



AUSTRIA - PARLAMENT - NATIONALRAT

Reply to the ECPRD request

6116- The offering of a financial advantage in exchange for the resignation of a seat in parliament

DENMARK - FOLKETINGET

Request date: 02/07/2025

Addressed to: - EUROPEAN PARLIAMENT , NORWAY , FRANCE , LITHUANIA , MALTA , SLOVAKIA , IRELAND , CYPRUS , GREECE , LUXEMBOURG , FINLAND , NETHERLANDS , BULGARIA , SPAIN , LATVIA , AUSTRIA , CROATIA , ITALY , CZECHIA , UNITED KINGDOM , HUNGARY , ROMANIA , BELGIUM , POLAND , SLOVENIA , SWEDEN , PORTUGAL , GERMANY , ESTONIA

Subject areas: Corruption, whistleblowing

Deadline 28/07/2025

The offering of a financial advantage in exchange for the resignation of a seat in parliament

See the attached file and the filled out forum for a detailed response.

Reply provided by **Alexandra BECKER** (alexandra.becker@parlament.gv.at,) on **2025-07-15**

ECPRD Correspondent: [KONRATH Christoph](#)

Is there any legislation or other form of regulation, such as a code of conduct, that prohibits: A) a Member of Parliament from accepting a financial advantage on the condition that they resign their seat; B) the act of offering such a proposal, including by individuals from the members own party.

- **a Member of Parliament from accepting a financial advantage on the condition that they resign their seat;**

In Austria, there are no special rules regarding giving up mandates in exchange for financial benefits for Members of Parliament. The general provisions on corruption in the Criminal Code apply (unfortunately only available in German):

- 304 [Corruption](#)
- 305 [Acceptance of advantage](#)
- 306 [Acceptance of an advantage with the intent to be influenced](#)

There is also a provision in the Criminal Code regarding the purchase of mandates that applies to those responsible for a political party running in an election:

- 265a [Mandate Purchase](#)
- **the act of offering such a proposal, including by individuals from the member's own party.**

Also, here, there are provisions in the Criminal Code:

- 307 [Bribery](#)
- 307a [Advantage Allocation](#)
- 307b [Advantage Allocation with the intent to influence](#)
- 308 [Prohibited intervention](#)

If so, what does the regulation entail, and how is it enforced?

The criminal investigation department (Kriminalpolizei) and the public prosecutor's office (Staatsanwaltschaft) are obliged, within the scope of their duties, to investigate ex officio any initial suspicion of a criminal offense that comes to their attention and that is not to be prosecuted solely at the request of an authorized person.