

Survey on the effectiveness of Anticorruption Authorities

Background Information

1. Please enter country name in the space below

Austria

2. The name of the agency

Federal Bureau of Anti-Corruption
(within the Federal Ministry of the Interior)

3. The date of establishment

1 January 2010

4. Contact Information

BMI-IV-BAK-SPOC@bak.gv.at

5. Webpage

www.bak.gv.at

Legal Environment

6. What are the main anticorruption laws of your country?

Austrian penal code:

- §168 b (Restrictive bid-rigging at award procedures),
- § 302 (Abuse of official authority),
- §§ 304-307b (Bribery offences),
- § 308 (Illicit intervention)
- § 309 (Acceptance of gifts by and bribery of employees or agents)

7. Does your government have a single or primary anticorruption strategy?

Currently, a primary anticorruption strategy is being developed by the Ministry of Justice and the Federal Bureau of Anti-Corruption.

8. Does your country have freedom of information legislation?

Yes No

9. Does your country have conflict of interest legislation?

Yes No

10. Does your country have a financial disclosure system to help prevent conflicts of interest?

Yes No

Institutional Environment

11. What are the main functions and operations of your agency? Please check all that apply

Research Prevention Investigation Prosecution Forensic Accounting Policy

12. Is there one agency in charge of coordinating AC efforts across agencies?

Yes No

But Austria does have an inter-institutional and multi-disciplinary coordination mechanism (Co-Ordinating Body of Combating Corruption). It was established to coordinate AC efforts across agencies. This body consists of representatives of the Parliamentary Administration, several ministries (Federal Chancellery, Federal Ministry of Finance, Federal Ministry of the Interior, Federal Ministry of Justice, Federal Ministry of Economy, Family and Youth), the Länder, different authorities (Public Prosecutor's Office for Combating Economic Crime and Corruption, Federal Bureau of Anti-Corruption – BAK, Financial Market Authority), as well as representatives of the private sector (Economic Chamber, Union of Public Service, Chamber of Civil Law Notaries, Chamber of Lawyers).

13. Does your agency have the ability to share information or data with

(a) Other agencies within your government, and

Yes No

(b) Government partners from other countries?

Yes No

14. Please enter current size of permanent staff in the space below

107

15. Number of prosecutors (if applicable)

16. Number of investigators (if applicable)

63

17. Number of cases handled annually (if applicable)

1435

18. Please enter the name of other agencies with similar functions.

Public Prosecutor's Office for Combating Economic Crime and Corruption

19. Does your agency have a system to monitor performance of staff?

Yes No

20. Are the human resource management, i.e. recruitment, promotion, termination built on the emphasis of staff integrity and professionalism?

Yes No

21. Who appoints the head of your agency?

The Federal Minister of the Interior appoints the head of our agency after consultation amongst the presidents of the Constitutional Court, the Administrative Court and the Supreme Court of Justice.

22. Who has the authority to remove the head of the ACA?

Federal Minister of the Interior

23. Is there any term limit for the head of the ACA?

Yes No

If Yes, Please specify: **5 years; reappointment is possible (once).**

24. Is the agency subject to judicial review?

Yes No

25. Is the agency subject to expenditure reviews?

Yes No

26. Does your agency publish an annual report of activities?

Yes No

27. Does your agency measure performance?

Yes No

If yes, against what indicators?

- Number of investigations conducted
- Number of investigations concluded
- Ratio of number of investigations/staff
- Percentage of total budget allocated to outreach activities and communication
- Other, please specify

28. Does your agency keep a comprehensive skill list of its staff?

Yes No

29. Is the staff provided with regular training and refresher training to ensure that their skills are up-to-date?

Yes No

30. Are employees protected by law from recrimination or other negative consequences when reporting corruption (i.e. whistle-blowing)?

Yes No

31. Does your agency have a communication strategy?

Yes No

32. Does your agency have a comprehensive corporate plan?

Yes No

33. Is there a strategy in formulating partnership with outside agencies in fighting corruption?

Yes No

34. Is there strategy in dealing with media?

Yes No

Resource Mobilization

35. Does your agency have budgetary autonomy?

Yes No

36. What is the annual budget of your agency?

N/A, currently adjustments on the federal budget account are being made.

37. Is the annual budget determined by (Please choose the answer/s that best fits your agency)

<input checked="" type="checkbox"/>	Number of staff
<input checked="" type="checkbox"/>	Number of investigations
<input type="checkbox"/>	Budget is constitutionally mandated
<input type="checkbox"/>	Other, please specify

38. How much does it roughly cost to (please enter the dollar amount per stated activity)

\$	File a case	\$	Manage a paper case	\$	Analyze a case
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39. Any Donor Involvement?

Yes No

40. Does your agency use a computerized system to handle cases?

Yes No

Social Environment

41. Does your agency offer a mechanism for citizens to report anonymously complaints or offer information on corrupt activities?

Yes No

42. Does your agency or government provide a hotline to report corruption?

Yes No

43. Does your agency produce regular public reports of its activities?

Yes No