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Austria

Which authority decides on a claim for compensation in cross-border cases?

Federal Office for Social Affairs and People with Disabilities, Ministry for Social Affairs (Bundesamt für Soziales und Behindertenwesen - Sozialministeriumservice).

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Can I send my claim directly to the deciding authority in this country even in cross-border cases (without having to go via the assisting authority in my home country)?

Yes.

In which language(s) do the compensation authorities accept the claim and supporting documents?

If submitted by an assisting authority or the victim, then in general, German and English.

(If the victim is not able to submit documents to the authority in German or English, claims in other languages will also be accepted and then translated).

If the compensation authority translates the claim/supporting documents from another EU country, who pays for this?

The authority.

Are there administrative or other charges to be paid in this country for processing my claim (received from another EU country)? If so, how can I pay for these?

No costs are involved.

If I need to be present during the procedure and/or when my claim is being decided upon, can I be reimbursed for my travelling costs? How can I claim them? Who do I have to contact?

In general, you do not need to be present.

If you are summoned, the authority will cover the costs, which you will need to claim for. The Federal Office for Social Affairs and People with Disabilities is responsible for this.

Is an interpreter provided, in case I have to be personally present?

If required, yes.

Will medical certificates, given by doctors in my country of residence, be accepted or recognised – or will my health/injury have to be examined by your own medical experts?

In most cases, an Austrian expert who is appointed by the authority will be involved. He/she will take certificates from your country of residence into account when completing the assessment.

Will I be reimbursed for my travelling costs if I have to undergo a medical examination in this country?

Yes.

How long does it take approximately to get a decision on compensation from the authority/body?

It depends on the assistance requested. In most cases the decision is made within six months.

In which language will I receive the decision on my claim?

In German.

If I am not satisfied with the decision, how can I challenge it?

An appeal may be lodged with the Federal Administrative Court against the Ministry of Social Affairs' decision (appeals may also be lodged with the Constitutional Court (*Verfassungsgerichtshof*) and the Supreme Administrative Court (*Verwaltungsgerichtshof*)).

Can I get legal aid (help from a lawyer) under the other country's rules?

Yes. However, legal costs are not reimbursed by the Ministry of Social Affairs or the Federal Administrative Court.

Are there any victim support organisations in this country that can help me claim compensation in a cross-border case?

You will need to check with victim support organisations (e.g. Weisser Ring) to see whether such support is available.

Last update: 19/08/2020

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