

Student Support Act

(Studienförderungsgesetz 1992 - StudFG)

Federal Law Gazette No. 305/1992

Article 1, Section 4, Paragraphs (1) to (3)

Foreign nationals of equal status and stateless persons

§ 4. (1) Citizens of parties to the Agreement establishing the European Economic Area (EEA) and of parties to the Treaty establishing the European Community as well as third-country nationals shall enjoy equal status with Austrian citizens insofar as this is provided for in these agreements.

(1a) EEA nationals meet the equality requirements provided that they

1. are migrant workers within the meaning of Article 45 of the Treaty on the Functioning of the EU (TFEU) or self-employed workers within the meaning of Article 49 TFEU or members of their families, or
2. are entitled to permanent residence in Austria within the meaning of Article 16 of Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 concerning the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, or
3. have established an authentic connection to Austrian society.

(1b) Third-country nationals meet the equality requirements provided that they

1. have acquired the right of permanent residence in Austria (residence title "Daueraufenthalt-EU"),
2. are family members of Union citizens who are migrant workers in Austria within the meaning of Article 45 TFEU or self-employed workers within the meaning of Article 49 TFEU, or
3. are family members of Austrian citizens.

(2) Stateless persons shall enjoy equal status with Austrian citizens subject to the same conditions as those applicable to third-country nationals.

(3) Refugees within the meaning of Article 1 of the Convention relating to the Status of Refugees, Federal Law Gazette No. 55/1955, shall enjoy equal status with Austrian citizens.