

Chandrawat  
& Partners



# Immigration to Austria



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# Introduction

Austria, officially the Republic of Austria, is a highly developed and industrialized country that offers high standards of living to all its residents. Located in the southern part of Central Europe, with a stunning view of the beautiful Austrian Alps and crystal-clear lakes that give mesmerizing idyllic scenery.

Austria is home to more than 1 million expats from all over the world. Austria ranks high in many aspects and life fields such as education, healthcare, work-life balance, economy etc. this is why the country has become a central point for expats moving to Austria.



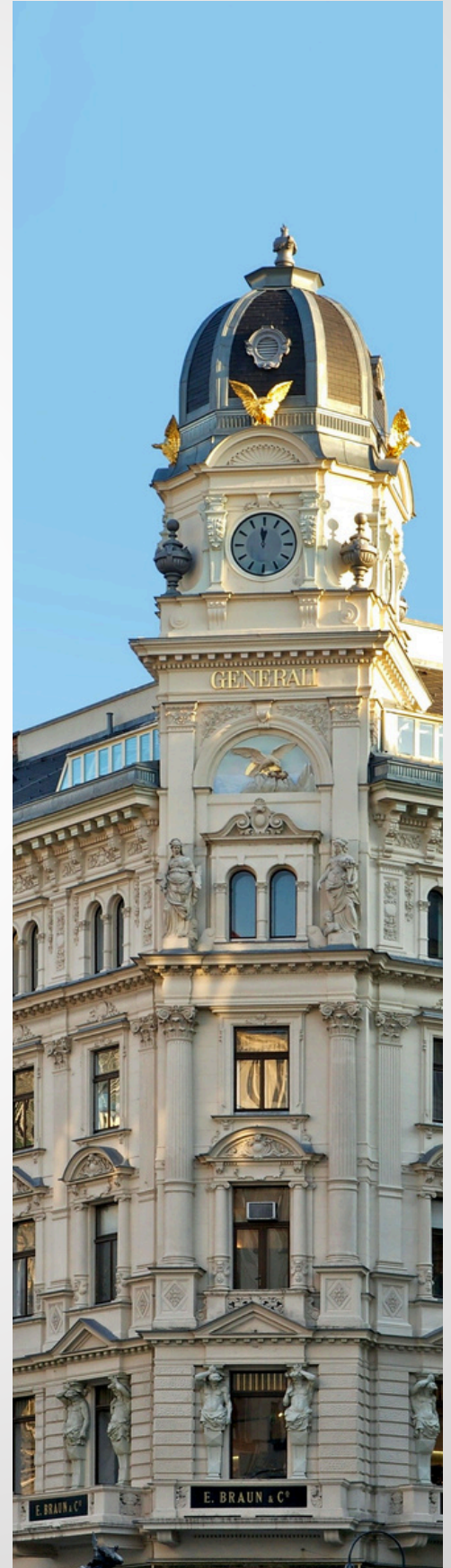
# System of immigration

European Union nationals and non-European Union nationals who want to make Austria their new home can easily move here for the long term. However, the moving process may differ from Non-European Countries-

- European Union (“EU”) / European Economic Area (“EEA”) and Switzerland citizens who wish to move to Austria permanently can move there without applying for a visa.
- Non-EU/EEA /Swiss citizens need a type to get a long-stay visa and a residence permit if they plan to stay for longer than six months in the Austrian territory.

The moving process for EU nationals is much easier compared to non-EU citizens. Citizens from European countries can enter the country visa-free for three months (90 days). Since Austria is a European country, the applicant will also cherish the same rights as every other EU citizen. However, the applicant needs to register for a Certificate of Registration.

Third-country nationals (non-EU citizens) who want to reside permanently in Austria need to apply for a type of D visa (long-stay visa) first. With a D visa, the applicant will be allowed entry into Austria. the applicant can then apply for the type of residence permit the applicant wants. A long-stay visa (D visa) is issued for different reasons, such as work, study, family reunification, etc.





# Purposes of immigration

## 1. For work

the applicant must apply for a work permit and work visa (D visa) in order to be admitted to Austria in order to work there. High-skilled non-EU foreigners who want to relocate to Austria for work are granted a work visa known as the Red-White-Red Card. There are standards the applicant must complete in order to be eligible for this sort of work permit, which is provided for up to 2 years.

## 2. For Study

the applicant need to apply for a student visa if the applicant're a non-EU national who wants to go to Austria to study. Austria grants Visa C and Visa D categories of student visas. In this situation, the applicant must get a Visa D, a lengthy visa that may be converted into a student resident permit.

Before beginning the application procedure for a student visa, the applicant must be accepted into an Austrian institution. After receiving a letter of admission, the applicant can proceed to apply for a student visa at the nearest embassy or consulate in the applicantr country of residence. the applicant can move to Austria and register at the registration office after the applicant get the applicantr student visa.

### 3. For family reunification

Third-country nationals residing legally in Austria and wanting to bring their family members to join them can apply for a family reunification visa at the Austrian embassy or consulate. The following family members can come to Austria on a family visa:

- Spouse.
- Minor children (under the age of 18).
- Partners in long-term relationships.
- Other relatives under specific circumstances.

The family reunification visa is valid for one year and can be renewed depending on the residency type. The applicant is also allowed to work in Austria on a family visa.

### 4. For Retirement

Unfortunately, retirement visas are not available in Austria. However, if the applicant is financially independent and wish to retire to Austria, the applicant can apply for a residency permit known as a "settlement permit except for gainful employment."

### 5. For investment

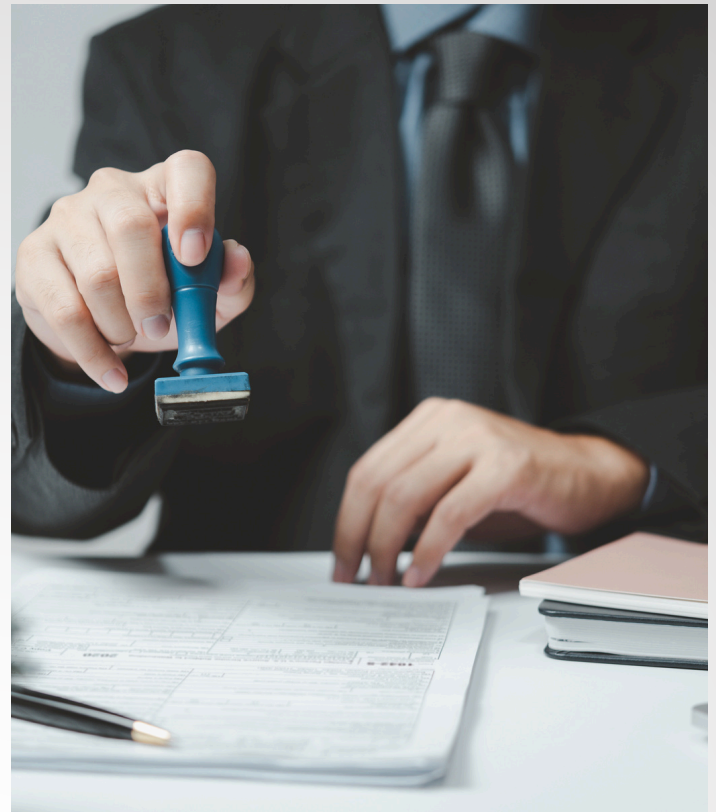
If the applicant wants to become an Austrian resident and have the necessary financial means, the applicant can win residency by investment. The applicant can do this through an investment program by investing directly in the country. However, the investment program is regulated by an annual quota of 300, so the number of people who are granted this visa is limited.



# Types of visas

## Long-Term Visas

- Austria student visa
- Job seeker visa (Austria Working visa)
- Long-term visiting visa
- Visa for collection of residence permit for Austria
- Working Holiday Program visa



## Short-Term Visas (Type C):

- Schengen Visas
- Business (Austria Schengen business visa)
- Cultural
- Medical
- Official Visit
- Sports
- Study (Austria Schengen student visa)
- Tourism (Austria tourist visa)
- Visiting Family or Friends
- Long Term Visas (Type D, National)

# Residence permit

To stay in Austria for more than 90 days, the applicant need to obtain a residence permit. Austrian immigration policy is quite strict. Residence permits are given for a certain purpose and will not be extended after the purpose is fulfilled. Some types of residence permits entitle the holder to bring also spouses, civil partners, and underage children, some do not. There are no quotas applied to any kind of residence permit in Austria.



A temporary residence permit is valid for temporary time-restricted residence on the territory of Austria for specific purposes, such as ICT, mobile ICT, seconded employment, self-employed persons, researcher-mobility and special cases of dependent gainful occupation, students, pupils, social services employees, volunteers, and family reunification. According to Federal legislation, the main general requirements for such residence acquisition are having adequate means of subsistence, holding valid health insurance covering Austria as well as having an adequate accommodation according to local standards of living.



While offering a common EU Blue Card, Austria also offers applicants, who are not nationals of the EU, EUROPEAN ECONOMIC AREA, or Switzerland the opportunity to stay in the country longer than 6 months by acquiring an Austrian Red-White-Red card. It is a national Federal-level alternative for skilled workers from third countries to apply for residence with a work permit in Austria. It is usually issued for a period of 24 months and the applicant's family members may apply as well (on the grounds of family reunification).

According to Federal legislation, the main general requirements for the Red-White-Red Card acquisition are having adequate means of subsistence, holding valid health insurance covering Austria, having an adequate accommodation according to local standards of living as well as posing no threat to public order and security (empty criminal record).



# Documentation

- Valid passport with at least three months validity from the date of return.
- Completed application form with a receipt for payment of consular fees.
- Recent passport-size photo.
- Notarized copy of the applicant birth certificate.



- Certificate proving good conduct and absence of any criminal record.
- Proof of health, travel, and accident insurance coverage.
- Proof of having enough funds.
- Proof of having arranged accommodation in Austria.



# Recent Changes

On 1 October 2022, amendments to the Act Governing the Employment of Foreign Nationals (AuslBG), the Labour Market Promotion Act (AMFG), the Settlement and Residence Act (NAG), and the Aliens Police Act 2005 will come into force, mainly implementing the following measures:

- Faster processing of procedures.
- Easier criteria for obtaining the Red-White-Red Card: changes in the allocation of points for qualifications, work experience, and language skills; age-independent minimum salary for Other Key Workers; elimination of the minimum salary for Graduates; extended allocation of points for the criterion "age" for Skilled Workers in Shortage Occupations.
- Introduction of an employment permit for specialists within the framework of projects.
- Inclusion of Regular Workers in Tourism, Agriculture, and Forestry in the RWR Card system.
- Expansion of the regular Seasonal Worker scheme
- Implementation of the new EU Blue Card Directive: facilitating the change of employer and improving the mobility of EU Blue Card holders and lowering the required minimum wage threshold.

# How we can help?

**Expertise and knowledge:** Our firm is having in-depth knowledge of the country's immigration laws, regulations, and procedures. Our firm can provide accurate and up-to-date information, ensuring that clients understand the requirements and steps involved in the immigration process.

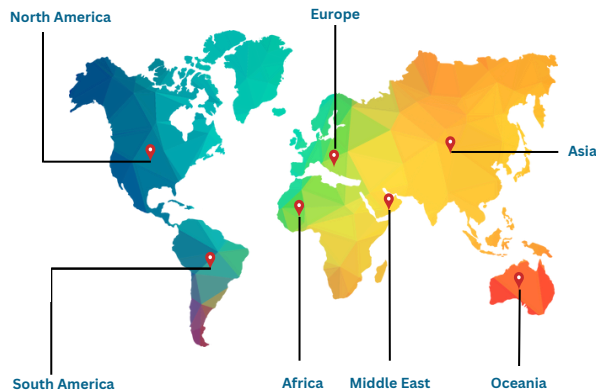
**Assessment and eligibility:** Our firm can assess an individual's or a company's eligibility for immigration to Austria. The firm can review the client's qualifications, work experience, and other relevant factors to determine the most suitable immigration category or visa type.



**Visa applications:** Our firm can assist with the preparation and submission of visa applications. The team will guide clients through the documentation requirements, help them gather the necessary paperwork, and ensure that the applications are completed accurately and submitted on time.

**Work permits and sponsorship:** In Austria, many immigration categories require sponsorship from an Austrian employer or company. The firm can help individuals or businesses find suitable sponsors, navigate the process of obtaining work permits, and facilitate the necessary arrangements between the sponsor and the applicant.

## SERVING CLIENTS WORLDWIDE



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