

Family Guide

Services for families in Austria



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Vienna 2019

Legal notice

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Vienna 2019

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1 Information and services for families

Austrian Federal Chancellery website and brochures

An overview of benefits, funding and employment projects plus various forms and brochures, which can be ordered free of charge, can be found on the website of the Federal Chancellery – Division Families and Youth:

www.women-families-youth.bka.gv.at

Family Service

The Family Service provides information about benefits for families of the Austrian federation. Contact: familien-service@bka.gv.at or **0800 240 262***

Child Care Allowance Helpline

The Child Care Allowance Helpline provides general information about the child care allowance (*Kinderbetreuungsgeld*) and family time bonus (*Familienzeitbonus*). Contact: **0800 240 014***

Calculators

In addition, you can find special online calculators to work out how much benefit you will receive at www.frauen-familien-jugend.bka.gv.at (in German only):

- Kinderbetreuungsgeld-Online-Rechner (child care allowance calculator)
- Familienbeihilfe-Rechner (family allowance calculator)
- Familienhospiz-Rechner (family hospice calculator)

Parental education

The Federal Chancellery – Division Families and Youth supports a variety of non-profit service providers, such as parent-and-child centres, family organisations, and public and private initiatives, which offer high-quality parental education in various forms: parent-and-child groups, workshops, etc. You can obtain information about your child's current developmental stage, develop your own parenting style, share your thoughts and experiences with other parents, and identify any possible problems at an early stage. Further information is available online at www.eltern-bildung.at (in German only).

Family and partner counselling centres

There are around 400 family and partner counselling centres in Austria. They are run by a wide variety of organisations and are funded from the budget of the Federal Chancellery – Division Families and Youth. Counselling is anonymous, free of charge and available to anyone looking for advice, regardless of age or gender.

The counselling centres answer questions and assist with problems covering a wide variety of topics:

- family planning and birth control
- economic and social concerns that affect expectant mothers
- questions raised by single mothers/fathers
- conflicts arising from an unwanted pregnancy
- legal and social issues that may arise in families
- questions relating to sexuality and relationships
- parenting issues
- mental health problems
- intergenerational conflicts

Some counselling centres also provide counselling in languages other than German. The addresses are available online at www.familienberatung.gv.at (in German only).

Early intervention

Early intervention provides assistance for pregnant women and families with infants and young children living in difficult circumstances. A key element is family support, which enables families to access the help they need free of charge: from personal counselling and assistance in dealing with public authorities to guidance and support when caring for, providing for and raising your child. Find your nearest service at www.fruehehilfen.at (in German only).

Extremism Information Centre

The Extremism Information Centre is a specialist body set up to prevent extremism and radicalisation.

Contact: **0800 20 20 44*** or www.beratungsstelleextremismus.at

Federal Office on Sect Issues

The Federal Office is a central information and advisory centre on sects and ideological issues. Contact: **+43 1 513 04 60** or

www.bundesstelle-sektenfragen.at (in German only)

Media-Youth-Info-Centre

The Media-Youth-Info-Centre provides information on issues related to media literacy at www.women-families-youth.bka.gv.at/youth/media-and-information

* free of charge throughout Austria

Federal Office for the Positive Assessment of Digital Games

The Federal Office provides information about age-appropriate games played on computers, consoles, mobile phones, smart devices and offers advice on how to keep gaming safe and fun: www.bupp.at (in German only)

Federal Ombud for Children and Young People

The Federal Ombud for Children and Young People is a port of call for children and teenagers, and mediates in conflicts. Children and young people can receive fast and unbureaucratic advice and support in difficult situations.

Contact: **0800 240 264** or

www.kinderrechte.gv.at/kinder-und-jugendanwaltschaft (in German only)

2 Before the birth

Labour law provisions

Obligations to provide information

If you are an employee:

As soon as your pregnancy is confirmed, you should inform your employer of your pregnancy and due date so that he/she can comply with statutory maternity protection regulations. However, if you do not inform your employer of your pregnancy, this does not constitute grounds for dismissal.

Your employer is obliged to observe prohibitions of employment and to inform the Labour Inspectorate (*Arbeitsinspektorat*) in writing that he/she is employing a pregnant woman.

If requested to do so by your employer, you must provide a medical certificate confirming your pregnancy and expected date of delivery.



If you are self-employed:

You must submit a medical certificate confirming your expected date of delivery to your insurance institution and must do so by the beginning of the third month before your due date. If you have any questions, please contact the Social Security Service for Entrepreneurs (*Sozialversicherungsanstalt der gewerblichen Wirtschaft, SVA*) or the Austrian Farmers' Social Security Authority (*Sozialversicherung der Bauern, SVB*). Kindly note: From 01.01.2020

please contact the Social Security Service of Self-Employed Persons (*Sozialversicherung der Selbständigen, SVS*).

Maternity protection (*prohibition of employment*)/ maternity allowance/temporary help

Under the provisions of the Austrian Maternity Protection Act (*Mutterschutzgesetz*), expectant mothers must not be employed from the start of the eighth week before the expected date of delivery until eight weeks (or 12 weeks in the case of birth by Caesarean section, premature and/or multiple birth) after the birth.

You must remind your employer of your maternity protection (*Mutterschutz*) no later than four weeks before it is due to begin.

Details of the employment restrictions and prohibitions for mothers-to-be can be found on the Labour Inspectorate website at www.arbeitsinspektion.gv.at (limited information available in English; in German, search for: *werdende und stillende Mütter [pregnant and breastfeeding mothers]*).

If you or your child are at risk if you continue to work, you may be released from your employment duties early. Depending on the medical indication, a certificate of leave (*Freistellungszeugnis*, a medical certificate confirming that you are no longer allowed to work) must be issued by a medical specialist (*Facharzt*), a physician of the Labour Inspectorate (*Arbeitsinspektionsarzt*) or a medical officer of the public health authorities (*Amtsarzt*). You must present the certificate of leave to your employer. On doing so, you are no longer allowed to work with immediate effect. If your baby is born before or after the due date, the period of maternity protection before the birth is reduced or extended accordingly. If it is reduced, the missing time is added to the period of maternity protection after the birth; this cannot exceed 16 weeks, however.

During the period of maternity protection, you are entitled to the maternity allowance (*Wochengeld*) if you are employed, or to temporary help (*Betriebshilfe*)

or the maternity allowance if you are self-employed. In order to continue to receive the maternity allowance after the birth, you must submit the baby's birth certificate and confirmation from the hospital to your health insurance institution.

More information on the maternity allowance and temporary help can be found in Section 4, "Financial benefits".

Protection against termination and dismissal

You should inform your employer of your pregnancy as soon as possible. As a rule, pregnant women with a permanent contract of employment are not allowed to be given notice of termination or dismissed. You are **protected against termination and dismissal from the time that you become pregnant until four months after you have given birth.**

You are not protected against termination of employment during a probationary period.

Mother-and-Child Pass Examinations

The Mother-and-Child Pass (*Mutter-Kind-Pass*) is designed to ensure that the pregnancy progresses smoothly until the birth and to support the healthy development of the child. This programme guarantees excellent health care for pregnant women and for children until they start school. The results of all examinations are documented in the Mother-and-Child Pass.

Once a doctor has confirmed your pregnancy, you will receive a Mother-and-Child Pass.

Even if you are not insured, you are entitled to the Mother-and-Child Pass. However, you must obtain a document of entitlement (*Anspruchsbeleg*) from the health insurance institution before you undergo an examination. This document enables you to have the scheduled Mother-and-Child Pass examinations carried out free of charge by a doctor under contract to the health insurance institution (*Vertragsarzt*).

Proof that the Mother-and-Child Pass examinations have been carried out is required in order to receive the full amount of the child care allowance (*Kinderbetreuungsgeld*). More information can be found in Section 4, “Financial benefits” (keyword: *child care allowance*).

Registering at a hospital

To be able to give birth in the hospital of your choice, **it is very important to register in good time**. Find out about registration deadlines and the options for outpatient delivery (*ambulante Entbindung*, where you can leave hospital just a few hours after giving birth) or inpatient delivery (*stationäre Entbindung*, which involves a longer stay) at the hospital of your choice.

Help with choosing a hospital is available on the website www.kliniksuche.at (in German only).

3 After the birth

Baby's first documents

Guide to authorities

- The **birth is registered** within one week by the hospital and/or the doctors or midwives in attendance.
- The **birth certificate (*Geburtsurkunde*) and confirmation of birth (*Geburtsbescheinigung*)** are issued by the competent registry office.
- If the parents are not married, the registry office will also handle the **acknowledgement of paternity (*Vaterschaftsanerkennung*)**.
- If the parents are not married, they can make a joint, one-off decision at the competent registry office to share **custody**.
- The **registration of residence (*Meldezettel*)** for the new baby is issued by the municipality (*Gemeinde*) or municipal department (*Magistrat*).
- If the baby was born in Austria, the competent registry office **notifies the social insurance institution of the birth**. Once the insurance institution has been notified, the child is sent his or her own **e-card**.
- The new baby is automatically **insured through the mother and father** provided that they have health insurance. The mother or father must inform the competent health insurance institution of the birth (confirmation of birth and discharge papers from the hospital).
- If your child is entitled to Austrian citizenship, you apply for **proof of citizenship (*Staatsbürgerschaftsnachweis*)** at the registry office for your place of residence.
- If your child travels abroad with you, he/she will need his/her own **passport**. If he/she is entitled to an Austrian passport, you can apply for this at the district administration authori-

ties (*Bezirkshauptmannschaft*) or at the competent municipal department (*Magistrat*). Please note: in order to clearly confirm the **child's identity**, he/she must be present when you make the application. This also applies to babies and young children. Austrian passports are free of charge for children up to the age of two.

To find out which documents you need for the specific applications, visit www.oesterreich.gv.at (in German only).

Labour law provisions

Maternity protection (*Mutterschutz*)/ prohibition of employment (*Beschäftigungsverbot*)

Under the provisions of the Austrian Maternity Protection Act (*Mutterschutzgesetz*), expectant mothers are not allowed to work from the start of the eighth week before the expected date of delivery until eight weeks (or 12 weeks in the case of birth by Caesarean section, premature and/or multiple birth) after the birth.

Paternity Leave ("*Papamonat*")

For births from 1 September 2019, fathers who are employees are entitled to paternity leave up to a month from the birth of the child to the end of the mother's work prohibition period. The period of the paternity leave must be communicated to the employer at least three months before the calculated birth of the child. By this communication, the father receives protection from termination and dismissal.

Parental leave (*Elternkarenz*)

Parental leave is a temporary period of leave from work that may be taken until the child's second birthday. **Parental leave generally begins after the maternity protection period (*Mutterschutzfrist*) has ended or follows the period of parental leave taken by the other parent.**

Exception:

If the other parent is not entitled to parental leave, the employed parent may also take **parental leave at a later date**. In this case, the employer must be informed of the start and duration of the parental leave no later than three months before the parental leave is due to begin.

Upon request, the employer must issue the employee with confirmation of the start and duration of the parental leave, signed by both employer and employee.

Who is entitled to parental leave?

The following persons are **entitled to parental leave**:

- employees (including apprentices)
- homeworkers
- civil servants (*Beamte*) and contractual employees (*Vertragsbedienstete*) of the federal or state government

Notification deadlines for parental leave

Mother

If the mother takes parental leave first, she must inform her employer no later than on the last day of the protection period (*Schutzfrist*) whether she would like to take parental leave and if so, for how long. If the mother does not take parental leave until a later date – following the father's period of parental leave – she must notify her employer of the start of her parental leave no later than three months before the father's parental leave is due to end (preferably in writing and by registered letter).



Father

If the father takes parental leave first, he must inform his employer of the start and duration of his parental leave no later than eight weeks after the birth. If the father does not take parental leave until a later date – following the mother’s period of parental leave – he must notify his employer of the start of his parental leave no later than three months before the mother’s parental leave is due to end (preferably in writing and by registered letter).

Sharing parental leave

Parental leave can be shared between parents up to two times. A period of parental leave must last for at least two months. Parents cannot take parental leave at the same time (exception: the first time that the parent caring for the child changes, the parental leave periods may overlap for one month).

Protection against termination and dismissal

If you start your parental leave later, your protection against termination and dismissal begins no sooner than four months before your parental leave is due to start.

You are protected against termination and dismissal while you are on parental leave and for a period of four weeks after it has ended.

Postponed parental leave (*aufgeschobene Karenz*)

Both parents have the option to postpone three months of their parental leave until the child’s seventh birthday (or until the child starts school, if this

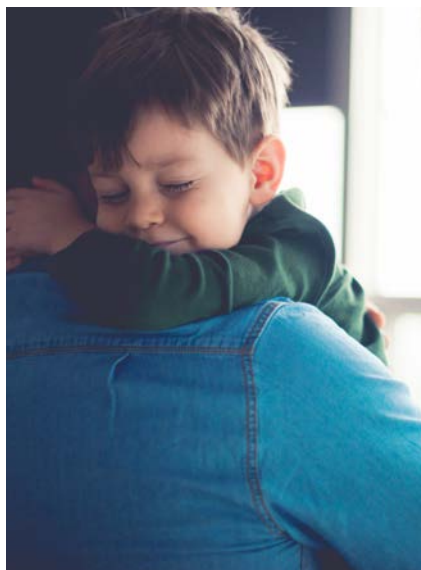
is later). This must be agreed with your employer. In order to be entitled to parental leave, you must live in the same household as the child.

Parental leave and child care allowance (*Kinderbetreuungsgeld*)

During parental leave, you will not receive a wage or salary. However, you can apply for the child care allowance during this period (for the length of time for which you choose to receive the allowance).

The duration of parental leave is unrelated to the duration of entitlement.

For more information about parental leave, visit the website of the Federal Ministry of Labour, Social Affairs, Health and Consumer Protection at www.sozialministerium.at (search for *Arbeitsrecht [labour law]*). Limited information is also available in English at www.sozialministerium.at/siteEN/



Parental part-time employment (*Elternteilzeit*)

After your parental leave has ended (or instead of parental leave), you are entitled to take up parental part-time employment. If you are an adoptive or foster parent, you have the same rights as birth parents. You can change or reduce your previous working hours.

You generally have a statutory entitlement to parental part-time employment until your child's seventh birthday, or until he/she

starts school if this is later, depending on the size of the business you work for and on the length of time that you have been employed.

If one parent is on parental leave, the other parent is not eligible for parental part-time employment. **However, both parents can take up parental part-time employment at the same time.**

You can make one request for your part-time employment to be modified (extension, extent, schedule) and one request for your part-time employment to be terminated early. Your employer can make one request for your part-time employment to be modified (extent, schedule).

Who is eligible for parental part-time employment?

You are eligible for parental part-time employment if you:

- are employed in a business with more than 20 employees,
- have been working in this business for three years without interruption,
- live in the same household as the child (or have custody of the child) and
- reduce your number of hours by at least 20% of your original working hours, but to no fewer than 12 hours.

Agreed parental part-time employment (*vereinbarte Elternteilzeit*)

If you work in a business with fewer than 21 employees or if you do not fulfil the minimum employment period, you can reach an agreement with your employer on parental part-time employment until your child's fourth birthday. The period of part-time employment must last for at least two months. You must reduce your number of hours by at least 20% of your original working hours, but to no fewer than 12 hours.

Request for parental part-time employment

If you want to take up or agree parental part-time employment, you must notify your employer in writing within specified time limits.

Your written request for parental part-time employment must contain the following information:

- the start of the part-time employment,
- the duration of the part-time employment (please note: the minimum duration is two months),
- the extent of the part-time employment (number of hours per week) and
- the scheduling of the part-time employment (start and end of your working day; which days you will work).

Protection against termination and dismissal

You are protected against termination and dismissal as soon as you have notified your employer of your intention to take up parental part-time employment, but no sooner than four months before you intend to commence part-time employment. This protection ends four weeks after your parental part-time employment has ended, but no later than four weeks after your child's fourth birthday. You are then protected from dismissal until your child's seventh birthday, or until he/she starts school if this is later, as this would be classed as unfair dismissal (*Motivkündigung*, 'inadmissible motive for dismissal').

If you engage in any other employment or self-employment in addition to your parental part-time employment without your employer's consent, your employer can give notice of termination on the grounds of this other (self-) employment within eight weeks of learning of this activity.

For more information about parental leave, visit the website of the Federal Ministry of Labour, Social Affairs, Health and Consumer Protection at www.sozialministerium.at (search for *Arbeitsrecht* [*labour law*]). Limited information is also available in English at www.sozialministerium.at/siteEN/

Care leave (*Pflegefreistellung*)

Employees are entitled to take paid care leave for a maximum duration of one week per working year.

You are entitled to take care leave:

- if you are required to care for a close relative living in the same household who has fallen ill or for a sick child, even if he/she does not live in the same household
- if you are required to care for a child/children because the usual caregiver is unable to do so
- if you stay with your sick child who has been admitted to hospital, provided that the child is under the age of ten

If you have used up the first week of care leave and a child under the age of 12 who lives in the same household (adopted child, foster child, stepchild) falls ill again in the same working year, you are entitled to another week of care leave.

For more information: Federal Ministry of Labour, Social Affairs,
Health and Consumer Protection – call on **+43 1 71100 86 22 86**
or visit www.sozialministerium.at/siteEN/

4 Financial benefits for families in Austria

Benefits during pregnancy and after birth

As a basic principle, pregnant women are *not allowed to work* in the eight weeks before their due date and for eight weeks (or 12 weeks in the case of premature birth, multiple birth or birth by Caesarean section) after the birth. Working women who are expecting a baby are generally entitled to financial support during the period of maternal protection (*Mutterschutz*).

Maternity allowance (*Wochengeld*)/ temporary help (*Betriebshilfe*)

Employees

If you were in employment before your baby was born, you do not receive a salary from your employer during the maternal protection period, but you can apply to your health insurance institution for the maternity allowance. The maternity allowance is roughly equivalent to your **average net income for the last three calendar months** prior to the prohibition of employment. Your holiday pay (*Urlaubsgeld*) and Christmas bonus (*Weihnachtsgeld*) are included in the calculations.

Independent contractors (*freie Dienstnehmerinnen*) are also entitled to receive the **maternity allowance**.

Recipients of unemployment benefits

Even if you were receiving unemployment benefits or other benefits from unemployment insurance at the start of the protection period (*Schutzfrist*), you are entitled to the maternity allowance. This generally amounts to **180% of the last benefit payment you received**.

If you are an employee or receive unemployment benefits or emergency assistance (*Notstandshilfe*), to apply for the maternity allowance you need:

- a medical certificate confirming your due date
- confirmation of your employment status (*Arbeitsbestätigung*) and salary (*Lohnbestätigung*) from your employer or confirmation from the Public Employment Service Austria (*AMS*) of the benefits you have received

Marginally employed workers (*geringfügig Beschäftigte*)

If you are in marginal employment, you are only entitled to the maternity allowance if you have taken out your own insurance for marginal employment. In this case, you will receive a maternity allowance of **€ 9.30 per day** (as at 2019).

If there is another baby on the way

If you are receiving the child care allowance and enter maternity protection again during this time, you will receive the maternity allowance for the new baby on the way if you were **entitled to the maternity allowance** for the previous birth (i.e. for the child for which you are currently receiving the child care allowance).

If, due to the impending birth of another child, the protection period begins while you are receiving the child care allowance (for the older child), you are entitled to a maternity allowance of the same level as this child care allowance.

Self-employed women and farmers

If you are self-employed or a farmer, you are entitled to **temporary help** during the protection period. This means you will be provided with a person with appropriate training for the work to be performed. Under certain circumstances, you can instead receive a **maternity allowance of € 55.04 per day** (as at 2019).

Child care allowance (*Kinderbetreuungsgeld*)

In principle, you are entitled to the child care allowance **as soon as your baby is born**. If a woman is entitled to the maternity allowance (*Wochengeld*) or a benefit that is similar to the maternity allowance, the entitlement of both parents to the child care allowance will be suspended until the end of maternity allowance or a similar benefit of the same amount (this applies to both parents). If the maternity allowance after the birth is less than the child care allowance for the selected payment option, the child care allowance is only partially suspended and the difference is paid out.

If a mother is entitled to temporary help (*Betriebshilfe*), the child care allowance is suspended for both parents at the level of the maternity allowance for self-employed women.

The child care allowance is a financial benefit and independent of labour law entitlements such as parental leave. The duration of parental leave does not need to coincide with the period during which the child care allowance is received.

Under labour law, parental leave ends no later than the child's second birthday, regardless of the length of time for which you receive the child care allowance.

To apply for the child care allowance, you generally need:

- the original application form, completed in full
- a copy of the child's birth certificate
- proof that the first six Mother-and-Child Pass examinations have been carried out (photocopy)

You can also apply online:

www.meinesv.at

finanzonline.bmf.gv.at/fon

Registration of birth or an application for the maternity allowance does not replace the application for the child care allowance.

Please note:

- In order to receive the child care allowance, you must submit an application.
- The competent institution is the health insurance institution from which you received the maternity allowance or with which you are or were last insured.
- If parents take it in turns to receive the child care allowance, the other parent must also complete his/her own application and submit it to his/her health insurance institution.
- You can apply for the child care allowance for up to 182 days retrospectively. If you use up remaining leave after receiving the maternity allowance, you should seek advice to clarify the date from which it is expedient for you to receive the allowance so that you do not exceed the additional income limit.
- Parental leave ends no later than your child's second birthday, regardless of the length of time for which you receive the child care allowance. Unless agreed otherwise, you are generally obliged to return to work on your child's second birthday. When you do so, please observe the additional income limits.

Allowance only for youngest child

You are only entitled to the child care allowance for your youngest child. If another child is born while you are receiving the child care allowance, payments will end at the latest when the younger child is born. If a mother is again entitled to the maternity allowance, temporary help or a benefit that is sim-



ilar to the maternity allowance, her entitlement to the child care allowance will generally be suspended as soon as she is entitled to receive the maternity allowance, a similar benefit or temporary help at the level of this benefit until the birth of the new baby. A father's entitlement to the child care allowance is not suspended during this period (from the date on which the mother is once again entitled to the maternity allowance or temporary help until the birth of the new baby).

Who is eligible?

Birth parents, adoptive parents and foster parents are entitled to the child care allowance. Parents can take it in turns to receive the allowance.

To be eligible for the child care allowance:

- You must be entitled to and receive the family allowance (*Familienbeihilfe*) for the child.
- Your habitual residence, and that of your child, must be in Austria.
- You and the child must live permanently (for at least 91 days) in the same household and have the same main residence.
- The first ten Mother-and-Child Pass examinations must be carried out.
- Your income must not exceed the additional income limit.
- If you are not an Austrian citizen, you must be legally resident in Austria and hold a residence permit card under the Austrian

Settlement and Residence Act (NAG-Karte or EU registration certificate [*EU-Anmeldebescheinigung*]) or you must fulfil certain requirements under asylum law.

- For parents living separately from each other, the parent making the application must have primary custody of the child (*Heim 1. Ordnung*) and receive the family allowance.

Detailed information can be found in the brochure on the child care allowance, “Kinderbetreuungsgeld”, produced by the Federal Chancellery – Division Families and Youth (in German only). If you have any general questions, please contact the Child Care Allowance Helpline on **0800 240 014** (calls are free within Austria). If you have specific questions, please contact your health insurance institution when you apply for the child care allowance.

You can also find more information on our website at www.women-families-youth.bka.gv.at

Child care allowance – two systems

When making the initial application, a parent chooses one of two systems. This decision is also binding on the other parent and can generally no longer be changed after the application has been made.

The following two systems are available:

Child care allowance account (flat-rate system) (*Kinderbetreuungsgeld-Konto [Pauschalsystem]*)

The **period** for which the child care allowance is received as an account can be selected within a predefined framework:

- **Allowance received by one parent:**
365 to 851 days (approx. 12 to 28 months) directly after the birth of the child
- **Allowance received by both parents:**
456 to 1,063 days (approx. 15 to 35 months) directly after the birth of the child

If the child care allowance is received for 365 days (by one parent) or 456 days (by both parents) after the birth, the allowance is € 33.88 per day. If the child care allowance is received for the maximum period of receipt of 851 days (by one parent) or 1,063 days (by both parents) after the birth, the allowance is € 14.53 per day. The longer the child care allowance is received for, the lower the daily amount. The amount received therefore depends on the duration that you select.

20% of the total duration of eligibility selected for each child is reserved for the other parent and cannot be transferred (this amounts to 91 days if the shortest option is chosen).

Multiple births/multiple birth supplement (*Mehrlingszuschlag*)

In the case of multiple births, the flat-rate child care allowance (account) increases by 50% of the relevant daily amount for each additional baby born in a multiple birth.

Income-related child care allowance (*einkommensabhängiges Kinderbetreuungsgeld*)

Period of receipt:

- **Allowance received by one parent:**
up to 365 days directly after the birth of the child
- **Allowance received by both parents:**
up to 426 days directly after the birth of the child

Amount received:

- 80% of the maternity allowance (the notional maternity allowance for fathers), up to € 2,000 per month. If, when the amount of the child care allowance is determined, the daily amount falls below € 33.88 per day, you can apply to receive the child care allowance of € 33.88 per day if all other eligibility criteria are met.
- In addition, a **favourability calculation (*Günstigkeitsrechnung*)** is always performed using the tax assessment from the calendar year before the baby was born. The daily amount may increase as a result of this calculation, but it will not be reduced.

If you opt for the income-related child care allowance, you will not receive the **multiple birth supplement**.

To be eligible for the income-related child care allowance, you must have been engaged in employment or self-employment that was subject to compulsory social insurance (health and pension insurance) in Austria in the 182 days prior to the birth/maternity protection period and must not have received any benefits from unemployment insurance during this period, such as unem-

ployment benefits (*Arbeitslosengeld*), emergency assistance (*Notstandshilfe*) or continuing education benefits (*Weiterbildungsgeld*).

Details on the eligibility criteria for the income-related child care allowance can be found in the brochure on the child care allowance, “Kinderbetreuungsgeld” (in German only).

To help you choose the most suitable option, you can use the free child care allowance calculator (Kinderbetreuungsgeld-Rechner, in German only) on the website of the Federal Chancellery – Division Families and Youth at www.frauen-familien-jugend.bka.gv.at

Taking turns

- Parents can take it in turns to receive the child care allowance and can switch up to two times (more often in cases of hardship). This can result in a maximum of three blocks; each block must last at least 61 days (minimum period of payment receipt).
- If parents take it in turns to receive the child care allowance, the maximum period of payment receipt can be extended by 91 to 212 days, depending on the option selected.
- In general, it is not possible for both parents to receive the child care allowance at the same time. **Only exception:** the first time that the parent caring for the child changes, the parents may receive the child care allowance for up to 31 days at the same time. In this case, the overall eligibility period will be reduced by the number of days for which both parents received the child care allowance.



Partner bonus (*Partnerschaftsbonus*)

If both parents share the payment period for the child care allowance almost equally (50:50 to 60:40), they are entitled to a partner bonus in the form of a one-off payment of € 500 per parent. This is designed to encourage parents to share child care as equal partners.

Mother-and-Child Pass examinations

To receive the full amount of the child care allowance, five examinations of the mother-to-be and the first five examinations of the child must have been carried out – regardless of whether you opt for the child care allowance account or the income-related child care allowance. When you apply for the child care allowance, you must send a copy of proof that the five examinations during pregnancy and the first examination of the newborn baby have been carried out. Proof of the remaining examinations must be submitted before the child is 15 months old, otherwise the child care allowance is reduced by € 1,300 per parent.

Hardship regulation (*Härtefallregelung*) for single parents

In certain hardship cases, single parents can extend the period for which they receive the child care allowance by up to 91 days beyond the selected period of receipt (for one parent).

Health insurance (*Krankenversicherung*)

While you are receiving the child care allowance, both you and your child are covered by health insurance. As a rule, the other parent can be insured through your insurance (*“mitversichert”*).

If you have agreed a period of parental leave with your employer that is longer than the period for which you will receive the child care allowance, you must arrange to be insured through your spouse/partner or take out your own insurance once you are no longer receiving the child care allowance.

| Overview of the child care allowance (CCA) | Child care allowance account 456 to 1,063 days directly after the birth of the child (at least 20% of the total period is reserved for the other parent and cannot be transferred) | Income-related child care allowance 426 days directly after the birth of the child (at least 61 days are reserved for the other parent cannot be transferred) |
|---|--|---|
| Amount of CCA per day | € 33.88 to € 14.53 | 80% of maternity allowance; otherwise 80% of notional maternity allowance; in addition, a favourability comparison (<i>Günstigkeitsvergleich</i>) is performed using the tax assessment from the calendar year before the birth; at least € 33.88 up to a max. of € 66.00 |
| Maximum period of receipt: one parent | 365 to 851 days (approx. 12 to 28 months) directly after the birth of the child | 365 days (approx. 12 months) directly after the birth of the child |
| Maximum period of receipt: both parents | 456 to 1,063 days (approx. 15 to 35 months) directly after the birth of the child | 426 days (approx. 14 months) directly after the birth of the child |
| Minimum period of receipt per block | 61 days | 61 days |
| Employment or self-employment necessary? | no | (self-)employment subject to compulsory health and pension insurance required for at least the 182 calendar days prior to the birth/ maternity protection |
| Permitted additional income per calendar year | 60% of the income of the relevant calendar year, at least € 16,200 | € 6,800 (equates to roughly 14 times the marginal earnings threshold; as of 01.01.2020: € 7,300); receiving benefits from unemployment insurance at the same time is not permitted |
| Supplement per multiple per day | plus 50% of the selected daily amount | no supplement |
| Additional allowance on top of the CCA | max. 365 days (consecutive) at € 6.06 per day | no additional allowance |

| Overview of the child care allowance (CCA) | Child care allowance account 456 to 1,063 days directly after the birth of the child (at least 20% of the total period is reserved for the other parent and cannot be transferred) | Income-related child care allowance 426 days directly after the birth of the child (at least 61 days are reserved for the other parent cannot be transferred) |
|--|--|---|
| Special case: extension of payments for a parent in hardship | 91 days | no hardship case extension |
| Possible for both parents to receive the CCA at the same time? | max. 31 days (at first changeover), reducing the eligibility period by this number of days | max. 31 days (at first changeover), reducing the eligibility period by this number of days |
| Partner bonus possible? | yes – if both parents receive the child care allowance for roughly the same length of time | yes – if both parents receive the child care allowance for roughly the same length of time |

Additional income on top of child care allowance

You can continue to work while receiving the child care allowance provided that your income does not exceed a certain limit. There are clearly defined additional income limits for each child care allowance system.

Flat-rate child care allowance (child care allowance account)

General additional income limit:

While you are receiving the flat-rate child care allowance, you may earn up to an additional € 16,200 (even if your individual additional income limit is below this figure).

Individual additional income limit:

If your **individual additional income limit** is over € 16,200, you are allowed additional earnings up to your individual additional income limit:

Your individual additional income limit is **60% of your income from the relevant calendar year before your baby was born** and is calculated using the tax assessment from the calendar year before the birth of the baby in which you did not receive the child care allowance (restricted to up to three calendar years ago). Tax-free income (exception: unemployment insurance benefits) is not regarded as additional income.

If parents take it in turns to receive the child care allowance, individual additional income is calculated separately for each parent.

Exceeding the additional income limit

If you exceed the permitted additional income limit, you will not have to repay more than the amount by which you exceeded the limit (incremental regulation).

To calculate your individual additional income limit and current additional income, you can use the online child care allowance calculator on the website of the Federal Chancellery – Division Families and Youth at www.frauen-familien-jugend.bka.gv.at (in German only).

Income-related child care allowance

While you are receiving the income-related child care allowance, you must not earn over **€ 6,800** per calendar year (as of 01.01.2020: **€ 7,300**) and must not receive any unemployment insurance benefits, including continuing education benefits (*Weiterbildungsgeld*), for example.

Exceeding the additional income limit

If you exceed the permitted additional income limit of **€ 6,800** per calendar year (as of 01.01.2020: **€ 7,300**), you will not have to repay more than the amount by which you exceeded the limit.

Additional assistance on top of flat-rate child care allowance

If you have a low income – whether you are a single parent or live with a spouse/partner – you can apply for additional assistance (*Beihilfe*) of approx. € 180 per month on top of child care allowance. This assistance is granted for a maximum of 365 days from the date of application.

Additional income limit

In this case, single parents must not earn more than an additional € 6,800 per calendar year (as of 01.01.2020: € 7,300).

If you live with a spouse or partner, the parent receiving additional assistance must not earn more than € 6,800 (as of 01.01.2020: € 7,300) and the other parent/partner must not earn more than € 16,200 per calendar year.

If you exceed the permitted additional income limit only slightly (by no more than 15%), you will not have to repay more than the amount by which you exceeded the limit. If you or your spouse/partner exceed one of the two permitted additional income limits by more than 15%, you will have to repay the entire additional assistance received in the calendar year in question to the health insurance institution.

The health insurance institution may reclaim the money not just from the parent who received it but also from the other parent or partner or, under certain circumstances, from third parties.

For more information about the child care allowance, please consult our brochure on the child care allowance, “Kinderbetreuungsgeld” (in German only), contact the Child Care Allowance Helpline on **0800 240 014** or visit the website of the Federal Chancellery – Division Families and Youth at www.women-families-youth.bka.gv.at

Family time bonus (*Familienzeitbonus*)



Working fathers who take time off work immediately after the birth of a baby to focus intensively and exclusively on looking after their family are eligible for a family time bonus of **€ 22.60 per day** (approx. € 700 in total). This bonus will be taken into account if the father subsequently receives the child care allowance. The father will have health and pension insurance coverage while he is receiving the family time bonus.

Eligibility criteria

- You must be entitled to and receive the family allowance (*Familienbeihilfe*) for the child.
- For 182 calendar days immediately prior to receiving the bonus, you must have been continuously engaged in employment or self-employment in Austria that was subject to compulsory health and pension insurance (marginal employment is not sufficient).
- You cannot have received any unemployment insurance benefits, such as unemployment benefits (*Arbeitslosengeld*), emergency assistance (*Notstandshilfe*) or continuing education benefits (*Weiterbildungsgeld*), in the relevant period before receiving the family time bonus.
- You must permanently share a household with the other parent and the child and be registered at the same main residence.
- Your centre of vital interests must be in Austria.

- If you are not an Austrian citizen, you must be legally resident in Austria or meet certain requirements under asylum law.
- You must take family time without interruption, within a period of 28 to 31 days (the family time bonus cannot be paid for a period of less than 28 days) and within a fixed time frame of 91 days after the birth. Family time includes special leave during which your salary is suspended, for example, or the start of early parental leave in the civil service (*Frühkarenzurlaub*). Paternity leave (*“Papamonat”*) is also family time if all criteria as set out by the Family Time Bonus Law (*Familienzeitbonusgesetz*) are fulfilled. Paid holiday or sick leave do not constitute an interruption and so you are not entitled to a family time bonus for periods such as these.
- The receipt of the family time bonus must occur within the family time.
- You must return to work as soon as the family time has ended.

Application:

You must submit your application to the relevant health insurance institution within 91 days of the baby’s birth (counting the day on which the baby was born). You must specify the duration of the family time when you apply; this is then binding.

Family allowance (*Familienbeihilfe*) and child tax credit (*Kinderabsetzbetrag*)

In general, **parents are entitled to the family allowance for their children until the child reaches the age of 18**, regardless of the parents' income, if the centre of their interests is in Austria and the child is a permanent resident of Austria. The mother has primary entitlement to the family allowance on the basis of an express legal directive.

If you are a **non-Austrian citizen**, you and your child must be legally resident in Austria under Sections 8 and 9 of the Austrian Settlement and Residence Act (*Niederlassungs- und Aufenthaltsgesetz*) or under Section 54 of the Austrian Asylum Act (*Asylgesetz*).

No application required for family allowance if baby born in Austria

As of 2015, you no longer need to apply for the family allowance for a new baby, i.e. fill in an application form or contact the tax office, if your baby was born in Austria. The tax office acts on its own initiative: once all eligibility and payment requirements have been met, the family allowance is paid automatically when a baby is born and you will be notified accordingly.

If any data or documents are missing, you will receive a letter from the tax office with specific queries to be answered.

Application for family allowance in other cases

If your baby was not born in Austria, you can apply for the family allowance electronically via FinanzOnline or using the **Beih 100 form** at the **tax office for your place of residence**. The **child tax credit (*Kinderabsetzbetrag*) of € 58.40 per child per month** will be paid into your bank account with the family allowance. You do not need to apply for this separately.

The amount of the family allowance you receive depends on the age and number of your children. It is paid monthly.

The family allowance was increased by a further 1.9% on 1 January 2018.

| Family allowance rates since 1 January 2018 | Amount |
|--|---------------|
| From birth | € 114.00 |
| From 3 years | € 121.90 |
| From 10 years | € 141.50 |
| From 19 years | € 165.10 |

| Sibling supplement per child since 1 January 2018 | Amount |
|--|---------------|
| 2 children | € 7.10 |
| 3 children | € 17.40 |
| 4 children | € 26.50 |
| 5 children | € 32.00 |
| 6 children | € 35.70 |
| 7 children or more | € 52.00 |

| | |
|---|-----------------|
| Increased family allowance (for children with severe disabilities) | € 155.90 |
|---|-----------------|

Family allowance rates for children who are permanent residents of the EU/EEA or Switzerland

In cross-border cases within the EU/EEA and Switzerland, special European regulations apply to the receipt of family benefits.

These rules stipulate that employed or self-employed parents are entitled to family benefits in the country in which they work (employment country principle). If two countries apply because the parents work in different countries, then the country of residence applies. The country that is both the country of employment and the country of residence of families has priority in granting

the family benefits. Countries that are only countries of employment do not have the same priority.

As of 1 January 2019, family allowance rates for children who are permanent residents of another EU member state, a contracting party to the EEA agreement or Switzerland are adjusted to the cost of living in the country where the child lives.

School start allowance (*Schulstartgeld*)

A school start allowance of **€ 100** is paid with the family allowance for September for every child aged between 6 and 15.

Family allowance for children over the age of 18

In general, the family allowance can continue to be received for children over the age of 18 who are in vocational training **until they are 24**. In certain cases, it can be received for young adults up to the age of 25.

Family allowance cannot generally be received for military conscripts or people performing voluntary social service in lieu of military service.

If the child has its own income, this can under certain circumstances reduce or even rule out the entitlement to family allowance. From the year in which a child turns 20, their taxable income may not exceed € 10,000 per year. If the amount of € 10,000 is exceeded, the amount by which the income exceeds the threshold must be paid back.

Family allowance for children with severe disabilities

If a child has a severe disability (50% disability or likely to be permanently unable to work), an **increased monthly amount of € 155.90** is paid on top of the general family allowance. In this case, an application (form Beih 3) must be submitted to the tax office for your place of residence.

Detailed information on all aspects of the family allowance, all rates and a family allowance calculator can be found on the website of the Federal Chancellery – Division Families and Youth at www.frauen-familien-jugend.bka.gv.at (in German). Information is also available in English at www.women-families-youth.bka.gv.at

Benefits for school pupils and apprentices

The Federal Chancellery – Division Families and Youth provides the **following benefits** for all school pupils (or schools) and apprentices:

School textbook programme

The **school textbook programme provides school pupils** with the educational materials they need **free of charge**, taking financial pressure off their parents. All school pupils who attend a school in Austria are eligible for this programme. The textbooks required are ordered from the schools' textbook budget. The books, which become the property of the school pupils, are purchased by the schools and handed out at the beginning of the school year. With the introduction of interactive and multimedia digital e-books (*E-Books plus*) in 2018–2019, digitized learning is extended further.

Free travel on public transport

Funding is provided for school pupils and apprentices for whom the Austrian family allowance is received **to use public transport to travel between their place of residence in Austria and their school or place of training up to the age of 24.**

The free travel permit (*Freifahrausweis*) can be obtained directly from the local public transport association (*Verkehrsverbund*) or from its issuing offices for a flat-rate **contribution of € 19.60**.

If the public transport association requires school pupils or apprentices to apply for the permits so that it can process the free travel, it supplies application forms to the schools or distributes them directly.



Instead of the free travel permit, school pupils, apprentices and participants in the voluntary social year can also purchase a **network ticket** that is valid for the relevant transport association region (e.g. the TOP-Jugendticket available from VOR, the Eastern region transport association) if their home or school/ place of training is located in this transport association region. This requires a small surcharge to be paid; the price of the upgraded ticket is set by the public transport association.

More information is available on the website of the relevant public transport association. Links to the public transport associations can be found on the website of the Federal Chancellery – Division Families and Youth at www.frauen-familien-jugend.bka.gv.at (in German).

School buses – free travel for school pupils in the form of occasional services (*Gelegenheitsverkehr*)

If there is no public transport available, **school buses** are organised in cooperation with municipalities or school authorities and are funded by the Federal Chancellery. These school buses are used if no public transport is available for school pupils who live at least two kilometres from the school, or if the waiting times would be too long. Since the 2006/07 school year, schools have also had the option to obtain funding for an additional bus service at the end of after-school care in the afternoon. This funding is provided by the Federal Chancellery – Division Families and Youth. Again, school pupils pay a **flat-rate contribution of € 19.60** per school year.

School travel allowance (*Schulfahrtbeihilfe*)

If school pupils cannot take advantage of free travel due to a lack of public transport, they can apply for a school travel allowance if they live at least two kilometres from the school. The school travel allowance is also available for children with disabilities who live closer to the school. This travel allowance is also available if the school curriculum includes a compulsory work placement and school pupils have to travel to this placement every day for a certain period of time. Depending on the route and number of journeys, the school travel allowance is **between € 4.40 and € 19.70 per month**.

Travel allowance for apprentices (*Fahrtenbeihilfe für Lehrlinge*)

If no free travel is available for apprentices who have to travel between their home and place of training on at least three days per week, they can apply for a travel allowance for a route of at least two kilometres in one direction. Here too, there is no minimum distance for apprentices with disabilities.

Depending on the length of the route, the travel allowance for apprentices is either **€ 5.10 or € 7.30 per month**.

Home travel allowance (*Heimfahrtbeihilfe*) for school pupils and apprentices

School pupils who attend a school in a place other than their place of residence and stay in a secondary residence (e.g. boarding school) at or near the school on school days can apply for a home travel allowance for journeys between their place of residence and the secondary residence. The same applies to apprentices who undertake their apprenticeship in a place other than their place of residence and stay in a secondary residence for the duration of their training.

Depending on the distance between the main and secondary residence, this travel allowance amounts to **between € 19 and € 58 per month**. If public transport is available, the price of the network ticket for the relevant public transport association is used as the basis for calculating the travel allowance.

The relevant application forms **Beih 85** (für school pupils) und **Beih 94** (for apprentices) are available from the tax office or on the Federal Ministry of Finance website at www.bmf.gv.at (in German only).

Tax benefits for families

You can claim various financial benefits when you file your employee tax assessment (*Arbeitnehmerveranlagung*) or income tax return (*Einkommensteuererklärung*).

Additional child supplement (*Mehrkindzuschlag*)

The additional child supplement is granted in addition to the family allowance for the third and each additional child and amounts to **€ 20 per child per month**. However, the family income for the previous year must not exceed the annual amount of € 55,000.

You can also submit your tax return or application for employee tax assessment via FinanzOnline: finanzonline.bmf.gv.at/fon

Family Bonus Plus (*Familienbonus Plus*)

The Family Bonus Plus is a new type of tax relief for families in Austria that was introduced in 2019. It is a tax deduction that reduces the tax burden on tax-paying families by up to € 1,500 per child per year for children up to 18 and € 500 per child per year for children over 18 in education and training.

Eligibility criteria:

You can only claim the Family Bonus Plus for a child for whom the **family allowance (*Familienbeihilfe*)** is received. If you do not live in the same household as the child, you must be entitled to **tax credits for child support payments (*Unterhaltsabsetzbetrag*)**.

You can either apply for the Family Bonus Plus through your employer via the payroll process (using form E30) or claim it retrospectively in your tax return/employee tax assessment (using form E1/L1k).



Sharing the Family Bonus Plus:

If both parents have a taxable income, either parent can apply for the full amount of the Family Bonus or both parents can each apply for half.

If parents live separately and the parent who does not live in the household regularly pays support for the child, the Family Bonus Plus can be divided equally between both parents; otherwise, only the parent who receives the family allowance is entitled to the Family Bonus Plus. If one parent has no income and/or does not pay tax, the other parent can receive the full Family Bonus Plus.

If one parent pays for the majority of child care costs (more than half the costs and at least € 1,000), the parents can apply – only in the tax assessment – for the Family Bonus to be divided in a ratio of 9:1. This regulation is valid until 2021. The Family Bonus Plus reduces the burden on tax-paying parents who are supporting and caring for their children, and replaces the previous child tax allowance (*Kinderfreibetrag*) and tax deductibility of child care costs.

Child tax allowance (*Kinderfreibetrag*, abolished in 2018)

The child tax allowance **reduces the taxable basis**. If only one parent claims the child tax allowance, it is **€ 440 per child per year**. If both parents claim the tax allowance, each parent is entitled to **€ 300 per year** (2016–2018 figures).

To be able to claim the child tax allowance, the parent must be eligible for the child tax credit (*Kinderabsetzbetrag*) or tax credits for child support payments (*Unterhaltsabsetzbetrag*) for the children in question for at least seven months in the calendar year. You can apply for the child tax allowance via your employee tax assessment (form L1k) or income tax return (form E1), stating the child's insurance number.

Tax deductibility of child care costs (abolished in 2018)

Child care costs for children under 10 are tax-deductible up to an amount of € 2,300 per child per year. The child care must be provided in an institution (nursery, crèche, after-school club, etc.) or by an educationally qualified person (e.g. childminder). You can claim for child care costs via your employee tax assessment (form L1k) or income tax return (form E1) and can apply retrospectively for a maximum of five years.

Supplementary child benefit (*Kindermehrbetrag*) for low-income parents

If the level of income tax (before all tax-deductible amounts have been deducted) is less than € 250, the **difference between € 250 and the income tax / wage tax** must be refunded as a **supplementary child benefit**.

To be able to claim the supplementary child benefit, you must be eligible for the sole-earner tax credit (*Alleinvertienerabsetzbetrag*) or single-parent tax credit (*Alleinerzieherabsetzbetrag*).

If you receive unemployment benefits (*Arbeitslosengeld*) / minimum benefits (*Mindestsicherung*) or benefits from the basic services programme (*Grundversorgung*) for at least 11 months (330 days), you are not eligible for the supplementary child benefit.

The supplementary child benefit can only be taken into account at the end of the calendar year as part of the employee tax assessment or income tax return.

Family Bonus Plus and the supplementary child benefit for children who are permanent residents of the EU/EEA or Switzerland

For children in other EU countries (and in the EEA and Switzerland), the amount of Family Bonus Plus and the supplementary child benefit is adjusted in line with the costs of living in these countries.

More information about the Family Bonus Plus and a calculator that you can use to calculate how much you will save can be found on the Federal Ministry of Finance website at [english.bmf.gv.at](https://www.bmf.gv.at/english/bmf.gv.at)

Contact the Citizens' Service at the Federal Ministry of Finance by phone on **+43 50 233 765** or the tax office hotline on **+43 50 233 233**.

Sole-earner tax credit (*Alleinverdienerabsetzbetrag*)

Sole earners, i.e. tax payers who have at least one child and live with their spouse, cohabiting partner or registered partner for more than six months in a calendar year, are eligible for the sole-earner tax credit if one spouse/partner is entitled to the child tax credit (*Kinderabsetzbetrag*) for at least seven months in the calendar year and the other spouse/partner earns no more than € 6,000 per year.

The annual **tax credit** amounts to **€ 494 for one child, € 669 for two children, and increases by € 220 for the third and each additional child**. The spouse's/partner's taxable income must not exceed € 6,000 per calendar year; this figure includes the maternity allowance (*Wochengeld*), which is tax-free.



The sole-earner tax credit can be taken into account in your salary by your employer (form E30) or you can claim it from the tax office when you file your employee tax assessment or income tax return for the previous calendar year.

If you are a sole earner and had no taxable income in the calendar year in question (e.g. if you were on parental leave), you can apply to the tax office for the sole-earner tax credit when you file your employee tax assessment.

Single-parent tax credit (*Alleinerzieherabsetzbetrag*)

Single parents, i.e. tax payers who have at least one child and do not live with a spouse/partner for more than six months and who receive the child tax credit (*Kinderabsetzbetrag*) for at least seven months in a calendar year, are eligible for the single-parent tax credit. The annual **tax credit** amounts to **€ 494 for one child, € 669 for two children, and increases by € 220 for the third and each additional child.**

The single-parent tax credit can be taken into account in your salary by your employer (form E30) or you can claim it from the tax office when you file your employee tax assessment or income tax return for the previous calendar year. If you are a single parent and had no taxable income in the calendar year in question (e.g. if you were on parental leave), you can apply to the tax office for the single-parent tax credit when you file your employee tax assessment.

Tax credits for child support payments (Unterhaltsabsetzbetrag)

If you can prove that you pay statutory child support (maintenance) for a child who does not live in your household, you are eligible for a monthly tax credit for child support payments of:

- € 29.20 for the first child
- € 43.80 for the second child
- € 58.40 for each additional child.

Tax credits for child support payments are only taken into account as part of the employee tax assessment or income tax return.

Employer contributions to child care costs

Employers can make contributions to child care costs of **up to € 1,000 per child per year that are exempt from social security contributions and tax** if they are paid directly to the child care facility or in the form of vouchers.

Other benefits

Pension insurance (*Pensionsversicherung*)

Taking child care periods into account in pension insurance

Since 1 January 2005, mothers have also been entitled to apply for contribution periods in their pension insurance based not only solely on pension insurance contributions arising from employment but also on periods spent raising children (also referred to below as “child care periods”). Fathers may become eligible for these contribution periods if they can credibly demonstrate that they provided most of the child care themselves, that is, as a single parent or as a stay-at-home father in partnership with an employed mother.

A maximum of four contribution years can be acquired in pension insurance per child (five years in the event of a multiple birth). Overlapping periods are credited just once. To calculate pension contributions from child care periods in 2019, a **monthly assessment basis of € 1,864.78** is applied.

This regulation allows part of the 15 insurance years required for a minimum pension to be acquired from 1 January 2005 from child care periods: if there are at least two children who are born at a minimum interval of four years apart, four contribution years can be credited per child from the child care periods. The remaining seven contribution years must consist of employment or self-employment (this [self-]employment is equated with periods before and after 1 January 2005 of self-insurance spent caring for a disabled child and of self-insurance spent caring for close relatives, and periods of continuing insurance spent caring for a close relative entitled to a long-term care benefit from Stage 3 onward, periods of family hospice leave and periods of drawing the care leave allowance in the event of part-time care).

For more detailed information on currently valid pension law, please contact the pension insurance institutions in your federal state.

You can find the addresses on the Internet at this address:

www.sozialversicherung.at (in German only).

Pension splitting

Pension splitting refers to the transfer of partial credits associated with child raising. For the first seven years after the birth of the child, the parent who is not primarily involved in child raising and is employed or self-employed can have up to 50% of his or her partial credit transferred to the pension account of the parent who is primarily devoted to child raising. A maximum of 14 calendar years can be transferred.

The application must be submitted to the insurance institution responsible for the benefit (that is, the institution with which the employed or self-employed parent has his or her pension insurance) up till the child's tenth birthday.

You can obtain further information at this address:

www.pensionsversicherung.at (in German only)

Free self-insurance in pension insurance in cases involving the care of a disabled child

Mothers or fathers with a disabled child for whom they also draw an increased family allowance and whose home care puts overwhelming demands on their ability to pursue employment or self-employment have the option of taking out voluntary self-insurance in pension insurance. Two thirds of the contributions for pension insurance are paid by the Family Burden Equalisation Fund and one third by the federal government until the child's 40th birthday at the latest.

Upon submitting an application, individuals who have met the requirements for this self-insurance at any time since 1 January 1988 may also claim self-insurance retroactively. The maximum amount is 120 months.

The application must always be submitted to the pension insurance institution. You can find the addresses on the Internet at this address: www.pensionsversicherung.at (in German only).

Health insurance

Free self-insurance in health insurance in cases involving the care of a disabled child

Individuals who devote themselves to caring for a disabled child and have no other means of obtaining health insurance coverage can **take out self-insurance entailing no contributions** provided they are in need of social protection with respect to health insurance. The contributions are fully paid by the Family Burden Equalization Fund until the child's 40th birthday at the latest.

Severance pay (*Abfertigung*)

Severance pay upon leaving employment due to a child's birth

Employed persons are entitled to leave an employment relationship within certain deadlines due to a child's birth: either within the maternity protection period following the birth (maternity discharge) or at the latest, three months before the end of a period of parental leave. In the event of a maternity or paternity discharge, the person is entitled to **severance pay pursuant to the old Severance Pay Act (*Abfertigungsgesetz*)** if the employment relationship lasted for an uninterrupted period of five years. In this case,

the person receives half of the severance pay he or she would otherwise be entitled to, at most, however, three months' pay in the form of severance pay; leave periods pursuant to the Maternity Protection Act / Paternity Leave Act (*Mutterschutzgesetz/Väterkarenzgesetz*) are not taken into account for the severance pay under the old law.

For **employment relationships newly concluded after 31 December 2002** and for employment relationships for which the new severance pay system was agreed, the new Severance Pay Act (***Abfertigung neu***) applies. In this system, employees are entitled to severance pay on its merits from the corporate pension insurance fund regardless of the duration of the employment relationship and the way in which it was terminated. A loss of a severance entitlement cannot occur, in contrast to the old severance pay regime (*Abfertigung alt*). In the event of a maternity or paternity discharge within the above deadlines, there is a claim to provision of the new severance pay (in particular, a claim to payment thereof) provided the employee has amassed at least 36 contribution months by this point in time; leave periods in which the child care allowance was drawn are not counted for the contribution months required for a provision.

For more detailed information about the severance pay entitlement in the case of a maternity or paternity discharge, please contact the Austrian Federal Ministry of Labour, Social Affairs, Health and Consumer Protection either by calling the Citizens' Service team at that ministry free of charge on **+43 1 71 100 86 22 86** or by visiting the following website on the Internet: www.sozialministerium.at (limited information is also available in English at www.sozialministerium.at/siteEN/).

5 In case of financial emergency

The Federal Chancellery – Division Families and Youth can provide monetary assistance to families in special emergency situations.

Family Hardship Fund (*Familienhärteausgleich*)

The Family Hardship Fund provides one-time interim assistance to families or mothers-to-be. Four conditions must be met:

- The applicant is an Austrian citizen (or a citizen of an EU Member State, a recognised refugee or stateless).
- The family allowance is being drawn for at least one child (or a pregnancy exists).
- An unavoidable event for which the applicant is not responsible led to the financial emergency, e.g. death, illness, disability, work disability, accident or natural disaster.
- The family or mother-to-be cannot cope with the emergency alone even after claiming the benefits or aid to which they or she is entitled under the law.

Only interim assistance can be granted. Ongoing maintenance payments to families cannot be made. No legal entitlement to benefits from the Family Hardship Fund exists.

You can find an application form for assistance from the Family Hardship Fund on the Internet at www.frauen-familien-jugend.bka.gv.at (in German only).

Informal requests can also be sent to the Austrian Federal Chancellery – Division Families and Youth at this address:

Bundeskanzleramt

Sektion Familien und Jugend

Abteilung V/4 – Familienhilfe

Untere Donaustrasse 13–15

1020 Wien

Austria

familienhilfe@bka.gv.at

You can receive further information from the Family Service by calling **0800 240 262**.

Family Hospice Leave Hardship Fund (*Familienhospizkarenz-Härteausgleich*)

Employees and recipients of unemployment benefits and emergency assistance have the legal right to be released from work **to accompany and care for dying relatives or severely ill children**. They are covered by health and pension insurance for the duration of their family hospice leave.

Moreover, they are legally entitled to care leave benefits if they meet the corresponding requirements.

If the family fails to reach the minimum income level despite care leave benefits, a further supplement is obtainable from the Family Hospice Leave Hardship Fund.

You can download the application form needed to apply for both the care leave benefits and the family hospice leave supplement from the Internet at www.frauen-familien-jugend.bka.gv.at (in German only).

You can also obtain information by phone on the eligibility criteria for the family hospice leave supplement by calling the Family Service on **0800 240 262**.

6 Youth

Youth protection in Austria covers many areas

- Time restrictions on going out
- Smoking and consumption of alcohol
- Media harmful to young people
- Overnight stays away from home
- Restricted areas for young people and much more

Youth protection is not **uniformly regulated** throughout Austria. All nine federal states have their own youth protection laws. For children and adolescents, the law in the federal state in which **they are currently located** applies.

Since 2019 almost uniform laws are in place throughout Austria regarding the purchase and consumption of tobacco and alcohol and regarding stay-out times. Throughout Austria smoking below the age of 18 is prohibited. The purchase and consumption of spirits under the age of 18 is also prohibited. For stay-out times, the following applies: The Youth Protection Laws define the maximum permissible framework. Guardians must define further limits within this maximum allowed framework. The individual circumstances and the maturity of the young persons must be taken into account.

You will find detailed information at www.oesterreich.gv.at
(in German only).

Electronic media are especially fascinating for adolescents but **also pose risks**.

You can find valuable tips on how children and parents can avoid possible dangers such as cyber mobbing, hidden costs or copyright infringement at www.saferinternet.at (in German only).

The **Federal Office for the Positive Assessment of Digital Games (*Bundesstelle für die Positivprädikatisierung von digitalen Spielen – BuPP*)** offers parents and interested parties information on handling digital games in everyday family life.

You can find more detailed information at www.bupp.at (in German only).

Educational opportunities in Austria after compulsory schooling

In Austria, pupils completing an Academic Secondary School Upper Cycle (*Allgemein Bildende Höhere Schule [AHS] Oberstufe*) obtain a comprehensive and in-depth general education and meet the entrance requirements for university-level education on passing the *Matura* examination. No direct professional qualifications are generally linked to an AHS qualification.

Pupils completing a College for Higher Vocational Education (*Berufsbildende Höhere Schule [BHS]*) obtain an in-depth general education and also meet the entrance requirements for university-level education on passing the *Matura* examination while at the same time completing vocational training in their given specialist field.

Pupils completing a School for Intermediate Vocational Education (*Berufsbildende Mittlere Schule [BMS]*) obtain an expanded general education as well as concrete vocational qualifications in their given specialist field. Pupils who opt for dual training, i.e. an apprenticeship coupled with part-time vocational school, obtain very practically orientated training largely at a company and to a smaller extent at a vocational school. The training company teaches the apprentice the chosen occupation based on practical work. At the vocational school, the apprentices deepen their general knowledge and obtain basic background knowledge for their chosen occupation.

You can find more detailed information at www.ausbildungskompass.at (in German only).

Education Until 18

Education and training are young people's keys to a secure future. Young people who complete only compulsory schooling run a much greater risk later of becoming unemployed. The income of people with minimal education often stays low their whole life long, even in retirement. The goal of the "Education Until 18" initiative of the Austrian federal government is to have all young people complete more than just compulsory schooling. In addition, this initiative is meant to help young people prepare even more effectively for the demands of the future.

Education Until 18 encompasses not just the duty to complete an education (*Ausbildungspflicht*) that has been set down in law since August 2016 but also provides the best possible support to young people and their guardians while optimising the range of offerings.

For more detailed information, please visit ausbildungbis18.at/en

The **duty to complete an education** refers to the legal obligation young people have from the end of their compulsory schooling till they attain the age of 18 to attend a secondary school or to complete vocational training. This duty is not an extension of compulsory schooling because it cannot be satisfied merely by attending school.

7 Reconciliation of family and work

The reconciliation of family and work is one of the most important challenges facing Austrian family policy makers. Family is a primary concern for young people but being successful in an occupation is also important to them.

The Federal Chancellery – Division Families and Youth funds a number of measures that help to improve the reconciliation of family and work. It established the “**Companies for Families**” network to make family friendliness a trademark of Austria. By joining this network, companies and communities make concrete contributions to family-friendly work and living environments. A centrepiece of the initiative is the **online platform**. It reports on success stories and offers a perfect place for exchanging views, networking and collaborating. Visit www.unternehmen-fuer-familien.at/wege-zum-ziel-englisch

The increased use of modern management tools is another vital way to reconcile family and work more effectively. These tools include **audit services from Familie & Beruf Management GmbH**. Qualified auditors are in charge of the audit process and assist companies, regular universities, institutions of higher education as well as healthcare and nursing-care institutions in implementing family-friendly measures.

The **work-and-family audit** is a tailor-made tool for companies regardless of sector, size or legal and organisational form. In the audit process, companies are assisted in achieving business advantages based on family-friendly measures.

The **work-and-family audit for healthcare and nursing-care institutions** is tailored specifically to meet the reconciliation demands faced by these institutions. **The university-and-family audit** supports universities and institutions of higher education in making everyday university life more family-friendly.

A more family-friendly living environment also has a positive effect on the reconciliation of family and work. The **family-friendly-community audit** is a community policy process for Austrian cities and municipalities. The object of the audit is to identify family-friendly measures already in place in communities and to determine what further measures might be needed.

All completed audit procedures are awarded a state certificate from the Federal Chancellery – Division Families and Youth. The **Austrian state award “Family & Work”** is granted to companies taking innovative steps to enable their employees to achieve optimum reconciliation of family and work. For more detailed information on the Austrian state award “Family & Work”, please visit www.familienfreundlicherbetrieb.at (in German only).

The **guide to family-friendliness (“Wegweiser Familienfreundlichkeit”)** is an innovative method for pointing out to human resource managers and employees the factors that determine the success of family-friendly measures. Based on the data about current challenges, the individual, economic advantages of investing in family-friendly measures are calculated in short order and free of charge. Visit www.wegweiser-familienfreundlichkeit.at (in German only).

The **work-and-family index** is a scientific instrument employers can use to check the strengths and developmental potentials of their personnel policy as it pertains to family awareness and the reconciliation of family and work. Companies can run this check in a matter of minutes and free of charge.

Familie & Beruf Management GmbH is responsible for handling these reconciliation measures. For more detailed information, please visit www.familieundberuf.at

Early Childhood Education (ECEC) in Austria

For an overview of the offerings in child education and child care in Austria, please visit www.kinderbetreuung.at (in German only).

The key offerings in ECEC:

- childminders
- playgroups
- day nurseries (day nurseries for babies and toddlers)
- preschool (kindergarten)
- after-school care centres



The Austrian federal states are responsible for regulating the framework for ECEC. The number, hours and costs can therefore vary greatly.

The Austrian federation is earmarking € 125 million in kindergarten year 2018/19 and € 142.5 million for each of the kindergarten years 2019/20 and 2021/22 for the further expansion of these offerings, compulsory kindergarten free of charge and early enhancement of linguistic skills.

Familie & Beruf Management GmbH compiles a current list of holiday child care projects in all Austrian federal states on an ongoing basis.

For the list and a search module for all holiday periods, please visit www.familieundberuf.at (in German only).

Children who have turned five by 31 August are **required** to attend **half-day kindergarten** from September to June (with the exception of school holidays). It is **free of charge**. Compulsory attendance begins on the first school day of the given school year.

8 Rights and responsibilities of parents in Austria

In all decisions parents make for their children, the children's well-being is always the predominant concern. Violence is never allowed in child-rearing.

Parents have certain legal obligations to their children:

- health and physical development (care)
- school attendance, education, and support of capabilities (upbringing)
- managing a child's assets
- legal representation such as for concluding contracts or dealing with authorities

Parental custody

If their marriage is intact, both parents are entrusted with the child's custody. Unmarried parents can specify at a registry office that both are entrusted with custody. Otherwise, only the mother has custody. The parents should reach consensus on all custody matters and proceed accordingly. It suffices, however, if one parent represents the child publicly. If divorced, the parents should agree whether both will have custody or just one of them. If they fail to agree, the court decides, whereby the child's well-being takes precedence over all else.

Child support obligation

Parents must basically provide jointly for the support of their child or children. They provide this support in kind (housing, food, necessary items for school, etc.). If the parents are separated or divorced, the parent with whom the child does not permanently live provides child support in the form of financial contributions.



Young people with their own income continue to be entitled to child support payments if they cannot live on their earnings and are in the midst of training or education. If the child or adolescent no longer lives at home, both parents must provide child support in the form of monetary payments until such time as he or she is self-supporting.

Advance payment of child support

In the case of separated or divorced parents, a request can be made for an advance payment of child support if the parent obligated to pay support fails to meet this duty.

It is important to note that the court is requested to enforce payment (compulsory execution) – at the latest, on submission of the request for the advance. The amount advanced basically corresponds to the amount of the child support claim set by the court; however, there is a monthly maximum,

which is not allowed to be exceeded. If it is impossible to set the contribution to child support or if the debtor parent is serving a prison sentence, advance payments of child support are granted in the form of fixed amounts depending on the child's age. A claim to an advance payment of child support exists only for children who are not yet 18, who do not live in the same household as the child support debtor, who reside in Austria and who are Austrian citizens or citizens of an EU Member State (or stateless).

If these requirements are met, a request for an advance payment of child support can be lodged with the guardianship court (*Pflegschaftsgericht*).

The advance payment of child support can be drawn for five years at most, after which time a new request must be submitted and the situation must be reviewed.

For more detailed information on the advance payment of child support, please contact the Child and Youth Welfare Service (*Kinder- und Jugendhilfe*) in the federal state in which you live.

9 Separation and divorce

Mediation

The Federal Chancellery – Division Families and Youth subsidises family mediation to help families reach agreement on:

- issues related to separation or divorce
- property division
- custody
- child support
- child visitation rights

Mediation is conducted by two mediators, one with psychosocial training (social worker, therapist, etc.) and the other with legal training (lawyer, judge, etc.). Along with their actual professional training, the mediators have also completed special mediation training. Mediation is fee-based but the scale is staggered according to family income and the number of children to whom a child support obligation exists.

You can find a list of mediators and further information on mediation on the Internet at www.trennungundscheidung.at, on the website of the Federal Chancellery – Division Families and Youth at www.frauen-familien-jugend.bka.gv.at (both websites in German only) or by calling the Family Service for free on **0800 240 262**.

Counselling of parents prior to an amicable divorce

There is an extensive choice of suitable counsellors available for the obligatory counselling of parents prior to an amicable divorce.

For more detailed information, please visit

www.kinderrechte.gv.at/elternberatung-vor-scheidung and
www.trennungundscheidung.at (both websites in German only).

Supporting parents and children through divorce or separation

The Federal Chancellery – Division Families and Youth subsidises non-profits that provide therapeutic and educational children’s groups or one-on-one work with children, as well as counselling for couples, individuals and individual parents.

For further information, please visit the website of the Federal Chancellery – Division Families and Youth at
www.frauen-familien-jugend.bka.gv.at and at
www.trennungundscheidung.at (both websites in German only).

10 Against domestic violence

The Federal Chancellery – Division Families and Youth is dedicated to fighting violence and funds a number of projects aimed at preventing violence and supporting those affected by it.

Austria has had a statutory ban on violence since 1989. The Platform against Domestic Violence was established in 1993 and currently comprises 45 well-established counselling centres that cooperate on violence prevention. The issues they cover are violence against children, violence against women, violence against/among young people, violence against older people, and gender-specific work with boys and men.

People affected by violence can find information, contact addresses and advice on the Internet at www.gewaltinfo.at (in German only).

Support during trials (*Prozessbegleitung*)

A large number of specialised court support workers with legal and psycho-social training are available to assist victims of violence. Crime victims have a legal right to court support from the preparation of their report to the police until the conclusion of the court proceedings. The psychosocial court support workers are specially trained to deal with the various victim groups, such as children, adolescents or women.

You can find more detailed information and addresses on the Internet at www.gewaltinfo.at (in German only).

11 Family departments in the federal states

The financial allowances and other means of support about which you have read in the previous chapters are benefits from the Austrian Federation and are regulated throughout Austria in uniform federal laws.

However, under constitutional law, each Austrian federal state may enact its own federal state laws on family assistance and fund allowances for families from federal state coffers.

Under certain circumstances, they are entitled to financial support for their federal state, e.g. for subsidies channelled through the Family Pass programme. The financial benefits and eligibility criteria are regulated differently in each federal state.

Please inquire with the state government of your federal state about your entitlements; you will find the addresses and phone numbers below.

| Family departments | Address | Contact |
|--------------------|---|--|
| Burgenland | Amt der Burgenländischen Landesregierung Referat Familie Europaplatz 1, 7000 Eisenstadt | +43 57 600-2785 post.a7-familie@bglld.gv.at www.burgenland.at |
| Carinthia | Amt der Kärntner Landesregierung Abt. 4 – Soziale Sicherheit Miesstaler Str. 1 9020 Klagenfurt am Wörthersee | +43 50 536-14504 abt4.post@ktn.gv.at www.ktn.gv.at |
| Lower Austria | Amt der Niederösterreichischen Landesregierung Abt. Allgemeine Förderung und Stiftungsverwaltung Landhausplatz 1, 3109 St. Pölten | +43 2742 9005-1-9005 familien@noel.gv.at www.noel.gv.at |
| Salzburg | Amt der Salzburger Landesregierung Referat 2/01 – Kinderbetreuung, Elementarbildung, Familien Gstättengasse 10, 5020 Salzburg | +43 662 8042-5421 kinder-familie@salzburg.gv.at www.salzburg.gv.at |
| Styria | Amt der Steiermärkischen Landesregierung Abteilung 6 Bildung und Gesellschaft; Fachabteilung Gesellschaft – Referat Familie, Erwachsenenbildung und Frauen Karmeliterplatz 2, 8010 Graz | +43 316 877-4023 familie@stmk.gv.at www.familien.steiermark.at |
| Tyrol | Amt der Tiroler Landesregierung Abteilung Gesellschaft und Arbeit – Fachbereich Familie Meinhardstrasse 16, 6020 Innsbruck | +43 512 508-7831 Family hotline: 0800 800 508 ga.familie@tirol.gv.at www.tirol.gv.at |
| Upper Austria | Amt der Oberösterreichischen Landesregierung Direktion Gesellschaft, Soziales und Gesundheit Abteilung Gesellschaft Bahnhofplatz 1, 4021 Linz | +43 732 7720-11831 familienreferat@ooe.gv.at www.land-oberoesterreich.gv.at |
| Vorarlberg | Amt der Vorarlberger Landesregierung Jugend und Familie Landhaus, Klostersgasse 20, 6901 Bregenz | +43 5574 511-22175 jugend.familie@vorarlberg.at www.vorarlberg.at |
| Vienna | MAG 11 – Wiener Kinder- und Jugendhilfe Rüdengasse 11, 1030 Wien (or at the service centres of Vienna Child and Youth Welfare Service in the district you live in) | +43 1 4000-8011 service@ma11.wien.gv.at www.wien.gv.at |

Links

(all websites in German unless otherwise indicated)

www.arbeitsinspektion.gv.at

ausbildungbis18.at/en (in English)

www.ausbildungskompass.at

www.beratungsstelleextremismus.at

www.bmf.gv.at

www.bundesstelle-sektenfragen.at

www.bupp.at

www.eltern-bildung.at

english.bmf.gv.at (in English)

www.familienberatung.gv.at

www.familienfreundlichsterbetrieb.at

www.familieundberuf.at/en (in English)

finanzonline.bmf.gv.at/fon

www.frauen-familien-jugend.bka.gv.at

www.fruehehilfen.at

www.gewaltinfo.at

www.kinderbetreuung.at

www.kinderrechte.gv.at/elternberatung-vor-scheidung

www.kliniksuche.at

www.meinesv.at

www.oesterreich.gv.at

www.pensionsversicherung.at

www.saferinternet.at

www.sozialministerium.at/siteEN/ (in English)

www.sozialversicherung.at

www.trennungundscheidung.at

www.unternehmen-fuer-familien.at/wege-zum-ziel-englisch (in English)

www.women-families-youth.bka.gv.at (in English)

www.wegweiser-familienfreundlichkeit.at



FamilienApp

Besides offering advice and assistance on **parenting issues**, the FamilienApp for your smartphone is a management tool for Mother-and-Child-Pass examinations, vaccinations and administrative steps: free of charge for iOS and Android (in German only).

