

Standard documentation Meta information

(Definitions, comments, methods, quality)

on

Statistics of divorces and dissolutions of registered partnerships

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Executive Summary

Statistics on divorces have existed in Austria since 1884. Until 1938 confessionally regulated marriage law was applied, which foresaw the dissolution of marriage under the term "divorce from table and bed" as well as a "separation of marriage according to the bond", which today would be called divorce. Since 1938, divorces in today's understanding have been possible.

Statistics on divorces and, as of 2010, on dissolutions of registered partnerships are based on the data on legally binding divorce and dissolution judgments and orders of the approximately 120 district courts in Austria. From the same data source, the data on annulments (§22 EheG or §13 EPG) and declarations of nullity (§23 EheG or §19 EPG) of marriages or dissolutions of registered partnerships are also transmitted, but are not included in the divorce or dissolution figures. Divorces and dissolutions of registered partnerships as well as annulments and declarations of nullity are referred to as "judicial dissolutions of marriages and registered partnerships".

The divorce statistics therefore do not include the few annulments and declarations of nullity. However, they are additionally recorded in order to be able to compare the total number of "judicial dissolutions of marriages and registered partnerships" with the dissolutions of marriages and registered partnerships by death (cf. table G02 in the Demographic Yearbook of Austria).

Until the reporting year 2017, the processing of judicial dissolutions of marriages and registered partnerships was exclusively based on the reports of the approximately 120 district courts in Austria. Since the reporting year 2018 data is additionally compared to personal information transmitted by the Central Civil Status Register. It became thus possible to also include divorces and dissolutions of registered partnerships of persons with a main residence in Austria taking place abroad. However, divorces and dissolutions of registered partnerships of persons residing abroad that take place in Austria are not included.

As of 2019, divorces of same-sex marriages and dissolutions of opposite-sex registered partnerships are also included.

The regional allocation of the published data is based on the place of residence of the man or the first registered partner. If this is not known, the place of residence of the woman or the second registered partner is used.

The data collection unit of the divorce or the dissolution of the registered partnership is the judicial process, the court act, which on the one hand concerns the two persons whose marriage or registered partnership is separated, and on the other hand the marital children who are affected by the parents' divorce. There are therefore different evaluation units and thus evaluation masses of different sizes:

- Divorces
- Children affected by divorces
- Dissolutions of registered partnerships

Important measures are the

- probability that a marriage will end in divorce at some point in time ("total divorce rate"), and the
- probability that a child will experience the divorce of his or her parents before reaching the age of majority ("divorce risk of minors").

Statistics on divorces and dissolutions of registered partnerships – Main Key Points

Subject matter	Judgments and orders of Austrian courts on divorce of marriage or dissolution of registered partnership as well as annulment and declaration of nullity of marriage or registered partnership of persons whose last common "usual residence" was in Austria, or if the "usual residence" of one of the two legally separated partners was in Austria. The courts do not clarify whether this "usual residence" is the main residence (which, of course, is usually assumed).
Population	Marital dissolutions and dissolutions of registered partnerships
Type of statistics	Secondary Statistics (statistics based on administrative data)
Data sources/Survey techniques	The data are obtained from divorce decrees and rulings as well as annulments and declarations of nullity of marriage or registered partnership and are compared with the data transmitted by the Central Civil Status Register (ZPR) of the Federal Ministry of the Interior (BMI)
Reference period or due day	Months, quarters, calendar years
Periodicity	Preliminary results are usually published on a quarterly basis. Final results are published annually (usually in mid-May / early June of the following year)
Survey participation (in case of a survey)	-
Main legal acts	Rules of procedure for the courts of I. and II. instance - relevant §92 Marriage Act EheG - (dRGeB. I S 807/1938) Registered Partnership Act - EPG (BGBl.Nr. 135/2009) Personal Status Act 2013 - PStG; relevant § 7
Most detailed regional breakdown	Municipalities; for special evaluations also counting districts and localities
Availability of results	Preliminary results: approx. 55 days after the end of the quarter Final results: once a year, mid-May/early June
Other	-