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Study in Austria



Guide to Entry and Employment for International Students

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1 Preface

Studying in Austria is very popular with international students: Renowned universities, high-class teaching and research quality and an ever increasing number of degree programmes provide excellent conditions.

The OeAD as Austrian agency for international mobility and cooperation in education, science and research wants to support international students to complete successful studies in Austria. An important aspect in the preparation is the clarification of the entry and residence regulations.

Although there have been numerous improvements in the legal framework conditions for international students and graduates practice shows that the legal conditions are not always sufficiently clear. In this context this guide, which was developed in cooperation with the Federal Ministry of the Interior (BM.I) and the Federal Ministry for Europe, Integration and External Affairs (BMEIA), wants to provide an overview and assistance.

If you have any further questions or suggestions for improvement, please contact recht@oead.at.

Attention: Students who are coming to Austria within the framework of exchange or scholarship programmes should primarily follow the relevant information of their Austrian higher education institution and the organisation offering the scholarship.

About the text:

Following the terminology of the Settlement and Residence Act (NAG) the German titles for residence titles (when used in this brochure) apply both to male and female students, even if only the masculine form is used. Spelling and punctuation of the translated residence titles is also based on the terminology of the Settlement and Residence Act (NAG) in the original language (e.g. Red-White-Red Card - “Red-White-Red – Card”). The underlined terms in the text are explained in the glossary (chapter 13).

2 Study options in Austria

In Austria higher education is offered at the following types of institutions:

Universities and universities of the arts:

www.studienwahl.at

www.studyinaustria.at

Universities of applied sciences (Fachhochschulen): www.fachhochschulen.ac.at

University colleges of teacher education: www.paedagogischehochschulen.at

Private universities: www.privatuniversitaeten.at

Studies at the following institutions are regarded as equal with university studies:

- University of Philosophy and Theology of the Diocese of St. Pölten:
www.pth-stpoelten.at
- Universities of the Order in Heiligenkreuz Abbey (Cistercian Abbey):
www.stift-heiligenkreuz.org
- St. Gabriel near Mödling (SVD-Societas Verbi Divini): www.rti-stgabriel.at
- International Theological Institute for Studies on Matrimony and Family in Gaming:
www.iti.ac.at/de/academics/academics_faculty_main.htm

2.1 Requirements for studying in Austria

To clarify questions related to your planned studies and general questions about admission at a specific Austrian higher education institution it is advisable to contact the higher education institution of your choice directly. General information is available at:

www.studyinaustria.at

www.studienwahl.at

2.2 Admission deadlines

In case of planned studies at a university your complete application for admission must arrive at the university by September 5th for the winter semester and by February 5th for the summer semester. For certain degree programmes and other institutions such as universities of applied sciences students have to pass entrance examinations (in most cases these take place just once a year!). In these cases please note that the application deadlines are much earlier. Please enquire at the institution for the application deadlines.

It is therefore recommended to contact your chosen Austrian higher education institution approximately a year before the planned start of your studies and enquire about the application deadlines.

Application deadlines for studying at universities and universities of the arts:

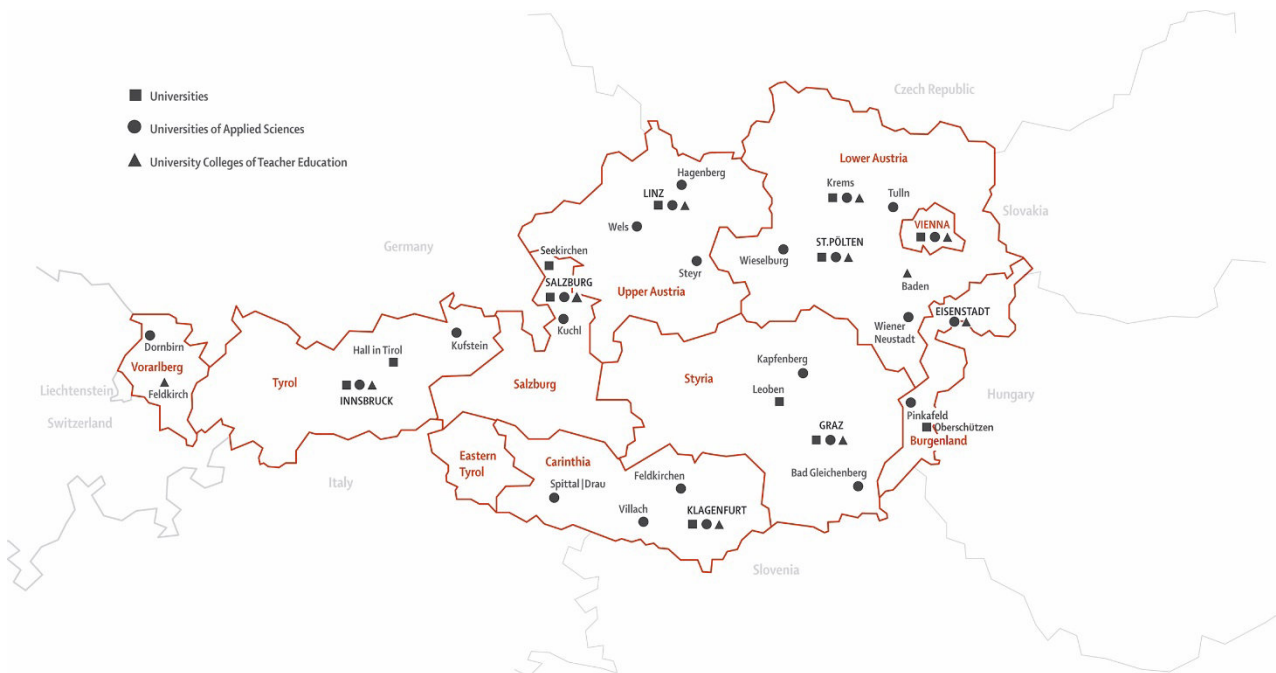
www.studienbeginn.at

www.studyinaustria.at

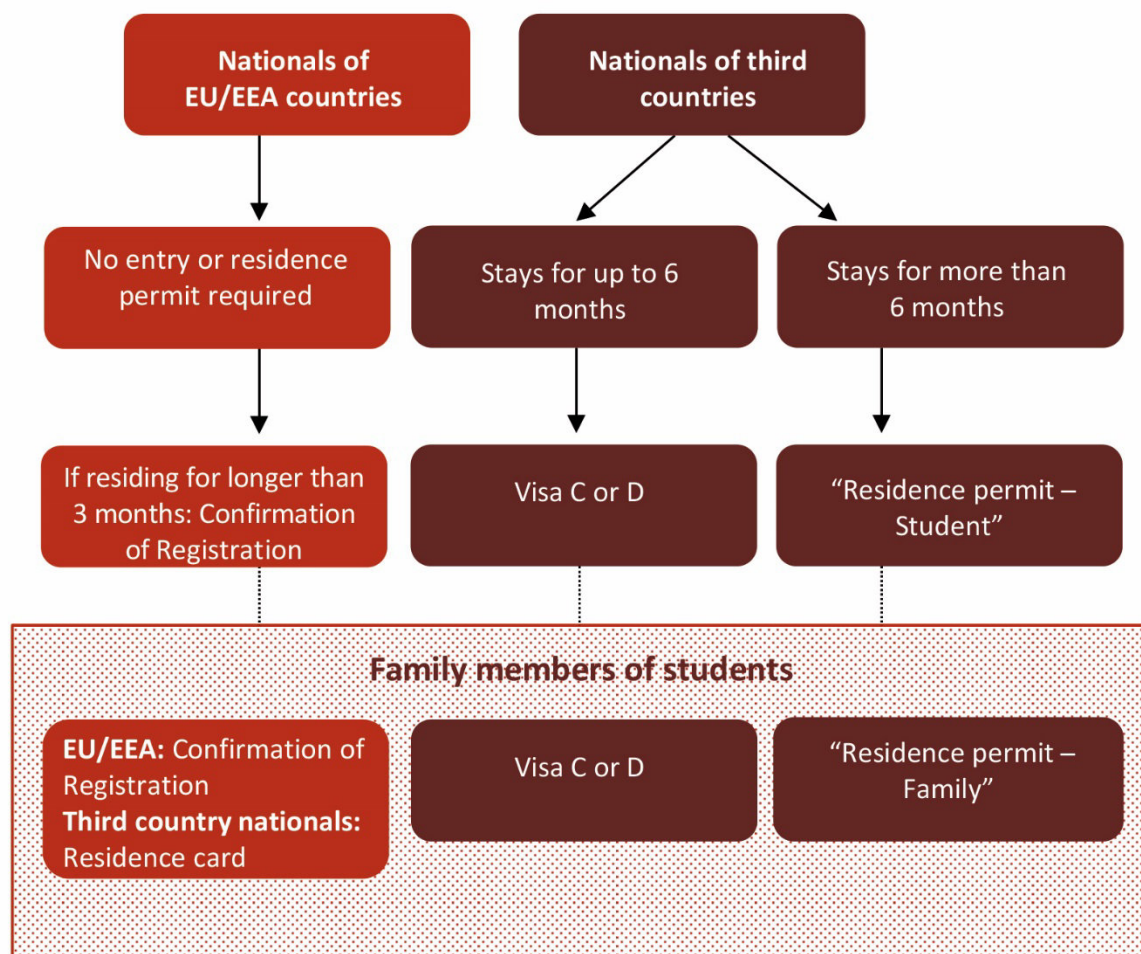
At universities of applied sciences and private universities there are special deadlines:

www.fachhochschulen.at/

www.privatuniversitaeten.at



3 Overview of entry and residence titles for studying in Austria



4 Nationals of EU and EEA member countries and Swiss nationals

Nationals of EU and EEA member countries as well as nationals of Switzerland require neither a visa nor a residence title. They only need a valid passport or identity card to enter Austria.

If they reside in Austria for more than 3 months, they, however, require a confirmation of registration (*Anmeldebescheinigung*) (they have to apply for it at the competent residence authority in Austria within 4 months of entering Austria).

Checklist Confirmation of Registration (for stays of more than 3 months)

- ❑ completed and signed application form (available from the residence authority in Austria and on the website of the Federal Ministry of the Interior: www.bmi.gv.at/niederlassung)
- ❑ Documents:
 - valid identity card or passport
 - proof of adequate health insurance
 - proof of sufficient financial means (depending on the individual case)
 - confirmation of admission from the higher education institution
- ❑ Costs: EUR 15.00 federal government administration fee (additional fees may occur)

The confirmation of registration need not be renewed. Before leaving Austria you should cancel your registration with the competent residence authority in Austria.

Family members of EU/EEA nationals who are also nationals of EU/EEA countries also have to apply for a confirmation of registration.

Family members who are not nationals of EU/EEA countries have to apply for a residence card (*Aufenthaltskarte*) (which is valid for 5 years), if they are staying for longer than 3 months.

5 Nationals of third countries

5.1 Studying in Austria for up to 6 months

Persons who are neither EU/EEA nationals nor Swiss nationals are called nationals of third countries. Nationals of third countries need a visa to enter Austria unless they are permitted to enter Austria without the need for a visa. Further information about visa requirements and visa waivers is available on the website of the Federal Ministry of the Interior (BM.I) (www.bmi.gv.at/cms/bmi_fremdenpolizei/visumspflichten/start.aspx). A list of the countries the nationals of which are entitled to enter Austria without the need for a visa is also available in this guide in chapter 11.

Attention: Visas as a rule cannot be extended in Austria. When the visa expires you have to – unless you have been granted a residence title – leave the Schengen area (Schengen countries see chapter 10) and apply for a new visa or residence title.

If you are staying in the Schengen area with a residence title of another Schengen country, you can only apply for a visa for entering Austria at the Austrian representative authorities in Bratislava, Ljubljana or Munich.

A **Visa C** entitles you to enter and stay in all Schengen countries for a total duration of up to 90 days within 180 days, provided that you fulfil the general entry requirements.

A **Visa D** entitles you to enter and stay in Austria. It can be issued for stays between 91 days and 6 months. People in possession of a Visa D generally enjoy freedom of movement to the territory of the other Schengen countries for up to 90 days per half year, provided that they fulfil the general entry requirements.

Generally visa applications are processed by the competent Austrian representative authorities in the student's country of residence. In countries where there are no Austrian embassies or consulates-general or where these are far away, representative authorities of other Schengen countries support Austria in processing visa applications. It is, however, only possible to apply for visas of the category C (travel visas) at a representative authority of another Schengen country. The link to the website of the Federal Ministry for Europe, Integration and External Affairs, which you can find below, contains all necessary information, especially as regards the representative authorities which are in charge in each case and which are authorised to issue visas.

List of the representative authorities:

www.bmeia.gv.at/aussenministerium/buergerservice/oesterreichische-vertretungen

List of the Schengen partners that represent Austria:

www.bmeia.gv.at/aussenministerium/buergerservice/pass-und-visum/schengen-visainformationen

Many representative authorities offer an appointment service to avoid waiting times. Often appointments can be made on the internet via the websites of the representative authorities, via telephone or in person directly at the representative authority. Information about this is available on the websites of each representative authority.

As another service it is possible in certain regions to submit visa applications also at service providers which have been commissioned with this duty by the Federal Ministry for Europe, Integration and External Affairs. Details about this are available on the websites of the embassies. You can apply for a visa at the competent representative authority 3 months before planning to travel to Austria at the earliest; you should apply no later than 15 calendar days before planning to enter Austria. Ideally you should apply as soon as you know your travel modalities (travel dates, required documents, etc.).

Checklist Visa

- Application form (fully completed and signed by the student him/herself):
 - Visa C:
www.bmeia.gv.at/fileadmin/user_upload/bmeia/media/5-Buergerservice_Zentrale/ReiseGrenzverkehr/Visumantrag.pdf
 - Visa D:
www.bmeia.gv.at/fileadmin/user_upload/Allgemein/Formulare/Formular_D_-_Antrag.pdf
- Valid travel document the validity period of which must exceed the validity period of the visa by at least 3 months; the travel document must contain at least 2 empty pages and it must have been issued within the past 10 years.
- Passport-sized photograph according to the ICAO criteria (colour photograph, size 3.5 x 4.5 cm)
- Presentation of a travel health insurance for the whole duration of your stay in Austria and covering all risks (amount of coverage: EUR 30,000.00; the insurance must be valid in the whole Schengen area)
- Proof of sufficient financial means to finance your stay (students up to the age of 24: EUR 487.53¹/month; students aged 24 and over: EUR 882.78¹/month. These amounts include rent for accommodation of up to EUR 282.06¹ per month. If the rent exceeds this amount, additional funds must be proven.
- Proof of having paid the tuition fees or of a grant/scholarship or submission of an electronic declaration of guarantee (EVE) at the competent aliens police department in Austria by the person inviting the student.
- Reservation of flight, bus or train ticket
- Proof of accommodation (reservation of a room in a student hall of residence or confirmation of accommodation, accommodation agreement)
- Notification/confirmation of admission of the Austrian higher education institution

¹ These amounts are adjusted every year. The amounts stated here are valid for 2016.

Attention: To take up employment a special visa (Visa C or D “for gainful employment”) is required. Unpaid occupations (e.g. traineeships, internships, scholarships) may also be regarded as gainful employment.

Certain occupations moreover require a confirmation of the notification of the Public Employment Service (AMS) according to the Employment Act (*arbeitsmarktrechtliche Anzeigebestätigung*). Further information about this is available from the Austrian representative authority in your country of residence.

Family members can also apply for a visa under the above-mentioned conditions.

5.2 Studying in Austria for more than 6 months

All nationals of third countries need a “Residence Permit – Student”, to which no quotas apply, if they want to stay for more than 6 months.

At the same time family members of students may apply for a “Residence Permit – Family”, to which no quotas apply.

Please note: The application requirements for family members of students may differ from those that apply to students (e.g. possibility to apply in Austria, see below).

The residence permit will be issued in the form of a credit card-sized card with photo and also serves as an ID. You should always carry your residence permit with you or keep it at hand at all times to prove your right to reside in Austria.

5.2.1 First-time application in Austria

Students who are permitted to enter Austria without a visa may apply for the “Residence Permit – Student” at the competent residence authority in Austria after entering Austria.

Moreover, other students may also be entitled to apply for a residence permit in Austria (e.g. students in education and training and further education programmes or research programmes of the European Union, students who are recipients of specific Austrian scholarships, students holding an Austrian school leaving certificate or degree certificate of an Austrian or foreign school). If they are not permitted to enter Austria without a visa, these students have to apply for a visa before travelling to Austria.

Students should apply for their residence permit in person immediately after entering Austria so that their application can be processed before their permitted period of stay without a visa expires.

Please note that an application for a residence permit does not entitle applicants to overstay their lawful visa-free residence time!

Alternatively you can apply for your residence permit at the Austrian representative authority in your country of residence. Since in this case your application will be forwarded to Austria longer processing times have to be expected.

5.2.2 First-time application abroad

Students who are not permitted to apply for their residence permit in Austria have to submit their first application for a “Residence Permit – Student” in person at the Austrian representative authority in their country of residence before travelling to Austria. The application will be forwarded to the competent residence authority in Austria by the representative authority. Since you have to await the decision of the residence authority in your country, it is recommended to apply at least 3 to 6 months before planning to enter Austria.

If the authority in Austria decides to grant you a residence permit, the Austrian representative authority in your country of residence will inform you accordingly. You have then to apply within 3 months of receipt of this notification for a Visa D to enter Austria. You then have to collect your residence permit at the residence authority in Austria in person within 6 months of receiving the notification from the representative authority, in any case within the validity period of your visa.

Checklist for first-time applications for a “Residence Permit – Student”

- ❑ Application in person at the competent Austrian representative authority in your country of residence or at the competent residence authority in Austria.
- ❑ Documents:
 - fully completed and signed application form (available from the Austrian representative authority in your country of residence and on the website of the Federal Ministry of the Interior: www.bmi.gv.at/niederlassung)
 - photocopy of your valid travel document
 - birth certificate
 - recent passport-sized photograph, size: 3.5 x 4.5 cm
 - Police clearance certificate (in countries where available)
 - Notification/confirmation of admission of the Austrian educational institution
 - Proof of sufficient financial means to finance your stay for the whole duration of your stay; however, only for a maximum period of one year in advance:
 - for students up to the age of 24: EUR 487.53² per month,
 - for students aged 24 or older: EUR 882.78² per month
 These amounts include rent for accommodation of up to EUR 282.06² per month. If the actual rent is higher, additional means must be proven. Proof of financial means may be provided by means of a savings book of an Austrian bank, a bank account in your home country which can be accessed from Austria, proof of purchase of travellers’ cheques or a declaration of liability signed by a person living in Austria.
 - Proof of a legal claim to accommodation in Austria, e.g. rental contract, accommodation contract with a student hall of residence, accommodation agreement
 - Proof of a (travel) health insurance valid in Austria with an **amount of coverage of at least EUR 30,000** for the period of time from entering the country until the purchase of student self-insurance in Austria.
- ❑ The fee for the first residence title is EUR 120.00 (EUR 80.00 when applying at the Austrian representative authority or residence authority; the rest when collecting the residence title). Additional fees may apply.

² These amounts are adjusted every year. The amounts stated here are valid for 2016.

All required documents must be provided in the original in in photocopy as well as (if demanded by the authority) in legalised form. Documents in languages other than German must be accompanied by authorised German translations.

Residence permits are as a rule issued for a period of 12 months (exceptions: shorter validity period of the travel document, shorter validity period applied for).

Students need not fulfil the Integration Agreement.

Checklist for first-time applications for a “Residence Permit – Family”

- Application in person at the competent Austrian representative authority in the country of residence. Applications for a residence permit should be submitted at least 3 months before planning to travel to Austria.
Please note: Persons from countries the nationals of which are permitted to enter Austria without a visa may also apply for their residence permit in person in Austria at the competent residence authority.
- Documents:
 - fully completed and signed application form (available from the Austrian representative authority in your country of residence and on the website of the Federal Ministry of the Interior: www.bmi.gv.at/niederlassung)
 - photocopy of the valid travel document
 - birth certificate
 - Proof of family relationship (e.g. marriage certificate) and of living together as a family in your home country
 - recent passport-sized photograph, size: 3.5 x 4.5 cm
 - Police clearance certificate (in countries where available)
 - Proof of sufficient financial means to finance your stay for the whole duration of your stay; however, only for a maximum period of one year in advance:
 - for married couples EUR 1,323.58³ per month for both
 - for each underage child an additional EUR 136.21³ per month
These amounts include rent for accommodation of up to EUR 282.06³ per month. If the actual rent is higher, additional means must be proved.
 - Proof of financial means may be provided by means of a savings book of an Austrian bank, a bank account in your home country which can be accessed from Austria, or proof of purchase of travellers cheques.
 - Proof of a legal claim to accommodation in Austria, e.g. rental contract, accommodation contract with a student hall of residence, accommodation agreement
 - Proof of health insurance that is valid in Austria
- The fee for the residence title is EUR 120.00 (EUR 80.00 when applying at the Austrian representation authority or residence authority; the rest when collecting the residence title). Additional fees may apply.

³ These amounts are adjusted every year. The amounts stated here are valid for 2016.

All required documents must be provided in the original in in photocopy as well as (if demanded by the authority) in legalised form. Documents in languages other than German must be accompanied by authorised German translations.

Residence permits are as a rule issued for a period of 12 months (exceptions: shorter validity period of the travel document, shorter validity period applied for).

Family members of students receiving a residence permit need not fulfil the Integration Agreement.

5.2.3 Students with Entrance Examination

Students who are permitted to enter Austria without a visa (see list of countries in chapter 11, see also www.bmi.gv.at/niederlassung) or who are permitted to apply for a residence permit in Austria for other reasons can travel to Austria without a visa to take part in the entrance examination and apply for their residence permit in person at the competent residence authority in Austria after successfully passing the examination. You should apply for your residence permit as soon as possible after passing your entrance examination.

Attention: Please note that the application does not entitle you to overstay your lawful visa-free residence time!

Students who are not permitted to enter Austria without a visa and have to sit an entrance examination have to apply for their residence permit in person at the Austrian representative authority in their country of residence with their conditional admission notice or confirmation of admission of the university. Since you have to await the processing of your application in your home country you should apply at least 3 months before the scheduled date of your entrance examination.

In the Checklist for first-time applications for a “Residence Permit – Student” in 5.2.2 you can see which documents you have to provide, in this case, however, sufficient funds and accommodation only have to be shown credibly. In case of a positive decision about your application for a residence permit you can apply for a Visa D at the Austrian representative authority to enter Austria. The representative authority will issue a Visa D with a validity period of four months and explicitly advise the student that the receipt of the residence permit will be conditional on the passing of their entrance examination.

Students can then travel to Austria with the visa to take part in the entrance examination. After successfully passing the entrance examination the students have to show their definite admission notice / confirmation of admission and provide proof of sufficient financial means to fund their stay and of accommodation to the residence authority in Austria and then they will receive their residence permit. They have to collect their residence permit in any case during the validity period of their visa.

5.2.4 Renewal of the residence permit

Before expiry of your residence permit but no earlier than 3 months before expiry you have to apply for a renewal of your residence permit at the competent residence authority in Austria. You may stay in Austria until a decision about the renewal has been taken (even after expiry of your original permit).

Please note: After expiry of your residence permit you are, however, not permitted to travel to other Schengen countries until the authority has decided about your application for the renewal.

Checklist for Renewal of a “Residence Permit – Student”

- Application in person for the renewal of the residence permit at the competent residence authority in Austria. You should apply at least one month before your present permit expires.
- Documents:
 - fully completed and signed application form (available from the residence authority and on the website of the Federal Ministry of the Interior: www.bmi.gv.at/niederlassung)
 - photocopy of your valid travel document
 - recent passport-sized photograph, size: 3.5 x 4.5 cm
 - Proof of sufficient financial means for another year in Austria:
 - for students up to the age of 24: EUR 487.53⁴ per month,
 - for students aged 24 or older: EUR 882.78⁴ per month
 These amounts include rent for accommodation of up to EUR 282.06⁴ per month. If the actual rent is higher, additional means must be proven.

Proof of sufficient financial means may be provided by means of a savings book of an Austrian bank, a bank account in your home country which can be accessed from Austria, or **proof of purchase of travellers’ cheques**.
 - Proof of a legal claim to accommodation in Austria, e.g. rental contract, accommodation contract with a student hall of residence, accommodation agreement
 - Proof of health insurance that is valid in Austria
 - Written proof of the successful course of your studies by the university, as a rule by means of successfully passed examinations corresponding to 8 hours per week or 16 ECTS credits per academic year⁵. If, however, there are inevitable and unpredictable reasons that are outside the sphere of influence of the student, the residence permit may be renewed despite the lack of the successful course of study in individual cases after examination of each individual case.
 - Confirmation of your continuing university enrolment by the higher education institution
 - Current record of studies (*Studienbuchblatt*)
- The fee for the renewal of the residence permit is EUR 100.00. Additional fees may apply.

⁴ These amounts are adjusted every year. The amounts stated here are valid for 2016.

⁵ Doctoral / PhD students have to submit a confirmation of their supervisor about the successful course of their studies.

The residence permit will as a rule be issued for a period of another 12 months (exceptions: shorter validity period of the travel document, shorter validity period applied for).

A change of the purpose of the residence title is only permitted if the student fulfils the requirements for the new residence title and if he/she applies for the change of purpose at the residence authority in Austria before the current permit expires.

Checklist for applications for a renewal of a “Residence Permit – Family”

- ❑ Application in person for the renewal of the residence permit at the competent residence authority in Austria. You should apply at least one month before your present permit expires.
- ❑ Documents:
 - fully completed and signed application form (available from the residence authority and on the website of the Federal Ministry of the Interior: www.bmi.gv.at/niederlassung)
 - photocopy of the valid travel document
 - recent passport-sized photograph, size: 3.5 x 4.5 cm
 - Proof of sufficient financial means for another year in Austria:
 - for married couples EUR 1,323.58⁶ per month for both
 - for each underage child an additional EUR 136.21⁶ per month
 - These amounts include rent for accommodation of up to EUR 282.06⁶ per month. If the actual rent is higher, additional means must be proven. Proof of sufficient financial means may be provided by means of a savings book of an Austrian bank, a bank account in your home country which can be accessed from Austria, or **proof of purchase of travellers’ cheques**.
 - Proof of a legal claim to accommodation in Austria, e.g. rental contract, accommodation contract with a student hall of residence, accommodation agreement
 - Proof of health insurance that is valid in Austria
- ❑ The fee for the renewal of the residence permit is EUR 100.00. Additional fees may apply.

⁶ These amounts are adjusted every year. The amounts stated here are valid for 2016.

The residence permit will as a rule be issued for a period of another 12 months (exceptions: shorter validity period of the travel document, shorter validity period applied for).

5.2.5 Stays in Austria for the purpose of job seeking

Students who have successfully completed a master’s or equivalent degree at in Austria and who would like to get a residence title “Red-White-Red – Card” may apply once for a confirmation at the residence authority to stay in Austria for 6 months to find employment. The requirements (e.g. accommodation, living costs, health insurance) for the 6 months must be fulfilled. You have to apply for this confirmation before your current residence title expires. This confirmation also entitles you to apply for any type of “Red-White-Red – Card” in Austria.

Attention: During this permitted stay for job-seeking you are not permitted to travel to other Schengen countries.

5.2.6 Residence title “Red-White-Red – Card” for higher education graduates

Graduates who have completed a master’s degree (or at least the second stage of a diploma degree programme (*Diplomstudium*)) at an Austrian higher education institution may apply for a residence title “Red-White-Red – Card” for higher education graduates. Their intended job must correspond to their education level and they must earn a gross salary of at least EUR 2,187.00/month (2016). To get the residence title “Red-White-Red – Card” they have to prove an adequate job.

The application for the residence title “Red-White-Red – Card” must be submitted to the residence authority in Austria either before the current residence title or the validity period of the confirmation for job seeking expires. The application form including the necessary declaration of the employer form is available on the website of the Federal Ministry of the Interior (www.bmi.gv.at/niederlassung).

If the requirements are met, graduates of higher education institutions can also apply for other types of “Red-White-Red – Cards”.

6 Registration according to the Registration Act

Nationals of all countries, no matter whether they entered Austria without a visa or with a visa, have to register with the registration office at their place of residence in Austria (<https://www.help.gv.at/Portal.Node/hlpd/public/content/118/Seite.1180000.html>) within three days of arrival in Austria.

Any change or abandonment of the place of residence also has to be reported to the registration office within three days.

Attention: Violations of the obligation to register according to the Registration Act may result in fines.

Checklist for Registration according to the Registration Act

- Registration at the registration office (municipal office)
- Documents:
 - Registration form (*Meldezettel*): The registration form must be signed both by the landlord/landlady (e.g. student hall of residence provider) and the student. The registration form is available from the registration office and on the following website:
https://www.help.gv.at/Portal.Node/hlpd/public/resources/documents/Meldezettel_120615_12.06.15.pdf
 - Travel document
 - Birth certificate
- Costs: The registration is free of charge.

7 Gainful employment

7.1 Nationals of EU and EEA member countries and Swiss nationals

Nationals of EU countries (except Croatia) as well as nationals of Liechtenstein, Iceland, Norway and Switzerland need no work permit to work in Austria.

Nationals of Croatia will probably need a work permit until the end of December 2020 to be employed in Austria. For them the same rules apply as for nationals of third countries (see next paragraph).

7.2 Nationals of third countries, nationals of Croatia (until 2020)

7.2.1 Work permit

Students from third countries who are in possession of a residence permit and students from Croatia are in principle permitted gainful employment during their studies in Austria. The provisions of the Act Governing Employment of Foreign Nationals have to be observed.

In principle students who are nationals of third countries and Croatian students need a work permit for gainful employment. The successful course of studies must not be jeopardised by the job. In principle students may get a work permit for employment for up to **10 hours/week**; students who have completed a bachelor's degree or the first stage of a diploma degree programme (*Diplomstudium*) may get a work permit allowing them to work up to **20 hours/week**. The employer has to apply for the work permit at the Public Employment Service (Arbeitsmarktservice – AMS) at least 6 weeks before the beginning of the employment and the permit is only valid for the specific job with the specific employer.

Students in **doctoral / PhD programmes** who are in possession of a “Residence Permit – Student” can get a work permit to work for up to 20 hours/week.

In these cases the Public Employment Service (AMS) will grant a work permit without a labour market check. For employment of more than 10 and 20 hours/week, respectively, work permits can only be granted after a labour market check.

Attention: A work permit is also necessary for minor employment (*geringfügige Beschäftigung*).

7.2.2 Family members

Family members of students who are nationals of third countries and who are in possession of a “Residence Permit – Family” also require a work permit to work in Austria, which the Public Employment Service (AMS) can only grant a after having carried out a labour market check.

7.2.3 Confirmation of notification

If a **work placement** is scheduled in the curriculum of the Austrian educational institution, no work permit is necessary. Instead, the employer has to notify the Public Employment Service (AMS) and the tax authorities of the work placement at least two weeks before the beginning of the placement. The Public Employment Service (AMS) will then issue a confirmation of notification.

An **unpaid traineeship** can also be carried out without a work permit. An unpaid traineeship is defined as an occupation that only serves to acquire skills and knowledge for a future occupation without claim to payment and without an obligation to work. In the case of an

unpaid traineeship the employer also has to notify the Public Employment Service (AMS) and the tax authorities before the start of the traineeship.

7.2.4 Employment without work permit or confirmation of notification

A work permit is not necessary for work that is not subject to the regulations of the Austrian Act Governing Employment of Foreign Nationals (AuslBG). The Public Employment Service (AMS) can confirm the exemption upon application (confirmation of exemption according to § 3 Abs. 8 AuslBG).

Exempted activities are, for example:

- academic work in research and teaching, in the development and fostering of the arts as well as in teaching of the arts, e.g. research assistants
- activities within the framework of educational and research programmes of the EU (e.g. Erasmus+)
- activities within the framework of reciprocal exchange programmes in which at least one Austrian higher education institution takes part (OeAD, AIESEC, ELSA, IAESTE, FHK)

For gainful work based on a **contract for work and labour** (*Werkvertrag*) (= self-employed work) no work permit is necessary either. In contrast to employment the subject of the contract in this case is the accomplishment of a piece of work / success. The self-employed person is not bound to fixed working times, he/she is free to choose the place where he/she wants to carry out his/her work and is not integrated into the organisation of the employer.

Attention: Self-employed persons are responsible themselves for the registration with national insurance and the payment of taxes (VAT, income tax).

8 Points of Contact

For questions related to studying and living in Austria:

Austrian Student Union (*Österreichische Hochschüler/innenschaft (ÖH)*) – representative body of all students

Tel. +43 1 310 88 80

E-mail: oe@oe.ac.at, auslaenderInnenreferat@oe.ac.at, www.oe.ac.at

ÖH at the universities, universities of applied sciences (*Fachhochschulen*) and university colleges of teacher education www.oe.ac.at/vorort

For questions regarding studying at a specific educational institution in Austria:

International Office (*Außeninstitut, Büro für Internationale Beziehungen*) and Admission Office of the relevant university: www.portal.ac.at

International Relations Departments and International Coordinators of the relevant university of applied science: www.fhr.ac.at, www.fachhochschulen.ac.at

University colleges of teacher education: www.bmukk.gv.at

Private universities: www.akkreditierungsrat.at

For questions related to residence in Austria and this brochure:

Austrian Agency for International Cooperation in Education and Research (OeAD-GmbH):

Tel. +43 1 534 08-201, e-mail: info@oead.at, www.oead.at

For questions about residence titles (for staying longer than 6 months):

Federal Ministry of the Interior (BMI), Department III/4:

Tel. +43 1 53126-0, e-mail: bmi-iii-4@bmi.gv.at, www.bmi.gv.at

For questions related to visas, entry without the need for a visa (for stays of under 6 months):

Federal Ministry of the Interior (BMI), Department II/3:

Tel. +43 1 53126-0; e-mail: bmi-ii-3@bmi.gv.at, www.bmi.gv.at

Federal Ministry for Europe, Integration and External Affairs (BMEIA), Department IV.2:

Tel. +43 50 11 50-0; e-mail: abtiv2@bmeia.gv.at, www.bmeia.gv.at

For questions related to working and employment:

Federal Ministry of Labour, Social Affairs and Consumer Protection (BMASK), Department VI/7:

Tel. +43 1 71100-0, e-mail: post@bmask.gv.at, www.bmask.gv.at

Abroad:

Austrian representative authorities (embassies and consulates-general): www.bmeia.gv.at

Grants and scholarships: www.grants.at

Detailed information about working in Austria is available at the migration portal of the Austrian federal government www.migration.gv.at.

9 EU/EEA countries

Austria	Germany	Netherlands
Belgium	Great Britain	Poland
Bulgaria	Greece	Portugal
Croatia	Hungary	Romania
Cyprus	Ireland	Slovakia
Czech Republic	Italy	Slovenia
Denmark	Latvia	Spain
Estonia	Lithuania	Sweden
Finland	Luxemburg	
France	Malta	

The European Economic Area (EEA) includes all member countries of the European Union as well as Iceland, Liechtenstein and Norway.

10 Schengen countries

Austria	Hungary	Norway
Belgium	Iceland	Poland
Czech Republic	Italy	Portugal
Denmark	Latvia	Slovakia
Estonia	Liechtenstein	Slovenia
Finland	Lithuania	Spain
France	Luxemburg	Sweden
Germany	Malta	Switzerland
Greece	Netherlands	

11 Countries the nationals of which are permitted to enter Austria without a visa

Albania*	Guatemala	Panama
Andorra	Honduras	Paraguay
Antigua and Barbuda	Hong Kong	Peru
Argentina	Israel	Samoa
Australia	Japan (6 months)	San Marino
Bahamas	Republic of Korea (South)	Serbia*
Barbados	Macedonia*	Seychelles
Bosnia and Herzegovina*	Macau	Singapore
Brazil	Malaysia	St. Christopher und Nevis
Brunei	Mauritius	Taiwan**
Canada	Mexico	Timor-Leste (East Timor)
Chile	Moldova*	Kingdom of Tonga
Colombia	Monaco	Uruguay
Costa Rica	Montenegro*	United Arab Emirates
Dominica	New Zealand	United States of America
El Salvador	Nicaragua	Vatican City
Grenada	Palau	Venezuela

* only applies to holders of biometric passports

** only applies to passports with identity card number

12 Legalisation

Legalisation is often necessary to be able to submit international documents at Austrian authorities and institutions. Legalisation verifies the authenticity of a signature or a seal or stamp and thus attests the issuer of the document.

Austria has concluded bilateral agreements with some countries, which allow submitting documents without any formalities (legalisation waiver). Moreover, the Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents may apply, which provides for a simplified legalisation procedure (legalisation by means of an apostille). In all other cases specific legalisation requirements must be fulfilled (full diplomatic legalisation).

Thus **3 scenarios** are possible (also depending on the type of the document to be legalised):

- No legalisation is required (legalisation waiver)
- Legalisation by means of an apostille is required (legalisation according to the Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents)
- Full diplomatic legalisation is required

Legalisation waiver: The countries for which the legalisation requirement is waived are in general certain EU member countries and a few non-European countries.

Legalisation according to the Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents (by means of an apostille): Apostilles are stamps or stickers which have to be affixed in a standardised form on public documents by the local authorities. Currently approximately 100 countries have joined the Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents.

Full diplomatic legalisation: Documents from countries with which no legalisation waiver agreement has been concluded and which have not joined the Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents require full diplomatic legalisation. This means that first the domestic legalisation procedures of the country of origin must be completed; then final legalisation of the document will be carried out by the foreign ministry of that country. After that the document must be legalised by the competent Austrian representative authority in the country of origin for final confirmation of its authenticity.

You have to distinguish between legalisation and translation of documents. The Austrian authorities often only accept documents in languages other than German if a certified interpreter (translator) has translated them.

It is recommended to enquire at the relevant Austrian representative authority in your country of origin whether or not and in which form documents must be legalised and translated in each case. Moreover, you can find further information on the website of the Federal Ministry for Europe, Integration and External Affairs: www.bmeia.gv.at/reise-aufenthalt/urkunden-und-beglaubigung/beglaubigung/.

13 Glossary

Accommodation agreement: By means of an accommodation agreement the necessary claim to accommodation in Austria, which is required for a visa or a residence title, can be proven also in the case of rent-free private accommodation:

www.oead.at/fileadmin/oead_zentrale/willkommen_in_oe/Recht/Wohnrechtsvereinbarung.pdf

Austrian representative authority: an authority entrusted with consular duties or the professional representation of Austria abroad. Honorary consulates are no professional representation authorities and therefore generally not permitted to issue visas. The local competence depends on the student's place of residence. Details regarding the Austrian representative authorities are available on the website of the Federal Ministry for Europe, Integration and External Affairs (www.bmeia.gv.at/botschaften-konsulate/suche-nach-oesterreichischen-vertretungen/).

Certified interpreters: a list of the certified interpreters in Austria is available on the following website: www.sdgliste.justiz.gv.at/edikte/sv/svliste.nsf/suche!OpenForm&sub=df

Conditional admission notice / Conditional confirmation of admission: Confirmation of admission by the university or university of applied sciences containing the condition that the student successfully passes the required entrance examination.

Confirmation of registration: serves to document the right to reside and settle for EU/EEA nationals and Swiss nationals under Community law (see chapter 4).

Country of residence: This is the country in which the student has his/her legal residence (not for short-time residence with a visa but with a proper residence permit). The country of residence can both be the country whose nationality the student possesses and the country where he/she resides with a residence permit.

Declaration of the employer: The declaration of the employer must be completed by the employer; it is part of the application for a "Red-White-Red – Card". A sample declaration is available at

www.bmi.gv.at/cms/bmi_forscher/Antragsformulare/01_07_2011/Arbeitgebererklaerung.pdf

Declaration of liability: This is a written declaration of a person living in Austria in which this person commits him/herself to assume the costs for health insurance, maintenance and accommodation as well as all other costs that holders of residence titles may cause the Austrian state and its authorities and institutions (e.g. health insurance providers). This commitment is valid for 5 years and must be signed before an Austrian court or notary. The form is available on the website of the Federal Ministry of the Interior (BMI) (www.bmi.gv.at/niederlassung).

ECTS: European Credit Transfer System; system for crediting academic achievements at European universities.

Electronic declaration of guarantee (EVE): If the student does not have the sufficient financial means required to get a visa, he/she may still get a visa if a person whose primary residence is in Austria commits him/herself to cover all costs related to the student's stay in Austria by signing a declaration of guarantee. The electronic declaration of guarantee can be submitted directly to the competent police department of the federal province:

www.bmi.gv.at/cms/bmi_fremdenpolizei/einreise_visa/visum_6.aspx
www.bmeia.gv.at/fileadmin/user_upload/bmeia/media/5-Buergerservice_Zentrale/ReiseGrenzverkehr/Verpflichtungserklaerung.pdf

Public Employment Service (AMS): The Public Employment Service places workers in open positions and supports companies by providing consulting and information. Which branch office of the Public Employment Service is competent depends on the place of residence of the employee and the head office of the company, respectively; www.ams.at

Entry without the need for a visa / residence without the need for a visa: Nationals of certain countries do not require a visa to enter Austria and are permitted to reside in the territory of Austria without a visa for a period of up to 3 months (see list in chapter 11).

Family members: spouses and partners in a civil union as well as their unmarried children up to the age of 18, including adopted children or stepchildren. Spouses and partners in a civil union must be at least 21 years old at the moment of application.

Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents:

This agreement shall apply to public documents which have been executed in the territory of one contracting state of the Hague Convention and which have to be produced in the territory of another contracting state: <http://fabsits.heimat.eu/> (information only available in German).

Labour market check: Work permits for nationals of third countries who are subject to the Law Governing Employment of Foreign Nationals (*Ausländerbeschäftigungsgesetz (AuslBG)*) can be issued by the Public Employment Service (Arbeitsmarktservice/AMS) with or without labour market check. The labour market check verifies whether or not the position can be filled with other equally qualified Austrians or integrated foreigners.

Minor employment: Minor employment is defined as work paid by a gross salary of EUR 415.72 per month maximum (2016). Minor employees as a rule only have accident insurance included in their work contracts; they can, however, take out health insurance on a voluntary basis and at their own costs.

Nationals of third countries: People who are not nationals of an EU/EEA country or Switzerland.

Post-secondary educational institutions: In Austria recognised post-secondary educational institutions are educational institutions which offer degree programmes corresponding to at least 180 ECTS credits, require the general university entrance qualification or, in case of art studies, artistic qualification for admission and which are recognised as educational institutions within the meaning of this definition according to the provisions of the law of the country in which they are located.

Residence titles: entitle nationals of third countries to residence in Austria for more than 6 months; if all requirements are met, they can be renewed in Austria. Residence titles are for example residence and settlement permits.

Residence authority: This is the authority in Austria which is in charge of granting or renewal of residence titles and issue of confirmations of registration; the local competence depends on the student's (planned) place of residence. The locally competent authority is the provincial governor who can authorise the administrative district authorities to decide on

his/her behalf. The individual authorities and their addresses can be found in the Government Agency Help Site: www.help.gv.at.

Show credibly: Students have to show by means of appropriate documents that they will have sufficient financial means to finance their living costs and that they will have accommodation in Austria when they start their studies in Austria. Such documents can be for example: written confirmation about regular maintenance payments from their parents, documentation of accommodation, e.g. preliminary rental contract, booking of a room in a student hall of residence.

Student self-insurance: Degree programme students (*ordentliche Studierende*) at all universities, university colleges of teacher education and universities of applied sciences as well as non-degree programme students (*außerordentliche Studierende*) at University Preparation Programmes can take out self-insurance with the competent health insurance providers (*Gebietskrankenkassen*) at their place of study. The costs for this insurance are EUR 55.40 per month (2016). Income limits and the fulfilment of certain conditions (duration of studies, changes of degree programmes), however, must be taken into account.

University Preparation Programme: The University Preparation Programmes in Vienna, Graz und Leoben prepare international students for university studies. Their task is to prepare students for supplementary examinations in German or other subjects prescribed by the higher education institutions.

Visas: are issued for entry and stays of no longer than 6 months. Applying for a visa is only possible at Austrian representative authorities. Visas cannot be extended in Austria. There are different categories of visas – depending on the duration of stay (but for no longer than 6 months) and the purpose (e.g. for work or tourism). The different categories of visas are explained in chapter 5.1.

Work permit: Nationals of third countries (and Croatian nationals) who are subject to the regulations of the Austrian Act Governing the Employment of Foreign Nationals (AuslBG) in most cases need a work permit for gainful employment in Austria. Upon application employers can be granted work permits which permit them to employ the specific person in the specified job.

Acronyms and Abbreviations

AIESEC	The international platform for young people to discover and develop their potential
AMS	Public Employment Service (<i>Arbeitsmarktservice</i>)
AuslBG	Act Governing Employment of Foreign Nationals
BMEIA	Federal Ministry for Europe, Integration and External Affairs
BMI	Federal Ministry of the Interior
BMASK	Federal Ministry of Labour, Social Affairs and Consumer Protection
EEA	European Economic Area
e. g.	for example
ELSA	European Law Students' Association
EU	European Union
FH	University of Applied Sciences
FHK	Association of Universities of Applied Sciences, Austria
IAESTE	The International Association for the Exchange of Students for Technical Experience
ICAO	International Civil Aviation Organisation
i. e.	this means
OeAD	Austrian Agency for International Cooperation in Education and Research



Bundesministerium für
Wissenschaft, Forschung und Wirtschaft



REPUBLIK ÖSTERREICH
BUNDESMINISTERIUM FÜR INNERES



ÖSTERREICHISCHE
UNIVERSITÄTENKONFERENZ

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