

Tax Short Cuts

Latest tax news for Austria
by EY

Government Bills: Budget Restructuring Measures Act 2025 (II), Budget Accompanying Act 2025

Contents

- 01 Government Bills: Budget Restructuring Measures Act 2025 (II), Budget Accompanying Act 2025
- 02 Income Tax Guidelines - Maintenance Decree 2025
- 02 MoF: Tax recognition of "split profit distributions in the narrower sense"
- 03 MoF: List of countries for automatic exchange of financial account information published
- 04 Stamp Duties Guidelines - Maintenance Decree 2025
- 05 MoF: VAT qualification of reimbursement of educational costs

On 13 May 2025, the Government Bills for the Budget Restructuring Measures Act 2025 (II) (Budgetsanierungsmaßnahmengesetz 2025 Teil II, BSMG 2025 II) and the Budget Accompanying Act 2025 (Budgetbegleitgesetz 2025, BBG 2025) were submitted to the National Council.

BSMG 2025 II - Government Bill

In addition to the BMSG 2025 already adopted (see our Tax Short Cuts No. 6/2025 dated 11 March 2025), a second part - BSMG 2025 II - shall be adopted, which aims to implement further legislative measures from the government program (see our Tax Short Cuts No. 5/2025 dated 28 February 2025). Please refer to our German Tax Short Cuts No. 11/2025 for an overview of the main changes.

BBG 2025 - Government Bill

For tax periods beginning in or after April 2025, the assessment basis for the energy crisis contribution for fossil fuels (Energiekrisenbeitrag-fossile Energieträger) shall increase to 50% (previously 40%). No further material changes were made compared to the draft bill (see Tax Short Cuts No. 10/2025 dated 6 May 2025).

In addition, the BBG 2025 includes an amendment to the Climate Bonus Act (Klimabonusgesetz) under which the climate bonus will be abolished from 2025 onwards, as announced in the 2025-2029 government program.

The documents can be accessed via the following links (German versions only):

BSMG 2025 II:

https://ris.bka.gv.at/Dokumente/RegV/REGV_41988D65_E857_47F4_896E_E06B125108E7/REGV_41988D65_E857_47F4_896E_E06B125108E7.pdf

BBG 2025:

https://ris.bka.gv.at/Dokumente/RegV/REGV_5AE288CA_5D12_4989_A350_AF896E4CD6AA/REGV_5AE288CA_5D12_4989_A350_AF896E4CD6AA.pdf



The better the question.
The better the answer.
The better the world works.



Shape the future
with confidence

Income Tax Guidelines - Maintenance Decree 2025

Income Tax Act

On 8 May 2025, the Ministry of Finance (MoF) published the Income Tax Guidelines Maintenance Decree 2025 (2025-0.171.410), taking into account current case law and legal changes since the last amendment in March 2024.

Please refer to our German Tax Short Cuts No. 11/2025 for an overview of the main changes.

The full decree can be accessed via the following link (German version only): <https://findok.bmf.gv.at/findok/resources/pdf/920083ee-6224-4d46-aba7-f42b53f77a98/83598.1.1.pdf>

MoF: Tax recognition of "split profit distributions in the narrower sense"

Corporate Income Tax Act

A split profit distribution in the narrower sense refers to a constellation in which the profit of a limited liability company (GmbH) is only distributed to certain shareholders, while the other shareholders are granted a corresponding preferential profit for future periods, and these profit shares are retained. In contrast to non-linear distributions, the distribution does not necessarily deviate from the participation capital - only the payment is deferred in time.

According to a response from the Ministry of Finance (MoF) dated 14 May 2025, split profit distributions in the narrow sense are recognized for tax purposes provided they are legally permissible under company law and economically justified. An economic justification exists when shareholders who currently do not receive a profit distribution are granted a preferential profit right for subsequent years and the retention of their profit proportion is based on understandable reasons on the part of the distributing company, such as planned investments.

The MoF intends to include a corresponding addition in the Corporate Income Tax Guidelines in the next update.

The MoF response to the inquiry can be accessed via the following link (German version only): <https://www.bmf.gv.at/rechtsnews/steuern-rechtsnews/aktuelle-infos-und-erlaesse/Fachinformationen---Ertragsteuern/Fachinformationen---EST-KSt/gespaltene-gewinnverwendungen.html>

MoF: List of countries for automatic exchange of financial account information published

Common Reporting Standard Act

On 30 April 2025, the MoF published a list of countries in the Federal Law Gazette (BGBl. II Nr. 82/2025) that are considered participating countries for the purposes of the automatic exchange of information on financial accounts (in addition to all EU member states), in accordance with Sec 91/2 of the Austrian Common Reporting Standard Act (Gemeinsamer Meldestandard-Gesetz, GMSG). The list also identifies those countries for which information must be transmitted to the competent tax office in accordance with Sec 4 GMSG for the calendar year 2025. This regulation replaces the regulation of 16 May 2024 (Federal Law Gazette II No. 124/2024).

The GMSG implements Directive 2014/107/EU regarding the obligation to automatically exchange information in the area of taxation. In addition, this federal law also regulates the exchange of information on financial accounts in tax matters within the framework of the global standard, which is implemented between Austria and non-EU member states on the basis of the intergovernmental agreement of 29 October 2014.

According to Sec 112 GMSG, the information to be reported includes the data of the person subject to the reporting obligation as well as the account balance or value. In the case of custody accounts, the reporting obligation covers interest, dividends, and other income generated by the assets held in the account and, where applicable, the proceeds from the sale or repurchase of financial assets. For deposit accounts, the reporting obligation includes the amounts of interest credited to the account during the reporting period.

As of 31 January 2025, the following states and territories are considered participating states within the meaning of Sec 91/2 GMSG:

Albania, Anguilla, Antigua and Barbuda, Argentina, Armenia, Aruba, Azerbaijan, Australia, Bahamas, Bahrain, Barbados, Belize, Bermuda, Brazil, British Virgin Islands, Brunei Darussalam, Cayman Islands, Chile, China, Cook Islands, Costa Rica, Curaçao, Dominica, Ecuador, Faroe Islands, Georgia, Ghana, Gibraltar, Grenada, Greenland, Guernsey, Hong Kong, India, Indonesia, Iceland, Isle of Man, Israel, Jamaica, Japan, Jersey, Canada, Kazakhstan, Qatar, Kenya, Colombia, Korea (Republic of), Kuwait, Lebanon, Macau, Malaysia, Maldives, Marshall Islands, Mauritius, Mexico, Moldova, Montserrat, Nauru, New Caledonia, New Zealand, Netherlands, Nigeria, Niue, Norway, Oman, Pakistan, Panama, Peru, Russia, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Seychelles, Singapore, Sint Maarten, South Africa, Thailand, Türkiye, Turks and Caicos Islands, Ukraine, Uruguay, Vanuatu, United Arab Emirates and United Kingdom.

Armenia, Georgia, Moldova and Ukraine have been newly added to the list.

The following participating countries fulfill the requirements of Sec 7 OECD-MCAA (Multilateral Competent Authority Agreement on the Automatic Exchange of Financial Account Information) pursuant to Sec 91/2 GMSG:

MoF: List of countries for automatic exchange of financial account information published

Albania, Argentina, Armenia, Aruba, Azerbaijan, Australia, Barbados, Belize, Brazil, Canada, Chile, China, Cook Islands, Colombia, Costa Rica, Curaçao, Ecuador, Faroe Islands, Georgia, Ghana, Gibraltar, Grenada, Greenland, Guernsey, Hong Kong, Iceland, India, Indonesia, Isle of Man, Israel, Jamaica, Japan, Jersey, Kazakhstan, Kenya, Korea (Republic of), Malaysia, Maldives, Mauritius, Mexico, Moldova, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Peru, Russia, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Seychelles, Singapore, South Africa, Thailand, Turkey, Ukraine, Uruguay and United Kingdom.

Armenia, Belize, Georgia, Moldova and Ukraine have been newly added to the list.

Since 23 March 2022, the exchange of information with Russia has been suspended pursuant to the Convention on Mutual Administrative Assistance in Tax Matters.

The regulation on the list of participating countries can be accessed via the following link (German version only):

https://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2025_II_82/BGBLA_2025_II_82.pdf

Stamp Duties Guidelines - Maintenance Decree 2025

Stamp Duties Act

The Maintenance Decree 2025 of the Stamp Duties Guidelines 2025 (Gebührenrichtlinien 2025,) was published on 17 April 2025 (2025-0.288.445). This decree postpones the entry into force of individual sections of the guidelines (see our Tax Short Cuts No. 6/2025 dated 11 March 2025) from 1 April 2025 to 1 January 2026.

The Maintenance Decree 2025 can be accessed via the following link (German version only): <https://findok.bmf.gv.at/findok/resources/pdf/75d14f40-6d64-45d4-91ec-d554c62e4056/83565.1.1.pdf>

MoF: VAT qualification of reimbursement of educational costs

Value Added Tax Act

According to a recently published information by the MoF dated 14 May 2025, the reimbursement of educational costs paid by an employee to its (former) employer due to a resignation does not qualify as a taxable turnover, since there is no direct link between the reimbursement and a service provided by the (former) employer.

This statement contradicts the prevailing view that such reimbursements qualify as a taxable remuneration for a benefit provided by the employer to the (former) employee (see also UFS 7.12.2009, RV/0807-W/06).

The information does not specify any temporal scope of application. It remains to be seen whether further clarification will be provided, for instance in the context of the annual update of the Austrian VAT Guidelines.

The information can be accessed via the following link (German version only):
<https://www.bmf.gv.at/rechtsnews/steuern-rechtsnews/aktuelle-infos-und-erlaesse/Fachinformationen---Umsatzsteuer/Ausbildungskostenr%C3%BCckersatz.html>

Feedback

If you have any questions or suggestions or if you would like to be contacted please send an e-mail to: [Feedback](#)

Website

Get more information about our services, activities and events on our website: [ey.com/at](#)

Archive

Find our previous issues of this newsletter on our [website](#) or send us an inquiry to: [eyaustria@at.ey.com](#).

Unsubscribe

If you want to unsubscribe from this newsletter please send an e-mail that contains your name and your e-mail address to [ey.crm@ey.com](#).

Contact

Business Tax

Markus Stefaner
+43 1 211 70 1283
markus.stefaner@at.ey.com

International Tax

Roland Rief
+43 1 211 70 1257
roland.rief@at.ey.com

Transfer Pricing

Manuel Taferner
+43 1 211 70 1104
manuel.taferner@at.ey.com

Indirect Tax

Ingrid Rattinger
+43 1 211 70 1251
ingrid.rattinger@at.ey.com

People Advisory Services

Regina Karner
+43 1 211 70 1296
regina.karner@at.ey.com

Global Compliance & Reporting

Maria Linzner-Strasser
+43 1 211 70 1247
maria.linzner-strasser@at.ey.com

Transaction Tax

Andreas Sauer
+43 1 211 70 1625
andreas.sauer@at.ey.com

Editor and owner of the medium

Ernst & Young
Steuerberatungsgesellschaft
m.b.H. („EY“)
Wagramer Straße 19, IZD-Tower
1220 Vienna

Responsible Partner

Klaus Pfleger
+43 1 211 70 1179
klaus.pfleger@at.ey.com

EY | Building a better working world

EY is building a better working world by creating new value for clients, people, society and the planet, while building trust in capital markets.

Enabled by data, AI and advanced technology, we help clients shape the future with confidence and develop answers for the most pressing issues of today and tomorrow.

Our EY teams work across a full spectrum of services in assurance, consulting, tax, strategy and transactions. Fueled by sector insights, a globally connected, multi-disciplinary network and diverse ecosystem partners, we can provide services in more than 150 countries and territories.

The international network of EY Law, represented in Austria by Pelzmann Gall Größ Rechtsanwälte GmbH, offers comprehensive legal advice that complements the integrated service portfolio of EY.

All in to shape the future with confidence.

EY refers to the global organization, and may refer to one or more, of the member firms of Ernst & Young Global Limited, each of which is a separate legal entity. Ernst & Young Global Limited, a UK company limited by guarantee, does not provide services to clients. Information about how EY collects and uses personal data and a description of the rights individuals have under data protection legislation are available via [ey.com/at/privacy](#). For more information about our organization, please visit [ey.com/at](#).

© 2025 Ernst & Young
Steuerberatungsgesellschaft m.b.H.
All Rights Reserved.

This publication has been prepared for general informational purposes only and is therefore not intended to be a substitute for detailed research or professional advice. No liability for correctness, completeness and/or currentness will be assumed. Neither Ernst & Young Steuerberatungsgesellschaft m.b.H. nor any other member of the global EY organization can accept any responsibility.

[ey.com/at](#)