

Federal law consolidated: Complete legal provision for the Federal Constitutional Law, version of 27.02.2025

Implementation note for the following provision

CELEX no.: [32022L2041](#) , [32023L0977](#)

Note the following provision

According to the prevailing opinion and the consistent case law of the Constitutional Court, the Federal Constitutional Law became fully effective again on December 19, 1945 (and the Provisional Constitution, [StGBL. No. 5/1945](#) , had already ceased to apply at that time; cf. in contrast Art. 4, Paragraph 2 of the Constitutional Transitional Act, [StGBL. No. 4/1945](#)). However, it is disputed whether the Federal Constitutional Law came into force again on May 1, 1945, and whether individual provisions of it were already applicable during the period of validity of the Provisional Constitution, [StGBL. No. 5/1945](#) (cf. Art. 1 and Art. 4, Paragraph 1 of the Constitutional Transitional Act, [StGBL. No. 4/1945](#)). Since these legal questions no longer have any practical significance today, for documentation purposes, 19 December 1945 is assumed to be the date on which all provisions of the Federal Constitutional Law came into force.

For the equally controversial legal effects of Article III paragraph 3 of the 2nd Constitutional Transitional Act 1945, [StGBL. No. 232/1945](#) , see the explanations of [RV 314](#) (XXIII. GP), 15 to Section 1 of the First Federal Constitutional Law Reconciliation Act, [BGBl. I No. 2/2008](#) .

long title

Federal Constitutional Law (B-VG)

StF: [BGBl. No. 1/1930](#) (WV) as amended by [BGBl. I No. 194/1999](#) (DFB)

the change

[Federal Law Gazette No. 103/1931](#) (NR: GP IV 60 AB 103 p. 24.)

[Federal Law Gazette No. 244/1932](#) (NR: GP IV 333 AB 418 p. 99.)

[StGBL. No. 4/1945](#)

[StGBL. No. 232/1945](#)

[BGBl. No. 6/1946](#)

[BGBl. No. 211/1946](#) (NR: GP V [RV 208 AB 218 p. 31](#), BR: [p. 12](#).)

[BGBl. No. 143/1948](#) as amended by [BGBl.](#)

[BGBl.](#) [101](#), BR: [p. 37](#).)

[Federal Law Gazette No. 8/1955](#) (NR: GP VII [AB 415 p. 58](#), BR: [p. 98](#).)

[Federal Law Gazette No. 281/1955](#) (NR: GP VII [AB 691 p. 90](#), BR: [p. 112](#).)

[BGBl. No. 269/1956](#) (NR: GP VIII [RV 166 AB 167 p. 22](#), BR: [p. 121](#).)

[BGBl. No. 12/1958](#) (NR: GP VIII [RV 315 AB 386 p. 51](#), BR: [p. 130](#).)

[BGBl. No. 271/1958](#) (NR: GP VIII [RV 543 AB 554 p. 68](#), BR: [p. 139](#).)

[BGBl. No. 37/1959](#) (NR: GP VIII [RV 603 AB 605 p. 79](#), BR: [p. 141](#).)

[Federal Law Gazette No. 171/1959](#) (NR: GP IX [RV 12 AB 28 p. 5](#), BR: [p. 147](#).)

[BGBl. No. 148/1960](#) (NR: GP IX [RV 21 AB 241 p. 36](#), BR: [p. 163](#).)

[BGBl. No. 155/1961](#) (NR: GP IX [IA 133/A AB 409 p. 67](#), BR: [p. 176](#).)

[BGBl. No. 162/1962](#) (NR: GP IX [RV 655 AB 698 p. 101](#), BR: [p. 190](#).)

[Federal Law Gazette No. 205/1962](#) as amended by [Federal Law Gazette No. 267/1963](#) (DFB) (NR: GP IX [RV 639 AB 769 p. 99](#), u.p. [105](#), BR: [p. 193](#).)

[BGBl. No. 215/1962](#) (NR: GP IX [RV 730 AB 777 p. 106](#), BR: [p. 194](#).)

[BGBl. No. 75/1963](#) (NR: GP X [RV 52 AB 73 p. 11](#), BR: [201](#).)

[BGBl. No. 59/1964](#) (NR: GP X [RV 287 AB 373 p. 44](#), BR: [p. 214](#).)

[BGBl. No. 212/1964](#) (NR: GP X [RV 355 AB 491 p. 53](#), BR: [p. 220](#).)

[BGBl. No. 73/1968](#) (NR: GP XI [IA 34/A AB 736 p. 93](#), BR: [p. 262](#).)

[Federal Law Gazette No. 412/1968](#) (NR: GP XI [IA 71/A AB 1002 p. 115](#), BR: [p. 270](#).)

[BGBl. No. 27/1969](#) (NR: GP XI [RV 884 AB 1068 p. 122](#), BR: [p. 272](#).)

[BGBl. No. 269/1969](#) (NR: GP XI [IA 104/A AB 1361 p. 147](#), BR: [p. 280](#).)

[Federal Law Gazette No. 105/1972](#) (NR: GP XIII [RV 33 AB 214 p. 25](#), BR: [p. 309](#).)

[BGBl. No. 391/1973](#) (NR: GP XIII [IA 81/A AB 843 p. 77](#), BR: [p. 324](#).)

[BGBl. No. 287/1974](#) (NR: GP XIII [RV 135 AB 1109 p. 106](#), BR: [p. 331](#).)

[Federal Law Gazette No. 444/1974](#) as amended by [Federal Law Gazette I No. 194/1999](#) (DFB) (NR : GP

[Federal Law Gazette No. 302/1975](#) as amended by [Federal Law Gazette I No. 194/1999](#) (DFB) (NR : GP

[Federal Law Gazette No. 316/1975](#) as amended by [Federal Law Gazette I No. 194/1999](#) (DFB) (NR : GP

[BGBl. No. 368/1975](#) (NR: GP XIII [RV 1461 AB 1643 p. 147](#), BR: [AB 1373 p. 343](#).)

[BGBl. No. 409/1975](#) (NR: GP XIII [IA 155/A AB 1641 p. 149](#), BR: [AB 1393 p. 344](#).)

[BGBl. No. 323/1977](#) (NR: GP XIV [IA 51/A AB 540 p. 58](#), BR: [AB 1667 p. 364](#).)

[BGBl. No. 539/1977](#) (NR: GP XIV [IA 54/A](#) and [60/A AB 623 p. 67](#). BR: [1719 AB 1721 p. 368](#).)
[BGBl. No. 92/1979](#) (NR: GP XIV [AB 1201 p. 119](#). BR: [AB 1972 p. 384](#).)
[Federal Law Gazette No. 134/1979](#) (NR: GP XIV [IA 126/A AB 1240 p. 123](#). BR: [AB 2001 p. 385](#).)
[BGBl. No. 350/1981](#) (NR: GP XV [RV 427 AB 766 p. 81](#). BR: [AB 2362 p. 413](#).)
[BGBl. No. 354/1982](#) (NR: GP XV [IA 160/A AB 1160 p. 120](#). BR: [AB 2538 p. 426](#).)
[BGBl. No. 175/1983](#) (NR: GP XV [IA 206/A AB 1450 p. 148](#). BR: [AB 2687 p. 433](#).)
[Federal Law Gazette No. 611/1983 as amended by Federal Law Gazette No. 203/1984](#) (DFB) (NR: GP
[BGBl. No. 296/1984](#) (NR: GP XVI [AB 345 p. 51](#). BR: [AB 2854 p. 450](#).)
[BGBl. No. 490/1984](#) (NR: GP XVI [RV 446 AB 468 p. 66](#). BR: [AB 2898 p. 454](#).)
[Federal Law Gazette No. 212/1986](#) (NR: GP XVI [IA 3/A AB 875 p. 140](#). BR: [3107 AB 3114 p. 475](#).)
[BGBl. No. 285/1987 as amended by BGBl. No. 125/1988](#) (DFB) (NR: GP XVII [RV 39 AB 116 p.](#)
[18](#). BR: [3241 AB 3246 p. 488](#).)
[BGBl. No. 640/1987](#) (NR: GP XVII [RV 303 AB 383 p. 45](#). BR: [AB 3389 p. 495](#).)
[Federal Law Gazette No. 341/1988](#) (NR: GP XVII [RV 498](#) and [537 AB 654 p. 67](#). BR: [AB 3515 p. 504](#).)
[Federal Law Gazette No. 684/1988](#) (NR: GP XVII [RV 134 AB 667 p. 81](#). BR: [AB 3596 p. 509](#).)
[BGBl. No. 685/1988](#) (NR: GP XVII [RV 607 AB 817 p. 81](#). BR: [3593 AB 3595 p. 509](#).)
[BGBl. No. 445/1990](#) (NR: GP XVII [RV 1315 AB 1452 p. 151](#). BR: [AB 3995 p. 533](#).)
[BGBl. No. 565/1991](#) (NR: GP XVIII [RV 140 AB 241 p. 41](#). BR: [4120 AB 4123 p. 545](#).)
[BGBl. No. 276/1992 as amended by BGBl. No. 819/1994](#) (DFB) and [BGBl. I No. 194/1999](#) (DFB) (NR: GP
[XVIII RV 372 AB 470 p. 68](#). BR: [AB 4249 p. 553](#).)
[BGBl. No. 470/1992](#) (NR: GP XVIII [RV 447 AB 602 p. 78](#). BR: [AB 4307 p. 557](#).)
[Federal Law Gazette No. 868/1992](#) (NR: GP XVIII [IA 438/A AB 904 p. 95](#). BR: [AB 4402 p. 563](#).)
[BGBl. No. 508/1993](#) (NR: GP XVIII [IA 546/A AB 1142 p. 129](#). BR: [AB 4603 p. 573](#).)
[Federal Law Gazette No. 532/1993](#) (NR: GP XVIII [RV 1130 AB 1170 p. 127](#). BR: [AB 4571 p. 573](#).)
 [CELEX
 No.: [373L0183](#) , [377L0780](#) , [389L0646](#) , [389L0299](#) , [389L0647](#) , [391L0031](#) , [383L0350](#) , [386L0635](#) , [389L011](#)
[7](#) , [391L0308](#) , [387L0102](#)]
[BGBl. No. 268/1994](#) (NR: GP XVIII [IA 689/A AB 1538 p. 157](#). BR: [AB 4771 p. 582](#).)
[BGBl. No. 504/1994 as amended by BGBl. I No. 35/1998](#) (DFB) (NR: GP XVIII [IA](#)
[617/A](#) , [618/A](#) , [620/A](#) and [719/A AB 1642 p. 168](#). BR: [AB 4813 p. 588](#).)
[Federal Law Gazette No. 506/1994 as amended by Federal Law Gazette I No. 82/1997](#) (DFB) (NR: GP
[Federal Law Gazette No. 1013/1994 as amended by Federal Law Gazette I No. 194/1999](#) (DFB) (NR: GP
[BGBl. No. 50/1995](#) (K about Idat)
[BGBl. No. 392/1996](#) (NR: GP XX [IA 245/A AB 249 p. 34](#). BR: [5212 AB 5224 p. 616](#).)
[BGBl. No. 437/1996](#) (NR: GP XX [AB 285 p. 34](#). BR: [5213 AB 5225 p. 616](#).)
[BGBl. No. 659/1996](#) (NR: GP XX [RV 92 AB 363 p. 43](#). BR: [AB 5293 p. 618](#).)
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[Federal Law Gazette I No. 2/1997](#) (NR: GP XX [IA 324/A AB 520 p. 51](#). BR: [AB 5369 p. 620](#).)
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[BGBl. I No. 87/1997 as amended by BGBl.](#)
[BGBl. I No. 30/1998](#) (NR: GP XX [RV 915 AB 1037 p. 104](#). BR: [AB 5611 p. 634](#).)
[BGBl. I No. 68/1998](#) (NR: GP XX [AB 1114 p. 116](#). BR: [5664 AB 5668 p. 640](#).)
[BGBl. I No. 83/1998](#) (NR: GP XX [IA 791/A AB 1255 p. 130](#). BR: [AB 5691 p. 642](#).)
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[BGBl. I No. 65/1999](#) (K about Idat)
[BGBl. I No. 148/1999](#) (NR: GP XX [AB 1947 p. 176](#). BR: [AB 6032 p. 657](#).)
[BGBl. I No. 68/2000](#) (NR: GP XXI [RV 127 AB 202 p. 34](#). BR: [AB 6171 p. 667](#).)
[BGBl. I No. 114/2000](#) (NR: GP XXI [RV 280 AB 333 p. 40](#). BR: [AB 6223 p. 669](#).)
[BGBl. I No. 121/2001](#) (NR: GP XXI [RV 622 AB 808 p. 80](#). BR: [AB 6473 p. 681](#).)
[BGBl. I No. 99/2002](#) (NR: GP XXI [RV 1087 AB 1118 p. 103](#). BR: [6646 AB 6655 p. 688](#).)
 [CELEX
 No.: [389L0665](#) , [392L0013](#) , [392L0050](#) , [393L0036](#) , [393L0037](#) , [393L0038](#) , [394L0022](#) , [397L0052](#) , [398L0004](#)
[32001L0078](#)]
[BGBl. I No. 43/2003](#) (K about Idat)
[BGBl. I No. 90/2003](#) (NR: GP XXII [IA 171/A](#) , [95/A](#) and [17/A AB 163 p. 32](#). BR: [6860](#) and [6861 AB 6864 p.](#)
[701](#).)
[BGBl. I No. 100/2003](#) (NR: GP XXII [RV 93 AB 243 p. 35](#). BR: [6872 AB 6886 p. 702](#).)
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[01L0088](#) , [32001L0093](#)]

[BGBl. I No. 153/2004](#) (NR: GP XXII [RV 648 AB 757 p. 89](#), BR: [7157 AB 7171 p. 717](#).)
 [CELEX No.: [32003L0035](#)]
[BGBl. I No. 31/2005](#) (NR: GP XXII [RV 847 AB 945 p. 110](#), BR: [7244 AB 7258 p. 722](#).)
[BGBl. I No. 54/2005](#) (NR: GP XXII [IA 595/A AB 998 p. 113](#), BR: [7303 AB 7317 p. 723](#).)
[BGBl. I No. 81/2005](#) (NR: GP XXII [RV 832 AB 1029 p. 115](#), BR: [AB 7342 p. 724](#).)
[BGBl. I No. 100/2005](#) (NR: GP XXII [RV 952 AB 1055 p. 116](#), BR: [AB 7338 p. 724](#).)
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 No.: [31964L0221](#) , [32001L0051](#) , [32003L0086](#) , [32003L0109](#) , [32004L0038](#) , [32004L0081](#) , [32004L0082](#) , [3204L0083](#) , [32004L0114](#)]
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[BGBl. I No. 121/2005](#) (NR: GP XXII [IA 663/A AB 1081 p. 122](#), BR: [7372 AB 7391 p. 725](#).)
[BGBl. I No. 5/2007](#) (NR: GP XXIII [IA 94/A AB 23 p. 11](#), BR: [7654 AB 7656 p. 742](#).)
[BGBl. I No. 27/2007](#) (NR: GP XXIII [RV 94 AB 129 p. 24](#), BR: [7685 AB 7696 p. 746](#).)
[BGBl. I No. 1/2008](#) (NR: GP XXIII [RV 203 AB 372 p. 42](#), BR: [AB 7857 p. 751](#).)
[BGBl. I No. 2/2008](#) (NR: GP XXIII [RV 314 AB 370 p. 41](#), BR: [7799 AB 7830 p. 751](#).)
[BGBl. I No. 31/2009](#) (NR: GP XXIV [IA 487/A AB 94 p. 17](#), BR: [AB 8079 p. 768](#).)
[BGBl. I No. 47/2009](#) (NR: GP XXIV [IA 516/A AB 165 p. 19](#), BR: [AB 8106 p. 770](#).)
[BGBl. I No. 106/2009](#) (NR: GP XXIV [IA 746/A AB 329 p. 37](#), BR: [8175 AB 8177 p. 776](#).)
[BGBl. I No. 127/2009](#) (NR: GP XXIV [RV 395 AB 423 p. 45](#), BR: [8206 p. 779](#).)
[BGBl. I No. 50/2010](#) (NR: GP XXIV [RV 611 AB 761 p. 70](#), BR: [8327 AB 8338 p. 786](#).)
 [CELEX No.: [32006L0054](#) , [32007L0065](#) , [32010L0013](#)]
[BGBl. I No. 57/2010](#) (NR: GP XXIV [GABR 691 AB 827 p. 73](#), BR: [AB 8368 p. 787](#).)
[BGBl. I No. 98/2010](#) (NR: GP XXIV [IA 1187/A AB 989 p. 83](#), BR: [AB 8408 p. 790](#).)
[BGBl. I No. 43/2011](#) (NR: GP XXIV [IA 1527/A AB 1257 p. 110](#), BR: [AB 8514 p. 798](#).)
[BGBl. I No. 58/2011](#) (NR: GP XXIV [RV 1208 AB 1287 p. 114](#), BR: [8522 AB 8552 p. 799](#).)
[BGBl. I No. 60/2011](#) (NR: GP XXIV [GABR 1213 AB 1313 p. 112](#), BR: [AB 8526 p. 799](#).)
[BGBl. I No. 1/2012](#) (NR: GP XXIV [RV 1515 AB 1541 p. 137](#), BR: [AB 8637 p. 803](#).)
[BGBl. I No. 12/2012](#) (NR: GP XXIV [IA 1780/A AB 1666 p. 144](#), BR: [8664 AB 8667 p. 805](#).)
[BGBl. I No. 49/2012](#) (NR: GP XXIV [RV 1679 AB 1756 p. 153](#), BR: [AB 8714 p. 808](#).)
[BGBl. I No. 51/2012](#) (NR: GP XXIV [RV 1618 AB 1771 p. 155](#), BR: [8730 AB 8731 p. 809](#).)
[BGBl. I No. 65/2012](#) (NR: GP XXIV [IA 1985/A AB 1878 p. 164](#), BR: [AB 8757 p. 811](#).)
[BGBl. I No. 59/2013](#) (NR: GP XXIV [RV 2162 AB 2219 p. 194](#), BR: [AB 8931 p. 819](#).)
[BGBl. I No. 114/2013](#) (NR: GP XXIV [IA 2227/A AB 2380 p. 207](#), BR: [9010 AB 9024 p. 822](#).)
[BGBl. I No. 115/2013](#) (NR: GP XXIV [AB 2381 p. 207](#), BR: [9011 AB 9025 p. 822](#).)
[BGBl. I No. 164/2013](#) (NR: GP XXIV [RV 2412 AB 2498 p. 215](#), BR: [9048 AB 9097 p. 823](#).)
[BGBl. I No. 101/2014](#) (NR: GP XXV [IA 718/A AB 439 p. 53](#), BR: [AB 9279 p. 837](#).)
[BGBl. I No. 102/2014](#) (NR: GP XXV [IA 720/A AB 441 p. 53](#), BR: [AB 9280 p. 837](#).)
[BGBl. I No. 41/2016](#) (NR: GP XXV [IA 1470/A AB 1081 p. 126](#), BR: [9560 AB 9567 p. 853](#).)
[BGBl. I No. 62/2016](#) (NR: GP XXV [RV 1178 AB 1219 p. 136](#), BR: [AB 9617 p. 856](#).)
[BGBl. I No. 106/2016](#) (NR: GP XXV [IA 1809/A AB 1298 p. 152](#), BR: [9653 AB 9658 p. 860](#).)
[BGBl. I No. 138/2017](#) (NR: GP XXV [IA 2254/A AB 1707 p. 188](#), BR: [AB 9852 p. 871](#).)
[BGBl. I No. 22/2018](#) (NR: GP XXVI [AB 100 p. 21](#), BR: [AB 9959 p. 879](#).)
[BGBl. I No. 14/2019](#) (NR: GP XXVI [RV 301 AB 463 p. 57](#), BR: [AB 10104 p. 888](#).)
[BGBl. I No. 57/2019](#) (NR: GP XXVI [AB 676 p. 86](#), BR: [AB 10190 p. 895](#).)
[BGBl. I No. 16/2020](#) (NR: GP XXVII [IA 397/A AB 112 p. 19](#), BR: [AB 10288 p. 904](#).)
[BGBl. I No. 24/2020](#) (NR: GP XXVII [IA 403/A AB 116 p. 22](#), BR: [AB 10292 p. 905](#).)
[BGBl. I No. 2/2021](#) (NR: GP XXVII [IA 969/A AB 512 p. 69](#), BR: [AB 10489 p. 917](#).)
[BGBl. I No. 107/2021](#) (NR: GP XXVII [IA 1648/A AB 927 p. 111](#), BR: [AB 10683 p. 927](#).)
[BGBl. I No. 235/2021](#) (NR: GP XXVII [IA 2093/A AB 1222 p. 137](#), BR: [AB 10816 p. 936](#).)
[BGBl. I No. 85/2022](#) (NR: GP XXVII [IA 2500/A AB 1491 p. 162](#), BR: [AB 10987 p. 942](#).)
[BGBl. I No. 141/2022](#) (NR: GP XXVII [IA 2509/A AB 1642 p. 170](#), BR: [AB 11023 p. 943](#).)
[BGBl. I No. 222/2022](#) (NR: GP XXVII [IA 2981/A AB 1869 p. 189](#), BR: [AB 11135 p. 949](#).)
[BGBl. I No. 5/2024](#) (NR: GP XXVII [RV 2238 AB 2420 p. 249](#), BR: [11414 AB 11416 p. 963](#).)
[BGBl. I No. 47/2024](#) (NR: GP XXVII [IA 3944/A AB 2511 p. 259](#), BR: [AB 11478 p. 966](#).)
[BGBl. I No. 68/2024](#) (NR: GP XXVII [IA 3848/A AB 2593 p. 268](#), BR: [AB 11513 p. 968](#).)
[BGBl. I No. 88/2024](#) (NR: GP XXVII [IA 4099/A AB 2702 p. 270](#), BR: [AB 11591 p. 969](#).)
[BGBl. I No. 89/2024](#) (NR: GP XXVII [IA 4013/A AB 2701 p. 270](#), BR: [AB 11590 p. 969](#).)

Article 1

text

First Main Part

General Terms and Conditions. European Union

A. General Provisions

Article 1

Austria is a democratic republic. Its law comes from the people.

Article 2

text

Article 2

1. (1) paragraph one Austria is a federal state.
2. (2) paragraph 2 The federal state is made up of the independent states: Burgenland, Carinthia, Lower Austria, Upper Austria, Salzburg, Styria, Tyrol, Vorarlberg and Vienna.
3. (3) paragraph 3 Changes in the composition of the Länder or a restriction of the participation of the Länder as provided for in this paragraph and in Article 3 also require constitutional provisions of the Länder. Changes in the composition of the Länder or a restriction of the participation of the Länder as provided for in this paragraph and in Article 3 also require constitutional regulations of the Länder.

Article 3

text

Article 3

1. (1) paragraph one The federal territory includes the territories of the federal states.
2. (2) paragraph 2 International treaties that change federal borders may only be concluded with the consent of the states concerned.
3. (3) paragraph 3 Border changes within the federal territory require consistent laws of the federal government and the affected states. For border adjustments within the federal territory, consistent laws of the affected states are sufficient.
4. (4) paragraph 4 Unless border adjustments are involved, decisions of the National Council on border changes pursuant to paragraphs 2 and 3 require the presence of at least half of the members and a majority of two-thirds of the votes cast. Unless border adjustments are involved, decisions of the National Council on border changes pursuant to paragraphs 2 and 3 require the presence of at least half of the members and a majority of two-thirds of the votes cast.

Article 4

text

Article 4

1. (1) paragraph one The federal territory forms a unified monetary, economic and customs area.
2. (2) paragraph 2 Intermediate customs lines or other traffic restrictions may not be established within the Federation.

Article 5

text

Article 5

1. (1) paragraph one The federal capital and seat of the highest federal bodies is Vienna.
2. (2) paragraph 2 For the duration of exceptional circumstances, the Federal President may, at the request of the Federal Government, relocate the seat of the highest federal bodies to another location in the federal territory.

Article 6

text

Article 6.

1. (1) paragraph one The Republic of Austria has a uniform citizenship.
2. (2) paragraph 2 Those citizens who have their main residence in a country are its citizens; however, national laws may provide that citizens who have a residence in a country but not their main residence are also its citizens.
3. (3) paragraph 3 The main residence of a person is established where he or she has settled with the demonstrable intention or the intention arising from the circumstances of establishing there the centre of his or her life relationships; if this factual requirement applies to several residences when considering the professional, economic and social life relationships of a person as a whole, he or she must designate the one to which he or she has the most close relationship as his or her main residence.
4. (4) paragraph 4 In matters relating to the election of the Federal President, elections to the general representative bodies and to the European Parliament, the election of the mayor by those entitled to vote for the municipal council, in matters relating to the implementation of popular initiatives, referendums and plebiscites on the basis of the Federal Constitution or a state constitution, and in matters relating to the direct participation of those entitled to vote for the municipal council in the management of matters within the municipality's own sphere of influence, the last place of residence outside the place of arrest or detention and the last main place of residence outside the place of arrest or detention before the arrest or detention shall be deemed to be the place of residence or main place of residence of the arrested or detained person for the duration of an arrest or

detention within the meaning of the Federal Constitutional Law on the Protection of Personal Freedom, Federal Law Gazette No. 684/1988. In matters relating to the election of the Federal President, elections to the general representative bodies and to the European Parliament, the election of the mayor by those entitled to vote for the municipal council, in matters relating to the implementation of referendums, popular votes and plebiscites on the basis of the Federal Constitution or a state constitution, and in matters relating to the direct participation of those entitled to vote for the municipal council in the management of the affairs of the municipality's own sphere of influence, the last place of residence outside the place of arrest or detention and the last main place of residence outside the place of arrest or detention before the arrest or detention shall be deemed to be the place of residence or main place of residence of the arrested or detained person for the duration of an arrest or detention within the meaning of the Federal Constitutional Law on the Protection of Personal Freedom, Federal Law Gazette No. 684 of 1988.

Article 7

text

Article 7

1. (1)paragraph one All citizens are equal before the law. Privileges based on birth, gender, status, class and religion are excluded. No one may be discriminated against because of their disability. The Republic (federal, state and local governments) is committed to ensuring equal treatment of disabled and non-disabled people in all areas of daily life.
2. (2)paragraph 2 The federal government, states and municipalities are committed to the actual equality of men and women. Measures to promote the actual equality of women and men, in particular by eliminating actual existing inequalities, are permissible.
3. (3)paragraph 3 Official titles may be used in a form that reflects the gender of the office holder. The same applies to titles, academic degrees and job titles.
4. (4)paragraph 4 Public servants, including members of the Federal Armed Forces, are guaranteed the full exercise of their political rights.

Article 8

text

Article 8.

1. (1)paragraph one The German language is the state language of the Republic, without prejudice to the rights granted to linguistic minorities by federal law.
2. (2)paragraph 2 The Republic (federal, state and local governments) is committed to its growing linguistic and cultural diversity, which is expressed in the indigenous ethnic groups. The language and culture, existence and preservation of these ethnic groups must be respected, secured and promoted.
3. (3)paragraph 3 Austrian Sign Language is recognized as an independent language. Further details are determined by law.

Article 8a

text

Article 8a.

1. (1)paragraph one The colors of the Republic of Austria are red-white-red. The flag consists of three horizontal stripes of equal width, of which the middle one is white, the upper and lower ones are red.
2. (2)paragraph 2 The coat of arms of the Republic of Austria (federal coat of arms) consists of a free-floating, single-headed, black eagle with golden arms and red tongue, whose breast is covered with a red shield with a silver crossbar. The eagle wears a golden mural crown with three visible battlements on its head. A broken iron chain encloses both fangs. In its right fang it carries a golden sickle with the blade turned inwards, and in its left fang a golden hammer.
3. (3)paragraph 3 Further details, particularly regarding the protection of the colours and coat of arms as well as the seal of the Republic, shall be laid down by federal law.

Article 9

text

Article 9.

1. (1)paragraph one The generally accepted rules of international law are considered to be part of federal law.
2. (2)paragraph 2 By law or by an international treaty approved in accordance with Article 50, paragraph 1, individual sovereign rights can be transferred to other states or intergovernmental institutions. The activities of organs of other states or intergovernmental institutions in Austria and the activities of Austrian organs abroad can be regulated in the same way, and the transfer of individual sovereign rights of other states or intergovernmental institutions to Austrian organs can be provided for. It can also be provided that Austrian organs are subject to the authority of the organs of other states or intergovernmental institutions to issue instructions, or that these are subject to the authority of Austrian organs. By law or by an international treaty approved in accordance with Article 50, paragraph 1, individual sovereign rights can be transferred to other

states or intergovernmental institutions. The activities of organs of other states or intergovernmental institutions in Austria and the activities of Austrian organs abroad can be regulated in the same way, and the transfer of individual sovereign rights of other states or intergovernmental institutions to Austrian organs can be provided for. It can also be provided that Austrian organs are subject to the authority of the organs of other states or intergovernmental institutions or that these are subject to the authority of Austrian organs.

Article 9a

text

Article 9a.

1. (1) paragraph one Austria is committed to comprehensive national defense. Its task is to preserve the independence from outside as well as the inviolability and unity of the federal territory, in particular to maintain and defend perpetual neutrality. In this context, the constitutional institutions and their ability to act as well as the democratic freedoms of the inhabitants must also be protected and defended against violent attacks from outside.

2. (2) paragraph 2 Comprehensive national defence includes military, intellectual, civil and economic national defence.

3. (3) paragraph 3 Every male citizen is subject to military service. Female citizens can voluntarily serve in the Federal Army as soldiers and have the right to terminate this service.

4. (4) paragraph 4 Anyone who refuses to fulfill military service for reasons of conscience and is exempted from this obligation has the obligation to perform alternative service (civilian service).

Article 10

text

Article 10.

1. (1) paragraph one Legislation and enforcement in the following matters are a federal matter:

1. 1st number one
Federal Constitution, in particular elections to the National Council, and popular initiatives, referendums and plebiscites based on the Federal Constitution; constitutional jurisdiction; administrative jurisdiction with the exception of the organisation of the administrative courts of the states;
2. 1a. number one a
elections to the European Parliament; European Citizens' Initiatives;
3. 2nd paragraph 2
foreign affairs, including political and economic representation abroad, in particular the conclusion of international treaties, without prejudice to the competence of the states under Article 16, paragraph 1; border marking; trade in goods and livestock with foreign countries; customs; foreign affairs, including political and economic representation abroad, in particular the conclusion of international treaties, without prejudice to the competence of the states under Article 16, paragraph one; border marking; trade in goods and livestock with foreign countries; customs;
4. 3. paragraph 3
Regulation and monitoring of entry into and exit from the federal territory; immigration and emigration matters, including the right of residence for reasons worthy of consideration; passport matters; residence bans, expulsion and deportation; asylum; extradition;
5. 4th paragraph 4
Federal finances, in particular public taxes which are to be collected exclusively or partly for the Federal Government; monopolies;
6. 5th paragraph 5
monetary, credit, stock exchange and banking systems; weights and measures, standards and hallmarking systems;
7. 6th paragraph 6
Civil law, including economic association law, but excluding regulations which subject real estate transactions for foreigners and transactions with developed land or land intended for development to administrative restrictions, including the acquisition of rights upon death by persons who are not among the legal heirs; private foundations; criminal law, excluding administrative penal law and administrative penal proceedings in matters which fall within the independent sphere of influence of the states; administration of justice; institutions for the protection of society against criminal or other dangerous persons; copyright law; press; expropriation, insofar as it does not concern matters which fall within the independent sphere of influence of the states; matters of notaries, lawyers and related professions; out-of-court mediation of disputes in matters of civil law and criminal law;
8. 7th paragraph 7
Maintenance of public peace, order and security, including first aid, but excluding local security police; right of association and assembly; civil status matters, including registration and name changes; aliens' police and registration; weapons, ammunition and explosives, shooting;

9. 8th paragraph 8
 Matters of trade and industry; public agencies and private business intermediation; combating unfair competition; antitrust law; patents and protection of designs, trademarks and other product names; matters of patent attorneys; engineering and civil engineering; chambers of trade, commerce and industry; establishment of professional representations insofar as they extend over the whole of the Federal territory, with the exception of those in the agricultural and forestry sectors;
10. 9th paragraph 9
 Transport matters relating to railways, air transport and shipping, insofar as these do not fall under Article 11; motor transport matters; matters relating to roads declared as federal roads by federal law because of their importance for through traffic, other than road policing; river and shipping policing, insofar as they do not fall under Article 11; postal and telecommunications matters; environmental impact assessment for federal roads and high-speed railway lines which are likely to have a significant impact on the environment; Transport matters relating to railways, air transport and shipping, insofar as these do not fall under Article 11; motor transport matters; matters relating to roads declared as federal roads by federal law because of their importance for through traffic, other than road policing; river and shipping policing, insofar as they do not fall under Article 11; postal and telecommunications matters; environmental impact assessment for federal roads and high-speed railway lines which are likely to have significant effects on the environment;
11. 10th paragraph 10
 Mining; forestry, including rafting; water law; regulation and maintenance of waterways for the purpose of the harmless drainage of floodwaters or for the purposes of shipping and rafting; torrent control; construction and maintenance of waterways; standardisation and standardisation of electrical systems and installations, safety measures in this area; high-voltage right of way, insofar as the power line system extends over two or more countries; steam boiler and power engine engineering; surveying;
12. 11th paragraph 11
 Labour law, insofar as it does not fall under Article 11, but including workers' rights and the protection of workers and employees of employees in sawmills, resin processing plants, mills and dairies that are operated by agricultural and forestry commercial and economic cooperatives, provided that a number of employees to be determined by federal law are permanently employed in these; for these employees, the existing legal provisions for employees in commercial enterprises apply; social and contractual insurance system; care allowance system; social compensation law; compulsory training for young people; chambers for workers and employees, with the exception of those in the agricultural and forestry field, but also for employees in sawmills, resin processing plants, mills and dairies that are operated by agricultural and forestry commercial and economic cooperatives, provided that a number of employees to be determined by federal law are permanently employed in these; Labour law, insofar as it does not fall under Article 11, but including workers' rights and the protection of workers and employees of employees in sawmills, resin processing plants, mills and dairies operated by agricultural and forestry commercial and economic cooperatives, provided that a number of employees to be determined by federal law are permanently employed in these; for these employees, the existing legal provisions for employees in commercial enterprises apply; social and contractual insurance system; care allowance system; social compensation law; compulsory training for young people; chambers for workers and employees, with the exception of those in the agricultural and forestry sector, but also for employees in sawmills, resin processing plants, mills and dairies operated by agricultural and forestry commercial and economic cooperatives, provided that a number of employees to be determined by federal law are permanently employed in these;
13. 12th paragraph 12
 Health care, with the exception of mortuary and funeral services, municipal health services and rescue services, but with regard to hospitals and nursing homes, health resorts and natural healing resources, only sanitary supervision; measures to prevent dangerous pollution of the environment caused by exceeding emission limits; air pollution control, without prejudice to the responsibility of the states for heating systems; waste management with regard to hazardous waste, with regard to other waste only insofar as there is a need to issue uniform regulations; veterinary services; nutrition, including food inspection; regulation of commercial transactions with seeds and planting material, feed, fertilisers and plant protection products, and with plant protection equipment, including authorisation and, in the case of seeds and planting material, also recognition;
14. 12a. paragraph 12 a
 Universities and higher education and the educational system concerning student residences in these matters;
15. 13th paragraph 13
 scientific and technical archive and library services; matters relating to the artistic and scientific collections and institutions of the federal government; matters relating to federal theatres with the

exception of construction matters; monument protection; matters relating to religious affairs; census matters and – whilst respecting the rights of the states to conduct any statistics in their own state – other statistics insofar as they do not serve the interests of a single state alone; general matters relating to the protection of personal data; foundation and fund matters insofar as these are foundations and funds which, in terms of their purposes, extend beyond the sphere of interest of a state and have not previously been administered autonomously by the states;

16. 14th paragraph 14
Organisation and management of the Federal Police; regulation of the establishment and organisation of other security forces with the exception of municipal security forces; regulation of the armament of the security forces and the right to use weapons;
17. 15th paragraph 15
military affairs; civil service affairs; war damage matters; care for war graves; measures deemed necessary on the occasion of a war or in its aftermath to ensure the unified management of the economy, in particular with regard to the supply of the population with essential goods;
18. 16th paragraph 16
Establishment of federal authorities and other federal offices; service law and staff representation law of federal employees;
19. 17th paragraph 17
population policy.

2. (Note: Paragraph 18 repealed by [BGBl. I No. 12/2012](#)) Note, paragraph 18, repealed by Federal Law Gazette Part one, No. 12 of 2012,)

3. (2) paragraph 2 In federal laws on peasant inheritance law and in federal laws issued pursuant to paragraph 1 item 10, the state legislature may be empowered to issue implementing regulations for precisely specified individual provisions. The provisions of Article 15 paragraph 6 shall apply mutatis mutandis to these state laws. The federal government shall be responsible for enforcing the implementing laws issued in such cases, but the implementing regulations, insofar as they relate to the implementing provisions of the state law, require prior agreement with the state government concerned. In federal laws on peasant inheritance law and in federal laws issued pursuant to paragraph one, item 10, the state legislature may be empowered to issue implementing regulations for specific provisions to be specified. The provisions of Article 15, paragraph 6 shall apply mutatis mutandis to these state laws. The federal government shall be responsible for enforcing the implementing laws issued in such cases, but the implementing regulations, insofar as they relate to the implementing regulations of the state law, require prior agreement with the state government concerned.

4. (3) paragraph 3 Before the Federation concludes treaties that require implementing measures within the meaning of Article 16 or that affect the independent sphere of action of the states in any other way, it must give the states the opportunity to comment. If the Federation has a unified statement from the states, the Federation is bound by this statement when concluding the treaty. The Federation may only deviate from this for compelling foreign policy reasons; it must communicate these reasons to the states without delay. Before the Federation concludes treaties which require implementing measures within the meaning of Article 16 or which affect the independent sphere of action of the states in any other way, it must give the states the opportunity to comment. If the Federation has a unified statement from the states, the Federation is bound by this statement when concluding the treaty. The Federation may only deviate from this for compelling foreign policy reasons; it must communicate these reasons to the states without delay.

(Note: Paragraphs 4 to 6 repealed by [Federal Law Gazette No. 1013/1994](#)) Note, paragraphs 4 to 6 repealed by Federal Law Gazette No. 1013 of 1994,)

Article 11

text

Article 11

1. (1) paragraph one Legislation is a federal matter, while enforcement is a state matter in the following matters:

1. 1st number one
Citizenship;
2. 2nd paragraph 2
professional associations, insofar as they do not fall under Article 10, but with the exception of those in the agricultural and forestry sectors, as well as in the field of mountain and ski guiding and physical education, which fall within the independent sphere of influence of the Länder; professional associations, insofar as they do not fall under Article 10, but with the exception of those in the agricultural and forestry sectors, as well as in the field of mountain and ski guiding and physical education, which fall within the independent sphere of influence of the Länder;
3. 3. paragraph 3

Public housing, with the exception of the promotion of housing construction, the promotion of residential building renovation and the levying of public charges for the purpose of preventing non-use or under-use;

4. 4th paragraph 4
road police;

5. 5th paragraph 5
renovation;

6. 6th paragraph 6
Inland navigation with regard to shipping concessions, shipping facilities and compulsory rights to such facilities, insofar as it does not relate to the Danube, Lake Constance, Lake Neusiedl and border sections of other border waters; river and shipping police on inland waters with the exception of the Danube, Lake Constance, Lake Neusiedl and border sections of other border waters;

7. 7th paragraph 7
Environmental impact assessment for projects likely to have significant effects on the environment; where there is a need for uniform provisions, approval of such projects;

8. 8th paragraph 8
Animal protection, insofar as it is not a federal matter under other provisions of legislation, but with the exception of the practice of hunting or fishing;

9. 9th paragraph 9
Labour law and the protection of workers and employees, as far as agricultural and forestry workers and employees are concerned.

2. (2) paragraph 2 Insofar as there is a need to issue uniform provisions, the administrative procedure, the general provisions of administrative criminal law, the administrative criminal procedure and the administrative enforcement shall be regulated by federal law, even in matters in which legislation is the responsibility of the states; deviating provisions may only be made in the federal or state laws governing the individual areas of administration if they are necessary to regulate the subject matter.

3. (3) paragraph 3 The implementing regulations for the federal laws issued pursuant to paragraphs 1 and 2 shall be issued by the federal government unless otherwise provided in these laws. The manner of publication of implementing regulations which the states are empowered to issue by federal law in the matters of paragraph 1 items 4 and 6 may be regulated by federal law. The implementing regulations for the federal laws issued pursuant to paragraphs one and two shall be issued by the federal government unless otherwise provided in these laws. The manner of publication of implementing regulations which the states are empowered to issue by federal law in the matters of paragraph one, numbers 4 and 6 may be regulated by federal law.

4. (4) paragraph 4 The administration of the laws issued pursuant to paragraph 2 and the implementing regulations issued thereunder shall be the responsibility of the Federal Government or the States, depending on whether the matter forming the subject matter of the proceedings is a matter for federal or state enforcement. The administration of the laws issued pursuant to paragraph 2 and the implementing regulations issued thereunder shall be the responsibility of the Federal Government or the States, depending on whether the matter forming the subject matter of the proceedings is a matter for enforcement at the Federal or State level.

5. (5) paragraph 5 If there is a need to issue uniform regulations, uniform emission limit values for air pollutants can be set by federal law. These may not be exceeded in the federal and state regulations governing the individual areas of administration.

6. (6) paragraph 6 To the extent that there is a need to issue uniform regulations, the public participation procedure for projects to be determined by federal law, participation in the administrative procedures following a public participation procedure and the consideration of the results of the public participation procedure when issuing the permits required for the projects concerned, as well as the approval of the projects referred to in Article 10, Paragraph 1, Item 9, shall also be regulated by federal law. Paragraph 4 applies to the implementation of these regulations. Insofar as there is a need to issue uniform regulations, the public participation procedure for projects to be determined by federal law, participation in the administrative procedures following a public participation procedure and the consideration of the results of the public participation procedure when issuing the permits required for the projects concerned, as well as the approval of the projects referred to in Article 10, paragraph one, item 9, shall also be regulated by federal law. Paragraph 4 shall apply to the implementation of these regulations.

7. (7) paragraph 7 In the matters referred to in paragraph 1 items 7 and 8, the Federal Government and the individual Federal Ministers shall have the following powers vis-à-vis the State Government: In the matters referred to in paragraph one, numbers 7 and 8, the Federal Government and the individual Federal Ministers shall have the following powers vis-à-vis the State Government:

1. 1st number one
the authority for federal bodies to inspect the files of the state authorities;

2. 2nd paragraph 2

the power to request the transmission of reports on the implementation of laws and regulations issued by the Federation;

3. 3.paragraph 3
the power to request all information on the implementation necessary for the preparation of the adoption of laws and regulations by the Federation;
4. 4thparagraph 4
the power to request information and the production of documents in certain cases, insofar as this is necessary for the exercise of other powers.

Article 12

text

Article 12.

1. (1)paragraph oneLegislation on the principles is a federal matter, while the issuing of implementing laws and enforcement in the following matters is a state matter:

1. 1stnumber one
poor relief; sanatoriums and nursing homes;
2. 2ndparagraph 2
Electricity sector, insofar as it does not fall under Article 10.Electricity, insofar as it does not fall under Article 10.
2. (2)paragraph 2Fundamental laws and fundamental provisions in federal laws must be expressly designated as such.

Article 13

text

Article 13

1. (1)paragraph oneThe responsibilities of the federal government and the states in the area of taxation are regulated by a separate Federal Constitutional Law (“Financial Constitutional Law”).
2. (2)paragraph 2In their budget management, the federal government, states and municipalities must strive to ensure overall economic balance and sustainably organized budgets. They must coordinate their budget management with regard to these goals.
3. (3)paragraph 3The federal government, states and municipalities must strive to achieve actual equality between women and men in budget management.

Article 14

text

Article 14.

1. (1)paragraph oneLegislation and enforcement in the area of schools and in the area of education in matters relating to student hostels are a federal matter, unless otherwise provided for in the following paragraphs. The school and education system within the meaning of this article does not include the matters regulated in Article 14a.Legislation and enforcement in the area of schools and in the area of education in matters relating to student hostels are a federal matter, unless otherwise provided for in the following paragraphs. The school and education system within the meaning of this article does not include the matters regulated in Article 14a.
2. (2)paragraph 2Legislation is a federal matter, while enforcement is a state matter in matters relating to the employment law and the staff representation law of teachers in public compulsory schools, unless otherwise provided in paragraph 4(a). In these federal laws, the state legislature can be empowered to issue implementing regulations for precisely specified individual provisions; the provisions of Article 15 paragraph 6 apply mutatis mutandis. Implementing regulations for these federal laws are to be issued by the federal government, unless otherwise provided therein.Legislation is a federal matter, while enforcement is a state matter in matters relating to the employment law and the staff representation law of teachers in public compulsory schools, unless otherwise provided in paragraph 4, letter a. In these federal laws, the state legislature can be empowered to issue implementing regulations for specific provisions to be specified; the provisions of Article 15, paragraph 6 apply mutatis mutandis. Implementing regulations for these federal laws are to be issued by the federal government, unless otherwise provided therein.

3. (3)paragraph 3Legislation on the principles is a federal matter, while the issuing of implementing laws and enforcement in the following matters is a state matter:

1. a)Litera a
external organisation (structure, organisational forms, establishment, maintenance, closure, districts, class sizes and teaching time) of public compulsory schools;
2. b)Letter b
external organisation of public school hostels intended exclusively or mainly for pupils of compulsory schools;
3. c)Litera c

professional employment requirements for kindergarten teachers and educators to be employed by the states, municipalities or municipal associations at day-care centres and school dormitories which are exclusively or predominantly intended for pupils of compulsory schools.

4. (4)paragraph 4Legislation and enforcement in the following matters are the responsibility of the state:

1. a)Litera a
Authority to exercise official jurisdiction over teachers of public compulsory schools on the basis of the laws enacted pursuant to paragraph 2;Authority to exercise official jurisdiction over teachers of compulsory public schools on the basis of the laws enacted pursuant to paragraph 2;

2. b)Letter b
Kindergarten and after-school care.

5. (5)paragraph 5Notwithstanding the provisions of paragraphs 2 to 4, legislation and enforcement in the following matters shall be a federal matter:By way of derogation from the provisions of paragraphs 2 to 4, the legislation and enforcement of the following matters shall be a federal matter:

1. a)Litera a
Public practice schools, practice kindergartens, practice day-care centres and practice student residences which are incorporated into a public school for the purpose of curricular exercises;

2. b)Letter b
public school dormitories intended exclusively or mainly for pupils of the practical schools referred to in point (a);public boarding schools intended exclusively or mainly for pupils of the practical schools referred to in letter a);

3. c)Litera c
Service law and staff representation law for teachers, educators and kindergarten teachers for the public institutions referred to in letters a and b.Service law and staff representation law for teachers, educators and kindergarten teachers for the public institutions referred to in letters a and b.

6. (5a)paragraph 5aDemocracy, humanity, solidarity, peace and justice as well as openness and tolerance towards people are the basic values of the school, on the basis of which it ensures the highest possible level of education for the entire population, regardless of origin, social situation and financial background, while constantly safeguarding and developing the best possible quality. In the partnership between students, parents and teachers, children and young people are to be given the best possible intellectual, mental and physical development so that they become healthy, self-confident, happy, performance-oriented, dutiful, artistic and creative people who are able to take responsibility for themselves, fellow human beings, the environment and future generations based on social, religious and moral values. Every young person should be guided to independent judgment and social understanding in accordance with their development and educational path, be open to the political, religious and ideological thinking of others and be able to participate in the cultural and economic life of Austria, Europe and the world and to contribute to the common tasks of humanity with a love of freedom and peace.

7. (6)paragraph 6Schools are institutions in which pupils are taught together according to a comprehensive, fixed curriculum and in which a comprehensive educational goal is pursued in connection with the imparting of general or general and professional knowledge and skills. Public schools are those schools that are established and maintained by the statutory school sponsor. The statutory school sponsor is the federal government insofar as legislation and enforcement in matters relating to the establishment, maintenance and closure of public schools is a federal matter. The statutory school sponsor is the state or, in accordance with state law, the municipality or a municipal association insofar as legislation or implementing legislation and enforcement in matters relating to the establishment, maintenance and closure of public schools is a state matter. Public schools are generally accessible without distinction as to birth, gender, race, status, class, language and religion, and otherwise within the framework of the statutory requirements. The same applies mutatis mutandis to kindergartens, day-care centres and student homes.

8. (6a)paragraph 6aThe legislation must provide for a differentiated school system which is divided at least according to educational content into general and vocational schools and according to level of education into primary and secondary schools, with further appropriate differentiation being provided for in the case of secondary schools.

9. (7)paragraph 7Schools which are not public are private schools; these must be granted public status in accordance with the statutory provisions.

10. (7a)paragraph 7aCompulsory schooling lasts at least nine years and there is also compulsory vocational schooling.

11. (8)paragraph 8In matters which fall within the jurisdiction of the states under paragraphs 2 and 3, the Federation has the authority to ascertain whether the laws and regulations issued pursuant to these paragraphs are being complied with, for which purpose it can also send officials to schools and student residences. If deficiencies are identified, the state governor can be instructed by instruction (Article 20 paragraph 1) to remedy the deficiencies within a reasonable period of time. The state governor must ensure that

the deficiencies are remedied in accordance with the statutory provisions and is obliged to use the means at his disposal in his capacity as an organ of the state's independent sphere of influence in order to ensure that such instructions are implemented. In matters which fall within the jurisdiction of the states according to paragraphs 2 and 3, the Federation has the authority to ascertain whether the laws and regulations issued on the basis of these paragraphs are being complied with, for which purpose it can also send officials to schools and student residences. If deficiencies are identified, the governor can be instructed by instruction (Article 20, paragraph 1) to remedy the deficiencies within a reasonable period of time. The governor must ensure that the deficiencies are remedied in accordance with the statutory provisions and is obliged to use the means at his disposal in his capacity as an organ of the independent sphere of activity of the state in order to ensure that such instructions are implemented.

12. (9) paragraph 9 In the area of employment law for teachers, educators and kindergarten teachers, the general provisions of Articles 10 and 21 shall apply to the distribution of legislative and executive powers with regard to employment relationships with the Federal Government, the states, the municipalities and the associations of municipalities, unless otherwise provided for in the preceding paragraphs. The same applies to the staff representation law for teachers, educators and kindergarten teachers. In the area of employment law for teachers, educators and kindergarten teachers, the general provisions of Articles 10 and 21 shall apply to the distribution of legislative and executive powers with regard to employment relationships with the Federation, the states, the municipalities and the associations of municipalities, unless otherwise provided for in the preceding paragraphs. The same applies to the staff representation law for teachers, educators and kindergarten teachers.

13. (10) paragraph 10 In matters relating to the exemption from school fees and the relationship between schools and churches (religious societies), including religious instruction in schools, insofar as these do not concern matters relating to universities and colleges, federal laws can only be passed by the National Council in the presence of at least half of the members and with a majority of two thirds of the votes cast. The same applies if the principles of paragraph 6a are to be abandoned and for the approval of the international treaties concluded in the above matters of the type referred to in Article 50. In matters relating to the exemption from school fees and the relationship between schools and churches (religious societies), including religious instruction in schools, insofar as these do not concern matters relating to universities and colleges, federal laws can only be passed by the National Council in the presence of at least half of the members and with a majority of two thirds of the votes cast. The same applies if the principles of paragraph 6a are to be abandoned and for the approval of international treaties of the type referred to in Article 50 concluded in the above matters. (Note: Paragraph 11 repealed by Article IZ 2 BVG, *Federal Law Gazette No. 316/1975*.) (Note, paragraph 11, repealed by Article roman one number 2, BVG, Federal Law Gazette No. 316 of 1975.,)

Article 14a

text

Article 14a.

1. (1) paragraph one In the field of agricultural and forestry schooling and in the field of agricultural and forestry education in matters relating to student dormitories, as well as in matters relating to the employment law and the staff representation law of teachers and educators at the schools and student dormitories covered by this Article, legislation and enforcement shall be matters for the State, unless otherwise provided for in the following paragraphs.

2. (2) paragraph 2 The federal government is responsible for legislation and enforcement in the following matters:

1. a) Litera a
higher agricultural and forestry educational establishments as well as institutions for the training and further education of teachers at agricultural and forestry schools;
2. b) Letter b
Technical schools for the training of forestry personnel;
3. c) Litera c
public agricultural and forestry technical schools which, in order to guarantee the exercises provided for in the curriculum, are organizationally linked with one of the public schools referred to under points (a) and (b) or with a federal agricultural and forestry research institute; public agricultural and forestry technical schools which, in order to guarantee the exercises provided for in the curriculum, are organizationally linked with one of the public schools referred to in letters a and b or with a federal agricultural and forestry research institute;
4. d) Litera d
Student residences intended exclusively or mainly for pupils of the schools referred to in points (a) to (c); Student residences intended exclusively or mainly for pupils of the schools referred to in letters a to c;
5. e) Literature

Employment law and staff representation law for teachers and educators for the institutions referred to under points (a) to (d); Service law and staff representation law of teachers and educators for the institutions referred to under letters a to d;

6. f) Litera f
Subsidies for personnel costs of denominational agricultural and forestry schools;
 7. G) Litera g
Federal agricultural and forestry research institutes which are organizationally linked to an agricultural and forestry school maintained by the Federal Government in order to ensure that the exercises provided for in the curriculum are carried out at that school.
3. (3) paragraph 3 As far as the matters not referred to in paragraph 2 are concerned, legislation is a federal matter and enforcement is a state matter in the matters As far as the matters not mentioned in paragraph 2 are concerned, legislation is a federal matter and enforcement is a state matter in the matters
1. a) Litera a
religious education;
 2. b) Letter b
the service law and the staff representation law of teachers for public agricultural and forestry vocational and technical schools and of educators for public school dormitories which are exclusively or predominantly intended for pupils of these schools, but excluding matters within the authority's jurisdiction to exercise official sovereignty over these teachers and educators.
 4. In the federal laws issued on the basis of the provisions under letter b, the state legislature may be empowered to issue implementing regulations for precisely specified individual provisions; in this case, the provisions of Article 15 paragraph 6 shall apply mutatis mutandis. Unless otherwise provided therein, implementing regulations for these federal laws shall be issued by the federal government. In the federal laws issued on the basis of the provisions under letter b, the state legislature may be empowered to issue implementing regulations for specific provisions to be specified; in this case, the provisions of Article 15, paragraph 6, shall apply mutatis mutandis. Implementing regulations for these federal laws shall be issued by the federal government unless otherwise provided therein.
5. (4) paragraph 4 Legislation on the principles is a federal matter, while the issuing of implementing laws and the enforcement are a state matter.
1. a) Litera a
with regard to agricultural and forestry vocational schools: in matters relating to the determination of educational objectives, compulsory subjects and the free provision of education, as well as in matters relating to compulsory schooling and transfer from a school in one country to a school in another country;
 2. b) Letter b
with regard to agricultural and forestry technical schools: in matters relating to the determination of admission requirements, educational objectives, organisational forms, the extent of instruction and compulsory subjects, the free nature of instruction and the transfer from a school in one country to a school in another country;
 3. c) Litera c
in matters of public law relating to private agricultural and forestry vocational and technical schools, with the exception of the schools covered by paragraph 2(b); in matters of public law relating to private agricultural and forestry vocational and technical schools, with the exception of schools falling under paragraph 2(b);
 4. d) Litera d
regarding the organisation and scope of advisory councils which participate in the implementation of the Länder in the matters referred to in paragraph 1. regarding the organisation and scope of advisory councils which participate in the implementation of the Länder in the matters referred to in paragraph 1.
6. (5) paragraph 5 The establishment of the agricultural and forestry technical schools and research institutes referred to in paragraph 2 under letters c and g is only permissible if the state government of the state in which the technical school or research institute is to be located has approved the establishment. This approval is not required if it is a question of establishing an agricultural and forestry technical school which is to be organizationally linked to an institution for the training and further education of teachers at agricultural and forestry schools in order to guarantee the exercises provided for in the curriculum. The establishment of the agricultural and forestry technical schools and research institutes referred to in paragraph 2 under letters c and g is only permissible if the state government of the state in which the technical school or research institute is to be located has approved the establishment. This approval is not required if it is a question of establishing an agricultural and forestry technical school which is to be organizationally linked to an institution for the training and further education of teachers at agricultural and forestry schools in order to guarantee the exercises provided for in the curriculum.

7. (6)paragraph 6The Federation shall have the authority to ensure compliance with the provisions it has issued in matters which fall within the jurisdiction of the Länder pursuant to paragraphs 3 and 4.The Federation shall have the authority to ensure compliance with the provisions it has issued in matters which fall within the jurisdiction of the Länder pursuant to paragraphs 3 and 4.

8. (7)paragraph 7The provisions of Article 14 paragraphs 5a, 6, 6a, 7, 7a and 9 shall also apply mutatis mutandis to the areas referred to in the first sentence of paragraph 1.The provisions of Article 14, paragraphs 5 a, 6, 6a, 7, 7a and 9 shall also apply mutatis mutandis to the territories referred to in the first sentence of paragraph one.

9. (8)paragraph 8Article 14 paragraph 10 shall apply mutatis mutandis.Article 14, paragraph 10, shall apply mutatis mutandis.

Article 14b

text

Article 14b.

1. (1)paragraph oneLegislation in matters relating to public procurement is a federal matter, unless these fall under paragraph 3.Legislation in matters relating to public procurement is a federal matter, unless these fall under paragraph 3.

2. (2)paragraph 2Enforcement in the matters of paragraph 1 isThe enforcement in the matters of paragraph one is

1. 1stnumber one
Federal matter regarding
 1. a)Litera a
the awarding of contracts by the federal government;
 2. b)Letter b
the award of contracts by foundations, funds and institutions within the meaning of Article 126b paragraph 1;the award of contracts by foundations, funds and institutions within the meaning of Article 126 b, paragraph one;
 3. c)Litera c
the award of contracts by undertakings within the meaning of Article 126b paragraph 2, if the financial participation or the influence of the Federal Government mediated by other financial or other economic or organisational measures is at least as great as the financial participation or influence of the Länder;the award of contracts by undertakings within the meaning of Article 126b, paragraph 2, if the financial participation or the influence of the Federal Government mediated by other financial or other economic or organisational measures is at least as great as the financial participation or influence of the Länder;
 4. d)Litera d
the award of contracts by self-governing bodies established by federal law;
 5. e)Literature
the award of contracts by legal entities not mentioned in lit. a to d and point 2 lit. a to d,the award of contracts by legal entities not mentioned in letters a to d and point 2, letters a to d,
 1. aa)Sub-Litera, a, a
which are financed by the Federal Government if the Federal Government's share of the financing is at least equal to that of the States;
 2. bb)Sub-Litera, b, b
which are subject to federal supervision with regard to their management, insofar as the award does not fall under subparagraph aa or point 2(e) subparagraph aa;which are subject to federal supervision with regard to their management, insofar as the award does not fall under sub-letter a, a, or point 2, letter e, sub-letter a, a,;
 3. cc)Sub-Litera, c, c
whose administrative, management or supervisory bodies consist of members appointed by the Federation, if the Federation has appointed at least as many members as the states, insofar as the award does not fall under subparagraph aa or bb or item 2(e) subparagraph aa or bb;whose administrative, management or supervisory bodies consist of members appointed by the Federation, if the Federation has appointed at least as many members as the states, insofar as the award does not fall under sub-letter a, a, or bb or item 2, letter e, sub-letter a, a, or bb;
 6. f)Litera f
the joint award of contracts by the Federal Government and the states, if the Federal Government's share in the estimated total contract value is at least equal to the sum of the states' shares;
 7. G)Litera g
the award of contracts by legal entities not mentioned in points (a) to (f) and (2);the award of contracts by legal entities not mentioned in letters a to f and point 2;
2. 2ndparagraph 2

- state matter regarding
1. a) Litera a
the award of contracts by the state, the municipalities and the municipal associations;
 2. b) Letter b
the award of contracts by foundations, funds and institutions within the meaning of Article 127 paragraph 1 and Article 127a paragraphs 1 and 8; the award of contracts by foundations, funds and institutions within the meaning of Article 127, paragraph one and Article 127a, paragraphs one and eight;
 3. c) Litera c
the award of contracts by undertakings within the meaning of Article 126b paragraph 2, insofar as it does not fall under point 1 letter c, as well as the award of contracts by undertakings within the meaning of Article 127 paragraph 3 and Article 127a paragraphs 3 and 8; the award of contracts by undertakings within the meaning of Article 126b, paragraph 2, insofar as it does not fall under point one, letter c, as well as the award of contracts by undertakings within the meaning of Article 127, paragraph 3 and Article 127a, paragraphs 3 and 8;
 4. d) Litera d
the award of contracts by self-governing bodies established by state law;
 5. e) Literature
the award of contracts by legal entities not mentioned in paragraph 1 lit. a to d and lit. a to d, the award of contracts by legal entities not mentioned in paragraph one, letters a to d and letters a to d,
 1. aa) Sub-Litera, a, a
which are financed by the state alone or jointly with the federal government or other states, provided that the award does not fall under point 1 lit. e sublit. aa; which are financed by the state alone or jointly with the federal government or other states, provided that the award does not fall under point one, letter e, sub-letter a, a,
 2. bb) Sub-Litera, b, b
which are subject to supervision by the State with regard to their management, insofar as the award does not fall under point 1(e) sublit. aa or bb or sublit. aa; which are subject to supervision by the State with regard to their management, insofar as the award does not fall under point one, letter e, sub-letter a, a, or bb or sub-letter a, a,;
 3. cc) Sub-Litera, c, c
whose administrative, management or supervisory bodies consist of members appointed by the State, insofar as the award does not fall under point 1 lit. e sublit. aa to cc or sublit. aa or bb; whose administrative, management or supervisory bodies consist of members appointed by the State, insofar as the award does not fall under point one, letter e, sub-letter a, a to cc or sub-letter a, a, or bb;
 6. f) Litera f
the joint award of contracts by the Federal Government and the states, insofar as this does not fall under point 1(f), as well as the joint award of contracts by several states. the joint award of contracts by the Federal Government and the states, insofar as this does not fall under point one, letter f, as well as the joint award of contracts by several states.
 3. Municipalities, regardless of the number of their inhabitants, are considered legal entities which are subject to the jurisdiction of the Court of Auditors within the meaning of paragraph 1 letters b and c and paragraph 2 letters b and c. Within the framework of paragraph 1 letters b, c, e and f, contracting authorities within the meaning of paragraph 1 are attributed to the federal government and contracting authorities within the meaning of paragraph 2 are attributed to the respective state. If several states are involved under paragraph 2 letters c, e or f, jurisdiction for enforcement is based on the predominance of the characteristic which, according to the corresponding letter (sub-letter) of paragraph 1, is or would be decisive for the delimitation of the executive jurisdiction of the federal government from that of the states, then on the registered office of the contracting authority, then on the focus of the contracting authority's business activities, then on the registered office (main residence) of the awarding body; however, if jurisdiction cannot be determined on this basis either, jurisdiction is the state involved which is or was most recently appointed to chair the Federal Council at the time the awarding procedure is initiated. Municipalities, regardless of the number of their inhabitants, are considered legal entities which are subject to the jurisdiction of the Court of Auditors within the meaning of paragraph one, letters b and c and paragraph 2, letters b and c. Within the framework of paragraph one, letters b, c, e and f, contracting authorities within the meaning of paragraph one are attributed to the federal government and contracting authorities within the meaning of paragraph 2 are attributed to the respective state. If several states are involved according to paragraph 2, letters c, e or f, the jurisdiction for enforcement is based on the predominance of the characteristic which, according to the corresponding letter (sub-letter) of paragraph one, is or would be decisive for the delimitation of the federal government's jurisdiction for enforcement from that of the states, then on the registered office of the contracting authority, then on the main focus of the

contracting authority's business activities, then on the registered office (main residence) of the awarding body; however, if jurisdiction cannot be determined on this basis either, the state involved which is or was most recently appointed to chair the Federal Council at the time the awarding procedure is initiated is responsible.

4. (3)paragraph 3Legislation and enforcement in matters relating to audits in the context of the award of contracts by contracting authorities within the meaning of paragraph 2 item 2 is a matter for the state.Legislation and enforcement in matters of review within the framework of the award of contracts by contracting authorities within the meaning of paragraph 2, item 2, is a matter for the state.

5. (4)paragraph 4The Federation shall give the states the opportunity to participate in the preparation of legislative proposals in matters covered by paragraph 1. Federal laws issued pursuant to paragraph 1 which regulate matters which are a matter for the states to implement may only be published with the consent of the states.The Federation must give the states the opportunity to participate in the preparation of legislative proposals in matters covered by paragraph 1. Federal laws issued pursuant to paragraph 1 which regulate matters which are the responsibility of the states for implementation may only be published with the consent of the states.

6. (5)paragraph 5The implementing regulations for the federal laws issued pursuant to paragraph 1 shall be issued by the Federation unless otherwise provided in these laws. Paragraph 4 and Article 42a shall apply mutatis mutandis to such regulations.The implementing regulations for the federal laws issued pursuant to paragraph 1 shall be issued by the Federation unless otherwise provided in these laws. Paragraph 4 and Article 42a shall apply mutatis mutandis to such regulations.

(Note: Paragraph 6 repealed by [Federal Law Gazette I No. 51/2012](#))Note, paragraph 6, repealed by Federal Law Gazette Part one, No. 51 of 2012,)

Article 15

text

Article 15

1. (1)paragraph oneTo the extent that a matter is not expressly transferred to the legislature or executive of the Federation by the Federal Constitution, it remains within the independent sphere of influence of the states.

2. (2)paragraph 2In matters relating to the local security police, that is, that part of the security police which is in the exclusive or predominant interest of the local community embodied in the municipality and is suitable to be dealt with by the community within its local boundaries, such as the maintenance of public decency and the prevention of undue noise disturbances, the Federation has the authority to supervise the management of these matters by the municipality and to remedy any deficiencies identified by issuing instructions to the Governor (Article 103). For this purpose, federal inspection bodies can also be sent to the municipality; the Governor must be informed of this in each individual case.In matters relating to the local security police, that is, that part of the security police which is in the exclusive or predominant interest of the local community embodied in the municipality and is suitable to be dealt with by the community within its local boundaries, such as the maintenance of public decency and the prevention of undue noise disturbances, the Federation has the authority to supervise the management of these matters by the municipality and to remedy any deficiencies identified by issuing instructions to the Governor (Article 103). For this purpose, federal inspection bodies can also be sent to the municipality; the Governor must be informed of this in each individual case.

3. (3)paragraph 3The provisions of state law in matters relating to theatre and cinema as well as public exhibitions, performances and entertainment must, for the area of a municipality in which the State Police Directorate is also the first-instance security authority, entrust the State Police Directorate with at least the supervision of events, insofar as this does not extend to operational, building and fire safety considerations, and participation in the first instance in the granting of authorisations provided for in such laws.

4. (4)paragraph 4The extent to which enforcement is transferred to the State Police Directorate in matters relating to road police, with the exception of local road police (Article 118, paragraph 3, item 4), and river and shipping police on inland waterways, with the exception of the Danube, Lake Constance, Lake Neusiedl and the border sections of other border waters, for the territory of a municipality in which the State Police Directorate is also the first-instance security authority, shall be regulated by consistent laws of the Federation and the State concerned.The extent to which enforcement is transferred to the State Police Directorate in matters relating to road police, with the exception of local road police (Article 118, paragraph 3, item 4), and river and navigation police on inland waterways, with the exception of the Danube, Lake Constance, Lake Neusiedl and the border sections of other border waters, for the territory of a municipality in which the State Police Directorate is also the first-instance security authority, shall be regulated by consistent laws of the Federation and the State concerned.

(Note: (5)) In matters of local spatial planning (Article 118 paragraph 3 item 9), the Länder are empowered, within the scope of their legislation, to provide for the conclusion of a civil law contract as a prerequisite for sovereign action in order to pursue public interests.Note, (5)) In matters of local spatial planning (Article 118,

paragraph 3, item 9), the Länder are empowered, within the scope of their legislation, to provide for the conclusion of a civil law contract as a prerequisite for sovereign action in order to pursue public interests.

5. (6)paragraph 6Insofar as the federal government is solely responsible for legislating on the principles, the detailed implementation is the responsibility of the state legislation within the framework laid down by federal law. The federal law can set a deadline for the enactment of the implementing laws, which, without the consent of the Federal Council, may not be shorter than six months and not longer than one year. If a state fails to meet this deadline, responsibility for enacting the implementing law for that state passes to the federal government. As soon as the state has enacted the implementing law, the federal implementing law ceases to have effect. If the federal government has not laid down any principles, the state legislature is free to regulate such matters. As soon as the federal government has laid down principles, the state legal provisions must be adapted to the basic law within the deadline to be set by federal law.

6. (7)paragraph 7The following can be done within the framework of the Federal Legal Information System:

1. 1stnumber one
the publication of the legal provisions to be published in the State Gazette (Article 97, paragraph 1);the publication of the legal provisions to be published in the National Gazette (Article 97, paragraph one);
2. 2ndparagraph 2
the publication of legal provisions and the making of other official announcements by the bodies established in the area of execution of the states, the municipalities and the associations of municipalities.

7. (8)paragraph 8In matters reserved to federal legislation under Articles 11 and 12, the Federation has the right to ensure compliance with the provisions it has issued.In matters reserved to federal legislation under Articles 11 and 12, the Federation shall have the right to ensure compliance with the provisions it has issued.

8. (9)paragraph 9The states are empowered, within the scope of their legislation, to make the provisions necessary to regulate the subject matter, including in the area of criminal and civil law.

9. (10)paragraph 10State laws which amend or re-regulate the existing organisation of the authorities of general state administration in the states may provide for cross-district cooperation between district administrative authorities, including the bodies of cities with their own statutes (Article 116, paragraph 3), in particular the transfer of administrative responsibilities.State laws which amend or re-regulate the existing organisation of the authorities of general state administration in the states may provide for cross-district cooperation between district administrative authorities, including the bodies of cities with their own statutes (Article 116, paragraph 3), in particular the transfer of administrative responsibilities.

10. (11)paragraph 11The districts of the political districts are to be determined by decree of the state government.

Article 15a

text

Article 15a.

1. (1)paragraph oneThe Federation and the states can conclude agreements with each other on matters within their respective areas of responsibility. The conclusion of such agreements on behalf of the Federation is the responsibility of the Federal Government or the Federal Ministers, depending on the subject matter. Agreements that are also intended to bind the federal legislative bodies may only be concluded by the Federal Government with the approval of the National Council, whereby Article 50 paragraph 3 applies mutatis mutandis to such decisions of the National Council; they must be published in the Federal Law Gazette.The Federation and the states can conclude agreements with each other on matters within their respective areas of responsibility. The conclusion of such agreements on behalf of the Federation is the responsibility of the Federal Government or the Federal Ministers, depending on the subject matter. Agreements that are also intended to bind the federal legislative bodies may only be concluded by the Federal Government with the approval of the National Council, whereby Article 50, paragraph 3, applies mutatis mutandis to such decisions of the National Council; they must be published in the Federal Law Gazette.

2. (2)paragraph 2Agreements between the states can only be made on matters within their independent sphere of influence and must be brought to the attention of the Federal Government without delay.

3. (3)paragraph 3The principles of international treaty law shall apply to agreements within the meaning of paragraph 1. The same shall apply to agreements within the meaning of paragraph 2, unless otherwise provided by the concurrent constitutional laws of the countries concerned.The principles of international treaty law shall apply to agreements within the meaning of paragraph 1. The same shall apply to agreements within the meaning of paragraph 2, unless otherwise provided by the concurrent constitutional laws of the countries concerned.

Article 16

text

Article 16.

1. (1)paragraph oneThe states may conclude international treaties with states bordering Austria or their constituent states in matters that fall within their independent sphere of influence.
2. (2)paragraph 2The Governor must inform the Federal Government before negotiations begin on such an interstate treaty. Before concluding the treaty, the Governor must obtain the consent of the Federal Government. Consent is deemed to have been given if the Federal Government has not informed the Governor within eight weeks of the date on which the request for consent was received by the Federal Chancellery that consent is refused. The Federal President is empowered to begin negotiations and conclude the treaty on the proposal of the State Government and with the countersignature of the Governor.
3. (3)paragraph 3At the request of the Federal Government, the State must terminate international treaties pursuant to paragraph 1. If a State does not comply with this obligation in a timely manner, responsibility for this shall pass to the Federal Government. At the request of the Federal Government, state treaties pursuant to paragraph 1 must be terminated by the state. If a state does not comply with this obligation in a timely manner, responsibility for this will pass to the Federal Government.
4. (4)paragraph 4The states are obliged to take measures that are necessary for the implementation of international treaties within their independent sphere of influence; if a state does not comply with this obligation in a timely manner, responsibility for such measures, in particular for the enactment of the necessary laws, passes to the federal government. A measure taken by the federal government in accordance with this provision, in particular a law or regulation enacted in this way, ceases to have effect as soon as the state has taken the necessary measures.
5. (5)paragraph 5Likewise, the Federation has the right to supervise the implementation of international treaties, even in matters that fall within the independent sphere of influence of the states. In this respect, the Federation has the same rights vis-à-vis the states as in matters of indirect federal administration (Article 102). Likewise, the Federation has the right of supervision in the implementation of international treaties, even in matters that fall within the independent sphere of influence of the states. In this respect, the Federation has the same rights vis-à-vis the states as in matters of indirect federal administration (Article 102).
(Note: Paragraph 6 repealed by [Federal Law Gazette No. 1013/1994](#))Note, paragraph 6, repealed by Federal Law Gazette No. 1013 of 1994.)

Article 17

text

Article 17.

The provisions of Articles 10 to 15 on competence in legislation and enforcement do not in any way affect the position of the Federation and the states as holders of private rights. The provisions of Articles 10 to 15 concerning legislative and executive powers do not in any way affect the position of the Federation and the states as holders of private rights.

Article 18

text

Article 18.

1. (1)paragraph oneThe entire state administration may only be carried out on the basis of the law.
2. (2)paragraph 2Every administrative authority may issue regulations on the basis of the law within its sphere of activity.
3. (3)paragraph 3If the immediate adoption of measures which, in accordance with the constitution, require a decision by the National Council becomes necessary to prevent obvious, irreparable harm to the general public at a time when the National Council is not in session, cannot meet on time or is hindered in its activities by force majeure, the Federal President may, on the proposal of the Federal Government and under his and its responsibility, take these measures by means of provisional law-amending regulations. The Federal Government must submit its proposal in agreement with the permanent subcommittee to be set up by the Main Committee of the National Council (Article 55, paragraph 3). Such an regulation must be countersigned by the Federal Government. If the immediate adoption of measures which, in accordance with the constitution, require a decision by the National Council becomes necessary to prevent obvious, irreparable harm to the general public at a time when the National Council is not in session, cannot meet on time or is hindered in its activities by force majeure, the Federal President may, on the proposal of the Federal Government and under his and its responsibility, take these measures by means of provisional law-amending regulations. The Federal Government must submit its proposal in agreement with the permanent subcommittee to be set up by the Main Committee of the National Council (Article 55, paragraph 3). Such an regulation must be countersigned by the Federal Government.
4. (4)paragraph 4Any ordinance issued pursuant to paragraph 3 must be submitted by the Federal Government without delay to the National Council, which must be convened by the Federal President for one of the eight days following the submission if the National Council is not in session at the time, or by the President of the National Council during the session. Within four weeks of the submission, the National Council must either pass a corresponding federal law in place of the ordinance or request by resolution that the

ordinance be immediately repealed by the Federal Government. In the latter case, the Federal Government must comply with this request immediately. In order to ensure that the National Council makes a timely decision, the President must put the proposal to the vote no later than the penultimate day of the four-week period; the Federal Law on the Rules of Procedure of the National Council sets out the detailed provisions. If the ordinance is repealed by the Federal Government in accordance with the preceding provisions, the legal provisions that were repealed by the ordinance will come into force again on the day on which the repeal takes effect. Any ordinance issued pursuant to paragraph 3 must be submitted by the Federal Government without delay to the National Council, which must be convened by the Federal President for one of the eight days following the submission if the National Council is not in session at the time, or by the President of the National Council during the session. Within four weeks of the submission, the National Council must either pass a corresponding federal law in place of the ordinance or request by resolution that the ordinance be immediately repealed by the Federal Government. In the latter case, the Federal Government must comply with this request immediately. In order to ensure that the National Council makes a timely decision, the President must put the proposal to the vote no later than the penultimate day of the four-week period; the Federal Law on the Rules of Procedure of the National Council sets out the detailed provisions. If the ordinance is repealed by the Federal Government in accordance with the preceding provisions, the legal provisions that were repealed by the ordinance will come into force again on the day on which the repeal comes into force.

5. (5)paragraph 5The regulations referred to in paragraph 3 must not constitute an amendment to provisions of the Federal Constitution and must not involve a permanent financial burden on the Federation, a financial burden on the states or municipalities, financial obligations on citizens, a disposal of federal assets, measures in the matters referred to in Article 10 paragraph 1 item 11, or, finally, measures in the area of coalition law or tenant protection. The regulations referred to in paragraph 3 must not constitute an amendment to the provisions of the Federal Constitution and must not involve a permanent financial burden on the Federation, a financial burden on the states or municipalities, financial obligations on citizens, a disposal of Federal assets, measures in the matters referred to in Article 10, paragraph one, item 11, or, finally, measures in the area of the right of association or the protection of tenants.

Article 19

text

Article 19.

1. (1)paragraph oneThe highest executive bodies are the Federal President, the Federal Ministers and State Secretaries as well as the members of the state governments.

2. (2)paragraph 2The admissibility of the activities of the bodies referred to in paragraph 1 and of other public officials in the private sector may be restricted by federal law. Federal law may restrict the admissibility of the activities of the bodies referred to in paragraph 1 and of other public officials in the private sector.

Article 20

text

Article 20.

1. (1)paragraph oneUnder the leadership of the highest bodies of the Federation and the states, the administration is managed by bodies elected for a limited period of time, appointed professional bodies or contractually appointed bodies in accordance with the provisions of the laws. They are responsible to the bodies above them for their official activities and, unless otherwise provided for in laws pursuant to paragraph 2, are bound by their instructions. The subordinate body can refuse to follow an instruction if the instruction was either issued by an incompetent body or if following it would violate criminal law provisions. Under the leadership of the supreme bodies of the Federation and the states, the administration is managed by bodies elected for a limited period of time, appointed professional bodies or contractually appointed bodies in accordance with the provisions of the laws. They are responsible to the bodies above them for their official activities and, unless otherwise provided for in laws pursuant to paragraph 2, are bound by their instructions. The subordinate body can refuse to follow an instruction if the instruction was either issued by an incompetent body or if following it would violate criminal law provisions.

2. (2)paragraph 2By law, organs

1. 1stnumber one
for expert examination,
2. 2ndparagraph 2
to control the legality of the administration,
3. 3.paragraph 3
with arbitration, mediation and interest representation tasks,
4. 4thparagraph 4
to safeguard competition and to carry out economic supervision,
5. 5thparagraph 5
on the supervision and regulation of electronic media and on the promotion of the media,

6. 6th paragraph 6
for the implementation of individual matters of service and disciplinary law,
 7. 7th paragraph 7
for conducting and managing elections, or,
 8. 8th paragraph 8
to the extent required by European Union law,
3. be exempted from being bound by instructions from the bodies above them. Additional categories of independent bodies can be created by state constitutional law. The law must provide for supervisory rights of the highest bodies appropriate to the task of the independent body, at least the right to be informed about all matters relating to the management of the independent bodies and - unless the bodies are in accordance with paragraphs 2, 5 and 8 - the right to dismiss independent bodies for important reasons. Additional categories of independent bodies can be created by state constitutional law. The law must provide for supervisory rights of the highest bodies appropriate to the task of the independent body, at least the right to be informed about all matters relating to the management of the independent bodies and - unless the bodies are in accordance with paragraphs 2, 5 and 8 - the right to dismiss independent bodies for important reasons.
4. (3) paragraph 3 Unless otherwise provided by law, all bodies entrusted with federal, state and local administration tasks, as well as the bodies of other public bodies, are obliged to maintain confidentiality regarding all facts that have become known to them exclusively in the course of their official duties, the confidentiality of which is necessary in the interests of maintaining public peace, order and security, comprehensive national defence, foreign relations, in the economic interests of a public body, in preparation for a decision or in the overriding interests of the parties (official secrecy). Officials appointed by a general representative body are not obliged to maintain official secrecy towards that representative body if it expressly requests such information.
5. (4) paragraph 4 All bodies entrusted with federal, state and local administration tasks, as well as the bodies of other public corporations, must provide information on matters within their sphere of activity, provided that a statutory duty of confidentiality does not conflict with this; professional representatives are only obliged to provide information to their respective members and insofar as this does not prevent the proper performance of their statutory duties. The detailed regulations are a federal matter with regard to federal bodies and the self-administration regulated by federal legislation in terms of legislation and executive action; with regard to state and local bodies and the self-administration regulated by state legislation, they are a federal matter in terms of basic legislation, and a state matter in terms of implementing legislation and executive action.
6. (5) paragraph 5 All bodies entrusted with federal, state and municipal administration tasks must publish studies, reports and surveys which they have commissioned, together with their costs, in a manner accessible to everyone, unless and to the extent that their confidentiality is required under paragraph 3. All bodies entrusted with federal, state and local administration tasks must publish studies, reports and surveys which they have commissioned, together with their costs, in a manner accessible to everyone, unless and to the extent that their confidentiality is required under paragraph 3.

Article 21

text

Article 21.

1. (1) paragraph one The states are responsible for legislation and enforcement in matters of service law, including the law on service contracts and the law on staff representation for employees of the states, municipalities and municipal associations, unless otherwise provided for in paragraph 2, Article 14 paragraph 2, paragraph 3 letter c and paragraph 5 letter c and Article 14a paragraph 2 letter e and paragraph 3 letter b. Disputes arising from contractual employment relationships are decided by the ordinary courts. The states are responsible for legislation and enforcement in matters of service law, including the law on service contracts and the law on staff representation for employees of the states, municipalities and municipal associations, unless otherwise provided for in paragraph 2, Article 14, paragraph 2, paragraph 3, letter c and paragraph 5, letter c and Article 14a, paragraph 2, letter e and paragraph 3, letter b. Disputes arising from contractual service relationships are decided by the ordinary courts.
2. (2) paragraph 2 The states are responsible for legislation and enforcement in matters relating to the protection of employees (paragraph 1) and the staff representation of employees of the states, provided that the employees do not work in companies. Insofar as the states do not have jurisdiction according to the first sentence, the above-mentioned matters fall under the jurisdiction of the federal government. The states are responsible for legislation and enforcement in matters relating to the protection of employees (paragraph one) and the staff representation of employees of the states, provided that the employees do not work in companies. Insofar as the states do not have jurisdiction according to the first sentence, the above-mentioned matters fall under the jurisdiction of the federal government.

3. (3)paragraph 3Unless otherwise provided in this law, the authority over federal employees is exercised by the highest federal bodies. The authority over state employees is exercised by the highest state bodies; to the extent that this law provides for corresponding exceptions with regard to federal employees, a state constitutional law may stipulate that the authority over state employees is exercised by similar bodies.

4. (4)paragraph 4Public servants are always free to switch between service with the federal government, the states, the municipalities and the municipal associations. Legal provisions according to which the crediting of service periods varies depending on whether they were completed with the federal government, a state, a municipality or a municipal association are not permitted. In order to enable an equivalent development of service law, staff representation law and employee protection at the federal, state and municipal levels, the federal and state governments must inform each other about projects in these matters.

5. (5)paragraph 5By law, it may be provided that

1. 1stnumber one
officials are appointed for a limited period to perform specific managerial functions or where the nature of the service so requires;
 2. 2ndparagraph 2
after expiry of the fixed-term contract or if the organisation of the authorities or the service structures is changed by law, no appointment is required;
 3. 3.paragraph 3
insofar as the power to make the appointment has been transferred in accordance with Article 66(1), no appointment is required in cases of transfer or change of assignment.insofar as the power to make the appointment has been delegated in accordance with Article 66, paragraph one, no appointment is required in cases of transfer or change of assignment.
6. (6)paragraph 6In the cases referred to in paragraph 5, there is no entitlement to equivalent use.In the cases referred to in paragraph 5, there is no entitlement to equivalent use.

Article 22

text

Article 22.

All federal, state, municipal and municipal associations as well as other self-governing bodies are obliged to provide mutual assistance within the scope of their legal sphere of activity.

Article 23

text

Article 23.

1. (1)paragraph oneThe Federation, the states, the municipalities and other corporations and institutions under public law are liable for any damage caused to anyone by persons acting as their organs in the execution of the law through unlawful conduct.

2. (2)paragraph 2Persons acting as organs of a legal entity referred to in paragraph 1 shall be liable to that entity for the damage for which the legal entity has compensated the injured party, provided that they have acted intentionally or with gross negligence.Persons acting as organs of a legal entity referred to in paragraph 1 shall be liable to that entity for the damage for which the legal entity has compensated the injured party, provided that they are guilty of intent or gross negligence.

3. (3)paragraph 3Persons acting as organs of a legal entity referred to in paragraph 1 shall be liable for any damage they have directly caused to the legal entity through unlawful conduct in the execution of the law.Persons acting as organs of a legal entity referred to in paragraph 1 shall be liable for any damage they have directly caused to the legal entity through unlawful conduct in the execution of the law.

4. (4)paragraph 4The detailed provisions of paragraphs 1 to 3 shall be laid down by federal law.The detailed provisions of paragraphs one to three shall be laid down by federal law.

5. (5)paragraph 5A federal law may also determine the extent to which special provisions deviating from the principles laid down in paragraphs 1 to 3 shall apply in the field of postal services and telecommunications.A federal law may also determine the extent to which special provisions deviating from the principles laid down in paragraphs 1 to 3 shall apply in the field of postal services and telecommunications.

Art. 23a

text

B. European Union

Article 23a.

1. (1)paragraph oneIn Austria, members of the European Parliament are elected according to the principles of proportional representation on the basis of the equal, direct, personal, free and secret right to vote of all men and women who have reached the age of 16 on election day and who, on the election day, either have Austrian citizenship and are not excluded from the right to vote under European Union law, or have the nationality of another Member State of the European Union and are entitled to vote under European Union law.

2. (2)paragraph 2The federal territory forms a single electoral body for the elections to the European Parliament.

3. (3)paragraph 3Eligible to vote in the European Parliament in Austria are those who have reached the age of 18 on election day.

4. (4)paragraph 4Article 26 paragraphs 5 to 7 shall apply mutatis mutandis. Article 26, paragraphs 5 to 7 shall apply mutatis mutandis.

(Note: Paragraphs 5 and 6 repealed by [BGBl. I No. 27/2007](#))Note, paragraphs 5 and 6 repealed by Federal Law Gazette Part One, No. 27 of 2007,)

Art. 23b

text

Article 23b.

1. (1)paragraph oneWhen public servants apply for a seat in the European Parliament, they must be granted the time off work required to apply for the seat. Public servants who have been elected as members of the European Parliament must be suspended from service for the duration of their term of office and receive no salary. Further details are laid down by law.

2. (2)paragraph 2University lecturers may continue to engage in research, teaching and examination activities while serving in the European Parliament. The remuneration for this activity shall be calculated in accordance with the actual services rendered, but may not exceed 25% of the remuneration of a university lecturer.

3. (3)paragraph 3To the extent that this Federal Constitutional Law provides for the incompatibility of functions with membership or former membership of the National Council, these functions are also incompatible with membership or former membership of the European Parliament.

Art. 23c

text

Article 23c.

1. (1)paragraph oneThe Federal Government is responsible for preparing Austrian proposals for the appointment of members of the European Commission, members of the Court of Justice of the European Union, members of the Court of Auditors, members of the Economic and Social Committee, members of the Committee of the Regions and their alternates, and members of the Board of Directors of the European Investment Bank.

2. (2)paragraph 2Before drawing up proposals for the appointment of members of the European Commission, the Court of Justice of the European Union, the Court of Auditors and the Board of Directors of the European Investment Bank, the Federal Government must inform the National Council and the Federal President of whom it intends to propose. The Federal Government must reach agreement on the proposals with the Main Committee of the National Council.

3. (3)paragraph 3Before drawing up proposals for the appointment of members of the Economic and Social Committee, the Federal Government shall obtain proposals from the statutory and other professional representatives of the various groups in economic and social life.

4. (4)paragraph 4The Federal Government must make proposals for the appointment of members of the Committee of the Regions and their deputies on the basis of proposals from the states and the Austrian Association of Municipalities and the Austrian Association of Cities. Each state must propose one member and their deputies; the other members and their deputies are to be proposed jointly by the Austrian Association of Municipalities and the Austrian Association of Cities.

5. (5)paragraph 5The Federal Government shall inform the National Council of whom it has proposed pursuant to paragraphs 3 and 4 and the Federal Council of whom it has proposed pursuant to paragraphs 2, 3 and 4. The Federal Government shall inform the National Council of whom it has proposed pursuant to paragraphs 3 and 4 and the Federal Council of whom it has proposed pursuant to paragraphs 2, 3 and 4.

Art. 23d

text

Article 23d.

1. (1)paragraph oneThe federal government must immediately inform the states about all projects within the framework of the European Union that affect the states' independent sphere of influence or that could otherwise be of interest to them, and give them the opportunity to comment. Such comments must be addressed to the Federal Chancellery. The same applies to the municipalities if their own sphere of influence or other important interests of the municipalities are affected. The Austrian Association of Cities and the Austrian Association of Municipalities are responsible for representing the municipalities in these matters (Article 115, paragraph 3). The Federation must inform the states immediately about all projects within the framework of the European Union that affect the states' independent sphere of influence or that could otherwise be of interest to them, and give them the opportunity to comment. Such comments must be addressed to the Federal Chancellery. The same applies to the municipalities if their own sphere of influence or other important interests

of the municipalities are affected. The Austrian Association of Cities and the Austrian Association of Municipalities are responsible for representing the municipalities in these matters (Article 115, Paragraph 3).

2. (2)paragraph 2If the states have submitted a uniform statement on a project that concerns matters in which legislation is a state matter, the federal government may only deviate from this statement in negotiations and votes in the European Union for compelling reasons of integration and foreign policy. The federal government must inform the states of these reasons without delay.

3. (3)paragraph 3If a project also concerns matters in which legislation is a matter for the states, the Federal Government can delegate the authority to attend the meetings of the Council and, within this framework, to conduct negotiations on this project and to cast the vote to a member of a state government nominated by the states. The representative of the states exercises this authority with the participation of the responsible Federal Minister and in consultation with him; paragraph 2 also applies to him. The representative of the states is responsible to the National Council in matters of federal legislation and to the state parliaments in matters of state legislation in accordance with Article 142.If a project also concerns matters in which legislation is a matter for the states, the Federal Government can delegate the authority to attend the meetings of the Council and, within this framework, to conduct negotiations on this project and to cast votes to a member of a state government nominated by the states. The exercise of this authority by the representative of the states takes place with the participation of the responsible Federal Minister and in consultation with him; paragraph 2 also applies to him. The representative of the states is responsible to the National Council in matters of federal legislation and to the state parliaments in matters of state legislation in accordance with Article 142.

4. (4)paragraph 4The detailed provisions of paragraphs 1 to 3 are to be laid down in an agreement between the Federal Government and the states (Article 15a paragraph 1).The detailed provisions of paragraphs one to three are to be laid down in an agreement between the Federation and the states (Article 15a, paragraph one).

5. (5)paragraph 5The states are obliged to take measures that are necessary within their independent sphere of influence to implement legal acts within the framework of the European Union ; if a state fails to comply with this obligation in a timely manner and the Court of Justice of the European Union determines this to be the case with Austria, responsibility for such measures, in particular for passing the necessary laws, shall pass to the federal government. A measure taken by the federal government in accordance with this provision, in particular a law or regulation passed in this way, shall cease to have effect as soon as the state has taken the necessary measures.

Art. 23e

text

Article 23e.

1. (1)paragraph oneThe responsible Federal Minister must immediately inform the National Council and the Federal Council of all projects within the framework of the European Union and give them the opportunity to comment.

2. (2)paragraph 2The responsible Federal Minister shall inform the National Council and the Federal Council of an impending decision of the European Council or the Council concerning

1. 1stnumber one
the transition from unanimity to qualified majority or
2. 2ndparagraph 2
the transition from a special legislative procedure to the ordinary legislative procedure
3. expressly and in good time to enable the National Council and the Federal Council to exercise their powers under this Article.

4. (3)paragraph 3If the National Council has issued an opinion on a proposal aimed at adopting a binding legal act that would affect the adoption of federal laws in the area regulated by the legal act, the responsible Federal Minister may only deviate from this opinion during negotiations and votes in the European Union for compelling reasons of integration and foreign policy. If the responsible Federal Minister intends to deviate from the opinion of the National Council, he must refer the matter to the National Council again. If the proposal aims at adopting a binding legal act that would either require the adoption of federal constitutional provisions or contains regulations that could only be made by such provisions, a deviation is only permissible if the National Council does not object to it within a reasonable period of time. The responsible Federal Minister must report to the National Council immediately after the vote in the European Union and, if necessary, inform it of the reasons why he deviated from the opinion.

5. (4)paragraph 4If the Federal Council has issued an opinion on a project aimed at adopting a binding legal act which would either require the adoption of provisions under the Federal Constitution which restrict the legislative or executive authority of the states in accordance with Article 44(2) or which contains regulations which could only be adopted by such provisions, the responsible Federal Minister may only deviate from this opinion during negotiations and votes in the European Union for compelling reasons relating to integration and foreign policy. In any event, a deviation is only permissible if the Federal Council does not

object to it within a reasonable period of time. The responsible Federal Minister must report to the Federal Council immediately after the vote in the European Union and, if applicable, inform it of the reasons for deviating from the opinion. If the Federal Council has issued an opinion on a project aimed at adopting a binding legal act which would either require the adoption of provisions of the Federal Constitution which restrict the competence of the states in legislation or enforcement in accordance with Article 44, Paragraph 2, or which contains regulations which could only be adopted by such provisions, the responsible Federal Minister may only deviate from this opinion during negotiations and votes in the European Union for compelling reasons of integration and foreign policy. In any case, a deviation is only permissible if the Federal Council does not object to it within a reasonable period of time. The responsible Federal Minister must report to the Federal Council immediately after the vote in the European Union and, if applicable, inform it of the reasons for deviating from the opinion.

Art. 23f

text

Articles 23f.

1. (1) paragraph one The National Council and the Federal Council exercise the powers of the national parliaments provided for in the Treaty on European Union, the Treaty on the Functioning of the European Union and the Protocols annexed to those Treaties, as amended.
2. (2) paragraph 2 At the beginning of each year, each Federal Minister reports to the National Council and the Federal Council on the projects expected to be implemented by the Council and the European Commission in that year, as well as on the likely Austrian position on these projects.
3. (3) paragraph 3 Further information obligations are to be provided for by federal law.
4. (4) paragraph 4 The National Council and the Federal Council may express their wishes regarding European Union projects in communications to the institutions of the European Union.

Art. 23g

text

Article 23g.

1. (1) paragraph one The National Council and the Federal Council may issue a reasoned opinion on a draft legislative act within the framework of the European Union explaining why the draft is not compatible with the principle of subsidiarity.
2. (2) paragraph 2 The National Council and the Federal Council may request a statement from the competent Federal Minister on the compatibility of drafts pursuant to paragraph 1 with the principle of subsidiarity, which must normally be submitted within two weeks of receipt of the request. The National Council and the Federal Council may request a statement from the responsible Federal Minister on the compatibility of drafts pursuant to paragraph 1 with the principle of subsidiarity, which must normally be submitted within two weeks of receipt of the request.
3. (3) paragraph 3 The Federal Council must immediately inform the state parliaments of all drafts pursuant to paragraph 1 and give them the opportunity to comment. When adopting a reasoned opinion pursuant to paragraph 1, the Federal Council must consider the opinions of the state parliaments and inform the state parliaments of such decisions. The Federal Council must immediately inform the state parliaments of all drafts pursuant to paragraph one and give them the opportunity to comment. When adopting a reasoned opinion pursuant to paragraph one, the Federal Council must consider the opinions of the state parliaments and inform the state parliaments of such decisions.

Art. 23h

text

Article 23h.

1. (1) paragraph one The National Council and the Federal Council may decide that an action shall be brought before the Court of Justice of the European Union against a legislative act within the framework of the European Union on the grounds of infringement of the principle of subsidiarity.
2. (2) paragraph 2 The Federal Chancellery shall immediately transmit the action to the Court of Justice of the European Union on behalf of the National Council or the Federal Council.

Art. 23i

text

Article 23i.

1. (1) paragraph one The Austrian member of the European Council may only agree to an initiative pursuant to Article 48 paragraph 7 of the Treaty on European Union as amended by the Treaty of Lisbon if the National Council, with the consent of the Federal Council, has authorized it to do so on the basis of a proposal from the Federal Government. These decisions of the National Council and the Federal Council require the presence of at least half of the members and a majority of two thirds of the votes cast. The Austrian member of the European Council may only agree to an initiative pursuant to Article 48, paragraph 7, of the Treaty on European Union as amended by the Treaty of Lisbon if the National Council, with the consent of the Federal

Council, has authorized it to do so on the basis of a proposal from the Federal Government. These decisions of the National Council and the Federal Council require the presence of at least half of the members and a majority of two thirds of the votes cast.

2. (2)paragraph 2To the extent that European Union law provides for the possibility for national parliaments to reject an initiative or proposal concerning

1. 1stnumber one
the transition from unanimity to qualified majority or
2. 2ndparagraph 2
the transition from a special legislative procedure to the ordinary legislative procedure
3. the National Council, with the consent of the Federal Council, may reject that initiative or proposal within the time limits provided for by European Union law.

4. (3)paragraph 3Council decisions introducing new categories of European Union own resources require the approval of the National Council and the consent of the Federal Council; Article 50, paragraph 4, second sentence applies mutatis mutandis. Other Council decisions laying down provisions for the European Union's own resources system require the approval of the National Council. Article 23e, paragraph 2 applies mutatis mutandis.Council decisions introducing new categories of European Union own resources require the approval of the National Council and the consent of the Federal Council; Article 50, paragraph 4, second sentence applies mutatis mutandis. Other Council decisions laying down provisions for the European Union's own resources system require the approval of the National Council. Article 23e, paragraph 2 applies mutatis mutandis.

5. (4)paragraph 4Article 50(4) shall apply mutatis mutandis to other decisions of the European Council or of the Council which, under European Union law, enter into force only after the consent of the Member States in accordance with their respective constitutional requirements.Article 50(4) shall apply mutatis mutandis to other decisions of the European Council or of the Council which, under European Union law, enter into force only after the consent of the Member States in accordance with their respective constitutional requirements.

6. (5)paragraph 5Decisions of the National Council and the Federal Council under this Article shall be published by the Federal Chancellor in the Federal Law Gazette.

Article 23j

text

Article 23j.

1. (1)paragraph oneAustria participates in the common foreign and security policy of the European Union on the basis of Title V, Chapters 1 and 2 of the Treaty on European Union as amended by the Treaty of Lisbon, which in Article 3, Paragraph 5 and Article 21, Paragraph 1 provide in particular for the observance and respect of the principles of the Charter of the United Nations. This includes participation in tasks pursuant to Article 43, Paragraph 1 of this Treaty and in measures to suspend, restrict or completely terminate economic and financial relations with one or more third countries. Article 50, Paragraph 4 shall apply mutatis mutandis to decisions of the European Council on common defence.Austria participates in the common foreign and security policy of the European Union on the basis of Title V, Chapters 1 and 2 of the Treaty on European Union as amended by the Treaty of Lisbon, which in Article 3, paragraph 5 and Article 21, paragraph 1, provides in particular for the observance of the principles of the Charter of the United Nations. This includes participation in tasks pursuant to Article 43, paragraph 1, of this Treaty as well as in measures to suspend, restrict or completely terminate economic and financial relations with one or more third countries. Article 50, paragraph 4, applies mutatis mutandis to decisions of the European Council on common defence.

2. (2)paragraph 2Article 23e(3) shall apply mutatis mutandis to decisions taken within the framework of the Common Foreign and Security Policy of the European Union pursuant to Title V, Chapter 2 of the Treaty on European Union as amended by the Treaty of Lisbon.For decisions taken within the framework of the Common Foreign and Security Policy of the European Union on the basis of Title V, Chapter 2 of the Treaty on European Union as amended by the Treaty of Lisbon, Article 23e, paragraph 3, shall apply mutatis mutandis.

3. (3)paragraph 3In the case of decisions on the initiation of a mission outside the European Union which includes tasks of military advice and assistance, tasks of conflict prevention and peacekeeping or combat missions within the framework of crisis management, including peace-making measures and operations to stabilise the situation after conflicts, as well as in the case of decisions pursuant to Article 42(2) of the Treaty on European Union as amended by the Treaty of Lisbon concerning the gradual establishment of a common defence policy, the right to vote shall be exercised by agreement between the Federal Chancellor and the Federal Minister responsible for foreign affairs.In the case of decisions on the initiation of a mission outside the European Union which includes tasks of military advice and assistance, tasks of conflict prevention and peacekeeping or combat missions within the framework of crisis management, including peace-making measures and post-conflict stabilisation operations, as well as in the case of decisions pursuant to Article 42(2)

of the Treaty on European Union as amended by the Treaty of Lisbon concerning the gradual establishment of a common defence policy, the right to vote shall be exercised by agreement between the Federal Chancellor and the Federal Minister responsible for foreign affairs.

4. (4)paragraph 4If the decision to be taken would result in an obligation on Austria to send units or individuals, consent to measures pursuant to paragraph 3 may only be given subject to the proviso that the procedure provided for by the constitution for sending units or individuals abroad still needs to be implemented.If the decision to be taken would result in an obligation on Austria to send units or individuals, consent to measures pursuant to paragraph 3 may only be given subject to the proviso that the procedure provided for by the constitution for sending units or individuals abroad still needs to be implemented.

Art. 23k

text

Article 23k.

1. (1)paragraph oneFurther details on Articles 23e, 23f paragraphs 1, 2 and 4 and 23g to 23j are set out in the Federal Act on the Rules of Procedure of the National Council and the Rules of Procedure of the Federal Council.Further details on Articles 23e, 23f paragraphs one, 2 and 4 and 23g to 23j are set out in the Federal Law on the Rules of Procedure of the National Council and the Rules of Procedure of the Federal Council.

2. (2)paragraph 2The responsibilities of the National Council under Articles 23e, 23f paragraph 4, 23g and 23j paragraph 2 are the responsibility of its Main Committee. The Federal Law on the Rules of Procedure of the National Council may provide that the Main Committee elects a permanent subcommittee, to which Article 55 paragraph 3 applies mutatis mutandis. The Main Committee may transfer responsibilities under the first sentence to this permanent subcommittee. Such a transfer may be revoked in whole or in part at any time. The Federal Law on the Rules of Procedure of the National Council may transfer responsibilities of the Main Committee under the first sentence to the National Council or the permanent subcommittee of the Main Committee in accordance with the second sentence.The responsibilities of the National Council under Articles 23e, 23f paragraph 4, 23g and 23j paragraph 2 are the responsibility of its Main Committee. The Federal Law on the Rules of Procedure of the National Council may provide that the Main Committee elects a permanent subcommittee, to which Article 55 paragraph 3 applies mutatis mutandis. The Main Committee may transfer responsibilities under the first sentence to this permanent subcommittee. Such a transfer may be revoked in whole or in part at any time. The Federal Law on the Rules of Procedure of the National Council may transfer responsibilities of the Main Committee under the first sentence to the National Council or to the permanent subcommittee of the Main Committee in accordance with the second sentence.

3. (3)paragraph 3The powers of the Federal Council under Articles 23e, 23f paragraph 4 and 23g may be transferred to a committee elected by the Federal Council through its Rules of Procedure.The powers of the Federal Council under Articles 23e, 23f paragraph and 23g may be transferred by the Rules of Procedure of the Federal Council to a committee elected by the latter.

Article 24

text

Second Main Part

federal legislation

A. National Council

Article 24.

The National Council exercises federal legislation jointly with the Federal Council.

Article 25

text

Article 25.

1. (1)paragraph oneThe seat of the National Council is the federal capital Vienna.

2. (2)paragraph 2For the duration of extraordinary circumstances, the Federal President may, at the request of the Federal Government, convene the National Council at another location in the Federal territory.

Article 26

text

Article 26.

1. (1)paragraph oneThe National Council is elected by the federal people on the basis of the equal, direct, personal, free and secret right to vote of all men and women who have reached the age of 16 on election day, in accordance with the principles of proportional representation.

2. (2)paragraph 2The federal territory is divided into spatially closed constituencies, the boundaries of which must not intersect the state borders; these constituencies are to be subdivided into spatially closed regional constituencies. The number of representatives is distributed among the eligible voters in the constituencies (electoral bodies) in proportion to the number of citizens who, according to the results of the last census, had their main residence in the respective constituency, increased by the number of citizens who, on the day of the count, did not have their main residence in the federal territory but were registered in the voters'

register in a municipality in the respective constituency; the number of representatives assigned to a constituency is distributed among the regional constituencies in the same way. The electoral regulations for the National Council must provide for a final investigation procedure throughout the federal territory, through which both the seats allocated to the parties running for election in the constituencies and the seats not yet allocated are equalized in accordance with the principles of proportional representation. The electorate may not be divided into other electoral bodies.

3. (3)paragraph 3The election day must be a Sunday or a public holiday. If circumstances arise that prevent the start, continuation or completion of the voting process, the electoral authority may extend or postpone the voting process to the next day.

4. (4)paragraph 4Those eligible to vote in the National Council who are Austrian citizens on the cut-off date and who have reached the age of 18 on election day are eligible to stand for election.

5. (5)paragraph 5Exclusion from the right to vote or from eligibility to stand for election may only be provided for, albeit to varying degrees, by federal law as a result of a final court conviction.

6. (6)paragraph 6Voters who are likely to be unable to cast their vote at the electoral authority on election day, for example because they are not in the area, for health reasons or because they are abroad, can exercise their right to vote by postal vote upon request, stating the reason. The identity of the applicant must be proven. The voter must declare by signing an oath that the vote was cast in person and in secret.

7. (7)paragraph 7The detailed provisions regarding the electoral procedure are laid down by federal law.

Art. 26a

text

Article 26a.

1. (1)paragraph oneThe conduct and management of elections to the European Parliament, elections to the National Council, the election of the Federal President, referendums and plebiscites, participation in the review of popular initiatives and participation in the implementation of European citizens' initiatives are the responsibility of electoral authorities, which are newly formed before each election to the National Council. Representatives of the parties running for election must be members of these authorities as voting assessors, and the Federal Electoral Authority must also include serving or retired judges; the number of assessors is to be set out in the National Council electoral regulations. The non-judicial assessors are appointed on the basis of proposals from the parties running for election, in accordance with their strength as determined at the last election to the National Council. Parties running for election represented in the last elected National Council, which would then have no right to appoint assessors, are, however, entitled to propose an assessor for the Federal Electoral Authority.

2. (2)paragraph 2The municipality is responsible for maintaining the voter records and creating the relevant lists for elections to the European Parliament, elections to the National Council, elections of the Federal President, referendums and plebiscites within the delegated area of responsibility. The data from the voter records is stored in a central voter register, in which voter records can also be stored in accordance with state legislation; the states and municipalities can use this data for such lists within their area of responsibility.

Article 27

text

Article 27.

1. (1)paragraph oneThe legislative period of the National Council lasts five years, from the day on which it first convenes, but in any event until the day on which the new National Council convenes.

2. (2)paragraph 2The newly elected National Council must be convened by the Federal President no later than within thirty days of the election. The Federal Government must arrange for the election to take place in such a way that the newly elected National Council can meet on the day after the end of the fifth year of the legislative period.

Article 28

text

Article 28.

1. (1)paragraph oneThe Federal President shall convene the National Council for an ordinary session each year, which shall begin no earlier than 15 September and shall last no longer than 15 July of the following year.

2. (2)paragraph 2The Federal President can also convene the National Council for extraordinary sessions. If the Federal Government or at least one third of the members of the National Council or the Federal Council so request, the Federal President is obliged to convene the National Council for an extraordinary session, in such a way that the National Council meets no later than two weeks after the Federal President receives the request; the convening does not require a countersignature. A proposal from the Federal Government is not required to convene an extraordinary session at the request of members of the National Council or at the request of the Federal Council.

3. (3)paragraph 3The Federal President declares the sessions of the National Council closed based on a decision of the National Council.

4. (4)paragraph 4When a new session of the National Council opens within the same legislative period, work is continued as it was at the end of the last session. When a session ends, individual committees can be instructed by the National Council to continue their work. At the start of a new legislative period, popular initiatives that have not been dealt with by the National Council in the previous legislative period and citizens' initiatives addressed to the National Council are considered items for discussion by the newly elected National Council. The Federal Law on the Rules of Procedure of the National Council can also stipulate this for other items for discussion by the National Council.

5. (5)paragraph 5During a session, the President of the National Council convenes the individual meetings. If, during a session, the number of members of the National Council specified in the Federal Law on the Rules of Procedure of the National Council or the Federal Government so requests, the President is obliged to convene a meeting. Further provisions are set out in the Federal Law on the Rules of Procedure of the National Council, which must also set a time limit within which the National Council must meet.

6. (6)paragraph 6In the event that the elected Presidents of the National Council are prevented from exercising their office or their duties have been terminated, the Federal Law on the Rules of Procedure of the National Council shall make special provisions for the convening of the National Council.

Article 29

text

Article 29.

1. (1)paragraph oneThe Federal President may dissolve the National Council, but he may only do so once for the same reason. In this case, the Federal Government must order new elections in such a way that the newly elected National Council can meet no later than the 100th day after the dissolution.

2. (2)paragraph 2Before the end of the legislative period, the National Council may decide to dissolve itself by ordinary law.

3. (3)paragraph 3After dissolution in accordance with paragraph 2 and after expiry of the term for which the National Council was elected, the legislative period shall last until the day on which the newly elected National Council convenes.After dissolution in accordance with paragraph 2 and after expiry of the term for which the National Council was elected, the legislative period shall last until the day on which the newly elected National Council convenes.

Article 30

text

Article 30.

1. (1)paragraph oneThe National Council elects the President, the Second President and the Third President from among its members.

2. (2)paragraph 2The business of the National Council is conducted on the basis of a special federal law. The federal law on the rules of procedure of the National Council can only be passed if at least half of the members are present and with a majority of two thirds of the votes cast.

3. (3)paragraph 3The Parliamentary Directorate, which reports to the President of the National Council, is responsible for supporting parliamentary tasks and for handling administrative matters in the area of federal legislative bodies, as well as similar tasks and administrative matters that concern members of the European Parliament elected in Austria. For the area of the Federal Council, the internal organisation of the Parliamentary Directorate is to be regulated in agreement with the President of the Federal Council, who also has the right to issue instructions in carrying out the tasks assigned to the Federal Council on the basis of this law.

4. (4)paragraph 4The President of the National Council is also responsible, in particular, for appointing the employees of the Parliamentary Directorate and for all other powers in personnel matters concerning these employees.

5. (5)paragraph 5The President of the National Council may assign employees of the Parliamentary Directorate to the parliamentary groups to carry out parliamentary tasks.

6. (6)paragraph 6In carrying out the administrative matters assigned to the President of the National Council under this Article, the President is the supreme administrative body and exercises these powers alone. The President of the National Council is authorized to issue regulations insofar as these relate exclusively to administrative matters regulated in this Article.

Article 30a

text

Article 30a.

The special protection and confidentiality of information and the protection of personal data in the area of the National Council and the Federal Council are regulated by a special federal law. The Federal Law on the Information Regulations of the National Council and the Federal Council can only be passed by the National Council in the presence of at least half of the members and with a majority of two thirds of the votes cast. In

addition, it requires the approval of the Federal Council, which must be given in the presence of at least half of the members and with a majority of two thirds of the votes cast.

Art. 30b

text

Article 30b.

1. (1)paragraph oneA Disciplinary Commission will be set up at the Parliamentary Directorate to issue disciplinary decisions and decide on suspensions of officials of the Parliamentary Directorate, the Court of Auditors, the Ombudsman and the Parliamentary Data Protection Committee.
2. (2)paragraph 2The members of the Disciplinary Commission and the disciplinary attorneys shall be appointed by the President of the National Council, the President of the Court of Auditors and the Chairman of the Ombudsman Board.
3. (3)paragraph 3The detailed provisions regarding the organisation and procedure of the Disciplinary Commission as well as the position and appointment of the disciplinary lawyers shall be laid down by federal law.

Article 31

text

Article 31.

Unless otherwise provided in this Act or in the Federal Act on the Rules of Procedure of the National Council for specific matters, a decision of the National Council requires the presence of at least one third of the members and an absolute majority of the votes cast.

Article 32

text

Article 32.

1. (1)paragraph oneThe meetings of the National Council are public.
2. (2)paragraph 2The public shall be excluded if requested by the Chairman or by the number of members specified in the Federal Law on the Rules of Procedure of the National Council and if decided by the National Council after the audience has been removed.

Article 33

text

Article 33.

Truthful reports on the proceedings in the public sessions of the National Council and its committees remain free from any responsibility.

Article 34

text

B. Federal Council

Article 34.

1. (1)paragraph oneIn the Federal Council, the states are represented in proportion to the number of citizens in the state in accordance with the following provisions.
2. (2)paragraph 2The country with the largest number of citizens sends twelve members, and each other country sends as many members as corresponds to the ratio of its number of citizens to the first-mentioned number of citizens, with remainders over half of the ratio being considered full. However, each country is entitled to representation by at least three members. A substitute member is appointed for each member.
3. (3)paragraph 3The number of members to be sent by each state is determined by the Federal President after each general census.

Article 35

text

Article 35.

1. (1)paragraph oneThe members of the Federal Council and their substitute members are elected by the state parliaments for the duration of their legislative period according to the principle of proportional representation, but at least one mandate must go to the party with the second highest number of seats in the state parliament or, if several parties have the same number of seats, the second highest number of votes in the last state election. If several parties have the same claims, the decision is made by drawing lots.
2. (2)paragraph 2The members of the Federal Council do not have to belong to the state parliament that sends them; they must, however, be eligible for election to that state parliament.
3. (3)paragraph 3After the end of the legislative period of a state parliament or after its dissolution, the members of the Federal Council delegated by it remain in office until the new state parliament has elected members of the Federal Council.
4. (4)paragraph 4The provisions of Articles 34 and 35 may only be amended if the majority of representatives of at least four states in the Federal Council have accepted the amendment - in addition to the majority of votes required for its decision to be taken. The provisions of Articles 34 and 35 may only be

amended if the majority of the representatives of at least four states in the Federal Council have accepted the amendment - in addition to the majority required for its decision.

Article 36

text

Article 36.

1. (1)paragraph oneThe presidency of the Federal Council changes every six months in alphabetical order.
2. (2)paragraph 2The chairperson is the first-in-line representative of the state appointed to the chair, whose mandate is to be allocated to the party with the highest number of seats in the state parliament or, if several parties have the same number of seats, the highest number of votes in the last state election; if several parties have the same claim, the chair is decided by lot. The state parliament can, however, decide that the chair should be held by another representative of the state whose mandate in the Federal Council is allocated to this party; such a decision requires the approval of the majority of those members of the state parliament whose mandates in the state parliament are allocated to this party. The appointment of the chairperson's deputies is regulated by the Federal Council's rules of procedure. The chairperson bears the title "President of the Federal Council" and his deputies bear the title "Vice President of the Federal Council".
3. (3)paragraph 3The Federal Council is convened by its President at the seat of the National Council. The President is obliged to convene the Federal Council immediately if at least a quarter of its members or the Federal Government so requests.
4. (4)paragraph 4The state governors are entitled to participate in all negotiations of the Federal Council. According to the detailed provisions of the Federal Council's rules of procedure, they have the right to be heard on matters relating to their state at any time at their request.

Article 37

text

Article 37.

1. (1)paragraph oneUnless otherwise provided for in this Act or in the Rules of Procedure of the Federal Council for specific matters, a decision of the Federal Council requires the presence of at least one third of the members and an absolute majority of the votes cast.
2. (2)paragraph 2The Federal Council adopts its rules of procedure by resolution. This resolution can only be passed with the presence of half of the members and a majority of at least two-thirds of the votes cast. The rules of procedure can also contain provisions that have an effect beyond the internal sphere of the Federal Council, provided this is necessary to regulate the handling of business in the Federal Council. The rules of procedure have the effect of a federal law; they must be published by the Federal Chancellor in the Federal Law Gazette.
3. (3)paragraph 3The meetings of the Federal Council are public. However, the public nature of the meeting can be lifted by resolution in accordance with the provisions of the Rules of Procedure. The provisions of Article 33 also apply to public meetings of the Federal Council and its committees. The meetings of the Federal Council are public. However, the publicity can be lifted by resolution in accordance with the provisions of the Rules of Procedure. The provisions of Article 33 also apply to public meetings of the Federal Council and its committees.

Article 38

text

C. Federal Assembly

Article 38.

The National Council and the Federal Council meet as the Federal Assembly in a joint public session to swear in the Federal President and to decide on a declaration of war at the seat of the National Council.

Article 39

text

Article 39.

1. (1)paragraph oneThe Federal Assembly is convened by the Federal President, except in the cases provided for in Article 60, paragraph 6, Article 63, paragraph 2, Article 64, paragraph 4 and Article 68, paragraph 2. The Assembly is chaired alternately by the President of the National Council and the Chairman of the Federal Council, the first time by the Chairman. The Federal Assembly is convened by the Federal President, except in the cases provided for in Article 60, paragraph 6, Article 63, paragraph 2, Article 64, paragraph 4 and Article 68, paragraph 2. The Assembly is chaired alternately by the President of the National Council and the Chairman of the Federal Council, the first time by the Chairman.
2. (2)paragraph 2In the Federal Assembly, the Federal Law on the Rules of Procedure of the National Council shall be applied mutatis mutandis.
3. (3)paragraph 3The provisions of Article 33 also apply to the sessions of the Federal Assembly. The provisions of Article 33 also apply to the sessions of the Federal Assembly.

Article 40

text

Article 40.

1. (1)paragraph oneThe decisions of the Federal Assembly are certified by its Chairman and countersigned by the Federal Chancellor.
2. (2)paragraph 2The decisions of the Federal Assembly on a declaration of war must be officially announced by the Federal Chancellor.

Article 41

text

D. The path of federal legislation

Article 41.

1. (1)paragraph oneLegislative proposals are submitted to the National Council as motions from its members, the Federal Council or one third of the members of the Federal Council, or as submissions from the Federal Government.
2. (2)paragraph 2Any referendum supported by 100,000 eligible voters or by one sixth of the eligible voters in three states must be submitted to the National Council for consideration by the Federal Electoral Authority. Anyone who has the right to vote in the National Council on the last day of the registration period is entitled to vote. The referendum must concern a matter to be regulated by federal law and can be submitted in the form of a bill. Federal law can provide for electronic support of a referendum by eligible voters, but it must be ensured that this support is provided in person and only once.
3. (3)paragraph 3The detailed provisions regarding the procedure for the referendum shall be laid down by federal law.

Article 42

text

Article 42.

1. (1)paragraph oneEvery legislative decision of the National Council must be transmitted immediately by its President to the Federal Council.
2. (2)paragraph 2Unless otherwise provided by constitutional law, a legislative decision may only be authenticated and published if the Federal Council has not raised a reasoned objection to this decision.
3. (3)paragraph 3This objection must be submitted in writing to the National Council by the President of the Federal Council within eight weeks of the bill being received by the Federal Council; it must be brought to the attention of the Federal Chancellor.
4. (4)paragraph 4If the National Council repeats its original decision in the presence of at least half of its members, this decision must be authenticated and published. If the Federal Council decides not to raise an objection, or if no objection is raised with reasons within the time limit set out in paragraph 3, the legislative decision must be authenticated and published.If the National Council repeats its original decision in the presence of at least half of its members, this decision must be authenticated and published. If the Federal Council decides not to raise an objection, or if no objection is raised with reasons within the time limit set out in paragraph 3, the legislative decision must be authenticated and published.
5. (5)paragraph 5The Federal Council has no right to participate in legislative decisions concerning the Rules of Procedure of the National Council, the dissolution of the National Council, a federal law laying down detailed provisions on the preparation of the Federal Financial Framework Act, the Federal Finance Act and other federal budget management, a federal financial framework act, a federal finance act, provisional provisions within the meaning of Article 51a, paragraph 4, the disposal of federal assets, the assumption or conversion of federal liability, the incurring or conversion of federal financial debt or the approval of federal financial statements.The Federal Council shall have no say in the matter of legislative decisions taken by the National Council concerning the Rules of Procedure of the National Council, the dissolution of the National Council, a federal law laying down detailed provisions for the preparation of the Federal Financial Framework Act, the Federal Finance Act and other federal budget management, a federal financial framework act, a federal finance act, provisional provisions within the meaning of Article 51a, paragraph 4, or disposal of federal assets, the assumption or conversion of federal liability, the incurring or conversion of federal financial debt or the approval of federal financial statements.

Art. 42a

text

Article 42a.

If a legislative decision of the National Council requires the consent of the states, it must be notified by the Federal Chancellor to the offices of the state governments of the states involved immediately after the procedure has been completed in accordance with Article 42. Consent is deemed to have been given if the state governor has not informed the Federal Chancellor within eight weeks of the day on which the legislative decision was received by the state government office that consent is being refused. Before the expiry of this

period, the legislative decision may only be announced if the state governors of the states involved have communicated the express consent of the state. If a legislative decision of the National Council requires the consent of the states, it must be announced by the Federal Chancellor to the offices of the state governments of the states involved immediately after the procedure in accordance with Article 42 has been completed. Consent is deemed to have been given if the state governor has not informed the Federal Chancellor within eight weeks of the day on which the legislative decision was received by the state government office that consent is being refused. Before the expiry of this period, the legislative decision may only be announced if the state governors of the states involved have communicated the express consent of the state.

Article 43

text

Article 43.

Every legislative decision of the National Council shall be subject to a referendum after completion of the procedure pursuant to Article 42 or Article 42a, but before its certification by the Federal President, if the National Council so decides or if the majority of the members of the National Council so requests. Every legislative decision of the National Council shall be subject to a referendum after completion of the procedure pursuant to Article 42, or pursuant to Article 42a, but before its certification by the Federal President, if the National Council so decides or if the majority of the members of the National Council so requests.

Article 44

text

Article 44.

1. (1) paragraph one Constitutional laws or constitutional provisions contained in ordinary laws may only be adopted by the National Council in the presence of at least half of its members and by a majority of two-thirds of the votes cast; they must be expressly designated as such (“constitutional law”, “constitutional provision”).

2. (2) paragraph 2 Constitutional laws or constitutional provisions contained in ordinary laws which limit the legislative or executive powers of the states require, moreover, the consent of the Federal Council in the presence of at least half of its members and by a majority of two-thirds of the votes cast.

3. (3) paragraph 3 Any total amendment to the Federal Constitution, but a partial amendment only if requested by one third of the members of the National Council or the Federal Council, shall be subject to a vote of the entire Federal people after completion of the procedure pursuant to Article 42 but before certification by the Federal President. Any total amendment to the Federal Constitution, but only a partial amendment if requested by one third of the members of the National Council or the Federal Council, shall be subject to a vote of the entire Federal people after completion of the procedure pursuant to Article 42, but before certification by the Federal President.

Article 45

text

Article 45.

1. (1) paragraph one In the referendum, the absolute majority of valid votes cast decides.
2. (2) paragraph 2 The result of the referendum must be officially announced.

Article 46

text

Article 46.

1. (1) paragraph one The Federal President orders the referendum.
2. (2) paragraph 2 Anyone who has the right to vote in the National Council on the day of the vote is entitled to vote in referendums.
3. (3) paragraph 3 The detailed provisions on the referendum procedure are laid down by federal law. Article 26 paragraph 6 shall apply mutatis mutandis. The detailed provisions regarding the referendum procedure shall be laid down by federal law. Article 26, paragraph 6, shall apply mutatis mutandis.

Article 47

text

Article 47.

1. (1) paragraph one The constitutional creation of federal laws is certified by the Federal President.
2. (2) paragraph 2 The submission for certification is made by the Federal Chancellor.
3. (3) paragraph 3 The certification must be countersigned by the Federal Chancellor.

Article 48

text

Article 48.

Federal laws and international treaties approved in accordance with Article 50, paragraph 1 shall be promulgated by reference to the decision of the National Council; federal laws based on a referendum shall be promulgated by reference to the result of the referendum. Federal laws and international treaties approved in

accordance with Article 50, paragraph one, shall be promulgated by reference to the decision of the National Council; federal laws based on a referendum shall be promulgated by reference to the result of the referendum.

Article 49

text

Article 49.

1. (1)paragraph oneFederal laws must be published by the Federal Chancellor in the Federal Law Gazette. Unless expressly provided otherwise, they enter into force at the end of the day of their publication and apply to the entire federal territory.

2. (2)paragraph 2The international treaties pursuant to Article 50, Paragraph 1 must be published by the Federal Chancellor in the Federal Law Gazette. If an international treaty pursuant to Article 50, Paragraph 1, Item 1 has been authentically recorded in more than two languages, it is sufficient ifThe international treaties pursuant to Article 50, paragraph one, must be published by the Federal Chancellor in the Federal Law Gazette. If an international treaty pursuant to Article 50, paragraph one, item one, has been authentically recorded in more than two languages, it is sufficient if

1. 1stnumber one
two authentic language versions and a translation into German,

2. 2ndparagraph 2

3. However, if the German language version is authentic, this and another authentic language version be published. When approving an international treaty in accordance with Article 50, Paragraph 1, the National Council can decide how the international treaty or individual, precisely specified parts of it are to be published other than in the Federal Law Gazette; such decisions of the National Council must be published by the Federal Chancellor in the Federal Law Gazette. Unless expressly provided otherwise, international treaties in accordance with Article 50, Paragraph 1 come into force at the end of the day on which they are published – in the case of the third sentence, at the end of the day on which the decision of the National Council is published – and apply to the whole of the federal territory; this does not apply to international treaties that are to be implemented by passing laws (Article 50, Paragraph 2, Item 4) .be published. When approving an international treaty in accordance with Article 50, paragraph one, the National Council can decide how the international treaty or individual, precisely specified parts of it are to be published other than in the Federal Law Gazette; such decisions of the National Council must be published by the Federal Chancellor in the Federal Law Gazette. Unless expressly provided otherwise, international treaties in accordance with Article 50, paragraph one, come into force at the end of the day of their publication – in the case of the third sentence, at the end of the day on which the decision of the National Council is published – and apply to the entire federal territory; this does not apply to international treaties that are to be implemented by enacting laws (Article 50, paragraph 2, item 4).

4. (3)paragraph 3Announcements in the Federal Law Gazette and pursuant to the second sentence of paragraph 2 must be generally accessible and capable of being fully and permanently ascertained in their published form. Announcements in the Federal Law Gazette and pursuant to paragraph 2, second sentence, must be generally accessible and capable of being fully and permanently ascertained in their published form.

5. (4)paragraph 4The detailed provisions regarding publication in the Federal Law Gazette are laid down by federal law.

Art. 49a

text

Article 49a.

1. (1)paragraph oneThe Federal Chancellor, together with the relevant Federal Ministers, is empowered to republish federal laws, with the exception of this Act, and international treaties published in the Federal Law Gazette in their current version by publication in the Federal Law Gazette.

2. (2)paragraph 2In the announcement of the re-announcement,

1. 1stnumber one
outdated terminological expressions are corrected and outdated spellings are adapted to the new spelling;

2. 2ndparagraph 2
References to other legal provisions which no longer correspond to the current state of the law and other inconsistencies are corrected;

3. 3.paragraph 3
provisions which have been repealed by subsequent legislation or have otherwise become irrelevant are declared to be no longer valid;

4. 4thparagraph 4
Short titles and letter abbreviations of the titles are established;

5. 5thparagraph 5

the names of articles, paragraphs, subsections and the like are amended accordingly in the event of omission or inclusion of individual provisions and references to them within the text of the legal provision are also corrected accordingly;

6. 6th paragraph 6
Transitional provisions and previous versions of the Federal Act (State Treaty) that are still applicable are summarised, indicating their scope of application.
3. (3) paragraph 3 Unless expressly provided otherwise, the republished federal law (the republished international treaty) and the other provisions contained in the publication shall enter into force at the end of the day of publication.

Art. 49b
text

Article 49b.

1. (1) paragraph one A referendum on a matter of fundamental and national importance, which is regulated by federal legislation, must be held if the National Council so decides on the basis of a motion by its members or the Federal Government after preliminary discussions in the Main Committee. Elections and matters which a court or administrative authority must decide on cannot be the subject of a referendum.
2. (2) paragraph 2 A motion pursuant to paragraph 1 must contain a proposal for the question to be used as the basis for the referendum. This must consist either of a question to be answered with "yes" or "no" or of two alternative solutions. A motion pursuant to paragraph 1 must contain a proposal for the question to be used as the basis for the referendum. This must consist either of a question to be answered with "yes" or "no" or of two alternative solutions.
3. (3) paragraph 3 Referendums are to be conducted in accordance with Articles 45 and 46. Anyone who has the right to vote in the National Council on the day of the referendum is entitled to vote. The Federal Electoral Authority must present the result of a referendum to the National Council and the Federal Government. Referendums are to be conducted in accordance with Articles 45 and 46. Anyone who has the right to vote in the National Council on the day of the referendum is entitled to vote. The Federal Electoral Authority must present the result of a referendum to the National Council and the Federal Government.

Article 50
text

E. Participation of the National Council and the Federal Council in the implementation of the Federal Article 50.

1. (1) paragraph one The completion of
1st number one
political treaties and treaties that amend or supplement laws and do not fall under Article 16, paragraph 1, and political treaties and treaties amending or supplementing laws that do not fall under Article 16, paragraph one, and
2. 2nd paragraph 2
treaties amending the contractual basis of the European Union,
2. requires the approval of the National Council.
3. (2) paragraph 2 In addition, the following applies to international treaties pursuant to paragraph 1 item 1: In addition, the following shall apply to international treaties pursuant to paragraph one, item one:
 1. 1st number one
If an international treaty provides for its simplified amendment, such an amendment shall not require approval under paragraph 1 unless the National Council has reserved the right to do so. If an international treaty provides for its simplified amendment, such an amendment shall not require approval under paragraph 1, unless the National Council has reserved the right to do so.
 2. 2nd paragraph 2
Insofar as an international treaty regulates matters within the independent sphere of influence of the states, it requires the consent of the Federal Council.
 3. 3. paragraph 3
If an international treaty has been authentically recorded in more than two languages, it is sufficient for the approval pursuant to paragraph 1 If an international treaty has been authentically recorded in more than two languages, it is sufficient for the approval pursuant to paragraph one,
 1. a) Litera a
based on two authentic language versions and a translation into German,
 2. b) Letter b
However, if the German language version is authentic, on the basis of this and another authentic language version takes place.
4. 4th paragraph 4

When approving an international treaty, the National Council may decide to what extent this international treaty is to be implemented by enacting laws.

4. (3)paragraph 3Article 42 paragraphs 1 to 4 shall apply mutatis mutandis to decisions of the National Council pursuant to paragraph 1 item 1 and paragraph 2 item 4.Article 42, paragraphs one to four, shall apply mutatis mutandis to decisions of the National Council pursuant to paragraph one, point one, and paragraph 2, point four.

5. (4)paragraph 4Without prejudice to Article 44 paragraph 3, international treaties pursuant to paragraph 1 item 2 may only be concluded with the approval of the National Council and with the consent of the Federal Council. These decisions require the presence of at least half of the members and a majority of two thirds of the votes cast.International treaties pursuant to paragraph one, item 2, may only be concluded with the approval of the National Council and with the consent of the Federal Council, without prejudice to Article 44, paragraph 3. These resolutions require the presence of at least half of the members and a majority of two thirds of the votes cast.

6. (5)paragraph 5The National Council and the Federal Council shall be informed immediately of the commencement of negotiations on an international treaty in accordance with paragraph 1.The National Council and the Federal Council shall be informed immediately of the commencement of negotiations on an international treaty pursuant to paragraph 1.

Article 50a

text

Article 50a.

The National Council participates in matters relating to the European Stability Mechanism.

Article 50b

text

Article 50b.

An Austrian representative in the European Stability Mechanism may

1. 1stnumber one
a proposal for a decision to grant stability support to a Member State in principle,
2. 2ndparagraph 2
a change in the authorised share capital and an adjustment of the maximum loan volume of the European Stability Mechanism as well as a call of authorised unpaid share capital and
3. 3.paragraph 3
changes to financial assistance instruments

may only agree or abstain from taking a decision if the National Council has authorized him to do so on the basis of a proposal from the Federal Government. In cases of particular urgency, the responsible Federal Minister may refer the matter to the National Council. Without authorization from the National Council, the Austrian representative must reject the proposal for such a decision.

Art. 50c

text

Article 50c.

1. (1)paragraph oneThe responsible Federal Minister must inform the National Council immediately about matters relating to the European Stability Mechanism in accordance with the provisions of the Federal Law on the Rules of Procedure of the National Council. The Federal Law on the Rules of Procedure of the National Council must provide for the right of the National Council to comment.

2. (2)paragraph 2If the National Council has submitted an opinion on matters relating to the European Stability Mechanism in good time, the Austrian representative in the European Stability Mechanism must take this into account in negotiations and votes. The responsible Federal Minister must report to the National Council immediately after the vote and, if necessary, inform it of the reasons why the Austrian representative did not take the opinion into account.

3. (3)paragraph 3The responsible Federal Minister regularly reports to the National Council on the measures taken within the framework of the European Stability Mechanism.

Art. 50d

text

Article 50d.

1. (1)paragraph oneFurther details on Articles 50b and 50c, paragraphs 2 and 3 are set out in the Federal Law on the Rules of Procedure of the National Council.Further details regarding Articles 50b and 50c paragraphs 2 and 3 are set out in the Federal Law on the Rules of Procedure of the National Council.

2. (2)paragraph 2The Federal Law on the Rules of Procedure of the National Council may provide for further powers of the National Council to participate in the exercise of voting rights by Austrian representatives in the European Stability Mechanism.

3. (3)paragraph 3To participate in matters relating to the European Stability Mechanism, the National Council committee responsible for preliminary deliberations on federal finance laws elects permanent subcommittees. Each of these permanent subcommittees must include at least one member from each party represented in the National Council's main committee. The responsibilities of the National Council pursuant to paragraph 2, Articles 50b and 50c can be transferred to these permanent subcommittees by the Federal Law on the Rules of Procedure of the National Council. The Federal Law on the Rules of Procedure of the National Council must ensure that the permanent subcommittees can be convened and meet at any time. If the National Council is dissolved by the Federal President pursuant to Article 29 paragraph 1, the permanent subcommittees are responsible for participating in matters relating to the European Stability Mechanism. To participate in matters relating to the European Stability Mechanism, the National Council committee responsible for preliminary deliberations on federal finance laws elects permanent subcommittees. Each of these permanent subcommittees must include at least one member from each party represented in the National Council's main committee. The responsibilities of the National Council pursuant to paragraph 2, Articles 50b and 50c can be transferred to these permanent subcommittees by the Federal Law on the Rules of Procedure of the National Council. The Federal Law on the Rules of Procedure of the National Council must ensure that the permanent subcommittees can be convened and meet at any time. If the National Council is dissolved by the Federal President pursuant to Article 29, paragraph 1, the permanent subcommittees are responsible for participating in matters relating to the European Stability Mechanism.

Article 51

text

Article 51.

1. (1)paragraph oneThe National Council adopts the Federal Financial Framework Act and, within its limits, the Federal Finance Act; the respective draft of the Federal Government is the basis for the deliberations.
2. (2)paragraph 2The Federal Government must submit to the National Council each year, no later than a date set out in a federal law, a draft of a Federal Financial Framework Act or a draft of a federal law amending the Federal Financial Framework Act. The Federal Financial Framework Act must contain upper limits for the use of funds to be approved by the National Council in the respective Federal Financial Act at the level of headings for the following financial year and the three subsequent financial years, as well as the main features of the personnel plan; this does not include the use of funds for the repayment of financial debts and monetary liabilities entered into to temporarily strengthen the treasury, as well as the use of funds as a result of an exchange of capital under currency swap agreements. For further subdivisions, upper limits must be provided for the following financial year and the three subsequent financial years.
3. (3)paragraph 3The Federal Government must submit the draft of a Federal Finance Act for the following financial year to the National Council at least ten weeks before the start of the financial year for which a Federal Finance Act is to be adopted. In exceptional cases, the Federal Government may also submit the draft of a Federal Finance Act for the following and the next financial year to the National Council, separately for each year.
4. (4)paragraph 4If, in exceptional circumstances, a Federal Finance Act is passed for the following and the next financial year, the Federal Government must submit a draft Federal Act amending the Federal Finance Act to the National Council in the second half of the following financial year at the latest ten weeks before the start of the next financial year. The amendments to the Federal Finance Act contained therein must in any case relate to the next financial year. The draft must be discussed by the National Council by the end of the following financial year. Article 51a, paragraphs 1 and 2 apply accordingly. If, in exceptional circumstances, a Federal Finance Act is passed for the following and the next financial year, the Federal Government must submit a draft Federal Act amending the Federal Finance Act to the National Council in the second half of the following financial year at the latest ten weeks before the start of the next financial year. The amendments to the Federal Finance Act contained therein must in any case relate to the next financial year. The draft must be discussed by the National Council by the end of the following financial year. Article 51a, paragraphs one and two apply accordingly.
5. (5)paragraph 5The Federal Finance Act must contain as annexes the federal budget estimate and the personnel plan as well as other essential elements for budget management.
6. (6)paragraph 6The following applies to the federal budget management:
 1. 1stnumber one
The upper limits of the categories of the Federal Financial Framework Act may neither be exceeded nor may such an exceedance be authorized.
 2. 2ndparagraph 2
The upper limits of the subdivisions of the Federal Financial Framework Act to be determined by a federal law pursuant to paragraph 9 may not be exceeded for the following financial year, nor may such an exceedance be authorized, unless a federal law pursuant to paragraph 9 provides that these upper

limits may be exceeded with the consent of the Federal Minister of Finance. The upper limits of the subdivisions of the Federal Financial Framework Act to be determined by a federal law pursuant to paragraph 9 may not be exceeded for the following financial year, nor may such an exceedance be authorized, unless a federal law pursuant to paragraph 9 provides that these upper limits may be exceeded with the consent of the Federal Minister of Finance.

7. If, by way of exception, a Federal Finance Act is adopted for the following and the next financial year, the provisions of paragraph 2 shall apply, provided that the upper limits referred to in the last sentence of paragraph 2 shall apply for the following and the next financial year. If, by way of exception, a Federal Finance Act is passed for the following and the next financial year, the provisions of paragraph 2 shall apply, provided that the upper limits referred to in the last sentence of paragraph 2 shall apply for the following and the next financial year.

8. (7) paragraph 7 The upper limits of paragraph 6 items 1 and 2 may be exceeded in the following cases: The upper limits of paragraph 6, points one and two may be exceeded in the following cases:

1. 1st number one

In the event of imminent danger, unforeseeable and unavoidable additional funds of up to 2% of the total amount of funds provided for in the Federal Finance Act may be made available on the basis of a Federal Government regulation in agreement with the National Council Committee entrusted with the preliminary deliberations on Federal Finance Acts, provided that the funds are covered. If the National Council Committee entrusted with the preliminary deliberations on Federal Finance Acts does not reach a decision within two weeks, the agreement is deemed to have been reached.

2. 2nd paragraph 2

In the event of a state of defence, essential additional funds may be provided within a financial year for the purposes of comprehensive national defence (Article 9a) up to a total of 10 per cent of the amount of funds provided for in the Federal Finance Act, on the basis of a regulation by the Federal Government in agreement with the committee of the National Council entrusted with the preliminary deliberations of Federal Finance Acts. To the extent that the provision of such additional funds cannot be ensured by saving funds or by additionally raising funds, the regulation by the Federal Government must authorise the Federal Minister of Finance to ensure the provision of the necessary funds by entering into or converting financial debts. In the event of a state of defence, essential additional funds may be made available within a financial year for the purposes of comprehensive national defence (Article 9a) up to a total of 10 per cent of the sum of funds provided for in the Federal Finance Act, on the basis of a regulation by the Federal Government in agreement with the committee of the National Council entrusted with the preliminary deliberations of Federal Finance Acts. To the extent that the provision of such additional funds cannot be ensured by saving funds or by additionally raising funds, the regulation by the Federal Government must authorise the Federal Minister of Finance to provide the necessary funds by entering into or converting financial debts.

9. (8) paragraph 8 In the management of the Federal budget, the principles of impact orientation must be observed, particularly taking into account the objective of actual equality between women and men, transparency, efficiency and the most accurate possible representation of the financial situation of the Federal Government.

10. (9) paragraph 9 The detailed provisions on the preparation of the Federal Financial Framework Act, the Federal Finance Act and on other federal budget management are to be laid down by federal law in accordance with uniform principles and in accordance with the provisions of paragraph 8. This law must in particular regulate: The detailed provisions on the preparation of the Federal Financial Framework Act, the Federal Finance Act and on other federal budget management shall be laid down by federal law in accordance with uniform principles in accordance with the provisions of paragraph 8. This law shall in particular regulate:

1. 1st number one

the measures for a results-oriented administration, taking into account in particular the objective of effective equality between women and men;

2. 2nd paragraph 2

the measures to ensure transparency, including the obligation to submit reports to the committee of the National Council responsible for the preliminary deliberations on federal finance laws;

3. 3. paragraph 3

Preparation, structure and binding effect of the Federal Financial Framework Act;

4. 4th paragraph 4

the structure of the federal budget;

5. 5th paragraph 5

the binding effect of the Federal Finance Act, particularly in terms of time and amount;

6. 6th paragraph 6

- the justification of previous burdens, including the conditions under which previous burdens require an ordinance by the Federal Minister of Finance in agreement with the committee of the National Council entrusted with the preliminary deliberations on federal financial laws or a statutory authorization;
7. 7th paragraph 7
the creation of positive and negative budget reserves;
8. 8th paragraph 8
Disposals of federal assets, including the conditions under which disposals of federal assets require an order from the Federal Minister of Finance in agreement with the committee of the National Council entrusted with the preliminary deliberations on federal finance laws or a statutory authorization;
9. 9th paragraph 9
the assumption of liabilities by the federal government;
10. 10th paragraph 10
the incurring and conversion of liabilities arising from the raising of funds which are not repaid within the same financial year or from long-term financing (financial debt);
11. 11th paragraph 11
incentive and sanction mechanisms;
12. 12th paragraph 12
controlling;
13. 13th paragraph 13
the participation of the Court of Auditors in the regulation of the accounting system.

Art. 51a

text

Article 51a.

1. (1) paragraph one If the Federal Government has not submitted a draft Federal Financial Framework Act or a Federal Finance Act to the National Council in good time (Article 51, paragraphs 2 and 3), a draft Federal Financial Framework Act or a Federal Finance Act may also be submitted to the National Council by motion of its members. If the Federal Government has not submitted a draft Federal Financial Framework Act or a Federal Finance Act to the National Council in good time (Article 51, paragraphs 2 and 3), a draft Federal Financial Framework Act or a Federal Finance Act may also be submitted to the National Council by motion of its members.
2. (2) paragraph 2 If the Federal Government submits a draft Federal Financial Framework Act or a Federal Finance Act after such a motion has been made, the National Council may decide to base its deliberations on the respective draft.
3. (3) paragraph 3 If the National Council has not passed a federal financial framework law in a financial year, the upper limits of the last financial year for which upper limits were set shall continue to apply.
4. (4) paragraph 4 If the National Council has not passed a federal finance law for a financial year and does not make any provisional provisions through a federal law, the federal budget must be managed in accordance with the provisions of the most recently passed federal finance law. Financial debts can then only be incurred up to half of the maximum amounts provided for in each case, and short-term commitments to temporarily strengthen the coffers can only be incurred up to the amount of the maximum amounts provided for in each case.

Art. 51b

text

Article 51b.

1. (1) paragraph one The Federal Minister of Finance must ensure that, in budget management, the outstanding obligations are covered first and then the remaining funds are used, but only in accordance with the coverability and in compliance with the principles set out in Article 51 paragraph 8. The Federal Minister of Finance must ensure that, in the budget management, the outstanding obligations are first covered and then the remaining funds are used, but only in accordance with the coverability and in compliance with the principles set out in Article 51, paragraph 8.
2. (2) paragraph 2 If the development of the federal budget so requires or if a significant change in the overall economic development becomes apparent during the course of the financial year, the Federal Minister of Finance can, with the approval of the Federal Government or on the basis of authorization under the Federal Finance Act, commit a certain proportion of the use of funds provided for in the Federal Finance Act in order to manage the federal budget, provided that this does not affect the fulfillment of the Federal Government's due obligations. He must report to the National Council committee responsible for preliminary discussions on federal finance laws within one month of the committal order.
3. (3) paragraph 3 The Federal Minister of Finance must regularly inform the members of the Federal Government and the other budgetary management bodies about budget implementation.

Art. 51c

text

Article 51c.

1. (1) paragraph one Uses of funds that are not provided for in the Federal Finance Act or that exceed the uses of funds approved by the National Council may only be made within the framework of budget management on the basis of authorization under the Federal Finance Act.

2. (2) paragraph 2 The National Council can authorize the Federal Minister of Finance in the Federal Finance Act to approve the exceedance of the use of funds provided for in the Federal Finance Act. This authorization may only be granted if the exceedance is subject to objective conditions and is quantified or calculable. In addition, with the approval of the Federal Minister of Finance, the use of funds provided for in the Federal Finance Act may be exceeded if this

1. 1st number one
due to a legal obligation,
 2. 2nd paragraph 2
from an existing financial debt or on the basis of currency exchange agreements or
 3. 3. paragraph 3
due to another obligation already existing at the time the Federal Finance Act came into force
3. may be required. Approval based on the provisions of this paragraph may only be granted in the event of an unforeseen requirement and only to the extent that coverage is ensured and the binding upper limits pursuant to Article 51 paragraphs 2 and 6 for the respective financial year are not exceeded. The Federal Minister of Finance may transfer the authorisations granted on the basis of the provisions of this paragraph to approve exceedances of intended uses of funds - with the exception of those pursuant to item 2 - to heads of departments in agreement with the responsible budgetary management body, insofar as this is necessary for the implementation of results-oriented administration. Approval based on the provisions of this paragraph may only be granted in the event of an unforeseen requirement and only to the extent that coverage is ensured and the binding upper limits pursuant to Article 51, paragraphs 2 and 6 for the respective financial year are not exceeded. The Federal Minister of Finance may transfer the authorisations granted on the basis of the provisions of this paragraph to approve exceedances of intended uses of funds - with the exception of those pursuant to point 2 - to heads of departments in agreement with the responsible budgetary management body, insofar as this is necessary for the implementation of results-oriented administration.

4. (3) paragraph 3 The Federal Minister of Finance shall report quarterly to the committee of the National Council responsible for the preliminary deliberations on federal finance laws on the measures taken pursuant to paragraph 2. The Federal Minister of Finance shall report quarterly to the committee of the National Council responsible for the preliminary deliberations on federal finance laws on the measures taken pursuant to paragraph 2.

Art. 51d

text

Article 51d.

1. (1) paragraph one The National Council's involvement in budget management is the responsibility of the National Council committee entrusted with the preliminary deliberations on federal finance laws. This committee can delegate certain tasks to a permanent subcommittee, which is also responsible for involvement in budget management if the National Council is dissolved by the Federal President in accordance with Article 29, Paragraph 1. The committee entrusted with the preliminary deliberations on federal finance laws and its permanent subcommittee can also be convened outside of National Council sessions (Article 28) if the need arises. Further details are set out in the Federal Law on the Rules of Procedure of the National Council. The National Council's involvement in budget management is the responsibility of the National Council committee entrusted with the preliminary deliberations on federal finance laws. This committee can delegate certain tasks to a permanent subcommittee, which is also responsible for involvement in budget management if the National Council is dissolved by the Federal President in accordance with Article 29, paragraph 1. The committee entrusted with the preliminary deliberations on federal finance laws and its permanent subcommittee can also be convened outside of National Council sessions (Article 28) if the need arises. More detailed provisions are set out in the Federal Law on the Rules of Procedure of the National Council.

2. (2) paragraph 2 Further reports going beyond Article 51b paragraph 2 and Article 51c paragraph 3 shall be submitted to the committee of the National Council responsible for the preliminary deliberations on federal finance laws in accordance with specific federal legal provisions. Further reports going beyond Article 51b, paragraph 2, and Article 51c, paragraph 3, shall be submitted to the committee of the National Council entrusted with the preliminary deliberations on federal finance laws in accordance with specific federal legal provisions.

Article 52

text

Article 52.

1. (1) paragraph one The National Council and the Federal Council are empowered to examine the conduct of the Federal Government, to question its members on all matters relating to executive power, to request all relevant information and to express their wishes regarding the exercise of executive power in resolutions.

2. (1) paragraph one a The competent committees of the National Council and the Federal Council are empowered to request the presence of the head of a body which is not subject to instructions pursuant to Article 20, paragraph 2, at the meetings of the committees and to question him or her on all matters relating to the management of the business. The competent committees of the National Council and the Federal Council are empowered to request the presence of the head of a body which is not subject to instructions pursuant to Article 20, paragraph 2, at the meetings of the committees and to question him on all matters relating to the management of the affairs of the body.

3. (2) paragraph 2 Control rights pursuant to paragraph 1 also exist over the Federal Government and its members in relation to companies in which the Federal Government holds at least 50% of the registered capital, share capital or equity capital and which are subject to control by the Court of Auditors. Control of companies through other financial or other economic or organisational measures is equivalent to such a financial participation. This also applies to companies at any further level where the conditions under this paragraph are met. Control rights pursuant to paragraph one also exist vis-à-vis the Federal Government and its members in relation to companies in which the Federal Government holds at least 50% of the registered capital, share capital or equity capital and which are subject to control by the Court of Auditors. Control of companies through other financial or other economic or organisational measures is equivalent to such a financial participation. This also applies to companies at any further level where the conditions under this paragraph are met.

4. (3) paragraph 3 Every member of the National Council and the Federal Council is entitled to put short oral questions to the members of the Federal Government during sessions of the National Council or the Federal Council.

5. (4) paragraph 4 The detailed rules regarding the right to ask questions are laid down in the Federal Act on the Rules of Procedure of the National Council and in the Rules of Procedure of the Federal Council.

Art. 52a

text

Article 52a.

1. (1) paragraph one The relevant committees of the National Council shall each elect a permanent subcommittee to review measures to protect constitutional institutions and their ability to act, as well as intelligence measures to ensure national military defence. Each subcommittee must include at least one member from each party represented in the main committee of the National Council.

2. (2) paragraph 2 The permanent subcommittees are empowered to request all relevant information and access to relevant documents from the responsible federal ministers. This does not apply to information and documents, in particular about sources, the disclosure of which would endanger national security or the safety of people.

3. (3) paragraph 3 The permanent subcommittees may also meet outside of the sessions of the National Council if the need arises.

4. (4) paragraph 4 Further details are set out in the Federal Law on the Rules of Procedure of the National Council.

Art. 52b

text

Article 52b.

1. (1) paragraph one In order to examine a specific procedure in a matter of federal management subject to the control of the Court of Auditors, the Committee shall elect a permanent subcommittee in accordance with Article 126d, paragraph 2. This subcommittee must include at least one member from each party represented in the Main Committee of the National Council. In order to examine a specific procedure in a matter of federal management subject to the control of the Court of Auditors, the Committee shall elect a permanent subcommittee in accordance with Article 126 d, paragraph 2. This subcommittee must include at least one member from each party represented in the Main Committee of the National Council.

2. (2) paragraph 2 Further details are set out in the Federal Law on the Rules of Procedure of the National Council.

Article 53

text

Article 53.

1. (1) paragraph one The National Council may set up committees of inquiry by resolution. In addition, a committee of inquiry may be set up at the request of one quarter of its members.

2. (2)paragraph 2The subject of the investigation is a specific completed process in the area of federal enforcement. This includes all activities of federal bodies through which the federal government exercises economic participation and supervisory rights, regardless of the level of participation. A review of case law is excluded.

3. (3)paragraph 3All federal, state, municipal and municipal associations bodies and other self-governing bodies must, upon request, submit their files and documents to an investigative committee to the extent of the subject matter of the investigation and comply with the request of an investigative committee to collect evidence in connection with the subject matter of the investigation. This does not apply to the submission of files and documents the disclosure of which would endanger sources within the meaning of Article 52a, paragraph 2.All federal, state, municipal and municipal associations bodies and other self-governing bodies must, upon request, submit their files and documents to an investigative committee within the scope of the subject matter of the investigation and comply with a request from an investigative committee to collect evidence in connection with the subject matter of the investigation. This does not apply to the submission of files and documents the disclosure of which would endanger sources within the meaning of Article 52a, paragraph 2.

4. (4)paragraph 4The obligation under paragraph 3 shall not apply to the extent that the lawful decision-making process of the Federal Government or of individual members thereof or their immediate preparation is impaired.The obligation under paragraph 3 shall not apply to the extent that the lawful decision-making process of the Federal Government or of individual members thereof or their immediate preparation is impaired.

5. (5)paragraph 5More detailed provisions are laid down in the Federal Law on the Rules of Procedure of the National Council. This law may provide for the participation of members of the Ombudsman Board and special provisions on the representation of the chairman and the chairperson. It must also provide for the extent to which the investigative committee can decide on coercive measures and request that they be ordered or carried out.

Article 55

text

Article 55.

1. (1)paragraph oneThe National Council elects the Main Committee from among its members according to the principle of proportional representation.

2. (2)paragraph 2The Main Committee may also be convened outside of the sessions of the National Council (Article 28) if the need arises.The Main Committee may also be convened outside of the sessions of the National Council (Article 28) if the need arises.

3. (3)paragraph 3The Main Committee shall elect a permanent subcommittee, which shall have the powers provided for in this Act. The election shall be based on the principle of proportional representation; in accordance with this principle, however, the subcommittee must include at least one member from each party represented in the Main Committee. The Federal Law on the Rules of Procedure of the National Council shall provide that the permanent subcommittee can be convened and meet at any time. If the National Council is dissolved by the Federal President in accordance with Article 29, Paragraph 1, the permanent subcommittee shall be responsible for assisting in the execution of the decision which, under this Law, would otherwise be the responsibility of the National Council (Main Committee).The Main Committee shall elect a permanent subcommittee, which shall have the powers provided for in this Act. The election shall be based on the principle of proportional representation; in accordance with this principle, however, the subcommittee must include at least one member from each party represented in the Main Committee. The Federal Act on the Rules of Procedure of the National Council shall provide that the permanent subcommittee can be convened and meet at any time. If the National Council is dissolved by the Federal President in accordance with Article 29, paragraph 1, the permanent subcommittee shall be responsible for assisting in the execution of the decision which, under this Act, would otherwise be the responsibility of the National Council (Main Committee).

4. (4)paragraph 4A federal law may stipulate that certain general acts of the Federal Government or a Federal Minister require the agreement of the Main Committee and that the Federal Government or a Federal Minister must submit reports to the Main Committee. More detailed provisions, particularly in the event that no agreement is reached, are set out in the Federal Law on the Rules of Procedure of the National Council.

5. (5)paragraph 5Regulations by the responsible Federal Minister on control measures to ensure uninterrupted production or the supply of the population and other users with important economic and consumer goods must be approved by the Main Committee of the National Council, whereby special legal provisions can be made in the event of imminent danger and for the annulment of such regulations. Resolutions of the Main Committee approving such regulations can only be passed in the presence of at least half of its members and with a majority of two thirds of the votes cast.

Article 56

text

F. Position of the members of the National Council and the Federal Council

Article 56.

1. (1)paragraph oneThe members of the National Council and the members of the Federal Council are not bound by any mandate in the exercise of this profession.
2. (2)paragraph 2If a member of the Federal Government or a State Secretary has renounced his or her mandate as a member of the National Council, the mandate shall be reassigned to him or her by the competent electoral authority after leaving that office or, in the cases referred to in Article 71, after being relieved of his or her entrustment with the continuation of the administration, unless the person concerned has notified the electoral authority within eight days that he or she wishes to re-exercise his or her mandate.If a member of the Federal Government or a State Secretary has renounced his or her mandate as a member of the National Council, the mandate shall be reassigned to him or her by the competent electoral authority after leaving that office or, in the cases provided for in Article 71, after being relieved of his or her entrustment with the continuation of the administration, unless the person concerned has renounced his or her mandate to the electoral authority within eight days.
3. (3)paragraph 3This reassignment terminates the mandate of the member of the National Council who held the mandate of the temporarily resigned member, unless another member of the National Council who subsequently joined the National Council has declared to the electoral authority when calling up his or her mandate for the same constituency that he or she wishes to exercise the mandate on behalf of the temporarily resigned member of the National Council.
4. (4)paragraph 4Paragraphs 2 and 3 shall also apply if a member of the Federal Government or a State Secretary has not accepted election as a member of the National Council.Paragraphs 2 and 3 shall also apply if a member of the Federal Government or a State Secretary has not accepted election as a member of the National Council.

Article 57

text

Article 57.

1. (1)paragraph oneMembers of the National Council may never be held responsible for votes cast in the exercise of their profession. They may only be held responsible for oral or written statements made in the course of that profession by the National Council; this shall not apply in the event of official prosecution for defamation or for an offence punishable under the Federal Law on the Information Rules of the National Council and the Federal Council.
2. (2)paragraph 2Members of the National Council may only be arrested for a criminal offence - with the exception of cases of being caught in the act of committing a crime - with the consent of the National Council. Likewise, searches of the homes of members of the National Council require the consent of the National Council.
3. (3)paragraph 3Otherwise, members of the National Council may only be prosecuted by the authorities for a criminal offence without the consent of the National Council if the offence is clearly not connected with the political activity of the member concerned. However, the authorities must obtain a decision from the National Council on the existence of such a connection if the member concerned or one third of the members of the standing committee entrusted with these matters requests this. In the event of such a request, any official prosecution must be stopped immediately or terminated.
4. (4)paragraph 4In all these cases, the consent of the National Council is deemed to have been given if the National Council has not decided on a corresponding request from the authority responsible for prosecution within eight weeks; in order to ensure that the National Council takes a timely decision, the President must put such a request to the vote no later than the penultimate day of this period. The time when the Council is not in session is not included in this period.
5. (5)paragraph 5In the event of a person being caught in the act of committing a crime, the authorities must immediately notify the President of the National Council of the arrest. If the National Council or, during non-session periods, the standing committee responsible for these matters so requests, the arrest must be lifted or prosecution must be dispensed with altogether.
6. (6)paragraph 6The immunity of Members of Parliament shall end on the day on which the newly elected National Council convenes, or in the case of bodies of the National Council whose function extends beyond that date, upon the expiration of that function.
7. (7)paragraph 7The Federal Law on the Rules of Procedure of the National Council lays down the detailed provisions.

Article 58

text

Article 58.

The members of the Federal Council enjoy the immunity of members of the state parliament that sent them for the entire duration of their office.

Article 59

text

Article 59.

No member of the National Council, the Federal Council or the European Parliament may simultaneously belong to one of the other two representative bodies.

Art. 59a

text

Article 59a.

1. (1)paragraph oneWhen a public employee applies for a seat in the National Council, he or she must be granted the free time necessary to apply for the seat.

2. (2)paragraph 2A public servant who is a member of the National Council or the Federal Council may, at his request, be released from duty or placed out of service to the extent necessary to carry out his mandate. During the release from duty, the salary shall be paid in proportion to the work actually performed in the employment relationship, but not more than 75% of the salary; this limit also applies if neither the release from duty nor the placement out of service is used. The placement out of service results in the loss of salary.

3. (3)paragraph 3If a public servant cannot be employed in his or her current position due to the exercise of his or her mandate, he or she is entitled to be assigned a job that is reasonably equivalent - or, with his or her consent, a job that is not equivalent. The salary is based on the job actually performed by the employee.

Art. 59b

text

Article 59b.

1. (1)paragraph oneA commission will be set up at the Parliamentary Directorate to monitor the salaries of public servants who have been elected as members of the National Council or the Federal Council. The commission will consist of:

1. 1stnumber one
one representative nominated by each President of the National Council,
2. 2ndparagraph 2
two representatives appointed by the President of the Federal Council with the consent of his deputies,
3. 3.paragraph 3
two representatives of the states,
4. 4thparagraph 4
two representatives of the municipalities and
5. 5thparagraph 5
a member who has previously held judicial office.

2. The members according to items 3 to 5 are to be appointed by the Federal President, whereby the Federal Government is bound in its proposals (Article 67) in the case of item 3 to a joint proposal of the state governors and in the case of item 4 to a proposal of the Austrian Association of Municipalities and a proposal of the Austrian Association of Cities. The members of the Commission according to items 1 to 4 must be persons who have previously held a position within the meaning of Article 19 paragraph 2. Anyone who pursues a profession with the intention of earning a living cannot be a member of the Commission. Membership of the Commission ends at the end of a legislative period, but not before the new member has been named or appointed. The members according to paragraphs 3 to 5 are to be appointed by the Federal President, whereby the Federal Government is bound in its proposals (Article 67) in the case of paragraph 3 to a joint proposal of the state governors and in the case of paragraph 4 to a proposal of the Austrian Association of Municipalities and a proposal of the Austrian Association of Cities. The members of the Commission according to paragraphs 1 to 4 must be persons who have previously held a position within the meaning of Article 19, paragraph 2. No person can be a member of the Commission who pursues a profession with the intention of earning a living. Membership of the Commission ends at the end of a legislative period, but not before the new member has been named or appointed.

3. (2)paragraph 2At the request of a public official who is a member of the National Council or the Federal Council, or at the request of his or her employing authority, the Commission shall issue an opinion on differences of opinion that arise between the public official and his or her employing authority in implementation of Article 59a or in implementation of statutory provisions issued thereunder. The Commission shall also issue opinions on such differences of opinion between a judge and a senate or a commission within the meaning of Article 87, paragraph 2, and on differences of opinion between a member of the National Council or the Federal Council and the President of the National Council in implementation of Article 30, paragraph 3. At the request of a public official who is a member of the National Council or the Federal Council, or at the request of his or her authority, the Commission shall issue an opinion on differences of opinion that arise between the public official and his or her authority in implementation of Article 59a or in implementation of statutory provisions issued thereunder. The Commission shall also issue opinions on such differences of opinion between a judge and a senate or a commission within the meaning of Article 87, paragraph 2, and on

differences of opinion between a member of the National Council or the Federal Council and the President of the National Council in implementation of Article 30, paragraph 3.

4. (3)paragraph 3A member of the National Council or Federal Council who is a public servant is obliged to inform the Commission annually of the arrangements he has made regarding his release from duty or suspension from service in accordance with Article 59a and how his work performance is monitored. Article 53, paragraph 3 applies mutatis mutandis to investigations by the Commission. The Commission shall adopt its own rules of procedure. The Commission shall submit an annual report to the National Council - or, where members of the Federal Council are concerned, to the Federal Council - which shall be published. A member of the National Council or Federal Council who is a public servant is obliged to inform the Commission annually of the arrangements he has made regarding his release from duty or suspension from service in accordance with Article 59a and how his work performance is monitored. Article 53, paragraph 3 applies mutatis mutandis to Commission surveys. The Commission shall adopt its own rules of procedure. The Commission shall submit an annual report to the National Council - or to the Federal Council where members of the Federal Council are concerned - which shall be published.

Article 60

text

Third Main Part

execution of the covenant

A. Administration

1st Federal President

Article 60.

1. (1)paragraph oneThe Federal President is elected by the people of the Federal Republic on the basis of the equal, direct, personal, free and secret right of all men and women eligible to vote in the National Council; if only one candidate stands for election, the election is to be held by ballot. Article 26, paragraphs 5 to 7 apply mutatis mutandis. The Federal President is elected by the people of the Federal Republic on the basis of the equal, direct, personal, free and secret right of all men and women eligible to vote in the National Council; if only one candidate stands for election, the election is to be held by ballot. Article 26, paragraphs 5 to 7 shall apply mutatis mutandis.

2. (2)paragraph 2The candidate who receives more than half of all valid votes is elected. If no such majority is achieved, a second round of voting takes place. In this round, votes can only be validly cast for one of the two candidates who received the most votes in the first round.

3. (3)paragraph 3Only those who are eligible to be elected to the National Council and who have reached the age of 35 on election day may be elected Federal President.

4. (4)paragraph 4The result of the election of the Federal President must be officially announced by the Federal Chancellor.

5. (5)paragraph 5The term of office of the Federal President lasts for six years. Re-election for the immediately following term of office is only permitted once.

6. (6)paragraph 6Before the end of his term of office, the Federal President can be removed from office by referendum. The referendum must be held if the Federal Assembly so requests. The Federal Assembly must be convened for this purpose by the Federal Chancellor if the National Council has decided on such a motion. For the National Council to pass a decision, the presence of at least half of the members and a majority of two-thirds of the votes cast is required. Such a decision by the National Council prevents the Federal President from continuing to exercise his office. If the referendum rejects the removal, this counts as a new election and results in the dissolution of the National Council (Article 29, paragraph 1). In this case too, the total term of office of the Federal President may not exceed twelve years. Before the end of his term of office, the Federal President can be removed from office by referendum. The referendum must be held if the Federal Assembly so requests. The Federal Assembly must be convened for this purpose by the Federal Chancellor if the National Council has decided on such a motion. For the National Council to pass a decision, the presence of at least half of the members and a majority of two-thirds of the votes cast is required. Such a decision by the National Council prevents the Federal President from continuing to exercise his office. If the referendum rejects the removal, this is considered a new election and results in the dissolution of the National Council (Article 29, paragraph one). In this case too, the total term of office of the Federal President may not exceed twelve years.

Article 61

text

Article 61.

1. (1)paragraph oneDuring his term of office, the Federal President may not belong to any general representative body, may not pursue any other profession and must be eligible for election to the National Council.

2. (2)paragraph 2The title "Federal President" may not be used by anyone else - even with an additional title or in connection with other titles. It is protected by law.

Article 62

text

Article 62.

1. (1)paragraph oneUpon assuming office, the Federal President takes the following oath before the Federal Assembly:
"I pledge that I will faithfully observe the Constitution and all laws of the Republic and will perform my duty to the best of my knowledge and belief."
2. (2)paragraph 2The addition of a religious affirmation is permissible.

Article 63

text

Article 63.

1. (1)paragraph oneOfficial prosecution of the Federal President is only permissible if the Federal Assembly has approved it.
2. (2)paragraph 2The application for the prosecution of the Federal President must be submitted by the competent authority to the National Council, which decides whether the matter should be referred to the Federal Assembly. If the National Council votes in favor, the Federal Chancellor must immediately convene the Federal Assembly.

Article 64

text

Article 64.

1. (1)paragraph oneIf the Federal President is prevented from exercising his duties, all of his functions are initially transferred to the Federal Chancellor. A stay in another member state of the European Union is not considered to be a reason for being prevented from exercising his duties. However, if the prevention lasts longer than 20 days, or if the Federal President is prevented from continuing to exercise his duties in accordance with Article 60, paragraph 6, the President, the second President and the third President of the National Council shall exercise the functions of the Federal President as a college. The same applies if the position of Federal President is permanently vacant.If the Federal President is prevented from exercising his duties, all of his functions are initially transferred to the Federal Chancellor. A stay in another member state of the European Union is not considered to be a reason for being prevented from exercising his duties. However, if the prevention lasts longer than 20 days, or if the Federal President is prevented from continuing to exercise his duties in accordance with Article 60, paragraph 6, the President, the second President and the third President of the National Council shall exercise the functions of the Federal President as a college. The same applies if the position of Federal President is permanently vacant.
2. (2)paragraph 2The college entrusted with the exercise of the function of the Federal President pursuant to paragraph 1 shall decide by majority vote. The President of the National Council shall chair the college and represent him in public.The college entrusted with the exercise of the functions of the Federal President pursuant to paragraph 1 shall decide by majority vote. The President of the National Council shall chair the college and represent him in public.
3. (3)paragraph 3If one or two of the Presidents of the National Council are prevented from attending, or if their position is permanently vacant, the College shall retain a quorum even without their participation; if this results in a tie, the vote of the President with the higher rank shall be decisive.
4. (4)paragraph 4In the event of a permanent vacancy in the office of the Federal President, the Federal Government shall immediately order the election of the new Federal President; after the election, the College shall immediately convene the Federal Assembly to swear in the Federal President.

Article 65

text

Article 65.

1. (1)paragraph oneThe Federal President represents the Republic abroad, receives and authenticates ambassadors, approves the appointment of foreign consuls, appoints the Republic's consular representatives abroad and concludes international treaties. When concluding an international treaty not covered by Article 50 or an international treaty pursuant to Article 16 Paragraph 1, which neither amends nor supplements the law, he can order that this international treaty be implemented by issuing regulations.The Federal President represents the Republic abroad, receives and authenticates ambassadors, approves the appointment of foreign consuls, appoints the Republic's consular representatives abroad and concludes international treaties. When concluding an international treaty not covered by Article 50 or an international treaty pursuant to Article 16, paragraph 1, which neither amends nor supplements the law, he can order that this international treaty be implemented by issuing regulations.
2. (2)paragraph 2In addition to the powers conferred on him by other provisions of this Constitution, he shall have:

1. a) Litera a

- the appointment of federal civil servants, including officers, and other federal functionaries, and the awarding of official titles to such officials;
2. b) Letter b
- the creation and awarding of professional titles;
3. c) Litera c
- in individual cases: the pardon of those convicted by the courts, the mitigation and commutation of sentences imposed by the courts, the leniency of legal consequences and the expungement of convictions by way of clemency, and the dismissal of criminal proceedings in cases of criminal offences to be prosecuted ex officio;
4. d) Litera d
- the declaration of illegitimate children as legitimate at the request of the parents.
3. (3) paragraph 3 The extent to which the Federal President is also entitled to grant honorary rights, extraordinary grants, allowances and pensions, appointment or confirmation rights and other powers in personnel matters is determined by special laws.

Article 66

text

Article 66.

1. (1) paragraph one The Federal President may delegate his right to appoint federal civil servants of certain categories to the relevant members of the Federal Government and authorise them to delegate this authority for certain categories of federal civil servants to bodies subordinate to them.
2. (2) paragraph 2 The Federal President may authorise the Federal Government or the relevant members of the Federal Government to conclude certain categories of international treaties which do not fall under Article 16(1) or Article 50; such authorisation shall also extend to the power to order that these international treaties be implemented by issuing regulations. The Federal President may authorise the Federal Government or the appropriate members of the Federal Government to conclude certain categories of international treaties which do not fall under Article 16, paragraph one, or Article 50; such authorisation shall also extend to the power to order that these international treaties be implemented by issuing regulations.
3. (3) paragraph 3 The Federal President may, upon proposal from the State Government and with the countersignature of the State Governor, authorise the State Government to conclude international treaties pursuant to Article 16(1) which neither amend nor supplement the law; such authorisation shall also extend to the power to order that this international treaty be implemented by issuing ordinances. The Federal President may, upon the proposal of the State Government and with the countersignature of the State Governor, authorise the State Government to conclude international treaties pursuant to Article 16, paragraph 1, which neither amend nor supplement the law; such authorisation shall also extend to the power to order that this international treaty be implemented by issuing regulations.

Article 67

text

Article 67.

1. (1) paragraph one Unless otherwise provided for in the constitution, all acts of the Federal President are carried out on the proposal of the Federal Government or the Federal Minister authorized by it. The extent to which the Federal Government or the responsible Federal Minister is bound by proposals from other bodies is determined by law.
2. (2) paragraph 2 Unless otherwise provided by the Constitution, all acts of the Federal President require the countersignature of the Federal Chancellor or the responsible Federal Minister in order to be valid.

Article 67a

text

Article 67a.

1. (1) paragraph one The Presidential Chancellery, which reports to the Federal President, is responsible for assisting the Federal President in carrying out his official duties. Details of the business operations of the Presidential Chancellery can be regulated by rules of procedure to be issued by the Federal President.
2. (2) paragraph 2 Article 67 shall not apply to the adoption of the Rules of Procedure of the Presidential Chancellery, to the appointment of employees of the Presidential Chancellery and the awarding of official titles to them, or to acts of the Federal President in the exercise of official authority over them. Article 67 shall not apply to the adoption of the Rules of Procedure of the Presidential Chancellery, to the appointment of employees of the Presidential Chancellery and the awarding of official titles to them, or to acts of the Federal President in the exercise of official authority over them.

Article 68

text

Article 68.

1. (1)paragraph oneThe Federal President is responsible for the exercise of his functions to the Federal Assembly in accordance with Article 142.The Federal President is responsible for the exercise of his functions to the Federal Assembly in accordance with Article 142.
2. (2)paragraph 2In order to exercise this responsibility, the Federal Assembly must be convened by the Federal Chancellor upon a decision of the National Council or the Federal Council.
3. (3)paragraph 3A decision to bring charges within the meaning of Article 142 requires the presence of more than half of the members of each of the two representative bodies and a majority of two-thirds of the votes cast.A decision to bring charges under Article 142 requires the presence of more than half of the members of each of the two representative bodies and a majority of two-thirds of the votes cast.
4. (4)paragraph 4Paragraphs 2 and 3 shall apply mutatis mutandis to the procedure pursuant to Article 141 paragraph 1 letter d.Paragraphs 2 and 3 shall apply mutatis mutandis to the procedure provided for in Article 141, paragraph one, letter d.

Article 69

text

2nd Federal Government

Article 69.

1. (1)paragraph oneThe Federal Chancellor, the Vice-Chancellor and the other Federal Ministers are entrusted with the highest administrative tasks of the Federation, unless these have been delegated to the Federal President. Together they form the Federal Government under the chairmanship of the Federal Chancellor.
2. (2)paragraph 2The Vice-Chancellor is appointed to represent the Federal Chancellor in his entire sphere of activity. If the Federal Chancellor and the Vice-Chancellor are simultaneously unable to attend, the Federal Chancellor shall be represented by the longest-serving member of the Federal Government or, if they have the same length of service, by the oldest member of the Federal Government who is not unable to attend.
3. (3)paragraph 3The Federal Government takes its decisions unanimously. Decisions can be passed by circulation. If the Federal Government meets in the personal presence of its members, it has a quorum if more than half of its members are present.

Article 70

text

Article 70.

1. (1)paragraph oneThe Federal Chancellor and, on his proposal, the other members of the Federal Government are appointed by the Federal President. A proposal is not required for the dismissal of the Federal Chancellor or the entire Federal Government; the dismissal of individual members of the Federal Government takes place on the proposal of the Federal Chancellor. If the appointment is for the Federal Chancellor or the entire Federal Government, the countersignature is made by the newly appointed Federal Chancellor; dismissal does not require a countersignature.
2. (2)paragraph 2The members of the Federal Government do not have to be members of the National Council, but must be eligible for election to the National Council.
3. (3)paragraph 3If the Federal President appoints a new Federal Government at a time when the National Council is not in session, he must convene the National Council for an extraordinary session (Article 28, paragraph 2) for the purpose of presenting the new Federal Government, in such a way that the National Council meets within one week.If the Federal President appoints a new Federal Government at a time when the National Council is not in session, he must convene the National Council for an extraordinary session (Article 28, paragraph 2) for the purpose of presenting the new Federal Government, in such a way that the National Council meets within one week.

Article 71

text

Article 71.

If the Federal Government has left office, the Federal President must entrust members of the outgoing Federal Government with the continuation of the administration until the new Federal Government is formed, and one of them with the chairmanship of the provisional Federal Government. A State Secretary attached to the outgoing Federal Minister or a senior official of the relevant Federal Ministry can also be entrusted with the continuation of the administration. This provision applies mutatis mutandis if individual members have left the Federal Government. The person entrusted with the continuation of the administration bears the same responsibility as a Federal Minister (Article 76).If the Federal Government has left office, the Federal President must entrust members of the outgoing Federal Government with the continuation of the administration until the new Federal Government is formed, and one of them with the chairmanship of the provisional Federal Government. A State Secretary attached to the outgoing Federal Minister or a senior official of the Federal Ministry concerned can also be entrusted with the continuation of the administration. This provision applies

mutatis mutandis if individual members have left the Federal Government. The person entrusted with the continuation of the administration bears the same responsibility as a Federal Minister (Article 76).

Article 72

text

Article 72.

1. (1)paragraph oneThe members of the Federal Government are sworn in by the Federal President before taking office. The addition of a religious affirmation is permissible.
2. (2)paragraph 2The certificates of appointment of the Federal Chancellor, the Vice-Chancellor and the other Federal Ministers are issued by the Federal President on the day of the swearing-in and countersigned by the newly appointed Federal Chancellor.
3. (3)paragraph 3These provisions shall also apply mutatis mutandis to the cases covered by Article 71. These provisions shall also apply, mutatis mutandis, to the cases provided for in Article 71.

Article 73

text

Article 73.

1. (1)paragraph oneIf a Federal Minister is temporarily prevented from attending, he or she shall, in agreement with another Federal Minister, appoint that other Federal Minister, a State Secretary attached to him or her or a senior official of the Federal Ministry concerned to represent him or her; the Federal President and the Federal Chancellor shall be informed of such a representation. A stay in another Member State of the European Union shall not be deemed to constitute a prevention. If a Federal Minister is unable to give a representation mandate within the meaning of the first sentence, the Federal Chancellor shall, in agreement with the Vice-Chancellor, appoint another Federal Minister, a State Secretary attached to the Federal Minister who is prevented from attending, or a senior official of the Federal Ministry concerned to represent him or her; the Federal President shall be informed of such a representation mandate. The representative of a Federal Minister bears the same responsibility as a Federal Minister (Article 76).If a Federal Minister is temporarily prevented from attending, he or she shall, in agreement with another Federal Minister, appoint that other Federal Minister, a State Secretary attached to him or her or a senior official of the Federal Ministry concerned to represent him or her; the Federal President and the Federal Chancellor shall be informed of such a representation. A stay in another Member State of the European Union shall not be deemed to constitute a prevention. If a Federal Minister is unable to give a representation mandate within the meaning of the first sentence, the Federal Chancellor shall, in agreement with the Vice-Chancellor, appoint another Federal Minister, a State Secretary attached to the Federal Minister who is prevented from attending, or a senior official of the Federal Ministry concerned to represent him or her; the Federal President shall be informed of such a representation mandate. The representative of a Federal Minister bears the same responsibilities as a Federal Minister (Article 76).
2. (2)paragraph 2The competent Federal Minister may delegate the authority to attend Council meetings and, within this framework, to negotiate and vote on a specific project to another Federal Minister or to a State Secretary.
3. (3)paragraph 3A member of the Federal Government who is staying in another member state of the European Union can have his affairs handled in the National Council or Federal Council by a State Secretary assigned to him or another Federal Minister. A member of the Federal Government who is not represented can transfer his voting rights in the Federal Government to another Federal Minister; this does not affect his responsibility. The voting rights can only be transferred to a member of the Federal Government who is not already entrusted with representing another member of the Federal Government and who has not already been transferred voting rights.

Article 74

text

Article 74.

1. (1)paragraph oneIf the National Council fails to express its confidence in the Federal Government or in individual members of the Federal Government by express resolution, the Federal Government or the Federal Minister concerned shall be removed from office.
2. (2)paragraph 2For a decision of the National Council to withhold confidence, the presence of half of the members of the National Council is required. However, if the number of members specified in the Federal Law on the Rules of Procedure of the National Council so requires, the vote must be postponed until the next working day. The vote can only be postponed again by a decision of the National Council.
3. (3)paragraph 3Without prejudice to any other powers vested in the Federal President under Article 70, paragraph 1, the Federal Government or its individual members may be removed from office by the Federal President in cases determined by law or at their request. Without prejudice to the powers otherwise vested in the Federal President under Article 70, paragraph one, the Federal Government or its individual members may be removed from office by the Federal President in cases determined by law or at their request.

Article 75

text

Article 75.

The members of the Federal Government and the State Secretaries are entitled to participate in all proceedings of the National Council, the Federal Council and the Federal Assembly as well as the committees (subcommittees) of these representative bodies, but only by special invitation in proceedings of the permanent subcommittee of the main committee and the investigative committees of the National Council. According to the detailed provisions of the Federal Law on the Rules of Procedure of the National Council and the Rules of Procedure of the Federal Council, they have the right to be heard at any time at their request. The National Council, the Federal Council and the Federal Assembly as well as their committees (subcommittees) can request the presence of the members of the Federal Government and request them to initiate investigations.

Article 76

text

Article 76.

1. (1)paragraph oneThe members of the Federal Government (Articles 69 and 71) are responsible to the National Council in accordance with Article 142.The members of the Federal Government (Articles 69 and 71) are responsible to the National Council according to Article 142.

2. (2)paragraph 2A decision to bring charges under Article 142 requires the presence of more than half of the members.A decision to bring charges under Article 142 requires the presence of more than half of the members.

Article 77

text

Article 77.

1. (1)paragraph oneThe federal ministries and the offices subordinate to them are responsible for managing the affairs of the federal administration.

2. (2)paragraph 2The number of federal ministries, their scope of activity and their establishment are determined by federal law.

3. (3)paragraph 3The Federal Chancellor is entrusted with the management of the Federal Chancellery, and a Federal Minister is entrusted with the management of each of the other Federal Ministries. The Federal President can delegate the substantive management of certain matters within the sphere of activity of the Federal Chancellery, including the tasks of personnel management and organisation, to his own Federal Ministers, without prejudice to their continued affiliation with the Federal Chancellery; such Federal Ministers have the status of a competent Federal Minister with regard to the matters in question.

4. (4)paragraph 4In exceptional cases, the Federal Chancellor and the other Federal Ministers may also be entrusted with the management of a second Federal Ministry.

Article 78

text

Article 78.

1. (1)paragraph oneIn special cases, Federal Ministers can also be appointed without simultaneously being entrusted with the management of a Federal Ministry.

2. (2)paragraph 2Federal ministers may be assigned state secretaries to assist them in their management and to represent them in parliament. These secretaries are appointed and leave office under the same conditions and in the same way as federal ministers. The Federal Chancellor may, in agreement with the Vice-Chancellor entrusted with the management of a federal ministry, have his affairs in the National Council and the Federal Council handled by a state secretary assigned to him. The Vice-Chancellor entrusted with the management of a federal ministry may, in agreement with the Federal Chancellor, have his affairs in the National Council and the Federal Council handled by a state secretary assigned to him.

3. (3)paragraph 3The Federal Minister may also entrust the State Secretary with the performance of certain tasks, with the latter's consent. The State Secretary is also subordinate to the Federal Minister in the performance of these tasks and is bound by his instructions.

Art. 78a

text

3. Federal security authorities

Article 78a.

1. (1)paragraph oneThe highest security authority is the Federal Minister of the Interior. The state police directorates are subordinate to him, and the district administrative authorities are subordinate to them as security authorities.

2. (2)paragraph 2If the life, health, freedom or property of people are currently in danger or if such a danger is imminent, the security authorities are responsible for providing first general assistance until the relevant competent authority intervenes, regardless of the competence of another authority to avert the danger.

3. (3)paragraph 3The extent to which local authorities must intervene as security authorities is determined by federal law.

Art. 78b

text

Article 78b.

1. (1)paragraph oneEach state has a state police directorate. The state police director is at the head of the directorate. The state police director of the Vienna state police directorate has the official title of “state police president”.

2. (2)paragraph 2The Federal Minister of the Interior appoints the State Police Director in agreement with the State Governor.

3. (3)paragraph 3The Federal Minister of the Interior must communicate to the State Governor any instruction he issues to a State Police Director which is important for state policy or relevant for the maintenance of public peace, order and security throughout the State.

Art. 78c

text

Article 78c.

The extent to which the State Police Directorate is also the first-instance security authority for a municipality is regulated by federal law. For Vienna, the State Police Directorate is also the first-instance security authority.

Art. 78d

text

Article 78d.

1. (1)paragraph oneSecurity forces are armed or uniformed or otherwise military-style formations that are assigned police-like tasks. The following are not included in security forces: security personnel set up to protect individual branches of national culture, such as agriculture and forestry (field, meadow and forest protection), mining, hunting, fishing or other water rights, market supervision bodies and the fire brigade.

2. (2)paragraph 2Another local authority may not establish a security force in the area of a municipality in which the State Police Directorate is also the first-instance security authority.

Article 79

text

4th Federal Army

Article 79.

1. (1)paragraph oneThe Federal Army is responsible for the military defence of the country. It is to be organised according to the principles of a militia system.

2. (2)paragraph 2The Federal Army is, insofar as the lawful civil authority makes use of its cooperation, also determined

1. 1stnumber one
also beyond the area of military national defense
1. a)Litera a
to protect constitutional institutions and their capacity to act as well as the democratic freedoms of the inhabitants
2. b)Letter b
to maintain order and security within the country in general;
2. 2ndparagraph 2
to provide assistance in the event of natural disasters and accidents of exceptional magnitude.
3. (3)paragraph 3Further tasks of the Federal Army are regulated by Federal Constitutional Law.
4. (4)paragraph 4The Defence Act shall determine which authorities and bodies may directly make use of the cooperation of the Federal Army for the purposes set out in paragraph 2.The Defence Act shall determine which authorities and bodies may directly make use of the cooperation of the Federal Army for the purposes set out in paragraph 2.
5. (5)paragraph 5Independent military intervention for the purposes set out in paragraph 2 is only permissible if the competent authorities are unable to effect military intervention due to force majeure and further delay would result in irreparable harm to the general public, or if it is a matter of repelling a physical attack or eliminating violent resistance directed against a division of the Federal Army.Independent military intervention for the purposes mentioned in paragraph 2 is only permissible if the competent authorities are unable to bring about military intervention due to force majeure and further delay would cause irreparable harm to the general public, or if it is a matter of repelling a physical attack or eliminating violent resistance directed against a division of the Federal Army.

Article 80

text

Article 80.

1. (1)paragraph oneThe Federal President is in command of the Federal Army.
2. (2)paragraph 2To the extent that the Federal President does not have control over the army under the Defence Act, the relevant Federal Minister has the right to do so within the scope of the authorisation granted to him by the Federal Government.
3. (3)paragraph 3The competent Federal Minister exercises command over the Federal Army (Article 76, paragraph 1).The competent Federal Minister has command over the Federal Army (Article 76, paragraph one).

Article 81

text

Article 81.

Federal law regulates the extent to which the states participate in the supplementation, feeding and accommodation of the army and in the provision of its other requirements.

Art. 81c

text

5. Universities
Article 81c.

1. (1)paragraph onePublic universities are places of free scientific research, teaching and the development of the arts. They act autonomously within the framework of the law and can issue statutes. The members of university collegiate bodies are not subject to instructions.
2. (2)paragraph 2Federal law may provide that persons who do not hold Austrian citizenship are permitted to work at the university and to participate in university bodies and student representation. *(Note: Paragraph 3 repealed by [Federal Law Gazette I No. 51/2012](#))*Note, paragraph 3, repealed by Federal Law Gazette Part one, No. 51 of 2012,)

Article 82

text

B. Ordinary jurisdiction
Article 82.

1. (1)paragraph oneOrdinary jurisdiction emanates from the federal government.
2. (2)paragraph 2The judgments and findings are announced and issued in the name of the Republic.

Article 83

text

Article 83.

1. (1)paragraph oneThe organization and jurisdiction of the ordinary courts are regulated by federal law. The districts of the district courts are to be determined by federal government regulation.
2. (2)paragraph 2No one shall be deprived of his lawful judge. *(Note: Paragraph 3 repealed by Article IZ 1 [BGBl. No. 73/1968](#))*Note, paragraph 3, repealed by Article roman one number one, Federal Law Gazette No. 73 of 1968,)

Article 84

text

Article 84.

Military jurisdiction is abolished, except in times of war.

Article 85

text

Article 85.

The death penalty has been abolished.

Article 86

text

Article 86.

1. (1)paragraph oneUnless otherwise provided for in this Act, judges shall be appointed by the Federal President in accordance with the proposal of the Federal Government or by the competent Federal Minister on the basis of his or her authorisation; the Federal Government or the Federal Minister shall obtain nominations from the Senates appointed for this purpose by Federal law.
2. (2)paragraph 2The appointment proposal to be submitted to the competent Federal Minister and forwarded by him to the Federal Government must, if there are enough applicants, comprise at least three persons, but if more than one position is to be filled, at least twice as many persons as the number of judges to be appointed.

Article 87

text

Article 87.

1. (1)paragraph oneThe judges are independent in the exercise of their judicial office.
2. (2)paragraph 2In the exercise of his judicial office, a judge is responsible for handling all judicial business to which he is entitled under the law and the allocation of cases, with the exception of judicial administrative matters which are not to be handled by senates or commissions under the law.
3. (3)paragraph 3The cases shall be distributed in advance among the judges of the ordinary court for the period determined by federal law. A case which falls to a judge in accordance with this distribution of cases may only be taken away from him by order of the Senate appointed for this purpose by federal law and only if he is prevented from doing so or if he is prevented from completing his duties within a reasonable period of time due to the extent of his duties.

Article 87a

text

Article 87a.

1. (1)paragraph oneBy federal law, the handling of certain, precisely specified types of business of the jurisdiction of first instance may be entrusted to specially trained non-judicial federal employees.
2. (2)paragraph 2However, the judge responsible according to the allocation of business may at any time reserve the right to handle such matters or take them over to himself.
3. (3)paragraph 3When carrying out the business referred to in paragraph 1, non-judicial federal employees are only bound by the instructions of the judge responsible according to the allocation of business. Article 20 paragraph 1, third sentence, applies.In carrying out the business referred to in paragraph one, non-judicial federal employees are only bound by the instructions of the judge responsible according to the allocation of business. Article 20, paragraph one, third sentence applies.

Article 88

text

Article 88.

1. (1)paragraph oneFederal law sets an age limit upon reaching which judges enter permanent retirement.
2. (2)paragraph 2Furthermore, judges may only be removed from office or transferred to another position or retired against their will in the cases and in the forms prescribed by law and on the basis of a formal judicial decision. However, these provisions do not apply to translations and retirements that become necessary due to a change in the court's organization. In such a case, the law shall determine the period within which judges may be translated and retired without the formalities otherwise prescribed.
3. (3)paragraph 3The temporary removal of judges from office may only take place by order of the head of the court or the president of the court or of the superior judicial authority, with simultaneous referral of the case to the competent ordinary court.

Article 88a

text

Article 88a.

A federal law may provide that positions for district judges may be provided at a higher ordinary court. The number of district judge positions may not exceed 3% of the existing judge positions at the lower ordinary courts. The use of district judges at the lower ordinary courts and, where applicable, at the higher ordinary court itself is determined by the senate of the higher ordinary court appointed for this purpose by federal law. District judges may only be entrusted with the representation of judges of lower ordinary courts or of judges of the higher ordinary court itself and only if these judges are prevented from performing their duties or if these judges are prevented from performing their duties within a reasonable period of time due to the extent of their duties.

Article 89

text

Article 89.

1. (1)paragraph oneUnless otherwise provided in the following paragraphs, the ordinary courts have no jurisdiction to examine the validity of duly published regulations, announcements concerning the re-promulgation of a law (international treaty), laws and international treaties.
2. (2)paragraph 2If an ordinary court has reservations about the application of a regulation on the grounds of illegality, a notice of re-promulgation of a law (interstate treaty) on the grounds of illegality, a law on the grounds of unconstitutionality or an interstate treaty on the grounds of illegality, it must submit an application for the annulment of this legal provision to the Constitutional Court.
3. (3)paragraph 3If the legal provision to be applied by the ordinary court has already ceased to have effect, the ordinary court's application to the Constitutional Court must request a decision that the legal provision was unlawful, unconstitutional or illegal.

4. (4)paragraph 4A federal law shall determine the effects of an application pursuant to paragraph 2 or 3 on proceedings pending before the ordinary court.A federal law shall determine the effects of an application pursuant to paragraph 2 or 3 on proceedings pending before the ordinary court.

Article 90

text

Article 90.

1. (1)paragraph oneThe hearings in civil and criminal cases before the ordinary court are oral and public. Exceptions are determined by law.

2. (2)paragraph 2In criminal proceedings, the indictment process applies.

Article 90a

text

Article 90a.

Public prosecutors are organs of the ordinary courts. In proceedings for acts punishable by law, they carry out investigative and prosecution functions. Federal law lays down the detailed rules on their obligation to follow the instructions of the organs above them.

Article 91

text

Article 91.

1. (1)paragraph oneThe people must participate in the administration of justice.

2. (2)paragraph 2In the case of crimes punishable by severe penalties, as defined by law, and in the case of all political crimes and misdemeanors, a jury shall decide the guilt of the accused.

3. (3)paragraph 3In criminal proceedings for other criminal offences, lay judges participate in the judicial process if the sentence to be imposed exceeds a level to be determined by law.

Article 92

text

Article 92.

1. (1)paragraph oneThe highest authority in civil and criminal cases is the Supreme Court.

2. (2)paragraph 2Members of the Federal Government, a State Government, a general representative body or the European Parliament cannot be members of the Supreme Court; for members of a general representative body or the European Parliament who have been elected for a specific legislative or functional term, the incompatibility continues until the end of the legislative or functional term, even if they renounce their mandate early. No person may be appointed President or Vice-President of the Supreme Court if he has held one of the functions mentioned above in the last five years.

Article 93

text

Article 93.

Amnesties for criminal offenses are granted by federal law.

Article 94

text

Article 94.

1. (1)paragraph oneThe judiciary is separated from the administration at all levels.

2. (2)paragraph 2In individual cases, federal or state law may provide for an appeal from the administrative authority to the ordinary courts instead of filing a complaint with the administrative court. In matters of federal enforcement that are not directly handled by federal authorities, and in matters covered by Articles 11, 12, 14 paragraphs 2 and 3 and 14a paragraphs 3 and 4, federal laws pursuant to the first sentence may only be promulgated with the consent of the states. Article 97 paragraph 2 applies mutatis mutandis to state laws pursuant to the first sentence.In individual cases, federal or state law may provide for an appeal from the administrative authority to the ordinary courts instead of filing a complaint with the administrative court. In matters of federal enforcement that are not directly handled by federal authorities, and in matters covered by Articles 11, 12, 14 paragraphs 2 and 3, and 14a paragraphs 3 and 4, federal laws pursuant to the first sentence may only be promulgated with the consent of the states. Article 97 paragraph 2 applies mutatis mutandis to state laws pursuant to the first sentence.

Article 95

text

Fourth Main Part

legislation and enforcement of the states

A. General Provisions

Article 95.

1. (1)paragraph oneThe legislation of the states is exercised by the state parliaments. The state parliaments are elected on the basis of the equal, direct, personal, free and secret right to vote of male and

female state citizens who are entitled to vote according to the state election regulations, in accordance with the principles of proportional representation. The state constitution can provide that citizens who had a residence in the state before moving their main residence abroad are also entitled to vote in the state parliament for the duration of their stay abroad, but for a maximum period of ten years.

2. (2)paragraph 2The state election regulations may not make the conditions of the right to vote and eligibility more restrictive than the Federal Constitution for elections to the National Council, and may not make the conditions of eligibility more restrictive than the federal legal provisions for elections to the National Council.

3. (3)paragraph 3Voters exercise their right to vote in constituencies, each of which must cover a closed area and which can be divided into spatially closed regional constituencies. The number of representatives must be distributed among the constituencies in proportion to the number of citizens. The state election regulations can provide for a final investigation procedure throughout the state, through which the seats allocated to the parties running in the constituencies are balanced out and the seats not yet allocated are distributed in accordance with the principles of proportional representation. The electorate may not be divided into other electoral bodies.

4. (4)paragraph 4The detailed provisions on the electoral procedure are laid down in the state election regulations. Article 26 paragraph 6 applies accordingly.The detailed provisions on the electoral procedure are laid down in the state election regulations. Article 26, paragraph 6, shall apply accordingly.

5. (5)paragraph 5Article 59a applies to public servants who are applying for a seat in the state parliament or who are elected as members of a state parliament; stricter regulations are permissible. A state constitutional law can create an institution with the same powers and the same obligation to publish a report as the commission under Article 59b.Article 59a applies to public servants who apply for a seat in the state parliament or who are elected as members of a state parliament; stricter regulations are permissible. A state constitutional law can create a body with the same powers and the same obligation to publish a report as the commission under Article 59b.

Article 96

text

Article 96.

1. (1)paragraph oneThe members of the Landtag enjoy the same immunity as the members of the National Council; the provisions of Article 57 shall apply mutatis mutandis.The members of the Landtag enjoy the same immunity as the members of the National Council; the provisions of Article 57 shall apply mutatis mutandis.

2. (2)paragraph 2The provisions of Articles 32 and 33 also apply to the sessions of the state parliaments and their committees.The provisions of Articles 32 and 33 also apply to the sessions of the state parliaments and their committees.

3. (3)paragraph 3A state law may make provisions corresponding to Article 56 paragraphs 2 to 4 for members of the state parliament who renounce their mandate on the occasion of their election to the Federal Council or to the state government.A state law may make provisions corresponding to Article 56, paragraphs 2 to 4, for members of the state parliament who renounce their mandate on the occasion of their election to the Federal Council or to the state government.

Article 97

text

Article 97.

1. (1)paragraph oneA state law requires a resolution by the state parliament, certification and countersignature in accordance with the provisions of the state constitution and publication by the state governor in the state law gazette.

2. (2)paragraph 2To the extent that a state law provides for the participation of federal bodies in its implementation, the consent of the Federal Government must be obtained.

3. (3)paragraph 3If the immediate adoption of measures that constitutionally require a resolution by the state parliament becomes necessary to prevent obvious, irreparable harm to the public at a time when the state parliament cannot convene in time or is hindered in its activities by force majeure, the state government can take these measures by means of provisional law-amending regulations in agreement with a committee of the state parliament appointed in accordance with the principle of proportional representation. The state government must immediately bring these measures to the attention of the federal government. As soon as the obstacle to the convening of the state parliament has been removed, it must be convened. Article 18 paragraph 4 applies accordingly.If the immediate adoption of measures that constitutionally require a resolution by the state parliament becomes necessary to prevent obvious, irreparable harm to the public at a time when the state parliament cannot convene in time or is hindered in its activities by force majeure, the state government, in agreement with a committee of the state parliament appointed in accordance with the principle of proportional representation, can take these measures by means of provisional law-amending regulations. The state

government must immediately bring these measures to the attention of the federal government. As soon as the obstacle to the convening of the state parliament has been removed, it must be convened. Article 18, paragraph 4, applies accordingly.

4. (4)paragraph 4In any event, the regulations referred to in paragraph 3 may not constitute an amendment to state constitutional provisions and may not involve a permanent financial burden on the state, a financial burden on the federal government or the municipalities, financial obligations of citizens, a disposal of state assets, or measures in matters relating to the chambers of workers and employees in the agricultural and forestry sectors. In any event, the regulations referred to in paragraph 3 may not constitute an amendment to state constitutional provisions and may not involve a permanent financial burden on the state, a financial burden on the federal government or the municipalities, financial obligations of state citizens, a disposal of state assets, or measures in matters relating to the chambers of workers and employees in the agricultural and forestry sectors.

Article 98

text

Article 98.

If a legislative decision requires the approval of the Federal Government, it must be notified by the State Governor to the Federal Chancellery immediately after the decision has been made by the State Parliament. Approval is deemed to have been given if the Federal Government has not notified the State Governor that approval is being refused within eight weeks of the day on which the legislative decision was received by the Federal Chancellery. The legislative decision may only be announced before the expiry of this period if the Federal Government has notified its express approval.

Article 99

text

Article 99.

1. (1)paragraph oneThe state constitution to be enacted by state constitutional law can be amended by state constitutional law insofar as the federal constitution is not thereby affected.

2. (2)paragraph 2A state constitutional law can only be passed if half of the members of the state parliament are present and with a majority of two thirds of the votes cast.

Article 100

text

Article 100.

1. (1)paragraph oneAny state parliament can be dissolved by the Federal President at the request of the Federal Government and with the consent of the Federal Council; however, such a dissolution may only be ordered once for the same reason. The consent of the Federal Council must be decided upon in the presence of half of the members and by a majority of two thirds of the votes cast. The representatives of the state whose state parliament is to be dissolved may not take part in the vote.

2. (2)paragraph 2In the event of dissolution, new elections must be called within three weeks in accordance with the provisions of the state constitution; the newly elected state parliament must be convened within four weeks of the election.

Article 101

text

Article 101.

1. (1)paragraph oneThe executive power of each state is exercised by a state government elected by the state parliament.

2. (2)paragraph 2The members of the state government do not have to be members of the state parliament, but they must be eligible for election to the state parliament.

3. (3)paragraph 3The state government consists of the governor, the required number of deputies and other members.

4. (4)paragraph 4The state governor is sworn in to the federal constitution by the Federal President, and the other members of the state government are sworn in by the state governor before taking office. The addition of a religious affirmation is permissible.

Article 102

text

Article 102.

1. (1)paragraph oneIn the area of the states, the executive powers of the federal government are exercised by the state governor and the state authorities subordinate to him (indirect federal administration), unless there are separate federal authorities (direct federal administration). Insofar as federal authorities are entrusted with the executive powers in matters that are dealt with by indirect federal administration, these federal authorities are subordinate to the state governor in the matters concerned and are bound by his instructions (Article 20, paragraph 1); whether and to what extent such federal authorities are entrusted with

executive acts is determined by federal law; unless they are entrusted with the execution of matters listed in paragraph 2, they may only be published with the consent of the states involved. In the area of the states, the executive powers of the federal government are exercised by the state governor and the state authorities subordinate to him (indirect federal administration), unless there are separate federal authorities (direct federal administration). Insofar as federal authorities are entrusted with the executive powers in matters that are dealt with by indirect federal administration, these federal authorities are subordinate to the state governor in the matters concerned and are bound by his instructions (Article 20, paragraph one); whether and to what extent such federal authorities are entrusted with executive acts is determined by federal law; unless they are entrusted with the execution of matters listed in paragraph 2, they may only be published with the consent of the states involved.

2. (2) paragraph 2 The following matters can be dealt with directly by federal authorities within the scope of their constitutionally established authority:

Border marking; goods and livestock traffic with foreign countries; customs; regulation and monitoring of entry into and exit from the federal territory; right of residence for reasons worthy of consideration; passport system; residence ban, expulsion and deportation; asylum; extradition; federal finances; monopolies; monetary, credit, stock exchange and banking systems; weights and measures, standards and hallmarking systems; justice system; press system; maintenance of public peace, order and security, including first aid, but with the exception of the local security police; association and assembly law; aliens' police and registration system; weapons, ammunition and explosives systems, shooting; antitrust law; patent system and protection of designs, brands and other product names; transport system; electricity and shipping police; postal and telecommunications systems; mining; regulation and maintenance of the Danube; torrent control; construction and maintenance of waterways; surveying; labour law; social and contractual insurance systems; care allowance system; Social compensation law; commercial transactions with seeds and planting material, feed, fertilizers and plant protection products as well as with plant protection equipment, including approval and, in the case of seeds and planting material, also recognition; monument protection; general matters relating to the protection of personal data; organisation and management of the Federal Police; military matters; matters relating to civil service; population policy; agricultural and forestry schools and educational systems in the matters of Article 14a, paragraph 2, and central educational establishments; universities and higher education systems as well as the educational system relating to student residences in these matters; compulsory training for young people; public procurement. Border marking; goods and livestock traffic with foreign countries; customs; regulation and monitoring of entry into and exit from the federal territory; right of residence for reasons worthy of consideration; passport system; residence ban, expulsion and deportation; asylum; extradition; federal finances; monopolies; monetary, credit, stock exchange and banking systems; weights and measures, standards and hallmarking systems; justice system; press system; maintenance of public peace, order and security, including first aid, but with the exception of the local security police; association and assembly law; aliens' police and registration system; weapons, ammunition and explosives systems, shooting; antitrust law; patent system and protection of designs, brands and other product names; transport system; electricity and shipping police; postal and telecommunications systems; mining; regulation and maintenance of the Danube; torrent control; construction and maintenance of waterways; surveying; labour law; social and contractual insurance systems; care allowance system; Social compensation law; commercial transactions with seeds and planting material, feed, fertilizers and plant protection products as well as with plant protection equipment, including approval and, in the case of seeds and planting material, also recognition; monument protection; general matters relating to the protection of personal data; organisation and management of the Federal Police; military matters; matters relating to civil service; population policy; agricultural and forestry schools and educational systems in the matters of Article 14a, paragraph 2, as well as central educational establishments; university and higher education systems as well as the educational system relating to student residences in these matters; compulsory training for young people; public procurement.

3. (3) paragraph 3 The Federation reserves the right to entrust the State Governor with the execution of the Federation's powers in the matters listed in paragraph 2. The Federation reserves the right to entrust the State Governor with the execution of the Federation's powers in the matters listed in paragraph 2.

4. (4) paragraph 4 The establishment of separate federal authorities for matters other than those referred to in paragraph 2 can only take place with the consent of the states involved. The establishment of separate federal authorities for matters other than those referred to in paragraph 2 may only take place with the consent of the states concerned.

5. (5) paragraph 5 If, in a state, in matters of direct federal administration, the immediate adoption of measures to prevent obvious, irreparable harm to the general public becomes necessary at a time when the highest bodies of the federal administration are unable to do so due to force majeure, the state governor must take the measures in their place.

Article 103

text

Article 103.

1. (1) paragraph one In matters of indirect federal administration, the Governor is bound by the instructions of the Federal Government and of the individual Federal Ministers (Article 20) and is obliged to use the means at his disposal in his capacity as an organ of the independent sphere of influence of the State in order to ensure the implementation of such instructions. In matters of indirect federal administration, the Governor is bound by the instructions of the Federal Government and of the individual Federal Ministers (Article 20) and is obliged to use the means at his disposal in his capacity as an organ of the independent sphere of influence of the State in order to ensure the implementation of such instructions.

2. (2) paragraph 2 When drawing up its rules of procedure, the state government can decide that individual groups of matters of indirect federal administration are to be managed by members of the state government on behalf of the state governor because of their factual connection with matters within the state's independent sphere of influence. In these matters, the members of the state government concerned are bound by the governor's instructions (Article 20) just as the governor is bound by the instructions of the federal government or the individual federal ministers. When drawing up its rules of procedure, the state government can decide that individual groups of matters of indirect federal administration are to be managed by members of the state government on behalf of the state governor because of their factual connection with matters within the independent sphere of activity of the state. In these matters, the members of the state government concerned are bound by the instructions of the state governor (Article 20) just as the governor is bound by the instructions of the federal government or the individual federal ministers.

3. (3) paragraph 3 Instructions issued by the Federal Government or individual Federal Ministers pursuant to paragraph 1 must also be addressed to the State Governor in cases covered by paragraph 2. If the Governor does not personally manage the relevant matter of indirect federal administration, he is obliged under his responsibility (Article 142 paragraph 2 letter e) to pass on the instruction to the relevant member of the State Government immediately and unchanged in writing and to monitor its implementation. If the instruction is not followed despite the State Governor having taken the necessary precautions, the relevant member of the State Government is also responsible to the Federal Government in accordance with Article 142. Instructions issued by the Federal Government or individual Federal Ministers pursuant to paragraph 1 must also be addressed to the State Governor in cases covered by paragraph 2. If the Governor does not personally manage the relevant matter of indirect federal administration, he is obliged under his responsibility (Article 142, paragraph 2, letter e) to pass on the instruction to the relevant member of the State Government immediately and unchanged in writing and to monitor its implementation. If the instruction is not followed despite the State Governor having taken the necessary precautions, the relevant member of the State Government is also responsible to the Federal Government in accordance with Article 142.

(Note: Paragraph 4 repealed by [BGBl. I No. 51/2012](#)) Note, paragraph 4, repealed by Federal Law Gazette Part one, No. 51 of 2012.)

Article 104

text

Article 104.

1. (1) paragraph one The provisions of Article 102 shall not apply to institutions carrying out the business of the Federation referred to in Article 17. The provisions of Article 102 shall not apply to institutions carrying out the business of the Federation referred to in Article 17.

2. (2) paragraph 2 However, the federal ministers entrusted with the administration of federal assets may delegate the handling of such transactions to the state governor and the state authorities subordinate to him. Such a delegation may be revoked in whole or in part at any time. The extent to which the federal government will reimburse the costs incurred in handling such transactions in special exceptional cases is determined by federal law. Article 103, paragraphs 2 and 3 apply mutatis mutandis. However, the federal ministers entrusted with the administration of federal assets may delegate the handling of such transactions to the state governor and the state authorities subordinate to him. Such a delegation may be revoked in whole or in part at any time. The extent to which the federal government will reimburse the costs incurred in handling such transactions in special exceptional cases shall be determined by federal law. Article 103, paragraphs 2 and 3 apply mutatis mutandis.

Article 105

text

Article 105.

1. (1) paragraph one The governor represents the state. He is responsible to the federal government in matters of indirect federal administration in accordance with Article 142. The governor is represented by the member of the state government appointed by the state government (deputy governor). This appointment must be brought to the attention of the Federal Chancellor. If representation occurs, the member of the state government appointed to represent him is also responsible to the federal government in matters of indirect federal administration in accordance with Article 142. Immunity does not prevent the governor or the member of the state government representing him from asserting such responsibility. Likewise, immunity does not prevent a member of the state government from asserting responsibility in the case of Article 103 paragraph

3. The governor represents the state. He is responsible to the federal government in matters of indirect federal administration in accordance with Article 142. The governor is represented by a member of the state government appointed by the state government (deputy governor). This appointment must be brought to the attention of the Federal Chancellor. If representation occurs, the member of the state government appointed to represent him is also responsible to the federal government in matters of indirect federal administration in accordance with Article 142. Immunity does not stand in the way of the governor or the member of the state government representing him asserting such responsibility. Likewise, immunity does not stand in the way of a member of the state government asserting responsibility in the case of Article 103, paragraph 3.

2. (2) paragraph 2 The members of the state government are responsible to the state parliament according to Article 142. The members of the state government are responsible to the state parliament according to Article 142.

3. (3) paragraph 3 A resolution bringing charges within the meaning of Article 142 requires the presence of half of the members. A decision to bring charges under Article 142 requires the presence of half of the members.

Article 106

text

Article 106.

A legally qualified employee of the State Government Office is appointed as State Office Director to manage the internal services of the State Government Office. He is also the State Governor's assistant in matters of indirect federal administration.

Article 108

text

B. The federal capital Vienna

Article 108.

For the federal capital Vienna as a state, the municipal council also has the function of the state parliament, the city senate also has the function of the state government, the mayor also has the function of the state governor, the magistrate also has the function of the office of the state government and the magistrate director also has the function of the state office director.

Article 109

text

Article 109.

Article 102 paragraph 1 applies to the federal capital Vienna, with the proviso that the executive powers of the federal government, unless there are separate federal authorities (direct federal administration), are exercised by the mayor as state governor and the magistrate subordinate to him as district administrative authority (indirect federal administration). Article 102, paragraph one, applies to the federal capital Vienna, with the proviso that the executive powers of the federal government, unless there are separate federal authorities (direct federal administration), are exercised by the mayor as state governor and the magistrate subordinate to him as district administrative authority (indirect federal administration).

Article 112

text

Article 112.

In accordance with Articles 108 and 109, the provisions of Section A of Chapter Six shall apply to the Federal Capital Vienna, with the exception of Article 117, paragraph 6, second sentence, Article 119, paragraph 4 and Article 119a. Article 142, paragraph 2(e) shall also apply to the management of the sphere of influence transferred by the Federal Government to the Federal Capital Vienna. In accordance with Articles 108 and 109, the provisions of Section A of Chapter VI shall apply to the Federal Capital Vienna, with the exception of Article 117, Paragraph 6, second sentence, Article 119, Paragraph 4 and Article 119a; Article 142, Paragraph 2, Letter e, shall also apply to the management of the sphere of influence transferred by the Federation to the Federal Capital Vienna.

Article 113

text

Fifth Main Part

enforcement in the field of school and education

Article 113.

1. (1) paragraph one Enforcement in the area of schools and in the area of education in matters relating to student residences pursuant to Article 14, but with the exception of kindergartens and day-care centres pursuant to Article 14 paragraph 4 letter b, shall be the responsibility of the competent Federal Minister and – insofar as these are not central educational establishments – by the education directorates subordinate to the competent Federal Minister. Enforcement in the area of schools and in the area of education in matters relating to student residences pursuant to Article 14, but with the exception of kindergartens and day-care centres pursuant to Article 14, paragraph 4, letter b, shall be the responsibility of the competent Federal Minister and – insofar as

these are not central educational establishments – by the education directorates subordinate to the competent Federal Minister.

2. (2)paragraph 2By way of derogation from paragraph 1, in matters of execution pursuant to Article 14 paragraph 2, paragraph 3 letters a and b and paragraph 4 letter a, the State Government or individual members thereof (Article 101 paragraph 1) shall take the place of the Federal Minister in accordance with the detailed provisions of the State Constitution. By way of derogation from paragraph one, in matters of execution pursuant to Article 14, paragraph 2, paragraph 3, letters a and b, and paragraph 4, letter a, the State Government or individual members thereof (Article 101, paragraph one) shall take the place of the Federal Minister in accordance with the more detailed provisions of the State Constitution.

3. (3)paragraph 3For each state, a joint federal and state authority, to be called the Education Directorate, will be established.

4. (4)paragraph 4The education directorates are responsible for enforcing school law for public schools in accordance with Article 14, including quality assurance, school supervision and educational controlling, and for enforcing the service law and staff representation rights of teachers for public schools and other federal employees at public schools. Other matters of federal enforcement can be transferred to the education directorate by federal law, and other matters of state enforcement by state law, or the involvement of the education directorate in their enforcement can be provided for. These matters must be factually related to the matters mentioned in paragraphs 1 and 2. In matters of federal enforcement, federal laws in accordance with the second sentence may only be promulgated with the consent of the states. In these matters, the education directorate reports to the federal minister. For state laws in accordance with the second sentence, Article 97 paragraph 2 applies mutatis mutandis. In matters of state enforcement, the education directorate reports to the state government (or an individual member thereof). The education directorates are responsible for enforcing school law for public schools in accordance with Article 14, including quality assurance, school supervision and educational controlling, and for enforcing the service law and staff representation rights of teachers for public schools and other federal employees at public schools. Other matters of federal enforcement can be transferred to the education directorate by federal law, and other matters of state enforcement by state law, or the involvement of the education directorate in their enforcement can be provided for. These matters must be factually related to the matters mentioned in paragraphs one and two. In matters of federal enforcement, federal laws in accordance with the second sentence may only be promulgated with the consent of the states. In these matters, the education directorate is subordinate to the federal minister. Article 97, paragraph 2 applies mutatis mutandis to state laws in accordance with the second sentence. In matters of state enforcement, the education directorate is subordinate to the state government (or an individual member thereof).

5. (5)paragraph 5Without prejudice to paragraphs 1 and 2, tasks in the area of enforcement of the service law and the staff representation law of teachers, in particular tasks in the areas of disciplinary law, performance assessment, equal treatment and employee protection, may be transferred by law to other bodies. The maintenance of public compulsory schools may be transferred to municipalities or associations of municipalities. Without prejudice to paragraphs 1 and 2, tasks in the area of enforcement of the service law and the staff representation law of teachers, in particular tasks in the areas of disciplinary law, performance assessment, equal treatment and employee protection, may be transferred by law to other bodies. The maintenance of public compulsory schools may be transferred to municipalities or associations of municipalities.

6. (6)paragraph 6The Director of Education is headed by the Director of Education. The responsible Federal Minister appoints the Director of Education in agreement with the Governor on the latter's proposal. The appointment of the Director of Education is limited to five years. Reappointments are permitted. If no agreement is reached, the Governor can temporarily appoint a person to the role of Director of Education. Further details are set out in the Federal Law in accordance with Paragraph 10. The Director of Education is headed by the Director of Education. The responsible Federal Minister appoints the Director of Education in agreement with the Governor on the latter's proposal. The appointment of the Director of Education is limited to five years. Reappointments are permitted. If no agreement is reached, the Governor can temporarily appoint a person to the function of Director of Education. Further details are set out in the Federal Law pursuant to paragraph 10.

7. (7)paragraph 7In carrying out his duties, the Director of Education is bound by the instructions of the responsible Federal Minister in matters of federal executive power and by the instructions of the state government (or an individual member thereof) in matters of state executive power. In overarching matters, the Director of Education is bound by the instructions of the responsible Federal Minister in agreement with the state government (or an individual member thereof).

8. (8)paragraph 8A state law can stipulate that the state governor heads the education directorate as president. In this case, the state governor can entrust the relevant member of the state government with the exercise of this function by decree. If a state law provides for a president, paragraph 7 applies to the president. In such a case, the education director is bound by the president's instructions. Instructions from the responsible federal minister or the state government (or an individual member thereof) can also be addressed directly to the

education director. The president must immediately inform the responsible federal minister of instructions to the education director in matters of federal executive power. A state law can stipulate that the state governor heads the education directorate as president. In this case, the state governor can entrust the relevant member of the state government with the exercise of this function by decree. If a state law provides for a president, paragraph 7 applies to the president. In such a case, the education director is bound by the president's instructions. Instructions from the responsible federal minister or the state government (or an individual member thereof) can also be addressed directly to the education director. The president must immediately inform the responsible federal minister of instructions to the education director in matters of federal executive power.

9. (9)paragraph 9The federal and state governments must allocate to the Education Directorate the number of federal and state employees required to carry out its tasks. The Education Director exercises administrative and technical supervision over all federal and state employees in the Education Directorate.

10. (10)paragraph 10The detailed provisions on the establishment, organization and publication of regulations of the Education Directorate, including the requirements for the personal and professional suitability of the Education Director and his appointment, are laid down by federal law. This federal law can stipulate that the responsible federal minister must reach agreement with the state government (or an individual member thereof) on individual matters. The federal government must give the states the opportunity to participate in the preparation of such legislative proposals; the law may only be published with the consent of the states.

Article 115

text

Sixth Main Part

self-government

A. communities

Article 115.

1. (1)paragraph oneWherever the following articles refer to congregations, this refers to local congregations.

2. (2)paragraph 2Unless federal jurisdiction is expressly established, state legislation must regulate municipal law in accordance with the principles of the following articles of this section. The jurisdiction to regulate the matters to be dealt with by municipalities in accordance with Articles 118, 118a and 119, including any exclusion of appeal, is determined in accordance with the general provisions of this Federal Constitutional Law. Unless federal jurisdiction is expressly established, state legislation must regulate municipal law in accordance with the principles of the following articles of this section. The jurisdiction to regulate the matters to be dealt with by municipalities in accordance with Articles 118, 118a and 119, including any exclusion of appeal, is determined in accordance with the general provisions of this Federal Constitutional Law.

3. (3)paragraph 3The Austrian Association of Municipalities and the Austrian Association of Cities are called upon to represent the interests of the municipalities.

Article 116

text

Article 116.

1. (1)paragraph oneEach country is divided into municipalities. The municipality is a local authority with the right to self-government and at the same time an administrative district. Every piece of land must belong to a municipality.

2. (2)paragraph 2The municipality is an independent economic entity. It has the right, within the limits of general federal and state laws, to own, acquire and dispose of all types of assets, to conduct economic enterprises and, within the framework of the financial constitution, to manage its budget independently and to levy taxes.

3. (3)paragraph 3A municipality with at least 20,000 inhabitants can, at its request, be granted its own statute (city charter) by state law, provided that this does not endanger the interests of the state. A city with its own statute must perform the tasks of the district administration in addition to the tasks of the municipal administration.

(Note: Paragraph 4 repealed by Article IZ 14 BVG, *Federal Law Gazette No. 490/1984*.) Note, paragraph 4, repealed by Article roman one number 14, BVG, Federal Law Gazette No. 490 of 1984.,)

Art. 116a

text

Article 116a.

1. (1)paragraph oneTo manage their affairs, municipalities can join together to form municipal associations by agreement. Such an agreement requires the approval of the supervisory authority. Approval must be granted by regulation if there is an agreement between the municipalities involved that complies with the law and the formation of the municipal association

1. 1stnumber one
in the case of dealing with matters of sovereign administration, the function of the municipalities involved as self-governing bodies is not endangered,
2. 2ndparagraph 2
in the case of the management of affairs of the municipalities as holders of private rights, for reasons of expediency, efficiency and economy, it is in the interest of the municipalities involved.
 2. (2)paragraph 2In the interest of expediency, the relevant legislation (Articles 10 to 15) may provide for the formation of municipal associations to deal with matters within the municipality's sphere of activity, but this must not jeopardise the function of the municipalities as self-governing bodies and administrative districts. When municipal associations are formed by way of executive action, the municipalities involved must be consulted beforehand.In the interest of expediency, the relevant legislation (Articles 10 to 15) may provide for the formation of municipal associations to deal with matters within the sphere of activity of the municipality, but this must not jeopardise the function of the municipalities as self-governing bodies and administrative districts. When municipal associations are formed by way of executive action, the municipalities involved must be consulted beforehand.
 3. (3)paragraph 3The bodies of the municipal associations, which are to deal with matters within the municipality's own sphere of influence, must be formed according to democratic principles.
 4. (4)paragraph 4State legislation must regulate the organisation of the municipal associations, whereby their organs must be an association assembly, which must consist of elected representatives of all municipalities belonging to the association, and an association chairman. For municipal associations that have been formed by agreement, further provisions must be made regarding the accession and withdrawal of municipalities as well as the dissolution of the municipal association.
 5. (5)paragraph 5The authority to regulate the matters to be dealt with by the municipal associations is determined by the general provisions of this Federal Constitutional Law.
 6. (6)paragraph 6A merger of municipalities from different states to form municipal associations is permissible subject to an agreement between the states concerned pursuant to Article 15a, which must include, in particular, provisions on the approval of the formation of the municipal associations and the exercise of supervision.A merger of municipalities from different Länder to form municipal associations is permissible subject to an agreement between the Länder concerned pursuant to Article 15a, which must include in particular provisions on the approval of the formation of the municipal associations and the exercise of supervision.

Art. 116b

text

Article 116b.

Municipalities in one state can conclude agreements with each other regarding their respective areas of activity if state legislation provides for this. State legislation must also make provisions for the publication of such agreements and for the resolution of differences of opinion. Article 116a paragraph 6 applies mutatis mutandis to agreements between municipalities in different states.Municipalities in one state can conclude agreements with each other regarding their respective areas of activity if state legislation provides for this. State legislation must also make provisions for the publication of such agreements and for the resolution of differences of opinion. Article 116a, paragraph 6 applies mutatis mutandis to agreements between municipalities in different states.

Article 117

text

Article 117.

1. (1)paragraph oneIn any case, the following organs of the municipality must be provided:
 1. a)Litera a
the municipal council, which is a general representative body elected by the voters of the municipality;
 2. b)Letter b
the municipal council (city council), in cities with their own statutes the city senate;
 3. c)Litera c
the mayor.
2. (2)paragraph 2The municipal council is elected on the basis of the equal, direct, personal, free and secret right to vote of male and female citizens who have their main residence in the municipality, in accordance with the principles of proportional representation. The electoral regulations may, however, provide that citizens who have a residence in the municipality but not their main residence are also entitled to vote. The electoral regulations may not set the conditions for the right to vote and eligibility more strictly than the state election regulations; however, it may be stipulated that persons who have not lived in the municipality for a year are not entitled to vote and are not eligible to stand for election if their stay in the municipality is obviously only temporary. Under the conditions to be laid down in the electoral regulations, citizens of other

member states of the European Union are also entitled to vote and are eligible to stand for election. The electoral regulations may stipulate that voters exercise their right to vote in constituencies, each of which must cover a closed area. The electorate may not be divided into other electoral bodies. Article 26 paragraph 6 shall apply accordingly. In the event that no nominations are submitted, the electoral regulations may stipulate that the persons whose names appear most frequently on the ballot papers shall be deemed to be elected. The municipal council is elected on the basis of the equal, direct, personal, free and secret right to vote of male and female citizens who have their main residence in the municipality, in accordance with the principles of proportional representation. The electoral regulations may, however, provide that citizens who have a residence in the municipality but not their main residence are also entitled to vote. The electoral regulations may not restrict the conditions of the right to vote and eligibility to stand for election than the state election regulations; however, it may be stipulated that persons who have not lived in the municipality for a year are not entitled to vote and are not eligible to stand for election if their stay in the municipality is obviously only temporary. Under the conditions to be laid down in the electoral regulations, citizens of other member states of the European Union are also entitled to vote and are eligible to stand for election. The electoral regulations may stipulate that voters exercise their right to vote in constituencies, each of which must cover a closed area. The electorate may not be divided into other electoral bodies. Article 26, paragraph 6, shall apply accordingly. In the event that no nominations are submitted, the electoral regulations may stipulate that the persons whose names appear most frequently on the ballot papers shall be deemed to be elected.

3. (3)paragraph 3A decision of the municipal council requires a simple majority of the members present in quorum; however, other decision requirements may be provided for certain matters.

4. (4)paragraph 4The meetings of the municipal council are public, but exceptions can be made. When the municipal budget or the municipal financial statements are being discussed, the public may not be excluded.

5. (5)paragraph 5Electoral parties represented in the municipal council are entitled to representation on the municipal executive board in proportion to their strength.

6. (6)paragraph 6The mayor is elected by the municipal council. The state constitution may provide that those entitled to vote for the municipal council elect the mayor. In this case, Article 26, paragraph 6 shall apply mutatis mutandis. The mayor is elected by the municipal council. The state constitution may provide that those entitled to vote for the municipal council elect the mayor. In this case, Article 26, paragraph 6, shall apply mutatis mutandis.

7. (7)paragraph 7The affairs of the municipalities are handled by the municipal office (city office), while those of cities with their own statutes are handled by the magistrate. A legally qualified employee of the magistrate is to be appointed as the magistrate director to head the internal services of the magistrate.

8. (8)paragraph 8In matters within the municipality's own sphere of influence, state legislation may provide for the direct participation and involvement of those entitled to vote in the municipal council.

Article 118

text

Article 118.

1. (1)paragraph oneThe municipality has its own sphere of activity and one delegated by the federal or state governments.

2. (2)paragraph 2In addition to the matters listed in Article 116, paragraph 2, the municipality's own sphere of influence includes all matters that are in the exclusive or predominant interest of the local community embodied in the municipality and are suitable for being dealt with by the community within its local boundaries. The laws must expressly designate such matters as those within the municipality's own sphere of influence. The municipality's own sphere of influence includes, in addition to the matters listed in Article 116, paragraph 2, all matters which are in the exclusive or predominant interest of the local community embodied in the municipality and which are suitable for being dealt with by the community within its local boundaries. The laws must expressly designate such matters as those within the municipality's own sphere of influence.

3. (3)paragraph 3The municipality is guaranteed the official tasks within its own sphere of influence, in particular in the following matters:

1. 1stnumber one
Appointment of municipal bodies without prejudice to the competence of supra-local electoral authorities; regulation of internal institutions for the performance of municipal tasks;
2. 2ndparagraph 2
Appointment of municipal employees and exercise of official authority without prejudice to the jurisdiction of supra-local disciplinary, qualification and examination committees;
3. 3.paragraph 3
local security police (Article 15 paragraph 2), local event police; local security police (Article 15, paragraph 2), local event police;
4. 4thparagraph 4

5. Administration of the municipality's traffic areas, local road police;
5th paragraph 5
field protection police;
6. 6th paragraph 6
local market police;
7. 7th paragraph 7
local health police, in particular in the field of aid and rescue services as well as mortuary and funeral services;
8. 8th paragraph 8
morality police;
9. 9th paragraph 9
local building police; local fire police; local spatial planning;
10. 10th paragraph 10
out-of-court mediation of disputes in civil and criminal law matters;
11. 11th paragraph 11
voluntary offers of movable property.

4. (4) paragraph 4 The municipality must manage the affairs of its own sphere of influence within the framework of federal and state laws and regulations, on its own responsibility, free from instructions and without recourse to administrative bodies outside the municipality. In matters within its own sphere of influence, there is a two-tier appeal process; this can be excluded by law. In matters within its own sphere of influence, the federal and state governments have a right of supervision over the municipality (Article 119a). The municipality must manage the affairs of its own sphere of influence within the framework of federal and state laws and regulations, on its own responsibility, free from instructions and without recourse to administrative bodies outside the municipality. In matters within its own sphere of influence, there is a two-tier appeal process; this can be excluded by law. In matters within its own sphere of influence, the federal and state governments have a right of supervision over the municipality (Article 119 a).

5. (5) paragraph 5 The mayor, the members of the municipal executive committee (city council, city senate) and any other appointed bodies of the municipality are responsible to the municipal council for the fulfilment of their duties within the municipality's own sphere of activity.

6. (6) paragraph 6 In matters within its own sphere of influence, the municipality has the right to issue local police regulations of its own free will to prevent imminent abuses or to eliminate existing abuses that disrupt local community life, and to declare non-compliance with these regulations as an administrative offence. Such regulations must not violate existing federal or state laws and regulations.

7. (7) paragraph 7 At the request of a municipality, the management of individual matters within its own sphere of influence can be transferred to a state authority by order of the state government or by order of the state governor in accordance with Article 119a paragraph 3. If such an order is to transfer responsibility to a federal authority, it requires the approval of the federal government. If such an order is to transfer responsibility to a state authority, it requires the approval of the state government. Such an order must be repealed as soon as the reason for its issuance no longer applies. The transfer does not extend to the right to issue regulations under paragraph 6. At the request of a municipality, the management of individual matters within its own sphere of activity can be transferred to a state authority by order of the state government or by order of the state governor in accordance with Article 119a, paragraph 3. If such an order is intended to transfer responsibility to a federal authority, it requires the approval of the federal government. If such an order is intended to transfer responsibility to a state authority, it requires the approval of the state government. Such an order must be repealed as soon as the reason for its issuance no longer applies. The transfer does not extend to the right to issue regulations under paragraph 6.

8. (8) paragraph 8 The establishment of a community watchdog or any change in its organisation must be reported to the Federal Government.

Art. 118a

text

Article 118a.

1. (1) paragraph one Federal or state law may provide that members of a municipal police force may, with the consent of the municipality, be authorized to perform executive duties for the competent authority.

2. (2) paragraph 2 With the consent of the municipality, the district administrative authority can authorize members of a municipal security force to participate in the administration of the administrative penal code to the same extent as the other organs of the public security service. This authorization can only be granted if the organs of the public security service have to monitor compliance with the administrative regulations in the matter that is the subject of the administrative penal procedure or if this matter is to be dealt with within the sphere of influence of the municipality.

Article 119

text

Article 119.

1. (1) paragraph one The transferred area of responsibility includes the matters which the municipality has to deal with in accordance with federal law on behalf of and in accordance with the instructions of the federal government or in accordance with state law on behalf of and in accordance with the instructions of the state.
2. (2) paragraph 2 The affairs of the transferred area of responsibility are taken care of by the mayor. In matters of federal executive power, he is bound by the instructions of the relevant federal bodies, in matters of state executive power, he is bound by the instructions of the relevant state bodies, and is responsible in accordance with paragraph 4. The affairs of the transferred area of responsibility are taken care of by the mayor. In matters of federal executive power, he is bound by the instructions of the relevant federal bodies, in matters of state executive power, he is bound by the instructions of the relevant state bodies, and he is responsible in accordance with paragraph 4.
3. (3) paragraph 3 The mayor can - without prejudice to his responsibility - delegate individual groups of matters within the delegated area of responsibility to members of the municipal executive committee (city council, city senate), other bodies created in accordance with Article 117 paragraph 1 or, in the case of collegiate bodies, to their members to deal with on his behalf, due to their factual connection with the matters within his own area of responsibility. In these matters, the bodies concerned or their members are bound by the mayor's instructions and are responsible in accordance with paragraph 4. The mayor can - without prejudice to his responsibility - delegate individual groups of matters within the delegated area of responsibility to members of the municipal executive committee (city council, city senate), other bodies created in accordance with Article 117, paragraph one, or, in the case of collegiate bodies, to their members to deal with on his behalf, due to their factual connection with the matters within his own area of responsibility. In these matters, the bodies concerned or their members are bound by the mayor's instructions and are responsible in accordance with paragraph 4.
4. (4) paragraph 4 The bodies named in paragraphs 2 and 3 may be declared to have lost their office by the governor if they were acting in the area of federal executive power, or by the state government if they were acting in the area of state executive power, for violation of the law or failure to comply with a regulation or instruction, provided that they are guilty of intent or gross negligence. This shall not affect any membership of such a person in the municipal council. The bodies named in paragraphs 2 and 3 may be declared to have lost their office by the Governor if they were acting in the area of federal executive power, or by the State Government if they were acting in the area of state executive power, for violation of the law or failure to comply with a regulation or instruction, provided that they are guilty of intent or gross negligence. This does not affect the membership of such a person in the municipal council.

Art. 119a

text

Article 119a.

1. (1) paragraph one The federal government and the state exercise their right of supervision over the municipality to ensure that, when carrying out its own sphere of activity, it does not violate the laws and regulations, in particular does not exceed its sphere of activity and fulfils the tasks incumbent upon it by law.
2. (2) paragraph 2 The state also has the right to examine the municipality's financial management for its economy, efficiency and expediency. The results of the examination must be sent to the mayor for submission to the municipal council. The mayor must inform the supervisory authority of the measures taken based on the results of the examination within three months.
3. (3) paragraph 3 The right of supervision and its legal regulation rests with the Federal Government insofar as the municipality's own sphere of activity includes matters from the area of federal enforcement, and with the states in all other cases; the right of supervision is to be exercised by the authorities of the general state administration.
4. (4) paragraph 4 The supervisory authority is entitled to obtain information on any matter concerning the municipality. The municipality is obliged to provide the information requested by the supervisory authority in individual cases and to have inspections carried out on site.
(Note: Paragraph 5 repealed by [BGBl. I No. 51/2012](#)) (Note, paragraph 5, repealed by Federal Law Gazette Part one, No. 51 of 2012.)
5. (6) paragraph 6 The municipality must immediately inform the supervisory authority of any regulations issued within its own area of responsibility. The supervisory authority must repeal unlawful regulations by regulation after consulting the municipality and at the same time inform the municipality of the reasons for this.
6. (7) paragraph 7 If the relevant legislation (paragraph 3) provides for the dissolution of the municipal council as a supervisory measure, this measure is the responsibility of the state government in the exercise of the state's supervisory rights, and of the state governor in the exercise of the federal government's supervisory rights. The admissibility of substitute performance as a supervisory measure is to be restricted to cases of

absolute necessity. The supervisory measures are to be used with the greatest possible protection of the acquired rights of third parties. If the relevant legislation (paragraph 3) provides for the dissolution of the municipal council as a supervisory measure, this measure falls to the state government in the exercise of the state's supervisory rights, and to the state governor in the exercise of the federal government's supervisory rights. The admissibility of substitute performance as a supervisory measure is to be restricted to cases of absolute necessity. The supervisory measures are to be used with the greatest possible protection of the acquired rights of third parties.

7. (8) paragraph 8 Individual measures to be taken by the municipality within its own sphere of influence, which also affect supra-local interests to a particular degree, in particular those of particular financial importance, can be made subject to approval by the supervisory authority by the relevant legislation (paragraph 3). The only grounds for refusing approval may be circumstances which clearly justify giving priority to supra-local interests. Individual measures to be taken by the municipality within its own sphere of influence, which also affect supra-local interests to a particular degree, in particular those of particular financial importance, can be made subject to approval by the supervisory authority by the relevant legislation (paragraph 3). The only grounds for refusing approval may be circumstances which clearly justify giving priority to supra-local interests.

8. (9) paragraph 9 The municipality is a party to the supervisory proceedings and has the right to lodge a complaint with the Administrative Court (Articles 130 to 132). It is a party to the proceedings before the Administrative Court and has the right to lodge an appeal with the Administrative Court (Article 133) and a complaint with the Constitutional Court (Article 144). The municipality is a party to the supervisory proceedings and has the right to lodge a complaint with the Administrative Court (Articles 130 to 132). It is a party to the proceedings before the Administrative Court and has the right to lodge an appeal with the Administrative Court (Article 133) and an appeal with the Constitutional Court (Article 144).

9. (10) paragraph 10 The provisions of this Article shall apply mutatis mutandis to the supervision of associations of municipalities insofar as they deal with matters within the municipality's own sphere of activity.

Article 120

text

Article 120.

The consolidation of local communities into regional communities, their establishment according to the model of self-government, and the establishment of further principles for the organization of general state administration in the states is a matter for federal constitutional legislation; implementation is the responsibility of state legislation. The regulation of competence in matters of service law and the right of staff representation of employees of regional communities is a matter for federal constitutional legislation.

Article 120a

text

B. Other self-administration

Article 120a.

1. (1) paragraph one Persons may be grouped together by law into self-governing bodies for the independent performance of public tasks which are in their exclusive or predominantly common interest and which are suitable for being carried out jointly by them.

2. (2) paragraph 2 The Republic recognises the role of the social partners. It respects their autonomy and promotes dialogue between the social partners by establishing self-governing bodies.

Article 120b

text

Article 120b.

1. (1) paragraph one The self-governing bodies have the right to carry out their tasks on their own responsibility, free from instructions, and to issue statutes within the framework of the law. The federal government or the state has a right of supervision over them in accordance with the legal provisions with regard to the legality of the administrative management. In addition, the right of supervision can also extend to the expediency of the administrative management if this is necessary due to the tasks of the self-governing body.

2. (2) paragraph 2 Tasks of state administration can be transferred to self-governing bodies. The laws must expressly designate such matters as those within the transferred area of responsibility and provide for them to be bound by instructions from the responsible supreme administrative body.

3. (3) paragraph 3 Forms of participation of self-governing bodies in state execution may be provided for by law.

Article 120c

text

Article 120c.

1. (1)paragraph oneThe organs of the self-governing bodies shall be formed from among their members according to democratic principles.
2. (2)paragraph 2An economical and efficient performance of the tasks of the self-governing bodies must be ensured through contributions from their members or through other means in accordance with the statutory provisions.
3. (3)paragraph 3The self-governing bodies are independent economic entities. Within the framework of the law, they can acquire, own and dispose of assets of all kinds in order to fulfil their tasks.

Article 121

text

Seventh Chapter

accounting and financial control

Article 121.

1. (1)paragraph oneThe Court of Auditors is called upon to examine the financial management of the Federal Government, the states, municipal associations, municipalities and other legal entities designated by law.
2. (2)paragraph 2The Court of Auditors prepares the federal financial statements and submits them to the National Council.
3. (3)paragraph 3All documents relating to financial debts of the Federation, insofar as they give rise to an obligation on the part of the Federation, must be countersigned by the President of the Court of Auditors or, in his absence, by his deputy. The countersignature merely guarantees the legality of the debt being incurred and the proper entry in the general ledger of the national debt.
4. (4)paragraph 4The Court of Auditors must collect information from companies and institutions under its control and for which there is a reporting obligation to the National Council on the average income, including all social and non-cash benefits, as well as additional pension benefits, of members of the Executive Board and Supervisory Board as well as of all employees every two years and report this to the National Council. The average income of the above-mentioned groups of people must be shown separately for each company and each institution.

Article 122

text

Article 122.

1. (1)paragraph oneThe Court of Audit reports directly to the National Council. In matters of federal finance and the finance of statutory professional associations, insofar as they fall within the executive powers of the federal government, it acts as an organ of the National Council; in matters of state, municipal association and municipal finance and the finance of statutory professional associations, insofar as they fall within the executive powers of the states, it acts as an organ of the relevant state parliament.
2. (2)paragraph 2The Court of Auditors is independent of the federal government and the state governments and is subject only to the provisions of the law.
3. (3)paragraph 3The Court of Auditors shall consist of a President and the necessary officials and assistants.
4. (4)paragraph 4The President of the Court of Auditors is elected by the National Council on the proposal of the Main Committee for a term of office of twelve years; re-election is not permitted. The Main Committee makes its proposal in the presence of at least half of its members and with a majority of two-thirds of the votes cast. The National Council also elects the President of the Court of Auditors in the presence of at least half of its members and with a majority of two-thirds of the votes cast. The President of the Court of Auditors is sworn in by the Federal President before taking office. The President of the National Council must advertise the office as soon as possible four months before it is expected to vacate or immediately after it has vacated.
5. (5)paragraph 5The President of the Court of Auditors must be eligible for election to the National Council, must not be a member of a general representative body or the European Parliament, and must not have been a member of the Federal Government or a state government in the last five years.

Article 123

text

Article 123.

1. (1)paragraph oneIn terms of responsibility, the President of the Court of Auditors is equal to the members of the Federal Government or the members of the relevant state government, depending on whether the Court of Auditors acts as an organ of the National Council or of a state parliament.
2. (2)paragraph 2He may be removed from office by a decision of the National Council with the presence of at least half of its members and a majority of two thirds of the votes cast.

Art. 123a

text

Article 123a.

1. (1)paragraph oneThe President of the Court of Auditors is entitled to participate in the negotiations on the reports of the Court of Auditors, the federal financial statements, motions concerning the implementation of special acts of financial auditing by the Court of Auditors and the subdivisions of the draft Federal Finance Act concerning the Court of Auditors in the National Council and in its committees (subcommittees).

2. (2)paragraph 2In accordance with the detailed provisions of the Federal Law on the Rules of Procedure of the National Council, the President of the Court of Auditors has the right, at his request, to be heard at any time during the discussions on the matters referred to in paragraph 1.In accordance with the detailed provisions of the Federal Law on the Rules of Procedure of the National Council, the President of the Court of Auditors has the right, at his request, to be heard at any time during the discussions on the matters referred to in paragraph 1.

Article 124

text

Article 124.

1. (1)paragraph oneIf the President of the Court of Auditors is prevented from attending, he will be represented by the most senior official of the Court of Auditors. This also applies if the office of the President has been vacated. The deputy of the President of the Court of Auditors in the National Council is determined by the Federal Law on the Rules of Procedure of the National Council.

2. (2)paragraph 2In the case of the President being represented, the provisions of Article 123, paragraph 1 shall apply to the deputy.In the case of the President being represented, the provisions of Article 123, paragraph one, shall apply to the Deputy.

Article 125

text

Article 125.

1. (1)paragraph oneThe Federal President shall appoint the officials of the Court of Auditors on the proposal and with the countersignature of the President of the Court of Auditors; the same applies to the awarding of official titles. However, the Federal President may authorise the President of the Court of Auditors to appoint officials of certain categories.

2. (2)paragraph 2The auxiliary staff are appointed by the President of the Court of Auditors.

3. (3)paragraph 3The Federal Government's official authority over the employees of the Court of Auditors is exercised by the President of the Court of Auditors.

Article 126

text

Article 126.

No member of the Court of Auditors may participate in the management and administration of undertakings subject to the control of the Court of Auditors. Nor may a member of the Court of Auditors participate in the management and administration of other profit-making undertakings.

Art. 126a

text

Article 126a.

If a disagreement arises between the Court of Auditors and a legal entity (Article 121, paragraph 1) regarding the interpretation of the legal provisions governing the jurisdiction of the Court of Auditors, the Constitutional Court shall decide upon application by the Federal Government or a state government or the Court of Auditors. All legal entities are obliged to allow the Court of Auditors to carry out a review in accordance with the legal opinion of the Constitutional Court.If a disagreement arises between the Court of Auditors and a legal entity (Article 121, paragraph one) regarding the interpretation of the legal provisions governing the Court of Auditors' jurisdiction, the Constitutional Court shall decide upon application by the Federal Government or a state government or the Court of Auditors. All legal entities are obliged to allow a review by the Court of Auditors in accordance with the legal opinion of the Constitutional Court.

Art. 126b

text

Article 126b.

1. (1)paragraph oneThe Court of Auditors is responsible for auditing the entire federal economy, as well as the management of foundations, funds and institutions administered by federal bodies or by persons (groups of persons) appointed for this purpose by federal bodies.

2. (2)paragraph 2The Court of Auditors also examines the financial management of companies in which the Federal Government alone or jointly with other legal entities subject to the Court of Auditors' jurisdiction holds a stake of at least 50% of the registered capital, share capital or equity capital, or which the Federal Government operates alone or jointly with other such legal entities. The Court of Auditors also examines those companies which the Federal Government alone or jointly with other legal entities subject to the Court of

Auditors' jurisdiction actually controls through financial or other economic or organizational measures. The Court of Auditors' jurisdiction also extends to companies at any further level where the requirements of this paragraph are met.

3. (3)paragraph 3The Court of Auditors is empowered to audit the financial management of public bodies using federal funds.

4. (4)paragraph 4The Court of Audit must, upon resolution of the National Council or upon request of members of the National Council, carry out special acts of financial auditing that fall within its scope of authority. The detailed regulations are laid down in the Federal Law on the Rules of Procedure of the National Council. The Court of Audit must also carry out such acts upon a justified request from the Federal Government or a Federal Minister and communicate the results to the requesting body.

5. (5)paragraph 5The audit by the Court of Auditors must cover numerical accuracy, conformity with existing regulations, and also economy, efficiency and expediency.

Art. 126c

text

Article 126c.

The Court of Auditors is empowered to audit the financial management of social insurance institutions.

Art. 126d

text

Article 126d.

1. (1)paragraph oneThe Court of Audit reports to the National Council on its activities in the previous year by 31 December of each year at the latest. In addition, the Court of Audit can report to the National Council on individual findings at any time, if requested. The Court of Audit must communicate each report to the Federal Chancellor at the same time as submitting it to the National Council. The Court of Audit reports must be published after submission to the National Council.

2. (2)paragraph 2A permanent committee will be set up in the National Council to discuss the reports of the Court of Auditors. The principle of proportional representation must be observed when setting up the committee.

Article 127

text

Article 127.

1. (1)paragraph oneThe Court of Auditors must examine the financial management falling within the independent sphere of responsibility of the states, as well as the financial management of foundations, funds and institutions that are administered by bodies of a state or by persons (groups of persons) appointed for this purpose by bodies of a state. The examination must cover the numerical accuracy, the conformity with existing regulations, and also the economy, efficiency and expediency of the financial management; however, it does not include the decisions of the constitutionally responsible representative bodies that are decisive for the financial management.

2. (2)paragraph 2The state governments must submit their budget estimates and financial statements to the Court of Auditors every year.

3. (3)paragraph 3The Court of Auditors also audits the management of companies in which the state, alone or jointly with other legal entities under the jurisdiction of the Court of Auditors, holds a stake of at least 50% of the registered capital, share capital or equity capital, or which the state operates alone or jointly with other such legal entities. Article 126b paragraph 2 applies mutatis mutandis with regard to the audit authority in the case of actual control. The Court of Auditors' jurisdiction also extends to companies at any further level where the requirements of this paragraph are met. The Court of Auditors also audits the management of companies in which the state, alone or jointly with other legal entities under the jurisdiction of the Court of Auditors, holds a stake of at least 50% of the registered capital, share capital or equity capital, or which the state operates alone or jointly with other such legal entities. Article 126 b, paragraph 2 applies mutatis mutandis with regard to the audit authority in the case of actual control. The Court of Auditors' jurisdiction also extends to companies at any further level where the requirements of this paragraph are met.

4. (4)paragraph 4The Court of Auditors is empowered to audit the management of public bodies using state funds.

5. (5)paragraph 5The Court of Auditors will communicate the results of its audit to the relevant state government. The state government must comment on the audit and inform the Court of Auditors of the measures taken on the basis of the audit results within three months.

6. (6)paragraph 6The Court of Audit reports to the State Parliament on its activities in the previous year relating to the state in question by 31 December of each year at the latest. In addition, the Court of Audit can report to the State Parliament on individual observations at any time. The Court of Audit must communicate each report to the State Government and the Federal Government at the same time as it is submitted to the State

Parliament. The Court of Audit reports must be published after they have been submitted to the State Parliament.

7. (7)paragraph 7The Court of Auditors must, upon resolution of the State Parliament or upon request of a number of members of a State Parliament determined by State Constitutional Law, which may not exceed one third, carry out special acts of financial auditing that fall within its scope of authority. As long as the Court of Auditors has not yet submitted a report to the State Parliament on the basis of such a request, no further such request may be made. Likewise, the Court of Auditors must carry out such acts upon a justified request from the State Government and communicate the result to the requesting body.

8. (8)paragraph 8The provisions of this article shall also apply to the review of the financial management of the City of Vienna, with the City Council replacing the State Parliament and the City Senate replacing the State Government.

Article 127a

text

Article 127a.

1. (1)paragraph oneThe financial management of municipalities with at least 10,000 inhabitants as well as the financial management of foundations, funds and institutions managed by municipal bodies or by persons (groups of persons) appointed by municipal bodies are subject to control by the Court of Auditors. The audit must cover the numerical accuracy, compliance with existing regulations, and also the economy, efficiency and expediency of the financial management.

2. (2)paragraph 2The mayors must submit the budget estimates and financial statements to the Court of Auditors and at the same time to the state government every year.

3. (3)paragraph 3The Court of Auditors also audits the financial management of companies in which a municipality with at least 10,000 inhabitants, alone or jointly with other legal entities under the jurisdiction of the Court of Auditors, holds at least 50% of the registered capital, share capital or equity capital, or which the municipality operates alone or jointly with other such legal entities. With regard to the audit authority in the case of actual control, Article 126b paragraph 2 applies mutatis mutandis. The Court of Auditors' jurisdiction also extends to companies at any further level where the requirements of this paragraph are met. The Court of Auditors also audits the management of companies in which a municipality with at least 10,000 inhabitants holds a stake of at least 50% of the registered capital, share capital or equity capital, either alone or jointly with other legal entities under the jurisdiction of the Court of Auditors, or which the municipality operates alone or jointly with other such legal entities. Article 126b, paragraph 2 applies mutatis mutandis with regard to the audit authority in the case of actual control. The Court of Auditors' jurisdiction also extends to companies at any further level where the requirements of this paragraph are met.

4. (4)paragraph 4The Court of Auditors is empowered to audit the financial management of public bodies using the resources of a municipality with at least 10,000 inhabitants.

5. (5)paragraph 5The Court of Auditors will inform the mayor of the results of its audit. The mayor must comment on this and inform the Court of Auditors of the measures taken based on the audit results within three months. The Court of Auditors must inform the state government and the federal government of the results of its audit, including any statement made by the mayor.

6. (6)paragraph 6The Court of Auditors shall report to the municipal council on its activities in the previous year, insofar as they relate to the municipality concerned, by 31 December at the latest. It shall communicate each report to the state government and the federal government at the same time as it is submitted to the municipal council. The Court of Auditors' reports shall be published after they have been submitted to the municipal council.

7. (7)paragraph 7The Court of Auditors must, upon reasoned request from the State Government, examine the financial management of certain municipalities with fewer than 10,000 inhabitants. Paragraphs 1 and 3 to 6 shall apply accordingly. Only two such requests may be made each year. Such requests are only permissible with regard to those municipalities which have a conspicuous development in debts or liabilities compared to other municipalities. The Court of Auditors must, upon reasoned request from the State Government, examine the financial management of certain municipalities with fewer than 10,000 inhabitants. Paragraphs one and three to six apply accordingly. Only two such requests may be made each year. Such requests are only permissible with regard to those municipalities that have a conspicuous development in debts or liabilities compared to other municipalities.

8. (8)paragraph 8The Court of Auditors must, by resolution of the State Parliament, examine the financial management of certain municipalities with fewer than 10,000 inhabitants. Paragraphs 1 and 3 to 6 shall apply mutatis mutandis, provided that the Court of Auditors' report is also communicated to the State Parliament. Only two such applications may be submitted each year. Such applications are only permissible in respect of those municipalities which have a conspicuous development in terms of debts or liabilities compared to other municipalities. The Court of Auditors must, by resolution of the State Parliament, examine the financial management of certain municipalities with fewer than 10,000 inhabitants. Paragraphs one and three to six shall

apply mutatis mutandis, provided that the Court of Auditors' report is also communicated to the State Parliament. Only two such applications may be submitted each year. Such applications are only permissible in respect of those municipalities which have a conspicuous development in terms of debts or liabilities compared to other municipalities.

9. (9)paragraph 9The provisions applicable to the audit of the financial management of municipalities shall be applied mutatis mutandis to the audit of the financial management of municipal associations.

Art. 127b

text

Article 127b.

1. (1)paragraph oneThe Court of Auditors is empowered to audit the financial management of statutory professional associations.

2. (2)paragraph 2The statutory professional associations must submit their budget and financial statements to the Court of Auditors every year.

3. (3)paragraph 3The audit by the Court of Auditors must cover the numerical accuracy, the conformity with existing regulations and the economy and efficiency of the financial management; however, this audit does not include the decisions of the competent bodies of the statutory professional associations which are relevant for the financial management in the performance of their duties as representative of interests.

4. (4)paragraph 4The Court of Auditors must inform the chairman of the statutory body (representative body) of the statutory professional representation of the results of its audit. The chairman must submit the results of the audit, together with any statement thereon, to the statutory body (representative body) of the statutory professional representation. The Court of Auditors must also simultaneously inform the authority responsible for the ultimate supervision of the statutory professional representation of the results of the audit. The Court of Auditors' reports must be published after they have been submitted to the statutory body (representative body).

Art. 127c

text

Article 127c.

If a state audit office has been established in a state, the following regulations can be made by state constitutional law:

1. 1stnumber one
a provision corresponding to the first sentence of Article 126a, with the proviso that the second sentence of Article 126a also applies in this case;a provision corresponding to Article 126a, first sentence, with the proviso that Article 126a, second sentence, shall also apply in this case;
2. 2ndparagraph 2
provisions corresponding to Article 127a paragraphs 1 to 6 concerning municipalities with fewer than 10 000 inhabitants;provisions corresponding to Article 127a, paragraphs one to six, concerning municipalities with fewer than 10 000 inhabitants;
3. 3.paragraph 3
provisions corresponding to Article 127a paragraphs 7 and 8 concerning municipalities with at least 10 000 inhabitants.provisions corresponding to Article 127a, paragraphs 7 and 8, concerning municipalities with at least 10 000 inhabitants.

(Note: Paragraph 4 repealed by [BGBl. I No. 51/2012](#))Note, paragraph 4, repealed by Federal Law Gazette Part one, No. 51 of 2012,)

Article 128

text

Article 128.

The detailed provisions on the establishment and activities of the Court of Auditors, including the protection of personal data in the area of the Court of Auditors, are laid down by federal law.

Article 129

text

Eighth Main Part

Guarantees of the Constitution and Administration

A. Administrative jurisdiction

Article 129.

Each state has a state administrative court. At the federal level, there is a federal administrative court, known as the Federal Administrative Court, and a federal administrative court for finance, known as the Federal Finance Court.

Article 130

text

Article 130.

1. (1)paragraph oneThe administrative courts decide on complaints
 1. 1stnumber one
against the decision of an administrative authority on the grounds of illegality;
 2. 2ndparagraph 2
against the exercise of direct administrative command and coercive power on the grounds of illegality;
 3. 3.paragraph 3
due to a breach of the duty to take a decision by an administrative authority.
2. (Note:: Z 4 repealed by Art. 1 Z 13, [BGBl. I No. 138/2017](#))Note, paragraph 4, repealed by Article one, paragraph 13,, Federal Law Gazette Part one, No. 138 of 2017,)
 3. (1a)paragraph one aThe Federal Administrative Court shall make decisions on the use of coercive measures against informants of an investigative committee of the National Council in accordance with the Federal Act on the Rules of Procedure of the National Council.
 4. (2)paragraph 2Federal or state law may grant other jurisdiction to the administrative courts to decide on
 1. 1stnumber one
Complaints about illegal conduct of an administrative authority in the execution of the laws or
 2. 2ndparagraph 2
Complaints about the illegality of a contracting authority’s conduct in public procurement matters or
 3. 3.paragraph 3
Disputes in employment law matters of public servants or
 4. 4thparagraph 4
Complaints, disputes or requests in other matters
5. In matters relating to the execution of federal powers which are not directly handled by federal authorities, as well as in matters covered by Articles 11, 12, 14 paragraphs 2 and 3 and 14a paragraphs 3 and 4, federal laws pursuant to items 1 and 4 may only be promulgated with the consent of the states.In matters of federal executive power which are not directly handled by federal authorities, as well as in matters covered by Articles 11, 12, 14 paragraphs 2 and 3 and 14a paragraphs 3 and 4, federal laws pursuant to paragraphs 1 and 4 may only be promulgated with the consent of the states.
 6. (2a)paragraph 2 aThe administrative courts rule on complaints from persons who claim that their rights under Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) – GDPR, OJ No. L 119 of 4 May 2016, p. 1, have been violated by the respective administrative court in the exercise of its judicial jurisdiction.The administrative courts rule on complaints from persons who claim that their rights under Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) – GDPR, OJ No. L 119 of 4 May 2016, Session 1, have been violated by the respective administrative court in the exercise of its judicial jurisdiction.
 7. (3)paragraph 3Except in administrative criminal cases and in cases falling within the jurisdiction of the Federal Administrative Court for Finance, there is no illegality to the extent that the law grants the administrative authority discretion and the administrative authority has exercised that discretion in accordance with the law.
 8. (4)paragraph 4The administrative court must decide on the merits of complaints pursuant to paragraph 1 no. 1 in administrative criminal cases. The administrative court must decide on the merits of complaints pursuant to paragraph 1 no. 1 in other legal cases ifThe administrative court shall decide on the merits of complaints pursuant to paragraph one, number one, in administrative criminal cases. The administrative court shall decide on the merits of complaints pursuant to paragraph one, number one, in other legal cases if
 1. 1stnumber one
the relevant facts are established or
 2. 2ndparagraph 2
the determination of the relevant facts by the administrative court itself is in the interest of speed or is associated with considerable cost savings.
9. (5)paragraph 5Legal cases which fall within the jurisdiction of the ordinary courts or the Constitutional Court are excluded from the jurisdiction of the administrative courts, unless otherwise provided in this Act.

Article 131

text

Article 131.

1. (1)paragraph oneUnless otherwise provided in paragraphs 2 and 3, complaints pursuant to Article 130 paragraph 1 shall be heard by the administrative courts of the Länder.Unless otherwise provided in paragraphs

2 and 3, complaints pursuant to Article 130, paragraph 1, shall be decided by the administrative courts of the Länder.

2. (2)paragraph 2Unless paragraph 3 states otherwise, the Federal Administrative Court shall rule on complaints pursuant to Article 130 paragraph 1 in legal matters relating to federal enforcement which are handled directly by federal authorities. If a law pursuant to Article 130 paragraph 2 item 2 provides that the administrative courts have jurisdiction, the Federal Administrative Court shall rule on complaints in legal matters relating to public procurement which are a federal matter in terms of enforcement pursuant to Article 14b paragraph 2 item 1. If a law pursuant to Article 130 paragraph 2 item 3 provides that the administrative courts have jurisdiction, the Federal Administrative Court shall rule on disputes in employment matters relating to federal public servants. Unless paragraph 3 states otherwise, the Federal Administrative Court shall rule on complaints pursuant to Article 130, paragraph one, in legal matters relating to federal enforcement which are handled directly by federal authorities. If a law pursuant to Article 130, paragraph 2, item 2 provides for the jurisdiction of the administrative courts, the Federal Administrative Court shall rule on complaints in legal matters relating to public procurement which are a federal matter in terms of enforcement pursuant to Article 14b, paragraph 2, item one. If a law pursuant to Article 130, paragraph 2, item 3 provides for the jurisdiction of the administrative courts, the Federal Administrative Court shall rule on disputes in employment matters relating to federal public servants.

3. (3)paragraph 3The Federal Administrative Court for Finance shall hear appeals pursuant to Article 130, Paragraph 1, Items 1 to 3 in legal cases relating to public taxes (with the exception of administrative taxes of the Federal Government, the states and municipalities) and financial criminal law, as well as in other matters stipulated by law, insofar as the aforementioned matters are dealt with directly by the Federal tax or financial criminal authorities. The Federal Administrative Court for Finance shall rule on complaints pursuant to Article 130, paragraph one, numbers one to three in legal cases relating to public taxes (with the exception of administrative taxes of the federal government, the states and municipalities) and financial criminal law, as well as in other matters stipulated by law, insofar as the aforementioned matters are dealt with directly by the federal tax or financial criminal authorities.

4. (4)paragraph 4Federal law may

1. 1stnumber one
jurisdiction of the administrative courts of the Länder should be provided for: in legal cases in the matters referred to in paragraphs 2 and 3; jurisdiction of the administrative courts of the Länder should be provided for: in legal cases in the matters referred to in paragraphs 2 and 3;
2. 2ndparagraph 2
jurisdiction of the Federal Administrative Courts should be provided:
 1. a) Litera a
in legal cases relating to the environmental impact assessment of projects likely to have significant effects on the environment (Article 10(1)(9) and Article 11(1)(7)); in legal cases relating to the environmental impact assessment of projects likely to have significant effects on the environment (Article 10, paragraph one, point 9 and Article 11, paragraph one, point 7);
 2. b) Letter b
in legal cases in the matters referred to in Article 14, paragraphs 1 and 5; in cases relating to the matters referred to in Article 14, paragraphs one and five;
 3. c) Litera c
in other legal cases in matters of federal executive powers which are not directly handled by federal authorities, as well as in matters covered by Articles 11, 12, 14(2) and (3) and 14a(3) and (4); in other legal cases in matters of federal executive power which are not directly handled by federal authorities, as well as in matters covered by Articles 11, 12, 14 paragraphs 2 and 3 and 14a paragraphs 3 and 4;
 4. d) Litera d
in legal cases concerning complaints, disputes or applications pursuant to Article 130, paragraph 2, item 4. in cases concerning complaints, disputes or applications under Article 130, paragraph 2, point 4,
5. Federal laws pursuant to paragraphs 1 and 2(c) and (d) may only be published with the consent of the states. Federal laws pursuant to paragraph one and paragraph 2, letters c and d may only be promulgated with the consent of the states.

6. (5)paragraph 5State law may provide for the jurisdiction of the federal administrative courts in legal cases in matters within the independent sphere of influence of the states. Article 97 paragraph 2 applies mutatis mutandis. State law may provide for the jurisdiction of the federal administrative courts in legal cases in matters within the independent sphere of activity of the states. Article 97, paragraph 2, applies mutatis mutandis.

7. (6)paragraph 6Complaints in legal cases in which a law pursuant to Article 130, paragraph 2, items 1 and 4 provides for the jurisdiction of the administrative courts shall be decided by the administrative courts competent in this matter pursuant to paragraphs 1 to 5 of this article. If there is no jurisdiction pursuant to the first sentence, the administrative courts of the states shall decide on such complaints. Complaints in legal cases

in which a law pursuant to Article 130, paragraph 2, numbers one and four provides for the jurisdiction of the administrative courts shall be heard by the administrative courts competent in the matter pursuant to paragraphs one to five of this article. If there is no jurisdiction pursuant to the first sentence, the administrative courts of the states shall hear such complaints.

Article 132

Note the following provision

[CELEX No.: [32021L1883](#)]

text

Article 132.

1. (1)paragraph oneThe following may lodge an appeal against the decision of an administrative authority on the grounds of illegality:

1. 1stnumber one
who claims that his rights have been violated by the decision;
2. 2ndparagraph 2
the competent Federal Minister in legal matters in a matter under Articles 11, 12, 14 paragraphs 2 and 3 and 14a paragraphs 3 and 4.the competent Federal Minister in legal matters in a matter under Articles 11, 12, 14 paragraphs 2 and 3 and 14a paragraphs 3 and 4.
2. (2)paragraph 2Anyone who claims that his rights have been violated by the exercise of direct administrative command and coercive power may lodge a complaint on the grounds of illegality.
3. (3)paragraph 3Anyone who claims to be entitled to assert the obligation to decide as a party in the administrative procedure may lodge a complaint for breach of the obligation to decide.
4. (4)paragraph 4Federal or state laws shall determine who may lodge an appeal on the grounds of illegality in cases other than those referred to in paragraphs 1 and 2 and in cases where a law pursuant to Article 130 paragraph 2 provides for the jurisdiction of the administrative courts.Federal or state laws shall determine who may lodge an appeal on the grounds of illegality in cases other than those referred to in paragraphs one and two and in cases where a law pursuant to Article 130, paragraph 2, provides for the jurisdiction of the administrative courts.
5. (5)paragraph 5In matters within the municipality's own sphere of responsibility, an appeal may only be lodged with the administrative court after all appeals have been exhausted.

Article 133

text

Article 133.

1. (1)paragraph oneThe Administrative Court recognizes
 1. 1stnumber one
appeals against the decision of an administrative court on the grounds of illegality;
 2. 2ndparagraph 2
Applications for setting a deadline due to a breach of the obligation to make a decision by an administrative court;
 3. 3.paragraph 3
Conflicts of jurisdiction between administrative courts or between an administrative court and the Administrative Court of Appeal.
2. (2)paragraph 2Federal or state law may provide for other jurisdiction of the Administrative Court to decide on applications by an ordinary court for a declaration that a decision or finding of an administrative court is unlawful.
3. (2a)paragraph 2 aThe Administrative Court shall rule on a complaint from a person who claims that his or her rights under the GDPR have been violated by the Administrative Court in the exercise of its judicial jurisdiction.
4. (3)paragraph 3There is no illegality to the extent that the administrative court has exercised discretion within the meaning of the law.
5. (4)paragraph 4An appeal against a decision of the administrative court is admissible if it depends on the resolution of a legal question of fundamental importance, in particular because the decision deviates from the case law of the Administrative Court, such case law is lacking or the legal question to be resolved is not answered uniformly in the previous case law of the Administrative Court. If the decision concerns only a small fine, federal law can provide that an appeal is inadmissible.
6. (5)paragraph 5Legal cases that fall within the jurisdiction of the Constitutional Court are excluded from the jurisdiction of the Administrative Court.
7. (6)paragraph 6An appeal may be lodged against the decision of an administrative court on the grounds of illegality:
 1. 1stnumber one
who claims that his rights have been violated by the knowledge;

2. 2ndparagraph 2
the authority responsible for the proceedings before the administrative court;
3. 3.paragraph 3
the competent Federal Minister in the legal cases referred to in Article 132, paragraph 1, item 2.the
competent Federal Minister in the cases referred to in Article 132, paragraph one, number 2.
8. (Note: Paragraph 4 repealed by Article 1 Paragraph 18, [Federal Law Gazette I No. 138/2017](#))Note,
paragraph 4, repealed by Article one, paragraph 18,, Federal Law Gazette Part one, No. 138 of 2017,)
9. (7)paragraph 7Anyone who claims to be entitled to assert the obligation to decide as a party in the
proceedings before the administrative court may file an application for a deadline due to a breach of the
obligation to decide.
10. (8)paragraph 8Federal or state law shall determine who may appeal on the grounds of
illegality in cases other than those referred to in paragraph 6.Federal or state law shall determine who may
appeal on the grounds of illegality in cases other than those referred to in paragraph 6.
11. (9)paragraph 9The provisions of this Article applicable to the decisions of the administrative
courts shall apply mutatis mutandis. The extent to which decisions of the administrative courts may be
appealed against shall be determined by the special federal law governing the organisation and procedure of the
Administrative Court.

Article 134

text

Article 134.

1. (1)paragraph oneThe administrative courts and the Administrative Court of Justice each consist of a
president, a vice-president and the necessary number of other members.
2. (2)paragraph 2The president, vice-president and other members of the administrative court of a state
are appointed by the state government; unless the position of president or vice-president is at stake, the state
government must obtain three nominations from the plenary assembly of the administrative court or from a
committee elected from among its members, which must consist of the president, vice-president and at least
five other members of the state administrative court . The members of the administrative courts of the states
must have completed a law degree or legal and political science studies and have five years of professional
legal experience.
3. (3)paragraph 3The President, Vice-President and other members of the Federal Administrative Courts
shall be appointed by the Federal President on the proposal of the Federal Government; unless the position of
President or Vice-President is at issue, the Federal Government shall obtain proposals of three candidates from
the plenary assembly of the Administrative Court or from a committee elected from among its members, which
shall consist of the President, the Vice-President and at least five other members of the Federal Administrative
Court . The members of the Federal Administrative Court must have completed a degree in law or law and
political science and have five years' professional legal experience; the members of the Federal Administrative
Court for Finance must have completed a relevant degree and have five years' relevant professional experience.
4. (4)paragraph 4The President, Vice-President and other members of the Administrative Court shall be
appointed by the Federal President on the proposal of the Federal Government; the Federal Government shall
make its proposals, other than for the position of President or Vice-President, on the basis of three nominations
by the plenary assembly of the Administrative Court or by a committee elected from among its
members, which shall consist of the President, the Vice-President and at least five other members of the
Administrative Court . The members of the Administrative Court must have completed a degree in law or law
and political science and have ten years' professional experience in law . At least a quarter should come from
professional positions in the Länder, if possible from the administrative service of the Länder.
5. (5)paragraph 5Members of the Federal Government, a state government, the National Council, the
Federal Council, a state parliament or the European Parliament may not be members of the administrative
courts and the Administrative Court of Appeal, nor may members of any other general representative body be
members of the Administrative Court of Appeal; for members of a general representative body or of the
European Parliament who have been elected for a specific legislative or functional period, the incompatibility
continues until the end of the legislative or functional period, even if they renounce their mandate prematurely.
6. (6)paragraph 6No person may be appointed as President or Vice-President of an Administrative Court
or of the Administrative Court of Appeal if he or she has held one of the positions referred to in paragraph 5
within the last five years.No person may be appointed as President or Vice-President of an Administrative
Court or of the Administrative Court of Appeal if he has held one of the positions referred to in paragraph 5
within the last five years.
7. (7)paragraph 7The members of the administrative courts and the Administrative Court of Appeal are
judges. Article 87, paragraphs 1 and 2 and Article 88, paragraphs 1 and 2 shall apply mutatis mutandis,
provided that the age limit upon which the members of the administrative courts of the states enter permanent
retirement or their employment relationship ends shall be determined by state law.The members of the

administrative courts and the Administrative Court of Appeal are judges. Article 87, paragraphs one and two, and Article 88, paragraphs one and two, shall apply mutatis mutandis, provided that the age limit upon which the members of the administrative courts of the states enter permanent retirement or their employment relationship ends shall be determined by state law.

8. (8)paragraph 8The President shall have jurisdiction over the employees of the Administrative Court.

9. (9)paragraph 9The President of the Administrative Court is entitled to participate in the negotiations in the committees (subcommittees) of the National Council on the subdivisions of the draft Federal Finance Act that concern the Administrative Court and to be heard at each such meeting at his request. Further details are laid down in the Federal Law on the Rules of Procedure of the National Council.

10. (10)paragraph 10Federal law may provide for the President of the Administrative Court to have powers to participate in the appointment of bodies.

Article 135

text

Article 135.

1. (1)paragraph oneThe administrative courts make decisions by single judges. The law on the procedure of the administrative courts or federal or state laws can provide that the administrative courts decide by senates. The size of the senates is determined by the law on the organization of the administrative court. The senates are to be formed by the general assembly or a committee elected from among its members, which must consist of the president, the vice-president and a number of other members of the administrative court to be determined by law, from the members of the administrative court and, insofar as federal or state laws provide for the participation of expert lay judges in the administration of justice, from a number of expert lay judges to be determined by them. Insofar as a federal law provides that a state administrative court must decide in senates or that expert lay judges participate in the administration of justice, the consent of the states involved must be obtained. The Administrative Court shall make decisions through senates to be formed from the members of the Administrative Court by the General Assembly or by a committee elected from among its members, which shall consist of the President, the Vice-President and a number of other members of the Administrative Court to be determined by law.

2. (2)paragraph 2The business to be handled by the Administrative Court shall be distributed among the single judges and the senates for a period of time specified in advance by the General Assembly or a committee elected from among its members, which shall consist of the President, the Vice-President and a number of other members of the Administrative Court to be determined by law. The business to be handled by the Administrative Court of Appeal shall be distributed among the senates for a period of time specified in advance by the General Assembly or a committee elected from among its members, which shall consist of the President, the Vice-President and a number of other members of the Administrative Court to be determined by law.

3. (3)paragraph 3A matter which falls to a member in accordance with the allocation of duties may only be taken away from him by the body competent pursuant to paragraph 2 and only if he is prevented from doing so or if he is prevented from completing his duties within a reasonable period of time due to the extent of his duties. A matter which falls to a member according to the allocation of duties may only be taken away from him by the body competent pursuant to paragraph 2 and only if he is prevented from doing so or if he is prevented from completing his duties within a reasonable period of time due to the extent of his duties.

4. (4)paragraph 4Article 89 shall apply mutatis mutandis to the administrative courts and the Administrative Court of Appeal. Article 89 shall apply mutatis mutandis to the administrative courts and the Administrative Court.

Article 135a

text

Article 135a.

1. (1)paragraph oneThe law on the organisation of the administrative court may entrust the handling of certain types of business, which must be precisely specified, to specially trained non-judicial officials.

2. (2)paragraph 2However, the member of the Administrative Court responsible according to the allocation of business may at any time reserve the right to handle such matters or take them over to himself.

3. (3)paragraph 3When carrying out the business referred to in paragraph 1, the non-judicial staff are only bound by the instructions of the member of the administrative court responsible according to the allocation of business. Article 20 paragraph 1, third sentence shall apply. When carrying out the business referred to in paragraph one, the non-judicial employees are only bound by the instructions of the member of the administrative court who is responsible according to the allocation of business. Article 20, paragraph one, third sentence applies.

Article 136

text

Article 136.

1. (1)paragraph oneThe organisation of the administrative courts of the states is regulated by state law, the organisation of the administrative courts of the federal government is regulated by federal law.
2. (2)paragraph 2The procedure of the administrative courts, with the exception of the Federal Administrative Court for Finance, is regulated uniformly by a special federal law. The Federation must give the states the opportunity to participate in the preparation of such legislative proposals. Federal or state law can make provisions for the procedure of the administrative courts if they are necessary to regulate the subject matter or if the special federal law mentioned in the first sentence authorizes them.
3. (3)paragraph 3The procedure of the Federal Administrative Court for Finance is regulated by federal law. Tax proceedings before the administrative courts of the states can also be regulated by federal law.
4. (3a)paragraph 3aThe Federal Act on the Rules of Procedure of the National Council may lay down special provisions for the proceedings of the Federal Administrative Court pursuant to Article 130, paragraph 1a.The Federal Law on the Rules of Procedure of the National Council may make special provisions for the proceedings of the Federal Administrative Court pursuant to Article 130, paragraph one a.
5. (3b)paragraph 3 bIn the cases referred to in Article 130, paragraph 2, item 4, special provisions for the proceedings of the administrative courts may be made by federal or state law.In the cases referred to in Article 130, paragraph 2, item 4, special provisions for the proceedings of the administrative courts may be made by federal or state law.
6. (4)paragraph 4The organisation and procedure of the Administrative Court are regulated by a special federal law.
7. (5)paragraph 5The plenary assemblies of the administrative courts and of the Administrative Court of Appeal shall adopt rules of procedure on the basis of the laws adopted pursuant to the preceding paragraphs.

Article 137

text

B. Constitutional jurisdiction

Article 137.

The Constitutional Court decides on property rights claims against the federal government, the states, the municipalities and the municipal associations which cannot be settled through the ordinary legal process or by a decision of an administrative authority.

Article 138

text

Article 138.

1. (1)paragraph oneThe Constitutional Court recognizes conflicts of jurisdiction
 - 1stnumber one
between courts and administrative authorities;
 - 2ndparagraph 2
between ordinary courts and administrative courts or the Administrative Court, as well as between the Constitutional Court itself and all other courts;
 - 3.paragraph 3
between the federal government and a state or between the states themselves.
2. (2)paragraph 2The Constitutional Court also determines, at the request of the Federal Government or a State government, whether an act of legislation or enforcement falls within the jurisdiction of the Federal Government or the States.

Article 138a

text

Article 138a.

1. (1)paragraph oneAt the request of the Federal Government or a participating state government, the Constitutional Court shall determine whether an agreement within the meaning of Article 15a, paragraph 1 exists and whether a state or the federal government has fulfilled the obligations arising from such an agreement, insofar as they do not concern property rights.At the request of the Federal Government or a participating state government, the Constitutional Court shall determine whether an agreement within the meaning of Article 15a, paragraph one, exists and whether a state or the federal government has fulfilled the obligations arising from such an agreement, insofar as they do not concern property rights.
2. (2)paragraph 2If so provided for in an agreement within the meaning of Article 15a paragraph 2, the Constitutional Court shall also determine, at the request of a participating state government, whether such an agreement exists and whether the obligations arising from such an agreement, insofar as they do not concern property rights, have been fulfilled.If so provided for in an agreement within the meaning of Article 15a, paragraph 2, the Constitutional Court shall also, at the request of a participating state government, determine whether such an agreement exists and whether the obligations arising from such an agreement, insofar as they do not concern property rights, have been fulfilled.

Article 138b

text

Article 138b.

1. (1)paragraph oneThe Constitutional Court recognizes
 1. 1stnumber one
the challenge of decisions of the Rules Committee of the National Council declaring a request by a quarter of the members of the National Council to set up a committee of inquiry to be inadmissible in whole or in part by a quarter of its members supporting that request on the grounds of illegality;
 2. 2ndparagraph 2
the sufficient scope of fundamental decisions on evidence by the Rules Committee of the National Council upon request of a quarter of its members pursuant to paragraph 1;the sufficient scope of fundamental decisions on evidence by the Rules Committee of the National Council at the request of a quarter of its members in accordance with paragraph one;
 3. 3.paragraph 3
the legality of a decision by a committee of inquiry of the National Council contesting the existence of a factual connection between a request by a quarter of its members regarding the gathering of further evidence and the subject matter of the investigation, at the request of the quarter of its members supporting that request;
 4. 4thparagraph 4
Disagreements between a committee of inquiry of the National Council, a quarter of its members and bodies required to provide information on the obligation to provide information to the committee of inquiry, at the request of the committee of inquiry, a quarter of its members or the body required to provide information;
 5. 5thparagraph 5
the legality of a decision by a committee of inquiry of the National Council contesting the existence of a factual connection between a request by a quarter of its members regarding the summoning of an informant and the subject matter of the investigation, at the request of the quarter of its members supporting that request;
 6. 6thparagraph 6
Disagreements between a committee of inquiry of the National Council and the Federal Minister of Justice regarding the requirement and interpretation of an agreement on taking into account the activities of the law enforcement authorities at the request of the committee of inquiry or the Federal Minister of Justice;
 7. 7thparagraph 7
Complaints of a person caused by a behavior
 1. a)Litera a
an investigative committee of the National Council,
 2. b)Letter b
a member of such a committee in the exercise of his or her profession as a member of the National Council or
 3. c)Litera c
persons to be designated by law in the exercise of their function in the proceedings before the committee of inquiry claiming that their personal rights have been violated.
2. (2)paragraph 2The Constitutional Court also rules on challenges by the body responsible for providing information to decisions of the President of the National Council and the Chairman of the Federal Council concerning the classification of information available to the National Council and the Federal Council, respectively, on the grounds of illegality.

Article 139

text

Article 139.

1. (1)paragraph oneThe Constitutional Court rules on the illegality of regulations
 1. 1stnumber one
at the request of a court;
 2. 2ndparagraph 2
of its own motion if it had to apply the Regulation in a case pending before it;
 3. 3.paragraph 3
at the request of a person who claims that his or her rights have been directly violated by this illegality, if the regulation has taken effect without a judicial decision or without the issuance of a notice for that person;
 4. 4thparagraph 4

at the request of a person who, as a party to a case decided by an ordinary court at first instance, claims that his rights have been infringed by the application of an unlawful regulation, on the occasion of an appeal against that decision;

5. 5th paragraph 5
a federal authority, also at the request of a state government or the Ombudsman;
 6. 6th paragraph 6
a state authority, also at the request of the Federal Government or, if the Ombudsman's Office has been declared competent for the area of administration of the state concerned under state constitutional law, the Ombudsman's Office or an institution pursuant to Article 148i paragraph 2; a state authority, also at the request of the Federal Government or, if the Ombudsman's Office has been declared competent for the area of administration of the state concerned under state constitutional law, the Ombudsman's Office or an institution pursuant to Article 148i, paragraph 2,;
 7. 7th paragraph 7
a supervisory authority pursuant to Article 119a, paragraph 6, also at the request of the municipality whose ordinance has been repealed. a supervisory authority pursuant to Article 119a, paragraph 6, also at the request of the municipality whose ordinance has been repealed.
2. Article 89 paragraph 3 shall apply mutatis mutandis to applications pursuant to paragraphs 3 and 4. Article 89, paragraph 3, shall apply mutatis mutandis to applications pursuant to paragraphs 3 and 4.
 3. (1a) paragraph one a If this is necessary to safeguard the purpose of the proceedings before the ordinary court, the filing of an application pursuant to paragraph 1 item 4 may be declared inadmissible by federal law. The effect of an application pursuant to paragraph 1 item 4 shall be determined by federal law. If this is necessary to safeguard the purpose of the proceedings before the ordinary court, the filing of an application pursuant to paragraph one, item 4, may be declared inadmissible by federal law. The effect of an application pursuant to paragraph one, item 4, shall be determined by federal law.
 4. (1b) paragraph one b The Constitutional Court may refuse to consider an application pursuant to paragraph 1 item 3 or 4 until the hearing by decision if there is no sufficient prospect of success. The Constitutional Court may refuse to consider an application pursuant to paragraph one, item 3, or 4 until the hearing by decision if there is no sufficient prospect of success.
 5. (2) paragraph 2 If, in a case pending before the Constitutional Court in which the Constitutional Court has to apply a regulation, the party concerned is granted leave to appeal, proceedings already initiated to examine the legality of the regulation must nevertheless be continued.
 6. (3) paragraph 3 The Constitutional Court may only annul a regulation as unlawful to the extent that its annulment has been expressly requested or that it would have to apply it in the case pending before it. However, if the Constitutional Court finds that the entire regulation
 1. 1st number one
lacks a legal basis,
 2. 2nd paragraph 2
was issued by an incompetent authority or
 3. 3. paragraph 3
was made known in an unlawful manner,
 7. he must repeal the entire regulation as unlawful. This shall not apply if the repeal of the entire regulation is manifestly contrary to the legal interests of the party who has submitted an application in accordance with paragraph 1 items 3 or 4 or whose legal case has given rise to the official initiation of the regulation review procedure. he shall repeal the entire regulation as unlawful. This shall not apply if the repeal of the entire regulation is manifestly contrary to the legal interests of the party who has made an application in accordance with paragraph one, item 3 or 4, or whose legal case has given rise to the official initiation of the regulation review procedure.
 8. (4) paragraph 4 If the regulation has already ceased to apply at the time the Constitutional Court makes its decision and the proceedings were initiated ex officio or the application was made by a court or by a person who claims that their rights have been violated by the illegality of the regulation, the Constitutional Court must decide whether the regulation was illegal. Paragraph 3 applies accordingly. If the regulation has already ceased to apply at the time the Constitutional Court makes its decision and the proceedings were initiated ex officio or the application was made by a court or by a person who claims that their rights have been violated by the illegality of the regulation, the Constitutional Court must decide whether the regulation was illegal. Paragraph 3 applies accordingly.
 9. (5) paragraph 5 The decision of the Constitutional Court declaring a regulation to be unlawful obliges the appropriate supreme federal or state authority to announce the annulment without delay. This applies mutatis mutandis to the case of a ruling pursuant to paragraph 4. The annulment takes effect at the end of the day of the announcement unless the Constitutional Court sets a period for the annulment, which may not exceed six months, but may not exceed 18 months if legal precautions are required. The decision of the

Constitutional Court declaring a regulation to be unlawful obliges the appropriate supreme federal or state authority to announce the repeal without delay. This applies mutatis mutandis to the case of a ruling pursuant to paragraph 4. The repeal takes effect at the end of the day of the announcement unless the Constitutional Court sets a period for the repeal, which may not exceed six months, but may not exceed 18 months if legal precautions are required.

10. (6)paragraph 6If a regulation has been repealed because it was unlawful or if the Constitutional Court has ruled in accordance with paragraph 4 that a regulation was unlawful, all courts and administrative authorities are bound by the ruling of the Constitutional Court. However, the regulation continues to apply to the facts that occurred before the repeal, with the exception of the case in question, unless the Constitutional Court states otherwise in its annulling ruling. If the Constitutional Court has set a deadline in accordance with paragraph 5 in its annulling ruling, the regulation applies to all facts that occurred before the expiry of this deadline, with the exception of the case in question.If a regulation has been repealed because it was unlawful or if the Constitutional Court has ruled in accordance with paragraph 4 that a regulation was unlawful, all courts and administrative authorities are bound by the ruling of the Constitutional Court. However, the regulation continues to apply to the facts that occurred before the repeal, with the exception of the case in question, unless the Constitutional Court states otherwise in its repealing decision. If the Constitutional Court has set a deadline in accordance with paragraph 5 in its repealing decision, the regulation applies to all facts that occurred before the expiry of this deadline, with the exception of the case in question.

11. (7)paragraph 7For legal cases that have given rise to an application pursuant to paragraph 1 item 4, a federal law must stipulate that the decision of the Constitutional Court annulling the regulation as unlawful enables a new decision to be taken in this legal case. This applies mutatis mutandis in the case of a ruling pursuant to paragraph 4.For legal cases which have given rise to an application pursuant to paragraph one, item 4, a federal law must stipulate that the decision of the Constitutional Court annulling the regulation as unlawful enables a new decision to be taken in this legal case. This applies mutatis mutandis in the case of a ruling pursuant to paragraph 4.

Article 139a

text

Article 139a.

The Constitutional Court decides on the illegality of announcements about the re-promulgation of a law (interstate treaty). Article 139 is to be applied accordingly.The Constitutional Court decides on the illegality of announcements about the re-promulgation of a law (interstate treaty). Article 139 is to be applied accordingly.

Article 140

text

Article 140.

1. (1)paragraph oneThe Constitutional Court rules on unconstitutionality
 1. 1stnumber one
 1. a)Litera a
at the request of a court;
 2. b)Letter b
ex officio, if he had to apply the law in a case pending before him;
 3. c)Litera c
at the request of a person who claims that his or her rights have been directly violated by this unconstitutionality, if the law has come into effect for that person without a judicial decision or without the issuance of a notice;
 4. d)Litera d
at the request of a person who, as a party to a case decided by an ordinary court of first instance, claims that his rights have been infringed due to the application of an unconstitutional law, on the occasion of an appeal against that decision;
 2. 2ndparagraph 2
of federal laws also at the request of a state government, one third of the members of the National Council or one third of the members of the Federal Council;
 3. 3.paragraph 3
of state laws also at the request of the Federal Government or, if this is provided for in state constitutional law, at the request of one third of the members of the State Parliament.
2. Article 89 paragraph 3 shall apply mutatis mutandis to applications pursuant to point 1(c) and (d).Article 89, paragraph 3, shall apply mutatis mutandis to applications pursuant to points (c) and (d) of paragraph 1.
 3. (1a)paragraph one aIf this is necessary to safeguard the purpose of the proceedings before the ordinary court, the filing of an application pursuant to paragraph 1 item 1 letter d can be declared inadmissible

by federal law. The effect of an application pursuant to paragraph 1 item 1 letter d must be determined by federal law. If this is necessary to safeguard the purpose of the proceedings before the ordinary court, the filing of an application pursuant to paragraph one, number one, letter d, may be declared inadmissible by federal law. The effect of an application pursuant to paragraph one, number one, letter d, shall be determined by federal law.

4. (1b) paragraph one b The Constitutional Court may refuse to consider an application pursuant to paragraph 1 item 1 c or d until the hearing by decision if there is no sufficient prospect of success. The Constitutional Court may refuse to consider an application pursuant to paragraph one, item one, letter c or d until the hearing by decision if there is no sufficient prospect of success.

5. (2) paragraph 2 If, in a case pending before the Constitutional Court in which the Constitutional Court has to apply a law, the party concerned is granted leave to appeal, proceedings already initiated to examine the constitutionality of the law must nevertheless be continued.

6. (3) paragraph 3 The Constitutional Court may only repeal a law as unconstitutional if its repeal has been expressly requested or if the Constitutional Court would have to apply the law in the legal case pending before it. However, if the Constitutional Court comes to the conclusion that the entire law was enacted by a legislative body not appointed according to the distribution of powers or was promulgated in an unconstitutional manner, it must repeal the entire law as unconstitutional. This does not apply if the repeal of the entire law is obviously contrary to the legal interests of the party that submitted an application in accordance with paragraph 1 item 1 c or d or whose legal case gave rise to the official initiation of the law review procedure. The Constitutional Court may only repeal a law as unconstitutional to the extent that its repeal has been expressly requested or if the Constitutional Court would have to apply the law in the legal case pending before it. However, if the Constitutional Court comes to the conclusion that the entire law was enacted by a legislative body not appointed according to the distribution of powers or was promulgated in an unconstitutional manner, it must repeal the entire law as unconstitutional. This does not apply if the repeal of the entire law is obviously contrary to the legal interests of the party that has submitted an application in accordance with paragraph one, number one, letter c or d or whose legal case has given rise to the ex officio initiation of the law review procedure.

7. (4) paragraph 4 If the law has already ceased to apply at the time the Constitutional Court makes its decision and the proceedings were initiated ex officio or the application was made by a court or by a person who claims that their rights have been violated by the unconstitutionality of the law, the Constitutional Court must declare whether the law was unconstitutional. Paragraph 3 applies accordingly. If the law has already ceased to apply at the time the Constitutional Court makes its decision and the proceedings were initiated ex officio or the application was made by a court or by a person who claims that their rights have been violated by the unconstitutionality of the law, the Constitutional Court must declare whether the law was unconstitutional. Paragraph 3 applies accordingly.

8. (5) paragraph 5 The decision of the Constitutional Court declaring a law unconstitutional obliges the Federal Chancellor or the responsible state governor to announce the annulment without delay. This applies mutatis mutandis to the case of a ruling pursuant to paragraph 4. The annulment takes effect at the end of the day of the announcement unless the Constitutional Court sets a deadline for the annulment. This deadline may not exceed 18 months. The decision of the Constitutional Court declaring a law unconstitutional obliges the Federal Chancellor or the responsible state governor to announce the repeal without delay. This applies mutatis mutandis to the case of a ruling pursuant to paragraph 4. The repeal takes effect at the end of the day of the announcement unless the Constitutional Court sets a deadline for the repeal. This deadline may not exceed 18 months.

9. (6) paragraph 6 If a law is repealed as unconstitutional by a ruling of the Constitutional Court, the legal provisions that were repealed by the law found to be unconstitutional by the Constitutional Court come back into force on the day the repeal comes into force, unless the ruling states otherwise. The announcement of the repeal of the law must also state whether and which legal provisions come back into force.

10. (7) paragraph 7 If a law has been repealed because it is unconstitutional or if the Constitutional Court has ruled in accordance with paragraph 4 that a law was unconstitutional, all courts and administrative authorities are bound by the ruling of the Constitutional Court. However, the law continues to apply to the facts that occurred before the repeal, with the exception of the case in question, unless the Constitutional Court states otherwise in its repealing ruling. If the Constitutional Court has set a deadline in accordance with paragraph 5 in its repealing ruling, the law applies to all facts that occurred before the expiry of this deadline, with the exception of the case in question. If a law has been repealed because it is unconstitutional or if the Constitutional Court has ruled in accordance with paragraph 4 that a law was unconstitutional, all courts and administrative authorities are bound by the ruling of the Constitutional Court. However, the law continues to apply to the facts that occurred before the repeal, with the exception of the case in question, unless the Constitutional Court states otherwise in its repealing ruling. If the Constitutional Court has set a deadline in accordance with paragraph 5 in its repealing ruling, the law applies to all facts that occurred before the expiry of this deadline, with the exception of the case in question.

11. (8)paragraph 8For legal cases that have given rise to an application pursuant to paragraph 1 item 1 letter d, a federal law must stipulate that the decision of the Constitutional Court declaring the law unconstitutional enables a new decision to be taken on the legal case. This applies mutatis mutandis in the case of a ruling pursuant to paragraph 4.For legal cases that have given rise to an application pursuant to paragraph one, item one, letter d, a federal law must stipulate that the decision of the Constitutional Court declaring the law unconstitutional enables a new decision to be taken in this legal case. This applies mutatis mutandis in the case of a ruling pursuant to paragraph 4,

Article 140a

text

Article 140a.

The Constitutional Court rules on the illegality of international treaties. Article 140 applies to political treaties, treaties amending or supplementing laws, and treaties that change the contractual basis of the European Union. Article 139 applies to all other treaties, subject to the following conditions:The Constitutional Court rules on the illegality of international treaties. Article 140 shall apply to political treaties, treaties amending or supplementing laws, and to treaties amending the contractual basis of the European Union, and Article 139 shall apply to all other treaties, subject to the following conditions:

1. 1stnumber one
An international treaty which the Constitutional Court finds to be unconstitutional or unlawful shall cease to be applied by the bodies responsible for its implementation as of the expiry of the day on which the decision is announced, unless the Constitutional Court sets a period within which the treaty shall continue to be applied; this period may not exceed two years in the case of political treaties, treaties amending or supplementing laws and treaties amending the contractual basis of the European Union, and one year in the case of all other treaties.
2. 2ndparagraph 2
Furthermore , an order that the treaty is to be implemented by issuing regulations or a resolution that the treaty is to be implemented by issuing laws shall cease to have effect at the end of the day on which the decision is announced .

Article 141

text

Article 141.

1. (1)paragraph oneThe Constitutional Court recognizes
 1. a)Litera a
on the contesting of the election of the Federal President, of elections to the general representative bodies, to the European Parliament and to the statutory bodies (representative bodies) of the statutory professional associations;
 2. b)Letter b
on challenges to elections to the state government and to the executive bodies of a municipality;
 3. c)Litera c
at the request of a general representative body for the loss of the mandate of one of its members or – where provided for in the legislation governing the procedure of the respective representative body – at the request of the chairman or of one third of the members of the representative body; at the request of at least half of the members of the European Parliament elected in Austria for the loss of the mandate of one of those members of the European Parliament;
 4. d)Litera d
at the request of the Federal Assembly for the loss of office of the Federal President;
 5. e)Literature
at the request of the National Council of a member of the Federal Government, a State Secretary, the President of the Court of Auditors or a member of the Ombudsman Board who has lost his office;
 6. f)Litera f
at the request of a state parliament for the loss of office of a member of the state government;
 7. G)Litera g
at the request of a municipal council for the loss of mandate of a member of the executive body of the municipality with regard to this function and at the request of a statutory body (representative body) of a statutory professional association for the loss of mandate of one of its members;
 8. h)Litera h
on contesting the results of popular initiatives, referendums, plebiscites and European Citizens' Initiatives;
 9. i)Litera i
on the inclusion of persons in voter registers and the deletion of persons from voter registers;
 10. j)Litera j

on the challenge of independently contestable notices and decisions of the administrative authorities and – where provided for by federal or state law – of the administrative courts in the cases referred to in letters a to c and g to i. on the challenge of independently contestable notices and decisions of the administrative authorities and – where provided for by federal or state law – of the administrative courts in the cases of letters a to c and g to i.

2. The challenge pursuant to letters a, b, h, i and j can be based on the alleged illegality of the procedure; the application pursuant to letters c and g can be based on a legally provided reason for loss of membership in a general representative body, in the European Parliament, in an executive body of a municipality or in a statutory body (representative body) of a statutory professional representation; the application pursuant to letters d, e and f can be based on a legally provided reason for loss of office. The Constitutional Court must grant a challenge if the alleged illegality of the procedure has been proven and had an influence on the outcome of the procedure. In proceedings before the administrative authority, the general representative body and the statutory body (representative body) of the statutory professional representation also have party status. The challenge under letters a, b, h, i and j can be based on the alleged illegality of the procedure, the application under letters c and g on a legally provided reason for loss of membership in a general representative body, in the European Parliament, in an executive body of a municipality or in a statutory body (representative body) of a statutory professional representation, the application under letters d, e and f on a legally provided reason for loss of office. The Constitutional Court must grant a challenge if the alleged illegality of the procedure has been proven and had an influence on the outcome of the procedure. In proceedings before the administrative authority, the general representative body and the statutory body (representative body) of the statutory professional representation also have party status.

3. (2)paragraph 2If a challenge pursuant to paragraph 1(a) is upheld and this makes it necessary to repeat the election to a general representative body, to the European Parliament or to a statutory body of the statutory professional associations in whole or in part, the members of that representative body concerned shall lose their mandate at the time when it is taken over by those members who were elected in the repeat election to be held within 100 days of the delivery of the decision of the Constitutional Court. If a challenge pursuant to paragraph one, letter a, is upheld and this makes it necessary to repeat the election to a general representative body, to the European Parliament or to a statutory body of the statutory professional associations in whole or in part, the members of that representative body concerned shall lose their mandate at the time when it is taken over by those members who were elected in the repeat election to be held within 100 days of the delivery of the decision of the Constitutional Court.

(Note: Paragraph 3 repealed by [Federal Law Gazette I No. 51/2012](#))Note, paragraph 3, repealed by Federal Law Gazette Part one, No. 51 of 2012,)

Article 142

text

Article 142.

1. (1)paragraph oneThe Constitutional Court decides on the indictment asserting the constitutional responsibility of the highest federal and state bodies for the culpable violations of law that occurred through their official activities.
2. (2)paragraph 2The charge can be brought:
 1. a) Litera a
against the Federal President for violation of the Federal Constitution: by resolution of the Federal Assembly;
 2. b) Letter b
against members of the Federal Government, bodies equivalent to them in terms of responsibility and State Secretaries for violation of the law: by resolution of the National Council;
 3. c) Litera c
against an Austrian representative in the Council for violation of the law in matters in which legislation would be a federal matter: by resolution of the National Council, for violation of the law in matters in which legislation would be a state matter: by identical resolutions of all state parliaments;
 4. d) Litera d
against members of a state government and bodies equivalent to them in terms of responsibility under this law or under the state constitution for violation of the law: by resolution of the competent state parliament;
 5. e) Literature
against a governor, his deputy (Article 105, paragraph 1) or a member of the state government (Article 103, paragraphs 2 and 3) for violation of the law and for non-compliance with the regulations or other orders (instructions) of the federal government in matters of indirect federal administration, and if the member of the state government is involved, also with the instructions of the governor in these matters: by resolution of the federal government; against a governor, his deputy (Article 105, paragraph one) or a

member of the state government (Article 103, paragraphs 2 and 3) for violation of the law as well as for non-compliance with the regulations or other orders (instructions) of the federal government in matters of indirect federal administration, and if the member of the state government is involved, also with the instructions of the governor in these matters: by resolution of the federal government;

6. f) Litera f
against organs of the federal capital Vienna, insofar as they carry out tasks in the area of federal executive within their own sphere of influence, for violation of the law: by resolution of the federal government;
7. G) Litera g
against a state governor for failure to comply with an instruction pursuant to Article 14, paragraph 8: by decision of the Federal Government; against a governor for failure to comply with an instruction pursuant to Article 14, paragraph 8.; by decision of the Federal Government;
8. h) Litera h
against a President of the Directorate of Education or the member of the state government entrusted with the exercise of this function for violation of the law and for non-compliance with regulations or other orders (instructions) of the federal government: by resolution of the federal government; for non-compliance with other orders (instructions) of the state: by resolution of the responsible state parliament;
9. i) Litera i
against members of a state government for violation of the law or for obstruction of the powers pursuant to Article 11 paragraph 7, insofar as they concern matters under Article 11 paragraph 1 item 8: by resolution of the National Council or the Federal Government. against members of a state government for violation of the law or for obstruction of the powers pursuant to Article 11, paragraph 7, insofar as they concern matters under Article 11, paragraph one, number 8: by resolution of the National Council or the Federal Government.

3. (3) paragraph 3 If the Federal Government brings charges against only a State Governor or his deputy pursuant to paragraph 2(e), and it emerges that another member of the State Government dealing with matters of indirect federal administration pursuant to Article 103 paragraph 2 is guilty of a fault within the meaning of paragraph 2(e), the Federal Government may at any time up until the verdict is reached extend its charges to include that member of the State Government. If the Federal Government brings charges against only a State Governor or his deputy pursuant to paragraph 2(e), and it emerges that another member of the State Government dealing with matters of indirect federal administration pursuant to Article 103(2) is guilty of a fault within the meaning of paragraph 2(e), the Federal Government may, at any time up until the verdict is reached, extend its charges to include that member of the State Government.

4. (4) paragraph 4 The Constitutional Court's condemnatory decision must be for loss of office and, under particularly aggravating circumstances, for temporary loss of political rights; in the case of minor violations of the law in the cases mentioned in paragraph 2 under c, e, g and h, the Constitutional Court can limit itself to finding that a violation of the law has occurred. The loss of the office of President of the Education Directorate also results in the loss of the office with which the office of President is associated in accordance with Article 113 paragraph 8. The Constitutional Court's condemnation shall be forfeiture of office and, in particularly aggravating circumstances, temporary loss of political rights; in the case of minor violations of the law in the cases mentioned in paragraph 2, c, e, g and h, the Constitutional Court may limit itself to finding that a violation of the law has occurred. The loss of the office of President of the Directorate of Education shall also result in the loss of the office with which the office of President is connected in accordance with Article 113, paragraph 8.

5. (5) paragraph 5 The Federal President may exercise the right conferred on him under Article 65, paragraph 2, letter c, only at the request of the representative body or bodies which decided on the indictment, or, if the Federal Government decided on the indictment, only at their request, and in all cases only with the consent of the accused. The Federal President may exercise the right conferred on him under Article 65, paragraph 2, letter c, only at the request of the representative body or bodies which decided on the indictment, or, if the Federal Government decided on the indictment, only at their request, and in all cases only with the consent of the accused.

Article 143

text

Article 143.

The charges against those named in Article 142 may also be brought for criminally prosecutable acts that are connected with the official duties of the accused. In this case, the Constitutional Court has sole jurisdiction; any investigation already pending before the ordinary criminal courts is transferred to it. In such cases, the Constitutional Court may apply the provisions of criminal law in addition to Article 142, paragraph 4. The charges against those mentioned in Article 142 may also be brought for criminal acts that are connected with the official duties of the accused. In this case, the Constitutional Court has sole jurisdiction; any investigation

already pending before the ordinary criminal courts is transferred to it. In such cases, the Constitutional Court may apply the provisions of the criminal law in addition to Article 142, paragraph 4.

Article 144

text

Article 144.

1. (1)paragraph oneThe Constitutional Court shall rule on complaints against the decision of an administrative court insofar as the complainant claims that his rights have been violated by the decision in a constitutionally guaranteed right or due to the application of an unlawful regulation, an unlawful announcement of the re-promulgation of a law (interstate treaty), an unconstitutional law or an unlawful interstate treaty.

2. (2)paragraph 2The Constitutional Court may refuse to consider a complaint until the hearing if there is no sufficient prospect of success or if the decision is not expected to clarify a constitutional question.

3. (3)paragraph 3If the Constitutional Court finds that the contested decision of the Administrative Court did not violate a right within the meaning of paragraph 1, it must, at the request of the complainant, refer the complaint to the Administrative Court for a decision on whether the complainant's other rights were violated by the decision. The first sentence applies mutatis mutandis to decisions pursuant to paragraph 2.If the Constitutional Court finds that the contested decision of the Administrative Court did not violate a right within the meaning of paragraph one, it must, at the request of the complainant, refer the complaint to the Administrative Court for a decision on whether the complainant's other rights were violated by the decision. The first sentence applies mutatis mutandis to decisions pursuant to paragraph 2.

4. (4)paragraph 4The provisions of this Article applicable to the decisions of the administrative courts shall apply mutatis mutandis. The extent to which appeals may be lodged against decisions of the administrative courts shall be determined by the special federal law governing the organisation and procedure of the Constitutional Court.

5. (5)paragraph 5To the extent that the decision or order of the administrative court concerns the admissibility of an appeal, an appeal pursuant to paragraph 1 is inadmissible.To the extent that the decision or order of the administrative court concerns the admissibility of the appeal, an appeal pursuant to paragraph one is inadmissible.

Article 145

text

Article 145.

The Constitutional Court decides on violations of international law according to the provisions of a special federal law.

Article 146

text

Article 146.

1. (1)paragraph oneThe execution of the findings of the Constitutional Court pursuant to Article 126a, Article 127c Z 1 and Article 137 is carried out by the ordinary courts.The execution of the findings of the Constitutional Court pursuant to Article 126 a., Article 127 c, paragraph one, and Article 137, shall be carried out by the ordinary courts.

2. (2)paragraph 2The execution of the remaining decisions of the Constitutional Court is the responsibility of the Federal President. They are to be carried out in accordance with his instructions by the federal or state bodies, including the Federal Army, that he deems appropriate. The Constitutional Court must submit an application for the execution of such decisions to the Federal President. The aforementioned instructions of the Federal President do not require a countersignature in accordance with Article 67 if they concern executions against the federal government or federal bodies.The execution of the remaining decisions of the Constitutional Court is the responsibility of the Federal President. They are to be carried out in accordance with his instructions by the federal or state bodies, including the Federal Army, which he deems appropriate. The application for the execution of such decisions must be submitted by the Constitutional Court to the Federal President. The aforementioned instructions of the Federal President do not require a countersignature in accordance with Article 67 if they concern executions against the federal government or federal bodies.

Article 147

text

Article 147.

1. (1)paragraph oneThe Constitutional Court consists of a President, a Vice-President, twelve other members and six substitute members.

2. (2)paragraph 2The President, the Vice-President, six other members and three substitute members are appointed by the Federal President on the proposal of the Federal Government; these members and substitute members are chosen from among judges, administrative officials and professors of a legal subject at a university. The remaining six members and three substitute members are appointed by the Federal President on

the basis of proposals made by the National Council for three members and two substitute members and the Federal Council for three members and one substitute member. Three members and two substitute members must have their permanent residence outside the federal capital Vienna. Administrative officials who are appointed as members or substitute members are to be retired without pay. This does not apply to administrative officials appointed as substitute members who have been released from all duties subject to instructions for the duration of this release.

3. (3)paragraph 3The members and substitute members of the Constitutional Court must have completed a law degree or a law and political science degree and have ten years of professional legal experience .

4. (4)paragraph 4Members of the Federal Government, a state government, a general representative body or the European Parliament cannot be members of the Constitutional Court; for members of a general representative body or the European Parliament who have been elected for a specific legislative or functional period, the incompatibility continues until the end of the legislative or functional period, even if they renounce their mandate early. Finally, persons who are employees or other functionaries of a political party cannot be members of the Constitutional Court.

5. (5)paragraph 5No person may be appointed as President or Vice-President of the Constitutional Court if he has performed one of the functions specified in paragraph 4 within the last five years. No person may be appointed as any other member or substitute member of the Constitutional Court if he has performed one of these functions within the last three years.No person may be appointed as President or Vice-President of the Constitutional Court if he has performed one of the functions specified in paragraph 4 within the last five years. No person may be appointed as any other member or substitute member of the Constitutional Court if he has performed one of these functions within the last three years.

6. (6)paragraph 6Article 87, paragraphs 1 and 2, and Article 88, paragraph 2 shall apply to the members and substitute members of the Constitutional Court; the more detailed provisions shall be laid down in the federal law adopted pursuant to Article 148. The age limit upon which their term of office shall end shall be 31 December of the year in which the member or substitute member reaches the age of 70.Article 87, paragraphs one and two, and Article 88, paragraph two, shall apply to the members and substitute members of the Constitutional Court; the more detailed provisions shall be laid down in the federal law issued pursuant to Article 148. The age limit upon which their term of office shall end shall be 31 December of the year in which the member or substitute member reaches the age of seventy.

7. (7)paragraph 7If a member or substitute member has failed to respond to three consecutive invitations to a hearing of the Constitutional Court without sufficient excuse, the Constitutional Court shall determine this after hearing the member or substitute member. This determination shall result in the loss of membership or status as substitute member.

8. (8)paragraph 8The President shall have official authority over the employees of the Constitutional Court.

9. (9)paragraph 9The President of the Constitutional Court is entitled to participate in the negotiations in the committees (subcommittees) of the National Council on the subdivisions of the draft Federal Finance Law that concern the Constitutional Court and to be heard at each such meeting at his request. Further details are laid down in the Federal Law on the Rules of Procedure of the National Council.

10. (10)paragraph 10Federal law may provide for the President of the Constitutional Court to have powers to participate in the appointment of bodies.

Article 148

text

Article 148.

The detailed provisions concerning the organisation and procedure of the Constitutional Court shall be regulated by a special federal law and, on the basis of this law, by rules of procedure to be adopted by the Constitutional Court.

Art. 148a

text

Ninth Main Part

Ombudsman

Article 148a.

1. (1)paragraph oneAnyone can complain to the Ombudsman about alleged abuses in the administration of the federal government, including its activities as a holder of private rights, in particular about an alleged violation of human rights, provided that he is affected by these abuses and that he does not or no longer has legal recourse. Every such complaint must be examined by the Ombudsman. The complainant must be informed of the result of the examination and of any measures taken.

2. (2)paragraph 2The Ombudsman is entitled to investigate ex officio any malpractice it suspects in the administration of the Federal Government, including its activities as a bearer of private rights, in particular any violations of human rights it suspects.

3. (3)paragraph 3In order to protect and promote human rights, the Ombudsman and the commissions appointed by it (Article 148h, paragraph 3) are responsible for the protection and promotion of human rights in the area of federal administration, including its activities as a bearer of private rights.In order to protect and promote human rights, the Ombudsman Board and the commissions appointed by it (Article 148 h, paragraph 3) are responsible for the protection and promotion of human rights in the area of federal administration, including its activities as a bearer of private rights.

1. 1stnumber one
to visit and inspect the place of deprivation of liberty,
2. 2ndparagraph 2
to observe and monitor the conduct of the bodies empowered to exercise direct administrative command and coercive power, and
3. 3.paragraph 3
to inspect or visit facilities and programs designed for people with disabilities.

4. (4)paragraph 4Without prejudice to paragraph 1, anyone affected by a court's alleged failure to take a procedural action may complain to the Ombudsman. Paragraph 2 applies accordingly.Without prejudice to paragraph 1, anyone affected by a court's alleged failure to take a procedural action may complain to the Ombudsman. Paragraph 2 applies accordingly.

5. (5)paragraph 5The Ombudsman is also responsible for assisting in the processing of petitions and citizens' initiatives addressed to the National Council. Further details are set out in the Federal Law on the Rules of Procedure of the National Council.

6. (6)paragraph 6The Ombudsman is independent in the exercise of its office.

Article 148b

text

Article 148b.

1. (1)paragraph oneAll federal, state, municipal and municipal associations bodies and other self-governing bodies must support the Ombudsman in carrying out its tasks, grant it access to files and provide the necessary information upon request. Official secrecy does not apply to the Ombudsman.

2. (2)paragraph 2The Ombudsman is subject to official secrecy to the same extent as the body that the Ombudsman has approached in the performance of its duties. When submitting reports to the National Council, however, the Ombudsman is only obliged to maintain official secrecy to the extent that this is necessary in the interests of the parties or national security.

3. (3)paragraph 3Paragraphs 1 and 2 shall also apply mutatis mutandis to the members of the Commissions and the members and substitute members of the Human Rights Advisory Board.Paragraphs one and two shall also apply mutatis mutandis to the members of the Commissions and the members and substitute members of the Human Rights Advisory Board.

Art. 148c

text

Article 148c.

The Ombudsman can issue recommendations to the bodies entrusted with the highest administrative business of the Federation regarding the measures to be taken in a specific case or on the occasion of a specific case. In matters of self-administration or administration by independent authorities, the Ombudsman can issue recommendations to the competent body of self-administration or the independent authority; such recommendations must also be brought to the attention of the highest administrative body of the Federation. The body in question must either comply with these recommendations within a period to be set by federal law and inform the Ombudsman of this, or provide written reasons why the recommendation was not complied with. In a specific case or on the occasion of a specific case, the Ombudsman can submit an application for setting a deadline aimed at remedying a court's default (Article 148a, paragraph 4) and suggest supervisory measures.The Ombudsman can issue recommendations to the bodies entrusted with the highest administrative business of the Federation regarding the measures to be taken in a specific case or on the occasion of a specific case. In matters of self-government or administration by independent authorities, the Ombudsman can issue recommendations to the competent body of self-government or the independent authority; such recommendations must also be brought to the attention of the highest administrative body of the Federation. The body in question must either comply with these recommendations within a period of time to be set by federal law and inform the Ombudsman of this, or provide written reasons why the recommendation was not complied with. In a specific case or on the occasion of a specific case, the Ombudsman can submit an application for a deadline aimed at remedying a court's default (Article 148a, paragraph 4) and suggest supervisory measures.

Art. 148d

text

Article 148d.

1. (1)paragraph oneThe Ombudsman must report on its activities to the National Council and the Federal Council on an annual basis. In addition, the Ombudsman can report on individual observations to the National Council and the Federal Council at any time. The Ombudsman's reports must be published after they have been submitted to the National Council and the Federal Council.

2. (2)paragraph 2The members of the Ombudsman have the right to participate in the negotiations on the Ombudsman's reports in the National Council and the Federal Council as well as in their committees (subcommittees) and to be heard at each time if they so request. The members of the Ombudsman also have this right with regard to the negotiations on the subdivisions of the draft Federal Finance Act concerning the Ombudsman in the National Council and its committees (subcommittees). Further details are set out in the Federal Law on the Rules of Procedure of the National Council and the Rules of Procedure of the Federal Council.

Art. 148f
text

Articles 148f.

If a difference of opinion arises between the Ombudsman and the Federal Government or a Federal Minister regarding the interpretation of the statutory provisions governing the Ombudsman's jurisdiction, the Constitutional Court shall decide upon application by the Federal Government or the Ombudsman.

Art. 148g
text

Article 148g.

1. (1)paragraph oneThe Ombudsman's Office is based in Vienna. It consists of three members, one of whom is the chair. The term of office is six years. Members of the Ombudsman's Office may not be re-elected more than once.

2. (2)paragraph 2The members of the Ombudsman Board are elected by the National Council on the basis of an overall proposal from the Main Committee. The Main Committee draws up its overall proposal in the presence of at least half of its members, with the three parties with the most seats in the National Council each having the right to nominate one member for this overall proposal. In the event of a tie, the number of votes cast in the last National Council election is decisive. The members of the Ombudsman Board are sworn in by the Federal President before taking office.

3. (3)paragraph 3The chairmanship of the Ombudsman rotates annually between the members in the order of the number of seats or, in the case of a tie, the number of votes of the parties nominating the members. This order remains unchanged during the term of office of the Ombudsman.

4. (4)paragraph 4In the event of the premature departure of a member of the Ombudsman Board, the party represented in the National Council that nominated this member must nominate a new member. The new election for the remainder of the term of office must be held in accordance with paragraph 2. Until a new allocation of responsibilities is issued, the current allocation of responsibilities must be applied to the new member accordingly.In the event of the premature departure of a member of the Ombudsman Board, the party represented in the National Council that nominated this member must nominate a new member. The new election for the remainder of the term of office must be held in accordance with paragraph 2. Until a new allocation of responsibilities is issued, the current allocation of responsibilities must be applied to the new member accordingly.

5. (5)paragraph 5The members of the Ombudsman Board must be eligible for election to the National Council and have knowledge of the organisation and functioning of the administration and knowledge of human rights. During their term of office, they may not belong to a general representative body or the European Parliament, may not be a member of the Federal Government or a state government, and may not exercise any other profession.

6. (6)paragraph 6Each member of the Ombudsman Board shall be equal to members of the Federal Government with regard to responsibility pursuant to Article 142.Each member of the Ombudsman Board is equal to members of the Federal Government with regard to responsibility under Article 142.

Art. 148h
text

Article 148h.

1. (1)paragraph oneThe Federal President appoints the officials of the Ombudsman Board on the proposal and with the countersignature of the Chairman of the Ombudsman Board; the same applies to the awarding of official titles. However, the Federal President can authorize the Chairman of the Ombudsman Board to appoint officials of certain categories. The auxiliary staff are appointed by the Chairman of the Ombudsman Board. The Chairman of the Ombudsman Board is the highest administrative body in this respect and exercises these powers alone.

2. (2)paragraph 2The Federal Government's official authority over the Ombudsman's employees is exercised by the Chairman of the Ombudsman's Office.

3. (3)paragraph 3To carry out the tasks under Article 148a, Paragraph 3, the Ombudsman must set up commissions and establish a Human Rights Advisory Board to advise them. The Human Rights Advisory Board consists of a chair, a deputy chair and other members and substitute members appointed by the Ombudsman. The extent to which the Ombudsman is bound by suggestions from other bodies when appointing the members and substitute members of the Human Rights Advisory Board is determined by federal law. The chair, the deputy chair and the other members of the Human Rights Advisory Board are not bound by any instructions in the performance of their duties.To carry out the tasks under Article 148a, paragraph 3, the Ombudsman must set up commissions and establish a Human Rights Advisory Board to advise them. The Human Rights Advisory Board consists of a chair, a deputy chair and other members and substitute members who are appointed by the Ombudsman. The extent to which the Ombudsman is bound by suggestions from other bodies when appointing the members and substitute members of the Human Rights Advisory Board is determined by federal law. The chair, the deputy chair and the other members of the Human Rights Advisory Board are not bound by any instructions in the performance of their duties.

4. (4)paragraph 4The Ombudsman Board adopts rules of procedure and an allocation of responsibilities, which in particular must determine which tasks are to be performed independently by the members of the Ombudsman Board. The adoption of the rules of procedure and the allocation of responsibilities requires unanimity among the members of the Ombudsman Board.

Art. 148i

text

Article 148i.

1. (1)paragraph oneBy means of a state constitutional law, the states may also declare the Ombudsman Board to be responsible for the area of administration of the state in question; in this case, Article 148f shall apply mutatis mutandis.By means of a state constitutional law, the states may also declare the Ombudsman Board to be responsible for the area of administration of the state in question; in this case, Article 148 f shall apply mutatis mutandis.

2. (2)paragraph 2If the states create institutions with similar tasks to the Ombudsman's Office for the area of state administration, a state constitutional law can make a provision corresponding to Article 148f.If the states create institutions with similar tasks to the Ombudsman's Office in the area of state administration, a state constitutional law can provide for a regulation corresponding to Article 148 f.

3. (3)paragraph 3A state which does not make use of the authorisation under paragraph 1 with regard to the tasks under Article 148a paragraph 3 must create, by means of a state constitutional law, an institution with tasks similar to those under Article 148a paragraph 3 for the area of state administration and make provisions for the performance of these tasks in accordance with Articles 148c and 148d.A state which does not make use of the authorization in paragraph 1 with regard to the tasks pursuant to Article 148a, paragraph 3, must create, by means of a state constitutional law, an institution with tasks similar to those pursuant to Article 148a, paragraph 3, for the area of state administration and make corresponding regulations for the performance of these tasks pursuant to Article 148c and Article 148d.

Article 148j

text

Article 148j.

Further provisions for the implementation of this main section, including the protection of personal data in the area of the Ombudsman's Office, are to be laid down by federal law.

Article 149

text

Tenth Chapter

final provisions

Article 149.

1. (1)paragraph oneIn addition to this Act, the following shall be considered constitutional laws within the meaning of Article 44, paragraph 1, taking into account the changes brought about by this Act:In addition to this Act, the following shall be considered constitutional laws within the meaning of Article 44, paragraph one, taking into account the amendments brought about by this Act:

Basic Law of 21 December 1867, RGBI. No. 142, on the general rights of citizens for the kingdoms and countries represented in the Imperial Council (*note: Art. 8 repealed by Art. 8, [BGBl. No. 684/1988](#)*); Basic Law of December 21, 1867, RGBI. No. 142, on the general rights of citizens for the kingdoms and states represented in the Reichsrat (*Note, Article 8, repealed by Article 8, Federal Law Gazette No. 684 of 1988.*); Law of October 27, 1862, RGBI. No. 88, for the protection of house rights; Resolution of the Provisional National Assembly of 30 October 1918, StGBI. No. 3; Law of 3 April 1919, StGBI. No. 209, concerning the expulsion and the takeover of the assets of the House of Habsburg-Lorraine;

Law of 3 April 1919, StGBI. No. 211, on the abolition of nobility, secular orders of knighthood and damehood and certain titles and dignities;

Section V of Part III of the Treaty of Saint-Germain of 10 September 1919, StGBI. No. 303 of 1920. Roman section five of Roman part III of the State Treaty of Saint-Germain of 10 September 1919, StGBI. No. 303 of 1920.

2. (2)paragraph 2Article 20 of the Basic Law of December 21, 1867, RGBI. No. 142, as well as the law of May 5, 1869, RGBI. No. 66, enacted on the basis of this article, shall cease to be in force. Article 20 of the Basic Law of December 21, 1867, RGBI. No. 142, as well as the law of May 5, 1869, RGBI. No. 66, enacted on the basis of this article, shall cease to be in force.

Article 150

text

Article 150.

1. (1)paragraph oneThe transition to the federal constitution introduced by this Act will be regulated by a separate constitutional law which will enter into force at the same time as this Act.

2. (2)paragraph 2Laws that only correspond to a new version of federal constitutional provisions may be enacted from the time of publication of the federal constitutional law bringing about the change. However, they may not enter into force before the new federal constitutional provisions come into force, unless they merely provide for measures that are necessary for their implementation beginning with the entry into force of the new federal constitutional provisions.

Article 151

text

Article 151.

1. (1)paragraph oneArticles 78d and 118 paragraph 8 in the version of the Federal Constitutional [Law, Federal Law Gazette No. 565/1991](#) , come into force on 1 January 1992. The existence of security forces existing on 1 January 1992 remains unaffected; this provision comes into force on 1 January 1992. Articles 78d and 118 paragraph 8, as amended by the Federal Constitutional Law, Federal Law Gazette No. 565 of 1991, shall enter into force on 1 January 1992. The existence of security forces existing on 1 January 1992 shall remain unaffected; this provision shall enter into force on 1 January 1992.

2. (2)paragraph 2Articles 10, paragraph 1, item 7, 52a, 78a to 78c, Article 102, paragraph 2, the designation changes in the third chapter and in Article 102 in the version of the Federal Constitutional [Law, Federal Law Gazette No. 565/1991](#) , shall enter into force on 1 May 1993. Articles 10, paragraph one, number 7., 52a, 78a to 78c, Article 102, paragraph 2., the designation changes in the third chapter and in Article 102, in the version of the Federal Constitutional Law, Federal Law Gazette No. 565 of 1991, shall enter into force on 1 May 1993.

3. (3)paragraph 3The second sentence of Article 102, paragraph 5, as well as paragraphs 6 and 7, shall cease to apply upon expiry of 30 April 1993. The phrase “, with the exception of the local security police,” in Article 102, paragraph 2 shall cease to apply upon expiry of 30 April 1993. Article 102, paragraph 5, second sentence, and paragraphs 6 and 7 shall cease to have effect on 30 April 1993. The phrase “, with the exception of the local security police,” in Article 102, paragraph 2 shall cease to have effect on 30 April 1993.

4. (4)paragraph 4Articles 26, 41 paragraph 2, 49b paragraph 3, 56 paragraphs 2 to 4, 95 paragraphs 1 to 3, 96 paragraph 3, and the new designation of paragraph 1 in Article 56 in the version of the Federal Constitutional Law [Federal Law Gazette No. 470/1992](#), shall enter into force on 1 May 1993. Articles 26, Article 41, paragraph 2, Article 49 b, paragraph 3, Article 56, paragraphs 2 to 4, Article 95, paragraphs one to 3, Article 96, paragraph 3, and the new designation of paragraph one in Article 56, in the version of the Federal Constitutional Law, Federal Law Gazette No. 470 of 1992, shall enter into force on 1 May 1993.

5. (5)paragraph 5Article 54 in the version of the Federal Constitutional Law [BGBl. No. 868/1992](#) enters into force on 1 January 1993. Article 54, in the version of the Federal Constitutional Law, Federal Law Gazette No. 868 of 1992, comes into force on 1 January 1993.

6. (6)paragraph 6The following provisions shall enter into force in the version of the Federal Constitutional Law [BGBl. No. 508/1993](#) as follows: The following provisions shall enter into force in the version of the Federal Constitutional Law, Federal Law Gazette No. 508 of 1993, as follows:

1. 1stnumber one
Article 10 paragraph 1 item 9, Article 11 paragraph 1 item 7 and Article 11 paragraphs 6, 7, 8 and 9 shall enter into force on 1 July 1994. Article 10, paragraph one, number 9, Article 11, paragraph one, number 7, and Article 11, paragraphs 6, 7, 8 and 9 shall enter into force on 1 July 1994.
2. 2ndparagraph 2
Article 28 paragraph 5, Article 52 paragraph 2, the designation of the former Article 52 paragraphs 2 and 3 as paragraphs 3 and 4, and Article 52b shall enter into force on 1 October 1993. Article 28, paragraph 5., Article 52, paragraph 2., the designation of former Article 52, paragraphs 2 and 3 as paragraphs 3 and 4, and Article 52b, shall enter into force on 1 October 1993.

7. (Note: Item 3 repealed by [BGBl. I No. 114/2000](#)) Note, paragraph 3, repealed by Federal Law Gazette Part one, No. 114 of 2000.)

8. (Note: Paragraph 7 repealed by [BGBl. I No. 127/2009](#)) Note, paragraph 7, repealed by Federal Law Gazette Part One, No. 127 of 2009.)

9. (7a) paragraph 7a Article 102, paragraph 2 in the version of the Federal Constitutional [Law, Federal Law Gazette I No. 2/1997](#), enters into force on 1 January 1994. Article 102, paragraph 2 in the version of the Federal [Law, Federal Law Gazette No. 532/1993](#) ceases to apply at the same time. Article 102, paragraph 2, in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 2 of 1997, comes into force on 1 January 1994. Article 102, paragraph 2, in the version of the Federal Law, Federal Law Gazette No. 532 of 1993, ceases to have effect at the same time.

10. (8) paragraph 8 Article 54 in the version of the Federal Constitutional Law [BGBl. No. 268/1994](#) enters into force on 1 April 1994. Article 54, in the version of the Federal Constitutional Law, Federal Law Gazette No. 268 of 1994, comes into force on 1 April 1994.

11. (9) paragraph 9 Article 6, paragraphs 2 and 3, Article 26, paragraph 2, Article 41, paragraph 2, Article 49b, paragraph 3 and Article 117, paragraph 2, first sentence, in the version of the Federal Constitutional [Law, Federal Law Gazette No. 504/1994](#), come into force on 1 January 1995. In federal and state legislation, with effect from 1 January 1996, the term 'ordinary residence' in all its grammatical forms shall be replaced by the term 'main residence' in the corresponding grammatical form, unless the term 'ordinary residence' is replaced by the term 'residence' by 31 December 1995; from 1 January 1996, the term 'ordinary residence' may no longer be used in federal and state legislation. As long as the state laws do not provide that the right to vote for the state parliament or the municipal council is determined by the main residence or by the place of residence, the right to vote is based on the ordinary residence. Until the results of the next census are available after the date of entry into force mentioned above, the ordinary residence determined according to the results of the last census is to be considered the same as the main residence for the distribution of the number of representatives to the constituencies (electoral bodies) and to the regional constituencies (Article 26, paragraph 2) and for the representation of the states in the Federal Council (Article 34). Article 6, paragraphs 2 and 3, Article 26, paragraph 2, Article 41, paragraph 2, Article 49 b, paragraph 3 and Article 117, paragraph 2, first sentence, in the version of the Federal Constitutional Law, Federal Law Gazette No. 504 of 1994, shall enter into force on 1 January 1995. In federal and state legislation, with effect from 1 January 1996, the term "ordinary residence" in all its grammatical forms shall be replaced by the term "main residence" in the corresponding grammatical form, unless the term "ordinary residence" is replaced by the term "residence" by 31 December 1995; from 1 January 1996, the term "ordinary residence" may no longer be used in federal and state legislation; As long as the state laws do not provide that the right to vote for the state parliament or the municipal council is determined by the main residence or by the place of residence, the right to vote is based on the ordinary residence. Until the results of the next census are available after the date of entry into force mentioned above, the ordinary residence determined according to the results of the last census is to be considered the same as the main residence for the purposes of distributing the number of representatives to the constituencies (electoral bodies) and to the regional constituencies (Article 26, paragraph 2) and for the representation of the states in the Federal Council (Article 34).

12. (10) paragraph 10 Article 87, paragraph 3 and Article 88a in the version of the Federal Constitutional [Law, Federal Law Gazette No. 506/1994](#), shall enter into force on 1 July 1994. Article 87, paragraph 3 and Article 88a, as amended by the Federal Constitutional Law, Federal Law Gazette No. 506 of 1994, shall enter into force on 1 July 1994.

13. (11) paragraph 11 The following shall apply to the entry into force of provisions newly drafted or inserted by the Federal Constitutional Law [BGBl. No. 1013/1994](#), to the repeal of provisions of this Federal Constitutional Law repealed by the same Federal Constitutional Law, and to the transition to the new legal situation: The following applies to the entry into force of provisions newly drafted or inserted by the Federal Constitutional Law (Federal Law Gazette No. 1013 of 1994), to the repeal of provisions of this Federal Constitutional Law repealed by the same Federal Constitutional Law, and to the transition to the new legal situation:

1. 1st number one
The title of the law, Article 21 paragraphs 6 and 7, Article 56 paragraphs 2 and 4, Article 122 paragraphs 3 to 5, Article 123 paragraph 2, Article 123a paragraph 1, Article 124, Article 147 paragraph 2 second sentence and Article 150 paragraph 2 shall enter into force on 1 January 1995. The title of the law, Article 21, paragraphs 6 and 7, Article 56, paragraphs 2 and 4, Article 122, paragraphs 3 to 5, Article 123, paragraph 2, Article 123a, paragraph one, Article 124, Article 147, paragraph 2, second sentence and Article 150, paragraph 2, shall enter into force on 1 January 1995.
2. 2nd paragraph 2
The heading of Chapter I, the heading of Section A in Chapter I, Article 10, Paragraph 1, Item 18, Article 16, Paragraph 4, Section B of Chapter I, Article 30, Paragraph 3, Article 59, Article 73,

Paragraph 2, Article 117, Paragraph 2, Article 141, Paragraphs 1 and 2, Article 142, Paragraph 2, Letter c, and the designations of what are now Letters d to i, as well as Article 142, Paragraphs 3 to 5, shall enter into force at the same time as the State Treaty on the Accession of the Republic of Austria to the European Union. The heading of Chapter One, the heading of Section A in Chapter One, Article 10, Paragraph One, Number 18, Article 16, Paragraph 4, Section B of Chapter One, Article 30, Paragraph 3, Article 59, Article 73, Paragraph 2, Article 117, Paragraph 2, Article 141, Paragraphs One and Two, Article 142, Paragraph 2, Letter c and the designations of the now Letters d to i as well as Article 142, Paragraphs 3 to 5 shall enter into force at the same time as the State Treaty on the Accession of the Republic of Austria to the European Union.

3. 3.paragraph 3

At the same time as the provisions referred to in paragraph 2 come into force, Article 10 paragraphs 4 to 6 and Article 16 paragraph 6 in the version of the Federal Constitutional [Law, Federal Law Gazette No. 276/1992](#), shall cease to have effect. At the same time as the provisions referred to in paragraph 2 come into force, Article 10, paragraphs 4 to 6 and Article 16, paragraph 6, as amended by the Federal Constitutional Law, Federal Law Gazette No. 276 of 1992, shall cease to have effect.

4. 4thparagraph 4

Article 122 paragraph 1 and Article 127b enter into force on 1 January 1997. They apply to financial transactions subsequent to 31 December 1994. Article 122, paragraph one, and Article 127 b, shall enter into force on 1 January 1997. They shall apply to transactions subsequent to 31 December 1994.

5. 5thparagraph 5

As long as Austria's representatives in the European Parliament are not elected by general election, they are sent by the National Council from among the members of the Federal Assembly. This delegation takes place on the basis of proposals from the parties represented in the National Council, in accordance with their strength, in accordance with the principle of proportional representation. For the duration of the delegation, members of the National Council and the Federal Council can simultaneously be members of the European Parliament. In all other respects, Article 23b, paragraphs 1 and 2 apply mutatis mutandis. If a member of the National Council sent to the European Parliament renounces his or her mandate as a member of the National Council, then Article 56, paragraphs 2 and 3 apply. As long as Austria's representatives in the European Parliament are not elected by general election, they are sent by the National Council from among the members of the Federal Assembly. This delegation takes place on the basis of proposals from the parties represented in the National Council, in accordance with their strength, in accordance with the principle of proportional representation. For the duration of the delegation, members of the National Council and the Federal Council can simultaneously be members of the European Parliament. In all other respects, Article 23 b, paragraphs one and two apply mutatis mutandis. If a member of the National Council sent to the European Parliament renounces his or her mandate as a member of the National Council, then Article 56, paragraphs two and three apply.

6. 6thparagraph 6

Paragraph 5 shall enter into force on 22 December 1994. Paragraph 5 shall enter into force on 22 December 1994.

14. (11a)paragraph 11 aArticle 112 in the version of the Federal Constitutional [Law, Federal Law Gazette No. 1013/1994](#), and Article 103, Paragraph 3 and Article 151, Paragraph 6, Item 3 in the version of the Federal Constitutional [Law, Federal Law Gazette I No. 8/1999](#), shall enter into force on 1 January 1995. Article 112, in the version of the Federal Constitutional Law, Federal Law Gazette No. 1013 of 1994, and Article 103, Paragraph 3 and Article 151, Paragraph 6, Item 3, in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 8 of 1999, shall enter into force on 1 January 1995.

15. (12)paragraph 12Articles 59a, 59b and 95, paragraph 4 in the version of the Federal Constitutional [Law, Federal Law Gazette No. 392/1996](#), enter into force on 1 August 1996. Until state laws are passed in implementation of Articles 59a and 95, paragraph 4, the corresponding federal laws in the states concerned shall apply mutatis mutandis, unless the states have already passed regulations in accordance with Articles 59a and 95, paragraph 4. Article 59 a,, Article 59 b and Article 95, Paragraph 4, in the version of the Federal Constitutional Law, Federal Law Gazette No. 392 of 1996, come into force on August 1, 1996. Until state laws are passed in implementation of Article 59 a and Article 95, Paragraph 4, the corresponding federal laws in the states concerned shall apply mutatis mutandis, unless the states have already passed regulations in the sense of Article 59 a and Article 95, Paragraph 4.

16. (13)paragraph 13Article 23e paragraph 6 and Article 28 paragraph 5 in the version of the Federal Constitutional Law [BGBl. No. 437/1996](#) enter into force on 15 September 1996. Article 23 e, paragraph 6 and Article 28, paragraph 5, in the version of the Federal Constitutional Law, Federal Law Gazette No. 437 of 1996, shall enter into force on 15 September 1996.

17. (14)paragraph 14Article 49 and Article 49a paragraphs 1 and 3 in the version of the Federal Constitutional Law [BGBl. No. 659/1996](#) shall enter into force on 1 January 1997. Article 49 and Article 49a,

paragraphs one and three, as amended by the Federal Constitutional Law, Federal Law Gazette No. 659 of 1996, shall enter into force on 1 January 1997.

18. (15)paragraph 15Article 55 in the version of the Federal Constitutional Law [BGBl. I No. 2/1997](#) comes into force on 1 January 1997. At the same time, Article 54 ceases to apply. Article 55, in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 2 of 1997, comes into force on 1 January 1997. At the same time, Article 54 becomes invalid.

19. (16)paragraph 16Article 147 paragraph 2 in the version of the Federal Constitutional Law [BGBl. I No. 64/1997](#) enters into force on 1 August 1997. Article 147, paragraph 2, in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 64 of 1997, comes into force on 1 August 1997.

20. (17)paragraph 17Article 69, paragraphs 2 and 3, Article 73, paragraph 1, Article 73, paragraph 3 and Article 148d in the version of the Federal Constitutional Law [BGBl. I 87/1997](#) come into force on 1 September 1997, Article 129, Section B of Chapter Six, Article 131, paragraph 3 and the new section titles in Chapter Six come into force on 1 January 1998. Article 69, paragraphs 2 and 3, Article 73, paragraph one, Article 73, paragraph 3, and Article 148 d, in the version of the Federal Constitutional Law, Federal Law Gazette Part one, 87 from 1997, come into force on September 1, 1997, Article 129, Section B of the sixth main chapter, Article 131, paragraph 3 and the new section titles in the sixth main chapter come into force on January 1, 1998.

21. (18)paragraph 18Article 9a paragraph 4 in the version of the Federal Law [BGBl. I No. 30/1998](#) comes into force on 1 January 1998. Article 9a, paragraph 4, in the version of the Federal Law Gazette Part One, No. 30 of 1998, shall enter into force on 1 January 1998.

22. (19)paragraph 19Article 23f shall enter into force at the same time as the Treaty of Amsterdam. The Federal Chancellor shall publish this date in the Federal Law Gazette. Article 23f, enters into force at the same time as the Treaty of Amsterdam. The Federal Chancellor must announce this date in the Federal Law Gazette.

23. (20)paragraph 20In Article 149, paragraph 1, the following provisions shall cease to apply: In Article 149, paragraph one, the following provisions shall cease to apply:

1. 1stnumber one

the addition of the Constitutional Law of 30 November 1945, [Federal Law Gazette No. 6/1946](#), concerning the application of the Law for the Protection of Personal Freedom of 27 October 1862, Federal Law Gazette No. 87, in proceedings before the People's Court as of 30 December 1955; the addition of the Constitutional Law of 30 November 1945, Federal Law Gazette No. 6 of 1946, concerning the application of the Law for the Protection of Personal Freedom of 27 October 1862, RG Bl. No. 87, in the proceedings before the People's Court as of the expiry of 30 December 1955;

2. 2ndparagraph 2

the phrase "Law of 8 May 1919, St. G. Bl. No. 257, on the State Coat of Arms and the State Seal of the Republic of German Austria with the amendments brought about by Articles 2, 5 and 6 of the Law of 21 October 1919, St. G. Bl. No. 484;" with effect from 31 July 1981.

24. (21)paragraph 21The phrase "or through the exercise of direct command and coercive power" in Article 144, paragraph 3 shall cease to apply after 31 December 1990. The phrase "or through the exercise of direct command and coercive power" in Article 144, paragraph 3, shall cease to apply on 31 December 1990.

25. (22)paragraph 22Articles 10, paragraph 1, item 14, Articles 15, paragraphs 3 and 4, 18, paragraph 5, 21, 37, paragraph 2, 51b, paragraph 6, 52b, paragraph 1, 60, paragraph 2, 78d, paragraph 2, Article 102, paragraph 1, the new paragraph designation of Article 102, paragraph 6, and Articles 118, paragraph 8, 118a and 125, paragraph 3 in the version of the Federal Constitutional [Law, Federal Law Gazette I No. 8/1999](#), come into force on 1 January 1999. Article 102, paragraph 5 expires on 31 December 1998. Articles 10, paragraph one, number 14., Article 15, paragraphs 3 and 4, 18, paragraph 5., 21, 37, paragraph 2., 51b, paragraph 6., 52b, paragraph one., 60, paragraph 2., 78d, paragraph 2., Article 102, paragraph one., the new paragraph designation of Article 102, paragraph 6 and Articles 118, paragraph 8., 118a and 125, paragraph 3, in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 8 of 1999, come into force on 1 January 1999. Article 102, paragraph 5, expires on 31 December 1998.

26. (23)paragraph 23Articles 30 paragraph 3 first sentence, 127c, 129c paragraph 4, 147 paragraph 2 fourth and fifth sentences and Article 147 paragraph 6 first sentence in the version of the Federal Constitutional Law [BGBl. I No. 148/1999](#) enter into force on 1 August 1999. Articles 30, paragraph 3, first sentence, 127c, 129c paragraph 4, 147 paragraph 2, fourth and fifth sentences and Article 147, paragraph 6, first sentence in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 148 of 1999, come into force on 1 August 1999.

27. (24)paragraph 24Article 8 in the version of the Federal Constitutional Law [BGBl. I No. 68/2000](#) enters into force on 1 August 2000. Article 8, in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 68 of 2000, comes into force on 1 August 2000.

28. (25)paragraph 25Article 11 paragraph 8 in the version of the Federal Constitutional Law [BGBl. I No. 114/2000](#) comes into force on 1 December 2000. Article 151 paragraph 6 no. 3 expires on 24 November 2000. Article 11, paragraph 8, in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 114 of 2000, comes into force on 1 December 2000. Article 151, paragraph 6, number 3, expires on 24 November 2000.

29. (26)paragraph 26In the version of the Federal Constitutional Law [BGBl. I No. 121/2001](#), the following come into force: In the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 121 of 2001, the following come into force:

1. 1stnumber one
Article 18 paragraph 3 and Article 23e paragraph 5 as of 1 January 1997; Article 18, paragraph 3 and Article 23e, paragraph 5, as of 1 January 1997;
2. 2ndparagraph 2
Article 21 paragraph 1 and paragraph 6 as of 1 January 1999; Article 21, paragraph one and paragraph 6, as of 1 January 1999;
3. 3.paragraph 3
Article 147, paragraph 2, first sentence, effective 1 August 1999; Article 147, paragraph 2, first sentence, effective 1 August 1999;
4. 4thparagraph 4
Art. 18 para. 4, Art. 23b para. 2, Art. 39 para. 2 and Art. 91 para. 2 with effect from 1 January 2002; Article 18, paragraph 4., Article 23 b, paragraph 2., Article 39, paragraph 2 and Article 91, paragraph 2, with effect from 1 January 2002;
5. 5thparagraph 5
Article 23f paragraphs 1 to 3 at the same time as the Treaty of Nice. The Federal Chancellor must publish this date in the Federal Law Gazette I. Article 23f, paragraphs one to three at the same time as the Treaty of Nice. The Federal Chancellor must publish this date in the Federal Law Gazette, Roman numeral one.

30. (27)paragraph 27Article 14b, Article 102 paragraph 2 and Article 131 paragraph 3 in the version of the Federal Law, [BGBl. I No. 99/2002](#), come into force on January 1st, 2003. Section 2, Section 4 paragraph 1, Section 5 and Section 6 paragraphs 1 and 2 of the Transitional Law, [BGBl. No. 368/1925](#), apply accordingly. A state law that became a federal law on January 1st, 2003 in accordance with the second sentence ceases to have effect when a state law issued on the basis of Article 14b paragraph 3 comes into force, but no later than June 30th, 2003; at the same time, the corresponding provisions of the Federal Procurement Act 2002, [BGBl. I No. 99/2002](#), come into force in this respect. Article 14 b., Article 102, Paragraph 2 and Article 131, Paragraph 3, in the version of the Federal Law, Federal Law Gazette Part One, No. 99 of 2002, come into force on 1 January 2003. Paragraph 2., Paragraph 4, Paragraph one., Paragraph 5 and Paragraph 6, Paragraphs one and 2 of the Transitional Law, Federal Law Gazette No. 368 of 1925., apply accordingly. A state law that became a federal law on 1 January 2003 in accordance with the second sentence ceases to have effect when a state law issued on the basis of Article 14 b, Paragraph 3, comes into force, but no later than 30 June 2003; at the same time, the corresponding provisions of the Federal Procurement Act 2002, Federal Law Gazette Part One, No. 99 of 2002., come into force in this respect.

31. (28)paragraph 28Article 23a paragraphs 1 and 3, Article 26 paragraphs 1 and 4, Article 41 paragraph 2, Article 46 paragraph 2, Article 49b paragraph 3 and Article 60 paragraph 3 first sentence in the version of the Federal Law [BGBl. I No. 90/2003](#) enter into force on 1 January 2004. Article 23a, paragraphs one and three, Article 26, paragraphs one and four, Article 41, paragraph two, Article 46, paragraph two, Article 49b, paragraph three and Article 60, paragraph three, first sentence, in the version of the Federal Law Gazette Part one, No. 90 of 2003, shall enter into force on 1 January 2004.

32. (29)paragraph 29Article 11 paragraph 8 in the version of the federal laws [BGBl. I No. 114/2000](#) and [BGBl. I No. 100/2003](#) shall enter into force on 1 December 2000, Article 151 paragraph 7 in the version of the federal law [BGBl. I No. 100/2003](#) shall enter into force on the expiry of the day on which this federal law is published. Art. 7 para. 1, Art. 8, Art. 8a, Art. 9a, Art. 10 para. 1 no. 10, Art. 13 para. 1, Art. 14 para. 1, para. 5 lit. a and para. 8, Art. 14a, Art. 15 para. 4, Art. 18 paras. 4 and 5, Art. 23 paras. 1 and 5, Art. 23e para. 6, Art. 26, Art. 30 para. 2, Art. 34 para. 2, Art. 35 para. 1, Art. 42 para. 4, Art. 47 para. 1, Art. 48, Art. 49, Art. 49a, Art. 51, Art. 51a, Art. 51b, Art. 51c, Art. 52b, Art. 57, Art. 71, Art. 73, Art. 81a paras. 1, 4 and 5, Art. 87a, Art. 88a, Art. 89, Art. 97 paras. 1 and 4, Art. 102 para. 2, Art. 112, Art. 115, Art. 116, Art. 116a, Art. 117, Art. 118, Art. 118a, Art. 119, Art. 119a, Art. 126a, Art. 126b para. 2, Art. 127 para. 3, Art. 127a, Art. 127c, Art. 134 para. 3, Art. 135, Art. 136, Art. 137, Art. 139, Art. 139a, Art. 140, Art. Articles 140a, 144, 146 paragraph 1, 147 paragraph 3, 148, 148a, 148b, 148e to 148j and 149 as well as the headings and other

provisions as amended by the Federal Law [Gazette I No. 100/2003](#) shall enter into force on 1 January 2004. Article 11, paragraph 8, as amended by the Federal Laws Federal Law Gazette Part One, No. 114 of 2000, and Federal Law Gazette Part One, No. 100 of 2003, shall enter into force on 1 December 2000, and Article 151, paragraph 7, as amended by the Federal Law Federal Law Gazette Part One, No. 100 of 2003, shall enter into force on the expiry of the day on which this Federal Law is published. Article 7, paragraph one,, Article 8,, Article 8 a,, Article 9 a,, Article 10, paragraph one, number 10,, Article 13, paragraph one,, Article 14, paragraph one,, paragraph 5, letter a and paragraph 8,, Article 14 a,, Article 15, paragraph 4,, Article 18, paragraphs 4 and 5, Article 23, paragraphs one and 5, Article 23 e, paragraph 6,, Article 26,, Article 30, paragraph 2,, Article 34, paragraph 2,, Article 35, paragraph one,, Article 42, paragraph 4,, Article 47, paragraph one,, Article 48,, Article 49,, Article 49 a,, Article 51,, Article 51 a,, Article 51 b,, Article 51 c,, Article 52 b,, Article 57,, Article 71,, Article 73,, Article 81 a, paragraph one,, 4 and 5, Article 87 a,, Article 88 a,, Article 89,, Article 97, paragraph one and 4, Article 102, paragraph 2,, Article 112,, Article 115,, Article 116,, Article 116 a,, Article 117,, Article 118,, Article 118 a,, Article 119,, Article 119 a,, Article 126 a,, Article 126 b, paragraph 2,, Article 127, paragraph 3,, Article 127 a,, Article 127 c,, Article 134, paragraph 3,, Article 135,, Article 136,, Article 137,, Article 139,, Article 139 a,, Article 140,, Article 140 a,, Article 144,, Article 146, paragraph one,, Article 147, paragraph 3,, Article 148,, Article 148 a,, Article 148 b,, Article 148 e to Article 148 j and Article 149, as well as the headings and other provisions in the version of the Federal Law Federal Law Gazette Part one, No. 100 of 2003, shall enter into force on 1 January 2004.

33. (30)paragraph 30Article 11, paragraph 1, items 7 and 8 and paragraph 9 in the version of the Federal Law [BGBl. I No. 118/2004](#) shall enter into force on 1 January 2005, but not before the end of the day on which the aforementioned Federal Law is published in the Federal Law Gazette. Unless federal legislation provides otherwise, existing state law provisions in the matters of Article 11, paragraph 1, item 8 shall cease to apply from this date. Article 11, paragraph one, numbers 7 and 8 and paragraph 9, in the version of the Federal Law, Federal Law Gazette Part One, No. 118 of 2004, comes into force on January 1, 2005, but not before the end of the day on which the aforementioned Federal Law is published in the Federal Law Gazette. Unless federal legislation provides otherwise, existing state law provisions in the matters of Article 11, paragraph one, number 8 cease to apply from this date.

34. (31)paragraph 31Article 10, paragraph 1, item 9 and Article 151, paragraph 7 in the version of the Federal Law [BGBl. I No. 153/2004](#) shall enter into force on 1 January 2005. Article 10, paragraph one, number 9 and Article 151, paragraph 7, as amended by the Federal Law Gazette Part one, No. 153 of 2004, shall enter into force on 1 January 2005.

35. (32)paragraph 32Article 14 paragraphs 5a, 6, 6a, 7a and 10 and Article 14a paragraphs 7 and 8 shall enter into force at the end of the day on which the Federal Constitutional Law [BGBl. I No. 31/2005](#) is published in the Federal Law Gazette. Article 14, paragraphs 5 a, 6, 6a, 7a and 10 and Article 14 a, paragraphs 7 and 8 shall enter into force at the end of the day on which the Federal Constitutional Law, Federal Law Gazette Part One, No. 31 of 2005, is published in the Federal Law Gazette.

36. (33)paragraph 33In the version of the Federal Constitutional Law [BGBl. I No. 81/2005](#), the following come into force: In the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 81 of 2005, the following come into force:

1. 1stnumber one

Article 151 paragraph 31, expiry of 30 December 2004; Article 151, paragraph 31, expiry of 30 December 2004;

2. 2ndparagraph 2

Article 8, paragraph 3, at the end of the month in which this Federal Constitutional Law is published. Article 8, paragraph 3, at the end of the month in which this Federal Constitutional Law is published.

37. (33a)paragraph 33 aArticles 129a, 129b and 129c paragraphs 1, 3, 5 and 7 as amended by Federal Law [Gazette I No. 100/2005](#) shall enter into force on 1 January 2006. Article 129 a, Article 129 b and Article 129 c, paragraphs one, 3, 5 and 7 in the version of the Federal Law Federal Law Gazette Part one, No. 100 of 2005, come into force on 1 January 2006.

38. (34)paragraph 34Article 9a paragraphs 3 and 4, Article 10 paragraph 1 item 15 and Article 102 paragraph 2 in the version of the Federal Law [BGBl. I No. 106/2005](#) shall enter into force on 1 January 2006. Article 9a, paragraphs 3 and 4, Article 10, paragraph one, number 15 and Article 102, paragraph 2, in the version of the Federal Law Gazette Part One, No. 106 of 2005, shall enter into force on 1 January 2006.

39. (35)paragraph 35Article 88a in the version of the Federal Law [BGBl. I No. 121/2005](#) enters into force on 1 November 2005. Article 88a, in the version of the Federal Law Gazette Part One, No. 121 of 2005, shall enter into force on 1 November 2005.

40. (36)paragraph 36The following applies to the entry into force of the provisions amended or inserted by the Federal Constitutional Law [BGBl. I No. 27/2007](#) and the repeal of the provisions repealed by this Federal Constitutional Law as well as to the transition to the new legal situation: The following applies to

the entry into force of the provisions amended or inserted by the Federal Constitutional Law, Federal Law Gazette Part One, No. 27 of 2007, and the repeal of the provisions repealed by this Federal Constitutional Law, as well as to the transition to the new legal situation:

1. 1st number one
 Article 23a paragraphs 1, 3 and 4, Article 26 paragraphs 1, 4, 6 and 8, Article 30 paragraph 3, Article 41 paragraph 3, Article 46, Article 49b paragraph 1 first sentence and paragraph 3 second sentence, Article 60 paragraph 1 and paragraph 3 first sentence, Article 95 paragraphs 1, 2, 4 and 5, Article 117 paragraphs 2 and 6 and Article 151 paragraph 33a come into force on 1 July 2007; at the same time Article 23a paragraphs 5 and 6 cease to apply. The state regulations must be adapted to the new legal situation by 31 December 2007. Article 23a, paragraph one, 3 and 4, Article 26, paragraph one, 4, 6 and 8, Article 30, paragraph 3, Article 41, paragraph 3, Article 46, Article 49b, paragraph one, first sentence and paragraph 3, second sentence, Article 60, paragraph one and paragraph 3, first sentence, Article 95, paragraph one, 2, 4 and 5, Article 117, paragraphs 2 and 6 and Article 151, paragraph 33a, enter into force on 1 July 2007; at the same time, Article 23a, paragraphs 5 and 6 cease to apply. The state regulations must be adapted to the new legal situation by 31 December 2007.
2. 2nd paragraph 2
 Article 26a shall enter into force on 1 July 2007. The reorganisation of the Federal Electoral Authority in accordance with this provision must take place by the end of 31 August 2007; the detailed provisions for this shall be laid down in the Electoral Regulations for the National Council. Article 26a shall enter into force on 1 July 2007. The reorganisation of the Federal Electoral Authority pursuant to this provision must take place by the end of 31 August 2007; the detailed provisions for this shall be laid down in the electoral regulations for the National Council.
3. 3. paragraph 3
 Article 27, paragraph 1 shall enter into force at the beginning of the XXIV legislative term. Article 27, paragraph one, shall enter into force at the beginning of the 24th Roman legislative period.
41. (37) paragraph 37
 The following shall apply to the entry into force of the provisions inserted or amended by Article 1 of the Federal Constitutional Law, Federal Law Gazette I No. 1/2008: The following shall apply to the entry into force of the provisions inserted or amended by Article One of the Federal Constitutional Law, Federal Law Gazette Part One, No. 1 of 2008:
 1. 1st number one
 Article 13, paragraphs 2 and 3, Article 51 in the version of item 4, Article 51a, Article 51b in the version of items 7 to 9a, Article 123a, paragraph 1 and Article 148d shall enter into force on 1 January 2009; the Federal Financial Framework Act for the financial years 2009 to 2012 and the Federal Finance Act for the financial year 2009 are to be drawn up and adopted on the basis of these provisions, with the draft Federal Financial Framework Act for the financial years 2009 to 2012 being submitted to the National Council at the latest at the same time as the draft Federal Finance Act for the financial year 2009. Article 13, paragraphs 2 and 3, Article 51, as amended by number 4, Article 51 a, Article 51 b, as amended by numbers 7 to 9a, Article 123 a, paragraph one and Article 148 d shall enter into force on 1 January 2009; the Federal Financial Framework Act for the financial years 2009 to 2012 and the Federal Finance Act for the financial year 2009 are to be drawn up and adopted on the basis of these provisions, with the draft Federal Financial Framework Act for the financial years 2009 to 2012 being submitted to the National Council at the latest at the same time as the draft Federal Finance Act for the financial year 2009.
 2. 2nd paragraph 2
 Article 51 in the version of paragraph 5, Article 51b in the version of paragraph 10, Article 51c and Article 51d come into force on 1 January 2013. Article 51 in the version of paragraph 4 and Article 51b in the version of paragraphs 7 to 9a expire on 31 December 2012. This legal situation already applies to the preparation of the Federal Financial Framework Act for the financial years 2013 to 2016 and the Federal Finance Act for the financial year 2013 and their adoption by the National Council. Article 51, in the version of paragraph 5, Article 51 b, in the version of paragraph 10, Article 51 c and Article 51 d, come into force on 1 January 2013. Article 51, in the version of paragraph 4 and Article 51 b, in the version of paragraphs 7 to 9a, expire on 31 December 2012. This legal situation already applies to the preparation of the Federal Financial Framework Act for the financial years 2013 to 2016 and the Federal Finance Act for the financial year 2013 and their adoption by the National Council.
42. Article 51a in the version of the Federal Law Gazette I No. 100/2003 shall continue to apply until 31 December 2012. Article 51a, as amended by the Federal Law Gazette Part One, No. 100 of 2003, shall continue to apply until 31 December 2012.
 43. (38) paragraph 38
 Art. 2 para. 3, Art. 3 paras. 2 to 4, Art. 9 para. 2, Art. 10 para. 3 second and third sentence, Art. 20 paras. 1 and 2, Art. 23f para. 1 last sentence and para. 3, Art. 50, Art. 52 para. 1a, the sixth subsection of Section A of the third main chapter, Art. 67a, Art. 88 para. 1, Art. 90a, Art. 112, the headings before Art. 115, Section B of the (new) fifth main chapter, the headings before Art. 121 and Art. 129,

Art. 134 para. 6, the heading before Art. 148a, Art. 148a paras. 3 to 5, Art. 148c last sentence and the heading before Art. 149 in the version of Federal Constitutional [Law BGBl. I No. 2/2008](#) will enter into force on 1 January 2008. The federal and state laws required to adapt to Article 20 paragraph 2 last sentence and Article 120b paragraph 2 must be enacted by 31 December 2009 at the latest. Article 2, paragraph 3, Article 3, paragraphs 2 to 4, Article 9, paragraph 2, Article 10, paragraph 3, second and third sentences, Article 20, paragraphs one and 2, Article 23 f, paragraph one, last sentence and paragraph 3, Article 50, Article 52, paragraph one a, the sixth subsection of Section A of the third chapter, Article 67 a, Article 88, paragraph one, Article 90 a, Article 112, the headings before Article 115, Section B of the (new) fifth chapter, the headings before Article 121 and Article 129, Article 134, paragraph 6, the heading before Article 148 a, Article 148 a, paragraphs 3 to 5, Article 148 c, last sentence and the heading before Article 149, in the version of the Federal Constitutional Law Federal Law Gazette Part One, No. 2 of 2008, enters into force on 1 January 2008. The federal and state laws required to adapt to Article 20, Paragraph 2, last sentence and Article 120 b, Paragraph 2, must be enacted by 31 December 2009 at the latest.

44. (39)paragraph 39Article 10, paragraph 1, items 1, 3, 6 and 14, Article 78d, paragraph 2, Article 102, paragraph 2, Article 129, section B of the (new) seventh chapter, Article 132a, Article 135, paragraphs 2 and 3, Article 138, paragraph 1, Article 140, paragraph 1 first sentence and Article 144a in the version of the Federal Constitutional [Law, Federal Law Gazette I No. 2/2008](#), come into force on 1 July 2008. The following applies to the transition to the new legal situation: Article 10, paragraph one, number one, 3, 6 and 14, Article 78 d, paragraph 2, Article 102, paragraph 2, Article 129, Section B of the (new) seventh chapter, Article 132 a, Article 135, paragraphs 2 and 3, Article 138, paragraph one, Article 140, paragraph one, first sentence and Article 144 a, in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 2 from 2008, come into force on 1 July 2008. The following applies to the transition to the new legal situation:

1. 1stnumber one
As of 1 July 2008, the previously independent Federal Asylum Senate will become the Asylum Court.
2. 2ndparagraph 2
Until the President, Vice President and other members of the Asylum Court are appointed, the current Chairman, the current Deputy Chairman and the current other members of the independent Federal Asylum Senate will carry out their functions. The measures required for the appointment of the President, Vice President and other members of the Asylum Court and the admission of non-judicial staff can be carried out as of the day on which the Federal Constitutional Law [Federal Law Gazette I No. 2/2008](#), is published. Until the President, Vice President and other members of the Asylum Court are appointed, the current Chairman, the current Deputy Chairman and the current other members of the independent Federal Asylum Senate will continue to perform their functions. The measures required for the appointment of the President, Vice President and other members of the Asylum Court and the admission of non-judicial staff can be carried out as of the day on which the Federal Constitutional Law is published in the Federal Law Gazette Part One, No. 2 of 2008.
3. 3.paragraph 3
Members of the independent Federal Asylum Senate who apply for appointment as a member of the Asylum Court and who demonstrate personal and professional suitability for the appointment have the right to be appointed; the requirements of Article 129d paragraph 3 are deemed to be fulfilled for such applicants. The Federal Government decides on the appointment of such applicants. Members of the independent Federal Asylum Senate who apply for appointment as a member of the Asylum Court and who demonstrate personal and professional suitability for the appointment have the right to be appointed; the requirements of Article 129 d, paragraph 3, are deemed to be fulfilled for such applicants. The Federal Government decides on the appointment of such applicants.
4. 4thparagraph 4
Proceedings pending before the independent Federal Asylum Senate on 1 July 2008 shall be continued by the Asylum Court. Proceedings pending before the Administrative Court or the Constitutional Court concerning complaints against decisions of the independent Federal Asylum Senate shall be continued by these courts, provided that the Asylum Court is deemed to be the authority concerned.
5. 5thparagraph 5
As of November 28, 2007, a complaint based on a breach of the obligation to decide is no longer admissible in proceedings pending before the independent Federal Asylum Senate. Proceedings already pending before the Administrative Court due to a breach of the obligation to decide by the independent Federal Asylum Senate are deemed to have been discontinued as of June 30, 2008; the proceedings to which the complaint based on a breach of the obligation to decide relates must be continued by the Asylum Court.

45. (40)paragraph 40Article 27, paragraph 2, Article 92, paragraph 2, Article 122, paragraph 5, Article 134, paragraphs 4 and 5, and Article 147, paragraph 4, first sentence, and paragraph 5, in the version of the Federal Constitutional Law [Federal Law Gazette I No. 2/2008](#), shall enter into force at the beginning of

the XXIV legislative period. These provisions shall continue to apply in the version applicable up to that point in time to persons who already hold a position within the meaning of Article 92, paragraph 2, Article 122, paragraph 5, Article 134, paragraphs 4 and 5, and Article 147, paragraph 4, first sentence, and paragraph 5, at the beginning of the XXIV legislative period. Article 27, paragraph 2., Article 92, paragraph 2., Article 122, paragraph 5., Article 134, paragraphs 4 and 5, and Article 147, paragraph 4, first sentence and paragraph 5, in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 2 of 2008, come into force at the beginning of the 24th Roman legislative period. For persons who already hold a position within the meaning of Article 92, paragraph 2., Article 122, paragraph 5., Article 134, paragraphs 4 and 5, and Article 147, paragraph 4, first sentence and paragraph 5, at the beginning of the 24th Roman legislative period, these provisions in the version valid up to that point in time shall continue to apply.

46. (41)paragraph 41Article 28 paragraph 4, in the version of the Federal Constitutional Law [BGBl. I No. 31/2009](#) , enters into force on 1 April 2009. Article 28, paragraph 4, in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 31 of 2009, comes into force on 1 April 2009.

47. (42)paragraph 42Article 20 paragraph 2 in the version of the Federal [Law Gazette I No. 50/2010](#) shall enter into force on 1 October 2010. Article 20, paragraph 2, as amended by the Federal Law Gazette Part One, No. 50 of 2010, shall enter into force on 1 October 2010.

48. (43)paragraph 43Article 23c, Article 23d, paragraph 2, paragraph 3 first and second sentence and paragraph 5 first sentence, Article 23e to Article 23k and Article 73, paragraph 2 in the version of the Federal Constitutional [Law, Federal Law Gazette I No. 57/2010](#) , enter into force on 1 August 2010. Article 23 c., Article 23 d, paragraph 2., paragraph 3, first and second sentence and paragraph 5, first sentence, Article 23 e to Article 23 k and Article 73, paragraph 2, in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 57 of 2010, come into force on 1 August 2010.

49. (44)paragraph 44Article 127a paragraphs 1, 3, 4 and 7 to 9, Article 127c and Article 146 paragraph 1 in the version of the Federal Law [BGBl. I No. 98/2010](#) shall enter into force on 1 January 2011. Article 127 a, paragraph one, 3, 4 and 7 to 9, Article 127 c and Article 146, paragraph one, in the version of the Federal Law Federal Law Gazette Part one, No. 98 of 2010, come into force on 1 January 2011.

50. (45)paragraph 45Article 6, paragraph 4, Article 26, paragraph 5 and Article 60, paragraph 3 in the version of the Federal Law [BGBl. I No. 43/2011](#) enter into force on 1 October 2011. The repeal of the previous Article 60, paragraph 3, second sentence, does not affect the law concerning the expulsion from the country and the assumption of the assets of the House of Habsburg-Lorraine, [StGBI. No. 209/1919](#) . Article 6, paragraph 4, Article 26, paragraph 5 and Article 60, paragraph 3, in the version of the Federal Law, Federal Law Gazette Part One, No. 43 of 2011, come into force on October 1, 2011. The repeal of the previous Article 60, paragraph 3, second sentence, does not affect the law concerning the expulsion from the country and the assumption of the assets of the House of Habsburg-Lorraine, [StGBI. No. 209/1919](#) .

51. (46)paragraph 46Article 10, paragraph 1, item 11 and Article 102, paragraph 2 in the version of the Federal Law [BGBl. I No. 58/2011](#) come into force on 1 January 2012. The following applies to the transition to the new legal situation: Article 10, paragraph one, number 11 and Article 102, paragraph 2, in the version of the Federal Law, Federal Law Gazette Part One, No. 58 of 2011, come into force on 1 January 2012. The following applies to the transition to the new legal situation:

1. 1stnumber one
The state laws governing matters relating to nursing care allowances shall become federal laws within the meaning of this Act.
2. 2ndparagraph 2
The regulations issued on the basis of the laws referred to in paragraph 1 shall become federal regulations and shall be deemed to have been amended accordingly insofar as they contradict the organisational provisions of this Act. The regulations issued on the basis of the laws referred to in paragraph 1 shall become federal regulations and shall be deemed to have been amended accordingly insofar as they contradict the organisational provisions of this law.
3. 3.paragraph 3
The extent to which the laws and regulations referred to in items 1 and 2 continue to apply to proceedings pending on 1 January 2012 is determined by federal law; the implementation of such proceedings is the responsibility of the states. The provisions of this law applicable to the matters of Article 11 are to be applied accordingly. The extent to which the laws and regulations referred to in paragraphs one and two continue to apply to proceedings pending on January 1, 2012, shall be determined by federal law; the implementation of such proceedings is the responsibility of the states. The provisions of this law applicable to the matters of Article 11 shall apply accordingly.
4. 4thparagraph 4
Further provisions regarding the transition to the new legal situation may be laid down by federal law.
5. 5thparagraph 5

The responsible Federal Minister shall report to the National Council and the Federal Council on the implementation of matters relating to nursing care allowances by 31 December 2014 at the latest.

52. (47)paragraph 47Article 15 paragraph 10, second sentence, Article 116a paragraph 1, first sentence, Article 116a paragraph 1 items 1 and 2, Article 116a paragraph 2, paragraph 3 and paragraph 6 and Article 116b in the version of the Federal Constitutional Law [BGBl. I No. 60/2011](#) shall enter into force on 1 October 2011. Article 15, paragraph 10, second sentence, Article 116a, paragraph one, first sentence, Article 116a, paragraph one, number one and number 2., Article 116a, paragraph 2., paragraph 3 and paragraph 6 and Article 116b, in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 60 of 2011, come into force on October 1, 2011.

53. (48)paragraph 48Article 22, Article 148a, Article 148b, paragraph 1, first sentence and paragraph 3, Article 148c, last sentence, Article 148d, Article 148g, paragraphs 2 to 5, Article 148h, paragraphs 3 and 4, and Article 148i, paragraph 3 in the version of the Federal [Law, Federal Law Gazette I No. 1/2012](#), come into force on 1 July 2012. The organisational and personnel measures required for the commissions and the Human Rights Advisory Council to begin their work can be taken by the Ombudsman as of the end of the day on which the Federal Law [, Federal Law Gazette I No. 1/2012](#), is published. If on 1 July 2012 a state constitutional law is in force in a state by which the Ombudsman has been declared responsible for the area of state administration in accordance with Article 148i Paragraph 1, then the state is deemed to have made use of this authorisation also with regard to the tasks under Article 148a Paragraph 3 in the version of the Federal Law [BGBl. I No. 1/2012](#). State constitutional laws in accordance with Article 148i Paragraph 3 must be enacted by 31 December 2012 at the latest. Article 22., Article 148 a., Article 148 b, paragraph one, first sentence and paragraph 3., Article 148 c, last sentence, Article 148 d., Article 148 g, paragraphs 2 to 5, Article 148 h, paragraphs 3 and 4 and Article 148 i, paragraph 3, in the version of the Federal Law, Federal Law Gazette Part One, No. 1 of 2012, come into force on 1 July 2012. The organisational and personnel measures required for the commissions and the Human Rights Advisory Council to begin their work can be taken by the Ombudsman as of the end of the day on which the Federal Law, Federal Law Gazette Part One, No. 1 of 2012, is published. If on 1 July 2012 a state constitutional law is in force in a state by which the Ombudsman has been declared responsible for the area of state administration in accordance with Article 148 i, paragraph one, then the state is deemed to have made use of this authorisation also with regard to the tasks under Article 148 a, paragraph 3, in the version of the Federal Law Gazette Part One, No. 1 of 2012. State constitutional laws in accordance with Article 148 i, paragraph 3, must be enacted by 31 December 2012 at the latest.

54. (49)paragraph 49Article 10, paragraph 1, items 1a and 17, Article 26, paragraph 3, first sentence, Article 26a, first sentence and Article 141, paragraph 3, first sentence in the version of the Federal Law [BGBl. I No. 12/2012](#) shall enter into force on 1 April 2012; at the same time, Article 10, paragraph 1, item 18 shall cease to apply. Article 10, paragraph one, number one a and number 17, Article 26, paragraph 3, first sentence, Article 26 a, first sentence and Article 141, paragraph 3, first sentence in the version of the Federal Law Gazette Part One, No. 12 of 2012, shall enter into force on 1 April 2012; at the same time, Article 10, paragraph one, number 18 shall cease to have effect.

55. (50)paragraph 50Article 15, paragraphs 3 and 4, Article 78a, paragraph 1, Article 78b, Article 78c, Article 78d, paragraph 2 and Article 102, paragraph 1 in the version of the Federal Constitutional [Law, Federal Law Gazette I No. 49/2012](#), shall enter into force on 1 September 2012; at the same time, the Federal Government Ordinance on the Establishment of Federal Police Directorates and the Determination of Their Local Areas of Operation (Federal Police Directorates Ordinance), Federal [Law Gazette II No. 56/1999](#), shall cease to have effect. Article 15, paragraphs 3 and 4, Article 78 a, paragraph one, Article 78 b, Article 78 c, Article 78 d, paragraph 2 and Article 102, paragraph one, in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 49 of 2012, come into force on 1 September 2012; at the same time, the Federal Government Ordinance on the Establishment of Federal Police Directorates and the Determination of their Local Area of Operation (Federal Police Directorates Ordinance), Federal Law Gazette Part 2, No. 56 of 1999, ceases to have effect.

56. (51)paragraph 51The following shall apply to the entry into force of the provisions amended or inserted by the Federal Law [Gazette I No. 51/2012](#) and to the repeal of the provisions repealed by this Federal Law, as well as to the transition to the new legal situation: The following shall apply to the entry into force of the provisions amended or inserted by the Federal Law Gazette Part One, No. 51 of 2012, and to the expiry of the provisions repealed by this Federal Law, as well as to the transition to the new legal situation:

1.

1st number one

The organizational and personnel measures required for the administrative courts to begin their work can be taken as of the end of the day on which the Federal [Law, Federal Law Gazette I No. 51/2012](#), is published. For appointments of members of the administrative courts made before 1 January 2014, Article 134, paragraphs 2, 3, 5 and 6 in the version of the Federal [Law, Federal Law Gazette I No. 51/2012](#), applies, with the proviso that proposals of three candidates from the plenary assembly of the administrative court or a committee elected from among its members are not required. The organizational and personnel measures required for the administrative courts to begin operating can be

taken as of the day on which the Federal Law is published in the Federal Law Gazette Part One, No. 51 of 2012. For appointments of members of the administrative courts made before 1 January 2014, Article 134, paragraphs 2, 3, 5 and 6 in the version of the Federal Law Gazette Part One, No. 51 of 2012 applies, with the proviso that proposals of three candidates from the plenary assembly of the administrative court or a committee elected from among its members are not required.

2. 2nd paragraph 2
The following persons have the right to be appointed as a member of the respective Federal Administrative Court:
 1. a) Litera a
who, on 1 July 2012, is Chairman, Deputy Chairman or Senate Chairman of the Federal Procurement Office and applies for appointment as a member of the Federal Administrative Court and has the personal and professional qualifications to perform the duties associated with the intended position;
 2. b) Letter b
who is a member of the Independent Finance Senate on 1 July 2012 and applies for appointment as a member of the Federal Administrative Court for Finance and has the personal and professional qualifications to perform the tasks associated with the intended position.
3. 3. paragraph 3
The President and Vice-President of the Federal Administrative Courts shall be appointed by the Federal Government within six weeks of the expiry of the day on which the Federal [Act, Federal Law Gazette I No. 51/2012](#), is published. The President and Vice-President of the Federal Administrative Courts shall be appointed by the Federal Government within six weeks of the expiry of the day on which the Federal Law is published in the Federal Law Gazette Part One, No. 51 of 2012.
4. 4th paragraph 4
The application for appointment as another member of the respective federal administrative court can be submitted until December 31, 2012. The requirements of Article 134, paragraph 3, last sentence are deemed to be fulfilled for such applicants. The Federal Government will decide on the appointment of such applicants by February 28, 2013. Persons whose application is rejected have the right to lodge an appeal against the rejection decision with the Administrative Court in accordance with Article 130, paragraph 1, letter a, and with the Constitutional Court in accordance with Article 144. The application for appointment as another member of the respective federal administrative court can be submitted until December 31, 2012. The requirements of Article 134, paragraph 3, last sentence are deemed to be fulfilled for such applicants. The Federal Government will decide on the appointment of such applicants by February 28, 2013. Persons whose application is rejected have the right to lodge an appeal against the rejection decision with the Administrative Court in accordance with Article 130, paragraph one, letter a, and with the Constitutional Court in accordance with Article 144.
5. 5th paragraph 5
The right to be appointed as a member of the administrative courts of the states and the appointment procedure shall be regulated by state law according to similar principles.
6. 6th paragraph 6
Art. 10 para. 1 item 3, Art. 10 para. 1 item 8, Art. 11 para. 2, Art. 14a para. 5 first sentence, Art. 14b para. 5 second sentence, Art. 15 para. 6 penultimate sentence, Art. 18 para. 5, Art. 22, Art. 23f para. 2, Art. 42a, Art. 43, Art. 49 para. 2, Art. 50 paras. 2 and 3, Art. 97 paras. 2 and 4, Art. 101a, Art. 102 para. 2, Art. 117 para. 8, Art. 118 para. 3 item 9, Art. 127c item 3, Art. 140a, Art. 147 para. 3, Art. 148a para. 3 item 3 and Art. Article 148b, paragraph 1, first sentence, in the version of the Federal Law [BGBl. I No. 51/2012](#), as well as Article 131, paragraph 3, in the version of Article 1, item 61, and Article 134, paragraph 3, in the version of Article 1, item 62 of this Federal Law shall enter into force at the end of the month in which they are published; at the same time, Article 15, paragraph 5, Article 98 and Article 127c, item 4 shall cease to apply. Art. 10 para. 1 item 1, Art. 11 para. 9 (new para. 7), Art. 12 para. 4 (new para. 2), Art. 20 para. 2, Art. 21 para. 1 last sentence, Art. 81b para. 3 first sentence, the heading to section B of the third main chapter, Art. 82 para. 1, Art. 83 para. 1, Art. 86 para. 1, Art. 87 para. 3, Art. 88 paras. 2 and 3, Art. 88a, Art. 89 paras. 1 to 3 and 5, Art. 90 para. 1, Art. 90a, Art. 94, Art. 109, Art. 112, Art. 115 para. 2, Art. 118 para. 4, Art. 119a para. 9, the Articles 129 to 136 including section headings (new Section A of Chapter Seven), the heading to Section D (new Section B) of Chapter Seven, Article 138 Paragraph 1 Item 2, Article 139 Paragraphs 1, 3 and 4 first sentence, Article 139a, Article 140 Paragraphs 1, 3 last sentence and 4 first sentence, Article 141 Paragraph 1, Article 144, Article 147 Paragraph 8, Article 148i Paragraphs 1 and 2 and the **appendix** in the version of the Federal Law [BGBl. I No. 51/2012](#) enter into force on 1 January 2014; At the same time, Article 11 paragraphs 7 and 8, Article 12 paragraphs 2 and 3, Article 14b paragraph 6, Article 15 paragraph 7, Article 81a paragraph 4 last sentence, Article 81c paragraph 3, Article 103 paragraph 4, Article 111, Article 119a paragraph 5, Article 141 paragraph 3, Article 144a and Article 148e shall cease to apply. Article 10, paragraph one, number 3., Article 10, paragraph one, number 8., Article 11, paragraph 2., Article 14 a,

paragraph 5, first sentence,, Article 14 b, paragraph 5, second sentence,, Article 15, paragraph 6, penultimate sentence,, Article 18, paragraph 5,, Article 22,, Article 23 f, paragraph 2,, Article 42 a,, Article 43,, Article 49, paragraph 2,, Article 50, paragraphs 2 and 3, Article 97, paragraphs 2 and 4, Article 101 a,, Article 102, paragraph 2,, Article 117, paragraph 8,, Article 118, paragraph 3, number 9,, Article 127 c, number 3,, Article 140 a,, Article 147, paragraph 3,, Article 148 a, paragraph 3, number 3 and Article 148 b, paragraph one, first sentence in the version of the Federal Law Federal Law Gazette Part One, No. 51 of 2012, as well as Article 131, paragraph 3, in the version of Article one, item 61, and Article 134, paragraph 3, in the version of Article one, item 62, of this Federal Law shall enter into force at the end of the month of publication; at the same time, Article 15, paragraph 5, Article 98 and Article 127 c, item 4 shall cease to have effect. Article 10, paragraph one, number one,, Article 11, paragraph 9, (paragraph 7, new), Article 12, paragraph 4, (paragraph 2, new), Article 20, paragraph 2,, Article 21, paragraph one, last sentence, Article 81 b, paragraph 3, first sentence, the heading to Section B of the third chapter, Article 82, paragraph one,, Article 83, paragraph one,, Article 86, paragraph one,, Article 87, paragraph 3,, Article 88, paragraphs 2 and 3, Article 88 a,, Article 89, paragraphs one to 3 and 5, Article 90, paragraph one,, Article 90 a,, Article 94,, Article 109,, Article 112,, Article 115, paragraph 2,, Article 118, paragraph 4,, Article 119 a, paragraph 9,, the articles 129 to 136 including section headings (new Section A of the seventh main chapter), the heading to Section D (new Section B) of the seventh main chapter, Article 138, paragraph one, number 2,, Article 139, paragraph one,, 3 and 4 first sentence, Article 139 a,, Article 140, paragraph one,, 3 last sentence and 4 first sentence, Article 141, paragraph one,, Article 144,, Article 147, paragraph 8,, Article 148 i, paragraphs one and 2 and the appendix in the version of the Federal Law Federal Law Gazette Part one, No. 51 of 2012, come into force on 1 January 2014; At the same time, Article 11, paragraphs 7 and 8, Article 12, paragraphs 2 and 3, Article 14 b, paragraph 6, Article 15, paragraph 7, Article 81 a, paragraph 4, last sentence, Article 81 c, paragraph 3, Article 103, paragraph 4, Article 111, Article 119 a, paragraph 5, Article 141, paragraph 3, Article 144 a and Article 148 e shall cease to have effect.

7. 7thparagraph 7
As of 1 January 2014, the Asylum Court will become the Federal Administrative Court; the members of the Asylum Court will become members of the Federal Administrative Court.
8. 8thparagraph 8
As of 1 January 2014, the independent administrative senates in the states, the Federal Procurement Office and the independent Finance Senate (hereinafter: independent administrative authorities) will be dissolved; furthermore, the administrative authorities listed in the **appendix** (hereinafter: other independent administrative authorities) will be dissolved. The responsibility for continuing the proceedings pending before these authorities as of 31 December 2013 and the proceedings pending before the supervisory authorities on representations (Article 119a paragraph 5) will be transferred to the administrative courts; this also applies to the proceedings pending before other authorities in which these authorities are the relevant superior authority or the superior authority in the appeal process, with the exception of municipal bodies. As of 1 January 2014, the independent administrative senates in the states, the Federal Procurement Office and the independent Finance Senate (hereinafter: independent administrative authorities) will be dissolved; furthermore, the administrative authorities listed in the annex (hereinafter: other independent administrative authorities) will be dissolved. The responsibility for continuing the proceedings pending before these authorities as of 31 December 2013 and the proceedings pending before the supervisory authorities on representations (Article 119a, paragraph 5) will be transferred to the administrative courts; this also applies to the proceedings pending before other authorities in which these authorities are the relevant superior authority or the superior authority in the appeal process, with the exception of municipal bodies.
9. 9thparagraph 9
In the proceedings pending before the Administrative Court and the Constitutional Court after 31 December 2013, the administrative courts take the place of the independent administrative authorities, other independent administrative authorities and, in the case of appeal proceedings, all other administrative authorities with the exception of those administrative authorities that have made a decision in the first and last instance or were obliged to make a decision, and with the exception of municipal bodies. After the conclusion of the proceedings before the Administrative Court concerning the decision or default of an independent administrative authority or before the Constitutional Court concerning the decision of such an authority, the proceedings must be continued by the administrative court if necessary.
10. 10thparagraph 10
In the appeal proceedings pending before the Administrative Court as of 31 December 2013, Article 131 paragraph 3 in the version of Article 1 item 61 of the Federal Law [Gazette I no. 51/2012](#) shall continue to apply. In the appeal proceedings pending before the Administrative Court as of 31 December 2013,

Article 131, paragraph 3, as amended by Article one, number 61, of the Federal Law, Federal Law Gazette Part one, No. 51 of 2012, shall continue to apply.

11. 11th paragraph 11

The detailed provisions regarding the transfer of jurisdiction shall be laid down by federal law.

 57. (52) paragraph 52 Articles 50a to 50d in the version of the Federal Law [Gazette I No. 65/2012](#) shall enter into force at the same time as the Treaty establishing the European Stability Mechanism. Articles 50a to 50d in the version of the Federal Law Gazette Part One, No. 65 of 2012, shall enter into force at the same time as the Treaty establishing the European Stability Mechanism.
 58. (53) paragraph 53 Article 10, paragraph 1, items 11 and 15 and Article 102, paragraph 2 in the version of the Federal Law [BGBl. I No. 59/2013](#) shall enter into force at the end of the month in which this Federal Law is published. Article 10, paragraph one, numbers 11 and 15 and Article 102, paragraph 2, as amended by the Federal Law, Federal Law Gazette Part One, No. 59 of 2013, shall enter into force at the end of the month in which this Federal Law is published.
 59. (54) paragraph 54 In the version of the Federal Constitutional Law [BGBl. I No. 114/2013](#), the following come into force or become invalid: In the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 114 of 2013, the following come into force or become invalid:
 1. 1st number one

Paragraph 51, items 4 and 6, effective June 6, 2012; Paragraph 51, numbers 4 and 6, effective 6 June 2012;
 2. 2nd paragraph 2

Article 49, paragraph 2, item 1, effective 1 July 2012; Article 49, paragraph 2, point one, as of 1 July 2012;
 3. 3. paragraph 3

Art. 7 para. 4, Art. 12 para. 1 item 1, Art. 14a para. 1, Art. 16 para. 5, Art. 52 para. 4, Art. 59b para. 1 item 2, Art. 81a para. 1, Art. 127 para. 8, Art. 147 para. 6, Art. 148f as well as the footnote symbol ‘*’) in para. 11 item 2 and the footnote to this provision at the end of the month in which this Federal Constitutional Law is promulgated; Article 7, paragraph 4,, Article 12, paragraph one, number one,, Article 14a, paragraph one,, Article 16, paragraph 5,, Article 52, paragraph 4,, Article 59b, paragraph one, number 2,, Article 81a, paragraph one,, Article 127, paragraph 8,, Article 147, paragraph 6,, Article 148 f, as well as the footnote symbol “*)” in paragraph 11, number 2 and the footnote to this provision at the end of the month in which this Federal Constitutional Law is published;
 4. 4th paragraph 4

Article 94, paragraph 2, as of 1 January 2014; Article 94, paragraph 2, as of 1 January 2014;
 5. 5th paragraph 5

Art. 89 paras. 2 to 4, Art. 139 paras. 1, 1a, 1b, 3 last sentence, 4 and 7 and Art. 140 paras. 1, 1a, 1b, 3 last sentence, 4 and 8 as of 1 January 2015. Article 89, paragraphs 2 to 4, Article 139, paragraph one, 1a, 1b, 3 last sentence, 4 and 7 and Article 140, paragraph one, 1a, 1b, 3 last sentence, 4 and 8 with 1 January 2015.
 60. (55) paragraph 55 Article 6 paragraph 4, Article 10 paragraph 1 item 1, Article 130 paragraph 5 and Article 141 paragraph 1 letter g in the version of the Federal Constitutional Law [BGBl. I No. 115/2013](#) enter into force on 1 January 2014. Article 6, paragraph 4, Article 10, paragraph one, number one, Article 130, paragraph 5 and Article 141, paragraph one, letter g, in the version of the Federal Constitutional Law, Federal Law Gazette Part one, No. 115 of 2013, come into force on 1 January 2014.
 61. (56) paragraph 56 In the version of the School Authorities – Administrative Reform Act 2013, [Federal Law Gazette I No. 164/2013](#) , the following come into force: In the version of the School Authorities – Administrative Reform Act 2013, Federal Law Gazette Part One, No. 164 of 2013, the following come into force:
 1. 1st number one

Article 14, paragraph 5, letters a and b, as well as the introductory sentence of Article 81b, paragraph 1, shall expire on the day of publication in the Federal Law Gazette, Article 14, paragraph 5, letters a and b and the introductory sentence of Article 81 b, paragraph one, with effect from the end of the day of publication in the Federal Law Gazette,
 2. 2nd paragraph 2

Article 81a, paragraph 1, as of 1 September 2013, Article 81a, paragraph one, as of 1 September 2013,
 3. 3. paragraph 3

Art. 14 para. 3 lit. a, para. 4 lit. a, Art. 81a para. 2 and para. 3, Art. 81b para. 1 (if not covered by item 1), Art. 132 paras. 1 and 4 and Art. 133 para. 6 as of 1 August 2014. Article 14, paragraph 3, letter a,, paragraph 4, letter a,, Article 81 a, paragraphs 2 and 3,, Article 81 b, paragraph one, (unless covered by number one), Article 132, paragraphs one and 4, and Article 133, paragraph 6, as of 1 August 2014.

62. (57)paragraph 57Articles 53, 57, 130 paragraph 1a, 136 paragraph 3a and 138b as amended by the Federal Law [Gazette I No. 101/2014](#) shall enter into force on 1 January 2015. Article 53,, Article 57,, Article 130, paragraph one a., Article 136, paragraph 3 a and Article 138 b, in the version of the Federal Law Federal Law Gazette Part one, No. 101 of 2014, come into force on 1 January 2015.

63. (58)paragraph 58Article 30a in the version of the Federal Law [BGBl. I No. 102/2014](#) comes into force on 1 January 2015. Article 30a, in the version of the Federal Law Gazette Part One, No. 102 of 2014, comes into force on 1 January 2015.

64. (59)paragraph 59Art. 142 Para. 2 lit. i in the version of the Federal Law [BGBl. I No. 41/2016](#) comes into force on 1 January 2014. Art. 61 Para. 1, Art. 68 Para. 4, Art. 70 Para. 2, Art. 78 Para. 2, Art. 101 Para. 2, Art. 122 Para. 5, Art. 141 Para. 1, Art. 142 Para. 2 lit. b and Art. 148g Para. 6 in the version of the Federal Law [BGBl. I No. 41/2016](#) comes into force on 1 January 2017. Art. 95 Para. 2 in the version of the Federal Law [BGBl. I No. 41/2016](#) comes into force on 1 January 2018. Article 142, paragraph 2, letter i, in the version of the federal law Federal Law Gazette Part one, No. 41 of 2016, comes into force on 1 January 2014. Article 61, paragraph one, Article 68, paragraph 4, Article 70, paragraph 2, Article 78, paragraph 2, Article 101, paragraph 2, Article 122, paragraph 5, Article 141, paragraph one, Article 142, paragraph 2, letter b and Article 148 g, paragraph 6, in the version of the federal law Federal Law Gazette Part one, No. 41 of 2016, come into force on 1 January 2017. Article 95, paragraph 2, as amended by the Federal Law Gazette Part One, No. 41 of 2016, shall enter into force on 1 January 2018.

65. (59a)paragraph 59aArticle 10, paragraph 1, item 11 and Article 102, paragraph 2 in the version of the Federal Law [Gazette I No. 62/2016](#) shall enter into force on 1 August 2016. Article 10, paragraph one, number 11 and Article 102, paragraph 2, as amended by the Federal Law Gazette Part one, No. 62 of 2016, shall enter into force on 1 August 2016.

66. (60)paragraph 60Articles 23a, paragraph 4, Article 26, paragraph 7, Article 26a and Article 41, paragraph 2 in the version published [in Federal Law Gazette I No. 106/2016](#) shall enter into force on 1 January 2018; at the same time, Article 26, paragraph 7 shall cease to apply. Article 60, paragraph 1 in the version of the Federal Law published in Federal [Law Gazette I No. 107/2021](#) shall enter into force on 1 January 2018. Articles 23a, paragraph 4, Article 26, paragraph 7, Article 26a and Article 41, paragraph 2, in the version published in the Federal Law Gazette Part One, No. 106 of 2016, shall enter into force on 1 January 2018; at the same time, Article 26, paragraph 7 shall cease to apply. Article 60, paragraph one, in the version published in the Federal Law Gazette Part One, No. 107 of 2021, shall enter into force on 1 January 2018.

67. (61)paragraph 61Art. 10 para. 1 item 12a, Art. 14 paras. 1 and 3 and para. 4 lit. a, Art. 14a para. 1, Art. 21 para. 1, the heading before Art. 81c, Art. 102 para. 2, Art. 112, the fifth chapter, the headings before Art. 115, 121 and 129, Art. 130 para. 1 item 3, Art. 131 para. 4 item 2 lit. b and c and para. 4 last sentence, Art. 132 para. 1 item 2, paras. 4 and 5, Art. 133 para. 6, Art. 142 para. 2 lit. h, Art. 142 para. 4 last sentence and the headings before Art. 148a and 149 in the version of the federal law [BGBl. I No. 138/2017](#) will come into force on 1 January 2019. At the same time, the fifth subsection of Section A of the third main chapter, Art. 130 Paragraph 1 Item 4, Art. 132 Paragraph 4 and Art. 133 Paragraph 6 Item 4 will cease to apply. Unless federal legislation provides otherwise, existing basic laws and basic provisions in federal laws as well as existing state law provisions in these matters will cease to apply from this point in time. The following applies to the transition to the new legal situation: Article 10, paragraph one, number 12 a., Article 14, paragraph one and 3 and paragraph 4, letter a., Article 14 a, paragraph one., Article 21, paragraph one., the heading before Article 81 c., Article 102, paragraph 2., Article 112., the fifth chapter, the headings before Article 115., 121 and 129, Article 130, paragraph one, number 3., Article 131, paragraph 4, number 2, letters b and c and paragraph 4, last sentence, Article 132, paragraph one, number 2., paragraphs 4 and 5, Article 133, paragraph 6., Article 142, paragraph 2, letter h., Article 142, paragraph 4, last sentence and the headings before Article 148 a and 149 in the version of the Federal Law Federal Law Gazette Part one, No. 138 of 2017, come into force on January 1, 2019. At the same time, the fifth subsection of Section A of the third main chapter, Article 130, Paragraph one, Item 4, Article 132, Paragraph 4 and Article 133, Paragraph 6, Item 4, cease to apply. Unless federal legislation provides otherwise, existing basic laws and basic provisions in federal laws as well as existing state law provisions in these matters cease to apply from this point in time in the matters of Article 14, Paragraph 3, Letter a. The following applies to the transition to the new legal situation:

1. 1st number one

The Director of Education can be appointed from 1 January 2018 in accordance with the procedure set out in Article 113, Paragraph 6 as amended by Federal [Law Gazette I No. 138/2017](#) . The Governor can appoint the acting President of the State School Board as Director of Education from 1 January 2018 up to and including 30 June 2018, upon his or her application. Applications for appointment as Director of Education can be made up until 31 January 2018. If the Governor appoints the acting President of the State School Board as Director of Education, his or her term of office ends on the day the newly elected State Parliament of the respective state convenes. If the acting president of the state school board is only entrusted with the function of education director by the state governor after the newly elected state parliament has convened, the function as education director will in any case end at the end of June 30,

2018. Reappointment as education director in accordance with Article 113, paragraph 6 in the version published in [Federal Law Gazette I No. 138/2017](#) is permissible. The education director will exercise the function of acting president of the state school board for the duration of his appointment or entrustment, but no longer than until the end of December 31, 2018. The Director of Education can be appointed from 1 January 2018 in accordance with the procedure set out in Article 113, Paragraph 6, in the version of the Federal Law Gazette Part One, No. 138 of 2017. The Governor can entrust the acting President of the State School Board with the function of Director of Education from 1 January 2018 up to and including 30 June 2018, upon his or her application. The application to be entrusted with the function of Director of Education can be submitted until 31 January 2018. If the Governor entrusts the acting President of the State School Board with the function of Director of Education, the function of Director of Education ends on the day the newly elected State Parliament of the respective state convenes. If the acting president of the state school board is only entrusted with the function of education director by the state governor after the newly elected state parliament has convened, the function as education director ends in any case at the end of June 30, 2018. Reappointment as education director is permitted in accordance with Article 113, paragraph 6, in the version of Federal Law Gazette Part One, No. 138 from 2017. The education director exercises the function of acting president of the state school board for the duration of his appointment or entrustment, but at the latest until the end of December 31, 2018.

2. 2nd paragraph 2

The President of the Directorate of Education may be appointed from 1 January 2018 in accordance with the procedure laid down in Article 113 paragraph 8 as amended by Federal [Law Gazette I No. 138/2017](#). The President of the Directorate of Education may be appointed from 1 January 2018 in accordance with the procedure laid down in Article 113, paragraph 8, as amended by the Federal Law Gazette Part One, No. 138 of 2017.

3. 3. paragraph 3

At the end of December 31, 2018, the state school boards, including the colleges established within the framework of the state school boards, will be dissolved. At the end of December 31, 2018, the federal and state employees working for the state school boards at that time will be deemed to have been assigned to the Education Directorate. Responsibility for continuing the proceedings pending with the state school boards at the end of December 31, 2018 will be transferred to the Education Directorates. The same applies to the proceedings pending with the state governments at the end of December 31, 2018 in the matters specified in Article 113, Paragraph 2 in the version published in [Federal Law Gazette I No. 138/2017](#). The more detailed provisions on the transfer of responsibility can be made by federal law. As of December 31, 2018, the state school boards, including the colleges established within the framework of the state school boards, will be dissolved. As of December 31, 2018, the federal and state employees working for the state school boards at that time will be deemed to have been assigned to the Education Directorate. Responsibility for continuing the proceedings pending with the state school boards as of December 31, 2018 will be transferred to the Education Directorates. The same applies to the proceedings pending with the state governments as of December 31, 2018 in the matters specified in Article 113, Paragraph 2, in the version of the Federal Law Gazette Part One, No. 138 of 2017. The more detailed provisions on the transfer of responsibility can be made by federal law.

4. 4th paragraph 4

The organisational and personnel measures required for the education directorates to commence their activities can be taken as of the end of the day on which the Federal Law [BGBl. I No. 138/2017](#) is published. The organisational and personnel measures required for the education directorates to commence their activities can be taken as of the end of the day on which the federal law is published in the Federal Law Gazette Part One, No. 138 of 2017.

68. (62) paragraph 62 Article 130 paragraph 2a and Article 133 paragraph 2a in the version of the Federal Law [Gazette I No. 22/2018](#) shall enter into force on 25 May 2018. Article 130, paragraph 2 a and Article 133, paragraph 2 a, as amended by the Federal Law Gazette Part One, No. 22 of 2018, shall enter into force on 25 May 2018.

69. (63) paragraph 63 The following applies to the entry into force of the Federal Law [BGBl. I No. 14/2019](#): The following applies to the entry into force of the Federal Law, Federal Law Gazette Part One, No. 14 of 2019:

1. 1st number one

Articles 15(7), (10) and (11), Article 83(1), Article 97(2), Article 98, Article 106, Article 116(3), Article 117(7), Article 130(2), Article 131(6) and Article 136(3b) shall enter into force at the end of the month in which this Federal Act is promulgated. Article 101a shall cease to apply at the same time. Article 15, paragraph 7, 10 and 11, Article 83, paragraph one, Article 97, paragraph 2, Article 98, Article 106, Article 116, paragraph 3, Article 117, paragraph 7, Article 130, paragraph 2, Article 131, paragraph 6

and Article 136, paragraph 3 b, shall enter into force at the end of the month in which this Federal Law is promulgated. At the same time, Article 101 a shall cease to apply.

2.

2nd paragraph 2

For persons who have been appointed as State Office Director or Municipal Director up to this point in time, the requirements of the first sentence of Article 106 or the second sentence of Article 117, paragraph 7, as amended by this Federal Act, are deemed to be fulfilled. For persons who have been appointed as State Office Director or Municipal Director up to this point in time, the requirements of Article 106, first sentence, or Article 117, paragraph 7, second sentence, as amended by this Federal Law, are deemed to be fulfilled.
3.

3. paragraph 3

Until regulations are issued in accordance with Article 83(1) as amended by this Federal Act, corresponding statutory provisions shall remain unaffected. Until regulations are issued pursuant to Article 83, paragraph one, as amended by this Federal Law, corresponding statutory provisions shall remain unaffected.
4.

4th paragraph 4

Article 10, paragraph 1, items 6, 11 and 17, Article 11, paragraph 1, items 8 and 9, Article 12, paragraph 1 in the version of items 7 and 8, Article 97, paragraph 4, Article 102, paragraph 2 in the version of item 18 and Article 118, paragraph 3, item 10 shall enter into force on 1 January 2020; at the same time, the Federal Constitutional Law of 2 June 1948, concerning the competence of the Federal Government in the area of workers' rights as well as the protection of workers and employees and professional representation, Federal [Law Gazette No. 139/1948](#) , and Article V of the Federal Constitutional Law Amendment of 1974, [Federal Law Gazette No. 444/1974](#) , shall cease to apply. Article I, paragraph 2 of the 8th Amendment to the Employment of People with Disabilities Act – 8th BEinstGNov, [Federal Law Gazette No. 721/1988](#) , Section 1, paragraph 3 of the Job Security Act 1991, [Federal Law Gazette No. 683/1991](#) , and Section 1, paragraph 3 of the Wage and Social Dumping Combat Act – LSD-BG, [Federal Law Gazette I No. 44/2016](#) , remain unaffected. For the legal provisions in force after December 31, 2019, which regulate matters for which the competence for legislation and enforcement is newly regulated by the Federal [Law Federal Law Gazette I No. 14/2019](#) , the following applies, without prejudice to paragraph 5: Basic laws enacted in the matters of the previous Article 12 shall cease to apply; State laws passed in these matters become either federal laws for the state in which they were passed or remain state laws, depending on whether the legislation in these matters is a federal or state matter on the basis of the provisions of this Federal Constitutional Law. The same applies mutatis mutandis to the ordinances passed on the basis of these laws. The laws and ordinances in question shall be deemed to have been amended accordingly insofar as they contradict the provisions of this Federal Constitutional Law concerning the competence of the authorities; insofar as doubts may arise on the basis of this rule of interpretation, either the Federal Government or the state government concerned shall, depending on the provisions of this Federal Constitutional Law regulating competence, provisionally regulate this matter by ordinance until a statutory provision is passed. Decisions issued before the entry into force of the Federal Law [BGBl. I No. 14/2019](#) shall be deemed to be decisions of the federal authority or state authority responsible on the basis of the provisions of this Federal Constitutional Law. Article 10, paragraph one, numbers 6, 11 and 17, Article 11, paragraph one, numbers 8 and 9, Article 12, paragraph one, as amended by numbers 7 and 8, Article 97, paragraph 4, Article 102, paragraph 2, as amended by number 18 and Article 118, paragraph 3, number 10, shall enter into force on January 1, 2020; at the same time, the Federal Constitutional Law of June 2, 1948, concerning the competence of the Federation in the area of workers' rights as well as the protection of workers and employees and professional representation, Federal Law Gazette No. 139 of 1948, and Article Roman five of the Federal Constitutional Law Amendment of 1974, Federal Law Gazette No. 444 of 1974, shall cease to apply. Article roman one paragraph 2 of the 8th Amendment to the Employment of People with Disabilities Act – 8th BEinstGNov, Federal Law Gazette No. 721 of 1988,, paragraph one paragraph 3 of the Job Security Act 1991, Federal Law Gazette No. 683 of 1991,, and paragraph one paragraph 3 of the Wage and Social Dumping Combat Act – LSD-BG, Federal Law Gazette Part One, No. 44 of 2016,, remain unaffected. For the legal provisions in force after December 31, 2019, which regulate matters for which the competence for legislation and enforcement is newly regulated by the Federal Law Federal Law Gazette Part One, No. 14 of 2019, the following applies, without prejudice to paragraph 5: Basic laws enacted in the matters of the previous Article 12, shall cease to apply; State laws passed in these matters become either federal laws for the state in which they were passed or remain state laws, depending on whether the legislation in these matters is a federal or state matter on the basis of the provisions of this Federal Constitutional Law. The same applies mutatis mutandis to the ordinances passed on the basis of these laws. The laws and ordinances in question are deemed to have been amended accordingly insofar as they contradict the provisions of this Federal Constitutional Law regarding the competence of the authorities; insofar as doubts may arise on the basis

of this rule of interpretation, either the Federal Government or the state government concerned must provisionally regulate this matter by ordinance until a statutory provision is passed, depending on the provisions of this Federal Constitutional Law regulating competence. The decisions passed before the entry into force of the Federal Law, Federal Law Gazette Part One, No. 14 of 2019, are deemed to be decisions of the federal authority or state authority responsible on the basis of the provisions of this Federal Constitutional Law.

5. 5th paragraph 5

Article 12, paragraph 1 in the version of item 7a comes into force at the time when an agreement between the federal government and the states pursuant to Article 15a, paragraph 1 on the subject matter of the Federal Child and Youth Services Act 2013 – B-KJHG 2013, [Federal Law Gazette I No. 69/2013](#), comes into force ^(note 1). Item 4 applies mutatis mutandis to the legal provisions applicable at that time that regulate matters of maternity, infant and youth welfare. Article 12, paragraph one, in the version of number 7a, comes into force at the time when an agreement between the federal government and the states pursuant to article 15a, paragraph one, on the subject matter of the Federal Child and Youth Services Act 2013 - B-KJHG 2013, Federal Law Gazette Part One, No. 69 of 2013, comes into force (note 1). Number 4 applies mutatis mutandis to the legal provisions in force at that time that regulate matters of maternity, infant and youth welfare.
6. 6th paragraph 6

Article 10, paragraph 1, item 13 and Article 102, paragraph 2 in the version of item 17 will enter into force on 1 January 2020. At the same time, the state legal provisions in general matters relating to the protection of personal data in non-automated data traffic will cease to apply. Article 10, paragraph one, number 13 and Article 102, paragraph 2, as amended by number 17, shall enter into force on 1 January 2020. At the same time, the state legal provisions in general matters relating to the protection of personal data in non-automated data traffic shall cease to apply.
70. (64) paragraph 64 Article 30b in the version of the Federal Law [BGBl. I No. 57/2019](#) comes into force on the day following its publication. The following applies to the transition to the new legal situation: Article 30 b, in the version of the Federal Law, Federal Law Gazette Part One, No. 57 of 2019, comes into force on the day following publication. The following applies to the transition to the new legal situation:
 1. 1st number one

The disciplinary proceedings pending before the disciplinary committees in the area of the Parliamentary Directorate, the Court of Auditors and the Ombudsman's Office up to 30 September 2020 are to be continued in accordance with the provisions of the Civil Service Act 1979 in the version published in [Federal Law Gazette I No. 32/2019](#). The disciplinary proceedings pending before the disciplinary committees in the area of the Parliamentary Directorate, the Court of Auditors and the Ombudsman's Office up to 30 September 2020 are to be continued in accordance with the provisions of the Civil Service Act 1979 in the version published in the Federal Law Gazette Part One, No. 32 of 2019.
 2. 2nd paragraph 2

As of 1 October 2020, the responsibility for conducting disciplinary proceedings with regard to officials of the Parliamentary Directorate, the Court of Auditors and the Ombudsman shall be transferred to the Disciplinary Commission pursuant to Article 30b in the version of this Federal Act [Federal Law Gazette I No. 57/2019](#). As of 1 October 2020, the responsibility for conducting disciplinary proceedings with regard to officials of the Parliamentary Directorate, the Court of Auditors and the Ombudsman shall be transferred to the Disciplinary Commission pursuant to Article 30 b, as amended by this Federal Law, Federal Law Gazette Part One, No. 57 of 2019.
71. (65) paragraph 65 Article 69, paragraph 3 in the version of Article 19, item 1 of the Federal [Law, Federal Law Gazette I No. 16/2020](#), shall enter into force at the end of the day on which the aforementioned Federal Law is published and shall expire on 30 June 2023. Article 69, paragraph 3 in the version of Article 19, item 2 of the aforementioned Federal Law shall enter into force on 1 July 2023. Article 69, paragraph 3, as amended by Article 19, number one, of the Federal Law, Federal Law Gazette Part One, No. 16 of 2020, shall enter into force on the expiry of the day on which the aforementioned Federal Law is published and shall expire on 30 June 2023. Article 69, paragraph 3, as amended by Article 19, number 2, of the aforementioned Federal Law shall enter into force on 1 July 2023.
72. (66) paragraph 66 Article 117, paragraph 3 in the version of Article 5, item 1 of the Federal [Law, Federal Law Gazette I No. 24/2020](#), shall enter into force at the end of the day on which the aforementioned Federal Law is published and shall expire on 30 June 2023. Article 117, paragraph 3 in the version of Article 5, item 2 of the aforementioned Federal Law shall enter into force on 1 July 2023. Article 117, paragraph 3, as amended by Article 5, number one, of the Federal Law, Federal Law Gazette Part One, No. 24 of 2020, shall enter into force at the end of the day on which the aforementioned Federal Law is published and shall expire on 30 June 2023. Article 117, paragraph 3, as amended by Article 5, number 2, of the aforementioned Federal Law shall enter into force on 1 July 2023.

73. (67)paragraph 67Article 20, paragraph 5, Article 122, paragraph 4 and Article 123, paragraph 2 in the version of Article 1 of the Federal [Law Gazette I No. 141/2022](#) shall enter into force on 1 January 2023. Article 20, paragraph 5 in the version of Article 1 of the Federal [Law Gazette I No. 141/2022](#) shall apply exclusively to studies, reports and surveys commissioned from this date onwards. Article 20, paragraph 5, Article 122, paragraph 4 and Article 123, paragraph 2, in the version of Article one of the Federal Law, Federal Law Gazette Part One, No. 141 of 2022, shall enter into force on 1 January 2023. Article 20, paragraph 5, in the version of Article one of the Federal Law, Federal Law Gazette Part One, No. 141 of 2022, shall apply exclusively to studies, reports and surveys commissioned from that date.

74. (68)paragraph 68Article 15, paragraph 7 and Article 131, paragraphs 4 and 6 in the version of the Federal Law [Gazette I No. 5/2024](#) shall enter into force at the end of the day of publication. Article 22a, Article 30, paragraph 7, Article 52, paragraph 3a, Article 67a, paragraph 3, Article 121, paragraph 5, Article 148b, paragraph 1, second sentence and paragraph 2, and Article 148e in the version of the Federal Law [Gazette I No. 5/2024](#) shall enter into force on September 1, 2025; At the same time, Article 20 paragraphs 3 to 5, the Basic Act on the Obligation to Provide Information, [Federal Law Gazette No. 286/1987](#) , the Act on the Obligation to Provide Information, [Federal Law Gazette No. 287/1987](#) , and the state laws governing the obligation to provide information pursuant to Article 20 paragraph 4 shall cease to apply. Article 22a paragraph 1 in the version of the federal law Federal [Law Gazette I No. 5/2024](#) shall only apply to information of general interest that arises from 1 September 2025; information of general interest that arises earlier may be published in accordance with the aforementioned provision. Article 20 paragraphs 3 and 4 in the version valid up to that date, the laws enacted on the basis of Article 20 paragraph 4 and the regulations enacted on their basis shall continue to apply to the proceedings pending on 1 September 2025 under the Federal and State Acts on the obligation to provide information. Article 15, paragraph 7 and Article 131, paragraph 4 and paragraph 6, in the version of the Federal Law in the Federal Law Gazette Part one, No. 5 of 2024, come into force at the end of the day of publication. Article 22 a., Article 30, paragraph 7., Article 52, paragraph 3 a., Article 67 a, paragraph 3., Article 121, paragraph 5., Article 148 b, paragraph one, second sentence and paragraph 2 and Article 148 e, in the version of the Federal Law in the Federal Law Gazette Part one, No. 5 of 2024, come into force on September 1, 2025; at the same time, Article 20, paragraphs 3 to 5, the Basic Act on the Obligation to Provide Information, Federal Law Gazette No. 286 of 1987, the Act on the Obligation to Provide Information, Federal Law Gazette No. 287 of 1987, and the state laws governing the matters of the obligation to provide information pursuant to Article 20, paragraph 4, shall cease to apply. Article 22a, paragraph one, as amended by the Federal Act, Federal Law Gazette Part One, No. 5 of 2024, shall only apply to information of general interest that arises from 1 September 2025; information of general interest that arises earlier may be published in accordance with the aforementioned provision. Article 20, paragraphs 3 and 4 in the version valid up to that date, the laws enacted on the basis of Article 20, paragraph 4, and the regulations enacted on the basis of them shall continue to apply to the proceedings pending on 1 September 2025 under the Federal and State Acts on the obligation to provide information.

75. (69)paragraph 69Article 11 paragraph 1 item 3 in the version of the Federal Constitutional Law [Federal Law Gazette I no. 47/2024](#), shall enter into force at the end of the day on which the aforementioned Federal Constitutional Law is published. Article 11, paragraph one, number 3, in the version of the Federal Constitutional Law, Federal Law Gazette Part one, No. 47 of 2024, shall enter into force at the end of the day on which the aforementioned Federal Constitutional Law is published.

76. (70)paragraph 70Articles 30a, 30b (1), 128 and 148j in the version of the Federal Constitutional Law [BGBl. I No. 68/2024](#) shall enter into force on 15 July 2024. Article 30 a., Article 30 b, paragraph one., Article 128 and Article 148 j, in the version of the Federal Constitutional Law, Federal Law Gazette Part one, No. 68 of 2024, shall enter into force on 15 July 2024.

77. (71)paragraph 71Article 134, paragraphs 9 and 10 and Article 147, paragraphs 5, 9 and 10 as amended by the Federal Law [Gazette I No. 88/2024](#) shall enter into force at the end of the day on which the aforementioned Federal Law is published. Article 134, paragraphs 9 and 10 and Article 147, paragraphs 5, 9 and 10 as amended by the Federal Law, Federal Law Gazette Part One, No. 88 of 2024, shall enter into force at the end of the day on which the said Federal Law is published.

78. (72)paragraph 72Article 15 paragraph 5 in the version of the Federal Constitutional Law [Federal Law Gazette I No. 89/2024](#), shall enter into force at the end of the day on which the aforementioned Federal Constitutional Law is published. Article 15, paragraph 5, in the version of the Federal Constitutional Law, Federal Law Gazette Part One, No. 89 of 2024, shall enter into force at the end of the day on which the aforementioned Federal Constitutional Law is published.

(_____)
Note 1: The agreement comes into force on 1 January 2020, see [Federal Law Gazette I No. 106/2019](#) .)Note 1: The agreement comes into force on 1 January 2020, see Federal Law Gazette Part One, No. 106 of 2019.)

Article 152

text

Article 152.

The Federal Government is entrusted with the implementation of this Federal Constitutional Law.

Annex 1

text

Attachment

Dissolved independent administrative authorities

A. Bund

1. 1st number one
Appeal Senate in administrative criminal matters pursuant to Section 168 Paragraph 1 of the Notarial Code (NO), [RGBl. No. 75/1871](#) ;Appeal Senate in administrative criminal matters pursuant to paragraph 168, paragraph one, of the Notarial Code (NO), [RGBl. No. 75/1871](#) ;
2. 2nd paragraph 2
Commission pursuant to Section 7, Paragraph 1 of the Constitutional Law of 8 May 1945, on the Prohibition of the NSDAP (Prohibition Law 1947), [StGBL. No. 13/1945](#) ;Commission pursuant to paragraph 7, paragraph one, of the Constitutional Law of 8 May 1945, on the prohibition of the NSDAP (Prohibition Law 1947), [StGBL. No. 13/1945](#) ;
3. 3. paragraph 3
State agricultural senates according to Section 5 Paragraph 1 of the Agricultural Authorities Act 1950, [Federal Law Gazette No. 1/1951](#) ;State agricultural senates according to paragraph 5, paragraph one, of the Agricultural Authorities Act 1950, [Federal Law Gazette No. 1/1951](#) ;
4. 4th paragraph 4
Supreme Agricultural Senate pursuant to Section 6 Paragraph 1 of the Agricultural Authorities Act 1950, [Federal Law Gazette No. 1/1951](#) ;Supreme Agricultural Senate pursuant to paragraph 6, paragraph one, of the Agricultural Authorities Act 1950, [Federal Law Gazette No. 1/1951](#) ;
5. 5th paragraph 5
State appeal committees pursuant to Section 345 Paragraph 1 of the Federal Act of 9 September 1955 on General Social Insurance (General Social Insurance Act – ASVG), Federal Law Gazette No. 189;State appeal committees pursuant to paragraph 345, paragraph one, of the Federal Act of 9 September 1955 on General Social Insurance (General Social Insurance Act – ASVG), Federal Law Gazette No. 189;
6. 6th paragraph 6
Federal Arbitration Commission pursuant to Section 346 Paragraph 1 of the Federal Act of 9 September 1955 on General Social Insurance (General Social Insurance Act – ASVG), Federal Law Gazette No. 189;Federal Arbitration Commission pursuant to paragraph 346, paragraph one, of the Federal Law of 9 September 1955 on General Social Insurance (General Social Insurance Law – ASVG), Federal Law Gazette No. 189;
7. 7th paragraph 7
Independent Therapeutic Products Commission pursuant to Section 351h Paragraph 1 of the Federal Act of 9 September 1955 on General Social Insurance (General Social Insurance Act – ASVG), Federal Law Gazette No. 189;Independent Therapeutic Products Commission pursuant to paragraph 351 h, first paragraph, of the Federal Law of 9 September 1955 on General Social Insurance (General Social Insurance Law – ASVG), Federal Law Gazette No. 189;
8. 8th paragraph 8
Rail Control Commission pursuant to Section 81 Paragraph 1 of the Federal Act on Railways, Rail Vehicles on Railways and Traffic on Railways (Railway Act 1957 – EisbG), Federal Law Gazette No. 60;Rail Control Commission pursuant to paragraph 81, paragraph one, of the Federal Law on Railways, Rail Vehicles on Railways and Traffic on Railways (Railway Act 1957 – EisbG), Federal Law Gazette No. 60;
9. 9th paragraph 9
Federal Compensation Commission pursuant to Section 20 Paragraph 1 of the Federal Law of 25 June 1958 on the Granting of Compensation for Damages Occurring in Connection with the Occupation of Austria (Occupation Damages Act), Federal Law Gazette No. 126;Federal Compensation Commission pursuant to paragraph 20, paragraph one, of the Federal Law of 25 June 1958 on the Granting of Compensation for Damages Occurring in Connection with the Occupation of Austria (Occupation Damages Act), Federal Law Gazette No. 126;
10. 10th paragraph 10
Commission for the Settlement of Claims under the Seventh Restitution Act pursuant to Section 7 Paragraph 1 of the Federal Law of 12 December 1963 concerning the Settlement of Certain Claims arising from Employment Relationships in the Private Sector, Federal Law Gazette No. 319;Commission for the Settlement of Claims under the Seventh Restitution Act pursuant to Paragraph 7, Paragraph 1, of the Federal Law of 12 December 1963 on the Settlement of Certain Claims from Employment Relationships in the Private Sector, Federal Law Gazette No. 319;

11. 11thparagraph 11
Federal Distribution Commission pursuant to Section 17 of the Federal Law of 18 March 1964 on the use of funds accruing from the Treaty between the Republic of Austria and the People's Republic of Bulgaria for the settlement of open financial issues (Bulgarian Distribution Law), Federal Law Gazette No. 129;Federal Distribution Commission pursuant to Paragraph 17 of the Federal Law of 18 March 1964 on the use of funds accruing from the Treaty between the Republic of Austria and the People's Republic of Bulgaria for the settlement of open financial issues (Bulgarian Distribution Law), Federal Law Gazette No. 129;
12. 12thparagraph 12
Staff Representation Supervisory Commission at the Federal Chancellery pursuant to Section 39 Paragraph 1 of the Federal Act of 10 March 1967 on Staff Representation at Federal Offices (Federal Staff Representation Act – PVG), Federal Law Gazette No. 133;Staff Representation Supervisory Commission at the Federal Chancellery pursuant to paragraph 39, first paragraph, of the Federal Act of 10 March 1967 on Staff Representation at Federal Offices (Federal Staff Representation Act – PVG), Federal Law Gazette No. 133;
13. 13thparagraph 13
Disciplinary Senate pursuant to Section 49 of the Federal Act of 7 June 1967 regulating the patent attorney profession (Patent Attorney Act), Federal Law Gazette No. 214;Disciplinary Senate pursuant to Article 49 of the Federal Law of 7 June 1967 regulating the profession of patent attorney (Patent Attorney Law), Federal Law Gazette No. 214;
14. 14thparagraph 14
Prison chambers pursuant to Section 11a of the Federal Act of 26 March 1969 on the Execution of Prison Sentences and Preventive Measures Associated with Deprivation of Liberty (Prison Act – StVG), Federal Law Gazette No. 144;Prison chambers pursuant to paragraph 11a of the Federal Act of 26 March 1969 on the execution of prison sentences and preventive measures associated with deprivation of liberty (Prison Act – StVG), Federal Law Gazette No. 144;
15. 15thparagraph 15
Appointment Commission pursuant to Section 13a of the Disabled Persons Employment Act (BEinstG), [Federal Law Gazette No. 22/1970](#) ;Appointment Commission pursuant to Paragraph 13a of the Disabled Persons Employment Act (BEinstG), [Federal Law Gazette No. 22/1970](#) ;
16. 16thparagraph 16
Supreme Patent and Trademark Senate pursuant to Section 74 Paragraph 1 of the Patent Act 1970, Federal Law Gazette No. 259;Supreme Patent and Trademark Senate pursuant to paragraph 74, paragraph one, of the Patent Act 1970, Federal Law Gazette No. 259;
17. 17thparagraph 17
Appointment Commission pursuant to Section 41a of the Federal Act of 27 June 1979 on the Service Law of Civil Servants (Civil Service Law 1979 – BDG 1979), Federal Law Gazette No. 333;Appeals Commission pursuant to Paragraph 41a of the Federal Act of 27 June 1979 on the Service Law of Civil Servants (Civil Servants' Service Law 1979 – BDG 1979), Federal Law Gazette No. 333;
18. 18thparagraph 18
Higher Disciplinary Commission pursuant to Section 99 Paragraph 1 of the Federal Act of 27 June 1979 on the Service Law of Civil Servants (Civil Servants' Service Law 1979 – BDG 1979), Federal Law Gazette No. 333;Higher Disciplinary Commission pursuant to paragraph 99, first paragraph, of the Federal Act of 27 June 1979 on the Service Law of Civil Servants (Civil Servants' Service Law 1979 – BDG 1979), Federal Law Gazette No. 333;
19. 19thparagraph 19
Civilian Service Complaints Council pursuant to Section 43 Paragraph 1 of the Federal Law on Civilian Service (Civil Service Act 1986 – ZDG), Federal Law Gazette No. 679;Civilian Service Complaints Council pursuant to paragraph 43, first paragraph, of the Federal Law on Civilian Service (Civil Service Act 1986 – ZDG), Federal Law Gazette No. 679;
20. 20thparagraph 20
Appeal Senate pursuant to Section 64 Paragraph 2 of the Federal Act of 8 November 1989 on securities and general commodity exchanges and on the amendment of the Stock Exchange Act 1949 and the Stock Exchange Act Amendment 1903 (Stock Exchange Act 1989 – BörseG), Federal Law Gazette No. 555;Appeal Chamber pursuant to Paragraph 64, Section 2, of the Federal Act of 8 November 1989 on securities and general commodity exchanges and on the amendment of the Stock Exchange Act 1949 and the Stock Exchange Act Amendment 1903 (Stock Exchange Act 1989 – BörseG), Federal Law Gazette No. 555;
21. 21stparagraph 21

- Supreme Appeals and Disciplinary Commission pursuant to Section 59 Paragraph 1 of the Federal Act of 28 June 1990 on the disciplinary law of lawyers and trainee lawyers (Disciplinary Statute for Lawyers and Trainee Lawyers – DSt) and on amendments to the Lawyers’ Code, the Code of Civil Procedure and the Code of Criminal Procedure, Federal Law Gazette No. 474; Supreme Appeals and Disciplinary Commission pursuant to Article 59, paragraph one, of the Federal Act of 28 June 1990 on the disciplinary law of lawyers and trainee lawyers (Disciplinary Statute for Lawyers and Trainee Lawyers – DSt) and on amendments to the Lawyers’ Code, the Code of Civil Procedure and the Code of Criminal Procedure, Federal Law Gazette No. 474;
22. 22nd paragraph 22
 Appeals Commission in Disciplinary Matters pursuant to Section 58 Paragraph 1 of the Federal Law on Chambers of Architects and Consulting Engineers (Civil Engineers Chamber Act 1993 – ZTKG), [Federal Law Gazette No. 157/1994](#) ; Appeals Commission in disciplinary matters pursuant to paragraph 58, paragraph one, of the Federal Law on Chambers of Architects and Consulting Engineers (Civil Engineers Chamber Act 1993 – ZTKG), [Federal Law Gazette No. 157/1994](#) ;
23. 23rd paragraph 23
 Disciplinary Senate of the Austrian Medical Association at the Federal Ministry of Health pursuant to Section 180 Paragraph 1 of the Federal Act enacting a Federal Act on the Practice of the Medical Profession and the Professional Representation of Doctors (Medical Practitioners Act 1998 – ÄrzteG 1998) and amending the Training Reservation Act, Federal Law Gazette I No. 169; Disciplinary Senate of the Austrian Medical Association at the Federal Ministry of Health pursuant to paragraph 180, first paragraph, of the Federal Law enacting a Federal Law on the Practice of the Medical Profession and the Professional Representation of Doctors (Doctors Act 1998 – ÄrzteG 1998) and amending the Training Reservation Act, Federal Law Gazette Roman one no. 169;
24. 24th paragraph 24
 Senior Disciplinary Council of the Chamber of Certified Public Accountants pursuant to Section 121 of the Federal Law on the Certified Public Accountant Professions (CPA Professions Act – WTBG), [Federal Law Gazette I No. 58/1999](#) ; Senior Disciplinary Council of the Chamber of Certified Public Accountants pursuant to Paragraph 121 of the Federal Law on the Certified Public Accountant Professions (CPA Professions Act – WTBG), Federal Law Gazette Roman One No. 58/1999;
25. 25th paragraph 25
 Data Protection Commission pursuant to Section 35 Paragraph 1 of the Federal Act on the Protection of Personal Data (Data Protection Act 2000 – DSG 2000), [Federal Law Gazette I No. 165/1999](#) ; Data Protection Commission pursuant to paragraph 35, paragraph one, of the Federal Act on the Protection of Personal Data (Data Protection Act 2000 – DSG 2000), Federal Law Gazette Roman one No. 165/1999;
26. 26th paragraph 26
 Independent Environmental Senate pursuant to Section 1 Paragraph 1 of the Federal Law on the Environmental Senate (USG 2000), Federal Law Gazette I No. 114; Independent Environmental Senate pursuant to paragraph one, section one, of the Federal Law on the Environmental Senate (USG 2000), Federal Law Gazette Roman one No. 114;
27. 27th paragraph 27
 Federal Communications Senate pursuant to Section 1 Paragraph 2 of the Federal Act on the Establishment of a Communications Authority Austria (“KommAustria”) and a Federal Communications Senate (KommAustria Act – KOG), [Federal Law Gazette I No. 32/2001](#) ; Federal Communications Senate pursuant to paragraph one, paragraph 2, of the Federal Act on the Establishment of a Communications Authority Austria (“KommAustria”) and a Federal Communications Senate (KommAustria Act – KOG), Federal Law Gazette Roman one No. 32/2001;
28. 28th paragraph 28
 Disciplinary Appeals Senate pursuant to Section 58 Paragraph 1 of the Federal Act on the Austrian Chamber of Pharmacists (Pharmacists’ Chamber Act 2001), Federal Law Gazette I No. 111; Disciplinary Appeals Senate pursuant to paragraph 58, paragraph one, of the Federal Law on the Austrian Chamber of Pharmacists (Pharmacists’ Chamber Law 2001), Federal Law Gazette Roman one no. 111;
29. 29th paragraph 29
 Higher Disciplinary Commission pursuant to Section 15 Paragraph 1 Item 2 of the Army Disciplinary Act 2002 – HDG 2002, Federal Law Gazette I No. 167; Higher Disciplinary Commission pursuant to paragraph 15, paragraph one, number 2, of the Army Disciplinary Act 2002 – HDG 2002, Federal Law Gazette Roman one No. 167;
30. 30th paragraph 30
 Operational penal authorities pursuant to Section 82 Paragraph 1 of the Army Disciplinary Act 2002 – HDG 2002, Federal Law Gazette I No. 167; Operational penal authorities pursuant to paragraph 82,

paragraph one, of the Army Disciplinary Act 2002 – HDG 2002, Federal Law Gazette Roman one No. 167;

31. 31st paragraph 31
Quality control authority pursuant to Section 20 Paragraph 1 of the Federal Act on Quality Assurance in Final Audits (Audit Quality Assurance Act – A-QSG), [Federal Law Gazette I No. 84/2005](#); Quality control authority according to paragraph 20, paragraph one, of the Federal Act on Quality Assurance in Final Audits (Audit Quality Assurance Act – A-QSG), Federal Law Gazette Roman one No. 84/2005;
32. 32nd paragraph 32
Disciplinary Senate of the Austrian Dental Association according to Section 65 Paragraph 1 Item 1 of the Federal Law on the Professional Representation of Members of the Dental Profession and the Dentist Profession (Dental Association Act – ZÄKG), [Federal Law Gazette I No. 154/2005](#); Disciplinary Senate of the Austrian Dental Association according to paragraph 65, paragraph one, number one, of the Federal Law on the Professional Representation of Members of the Dental Profession and the Dentist Profession (Dental Association Act – ZÄKG), Federal Law Gazette Roman one No. 154/2005;
33. 33rd paragraph 33
Copyright Senate pursuant to Section 30 Paragraph 1 of the Federal Law on Collecting Societies (Collecting Societies Act 2006 – VerwGesG 2006), Federal Law Gazette I No. 9. Copyright Senate pursuant to paragraph 30, paragraph one, of the Federal Law on Collecting Societies (Collecting Societies Act 2006 – VerwGesG 2006), Federal Law Gazette Roman one no. 9.

B. State of Burgenland

1. 1st number one
Higher Commission for the Assessment of Performance of State Teachers for General Compulsory Schools pursuant to Section 10 Paragraph 1 of the Act on the Authority's Competence to Exercise Official Sovereignty over State Teachers for Public Compulsory Schools in Burgenland (Burgenland State Teachers Official Sovereignty Act 1995 – Bgld. LDHG), LGBl. No. 62; Higher Commission for the Assessment of Performance for State Teachers for General Compulsory Schools pursuant to Paragraph 10, Paragraph 1, of the Law on the Authority's Competence to Exercise Official Sovereignty over State Teachers for Public Compulsory Schools in Burgenland (Burgenland State Teachers Official Sovereignty Act 1995 – Bgld. LDHG), State Law Gazette No. 62;
2. 2nd paragraph 2
Higher Commission for the Assessment of Performance of State Teachers for Vocational Schools pursuant to Section 11 Paragraph 1 of the Act on the Authority's Competence to Exercise Official Sovereignty over State Teachers for Public Compulsory Schools in Burgenland (Burgenland State Teachers Official Sovereignty Act 1995 – Bgld. LDHG), LGBl. No. 62; Higher Commission for the Assessment of Performance of State Teachers for Vocational Schools pursuant to Paragraph 11, Section 1, of the Law on the Authority's Competence to Exercise Official Sovereignty over State Teachers for Public Compulsory Schools in Burgenland (Burgenland State Teachers Official Sovereignty Act 1995 – Bgld. LDHG), State Law Gazette No. 62;
3. 3. paragraph 3
High Disciplinary Commission for State Teachers for General Compulsory Schools pursuant to Section 14 Paragraph 1 of the Act on the Authority's Competence to Exercise Official Sovereignty over State Teachers for Public Compulsory Schools in Burgenland (Burgenland State Teachers Official Sovereignty Act 1995 – Bgld. LDHG), LGBl. No. 62; High Disciplinary Commission for State Teachers for General Compulsory Schools pursuant to Paragraph 14, Paragraph 1, of the Law on the Authority's Competence to Exercise Official Sovereignty over State Teachers for Public Compulsory Schools in Burgenland (Burgenland State Teachers Official Sovereignty Act 1995 – Bgld. LDHG), State Law Gazette No. 62;
4. 4th paragraph 4
High Disciplinary Commission for State Teachers for Vocational Schools pursuant to Section 15 Paragraph 1 of the Act on the Authority's Competence to Exercise Official Sovereignty over State Teachers for Public Compulsory Schools in Burgenland (Burgenland State Teachers Official Sovereignty Act 1995 – Bgld. LDHG), LGBl. No. 62; High Disciplinary Commission for State Teachers for Vocational Schools pursuant to Paragraph 15, Paragraph 1, of the Law on the Authority's Competence to Exercise Official Sovereignty over State Teachers for Public Compulsory Schools in Burgenland (Burgenland State Teachers Official Sovereignty Act 1995 – Bgld. LDHG), State Law Gazette No. 62;
5. 5th paragraph 5
Higher Disciplinary Commission pursuant to Section 117 Paragraph 1 of the Act of 20 November 1997 on the Service Law of State Officials (Burgenland State Officials Service Law 1997 – LBDG 1997), LGBl. No. 17/1998. Higher Disciplinary Commission pursuant to paragraph 117, paragraph one, of the

Act of 20 November 1997 on the service law of state civil servants (Burgenland State Civil Servants Service Law 1997 – LBDG 1997), State Law Gazette No. 17 of 1998.

C. State of Carinthia

1. 1stnumber one
Higher Commission for the Assessment of Performance pursuant to Section 2 Paragraph 2 of the Act of 28 June 1968 on the authority's responsibility for exercising official sovereignty over state teachers for public agricultural and forestry vocational and technical schools (Agricultural and Forestry State Teachers' Official Sovereignty Act - K-LLDHG), LGBl. No. 62; Higher Commission for the Assessment of Performance pursuant to Paragraph 2, Section 2, of the Act of 28 June 1968 on the authority responsible for exercising official sovereignty over state teachers for public agricultural and forestry vocational and technical schools (Agricultural and Forestry State Teachers Official Sovereignty Act – K-LLDHG), State Law Gazette No. 62;
2. 2ndparagraph 2
Higher Disciplinary Commission pursuant to Section 3 Paragraph 2 of the Act of 28 June 1968 on the authority responsible for exercising official sovereignty over state teachers for public agricultural and forestry vocational and technical schools (Agricultural and Forestry State Teachers Official Sovereignty Act – K-LLDHG), LGBl. No. 62; High Disciplinary Commission pursuant to Paragraph 3, Section 2, of the Law of 28 June 1968 on the authority responsible for exercising official sovereignty over state teachers for public agricultural and forestry vocational and technical schools (Agricultural and Forestry State Teachers Official Sovereignty Law – K-LLDHG), State Law Gazette No. 62;
3. 3.paragraph 3
Performance Assessment Commission pursuant to Section 16 Paragraph 3 of the Carinthian Municipal Employees Act 1992 – K-GBG, LGBl. No. 56 Performance Assessment Commission pursuant to Paragraph 16, Paragraph 3, of the Carinthian Municipal Employees Act 1992 – K-GBG, State Law Gazette No. 56
4. 4thparagraph 4
Higher Disciplinary Commission pursuant to Section 60 Paragraph 1 of the Carinthian Municipal Employees Act 1992 – K-GBG, LGBl. No. 56; Higher Disciplinary Commission pursuant to paragraph 60, paragraph one, of the Carinthian Municipal Employees Act 1992 – K-GBG, State Law Gazette No. 56;
5. 5thparagraph 5
Higher Commission for the Assessment of Performance pursuant to Section 38 Paragraph 1 of the Carinthian Municipal Officials Act 1993 – K-StBG 1993, LGBl. No. 115; Higher Commission for the Assessment of Performance pursuant to paragraph 38, paragraph one, of the Carinthian Municipal Officials Act 1993 – K-StBG 1993, State Law Gazette No. 115;
6. 6thparagraph 6
Higher Disciplinary Commission pursuant to Section 111 Paragraph 1 of the Carinthian Municipal Officials Act 1993 – K-StBG 1993, LGBl. No. 115; Higher Disciplinary Commission pursuant to paragraph 111, paragraph one, of the Carinthian City Officials Act 1993 – K-StBG 1993, State Law Gazette No. 115;
7. 7thparagraph 7
Higher Disciplinary Commission pursuant to Section 103 Paragraph 1 of the Carinthian Civil Service Act 1994 – K-DRG 1994, LGBl. No. 71; Higher Disciplinary Commission pursuant to paragraph 103, paragraph one, of the Carinthian Civil Service Act 1994 – K-DRG 1994, State Law Gazette No. 71;
8. 8thparagraph 8
Higher Commission for the Assessment of Performance pursuant to Section 10 Paragraph 1 of the Act of 28 September 2000, which provides for lists of applicants for the admission of state contract teachers, determines the authority responsible for exercising official sovereignty over state teachers for public compulsory schools and implements the State Teachers' Service Law 1984 (Carinthian State Teachers' Law - K-LG), LGBl. No. 80; Higher Commission for the Assessment of Performance pursuant to paragraph 10, first subsection, of the Act of 28 September 2000, which provides for lists of applicants for the admission of state contract teachers, establishes the authority responsible for exercising official sovereignty over state teachers for public compulsory schools and implements the State Teachers' Service Law 1984 (Carinthian State Teachers' Law - K-LG), State Law Gazette No. 80;
9. 9thparagraph 9
Disciplinary High Commission pursuant to Section 14 Paragraph 1 of the Act of 28 September 2000, which provides for lists of applicants for the admission of state contract teachers, determines the authority responsible for exercising official sovereignty over state teachers for public compulsory schools and implements the State Teachers' Service Law 1984 (Carinthian State Teachers' Law - K-LG), LGBl. No. 80; High Disciplinary Commission pursuant to paragraph 14, first subsection, of the Act of 28

September 2000, which provides for lists of applicants for the admission of state contract teachers, determines the authority responsible for exercising official sovereignty over state teachers for public compulsory schools and implements the State Teachers' Service Law 1984 (Carinthian State Teachers' Law - K-LG), State Law Gazette No. 80;

10. 10th paragraph 10
 State Commission for Land Transfers pursuant to Section 12 Paragraph 1 of the Act of 18 December 2003 regulating land transfers (Carinthian Land Transfers Act 2002 – K-GVG), LGBl. No. 9/2004. State Commission for Land Transactions pursuant to paragraph 12, paragraph one, of the Act of 18 December 2003 regulating land transactions (Carinthian Land Transactions Act 2002 – K-GVG), State Law Gazette No. 9 of 2004.

D. State of Lower Austria

1. 1st number one
 Higher Disciplinary Commission pursuant to Section 181 Paragraph 1 of the Lower Austrian State Civil Servants Act (NÖ LBG), LGBl. 2100; Higher Disciplinary Commission pursuant to paragraph 181, paragraph one, of the Lower Austrian State Civil Servants Act (NÖ LBG), State Law Gazette 2100;
2. 2nd paragraph 2
 Description commissions according to Section 22 Paragraph 1 of the Lower Austrian Municipal Civil Service Regulations 1976 (GBDO), LGBl. 2400; Description commissions according to paragraph 22, paragraph one, of the Lower Austrian Municipal Civil Service Regulations 1976 (GBDO), State Law Gazette 2400;
3. 3. paragraph 3
 Higher Disciplinary Commission pursuant to Section 121 Paragraph 1 of the Lower Austrian Municipal Civil Service Regulations 1976 (GBDO), LGBl. 2400; Higher Disciplinary Commission pursuant to paragraph 121, paragraph one, of the Lower Austrian Municipal Civil Service Regulations 1976 (GBDO), State Law Gazette 2400;
4. 4th paragraph 4
 Higher Commission for the Assessment of Performance pursuant to Section 15 Paragraph 1 of the Lower Austrian State Teachers' Service Sovereignty Act 1976, LGBl. 2600; Higher Commission for the Assessment of Performance pursuant to paragraph 15, paragraph one, of the Lower Austrian State Teachers' Service Sovereignty Act 1976, State Law Gazette 2600;
5. 5th paragraph 5
 Disciplinary Higher Commission pursuant to Section 18 Paragraph 1 of the Lower Austrian State Teachers' Service Sovereignty Act 1976, LGBl. 2600; Disciplinary Higher Commission pursuant to paragraph 18, paragraph one, of the Lower Austrian State Teachers' Service Sovereignty Act 1976, State Law Gazette 2600;
6. 6th paragraph 6
 Higher Commission for the Assessment of Performance pursuant to Section 4 Paragraph 1 of the Lower Austrian Agricultural and Forestry State Teachers' Service Sovereignty Act, LGBl. 2620; Higher Commission for the Assessment of Performance pursuant to paragraph 4, paragraph one, of the Lower Austrian Agricultural and Forestry State Teachers' Service Sovereignty Act, State Law Gazette 2620;
7. 7th paragraph 7
 Disciplinary Higher Commission pursuant to Section 7 Paragraph 1 of the Lower Austrian Agricultural and Forestry State Teachers' Service Sovereignty Act, LGBl. 2620; Higher Disciplinary Commission pursuant to paragraph 7, paragraph one, of the Lower Austrian Agricultural and Forestry State Teachers' Service Sovereignty Act, State Law Gazette 2620;
8. 8th paragraph 8
 State Commission for Hunting and Game Damage pursuant to Section 118 Paragraph 1 of the Lower Austrian Hunting Act 1974 (NÖ JG), LGBl. 6500; State Commission for Hunting and Game Damage pursuant to paragraph 118, paragraph one, of the Lower Austrian Hunting Act 1974 (NÖ JG), State Law Gazette 6500;
9. 9th paragraph 9
 State Commission for Land Transfers pursuant to Section 8 of the Lower Austrian Land Transfers Act 2007 (NÖ GVG 2007), LGBl. 6800; State Commission for Land Transfers pursuant to Paragraph 8 of the Lower Austrian Land Transfers Act 2007 (NÖ GVG 2007), State Law Gazette 6800;
10. 10th paragraph 10
 Land Transfer Commission for foreign persons pursuant to Section 21 of the Lower Austrian Land Transfer Act 2007 (NÖ GVG 2007), LGBl. 6800. Land Transfer Commission for foreign persons pursuant to Paragraph 21 of the Lower Austrian Land Transfer Act 2007 (NÖ GVG 2007), State Law Gazette 6800.

E. State of Upper Austria

1. 1stnumber one
Upper Commission for the Assessment of Performance of State Teachers for General Compulsory Schools pursuant to Section 11 Paragraph 1 of the Act of 4 March 1986 concerning the Competence to Exercise Official Sovereignty over State Teachers for Public Compulsory Schools (Upper Austrian State Teacher Official Sovereignty Act 1986 – Upper Austrian LDHG 1986), LGBl. No. 18; Higher Commission for the Assessment of Performance of State Teachers for General Compulsory Schools pursuant to Paragraph 11, Paragraph 1, of the Act of 4 March 1986 concerning the Competence to Exercise Official Sovereignty over State Teachers for Public Compulsory Schools (Upper Austrian State Teacher Official Sovereignty Act 1986 – Upper Austrian LDHG 1986), State Law Gazette No. 18;
2. 2ndparagraph 2
Upper Commission for the Assessment of Performance of State Teachers for Vocational Schools pursuant to Section 12 Paragraph 1 of the Act of 4 March 1986 concerning the responsibility for exercising official sovereignty over state teachers for public compulsory schools (Upper Austrian State Teachers Official Sovereignty Act 1986 – Upper Austrian LDHG 1986), LGBl. No. 18; Upper Commission for the Assessment of Performance of State Teachers for Vocational Schools pursuant to paragraph 12, first subsection, of the Act of 4 March 1986 concerning the responsibility for exercising official sovereignty over state teachers for public compulsory schools (Upper Austrian State Teachers Official Sovereignty Act 1986 – Upper Austrian LDHG 1986), State Law Gazette No. 18;
3. 3.paragraph 3
Higher Disciplinary Commission for State Teachers for General Compulsory Schools pursuant to Section 15 Paragraph 1 of the Act of 4 March 1986 concerning the responsibility for exercising official sovereignty over state teachers for public compulsory schools (Upper Austrian State Teachers' Official Sovereignty Act 1986 – Upper Austrian LDHG 1986), LGBl. No. 18; Higher Disciplinary Commission for State Teachers for General Compulsory Schools pursuant to Paragraph 15, Paragraph 1, of the Act of 4 March 1986 concerning the Competence to Exercise Official Sovereignty over State Teachers for Public Compulsory Schools (Upper Austrian State Teachers Official Sovereignty Act 1986 – Upper Austrian LDHG 1986), State Law Gazette No. 18;
4. 4thparagraph 4
Higher Disciplinary Commission for State Teachers for Vocational Schools pursuant to Section 16 Paragraph 1 of the Act of 4 March 1986 concerning the responsibility for exercising official sovereignty over state teachers for public compulsory schools (Upper Austrian State Teachers' Official Sovereignty Act 1986 – Upper Austrian LDHG 1986), LGBl. No. 18; High Disciplinary Commission for State Teachers for Vocational Schools pursuant to Paragraph 16, Paragraph 1, of the Act of 4 March 1986 concerning the competence to exercise official sovereignty over state teachers for public compulsory schools (Upper Austrian State Teachers' Official Sovereignty Act 1986 – Upper Austrian LDHG 1986), State Law Gazette No. 18;
5. 5thparagraph 5
Higher Commission for the Assessment of Performance pursuant to Section 3 Paragraph 1 of the Act of 4 March 1988 concerning the competence to exercise official sovereignty over state teachers for public agricultural and forestry vocational and technical schools (Upper Austrian Agricultural and Forestry State Teachers Official Sovereignty Act 1988 – Upper Austrian LLDHG 1988), LGBl. No. 32; Higher Commission for the Assessment of Performance pursuant to paragraph 3, first subsection, of the Act of 4 March 1988 concerning the competence to exercise official sovereignty over state teachers for public agricultural and forestry vocational and technical schools (Upper Austrian Agricultural and Forestry State Teachers Official Sovereignty Act 1988 – Upper Austrian LLDHG 1988), State Law Gazette No. 32;
6. 6thparagraph 6
Higher Disciplinary Commission pursuant to Section 5 Paragraph 1 of the Act of 4 March 1988 concerning the competence to exercise official sovereignty over state teachers for public agricultural and forestry vocational and technical schools (Upper Austrian Agricultural and Forestry State Teachers Official Sovereignty Act 1988 – Upper Austrian LLDHG 1988), LGBl. No. 32; Higher Disciplinary Commission pursuant to paragraph 5, first subsection, of the Act of 4 March 1988 concerning the competence to exercise official sovereignty over state teachers for public agricultural and forestry vocational and technical schools (Upper Austrian Agricultural and Forestry State Teachers Official Sovereignty Act 1988 – Upper Austrian LLDHG 1988), State Law Gazette No. 32;
7. 7thparagraph 7
Higher Disciplinary Commission pursuant to Section 119 Paragraph 1 of the State Law of 3 December 1993 on the Service Law of Civil Servants of the State of Upper Austria (Upper Austrian State Civil Servants Act 1993 – Upper Austrian LBG), LGBl. No. 11/1994; Higher Disciplinary Commission pursuant to paragraph 119, paragraph one, of the State Law of 3 December 1993 on the service law of

- civil servants in the State of Upper Austria (Upper Austrian State Civil Service Law 1993 – Upper Austrian LBG), LGBl. No. 11/1994;
8. 8thparagraph 8
State Land Transfer Commission pursuant to Section 25 Paragraph 2 of the State Law of 7 July 1994 on transactions in real estate (Upper Austrian Land Transfer Act 1994 – Upper Austrian GVG 1994), LGBl. No. 88; State Land Transfer Commission pursuant to Paragraph 25, Section 2 of the State Law of 7 July 1994 on transactions in real estate (Upper Austrian Land Transfer Act 1994 – Upper Austrian GVG 1994), State Law Gazette No. 88;
9. 9thparagraph 9
Higher Disciplinary Commission pursuant to Section 143 Paragraph 1 of the State Law on the Service Law of Employees of the Upper Austrian Municipalities (with the exception of cities with their own statutes) and Municipal Associations (Upper Austrian Municipal Employees Act 2001 – Upper Austrian GBG 2001), LGBl. No. 48; Higher Disciplinary Commission pursuant to paragraph 143, paragraph one, of the State Law on the Service Law of Employees of the Upper Austrian Municipalities (with the exception of cities with their own statutes) and Municipal Associations (Upper Austrian Municipal Employees Act 2001 – Upper Austrian GBG 2001), State Law Gazette No. 48;
10. 10thparagraph 10
Higher Disciplinary Commission pursuant to Section 106 Paragraph 1 of the State Law on the Service Law of Officials of Cities with Their Own Statute (Upper Austrian Statutory Municipalities Civil Service Act 2002 – Upper Austrian StGBG 2002), LGBl. No. 50; Higher Disciplinary Commission pursuant to paragraph 106, paragraph one, of the State Law on the Service Law of Officials of Cities with Their Own Statute (Upper Austrian Statutory Municipalities Civil Service Act 2002 – Upper Austrian StGBG 2002), State Law Gazette No. 50;
11. 11thparagraph 11
Higher Disciplinary Commission pursuant to Section 53 Paragraph 1 of the State Law on the Service and Salary Law of Employees of Upper Austrian Municipalities (with the exception of cities with their own statutes) and Municipal Associations (Upper Austrian Municipal Service and Salary Law 2002 – Upper Austrian GDG 2002), LGBl. No. 52. Higher Disciplinary Commission pursuant to Paragraph 53, Paragraph 1, of the State Law on the Service and Salary Law of Employees of Upper Austrian Municipalities (with the exception of cities with their own statutes) and Municipal Associations (Upper Austrian Municipal Service and Salary Law 2002 – Upper Austrian GDG 2002), State Law Gazette No. 52.

F. Land Salzburg

1. 1stnumber one
Disciplinary Commission pursuant to Section 12 Z 2 of the Salzburg Municipal Officials Act 1968, LGBl. No. 27; Disciplinary Commission pursuant to Paragraph 12, Number 2, of the Salzburg Municipal Officials Act 1968, State Law Gazette No. 27;
2. 2ndparagraph 2
Performance assessment commission for state teachers of agriculture and forestry in accordance with Section 3 Paragraph 1 of the Act of 8 July 1981 on the responsibility for exercising official sovereignty over state teachers for agricultural and forestry vocational and technical schools (Salzburg State Teachers' Official Sovereignty Act for Agriculture and Forestry 1981), LGBl. No. 80; Performance assessment commission for state teachers of agriculture and forestry in accordance with paragraph 3, first subsection, of the law of 8 July 1981 on the responsibility for exercising official sovereignty over state teachers for agricultural and forestry vocational and technical schools (Salzburg State Teachers' Official Sovereignty Law for Agriculture and Forestry 1981), State Law Gazette No. 80;
3. 3.paragraph 3
Disciplinary Commission for State Teachers of Agriculture and Forestry pursuant to Section 5 Paragraph 1 of the Law of 8 July 1981 on the Competence to Exercise Official Authority over State Teachers for Agricultural and Forestry Vocational and Technical Schools (Salzburg State Teachers' Official Authority Law 1981), LGBl. No. 80; Disciplinary Commission for State Teachers of Agriculture and Forestry pursuant to Paragraph 5, Paragraph 1, of the Law of 8 July 1981 on the Competence to Exercise Official Authority over State Teachers for Vocational and Technical Schools in Agriculture and Forestry (Salzburg State Teachers' Official Authority Law 1981), State Law Gazette No. 80;
4. 4thparagraph 4
Performance Assessment Commission pursuant to Section 22 Paragraph 1 of the Salzburg State Civil Service Act 1987 – L-BG, LGBl. No. 1; Performance Assessment Commission pursuant to paragraph 22, paragraph one, of the Salzburg State Civil Service Act 1987 – L-BG, State Law Gazette No. 1;
5. 5thparagraph 5

Disciplinary Commission pursuant to Section 38 Paragraph 2 of the Salzburg State Civil Service Act 1987 – L-BG, LGBl. No. 1; Disciplinary Commission pursuant to Paragraph 38, Section 2, of the Salzburg State Civil Service Act 1987 – L-BG, State Law Gazette No. 1;

6. 6th paragraph 6
Higher Commission for the Assessment of Performance pursuant to Section 4 Paragraph 1 of the Salzburg State Teachers' Service Sovereignty Act 1995 – LDHG 1995, LGBl. No. 138; Higher Commission for the Assessment of Performance pursuant to paragraph 4, paragraph one, of the Salzburg State Teachers' Service Sovereignty Act 1995 – LDHG 1995, State Law Gazette No. 138;
7. 7th paragraph 7
Disciplinary Higher Commission pursuant to Section 8 Paragraph 1 of the Salzburg State Teachers' Service Sovereignty Act 1995 – LDHG 1995, LGBl. No. 138; Higher Disciplinary Commission pursuant to paragraph 8, paragraph one, of the Salzburg State Teachers' Service Sovereignty Act 1995 – LDHG 1995, State Law Gazette No. 138;
8. 8th paragraph 8
Disciplinary Commission pursuant to Section 105 Paragraph 2 of the Act of 5 February 2003 on the Service Law of Civil Servants of the State Capital of Salzburg (Magistrates' and Magistrates' Civil Servants Act 2002 – MagBG), LGBl. No. 42/2003; Disciplinary Commission pursuant to Paragraph 105, Section 2, of the Law of 5 February 2003 on the Service Law of Civil Servants of the State Capital of Salzburg (Magistrates' Civil Servants Act 2002 - MagBG), LGBl. No. 42/2003;
9. 9th paragraph 9
Procurement Control Senate pursuant to Section 2 Paragraph 1 of the Act of 7 February 2007 on the Control of the Award of Public Contracts (Salzburg Procurement Control Act 2007 – S.VKG 2007), LGBl. No. 28. Procurement Control Senate pursuant to paragraph 2, first paragraph, of the Act of 7 February 2007 on the control of the award of public contracts (Salzburg Procurement Control Act 2007 – S.VKG 2007), State Law Gazette No. 28.

G. Land Steiermark

1. 1st number one
Higher commission for the assessment of the state teachers for general compulsory schools in accordance with Section 9 paragraph 2 of the law of 30 June 1966 on the authority responsible for exercising official sovereignty over the state teachers for compulsory schools in Styria (Styrian State Teachers Official Sovereignty Law 1966 – LDHG.1966), LGBl. No. 209; Higher Commission for the Assessment of the Performance of State Teachers for General Compulsory Schools pursuant to Paragraph 9, Section 2 of the Law of 30 June 1966 on the Authority's Competence to Exercise Official Sovereignty over State Teachers for Compulsory Schools in Styria (Styrian State Teacher Official Sovereignty Law 1966 – LDHG.1966), State Law Gazette No. 209;
2. 2nd paragraph 2
Higher commission for the assessment of the state teachers for compulsory vocational schools in accordance with Section 10 paragraph 2 of the law of 30 June 1966 on the authority responsible for exercising official sovereignty over the state teachers for compulsory schools in Styria (Styrian State Teachers Official Sovereignty Law 1966 – LDHG.1966), LGBl. No. 209; Higher Commission for the Assessment of the Performance of the State Teachers for Compulsory Vocational Schools pursuant to Paragraph 10, Section 2 of the Law of 30 June 1966 on the Authority's Competence to Exercise Official Sovereignty over the State Teachers for Compulsory Schools in Styria (Styrian State Teachers Official Sovereignty Law 1966 – LDHG.1966), State Law Gazette No. 209;
3. 3. paragraph 3
Higher Disciplinary Commission for State Teachers for General Compulsory Schools pursuant to Section 16 Paragraph 2 of the Act of 30 June 1966 on the Authority's Competence to Exercise Official Sovereignty over State Teachers for Compulsory Schools in Styria (Styrian State Teacher Official Sovereignty Act 1966 – LDHG.1966), LGBl. No. 209; Higher Disciplinary Commission for State Teachers for General Compulsory Schools pursuant to Paragraph 16, Section 2, of the Law of 30 June 1966 on the Authority's Competence to Exercise Official Sovereignty over State Teachers for Compulsory Schools in Styria (Styrian State Teacher Official Sovereignty Law 1966 – LDHG.1966), State Law Gazette No. 209;
4. 4th paragraph 4
Higher Disciplinary Commission for State Teachers for Compulsory Vocational Schools pursuant to Section 17 Paragraph 2 of the Act of 30 June 1966 on the Authority's Competence to Exercise Official Sovereignty over State Teachers for Compulsory Schools in Styria (Styrian State Teacher Official Sovereignty Act 1966 – LDHG.1966), LGBl. No. 209; High Disciplinary Commission for State Teachers for Compulsory Vocational Schools pursuant to Paragraph 17, Section 2 of the Law of 30 June 1966 on the Authority's Competence to Exercise Official Sovereignty over State Teachers for

- Compulsory Schools in Styria (Styrian State Teacher Official Sovereignty Law 1966 – LDHG.1966), State Law Gazette No. 209;
5. 5thparagraph 5
Higher commission for the assessment of the state teachers of agriculture and forestry in accordance with Section 3 Paragraph 2 of the Act of October 29, 1969 on the authority's responsibility for exercising official sovereignty over the state teachers for public agricultural and forestry vocational and technical schools (State Teachers' Official Sovereignty Act for Agriculture and Forestry), LGBl. No. 9/1970; Higher commission for the assessment of the performance of state teachers in agriculture and forestry in accordance with paragraph 3, subsection 2, of the law of October 29, 1969 on the authority's responsibility for exercising official sovereignty over state teachers for public agricultural and forestry vocational and technical schools (State Teachers' Official Sovereignty Act for Agriculture and Forestry), LGBl. No. 9/1970;
 6. 6thparagraph 6
Higher Disciplinary Commission pursuant to Section 5 Paragraph 1 of the Act of 29 October 1969 on the authority responsible for exercising official sovereignty over state teachers for public agricultural and forestry vocational and technical schools (Agricultural and Forestry State Teachers Official Sovereignty Act), LGBl. No. 9/1970; Higher Disciplinary Commission pursuant to paragraph 5, first subsection, of the Act of 29 October 1969 on the authority responsible for exercising official sovereignty over state teachers for public agricultural and forestry vocational and technical schools (Agricultural and Forestry State Teachers Official Sovereignty Act), LGBl. No. 9/1970;
 7. 7thparagraph 7
Appeals Senate of the Styrian State Hunting Association pursuant to Section 5 Paragraph 1 of the Law of 10 November 1992, which issues a disciplinary code of the Styrian State Hunting Association, LGBl. No. 16/1993; Appeals Senate of the Styrian State Hunting Association pursuant to paragraph 5, first subsection, of the law of 10 November 1992, which issues a disciplinary code of the Styrian State Hunting Association, LGBl. No. 16/1993;
 8. 8thparagraph 8
Service Assessment Commission pursuant to Section 84 Paragraph 1 of the Law on Service and Remuneration of Employees of the State of Styria (Stmk. L-DBR), LGBl. No. 29/2003; Service appraisal commission pursuant to paragraph 84, paragraph one, of the law on service and salary law for employees of the state of Styria (Stmk. L-DBR), LGBl. No. 29/2003;
 9. 9thparagraph 9
Higher Disciplinary Commission pursuant to Section 95 Paragraph 1 of the Law on Service and Remuneration of Employees of the State of Styria (Stmk. L-DBR), LGBl. No. 29/2003. Higher Disciplinary Commission pursuant to paragraph 95, paragraph one, of the Law on Service and Remuneration of Employees of the State of Styria (Stmk. L-DBR), State Law Gazette No. 29 of 2003.

H. Land Tirol

1. 1stnumber one
State Courts Commission pursuant to Section 9 Paragraph 3 of the Law of 12 June 1900 concerning the special legal relationships of closed courts, effective for the Princely County of Tyrol, LGBl. No. 47; State Courts Commission pursuant to paragraph 9, paragraph 3, of the law of 12 June 1900 concerning the special legal relationships of closed courts, effective for the Princely County of Tyrol, State Law Gazette No. 47;
2. 2ndparagraph 2
Higher Disciplinary Commission pursuant to Section 74 Paragraph 1 of the Municipal Officials Act 1970, LGBl. No. 9; Higher Disciplinary Commission pursuant to paragraph 74, paragraph one, of the Municipal Officials Act 1970, State Law Gazette No. 9;
3. 3.paragraph 3
Service assessment commission of the Tyrolean municipal officials according to Section 16 paragraph 2 of the Municipal Officials Act 1970, LGBl. No. 9; Service Assessment Commission of the Tyrolean Municipal Officials pursuant to Paragraph 16, Paragraph 2, of the Municipal Officials Act 1970, State Law Gazette No. 9;
4. 4thparagraph 4
Higher Disciplinary Commission pursuant to Section 65 Paragraph 1 of the Innsbruck Municipal Officials Act 1970, LGBl. No. 44; Higher Disciplinary Commission pursuant to paragraph 65, paragraph one, of the Innsbruck Municipal Officials Act 1970, State Law Gazette No. 44;
5. 5thparagraph 5
Job description committees pursuant to Section 16 Paragraph 9 of the Innsbruck Municipal Officials Act 1970, LGBl. No. 44; Job description committees according to paragraph 16, paragraph 9, of the Innsbruck Municipal Officials Act 1970, State Law Gazette No. 44;

6. 6thparagraph 6
Higher Commission for the Assessment of State Teachers pursuant to Section 8 Paragraph 1 of the Act of 1 July 1998 on the Authority's Competence to Exercise Official Sovereignty over State Teachers (Tyrolean State Teacher Official Sovereignty Act 1998), LGBl. No. 74; Higher Commission for the Assessment of Performance of State Teachers pursuant to paragraph 8, first subsection, of the Act of 1 July 1998 on the authority responsible for exercising official sovereignty over state teachers (Tyrolean State Teachers Official Sovereignty Act 1998), State Law Gazette No. 74;
7. 7thparagraph 7
Higher Disciplinary Commission for State Teachers pursuant to Section 11 Paragraph 1 of the Act of 1 July 1998 on the authority's responsibility for exercising official sovereignty over state teachers (Tyrolean State Teachers' Official Sovereignty Act 1998), LGBl. No. 74; Higher Disciplinary Commission for State Teachers pursuant to paragraph 11, first subsection, of the Act of 1 July 1998 on the authority responsible for exercising official sovereignty over state teachers (Tyrolean State Teachers Official Sovereignty Act 1998), State Law Gazette No. 74;
8. 8thparagraph 8
Administrative Higher Commission for Health and Accident Insurance for State Officials pursuant to Section 62 of the Civil Servants' and Teachers' Health and Accident Insurance Act 1998, LGBl. No. 97; Administrative Higher Commission for Health and Accident Insurance for State Officials pursuant to Paragraph 62 of the Civil Servants' and Teachers' Health and Accident Insurance Act 1998, State Law Gazette No. 97;
9. 9thparagraph 9
Administrative Higher Commission for Health and Accident Insurance for State Teachers pursuant to Section 72 of the Civil Servants' and Teachers' Health and Accident Insurance Act 1998, LGBl. No. 97; Administrative Higher Commission for Health and Accident Insurance for State Teachers pursuant to Paragraph 72 of the Civil Servants' and Teachers' Health and Accident Insurance Act 1998, State Law Gazette No. 97;
10. 10thparagraph 10
Administrative Higher Commission for Health and Accident Welfare of Tyrolean Municipal Officials pursuant to Section 76 of the Municipal Officials Health and Accident Welfare Act 1998, LGBl. No. 98; Administrative Higher Commission for Health and Accident Welfare of Tyrolean Municipal Officials pursuant to Paragraph 76 of the Municipal Officials Health and Accident Welfare Act 1998, State Law Gazette No. 98;
11. 11thparagraph 11
Performance Assessment Commission for State Officials pursuant to Section 2(a) of the State Civil Service Act 1998, LGBl. No. 65; Performance Assessment Commission for State Officials pursuant to Paragraph 2, Letter a, of the State Civil Service Act 1998, State Law Gazette No. 65;
12. 12thparagraph 12
Higher Disciplinary Commission for State Officials pursuant to Section 2(a) of the State Civil Service Act 1998, LGBl. No. 65; Higher Disciplinary Commission for State Officials pursuant to Paragraph 2, Letter a, of the State Civil Service Act 1998, State Law Gazette No. 65;
13. 13thparagraph 13
Appeal Commission pursuant to Section 38 Paragraph 3 of the Tyrolean Tourism Act 2006, LGBl. No. 19; Appeal Commission pursuant to Paragraph 38, Section 3, of the Tyrolean Tourism Act 2006, Provincial Law Gazette No. 19;
14. 14thparagraph 14
Appeals Commission in tax matters pursuant to Section 5 Paragraph 1 of the Law of 30 September 2009 on the tax authorities of the state and municipalities and on criminal law in matters of taxes regulated by state law (Tyrolean Tax Law – TAbgG), LGBl. No. 97; Appeals Commission in tax matters pursuant to paragraph 5, first subsection, of the Law of 30 September 2009 on the tax authorities of the state and municipalities and on criminal law in matters relating to taxes regulated by state law (Tyrolean Tax Law – TAbgG), State Law Gazette No. 97;
15. 15thparagraph 15
Higher reallocation authority according to Section 93 of the Tyrolean Spatial Planning Act 2011 – TROG 2011, LGBl. No. 56. Reallocation authority according to paragraph 93 of the Tyrolean Spatial Planning Act 2011 – TROG 2011, State Law Gazette No. 56.

I. State of Vorarlberg Roman one. Land Vorarlberg

Higher Commission for the Assessment of Performance pursuant to Section 4 Paragraph 4 of the Act on the Authority's Competence to Exercise Official Sovereignty over State Teachers for Public Compulsory Schools (State Teachers' Official Sovereignty Act), LGBl. No. 34/1964. Higher Commission for the Assessment of Performance pursuant to Paragraph 4, Section 4, of the Law on the Authority's Competence to Exercise Official

Sovereignty over State Teachers for Public Compulsory Schools (State Teachers' Official Sovereignty Law), State Law Gazette No. 34 of 1964.

J. Land Wien

1. 1stnumber one
Supreme Building Authority pursuant to Section 138 of the Vienna Urban Development, Town Planning and Building Code (Building Code for Vienna – BO for Vienna), LGBl. No. 11/1930;Supreme Building Authority pursuant to Paragraph 138 of the Vienna Urban Development, Town Planning and Building Code (Building Code for Vienna – BO for Vienna), LGBl. No. 11/1930;
2. 2ndparagraph 2
Arbitration Commission pursuant to Section 116 of the Law on the Regulation of Hunting (Vienna Hunting Law), LGBl. No. 6/1948;Arbitration Commission pursuant to Paragraph 116 of the Law on the Regulation of Hunting (Vienna Hunting Law), LGBl. No. 6/1948;
3. 3.paragraph 3
Tax Appeals Commission pursuant to Section 203 of the Vienna Tax Organisation Law (WAOR), LGBl. No. 21/1962;Tax Appeals Commission pursuant to Paragraph 203 of the Vienna Tax Organization Law (WAOR), LGBl. No. 21/1962;
4. 4thparagraph 4
Appeal Senate pursuant to Section 48a Paragraph 1 of the Constitution of the Federal Capital Vienna (Vienna City Constitution – WStV), LGBl. No. 28/1968;Appeal Senate pursuant to paragraph 48 a, paragraph one, of the Constitution of the Federal Capital Vienna (Vienna City Constitution – WStV), LGBl. No. 28/1968;
5. 5thparagraph 5
Higher Commission for the Assessment of Performance at the City School Board for Vienna pursuant to Section 4 Paragraph 1 Letter b of the Act concerning the Competence for the Exercise of Official Sovereignty over Vienna State Teachers for Elementary, Secondary, Special and Polytechnic Schools as well as for Vocational Schools (Vienna State Teachers' Official Sovereignty Act 1978 – LDHG 1978), LGBl. No. 4/1979;Higher Commission for the Assessment of Performance at the Vienna City School Board in accordance with paragraph 4, subsection one, letter b, of the law concerning the responsibility for exercising official sovereignty over the Viennese state teachers for elementary, secondary, special and polytechnic schools as well as for vocational schools (Viennese State Teachers' Official Sovereignty Act 1978 - LDHG 1978), LGBl. No. 4/1979;
6. 6thparagraph 6
Higher Disciplinary Commission at the City School Board for Vienna pursuant to Section 9 Paragraph 1 Letter c of the Law concerning the Competence to Exercise Official Sovereignty over Vienna State Teachers for Elementary, Secondary, Special and Polytechnic Schools as well as for Vocational Schools (Vienna State Teachers Official Sovereignty Law 1978 – LDHG 1978), LGBl. No. 4/1979;Higher Disciplinary Commission at the City School Board for Vienna pursuant to paragraph 9, paragraph one, letter c, of the law concerning the competence to exercise official sovereignty over the Viennese state teachers for elementary, secondary, special and polytechnic schools as well as for vocational schools (Viennese State Teachers' Official Sovereignty Act 1978 - LDHG 1978), LGBl. No. 4/1979;
7. 7thparagraph 7
Service Law Senate pursuant to Section 74a of the Law on the Service Law of Civil Servants of the Federal Capital Vienna (Service Regulations 1994 – DO 1994), LGBl. No. 56;Service Law Senate pursuant to Paragraph 74 a of the Law on the Service Law of Civil Servants of the Federal Capital Vienna (Service Regulations 1994 – DO 1994), State Law Gazette No. 56;
8. 8thparagraph 8
Procurement Control Senate pursuant to Section 3 of the Vienna Procurement Legal Protection Act 2007 (WVRG 2007), LGBl. No. 65/2006.