

**Victims of crime**

1. **Who can receive assistance?**  
   Victims are provided with assistance if they are Austrian or EU citizens and it can be assumed with sufficient probability that they have suffered a **physical injury** or **health impairment** as a result of an unlawful and intentional act that is punishable by a sentence of more than six months – or in connection with such an act as a bystander. If this act resulted in the death of a person, then the **surviving dependants** will be provided with assistance. Since 1 July 2005, anyone legally residing in Austria has also been eligible, provided that the offence has occurred in Austria.
2. **When is assistance provided for victims?**   
   Assistance is provided for treatment costs or in the event of reduced capacity for work. Assistance is only provided due to reduced capacity for work if this is expected to continue for at least six months or if a serious physical injury exists (§ 84(1) of the Austrian Criminal Code, StGB).
3. **When is assistance provided for surviving dependants?**   
   Surviving dependants, for whose maintenance the deceased was legally responsible, are provided with assistance if the death has resulted in the loss of that maintenance.
4. **Who is reimbursed for funeral costs?**   
   Funeral costs, up to a specified limit, are refunded to the person who has paid them.
5. **What assistance can be provided?**   
   The following assistance can be provided, subject to certain conditions:
   1. **For victims:**
      * compensation for loss of earnings
      * crisis intervention
      * therapeutic care (medical assistance, psychotherapy treatment, medication, therapeutic appliances, institutional care, dental treatment, measures for improving health)
      * orthopaedic care (prostheses, orthopaedic and other aids, including their repair and replacement, reimbursement of costs for modifications to everyday items and for the installation of disability-adapted sanitary equipment, grants towards the cost of equipping multi-track vehicles to accommodate disabilities, any necessary travel and transport costs)
      * medical rehabilitation (hospital stays that are primarily for rehabilitation as well as medical assistance, medication and therapeutic appliances, where these immediately follow or are related to the aforementioned stay in hospital, and any necessary travel and transport costs)
      * occupational rehabilitation (occupational training to regain or improve capacity for work, training for a new occupation, grants or loans)
      * social rehabilitation (grant towards the cost of obtaining a driving licence if the use of public transport cannot reasonably be expected due to the disability, and a transitional allowance)
      * allowances for nursing care, allowances for the blind
      * flat-rate compensation for pain and suffering   
        Since 1 July 2005, compensation has also been payable for damage caused to an aid worn on the body (e.g. glasses, dentures).
   2. **For surviving dependants:**
      * compensation for loss of maintenance
      * crisis intervention
      * therapeutic care (same benefits as indicated above)
      * orthopaedic care (same benefits as indicated above)
      * reimbursement of funeral costs
      * flat-rate compensation for pain and suffering
6. **Who is excluded from assistance?**   
     
   **Victims are excluded** if they
   1. were involved in the crime,
   2. intentionally encouraged the perpetrator to carry out the criminal attack without a legally recognised reason for doing so or recklessly exposed themselves to the risk of becoming a victim of a crime without a legitimate reason,
   3. participated in a fight and suffered the physical injury or health impairment as a result or
   4. have culpably failed to assist with the investigation into the crime or the perpetrator or with the assessment of the damage.

**Surviving dependants are excluded** if

1. they or the injured party were involved in the crime,
2. they or the injured party intentionally encouraged the perpetrator to carry out the criminal attack without a legally recognised reason for doing so or
3. they have culpably failed to assist with the investigation into the crime or the perpetrator or with the assessment of the damage.

Any person who has waived his/her entitlement to compensation due to the crime is excluded from receiving assistance. Any person who is entitled to receive similar state benefits under foreign legal provisions is also excluded, except for EU citizens who have been injured as a result of a criminal offence in Austria.

1. **Where should applications for assistance be sent? Who can provide additional information?**   
   **Applications** for assistance should be sent to the regional office of the **Service of the Federal Ministry of Social Affairs (Sozialministeriumservice)** in the judicial district in which the applicant resides (habitual residence). For anyone residing abroad, applications should be sent to: Sozialministeriumservice, Babenbergerstrasse 5, 1010 Vienna, Austria.
2. **When is the assistance paid?**   
   If the application is submitted within three years of the physical injury or health impairment or of the death of the injured party, then the benefits will be paid once all the conditions have been met; otherwise they will not be paid until the start of the month that follows the submission of the application.  
   Funeral costs and flat-rate compensation for pain and suffering cannot be reimbursed once the three-year application deadline has expired.  
   For offences committed before 1 January 2020, the application deadline is two years instead of three years.  
   Applications for payment of psychotherapy costs have no deadline.
3. **Where can injured parties obtain advice about social matters?**   
   The advice centres set up by the Service of the Federal Ministry of Social Affairs can be accessed by injured parties at any time to receive advice on all social matters.

**Last update:** 07/2020

Subject to change, without liability

**Information for customers of the Service of the Federal Ministry of Social Affairs**