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Foundation of a limited liablity company (GmbH) in Austria



Foundation a GmbH

To **establish a GmbH (Limited liability Company) in Austria,** the following information and steps are required:

1) **Company name:** Shall the company name include "**AT**", "**Austria**", or "**International**", a legal opinion of the WKO (Austrian Chamber of Commerce) is required. It must be proven that the company is either part of an international group or will operate throughout the entire territory of Austria.

2) **Registered office:** The tax authority usually checks whether it is a real (physical) office.

3) **Financial Year-End Date:** While December 31st is the standard financial year-end date, it may be an advantage to select an alternative closing date (e.g., March 31st, June 30th, etc.), known as fiscal year. In some cases, it may be beneficial for the financial year of the subsidiary to end before the financial year-end of the parent company.

4) **Shareholder(s):** Address and ID required. This is an opportunity for tax planning. Consider any future sale of the company as well as the distribution of dividends to shareholders.

5) **Managing director:** Address and ID required. If more than one managing director is appointed, it must be specified whether they represent the company individually or mutually. Also, consider possible social insurance obligations in Austria.

6) **Business activity:** It is better to list only one. In Austria, unlike in Slovakia, multiple trade licenses are not commonly listed because each declared activity is subject to a WKO membership fee.

7) **Paid-in capital:** As of January 1st 2025, the statutory minimum is EUR 10,000. At least half must be paid in by the date of establishment.



Procedure:

1. Attend a **notary** to sign the **Articles of Association**. All present persons must speak German, or an officially licensed Austrian interpreter must be present.

2. The **nominal capital** has to be **transferred** to the **account**. The bank **issues a confirmation** that the funds are available to the managing director. Once the confirmation is sent to the notary, he will submit all documents to **the commercial court**. The GmbH is usually being registered within one week and starts existing with its incorporation. Alternatively, it is possible to pay the nominal capital to the account of the Chamber of notaries. These charge around EUR 500 for this service. This gives you more time to find a suitable bank. This option is certainly the quickest way to register a GmbH.

3. **Tax registration:** The tax office typically inspects the registered office premises before issuing the VAT ID and tax number. This process usually takes about a month. It is important to note that in Austria, the tax number is not made public (and is not shared with anyone), only the VAT number if applicable.

