

Overview on Begging restrictions in each Austrian state

		Burgenland	Upper Austria	Carinthia	Lower Austria	Vorarlberg	Vienna	Salzburg	Styria	Tirol
		No bans against begging	Partial ban against begging	Partial ban against begging	Partial ban against begging	Partial ban against begging	Partial ban against begging	Partial ban against begging	Partial ban against begging	Partial ban against begging
Details – Bans and Laws against begging in public spaces	Prohibition of Aggressive or intrusive begging (touching, unsolicited following and insulting of people, pursuing or approaching people)									

Prohibition of
begging with underage minors

Prohibition of
organizing or arranging
begging

	Prohibition of partaking in organized begging								
	Prohibition of commercial begging								
	Prohibition of loud begging (e.g. exclaiming complaints)								
Legal Basis		§ 1a und § 1b Polizeistrafgesetz OÖ	§ 27 Landessicherheitsgesetz Kärnten	§ 1a Polizeistrafgesetz NÖ	§ 4 Abs. 2 Gesetz zur Regelung öffentlicher Sammlungen VBG	§2 Landessicherheitsgesetz Wien	§ 29 Salzburger Landessicherheitsgesetz	§ 3a Landessicherheitsgesetz STMK	§ 10 Landespolizeigesetz Tirol
Fines & Punishments		Fine of up to € 720 or Imprisonment for up to a week; Control of compliance by community guards possible; Decay of the begged; even the attempt is punishable	Fine of up to € 700 or Imprisonment for up to two weeks; Decay of the begged	Fine of up to € 1,000 or Imprisonment for up to two weeks; Decay of the begged; milder means possible (expulsion)	Fine of up to € 700 or Arrest for up to six weeks	Fine of up to € 700 or Imprisonment for up to a week; Forfeiture of money / items of monetary value; Possibility of eviction in the event of unreasonable harassment	Fine of up to € 500 or Imprisonment of up to one week; forfeiture of the begging if there are reasons of difficulty	Fine of up to € 2,000, forfeiture of the beggar	Fine of up to € 500 or Imprisonment for up to two weeks; Forfeiture of the beggar if there are difficulties

Background & Development

Adopted in June 2011	Adopted on February 22, 2011	In force since December 1st, 2010; Tightened as a reaction to the tightened law in Vienna and worries of evasion of beggars towards Lower Austria.	Valid since January 1st, 2002	Tightened in March 2010 ("commercial begging")	In force since 1979	Tightened in February 2011 (now general ban in public spaces)	In force since September 17, 1976
<p>VfGH has been dealing with the ban on begging in Linz since the end of February 2012 (1/3 of the LT MPs, specifically the SPÖ and the Greens have called the VfGH)</p> <p>In 2012, the VfGH deemed the ban against begging unconstitutional (G132/11).</p>	<p>Proceedings before the Constitutional Court on the initiative of the SPÖ or the Greens are pending.</p> <p>In 2012 the VfGH (G118/11) issued a rejection regarding the request of a third of members of the Carinthian Landtag to repeal a regulation regarding the ban on begging in Carinthia, as no absolute begging ban is standardized in the Krnt National Security Act</p>			<p>Proceedings before the Constitutional Court since February 27, 2012 (application by a beggar from Vienna).</p> <p>In 2012 the VfGH (G134/10) issued a rejection of the individual application by regarding the lifting of the ban on commercial begging in the Vienna State Security Act is inadmissible; This is based on a incorrect premise that the applicant is directly affected as there is no absolute ban on begging standardized in the law.</p>	<p>political demands for additional restrictions under foreign law ("begging register")</p> <p>In 2012 the VfGH (VfGH G155 / 10) deemed the ban unconstitutional.</p>	<p>In 2012 the VfGH (G64 / 11) deemed the ban unconstitutional.</p>	

Reported Violations		Begging total: 2015: 788 2016: 1.222 2017: 842 2018: 548 2019: 530 2020: 174	No data available	No data available	No data available	Begging with children: 2012: 8 2013: 21 2014: 16	100 advertisements for the year 2013, 33 of them legally valid Source: LPD Salzburg	No state data available 280 fines in the city of Graz in the year 2014 according to a media report Source: https://steiermark.orf.at/v2/news/stories/2681256/	Begging total: 2018: 281 2019: 204 Begging aggressive/intrusive: 2018: 105 2019: 66 Begging with children: 2018: 0 2019: 0 Begging commercial: 2018: 164 2019: 127 Begging against municipal ordinance (market) 2018: 8 2019: 7 Inducement to beg o 2018: 4 o 2019: 4 Source LPD Tirol
		Begging aggressive: 2015: 209 2016: 327 2017: 156 2018: 214 2019: 181 2020: 49				Organized begging: 2012: 29 2013: 38 2014: 46			
		Begging with children: 2015: 176 2016: 154 2017: 130 2018: 102 2019: 90 2020: 8				Commercial begging 2012: 453 2013: 427 2014: 530			
		Begging commercial: 2015: 134 2016: 479 2017: 319 2018: 28 2019: 82 2020: 40				Aggressive begging: 2012: 132 2013: 125 2014: 128			
		Source: LPD ÖÖ				Intrusive begging: 2012: 836 2013: 847 2014: 805			
						Source: mokant.at (research platform)			