

Checklist – formation of a joint-stock company (AG)

- Articles of association (established as a notarial deed before an Austrian notary)
 - Minimum contents of articles of association:
 - » Corporate name and registered office of company
 - » Shares to be issued at par value or no-par value shares
 - » In the case of par value shares, the par value and in the case of no par value, the number of shares and the issue price
 - » Subject matter of the company
 - » Amount of registered share capital
 - » Composition of management board, number of directors
 - » Form of official publications by the company
 - » Reimbursement for costs of formation
- Minimum capital of € 70,000, at least one-quarter of which must be paid in; contributions in kind must be made in full
- Appointment of initial supervisory board (at least three persons)
- Resolution on appointment of management board by supervisory board
- Founders' report (shareholders) on formation of an AG
- Management board and supervisory board's formation audit report
- In certain cases, additional formation audit by court-appointed formation auditor
- Where there are foreign companies as shareholders, evidence of their identity must be provided (e.g. by means of extracts from foreign Commercial Register or confirmation by foreign Commercial Registers or Chambers of Commerce)
- Specimen corporate signatures of management members (in notarised form)
- Application for registration in Commercial Register by all founders (shareholders), members of the management board and members of the supervisory board (with notarised signatures)

Notes:

- Supervisory board mandatory in the case of an AG
- Audit of annual financial statements mandatory for every AG
- Annual financial statements must be submitted to Commercial Register. They must also be published in the case of large AGs
- Minimum corporation tax per year: € 3,500