Baker McKenzie.

I Am Here: obtaining your identification and vital documents

Austria

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National Identification Cards

What type of document can youth seek which will allow them to move around the country?

An ID card allows you to travel within Austria. A driver's license is not sufficient. A passport allows you to travel within Austria, too.

https://www.oesterreich.gv.at/themen/persoenliche_dokumente_und_bestaetigungen/person_alausweis/Seite.030700.html#G

https://www.oesterreich.gv.at/themen/persoenliche_dokumente_und_bestaetigungen/person_alausweis/Seite.030700.html#G

(https://www.vienna.at/was-duerfen-polizeibeamte-bei-einer-personenkontrolle-infos-und-rechte/4311971)

What is the process for getting a National ID card?

In Austria, you can go to any passport authority, regardless of where you live in Austria. Some communities also accept the application and pass it on to the passport authority.

You will need to appear in person when the application is done and the person who is allowed to represent you (see below) needs to apply in person, too if you are below 14.

The following documents are needed:

If you are below 14, you will need a person who is able to represent you. That person will need to show that it has the right to do so. This can happen as follows:

- your birth certificate
- (if both parents married): marriage certificate
- an official declaration relating to who is your representative

That person will need to complete and sign the application form. If you are 14 but not yet 18, you can apply for the national ID yourself but you will need a signed document from your representative confirming that they are ok with the application.

- If you don't have your old passport/ID card anymore, you need:
- ID card/passport of your representative (mother, father or other)
- vour birth certificate
- evidence of your (Austrian) nationality see more infos here:
 https://www.vienna.at/was-duerfen-polizeibeamte-bei-einer-personenkontrolle-infos-und-rechte/4311971

 your photo (35 x 45 mm) that isn't older than 6 months (please consider detailed criteria re your photo outlined here: https://www.vienna.at/was-duerfen-polizeibeamte-bei-einer-personenkontrolle-infos-und-rechte/4311971)

You can find more information here:

https://www.vienna.at/was-duerfen-polizeibeamte-bei-einer-personenkontrolle-infos-und-rechte/4311971

Where can I find information online about getting a National ID?

This is the link for Austria:

https://www.vienna.at/was-duerfen-polizeibeamte-bei-einer-personenkontrolle-infos-und-rechte/4311971

If you are in Israel, please use this link:

https://www.bmeia.gv.at/en/austrian-embassy-tel-aviv/service-for-citizens/identity-papers-and-other-documents/austrian-id-card/

What documents do I have to have to get a National ID? Is there any document that I must have to get an ID?

You need a couple of documents in addition to the person who is allowed to represent you (such as your parent(s)) if you are below 18:

- If you are below 18, you will need a person who is able to represent you. That person will need to show that it has the right to do so. This can happen as follows:
 - your birth certificate
 - (if both parents married): marriage certificate
 - an official declaration relating to who is your representative

That person will need to complete and sign the application form.

If you don't have your old passport/ID card anymore, you need:

- ID card/passport of your representative (mother, father or other)
- your birth certificate
- evidence of your nationality

 your photo (35 x 45 mm) that isn't older than 6 months (please see detailed criteria re your photo outlined here: Passbild-Kriterien)

costs: EUR 14.30

electronic ID: EUR 8.60

What if my documents do not have my correct name/address?

Source:

https://www.bmeia.gv.at/en/austrian-embassy-tel-aviv/service-for-citizens/identity-papers-and-other-documents/austrian-id-card/

To change/correct name /address etc., on your ID you can go to the website linked below (for people under age 18) and start the process.

https://www.bmeia.gv.at/en/austrian-embassy-tel-aviv/service-for-citizens/identity-papers-and-other-documents/austrian-id-card/

As this section of the webpage is in German only, I have translated the relevant parts:

Requirements

- The prerequisite for the issuance (or change) of an Austrian identity card is Austrian citizenship.
- In the case of children and underage minors (under 14 years of age), the application must be submitted by the legal representative.
- Minors of legal age (between 14 and 18 years of age) can apply for an identity card themselves, provided that they have the consent of their legal representative. It is recommended that the consent be given by the legal representative in person before the passport authority. For this purpose, it is necessary for the legal representative to identify himself or herself with an official photo ID. If this is not possible, a written declaration of consent from the legal representative and the official photo ID of the legal representative must be submitted.
- Application by third parties (e.g., relatives): Written power of attorney and presentation of an official photo ID of the principal is required

Depending on where you live you need to select the correct passport authority:

- The District administration, type your zip code here to find out which office location is the right one for you:
 - https://www.oesterreich.gv.at/linkresolution/gemeindeauswahl/283
 - If you live in Leoben: https://www.leoben.at/service/personalausweis/
 - If you live in Schwechat: the municipality https://www.schwechat.gv.at/system/web/zusatzseite.aspx?detailonr=2267152 55&menuonr=226706707

- If you live In Vienna: the Municipal District Offices (→ City of Vienna https://www.wien.gv.at/verwaltung/passservice/stellen.html)
- If you live in Krems an der Donau: the district administration https://www.noe.gv.at/noe/Krems/Bezirkshauptmannschaft Krems.html

The application for the issuance of an Austrian identity card can be submitted to any passport authority in Austria – regardless of residence.

Application to the municipality

Some municipalities accept applications for the issuance of an Austrian identity card and forward them to the responsible passport authority. More information can be found at the corresponding municipality.

If the application is submitted via the municipality, a longer waiting time must be expected until the identity card is delivered.

Procedure

An identity card for underage minors can only be applied for by the person who also has legal custody of the child.

Examples:

- For children whose parents are married to each other, both are authorised to represent each other as long as the marriage is valid.
- For children whose parents are not married to each other, the mother is generally authorised to represent them. If the power of representation (in the case of joint custody) also applies to the father, he must prove this.
- For children from a divorced marriage, the person to whom custody has been transferred is authorised to represent the child. The power of custody must be proven.

The signature on the application form in the scan field (located at the top right of the form) is provided by the child himself or by other persons (accompanying person or employee of the passport authority) in block letters.

Delivery of the identity card

The ID card will be delivered by post to the specified address (e.g., home, workplace, passport office) within about five working days.

If the application is submitted via the municipality, a longer waiting time must be expected.

Required documents

- Age identity card of the minor available:
 - Official photo ID of the applicant (usually mother/father)
 - Age identity card of the minor (minor identifiable on photo)
 - A passport photo of the minor (portrait format 35 x 45 mm) not older than six months according to certain passport photo criteria (in colour)

Proof of power of representation if necessary

Additional documents

- No identity card, but a passport of the minor available:
 - Official photo ID of the applicant (usually mother/father)
 - Passport of the minor (no more than five years expired or identifiable on a photo)
 - A passport photo of the minor (portrait format 35 x 45 mm) not older than six months according to certain passport photo criteria (in colour)
 - Proof of power of representation if necessary

Additional documents

- No identity card and passport of the minor available:
 - Official photo ID of the applicant (usually mother/father)
 - Birth certificate of the minor
 - Proof of citizenship of the minor
 - A passport photo of the minor (portrait format 35 x 45 mm) not older than six months according to certain passport photo criteria (in colour)
 - Proof of power of representation if necessary

Additional documents

Proof of the power of representation can be provided in the following ways:

- Birth certificate and marriage certificate of the parents in the case of a valid marriage, or
- Birth certificate, if the child was born out of wedlock and you, as the mother, are the sole legal representative, or
- Declaration of joint custody or
- legally valid agreement on joint custody concluded before the court, or
- agreement approved by the guardianship court, or
- by a custody order with a note of legal force or
- custody decision of a foreign authority, including a certified translation or
- Application by third party: Written power of attorney and presentation of an official photo ID of the principal
- Application by emancipated minors (between 14 and 18 years of age):

- Verbal (presence)/written consent of the legal representative (possibly in conjunction with proof of custody) and
- Presentation of an official photo ID of the legal representative
- Furthermore, the identity of the emancipated minor would have to be proven with an official photo ID. If this is not possible, proof of identity must be provided by a witness, who must identify himself or herself with an official photo ID.

If necessary, the following additional documents are required in all three cases mentioned:

- In case of name change: current birth certificate or legally binding name change
- If there are any uncertainties about the use of the name, the spelling of the name (e.g., ß/ss, double names), the place of birth and the like: birth certificate, legally binding name change notice, citizenship documents

Cost

- Up to or on the 2nd birthday:
 - When first issued: free of charge
 - If another identity card is issued, e.g., due to a name change: 26.30 euros
- After the 2nd birthday: 26.30 Euro
- From the 16th birthday: 61.50 euros

What if I only have foreign documents?

The prerequisite for the issuance of an Austrian identity card is Austrian citizenship.

(https://www.noe.gv.at/noe/Krems/Bezirkshauptmannschaft Krems.html)

What happens if my documents are not accepted to get a National ID card?

If your documents for a national ID card in Austria are not accepted, it can delay your application. The authorities will tell you what's wrong and ask for the correct documents. If you don't provide them, your application might be rejected, and you'll have to apply again. See above for the documents you need to bring with you.

https://tramitit.com/guides/austria/id card application/

https://www.bmeia.gv.at/en/austrian-embassy-tel-aviv/service-for-citizens/identity-papers-and-other-documents/austrian-id-card/

Do I have to be a resident of the country to get a National ID card?

You need Austrian citizenship, but you don't need to be resident in Austria in order to apply.

Austrians living abroad can also apply for an identity card at any passport authority in Austria. As an Austrian expatriate, you must note that there may be a longer waiting period due to the verification of citizenship (for Austrians living abroad who have been living abroad for more than five years) (https://www.bmeia.gv.at/reise-services/leben-im-ausland/dokumente-personenstand-familie/personalausweis/)

What does it mean to be a resident of this country? How do I prove residency?

You don't need to be resident in Austria in order to apply for a National ID card in Austria. Therefore, you don't need to understand the details about residence.

In case you want to know more about habitual residence nevertheless:

This is the place where you typically live. A place of residence is any housing that you can use at any time without needing the consent of another person. So this can be your own apartment as well as a sublet room or a hotel room on permanent rent. The informal application for the issuance of a registration confirmation must be submitted in person or in writing to the registration office. It is also possible to request a simple confirmation of registration from the Central Register of Residents (ZMR) online via oesterreich.gv.at. (https://www.oesterreich.gv.at/themen/persoenliche dokumente und bestaetigungen/an abmeldung des wohnsitzes/Seite.1180300.html#:~:text=Den%20formlosen%20Antrag%20auf%20Ausstellung%20einer%20Meldebest%C3%A4tigung%20k%C3%B6nnen,%28ZMR%29%20online%20via%20oesterreich.gv.at%20anzufordern%2C%20wenn%20Sie%20%C3%BCber)

https://www.oesterreich.gv.at/lexicon/G/Seite.990054.html

What can I do if I do not have residency in this country?

Austrians living abroad can also apply for an identity card at any passport authority in Austria. As an Austrian expatriate, you must note that there may be a longer waiting period due to the verification of citizenship (for Austrians living abroad who have been living abroad for more than five years)

https://www.oesterreich.gv.at/lexicon/G/Seite.990054.html

Will I need a mailing address? What can I do if I am homeless?

If you are homeless you will need to obtain a confirmation of registration authority where you live. You will need to apply for this application. You will need to give them some evidence that you have lived there at least during 1 month (such as point out relationships with people living in the same city/community) and you will need to be able to say where you regularly sleep or which other place you regularly visit (contact point, e.g., private contact address, social welfare office, homeless facility).

https://www.oesterreich.gv.at/themen/persoenliche_dokumente_und_bestaetigungen/an_a bmeldung_des_wohnsitzes/Seite.1180200.html

The appointment at the passport office can also be made by phone or Internet. An email address is not a prerequisite for applying for an ID card.

https://www.oesterreich.gv.at/themen/persoenliche_dokumente_und_bestaetigungen/an_a bmeldung_des_wohnsitzes/Seite.1180200.html

What is the application process? Can I complete it online?

The application for the issuance of an identity card must be submitted in person to the passport authority. Appointments can be made at the passport office by phone, email or Internet. The application for the issuance of an identity card can be submitted to any passport authority in Austria - regardless of place of residence. Likewise, some municipalities accept identity card applications and forward them to the competent passport authority. Further information can be found at the corresponding municipality. When applying for an identity card for minors under 18 years of age, the power of representation must be proven, the child must be present to establish identity (from birth, therefore also a baby). The old document, if available, must be brought along for validation. The identity card will be sent by post to the specified address (e.g., home, workplace, passport authority) within approx. five working days. Old identity card/passport available: -Bring your old identity card / passport (applicant identifiable on photo) -A passport photo (portrait format 35 x 45 mm) not older than six months. No identity card, no passport, but another governmentissued photo ID available: -Official photo ID (applicant identifiable on photo) -Birth certificate -Proof of citizenship -A passport photo (portrait format 35 x 45 mm) not older than six months. No ID card, passport or other government-issued photo ID: An identity witness (requires official photo ID) -Birth certificate -Proof of citizenship -A passport photo (portrait format 35 x 45 mm) not older than six months

https://www.oesterreich.gv.at/themen/persoenliche_dokumente_und_bestaetigungen/person_alausweis/Seite.030100.html#AllgemeineInformationen

Is there an application fee? Is there a waiver option if I cannot afford to pay it?

The cost of the regular identity card, which is issued from the age of 16, is 61.50 euros. For applicants who have not yet reached the age of 16, the identity card costs 26.30 euros. For newborns up to the age of 2, the identity card is free of charge.

https://www.oesterreich.gv.at/themen/eu und international/erlang-von-urkunden-und-ausweisen-im-ausland/Seite.480901.html#Kosten

How old do I have to be to apply for a National ID card by myself?

In the case of children and minors (under 14 years of age), the application must be submitted by the legal representative. Between the ages of 14 and 18, you are considered a responsible minor and can apply for an identity card yourself, provided that the consent of your legal representative has been obtained.

https://www.oesterreich.gv.at/themen/eu_und_international/erlang-von-urkunden-und-ausweisen-im-ausland/Seite.480901.html#Kosten

What can I do if I do not have a parent or guardian who can go with me (and the application says I have to have one)?

If it is not possible for the legal representative to accompany you, you must submit a written declaration of consent from the legal representative and the official photo ID of the legal representative.

https://www.oesterreich.gv.at/themen/persoenliche_dokumente_und_bestaetigungen/personalausweis/Seite.030300.html#Voraussetzungen

At what age can I get a National ID card by myself?

If you are under 14 years old, you are not allowed to apply yourself. The application must be done by your representative (mother/father or other). If you are between 14 and 18 years old, you can apply for an identity card yourself. You need however a written confirmation from your representative that they agree with the application.

It is best to let the representative appear and consent in person before the passport authority. The representative will need to have an official photo ID.

If this is not possible, you will need to bring a written declaration from the representative declaring that they are ok with the application. You will also need the official photo ID of the representative.

https://www.oesterreich.gv.at/themen/persoenliche_dokumente_und_bestaetigungen/personalausweis/Seite.030300.html#Voraussetzungen

Are there any special provisions for foster youth (children in custody of the government)?

In Austria, there are no specific provisions exclusively for foster youth when applying for national identity cards. However, foster youth can receive support from local social services and youth welfare offices, which can assist them in navigating the application process.

https://www.oesterreich.gv.at/en/themen/familie_und_partnerschaft/familie-und-kinderfuersorge.html

Are there any special provisions for homeless youth?

If you are under 14 years of age, the application must be submitted by your legal representative. If you are between 14 and 18 years old, you can apply for an identity card yourself, provided that your legal representative has given your consent. If you are homeless, you can obtain confirmation of your main residence from the registration office by submitting an application if you can credibly demonstrate that you have been living exclusively in the territory of this municipality for at least one month and can name a place in

the territory of this municipality that you visit regularly (contact point, e.g., private contact address, social welfare office, homeless facility).

07 Jun, 18:33

https://www.oesterreich.gv.at/en/themen/familie_und_partnerschaft/familie-und-kinderfuersorge.html

Will I have to take a test?

No, you won't have to take a test to get a National Identification Card. You'll just have to follow the steps set out here:

https://tramitit.com/guides/austria/id card application/

If applicable, do I have to make an appointment to take the test?

There is no requirement to take a test, so this is not relevant.

Driver's License

What organization issues a driver's license in this country?

The responsible district administrative authorities, municipalities or provincial police directorates - it depends on where you are applying for it within Austria.

(Bezirkshauptmannschaften bzw. Magistrate sowie die Landespolizeidirektionen in ihrem örtlichen Wirkungsbereich)

This link will show you, which the closest available authority for you:

https://www.oesterreich.gv.at/themen/persoenliche_dokumente_und_bestaetigungen/fuehre_rschein/3/Seite.040206.html#:~:text=In%20F%C3%BChrerscheinangelegenheiten%20%28 %20z.B.%20Ausstellung%20von,in%20ihrem%20%C3%B6rtlichen%20Wirkungsbereich%2 0zust%C3%A4ndig.

Source: Führerscheinbehörden in Österreich (oesterreich.gv.at)

Legal source: RIS - Führerscheingesetz § 15 - Bundesrecht konsolidiert (bka.gv.at)

What is the process for getting a driver's license?

SOURCE: Austrian Govt site

https://www.oesterreich.gv.at/en/themen/persoenliche_dokumente_und_bestaetigungen/fue hrerschein/1/Seite.040170.html#:~:text=A%20driving%20licence%20application%20must,sc hool%20in%20question%20is%20located

Driver license:

- A driving license application must be submitted to a driving school. This can be any driving school within Austria.
- Individuals may start lessons at a driving school (theory and practical) no earlier than 6 months before reaching the minimum age applicable for the relevant category of vehicle.
- Once you have passed your practical driving test, you will be issued a temporary licence. Your photocard driving licence will be sent to you by post within a few days after you have paid the amount indicated on the fee sheet.

Requirements

You have reached the minimum age: 18 for the regular car driving license (B), save for the license with 17 which can be started at 15,5 based upon accompanied driving and obtained at 17

- You have a medical certificate: applicants must present a medical certificate to the driving license authority demonstrating that they are fit to drive motor vehicles which may not have been issued more than 18 months before the licence is granted.
- You have completed emergency life-saving training: minimum 6 hours training for the regular car driving license (B) at one of the following institutions:
 - Austrian Red Cross (→ ÖRK)German text
 - Arbeiter-Samariter-Bund Österreichs (→ ASB)German text
 - Johanniter-Unfall-Hilfe Österreich (→ die Johanniter)German text
 - Malteser Hospitaldienst Austria (→ die Maltester) German text
 - Emergency service or medical transportation service of a regional authority
- You completed your theory and practical lessons at a driving school and passed the theory and practical tests:
 - Theory lessons: The theory lessons comprise a basic module for all licence categories (minimum of 20 sessions), and a category-specific module depending on the chosen category. The content of the category-specific modules is spread across the 12 sessions for category B driver license.
 - Practical lessons: The practical lessons comprise driving in the local area in heavy traffic (urban driving), driving on express roads (e.g., motorways, highways) as well as night driving. The minimum duration of the practical training for category B is 18 sessions.
 - The theory test consists of a computer-based test at the driving school (→ WKO)German text (available in German, English, Croatian, Slovenian and sign language). The practical driving test can only be taken once the theory test has been passed.
 - Practical test: It is only possible to take the practical driving test once you have passed the theory test, and not before you have reached the minimum ages required to obtain the desired driving licence. An interpreter may be requested for the practical part of the driving test.

Where can I find information online about getting a driver's license?

German: Allgemeines zum Führerscheinerwerb (oesterreich.gv.at)

English: General information about getting a driving licence (oesterreich.gv.at)

 $\label{eq:loss_loss} \textbf{Legal source:} \ \underline{\textbf{RIS-F\"{u}hrerscheingesetz-Bundesrecht konsolidiert, Fassung vom}$

07.06.2023 (bka.gv.at)

What documents do I have to have to get a driver's license? Is there any document that I must have to get a driver's license?

Required documents:

When applying for a driving school:

- Official photo ID (e.g., passport, ID card or proof of identity)
- Where possible, confirmation of registration in the civil register (facilitates processing at the driving school)
- Where applicable, evidence of academic degree

Before starting driving lessons and at the latest before applying for the theory test: provide a medical certificate which for data protection reasons should be submitted directly to the competent authority by post or in person.

By the time of the theory test at the latest: one photo (portrait, 35 mm x 45 mm) in which the applicant is clearly recognisable (if possible in line with passport photo criteria)

By the time of enrolment on the waiting list for the practical test at the latest: Proof of completion of emergency life-saving training (six hours for all categories, except for category AM, category D and category DE) or a first aid course for category D and category DE (16 hours).

Source:

General information about getting a driving licence (oesterreich.gv.at)

Legal source: §§6-10 Führerscheingesetz <u>RIS - Führerscheingesetz - Bundesrecht</u> konsolidiert, Fassung vom 07.06.2023 (bka.gv.at)

What if my documents do not have my correct name/address?

Change of Name: either use old ID with previous name plus marriage/divorce certificate or other decision of public authority proving change of name (see exhaustive list of legal reasons in the link); or request change of name on the respective ID first

Source: Change of name (oesterreich.gv.at)

Legal source: RIS - Namensänderungsgesetz - Bundesrecht konsolidiert, Fassung vom 07.06.2023 (bka.qv.at)

Change of address: Change of address can be completed at the Central Registry (Zentrales Melderegister), there you can easily register with a signature of the residency giver (landlord, parent, renter, owner etc). This is also easily possible for foreigners and does not require proof of legal title of residency.

Source: An-/Abmeldung des Wohnsitzes (oesterreich.gv.at)

Legal source: §§ 1 bis 13, 19a und 22 Meldegesetz (MeldeG)

What if I only have foreign documents?

The only "hard" requirement is a photo ID.

It can be a foreign document like a passport or ID card but needs to be recognised in

Source:

General information about getting a driving licence (oesterreich.gv.at); Amtlicher Lichtbildausweis (oesterreich.gv.at)

What happens if my documents are not accepted to get a driver's license?

The public authorities **have** to issue a drivers license by law, once all required prerequisits have been completed. If a specific document is not accepted for formal reasons, please check, which alternative methods can be used for acquiring such document (a photo ID can be applied for (like using an identity witness), a registry certificate is not legally necessary and could also easily be changed, if required). All other documents except for the photo ID just require the completion of the listed steps and can be completed at any licences driving school or licensed medical doctor in Austria.

Legal source: §13 Führerscheingesetz RIS - Führerscheingesetz - Bundesrecht konsolidiert, Fassung vom 07.06.2023 (bka.gv.at)

Do I have to be a resident of the country to get a driver's license?

Yes: as per the driving license application, you need to confirm that you are a resident of Austria since at least 6 months or that you plan upon living in Austria for at least 6 months.

(see here:

https://www.bmeia.gv.at/fileadmin/user_upload/Vertretungen/GK_Los_Angeles/Dokumente/Formulare/Fuehrerscheinantrag.pdf)

What does it mean to be a resident of this country? How do I prove residency?

Residency means, that anyone who takes up accommodation (for any other reason than temporary vacation) in Austria is **required** to register themselves within 3 days from moving into the accommodation with the competent registration authority.

Registration is required in the following cases, for example:

- Moving into accommodation in Austria for the first time
- Moving house within Austria (a new main residence is being established)
- Establishing another place of residence 'secondary residence' (the main residence remains the same)

Proof can be accuired by written a confirmation of regsitration by the authority. The authority will provide this upon registration.

Any person who fails to fulfil the statutory requirement to register, particularly because they neglect to register or de-register at all, or they do so even though they have not taken up or left accommodation, is regarded as committing an administrative offence, which is punishable by a fine of up to 726 Euro (up to 2.180 Euro should the offence be repeated).

Source:

Registration/de-registration of residence (oesterreich.gv.at)

Legal source: Sections 1 bis 13, 19a and 22 of the Meldegesetz (MeldeG)

What can I do if I do not have residency in this country?

You can (and must) register, if you are residing in Austria for more than 3 days for other reasons than touristic ones (Staying in tourist accommodation (e.g., hotels, guest houses, B&Bs, privately rented rooms) must also be registered in all cases by an entry in the register of guests at the tourist accommodation). This is possible at the local authority, providing the required documents:

Minors must be registered by those responsible for their care or their parents or guardians, persons with a mental disability under the care of the legal guardian, by this person, or if these persons are unavailable, by the party providing accommodation.

Required documents

- Official records showing the family names and forenames, maiden names, date of birth, place of birth and nationality of the person taking the accommodation (e.g., passport and birth certificate)
- Any certificates of academic qualifications, if available
- For persons without Austrian citizenship (foreign nationals) taking accommodation:
 - Travel document (e.g., passport)

Source:

Registration of a new main residence or 'secondary residence' (oesterreich.gv.at)

Legal source: § 2 MeldeG RIS - Meldegesetz 1991 - Bundesrecht konsolidiert, Fassung vom 07.06.2023 (bka.gv.at)

Will I need a mailing address? What can I do if I am homeless?

The residency address registered at the public authority will be used as a mailing address by all public authorities.

You do not legally need a separate or specific mailing adress, but if you are homeless and want to obtain a residency certificate, you can:

Make an application for a confirmation of a main residence from the registration authority if:

- you can plausibly demonstrate that your living circumstances have focused exclusively on this municipality for at least 1 month; and
- you are able to name a location within this municipality that you visit regularly (point of contact such as a private contact address, social services, homeless shelter).

The reason for this is, that the residency address should be usable, if the authorities are trying to reach or locate you.

Source: Registration of a new main residence or 'secondary residence' (oesterreich.gv.at)

Legal source: § 19a MeldeG RIS - Meldegesetz 1991 - Bundesrecht konsolidiert, Fassung vom 07.06.2023 (bka.gv.at)

What is the application process? Can I complete it online?

SOURCE: Austrian Govt site

https://www.oesterreich.gv.at/en/themen/persoenliche_dokumente_und_bestaetigungen/fuehrerschein/1/Seite.040170.html#Verfahrensablauf.

A driving licence application must be submitted to a driving school. This can be any driving school within Austria.

For applications: Select a driving school from here and depending on which school you select they may accept online applications. https://www.wko.at/oe/verband-der-fahrschulunternehmer/fahrschulen

It is then necessary to take the following steps:

- Taking driving lessons
- Provide a medical certificate
- Attend an emergency life-saving course (all categories except category AM for category D (DE), a first aid course must be attended)

When you pass your practical driving test, the examiner will give you:

- your temporary licence;
- a fee sheet and a payment slip for the administration fees; for conditional licences: an explanatory note about the codes used.
- One temporary driving licence is issued for every category for which a test is passed, containing all of the information found on the photocard driving licence (personal data and driving licence categories, as well as any time limits, restrictions or conditions).

The temporary driving licence must be signed both by the examiner and by the candidate upon issue.

The temporary driving licence is only valid:

- for a maximum of 4 weeks from the date of issue (period cannot be extended);
- in conjunction with an official photo ID: within Austria.

Once a photocard driving licence has been issued, the temporary driving licence will no longer be valid. However, it does not need to be returned to the authorities.

Required documents

When applying at a driving school:

- Official photo ID (e.g., passport, ID card or proof of identity)
- Where possible, confirmation of registration in the civil register (facilitates processing at the driving school)
- Where applicable, evidence of academich degree

Upon request, the confirmation of registration can be obtained by the driving licence authority via a search in the Central Civil Register (ZMR).

By the time of the theory test at the latest:

 One photo (portrait, 35 mm x 45 mm) in which the applicant is clearly recognisable (if possible in line with passport photo criteria)

By the time of enrolment on the waiting list for the practical test at the latest:

Proof of completion of emergency life-saving training (six hours for all categories, except for category AM, category D and category DE) or a first aid course for category D and category DE (16 hours)

Costs and fees

Issue fee (not including doctors' or testing fees): 60.50 Euro

The fees can be paid in cash at the premises of the driving licence authority at any time during office hours.

Once the fees indicated on the fee sheet have been paid, the driving licence authority will send a request to the Austrian State Printing Office for the photocard driving licence to be issued.

Is there an application fee? Is there a waiver option if I cannot afford to pay it?

This is free of charges or fees.

Only, if you lost your initial residency confirmation by the authorities and are not applying for any changes, the authorities might charge you for re-issuing a residency certificate.

Source: Registration of a new main residence or 'secondary residence' (oesterreich.gv.at)

Legal source: RIS - Meldegesetz 1991 - Bundesrecht konsolidiert, Fassung vom 07.06.2023 (bka.gv.at)

How old do I have to be to apply for a state driver's license by myself?

18 year old for the normal car drivers license.

The application can be started up to 6 months before reaching the applicable age requirement at the driving school.

(If you are not applying for a drivers license where you need to be accompanied by an adult licensed driver for a year/3000km- called L17.)

Source: Mindestalter für die Erteilung der Lenkberechtigung (oesterreich.gv.at)

Legal source: FSG <u>RIS - Führerscheingesetz - Bundesrecht konsolidiert, Fassung vom</u> 07.06.2023 (bka.gv.at)

What can I do if I do not have a parent or guardian who can go with me (and the application says I have to have one)?

Only for the L17 drivers license for cars (while you are not 18 years yet) requires a parent or licensed adult driver to accompany you for 3000km of driving.

The normal B drivers license for cars does not require this.

Source: Mindestalter für die Erteilung der Lenkberechtigung (oesterreich.gv.at)

Legal Source: FSG <u>RIS - Führerscheingesetz - Bundesrecht konsolidiert, Fassung vom</u> 07.06.2023 (bka.gv.at)

At what age can I get a driver's license card by myself?

At 18 years, you can get the B license for cars by yourself.

Source: Mindestalter für die Erteilung der Lenkberechtigung (oesterreich.gv.at)

Legal Source: FSG <u>RIS</u> - Führerscheingesetz - Bundesrecht konsolidiert, Fassung vom 07.06.2023 (bka.gv.at)

Are there any special provisions for foster youth (children in custody of the government)?

No, not for the drivers license, but the Austrian government has a website for youth which is this one:

https://www.bundeskanzleramt.gv.at/agenda/jugend.html

and if you scroll down to the bottom of the page and click on 'Familien und Jugend Beratung' it will take you to this webpage which lists several websites and phone numbers for the youth to call and receive help and advice. You can call Familienservice at 0800 240 262 for free to ask for help. There may be subsidies and help available to pay for different costs so calling them and describing your problem will be your best option.

This website here: https://www.bundeskanzleramt.gv.at/agenda/jugend.html takes you to a page where there are different links that can help with receiving free food and medicine as well if you are homeless. Click on the location of where you are to see where you can receive assistance.

There is also a website from the Austrian govt for homeless people here that provides additional information

https://www.oesterreich.gv.at/en/themen/hilfe_und_finanzielle_unterstuetzung_erhalten/armut-in-oesterreich.html

Are there any special provisions for homeless youth?

No, not for the drivers license, but the Austrian government has a website for youth which is this one:

https://www.oesterreich.gv.at/en/themen/hilfe_und_finanzielle_unterstuetzung_erhalten/arm_ut-in-oesterreich.html

and if you scroll down to the bottom of the page and click on 'Familien und Jugend Beratung' it will take you to this webpage which lists several websites and phone numbers for the youth to call and receive help and advice. You can call Familienservice at 0800 240 262 for free to ask for help. There may be subsidies and help available to pay for different costs so calling them and describing your problem will be your best option.

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There is also a website from the Austrian govt for homeless people here that provides additional information.

https://www.oesterreich.gv.at/en/themen/hilfe_und_finanzielle_unterstuetzung_erhalten/arm_ut-in-oesterreich.html

Will I have to take a test?

Yes, a theoretical and practical exam.

Source: Training for the driving licence (oesterreich.gv.at)

Legal Source: RIS - Führerscheingesetz - Bundesrecht konsolidiert, Fassung vom 07.06.2023 (bka.gv.at)

If applicable, do I have to make an appointment to take the test?

Yes, for the theoretical exam, you need to make an appointment at the drivers school that you picked.

Once this is successfully completed, you can apply for a date for the practical exam.

Source:

Fahrprüfung (oesterreich.gv.at)

Legal Source: RIS - Führerscheingesetz - Bundesrecht konsolidiert, Fassung vom 07.06.2023 (bka.gv.at); RIS - Fahrprüfungsverordnung - Bundesrecht konsolidiert, Fassung vom 07.06.2023 (bka.gv.at)

Where can I take the driving test? What can I do if I cannot get to a testing location?

You can take the driving test at any driving school in Austria, therefore it should be fairly easy to find one in your area. Otherwise pick one, that you can reach by bus/train/public transport.

Source: Fahrschulsuche - Fahrschulen in Österreich

Legal Source: RIS - Fahrprüfungsverordnung - Bundesrecht konsolidiert, Fassung vom 07.06.2023 (bka.gv.at)

Do I need to get a permit or authorization to practice driving before I get my driver's license?

Once you successfully pass the practical exam, the examiner will issue you a provisional drivers license in paper. This document is immediately valid for 4 weeks within Austria only (and in connection with a photo ID), until the authorities issue you the drivers license check card.

The examiner will also hand you a list of charges/fees that need to be paid to the authorities.

After you pay the fees to the competent authority, your final drivers license will be issued.

Source: Nach der praktischen Fahrprüfung (oesterreich.gv.at)

Legal source: Führerscheingesetz (FSG)



Birth Certificate

What is the document detailing a person's birth called in this country?

In Austria, the document detailing a person's birth is called birth certificate and the German term is "Geburtsurkunde".

https://www.oesterreich.gv.at/themen/familie_und_partnerschaft/geburt-eineskindes/3/1/Seite.085100.html

(Sec. 54 Personal Status Law (§ 54 Personenstandsgesetz)

 $\frac{https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen\&Gesetzesnummer=20008228$

I'm not sure I have a birth certificate, what can I do to find out if I have one and where to get it?

The registry office issues birth certificates.

So if you are not sure you have a birth certificate, you need to search your belonging or ask your parents, to find out if you already have the document.

If you don't have it (never had it, it is lost), then you can go to the registry office (who maintains a register) and who can issue the birth certificate to you.

You can choose any registry office. It does not matter which Standesamt you choose. In German, these registry offices are called "Standesamt".

https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20008228

How do I get a copy of my birth certificate?

If you require a copy of your birth certificate (for example, a duplicate in case you lost it or it was stolen from you), you can submit an application to be obtain the re-issuance of your birth certificate from any of the authorities responsible for civil status. These are:

- the registry office or registry office association of the town where you were born;
- in chartered urban districts (essentially large town such as, for example, cities like Innsbruck or Salzburg or Linz): the registry office of the municipal executive
- in Vienna it is the registry offices in Vienna (→ City of Vienna)

Can I order my birth certificate online?

Yes, you can order your birth certificate online at

https://www.oesterreich.gv.at/formsearch/gemeindeauswahl/form/18. This form is available in English and in German language.

You will need to either an "ID Austria" - a special Austrian mobile phone signature. See here: https://www.oesterreich.gv.at/id-austria.html. It can be activated here: https://finanzonline.bmf.gv.at/fon/

Or the equivalent EU version which is called eID. See here:

https://www.oesterreich.gv.at/themen/egovernment_moderne_verwaltung/elektronische-identitaet-(eiD)-anderer-eu-mitaliedstaaten-(SDG).html

If you struggle with setting this up, it may be simpler to go to a registry in person.

What documents will I need to get my birth certificate?

The easiest way to get your birth certificate is to submit your application in person at the public offices mentioned above. If you apply by appearing in person there, then you will need an official photo ID. So for example a passport, an ID card, a driver license, etc.

SOURCES:

https://www.oesterreich.gv.at/en/themen/familie_und_partnerschaft/geburt-eineskindes/3/1/Seite.085100.html

First you would need to select the correct office for where you live. Below you can type in your zipcode and it will direct you to the correct office depending on where you live:

https://www.oesterreich.gv.at/formsearch/gemeindeauswahl/form/18

It is possible to apply for the issue of the birth certificate at any registry office. Applications can be made in person, in writing or electronically (with ID Austria or EU Login). The application form can be obtained from the competent authority.

The birth certificate is generally issued immediately for applicants appearing in person, provided that all the data has already been recorded and stored in the Central Civil Status Register.

Required documents

- for applicants appearing in person: official photo ID
- if applicable, evidence for the purpose of establishing a legal interest.

Costs and fees for the application

Verbally: no fee In writing: 14.30 Euro

Electronic application using a ID Austria or EU Login): 8.60 Euro

Costs for the issue of a birth certificate

Federal administration fee: 7.20 Euro Federal administrative levy: 2.10 Euro

There are no fees for the first issue of a birth certificate/international birth certificate for a child, provided that these documents are issued within two years of the child's birth (i.e. by or on the 2nd birthday). There are generally additional costs for sending the birth certificate/international birth certificate. Please inquire at the competent registry office.

What happens if I don't have some or all of the documents that are required?

If you don't have some or all of the documents that are necessary to obtain your birth certificate, support is provided by the local municipal registries mentioned above. It is important to look for such support because without the necessary documents you might not be able to obtain your birth certificate.

How old do I have to be to get a copy of my birth certificate by myself?

There is no minimum age to get a copy of your birth certificate, as there is no minimum age to get your official photo ID (which is necessary to get copy of your birth certificate).

Remember that you'll only be able to request a copy of your own birth certificate (or the birth certificate of your child). You can't request a copy of a birth certificate on behalf of someone else

https://www.oesterreich.gv.at/en/themen/familie_und_partnerschaft/geburt-eines-kindes/3/1/Seite.085100.html

What can I do if I do not have a parent or guardian who can go with me to get a birth certificate (and the application says I have to have one)?

You do not need to have a parent or guardian who can go with you to get a birth certificate.

https://www.oesterreich.gv.at/en/themen/familie_und_partnerschaft/geburt-eineskindes/3/1/Seite.080100.html

What is the cost to get a birth certificate?

The following are the costs for the application and for the issuance of your birth certificate:

For the application

- In case of verbal application: zero fee
- In case of application in writing: 14.30 Euro
- In case of electronic application using a Citizen Card or EU Login 8.60 Euro

For the issuance of the birth certificate

- Federal administration fee: 7.20 Euro
- Federal administrative levy: 2.10 Euro

https://www.oesterreich.gv.at/themen/familie_und_partnerschaft/geburt-eines-kindes/3/1/Seite.085100.html#Kosten

Is there a waiver if I cannot afford the fee?

If you cannot afford the fee, the best option would be to apply for the birth certificate <u>verbally in person</u> at the office mentioned above, because in that case there is no application fee to be paid. In that case, an additional benefit is that if you apply verbally in person, then the birth certificate is generally issued immediately (on condition that all data has already been recorded and stored in the Central Civil Status Register).

Are there any special laws or provisions that can help get a birth certificate if I have been in the foster care system (children in custody of the government)?

No, unfortunately not.

If someone has been in foster care in Austria and needs a birth certificate, they can apply for one like anyone else. They need to show why they need it, such as for getting help from social services. Local social services or charities can help them with the process.

https://www.oesterreich.gv.at/en/themen/familie_und_partnerschaft/geburt-eineskindes/3/1/Seite.080100.html

https://www.oesterreich.gv.at/en/themen/familie_und_partnerschaft/geburt-eineskindes/3/1/Seite.085100.html

Are there any special laws or provisions that can help get a birth certificate if I am homeless?

No, unfortunately there are no special provisions which can help you get a birth certificate if you are homeless.

If someone is homeless in Austria and needs a birth certificate, they can apply for one just like anyone else. They need to show why they need it, like for getting help from social services. Local social services or charities can help them with the process.

https://www.oesterreich.gv.at/en/themen/familie_und_partnerschaft/geburt-eineskindes/3/1/Seite.080100.html

https://www.oesterreich.gv.at/en/themen/familie_und_partnerschaft/geburt-eineskindes/3/1/Seite.085100.html

Where do I get my birth certificate if I was born in another country?

If you were born in another country, but you are an Austrian citizen (for example, because at the time of your birth, your mother was an Austrian citizen), and you are also living in such other country, then it is possible to obtain a birth certificate from the Austrian administrative authority located in such other country. This is doable only if the necessary data is already recorded in the Austrian Central Civil Status Register (ZPR)

https://www.oesterreich.gv.at/themen/familie_und_partnerschaft/geburt-eineskindes/3/1/Seite.085100.html#BetroffeneUnternehmen

If you were born in another country and you are not an Austrian citizen, but you are living in Austria, then it is possible to obtain a birth certificate from the consular authority of that country in Austria.

Is there a way to get my birth certificate without going somewhere in person?

Yes, you can get your birth certificate electronically without going somewhere in person. Please see the question above.

https://www.oesterreich.gv.at/en/themen/familie_und_partnerschaft/geburt-eineskindes/3/1/Seite.085100.html

Where can I find information online about getting a birth certificate?

You can find information online about getting a birth certificate here:

For the first issuance of your birth certificate (Erstausstellung einer Geburtsurkunde) at https://www.oesterreich.gv.at/en/themen/familie_und_partnerschaft/geburt/3/1/Seite.080100.html (in English language) and Erstausstellung.einer-Geburtsurkunde (in German language).

For a copy of your birth certificate (Neuausstellung einer Geburtsurkunde oder internationalen Geburtsurkunde) at

https://www.oesterreich.gv.at/en/themen/familie_und_partnerschaft/geburt/3/1/Seite.080100.html (in English language) and

https://www.oesterreich.gv.at/themen/familie und partnerschaft/geburt/3/1/Seite.085100.ht ml (in German language).

Making Changes to Government ID Documents

What vital doc should I start with to change my name? Is the process easier for one of the IDs?

Certicicate of Citizenship and Birth Certiciate.

Source:

Namensänderung von Minderjährigen (oesterreich.gv.at)

How do I change my name on my birth certificate?

SOURCE:

https://www.oesterreich.gv.at/en/themen/familie_und_partnerschaft/partnerschaft-undehe/heirat/2/1.html

The above mentioned website is the best page to show you how to change your name in Austria. There are different categories, but none show how to change the name on your birth certificate.

They do show you how to change your name for these 3 options:

- Passport
- Personal/National ID
- Driver's License

https://www.oesterreich.gv.at/themen/familie_und_partnerschaft/partnerschaft-undehe/heirat/2/1/Seite1.180423.html

Under the Geburtsurkunde (Birth Certificate) tab which is written in German, https://www.oesterreich.gv.at/themen/familie_und_partnerschaft/geburt-eines-kindes/3/1/Seite.085100.html#ZustaendigeStellen it does state that if you need additional information or assistance with your birth certificate to go to your local office and ask them in person as there is no online help available. To locate the correct office, type your zipcode here and it will direct you to the correct office for your region.

https://www.oesterreich.gv.at/linkresolution/gemeindeauswahl/286

How do I change my name on my National ID?

The competent authorities (either the "Bezirkshauptmannschaft" or the "Magistrat") will issue a new ID card upon request.

You can approach any competent authority (irrespective of residency) but you have to appear in person.

Source: Personalausweis - Neuausstellung (oesterreich.gv.at)

How do I change my name on my driver's license?

You are not required by law to change the name also on the driver's license. If you decide to do so (for example, because you also want to use your diver's license as a means to identify yourself similar to an ID), the authority in charge to issue the driver's licence will do the amendment.

All relevant authorities are listed here:

Führerscheinbehörden in Österreich (oesterreich.gv.at)

Source:

Führerschein – Namens-/Adressänderung (oesterreich.gv.at)

At what age can I change my name by myself?

If you are younger than 14 years, your parents (or any alternative representative) need to change your name.

If you are between 14 and 17 years old, you are the one to change your name but your parents can be heard during the process. This means they are entitled to tell the authorities how they think about the name change. And the authorities may take this into consideration when deciding on the name change.

If you are older than 18 years, you can do the name change without your parents.

Source:

https://www.verwaltung.steiermark.at/cms/beitrag/12541471/127384147/#:~:text=Die%20Entscheidungsf%C3%A4higkeit%20zur%20%C3%84nderung%20des,%2C%20ist%20sie%2Fer%20anzuh%C3%B6ren

Section 1 on the law of name changes (§ 1 Namensänderungsgesetz)

https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10005648

https://www.oesterreich.gv.at/lexicon/M/Seite.990022.html

What can I do if I do not have a parent or guardian with me to change my gender marker and do not have anyone else who can help me?

In this case please reach out to the Bezirksgericht being the court in charge. Usually someone from the Youth Welfare Office will be appointed as guardian.

Source: p. 53 emn-nationaler-bericht-2017_unbegleitete-minderjaehrige-nach-feststellung-des-aufenthaltsstatus.pdf

What vital doc should I start with to change my gender marker? Is the process easier for one of the IDs?

In order to be legally recognized in one's own gender, a change of gender entry in the Central Civil Status Register is necessary. This can be applied for at any registry office in Austria. This results in equality with persons of the same gender under marriage, social and pension law. Both, ID card and passport will be amended once the process is completed.

Source:

<u>Personenstand ändern - Änderung Geschlechtseintrag im Personenstandsregister (wien.qv.at)</u>

How do I change my gender marker on my birth certificate?

Once the change of gender entry in the Central Civil Status Register is completed, an adequate forename can be chosen and the birth certificate will be amended accordingly as part of the process.

Source:

<u>Personenstand ändern - Änderung Geschlechtseintrag im Personenstandsregister</u> (wien.gv.at)

How do I change my gender marker on my National ID?

Once you have your update birth certificate availabe, you may apply for a new National ID card to be issued by the competent authority.

Source:

Personenstand ändern - Änderung Geschlechtseintrag im Personenstandsregister (wien.qv.at)

How do I change my gender marker on my driver's license?

Once you have your update birth certificate available, you may apply for a new driver's licence to be issued by the competent authority.

Source:

Personenstand ändern - Änderung Geschlechtseintrag im Personenstandsregister (wien.gv.at)

At what age can I change my gender marker by myself?

In Austria, there's no specific age limit for legally changing your gender, but you usually need a professional's opinion. For sex reassignment surgery, you must be at least 18 years old

https://www.oesterreich.gv.at/en/themen/persoenliche_dokumente_und_bestaetigungen/aen_derung-der-geschlechtszugehoerigkeit.html

https://fra.europa.eu/en/publication/2017/mapping-minimum-age-requirements-concerning-rights-child-eu/access-sex-reassignment-surgery

What can I do if I do not have a parent or guardian with me to change my gender marker and do not have anyone else who can help me?

In Austria, there's no specific age limit for legally changing your gender, but you usually need a professional's opinion. This means you should not need your parent or guardian's permission to change your gender marker.

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