



Survival Guide Austrian Investment Control

Investitionskontrolle

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Autoren: Barbist Johannes, Kröll Regina

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Details

Austria is a small jurisdiction, but a major “player” in FDI screening. The planned acquisition of an Austrian target company by a foreign investor (i.e., non-EU, non-EEA and non-Swiss investor) often requires an FDI approval. This is due to the wide scope of the Austrian FDI screening regime. Only where the Austrian target is a micro-enterprise, Austria can securely be deleted from the list of (potentially) notifiable countries. Foreign investors and their international counsels must be aware that the trigger events in Austria are low.

The present booklet provides an overview of the Austrian FDI regime, both as regards its scope of application and the approval proceedings. We have also included some statistics to underpin the relevance of Austrian FDI screening in the M&A setting. A bilingual text of the ICA provides the legislative context.

In summer 2020, the authors published the first short commentary on the then new Austrian FDI legislation and have since then gained extensive practical experience in dozens of FDI proceedings before the Austrian authority.

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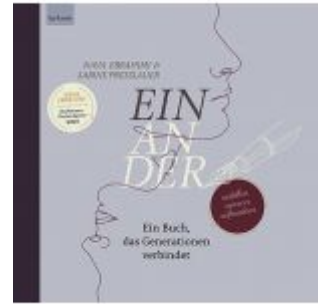
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