



## Conducting a business in Austria through tour guides from other EU/EAA states

Tour guides from member states of the EU or contracting member states of the EAA may carry out the commercial activity of a tour guide in Austria:

### 1. On grounds of a branch establishment in Austria

An application for registration of a business with the district administrative authority, in whose administrative district the branch establishment lies, is required. Moreover, legal entities require the entry in the Austrian commercial register. Proof of qualification is to be furnished upon registration (can also occur in the way of diploma recognition - § 373c und 373d GewO [Austrian Trade, Commerce and Industry Regulation Act] 1994).

### 2. Temporarily and occasionally as a cross-border service

Prerequisite for the cross-border rendering of the commercial services of tour guide is that the authority to performance of this service in the home country is at hand. Since the trade of “tour guide” in Austria concerns a regulated trade, the **issuance of a *Dienstleistungsanzeige*** [notification of service] or its **cognizance through the Austrian Federal Ministry of Economics (BMWFV)** is required.

**Prerequisite for the cognizance of the *Dienstleistungsanzeige*** is that:

- the tour guide has completed regulated training, or
- has carried out the profession at least two years in the past 10 years.

**Required documents for the *Dienstleistungsanzeige*** (original or certified copy; additional certified translation with documents not written in the German language):

- Proof of citizenship of a member state of the EU or a contracting member state of the EAA
- Certificate of the responsible authority concerning the professional authorisation
- Proof of professional qualification
- Confirmation of previous activity in the trade

The ***Dienstleistungsanzeige*** with the documents **must be sent to:**

*Bundesministerium für Wirtschaft (BMWFV)*  
Department I/5a  
Stubenring 1  
A-1011 Vienna

A publicly accessible Service Register is can be called up online with regard to whether a tour guide is authorised to cross-border rendering of services. Engaging in cross-border activity without entry in the Service Register is punishable by a fine of up to 1,090 euros (§ 368 GewO).

**Information regarding *Dienstleistungsanzeige*:** [www.bmwfw.gv.at](http://www.bmwfw.gv.at) or [post.i5a@bmwfw.gv.at](mailto:post.i5a@bmwfw.gv.at)

Reference for further inquiry<sup>1</sup>:  
Fachverband Freizeit-/Sportbetriebe  
E-mail: [freizeitbetriebe@wko.at](mailto:freizeitbetriebe@wko.at)

<sup>1</sup> Despite careful treatment, all details in this information paper occur without guarantee. A liability on the part of the author is out of the question. Status: September 2008.