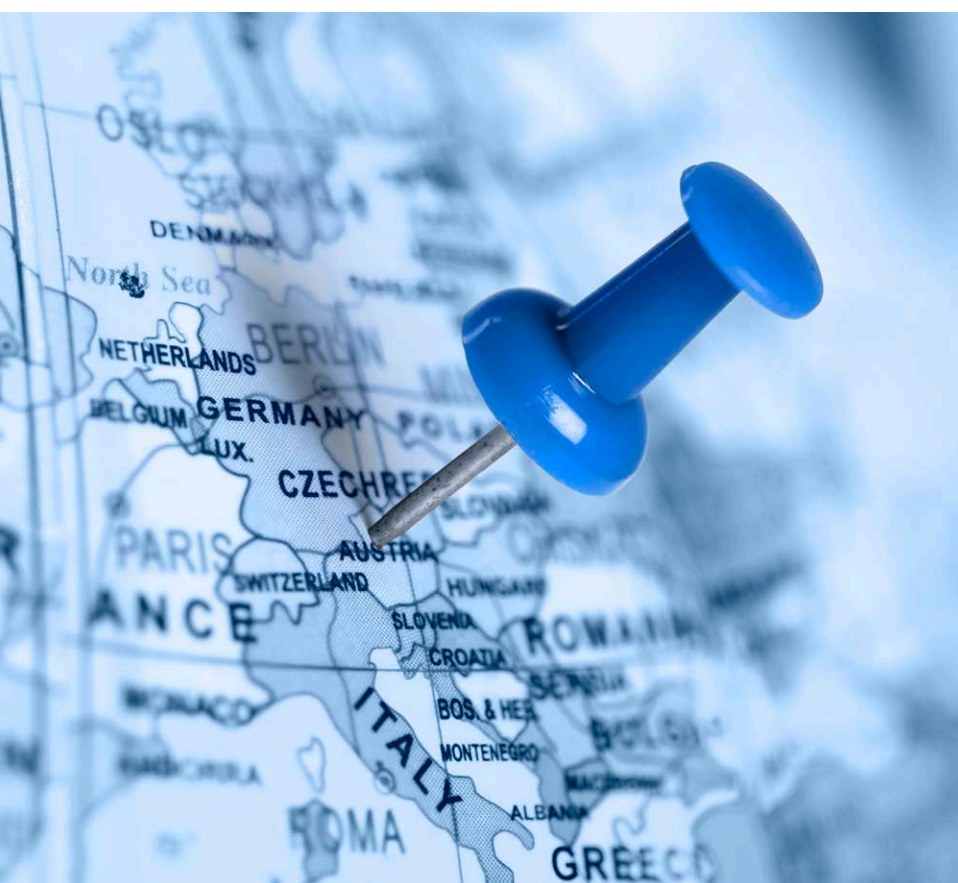


International Business Settlements in Austria

Why international companies settle in Austria, what they need to pay attention to and how they can benefit from **legal expert advice**.

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Austria is particularly attractive as a location for business settlements due to its central location in Europe, EU membership, a well-developed infrastructure and a stable economy. Above all, international company establishments can contribute significantly to creating jobs, promoting economic growth, exchanging know-how and business opportunities and gaining access to the European market.

POINTS TO CONSIDER

We advise considering legal and tax issues early on and clarifying them. It's important to note that not only one area of law needs to be considered, but various legal questions arise in the context of international business establishments, particularly in real estate law, corporate law, employment law, residency law, and trade law.

Key questions relating to real estate law include: Should the business property be purchased or rented and what associated costs does this entail? How will the purchase of the business property be financed, what requirements must EU foreigners fulfil in order to acquire a property in Austria, what rights do buyers or tenants have, etc.? It is important to know that there are not only nationwide laws, so-called federal laws, but also specific state laws for each state. For instance, the building regulations and foreign land acquisition regulations are not standardised for Austria, but each state has its own building regulations and land transfer laws.

LEGAL SUPPORT

It is also crucial to obtain legal expertise in residence law, as third-country nationals require residence permits in order to reside and work legally in Austria. As there are various residence permits in Austria with different durations and different levels of access to the Austrian labour market, it is important to apply for the correct residence permit.

In terms of labour law, it is particularly important to ensure that the health and safety of employees is guaranteed and that legal and industry-specific collective agreements (minimum) standards are met. It is also important to register employees - even if they are only employed on a case-by-case basis - with the relevant health insurance provider before they start work, to avoid high administrative penalties.

In trade law, it is essential to clarify which trade licences are required for the intended activity, whether the activity falls under regulated or free trade and whether a business facility permit is needed.

In corporate law terms, it is necessary to decide in advance which company form is to be chosen, whether to establish branches and who will be the authorised representative representatives, etc.

BE INFORMED AND TAKE PRECAUTIONS

We recommend companies looking to settle in Austria to seek legal and tax advice well in advance before setting up a busi-

ness. This can help to avoid administrative penalties and other high costs due to non-compliance with regulations, and to ensure that the right structure for the business establishment is chosen.

In addition to legal knowledge, an (international) network is also important in our opinion. Our law firm sms.law is a member of the international networks „Marcalliance“ and „Ius Laboris“, allowing

us to quickly and effectively exchange information with partner law firms worldwide. At sms.law we offer legal advice in various economic sectors, particularly in real estate law including residency law, employment law including trade law, corporate law, competition and antitrust law, energy law, litigation, etc.

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