

eingetragener CL-Anwalt

Status January 2025

## Calculate maintenance correctly

#### **Child maintenance**

Age of children	Per cent		
0 to 6 years	16%		
6 to 10 years	18%		
10 to 15 years	20%		
from 15 years	22%		

Further maintenance obligations	Deduction		
per additional child up to 10 years	minus 1%		
per additional child over 10 years	minus 2%		
Ex-spouse or spouse	minus 0% to 3%		

#### Assessment basis (BMG)

exact: annual net income of the debtor divided by 12 (without family bonus plus) roughly (for 14 salaries): Monthly net income times 14 by 12 without family bonus plus, with benefits in kind, overtime, bonus payments, allowances at 50%

#### Standard requirement and maintenance freeze (luxury limit, playboy limit)

Maximum maintenance: standard requirement x 2 / x 2,5 (up to 10 years / over 10 years)

as 1.1.2025	From birth	from 6 years	from 10 years	from 15 years	from 20 years
Standard need	350	440	540	670	770
Luxury limit	700	880	1.350	1.675	1.925

#### Family allowance and child deduction

are due to the main carer without being offset against maintenance.

#### Care by both parents, self-care or third-party care

If the child receives above-average care (dual residence) or lives in a household without parents, maintenance is calculated differently.

#### Family bonus plus

has no influence on maintenance. It (only) reduces the income tax. For children under the age of 18:  $\in$  2,000.00 per year, from the age of 18  $\in$  650.00 per year. Allocation by agreement: caring parent 100% / maintenance debtor 100% / both 50%.

### **Spousal maintenance**

#### 1. Maintenance creditor has no income

33% of the BMG of the debtor, minus 4% per child.

#### 2. The person entitled to maintenance has their own income

40% of the BMG of the debtor, minus 4% per child, minus own income.

I will be happy to determine the correct assessment basis for you and calculate the maintenance. Mag. Clemens Binder-Krieglstein, Ungargasse 4/1/11, 1030 Wien, www.cbk.at, +43 1 7151617

#### **Online-Calculator**

Austrian AG for Youth Welfare: https://www.jugendwohlfahrt.at/unterhaltsrechner.php



# ÖSTERREICHISCHE ARBEITSGEMEINSCHAFT FÜR JUGENDWOHLFAHRT

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WERKZEUG	
Familienbeihilfe V	Go

#### **Unterhaltsrechner**

#### Anwendung:

- Unterhalt f
  ür zuk
  ünftige Unterhaltsbetr
  äge: Nur Tabelle A
- Unterhalt rückwirkend bis längstens 1.1.2019: Nur Tabelle A
- Unterhalt für Zeiten vor 1.1.2019, Minderjährige und Volljährige: Tabellen A und C
- Die Familienbonus-Anrechnung in B ist durch OGH-Rechtsprechung gegenstandslos

4400

Unterhalt berechnen

(Jahreszwölftel)

berücksichtigt die neuen Regelbedarfssätze

Bitte beachten Sie die Bedienungshinweise

**Stichtag:** 15 . 3 . 2024 Heute

Unterhaltsbemessungsgrundlage:

#### A. Prozentunterhalt

Löschen

Eigenein-Geburtsdatum Unterhalt kommen . 1995 792 1. Kind 2. Kind 2001 792 3. Kind 4. Kind 5. Kind 6. Kind 7. Kind 8. Kind 9. Kind 10. Kind EhepartnerIn (Ptn) 1000 728 Ex-EhepartnerIn (Ptn) 0 2312 Summe

	Alter	%	Abzu Kinder	ıg für Ptn	% neu
<ol> <li>Kind</li> </ol>	29	22	2	2	18
2. Kind	23	22	2	2	18
3. Kind					
4. Kind					
5. Kind					
6. Kind					
7. Kind					
8. Kind					
9. Kind					
10. Kind					
				Summe	36

#### **Date**

Past to present, not future.

#### Net annual income

by 12 (without Family Bonus Plus, with benefits in kind, overtime, bonus payments, allowances at 50%).

#### **Luxury limit**

is not taken into account.

#### Reduction or load limit If the income of the person liable to pay

maintenance is at risk, the online calculation is not always correct.

## Spouses and ex-spouse

Only enter the income of the ex- and/or spouse if there is a maintenance obligation. Current and former spouse also possible.