre of interests.

### Forms you may need to fill in

You can [register as unemployed online](#) with the Austrian Labour Market Service (AMS).

- A list of [harmonised EU forms for the transfer of social security entitlements](#) between the Member States. The form for Austria is available from AMS.

### Know your rights

The links below set out your rights in law. However, they are not official European Commission sites and do not represent the view of the Commission:

- [The things you must do when you find out you will become unemployed](#)
- [Information on unemployment benefit](#)
- [Information on unemployment assistance](#)
- [FAQ on unemployment assistance](#)

### EU information:

- [Transferring benefits from other EU Member States in the event of unemployment](#)

### Commission publications:

- [Unemployment benefits: Your rights if you live in another Member State](#)

### Whom do you need to contact?

**Federal Ministry of Labour** and Economy  
Section III (Employment Market)

Stubenring 1  
1010 Vienna  
AUSTRIA  
T: +43 1711000  
E: [service.arbeit@bmaw.gv.at](mailto:service.arbeit@bmaw.gv.at)  
<http://www.bmaw.gv.at>

### Austrian Labour Market Service

Treustraße 35-43  
1200 Vienna  
AUSTRIA  
T: [+43 5 09 04 199](tel:+4350904199)  
E: [ams.oesterreich@ams.at](mailto:ams.oesterreich@ams.at)  
<http://www.ams.at/>

[Offices - Services for jobseekers](#)





# Moving abroad

## **Any insurance periods you have completed in other Member States will also be taken into account.**

This chapter provides useful information about how your entitlement to social security benefits is affected if you move to live or work in another EU Member State (or Norway, Iceland, Liechtenstein, Switzerland or the United Kingdom\*).

*\* Each case needs to be assessed individually to determine whether a person falls within the scope of Art 30 of the Withdrawal Agreement, and so the EU Coordination Regulations apply, or whether they fall within the scope of situations described in Art 32 of the Withdrawal Agreement and/or come under domestic legislation and the Protocol on Social Security Coordination attached to the Trade and Cooperation Agreement.*

### **In what situation can I claim?**

As a rule, if you work in another EU or EEA Member State, you are no longer entitled to Austrian social security benefits. The law of the state where you are gainfully employed is always the applicable one. If you are not gainfully employed, regulations of your new state of residence apply.

If you return to Austria after a period of work abroad during which you were registered with the social security system of that state, the insurance periods you have completed abroad may be taken into account while you await entitlement to Austrian social security benefits (the "agglomeration of insurance periods" principle).

### **What conditions do I need to meet?**

For **entitlement** to **all** social security benefits, the periods of insurance you have completed abroad will be aggregated with your Austrian insurance periods. The principle, however, is that only your Austrian insurance periods are taken into account when calculating the amount of your Austrian benefits.

In addition to the entitlements gained in other EU Member States, insurance periods completed in the EEA Member States (Iceland, Liechtenstein, Norway, Switzerland and the United Kingdom\*) can be aggregated with Austrian insurance periods.

*\* Each case needs to be assessed individually to determine whether a person falls within the scope of Art 30 of the Withdrawal Agreement, and so the EU Coordination Regulations apply, or whether they fall within the scope of situations described in Art 32 of the Withdrawal Agreement and/or come under domestic legislation and the Protocol on Social Security Coordination attached to the Trade and Cooperation Agreement.*

### **What am I entitled to and how can I claim?**

If you return to Austria after having worked in another EU Member State, you will need documentary proof of the insurance periods you have completed abroad.

You should obtain such documentary proof before returning to Austria. Seek advice from the local social insurance institution in the other country, so that you can obtain all necessary documents.

If you have claimed unemployment benefit in another EU-Member State (or Norway, Iceland, Liechtenstein, Switzerland or the United Kingdom) for at least 4 weeks, you can register as a jobseeker with the Labour Market Service for a period of 3 to 6 months and continue to receive Austrian unemployment benefit. To register, you will need Form U2 from the competent foreign institution. The same applies if you claim Austrian unemployment benefit and wish to register as a jobseeker in one of these countries.

If you claim Austrian social security benefits, you should always indicate whether or not you have completed insurance periods abroad.

The following information is required:

- the country where you have worked;
- the name and address of your employer in that country;
- the start and end dates of your employment in that country, and
- your social security number from that country.

### Jargon busters

- **Social security number** is the number of the account on which your social security data is held. However, having a ten-digit social security number does not necessarily presuppose entitlement to social security benefits. The terms 'social security number', 'insurance number', 'SV number' mean the same thing, as do the abbreviations SVNR, VSNR and VNR.
- **EEA** means the European Economic Area. In 1992, the Member States of the European Free Trade Association (EFTA), excluding Switzerland, signed an enhanced agreement with the European Union which extended the European single market to 31 countries, including Iceland, Liechtenstein and Norway.
- **Habitual residence** - The terms 'permanent residence' and 'habitual residence' are defined under EU law. Please see the [EU Regulation on the coordination of social security systems](#). In practice, it means the place where you have your centre of interests.

### These are your rights

The links below set out your rights in law. However, they are not official European Commission sites and do not represent the view of the Commission:

- [Pension entitlements in more than one Member State](#)
- [Unemployment insurance in the EEA and Switzerland](#)

### EU information:

- [Social security systems in the EU](#)

### Who can I contact?

Please contact the following authorities if you would like to know how insurance periods completed in other EU Member States, EEA Member States, Switzerland or the United Kingdom affect Austrian social security benefits.

#### **Federal Ministry of Social Affairs, Health, Care and Consumer Protection**

Stubenring 1  
1010 Vienna  
AUSTRIA  
T: +43 1711000  
E: [post@sozialministerium.at](mailto:post@sozialministerium.at)  
<http://www.sozialministerium.at>

#### **Chancellor's Office – Section VI - Family and Young People**

Untere Donaustraße 13-15  
1020 Vienna  
AUSTRIA  
T: +43 53115  
<http://www.bka.gv.at>

#### **Federal Ministry of Labour and Economy Section III (Employment market)**

Stubenring 1  
1010 Vienna  
AUSTRIA  
T: +43 1711000

E: [service.arbeit@bmaw.gv.at](mailto:service.arbeit@bmaw.gv.at)

<http://www.bmaw.gv.at> **Umbrella Association of Social Security Institutions**

Kundmanngasse 21

1030 Vienna

AUSTRIA

T: +43 1 71132-0

E: [PosteingangAllgemein@sozialversicherung.at](mailto:PosteingangAllgemein@sozialversicherung.at)

<https://www.sozialversicherung.at/cdscontent/?contentid=10007.845634&portal=svportal>

**Austrian Labour Market Service, Federal Office**

Treustrasse 35-43

1200 Vienna

AUSTRIA

T: +43 133178

E: [ams.oesterreich@ams.at](mailto:ams.oesterreich@ams.at)

<http://www.ams.at>

**Pension Insurance Institution, Main Office**

Friedrich-Hillegeist-Straße 1

1021 Vienna

AUSTRIA

T: +43 50303

E: [pva@pv.at](mailto:pva@pv.at)

<http://www.pensionsversicherung.at>

**Austrian Workers' Compensation Board (AUVA)**

Wienerbergstraße 11

1100 Vienna

AUSTRIA

T: +43 9393-20000

E: [kontakt@auva.at](mailto:kontakt@auva.at)

<http://www.auva.at>

# Main residence

## Habitual residence

This chapter provides information about what "habitual residence" means and how it affects your entitlement to social security benefits.

### Where do I have habitual residence?

"Habitual residence" means the same as permanent residence. You are habitually resident in Austria if you have your centre of interests in Austria. When determining whether someone has established a habitual residence, the duration and continuity of residence, and not just the circumstances of a personal and occupational nature, are considered. This includes:

- the type and specific characteristics of any activity you perform, especially the place where you perform such activities, the permanence of the activity and the duration of each employment contract;
- your family relationships and ties;
- performance of paid and voluntary activities;
- if you are studying, your source of income;
- your housing situation, especially its permanence;
- the state in which you are liable to pay tax.

If your habitual residence cannot unambiguously be established on the basis of these criteria, the place where you intend to live, as evidenced by the facts and circumstances, will be the deciding criterion, taking into account, in particular, the reasons which have led you to change residence.

The term "habitual" always presupposes a stay of a certain duration. However, an intention to establish a permanent residence is not absolutely necessary.

If you have officially registered your residence in Austria, this does not automatically mean that your habitual residence for the purposes of entitlement to social security benefits is in Austria. Checks based on the above criteria can, in fact, show that you are habitually resident in another Member State.

In principle, it is possible for you to work and stay in another Member State for a long time and, yet, have the centre of your interests and, thus, your habitual residence in Austria. The opposite is also possible.

Under Austrian law, entitlement to a range of social security benefits is dependent on habitual residence. Please note, however, that these requirements may be invalid under Union law.

For example, the social security benefits linked to habitual residence in Austria include:

- Unemployment benefit;
- Long-term care benefit;
- Child benefit;
- Child-raising allowance.

Union law recognises entitlement to social assistance or guaranteed minimum resources and other benefits similar to social security ones, such as differential allowance for pensioners, only if you have your usual place of abode in Austria.

### Know your rights

#### Commission publications:

- [National insurance systems](#) in the EU



## **Getting in touch with the EU**

### **In person**

All over the European Union there are hundreds of Europe Direct information centres. You can find the address of the centre nearest you at: [europa.eu/european-union/contact\\_en](https://europa.eu/european-union/contact_en)

### **On the phone or by email**

Europe Direct is a service that answers your questions about the European Union. You can contact this service:

- by freephone: 00 800 6 7 8 9 10 11 (certain operators may charge for these calls),
- at the following standard number: +32 22999696 or
- by email via: [europa.eu/european-union/contact\\_en](https://europa.eu/european-union/contact_en)

## **Finding information about the EU**

### **Online**

Information about the European Union in all the official languages of the EU is available on the Europa website at: [europa.eu/european-union/index\\_en](https://europa.eu/european-union/index_en)

### **EU publications**

You can download or order free and priced EU publications at: [publications.europa.eu/en/publications](https://publications.europa.eu/en/publications). Multiple copies of free publications may be obtained by contacting Europe Direct or your local information centre (see [europa.eu/european-union/contact\\_en](https://europa.eu/european-union/contact_en)).

### **EU law and related documents**

For access to legal information from the EU, including all EU law since 1952 in all the official language versions, go to EUR-Lex at: [eur-lex.europa.eu](https://eur-lex.europa.eu)

### **Open data from the EU**

The EU Open Data Portal ([data.europa.eu/euodp/en](https://data.europa.eu/euodp/en)) provides access to datasets from the EU.

Data can be downloaded and reused for free, both for commercial and non-commercial purposes.



