

Explanation of the application form

Stay Permit – Special Cases of Gainful Employment

This explanation was intentionally written in easily understandable language.

This explanation is for your information only. Only the law published in German language is legally valid and binding. This means that you cannot derive any rights from this explanation.

You may only tick one box under "Application for a residence permit".

1. EU passport photo	The passport photograph has to be 35 millimetres wide and 45 millimetres high. You can find the exact dimensions here: www.bmi.gv.at/passbild .
2. Signature	You have to sign directly in front of the employee of the Austrian authority or Austrian embassy.
3.	You are not allowed to write anything here.

Type of application	You may only tick one application type (= one box) here.
4. Initial application	Tick this box if you currently do not have a residence permit for Austria.
5. Extension application	Tick this box if your residence permit is still valid and you are already holding the right purpose for your stay and you want to renew it. The purpose of your stay is for example your studies at a university or family reunification. You can apply when there are only 3 months left until your residence permit expires.
6. Application for change of purpose	Tick this box if your residence permit is still valid and you want to stay in Austria for a different purpose than the one you currently have. If you do not get the other purpose of residence, you will again get the same purpose of residence as before, if it is no longer valid. However, you must meet all the requirements for this.
7. Extension application/Application for change of purpose	Tick this box if you want to continue staying in Austria for a different purpose than the one you currently have AND you want to renew your residence permit if your change of purpose is denied. In this case, you will have to pay double the application fee.

A. My data	Information about you
8. surname(s)	Please fill in your last name. If you have more than one last name, please fill in all of your last names.
9. first name	Please list all your first and middle names.
10. Former surnames	If you previously had one or more different last names, please fill them in here (example: before your marriage).
11. sex	male – Tick this box if you are a man. female – Tick this box if you are a woman. divers, inter, open, not specified - Tick your appropriate gender here if you are not male or female.
12. date of birth	When were you born?
13. country of birth	In which country were you born? example: Austria
14. place of birth	What is your place of birth? example: Vienna
15. marital status	single – Tick this box if you are neither married nor in a registered partnership. married/registered partnership (EP) – Tick this box if you are married or in a registered partnership. divorced/dissolved EP – Tick this box if you are divorced or your registered partnership has been dissolved. widowed/dissolution of registered partnership by death – Tick this box if your husband/wife or registered partner died.
16. nationality(s)	Please fill in your nationality here. If you have more than one nationality, please list them here.
17. since	Since when are you holding the nationalities listed under point 16?
18. former nationality	Have you previously had different nationalities? If yes, please write them down.
19. until	Until when did you have these previous nationalities? You only have to answer this question if you filled out point 18!
20. type of previous residence permit (if available)	Please fill in which residence permit you currently hold (if that applies).
21. date of expiration	Until when is your residence permit valid?
22. health insurance that is compulsory in Austria and covers all risks	Do you have health insurance? Please write down the name. The health insurance must be valid in Austria and cover all risks.

23. Austrian social security no.	Please write down your Austrian Social security number (if applicable).
current residence	Where do you currently live?
24. country	In what country are you currently living?
25. postal code	What is your postal code?
26. street, house number, door number	What is your street address? Please include house number, door or apartment number, if that applies.
27. location	In which place or town do you live?
(intended) place of residence in Austria	Where are you planning to live?
28. postal code	What will be your postal code?
29. street, house number, door number	What will be your street address? Please include house number, door or apartment number, if that applies.
30. location	In which place or town do you plan to live?
contact details	Your contact details
31. phone number	Please write down your phone number, if you have one.
32. E-Mail address	Please write down your e-mail address, if you have one.

Authorised Representative / authorised representative for service of documents

It is important that the authority can send you letters and that you can contact the authority. You can appoint a person to represent you in the procedure (power of attorney for representation). You can also appoint a person to receive your letters for you (authorisation to receive documents).

- Power of attorney for representation: You can appoint a person to represent you in the procedure. This person can then contact the authority and act on your behalf. Unless you specify otherwise, the authority will also send letters to this person.
Representation for payment is only permitted by professional representatives (for example, lawyers). Other people, such as your spouse, relatives or acquaintances, may represent you free of charge.
For representation, you need a written power of attorney. The power of attorney must include your details and the details of your representative. You must sign the power of attorney. The representative must also be aware of the power of attorney and must sign it.
If a lawyer represents you, different rules apply. Your lawyer will inform you about these rules.
You can find a sample power of attorney under Section F at <https://www.bmi.gv.at/312/60a/start.aspx>.
- Authorisation to receive documents: You can appoint a person who lives in Austria to receive your letters. This can be, for example, your spouse, a relative or an acquaintance.

The authority will then send the letters to this person. You do not need a written power of attorney for this. You only need to fill in the following fields.

The person authorised to receive documents may only receive your letters. They may not represent you in the procedure.

33. first name(s)	What is the first name of the person authorised to receive your letters?
34. surname(s)	What is the last name of the person authorised to receive your letters?
35. postal code	What is the postal code of the town where the person authorised to receive your letters lives?
36. street, house number, door number	What is the street address of the person authorised to receive your letters?
37. location	In which town does the person authorised to receive your letters live?
38. phone number	Please write down the phone number of the person authorised to receive your letters.
39. E-Mail address	Please write down the e-mail address of the person authorised to receive your letters.

B. I am applying for the following residence permit

Tick the residence permit that you would like. You can only tick one box.

C. My family members

Data about your family

parents (fill in for children under the age of 18 only)

40. father surname(s)	Please list all of your father's last names.
41. first name(s)	Please list all of your father's first and middle names.
42. date of birth	When was your father born?
43. nationality	Please write down your father's citizenship.
44. Austrian SV no.	If your father has an Austrian social security number, please write it down here.
45. type of residence permit (if available)	If your father has a residence permit in Austria, please write down here which permit he holds.
46. date of expiration	Until when is your father's residence permit valid? You only have to fill in this point, if you filled out point 45.
47. mother surname(s)	Please list all of your mother's last names.

48. first name(s)	Please list all of your mother's first and middle names.
49. date of birth	When was your mother born?
50. nationality	Please write down your mother's citizenship.
51. Austrian SV no.	If your mother has an Austrian social security number, please write it down here.
52. type of residence permit (if available)	If your mother has a residence permit in Austria, please write down here which permit she holds.
53. date of expiration	Until when is your mother's residence permit valid? You only have to fill in this point, if you filled out point 52.
wife or husband or registered partner	
54. surname(s)	Are you currently married or living in a registered partnership? If yes, please fill in your husband's/wife's/partner's last name(s) here.
55. first name(s)	Please write down all of your husband's/wife's/partner's first and middle names.
56. date of birth	What's your husband's/wife's/partner's birth date?
57. nationality	Please fill in your husband's/wife's/partner's nationality.
58. Austrian SV no.	If your husband/wife/partner has an Austrian social security number, please write it down here.
59. type of residence permit (if available)	If your husband/wife/partner has a residence permit, please write down here which permit he/she holds.
60. date of expiration	Until when is your husband's/wife's/partner's residence permit valid? You only have to fill in this point, if you filled out point 59.
children	
61. surname(s)	All natural and adopted children should be listed here. Do you have children? Please write down your child's last name. If your child has more than one last name, please write all of them down.
62. first name(s)	Please write down your child's first and middle name.
63. date of birth	What is your child's date of birth?
64. nationality	Please write down your child's nationality.
65. residence permit	yes – Please tick here, if your child has a residence permit for Austria. no – Please tick here, if your child does not have a residence permit for Austria.

D. Own funds available to secure the livelihood for the duration of residence

Do you have assets? Do you have income?

1. property/assets

66. type of assets (savings book, account)

What kind of income/property do you have (e.g. a bank account, regular income from renting out a house)?

67. height (EUR)

How much is your income/property worth in euros?

68. Where does the money come from (e.g. savings, parents' income)?

Where did you get the money (for example, savings, parents' income)?

Who provided you with the money (name, date of birth, nationality, close relationship)?

69. The money belongs only to me (or the person specified in point 54) and I do not have to share it with anyone else

yes – Please tick here, if you have to share the money with somebody other than your husband or your wife.

no – Please tick here, if you have to share the money with somebody.

2. income (e.g. salary, wages or other claims such as maintenance)

70. type

Do you have a job or another form of regular income? Do you receive maintenance? Maintenance means that somebody has to give you money every month, e.g. after a divorce.

71. monthly amount (EUR)

How much money do you get per month in euros? Income and maintenance are included.

3. declaration of liability

This is a written statement by a person who is responsible for your accommodation and financial support in Austria. The person must also pay for the costs incurred by a territorial authority if, for example, you do not leave Austria voluntarily despite a return decision, expulsion or a residence ban. A territorial authority is, for example, the federal government, state or municipality.

The declaration of liability is valid for five years and must be certified by an Austrian notary or domestic court.

The declaration of liability is possible with:

- "Settlement Permit – Artist"
- "Stay Permit – Pupil"
- "Stay Permit – Student"
- "Stay Permit – Volunteers"

The declaration of liability is mandatory for:

- "Stay Permit – Social Service Employee"
- "Settlement Permit – Dependent"
- "Settlement Permit" according to § 56 NAG

You can find a declaration of liability at

<https://bmi.gv.at/312/60a/start.aspx> (only in German).

72. yes no

yes – Please tick here, if somebody signed a declaration of liability for you.

no – Please tick here, if you do not have a declaration of liability.

4. regular expenses

73. I have the following regular expenses

Do you have regular expenses? For example: Do you have to pay rent? Do you have to repay a debt?

74. rental costs

How much do you pay for rent?

75. credit charges / installment payments

Do you have a loan? How much do you have to pay back each month?

76. seizures / executions

Did a court order you to make monthly payments?

77. maintenance payments (e.g. after divorce)

Do you have to pay maintenance for somebody?

78. other

Do you have to make regular payments?

79. I have no regular expenses.

Tick here if you do not have any regular payments.

Which documents do you need for the application?

- Valid travel document, e.g. a passport.
- Photo of yourself (see point 1 of this explanation).
- A document stating whether you have been convicted by a court. You can get this document for example from the police or from a court in your home country.

You only need this document for the initial application.

- Certificate of marriage or a partner certificate, if that applies.
- Document about your divorce or dissolution of your registered partnership, if that applies.
- Proof or document of relationship.

If you want to prove that a person is related to you (for example: your child), you must bring a confirmation. This is, for example, a birth certificate or an adoption certificate. In all other cases, you do not need to present a birth certificate.

- Death certificate, if that applies.
- Proof about sufficient health insurance in Austria.
- Proof to a locally customary accommodation.
For example your housing agreement (Wohnrechtsvereinbarung), rental contract or proof of ownership of an apartment or house.

- Proof that you have sufficient income.
For example a work contract, a pay slip or a confirmation that you receive a pension.
It may also be a proof that you own property.

As an **employee** you also need:

- Employment contract

As an **Au-Pair** you also need:

- a confirmation (Anzeigebestätigung) from the Public Employment Service Austria (AMS)

ATTENTION:

Even if you have already submitted all the listed documents, the authority may still require more information/documents from you. This may be necessary if not everything is clear for the authority yet. Therefore, please send these documents to the authority quickly.

If you do not pay the fees, you cannot get a residence permit. Please pay the fees as soon as possible. If you pay later, your procedure will take longer.