

Legal and Commercial Background of Law Firms in Austria

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19th May 2017

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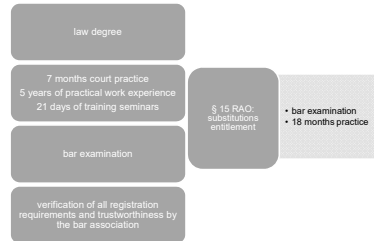
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Legal Sources

- **Lawyers' Act**
(<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10001673>)
- **Austrian Statute on Lawyers'**
(<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10002143>)
- **Austrian Statute on Bar Examinations**
(<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10002683>)
- **Guidelines for practising the legal**
([professionrhttps://www.rakwien.at/userfiles/file/Gesetze/rf_ba_2015_01012016.pdf](https://www.rakwien.at/userfiles/file/Gesetze/rf_ba_2015_01012016.pdf))

Becoming a Lawyer in Austria



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Individual Entrepreneur, Private Corporation

- 1848: The protection of the fundamental values of lawyers was required because of the bourgeois revolution:
 - obligation of discretion
 - loyalty (to the client)
 - independence
 - prohibition of conflicts of interest
- The most appropriate company forms are individual entrepreneur and private corporation

Individual Entrepreneur, Private Corporation

individual entrepreneur	private corporation
A single person is leading the company in his/her own name and for his/her own account. He/She is fully liable. The company is founded by application at the bar association.	Includes two persons at least. They are personally, jointly, primary and unlimitedly liable for the company's liabilities. The company foundation can be made informally.

Open Society, Limited Partnership

- Since 1988 lawyers can establish open societies and limited partnerships
- They are personally, jointly, primary and unlimitedly liable (exception: a limited partner is not liable above the amount of his contribution)
- Personality-based structure: higher risk for shareholders
- Principle that the management consists of the members of the company

Limited Liability Company

- Since 1999 limited liability companies are available for lawyers
- Lawyers are not personally liable for contractual and tortious claims
- Minimum insurance cover: € 400.000,00 for each insured event
- Minimum cover sum: € 2.400.000,00
- Minimum initial contribution for Ltd.: € 35.000,00

Limited Partnership with a Limited Liability Company as General Partner

- Since 2013 available for lawyers
- The Ltd. is liable without limitation
- The partnership allows more flexible contract design
- No mandatory publication of the partnership agreement

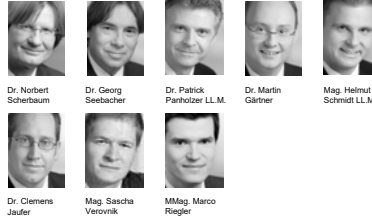
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Statistical Evaluation

Bar Assoc.	Lawyers in Austria			
	Capital	Land	Total	Female
Burgenland	21	42	63	9
Carinthia	155	116	271	45
Lower Austri	53	377	430	86
Upper Austri	289	370	659	100
Salzburg	323	96	419	86
Styria	348	207	555	97
Tirol	332	218	550	100
Vorarlberg	55	178	233	42
Vienna			2877	677
Total	1576	1604	6057	1242

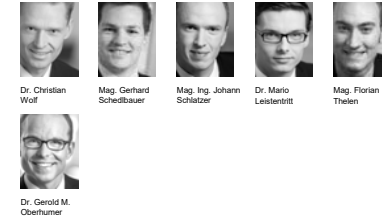
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