

Consolidated Federal Law: Entire Legislation on Assemblies 1953, as amended on 18 May 2015

Full Title

Assembly Act 1953.

§ 1. Assemblies are permitted in accordance with the provisions of this law.

§ 2. (1) Whoever wants to organize a people's assembly or any kind of public assembly without limitation to invited guests, shall notify the competent authority (§ 16) in writing at least 24 hours prior to the intended meeting, providing information about the purpose, place and time of the assembly. The competent authority shall receive the notification at least 24 hours prior to the time of the assembly.

(2) Upon receipt of the notification, the authority shall immediately issue an official certificate. The notification shall not be subject to any stamp fee.

§ 3. *(Note: repealed by the constitutional court, Federal Law Gazette no. 69/1965)*

§ 4. Assemblies of voters for election campaigns or for meetings with elected representatives are exempt from the provisions of this law, if they take place at the time of the elections and are not held outdoors.

§ 5. Also excluded from the provisions of this law are events for public amusement, wedding processions, traditional festivals or parades, funerals, processions, pilgrimages, or any other assembly or parade that is carried out as part of a legally permitted rite, provided it is carried out in the traditionally established way.

§ 6. The competent authority shall prohibit an assembly if the purpose of an assembly violates criminal laws or the assembly poses a threat to public security or the public good.

§ 7. During an assembly of the National Council, the Federal Council, the Federal Assembly, or one of the state parliaments, outdoor assemblies will not be permitted within a radius of 300m of the venue.

§ 8. Foreigners shall not act as organizers, stewards or leaders of assemblies for the purpose of negotiating public affairs.

§ 9. (1) Persons, who 1. Cover or hide their faces with clothing or any other objects in order to prevent being recognized in connection with the assembly, or 2. Carry objects on their body which by nature serve to prevent the ascertaining of a person's identity, may not participate in an assembly. (2) Authorities may refrain from arresting a person as per § 35 (3) Administrative Penal Act 1991 regarding an infringement of para. 1, if the lawful status can be produced through the application of moderate means; § 81 paras. 1 to 6 Federal Security Police Act shall apply correspondingly. (3) Furthermore, authorities may refrain from the enforcement of prohibitions as per para. 1 if there is no reason to suspect any danger to public order, peace and security.

§ 9a. Persons who carry a weapon may not participate in an assembly as mentioned in § 2; also excluded from participation are persons who carry objects on their body which in consideration of circumstances only serve to commit violence against people or objects.

§ 10. More than ten persons shall not deliver addresses or petitions which originate from assemblies.

§ 11. (1) Firstly, leaders and stewards are responsible for maintaining law and order in an assembly. (2) They must confront illegal comments or actions immediately and must dissolve the assembly if their orders are not followed.

§ 12. The competent authority is free to send even a number of representatives to any assembly as mentioned in § 2. They must be provided with an appropriate position in the assembly and they have a right to information concerning the identity of the petitioners and speakers.

§ 13. (1) If an assembly is held against the provisions of this law, the competent authority (§§ 16 and 17) shall prohibit it and dissolve it, depending on the

circumstances. (2) The representative of the competent authority, or the authority itself if no representatives have been sent, shall also dissolve a lawfully held assembly if illegal incidents take place during the assembly or if the assembly becomes a threat to public order.

§ 14. (1) As soon as an assembly is declared as dissolved, all those present are obliged to immediately leave the place of assembly and separate. (2) In case of non-compliance, authorities may apply means of enforcement to dissolve the assembly.

§ 15. Provisions §§ 13 and 14 also apply to public processions.

§ 16. The authority mentioned in this law normally refers to: a) the State Police Headquarters at places which belong to a municipality where the State Police Headquarter is the security authority of first instance; b) the State Police Headquarters at the seat of the provincial governor, if this location does not belong to a municipality where the State Police Headquarter is the security authority of first instance; c) the District Administrative Authority at all other places.

§ 17. However, any other authority responsible for maintaining public order and security is entitled to prohibit or dissolve an assembly which is organized or held against the provisions of this law, in case of urgent danger to public order and security. The competent authority as per § 16 must always be informed immediately.

§ 18. The State Administrative Court is the competent authority for complaints against any notice according to this federal law.

§ 19. The District Administrative Authority shall punish violations of this law where the general Criminal Law does not apply, but the State Police Headquarter shall be the competent authority at places belonging to a municipality where the State Police Headquarter is the security authority of first instance. Violations shall be punished by an arrest for up to six weeks or a fine of up to 720 euros.

§ 19a. Whoever participates in an assembly contrary to the prohibition in § 9 (1) and carries a weapon or any other object as per § 9a, shall be punished by an ordinary court in form of an imprisonment for up to six months or a fine of up to 360 daily rates. In case of recurrence, the person shall be punished by imprisonment for up to one year or a fine of up to 360 daily rates.

§ 20. The Federal Minister of the Interior shall be entrusted with the execution of this federal law, with the exception of § 19a; the Federal Minister of Justice shall be entrusted with the execution of § 19a.

§ 21. (1) § 18 as amended by the federal law [Federal Law Gazette I no. 201/1996](#) enters into force on 1 July 1996. (2) § 19 as amended by the federal law [Federal Law Gazette no. 98/2001](#) enters into force on 1 January 2002. (3) §§ 9, 9a, 19 and 19a as amended by the federal law [Federal Law Gazette I no. 127/2002](#) enter into force on 1 September 2002. (4) § 16 lit. a and b as well as §§ 18 and 19 as amended by the federal law [Federal Law Gazette I no. 50/2012](#) enter into force on 1 September 2012. (5) §§ 18 and 19a as amended by the federal law [Federal Law Gazette I no. 161/2013](#) enter into force on 1 January 2014.