

**Order of the Federal Minister of Interior  
prohibiting unauthorized entry of and unauthorized stay  
at care facilities operated by the Federal Government 2005  
(Care Facility Entry Regulation 2005 – BEBV 2005)**

Issued on 3 January 2005  
Federal Law Gazette of the Republic of Austria, FLG II No. 2/2005.

**[NOTE: This is an unofficial translation]**

The following regulation is issued pursuant to paragraph (1) of article 5 of the Federal Care Provision Act, *Federal Law Gazette* (FLG) No. 405/1991, last amended by federal law FLG I No. 32/2004:

**Article 1.** (1) For the purpose of preserving order at care facilities and with a view to preventing harmful assaults on the life, health or freedom of persons and to safeguarding the furnishings and fittings of care facilities, any unauthorized stay at or unauthorized entry of the following care facilities shall be prohibited:

1. "Traiskirchen", at 24 - 26 Otto Glöckel-Strasse, municipality of Traiskirchen (post code 2514);
2. "Thalham", at Thalham 80, municipality of St. Georgen im Attergau (post code 4880);
3. "Schwechat", Building 800 on Nordstrasse, municipality of Schwechat in the Vienna-Schwechat Airport area;
4. "Bad Kreuzen", at Neuaigen 24, municipality of Bad Kreuzen (post code 4362);
5. "Reichenau", at Kurpromenade 4, municipality of Reichenau/Rax (post code 2651).

(2) Any entry and stay shall be unauthorized if the person entering the facility or a person receiving care at the facility does not have a legitimate interest in such entry or stay. Any entry and stay shall in all cases be unauthorized if the person entering the facility does not do so via an entrance provided for that purpose. The entry of care facilities by officials of UNHCR shall in no circumstances be unauthorized.

(3) A legitimate interest shall exist in particular if:

1. The care facility is the place of work of the person concerned;
2. The person concerned has to enter the care facility as an official or a representative of an organization entrusted with care responsibilities with a view to the discharge of such responsibilities;
3. The person concerned enters the care facility as a duly identified professional attorney at law with a view to the discharge of responsibilities or the engaging of his services;
4. The person concerned enters the care facility as the authorized representative of an asylum-seeker receiving care at the facility with a view to the exercise of his authority;
5. The person concerned has been invited to make a visit as a family member of an asylum-seeker receiving care at the facility and that visit is not being used solely as a pretext primarily for the purpose of performing another activity or taking accommodation at the facility;
6. The person concerned has obtained permission to enter the care facility from the management of the care centre or its representatives.

(4) The management of the care centre or its representatives may, if required for the purpose of verifying cases of entry or stay, issue passes to persons who have been permitted to enter the care facility.

**Article 2.** Where references made in the present Order to natural persons appear only in the masculine form, they shall apply equally to females and to males. In cases where the reference applies to a particular natural person, the specific form of the gender shall be employed.