

How to use the "Point of Single Contact"?

Guidelines for the Austrian "Point of Single Contact"

for EU/EEA – Service Providers

✓ You are a citizen of an EU or EEA country or you work for a legal entity based in an EU or EEA country.

✓ You would like to offer a service in Austria.

➡ In doing so, in most cases official regulations must be complied with and possibly applications or approvals will be required.

With this the "Point of Single Contact" (abbr.: PSC/ in German: EAP) can help you.

- From the EAP you receive information regarding the provision of services.
- At the EAP you can submit written requests (e.g. applications).

Where do I find the EAP (PSC) in Austria?

Austria consists of **nine federal states**, each with different laws for specific fields; therefore there is **one EAP for each federal state**. On the Austrian service-guidelines portal www.eap.gv.at you can find the links to the **nine EAP information portals** and further information.



How are the EAPs structured?

Each one of the **nine EAPs** in Austria consists of **two areas**:



aEAP

- the "general EAP":

On the EAP information portal www.eap.gv.at information can be retrieved via the internet.



iEAP

- the "individual EAP":

You can submit individual requests (via e-mail, telephone or personally). Your request will be answered personally by experts.

”STEP-BY-STEP - GUIDE“: How do I use the EAP?

In the following **”STEP-BY-STEP - GUIDE“** you can find how to optimally use the services of the EAP, followed by some examples.

Step 1: Answer the questions ”WHERE - WHAT - HOW?“

Step 2: Choose the competent EAP

Step 3: Search on the EAP information portal (aEAP)

Step 4: Contact the individual EAP

Step 5: Submit applications

Step 1: Answer the questions “WHERE would I like to offer WHAT and HOW?“

In order to find the right EAP service, some information is required and some basic decisions must be made.

Therefore you should answer the following **questions (A - C)** for yourself, **before using the EAP information portal (aEAP) or contacting the individual EAP (iEAP).**

Question A: Where in Austria would I like to offer the service?

Municipality or federal state where you would like to offer the service:.....

Explanation:

Due to different regulations for specific fields in the **nine federal states**, there is **one EAP for each federal state**.

In the case that you would like to offer the **service in more than one or all federal states** or if you are **as yet uncertain about the location**, please contact **the EAP of your choice** and inform this EAP about the multiple or as yet uncertain locations. This EAP will then let you know if the given information is valid for the entire federal territory or whether you should also contact other EAPs due to differing regulations.

Question B: Which service would I like to offer?

Your service:.....

Is it a "trade"? Yes No

Explanation:

The term "services" includes various activities that are regulated in different laws in Austria. For the search on the **EAP information portal (aEAP)** it is crucial whether the service belongs to the category of "trades" or not:

What is a "trade"?

In Austria most of the self-employed services are considered to be "trades". The "trades" are subject to the state-wide law "**Gewerbeordnung 1994**" (Trade, Commerce and Industry Regulation Act).

Examples: craftsmen, master builders, trade, catering industry – e.g. hotels and restaurants, real estate agents, travel agency, management consultancy, insurance broking.

The "trades" are classified as follows:

- "regulated trades": a qualification („certificate of competence“) must be provided;
- "free trades": for free trades no qualification is required;

👉 In order to identify whether your service is classified as a "trade", search in the following lists:

⇒ List of regulated trades (exhaustive):

<http://www.bmwfj.gv.at/Unternehmen/Gewerbe/Documents/Liste%20reglementierter%20Gewerbe.pdf>

⇒ List of free trades (non-exhaustive):

http://www.bmwfj.gv.at/Unternehmen/Gewerbe/Documents/Bundeseinheitliche%20Liste%20der%20freien%20Gewerbe_2013-02_3%20Mai.pdf

Some services are not classified as "trades" There are special regulations for these other self-employed service providers.

Examples: architect, civil engineer, stewardship accountant, public accountants, veterinarians, skiing schools, mountain guides, social care services, private kindergartens.

Question C: How would I like to offer the service?

Cross-border exchange of services OR permanent establishment

Explanation:

A differentiation must basically be made whether you occasionally and temporarily offer the service in Austria from abroad, hence on the basis of a **cross-border exchange of services** or whether you would like to found a **permanent establishment** in Austria.

This differentiation is necessary because for **cross-border exchange of services** different regulations may apply than for **permanent establishments**.

Step 2: Choose the responsible EAP

Go to www.eap.gv.at and **choose the EAP** of the federal state where you would like to offer your service: With the **search function** you can find the responsible EAP for each Austrian municipality. You will then be directed to the **EAP information portal (aEAP)** of the responsible EAP.

Step 3: Search on the EAP information portal (aEAP)

Search for the information on the EAP information portal (aEAP):

The information on the various services is ordered according to **business circumstances** (e.g. establishment of a business, management, working across the border...) and **key-words** (e.g. waste, trade). Use the **search function**. That way you get to the **description of the procedures** where you can find relevant information about the procedures, such as responsible authorities, required documents, costs etc.

Information about the search:

⇒ **If your service is classified as a “trade”,**

the following requirements must be met for the provision of the service:

- In the case of a **permanent establishment**: a **trade registration** must be filed in any case;
- When **working across the border**: in the case of “regulated trades”; a **notification of services** must be filed;

Information on the various trades you can find on the **EAP information portal (aEAP)** for the various business circumstances (e.g. “establishment of a business“, “working across the border“...) under the term “trade“ (there e.g. for a permanent establishment: registration of a business, for working across the border: notification of a service).

Please note, that specific information on cross-border exchange of services can be found under the business circumstance “working across the border“.

In case you cannot find the desired information on the EAP information portal (aEAP), please contact the individual EAP (iEAP); see below Step 4.

TIP: The most important descriptions of procedures you can find on the starting page under „FAQ / Frequent searches“

⇒ In case your service is classified as “Other services“,

you can find **information** about it on the **EAP information portal (aEAP)** in the various business circumstances (e.g. “establishment of a business“) under the respective key-word (e.g. architect, civil engineer, veterinarian, skiing school, mountain guide) or via the search function.

Please note that specific information on cross-border exchange of services can be found under the business circumstance “Working across the border”.

In case you cannot find the desired information on the EAP information portal (aEAP), please contact the individual EAP (iEAP); see below Step 4.

⇒ Other requirements for service providers:

Apart from information on “trades” and “other services” you can find the following on the EAP portals:

- Information on **additional requirements** which service providers have to meet, such as approvals for facilities, events, etc.
- Information on public **registers**, on **legal remedies** as well as **supporting organizations**
- Links to information on **taxes and social insurance**

For questions relating to the above you can also make a **request to the iEAP** (see Step 4).

**Step 4 – in case you cannot find the desired information on the EAP information portal (aEAP):
Contact the individual EAP (iEAP)**

Contact the individual EAP (iEAP) via e-mail or telephone. You can also find the contact details on the EAP information portal.

- Burgenland: eap@bgld.gv.at
- Carinthia: eap@ktn.gv.at
- Lower Austria: eap@noe.gv.at
- Upper Austria: eap@ooe.gv.at
- Salzburg: eap@salzburg.gv.at
- Styria: eap@steiermark.gv.at
- Tyrol: eap@tirol.gv.at
- Vorarlberg: eap@vorarlberg.gv.at
- Vienna: eap@wien.gv.at

**Step 5 – in case you must file applications:
Applications are to be filed with the responsible authority or the EAP**

You can file **applications** directly **with the responsible authority or the EAP**. You will find the **forms** on the pages of the EAP.

In case you cannot find the desired forms there or if you have any questions, please **contact the individual EAP (iEAP)**.

Examples

Example 1: You would like to open a restaurant in Vienna:

Step 1 – Answer the questions:

| | |
|---------|--------------------------------|
| WHERE?: | Vienna |
| WHAT?: | Restaurant / catering business |
| HOW?: | Permanent establishment |

Step 2 – choose the responsible EAP: EAP Vienna

Step 3 – Search on the EAP information portal (aEAP): under "establishment of a business" → "trade" → "trade registration": In the description of the procedure for „trade registration“ you can find the essential information.

Step 4: In case you cannot find the information on the aEAP or if you have any further questions: Contact the individual EAP (iEAP) in Vienna via e-mail or telephone.

Step 5: You can file your trade registration online, with the authorities or with the EAP.

Example 2: You are a building contractor located in Germany. You would like to take on a building contract for a house in Salzburg:

Step 1 - Answer the questions:

| | |
|---------|-----------------------------------|
| WHERE?: | Salzburg |
| WHAT?: | Building master - trade |
| HOW?: | cross-border exchange of services |

Step 2 - choose the responsible EAP: EAP Salzburg

Step 3 - Search on the EAP information portal (aEAP): under "working across the border" → "notification of a service": In the description of the procedure for "service notification" you can find the essential information.

Step 4: In case you cannot find the information on the aEAP or if you have any further questions: Contact the individual EAP (iEAP) in Salzburg via e-mail or telephone.

Step 5: You can file your notification of a service online, with the authorities or with the EAP.