**INFORMATION**

Indefinite leave to remain for “family members”

The following third-country nationals are “family members”:

- Family members of the Austrian national or of her/his spouse/civil partner in direct ascending line (parents, grandparents), as far as they actually receive maintenance.
- Cohabiting partners of Austrian/EEA/Swiss nationals who can prove the existence of a long-term relationship and who actually receive maintenance.
- Other “family members” are
  a) persons such as adult children of Austrians who already received maintenance in the country of origin,
  b) persons who already lived together in one household with the Austrian/EEA/Swiss national in the country of origin, and
  c) persons who need the personal care of the Austrian/EEA/Swiss national due to serious health problems.

First-time applications must be submitted to the Austrian diplomatic representation in the country of origin or during a legal, visa-free stay in Austria to the competent immigration office.

**Required documents in case of first-time application:**

- Completed application form
- Valid passport
- Birth certificate
- 1 current (no more than six months old) biometric passport photo (3.5 x 4.5cm)
- If applicable: marriage certificate, civil partnership certificate, divorce decree, certificates regarding the dissolution of a civil partnership, adoption certificate, death certificate
- For persons over 14 years of age: if applicable: current police clearance certificate from the country of origin (it is not mandatory to submit this document but it may be necessary to evaluate the case)
- Proof of German language skills (CEFR A1 level), from any of the following institutions: Goethe Institute, TELC, ÖSD, ÖIF
- Recommended: most recent school report to prove that the Integration Agreement has been fulfilled (German language skills)
- Lease contract, sub-lease contract, or ownership contract of the applicant or of the person who is joined by family members (proof of legal entitlement to adequate accommodation in Austria)
- Proof of health insurance that is valid in Austria and covers all risks, e.g. WGKK
- Declaration of liability by the person who is joined by family members
• Income statement, employment contract, confirmation of pension payments, etc. of the person who is joined by family members (proof of sufficient means of subsistence)
• Proof of regular expenditures of the person who is joined by family members such as current rent, operating costs, child support payments, and current loan repayment (current extract from the files of an officially recognised credit reference agency)
• ID card or certificate of citizenship/passport of the person who is joined by family members

**Required documents in case of extension:**
• Completed application form
• 1 current (no more than six months old) biometric passport photo (3.5 x 4.5cm)
• Passport valid for at least one year
• In case of second extension: proof of German language skills (CEFR A2 level)
• Proof of any changes, e.g. marriage, civil partnership, change of name, divorce, dissolution of a civil partnership, adoption, death certificate
• Lease contract, sub-lease contract, or ownership contract of the applicant or of the person who is joined by family members (proof of legal entitlement to adequate accommodation in Austria)
• Proof of health insurance that is valid in Austria and covers all risks, e.g. WGKK
• Income statement, employment contract, confirmation of pension payments, etc. of the liable person (proof of sufficient means of subsistence)
• Proof of regular expenditures of the liable person such as current rent, operating costs, child support payments, and current loan repayment (current extract from the files of an officially recognised credit reference agency)

In some cases it may be necessary to submit additional documents. These can also be submitted via post, fax or e-mail.

Applications for extension must be submitted in Austria before the current residence permit expires. The branch offices of Municipal Department 35 are the competent authorities for these applications in Vienna.

Please submit the original and a copy of all documents. Depending on the country of issue the original documents need an apostille or diplomatic certification.

Please submit a certified translation of all documents that were not originally issued in German.

Please note:
The application must be filed in person. All persons who are older than six (6) years of age have to give their fingerprints.