

# Austrian Tax News

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## Economic Stimulus Package: Draft Electricity Cost Compensation Act 2025

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The Austrian government has agreed on an economic stimulus package and on 2 September 2025 announced, among other measures, an increase of the investment allowance from the current 10% to 20% and of the eco-investment allowance from 15% to 22%; a corresponding draft bill has not yet been published. In addition, an electricity cost compensation scheme for energy-intensive businesses is to be introduced, and broadband expansion will continue to be supported.

On 8 September 2025, the [draft of the Electricity Cost Compensation Act 2025](#) (Stromkosten-Ausgleichsgesetz 2025, SAG 2025; German version only) was submitted to the Parliament with the consultation period ending on 22 September 2025. The SAG shall provide energy-intensive businesses in certain sectors with financial compensation for additional costs resulting from the pass-through of CO<sub>2</sub> emission costs via electricity prices.

Funding is planned for the years 2025 and 2026, with EUR 75 million allocated for each year. Execution is to be carried out by Austria Wirtschaftsservice GmbH (aws). The subsidy amount will be capped at 75% of indirect CO<sub>2</sub> costs and calculated based on energy intensity according to specified formulas. Beneficiaries will be required to conduct an energy audit and, in order to receive funding, to implement ecological measures. Specifically, businesses must invest at least 80% of the subsidy in measures that amortize within five years, particularly in energy efficiency, renewable electricity generation, and decarbonization of production processes.

Approval under EU state aid rules is required. The further legislative process remains to be seen.



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# Supplementary prepayments of income tax and corporate income tax 2024

*Income Tax Act*  
*Corporate Income Tax Act*

Additional income tax and corporate income tax are subject to interest according to Sec 205 Federal Fiscal Code (Bundesabgabenordnung). The interest on such additional tax payments, which is not deductible for tax purposes, amounts to 2% above the applicable base rate and currently amounts to 3.53% per annum.

Interest will be levied on any additional income tax or corporate income tax for the year 2024 that is assessed after 30 September 2025. Submission of the tax return at a later point in time does not extend this deadline, nor does the filing of an application for an extension. Only a supplementary prepayment made before 1 October 2025 in the amount of the expected additional tax payment can prevent the imposition of interest. Interest of less than EUR 50.00 will not be charged.

Any supplementary prepayment must be transferred to the tax office in due time, stating a corresponding payment reference, so that the payment is received by the tax office before 1 October 2025. Any supplementary prepayment made after 30 September 2025 will also reduce the amount of interest. Multiple supplementary prepayments may be made, in equal or different amounts. The payment reference must state "E 01-12/2024" for payments relating to income tax and "K 01-12/2024" for payments relating to corporate income tax.

In case of a tax group according to Sec 9 Corporate Income Tax Act (Körperschaftsteuergesetz), any supplementary prepayment must be made by the group parent. The taxable income of all group members must be considered in the calculation of the payment.

## Applications for reduction of income tax and corporate income tax prepayments 2025 until 30 September 2025

*Income Tax Act*  
*Corporate Income Tax Act*

If the actual income tax or corporate income tax on the estimated taxable income for the fiscal year 2025 (balance sheet date in calendar year 2025) is expected to be lower than the currently determined income tax or corporate income tax prepayments for 2025, it is possible to apply for a reduction of the income tax and corporate income tax prepayments for 2025. An application can be submitted to the respective tax office by 30 September 2025 at the latest, together with a forecast of the (expected) taxable income for 2025.

## Applications for reduction of income tax and corporate income tax prepayments 2025 until 30 September 2025

In case of a tax group according to Sec 9 of the Corporate Income Tax Act (Körperschaftsteuergesetz), any application for a reduction must be submitted by the group parent. The taxable income of all group members must be considered in the calculation of the prepayment.

## Valorization of tax brackets and tax deductions as of 2026 published

*Income Tax Act* The progressive income tax rates and fixed deductions result in an annual increase in income tax revenue due to inflation. With the Inflation Relief Package II, it was decided in 2022 to compensate for this additional tax burden through the cold progression. Under Sec 33a Income Tax Act (Einkommensteuergesetz), certain marginal and deductible amounts are to be adjusted annually by two-thirds of the inflation rate. Under the previous legal framework, a separate resolution had to be passed by 15 September of each year to compensate for the remaining third. With the [Budget Accompanying Act 2025](#) (Budgetbegleitgesetz 2025; German version only), this resolution – and thus also the compensation of the remaining third – was suspended for the years 2025 to 2028.

On 30 August 2025, the [Inflation Adjustment Regulation 2026](#) (Inflationsanpassungsverordnung 2026; German version only) was published in the Federal Law Gazette II No. 191/2025. The regulation increased the marginal and deductible amounts subject to inflation adjustment by 1.733% (i.e. 2/3 of the inflation rate). Among others, the following tax brackets for income tax were increased for the calendar year 2026:

- Income up to EUR 13,539.00 is now subject to a tax rate of 0% (previously up to EUR 13,308.00),
- Income over EUR 104,859.00 is now subject to a tax rate of 50% (previously over EUR 103,072.00).

## Input tax refund in the EU until 30 September 2025

*Value Added Tax* Austrian businesses who purchased supplies or other services subject to local VAT in other EU member states in the calendar year 2024 can still apply for a refund of the related input tax until 30 September 2025. The input tax refund application must be submitted via FinanzOnline.

A prerequisite for the applicability of the procedure is that neither a permanent establishment nor the registered office of the business activity nor a VAT registration obligation existed in the relevant member state in the respective refund period.

# Disclosure of financial statements – deadline and penalties

## *Commercial Code*

Pursuant to Sec 277 of the Austrian Commercial Code (Unternehmensgesetzbuch, UGB), the legal representatives of corporations and partnerships in which no natural person is personally liable (e.g., GmbH & Co KG) are obliged to disclose:

- the annual financial statement (consisting of balance sheet, profit and loss statement, notes, and fixed assets schedule),
- the management report,
- the auditor's report,
- the proposal/decision on the appropriation of the result, and, if applicable,
- the report of the supervisory board,
- the corporate governance report,
- the separate non-financial report and the report on payments to public authorities

to the competent Commercial Register Court no later than nine months after the balance sheet date. For small limited liability companies, only an abridged balance sheet and abridged notes, as well as the auditor's report if an audit is required, must be disclosed. Large stock companies must also submit proof that the annual financial statements were published on the federal government's electronic publication and information platform (Elektronische Verlautbarungs- und Informationsplattform des Bundes, EVI). The disclosure must also indicate the classification of the company in the size categories. The provisions on disclosure also apply to the consolidated financial statements, which must be disclosed to the Commercial Register Court at the same time as the annual financial statements.

For corporations with a balance sheet date of 31 December, the deadline for disclosing the annual financial statements as of 31 December 2024 is 30 September 2025. Disclosure must generally be made electronically. Corporations whose sales revenues do not exceed EUR 70,000 in the 12 months prior to the balance sheet date may also submit their annual financial statements in paper form to the competent Commercial Register Court.

According to the Regulation on Electronic Legal Data Exchange (Verordnung über den elektronischen Rechtsverkehr), the annual financial statement data to be submitted electronically must, in principle, be transmitted to the Company Register in structured form. Disclosure for small and micro limited liability companies can also be made using the forms provided on JustizOnline as an XML file via FinanzOnline. The transmission of annual financial reports in accordance with Sec 124 of the Stock Exchange Act (Börsegesetz) must be carried out using the ESEF (European Single Electronic Format).

Micro-corporations pursuant to Sec 221 para 1a UGB are not required under Sec 242 UGB to prepare or disclose notes to the financial statements, provided they disclose the total amount of contingent liabilities and other material financial obligations not shown on the liabilities side, as well as the type and form of any collateral provided under the balance sheet. The amounts of advances and loans granted to members of the management board and the supervisory board must also be stated there.

## Disclosure of financial statements - deadline and penalties

If annual financial statements are not disclosed to the competent Commercial Register Court by the last day of the deadline, a penalty of at least EUR 700 per managing director/board member and per company will be automatically imposed (reduced to EUR 350 for micro-corporations) without prior investigation.

If the disclosure is not made up within two months (after expiry of the statutory nine-month period), further penalties are automatically imposed at two-month intervals. In this case, the range of penalties in the ordinary proceedings increases per managing director/board member/company to three times (to EUR 2,100.00) in the case of medium-sized corporations (as defined in Sec 221 of the Austrian Commercial Code), and to six times (to EUR 4,200.00) in the case of large corporations.

If accounting documents of foreign corporations with a domestic branch cannot be retrieved from the Business Register Interconnection System (BRIS) in German or in a language commonly used in international finance circles, foreign corporations with a domestic branch must also disclose their foreign annual financial statements in German or in a language commonly used in international finance circles to the Austrian Commercial Register Court no later than nine months after the balance sheet date, provided that the company's annual financial statements were prepared, audited and disclosed in accordance with the law applicable to the head office (Sec 280a Austrian Commercial Code).

In its decision of 11 January 2006 (4 R 343/05y), the Higher Regional Court in Vienna (OLG) ruled that the representatives of the domestic branch office must disclose the foreign annual financial statements to the Austrian Commercial Register Court even if the company is not required to be audited under foreign law. The penalty regime is also applicable to domestic branches.

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