



## Professional card

### 1. What is it?

It is the **licence** to be held by the individual who:

- Does not have the Belgian nationality or the nationality of one of the Member States of the European Economic Area (European Union, Norway, Iceland and Liechtenstein) or who, for some reason, is not exempted from fulfilling this formality;
- And who wants to work in Belgium in a self-employed capacity, either as a natural person or as a paid or unpaid representative of a company or association.

### 2. What criteria are to be met?

There are three criteria to satisfy:

- **Right of residence:** those not having such right should apply for it as well as for a professional card with a Belgian diplomatic mission or consular post.
- **Compliance with regulatory obligations,** in particular with those related to the activity in question.
- **Interest of the project :**
  - o In terms of economic usefulness (i.e. a project responding to an economic need, a need for employment creation, useful investments, economic repercussions on the enterprises located in the territory, developing exportation, innovation or specialisation);
  - o In terms of benefits at the social, cultural, artistic or sporting level.

### 3. Where to lodge an application?

- **When living abroad,** the applicant should lodge his application with the Belgian diplomatic mission or consular post of his country of residence;
- **When living in Belgium** and holding a valid registration certificate model A or certificate attesting to entry in the foreigners' register, the applicant should file his application with the municipal authorities of his place of residence.

### 4. How to lodge an application?

- Applications must be lodged by means of a **form**, duly completed, dated and signed. The applicant must supply all documents required as well as the documents which he deems necessary for the examination of his case;
- The form must also bear evidence of payment of the **tax** imposed at the time of lodging the application: the application for a professional card and its renewal is subject to the payment of a € 125 tax and the delivery thereof, to the payment of a € 75 tax per year of validity.

## 5. What is the procedure?

- 1) The **diplomatic mission** or consular post or the **municipality** with which the application is filed issues an opinion and, within five days of receipt of the application, sends it on to the Economic Licences Service.
- 2) The **Economic Licences Service** first checks whether the application has been lodged according to the rules. If it is not the case, the Service takes a decision of inadmissibility, which is notified to the applicant through the intermediary of the diplomatic mission, the consular post or the municipal authorities having received the application. In the event of compliance with the rules, the Economic Licences Service proceeds to the examination of the application.
- 3) The **examination** is based on three criteria:
  - Right of residence: the decision on this matter is taken by the Foreigners' Office, which is consulted each time the applicant is not authorised to reside in Belgium;
  - Compliance with regulatory obligations: the Economic Licences Service controls whether the applicant and/or his company fulfil the essential entry requirements for the planned activity and whether they meet the other status-related obligations. When the applicant (or his company) does not have access to the activity, he always needs to apply to a business one-stop shop;
  - Usefulness of the project: the Economic Licences Service collects all information necessary for examining whether these criteria is satisfied: detailed description of the project, qualification, practical experience as well as financial standing of the applicant, market research, financial analysis, contacts with commercial partners, draft statutes...
- 4) If the application **meets the required criteria**, the Economic Licences Service issues a professional card. If not, the Service refers the case to the Economic Inquiry Board for an opinion and notifies the applicant of the reasons of such referral.
- 5) The **Economic Inquiry Board** is an independent body, chaired by a judge or a lawyer and is composed of civil servants representing the different departments concerned with the matter. It may require any piece of information which it deems useful for the examination of the dossier. The Board invites the applicant to defend his interests at the hearing. The Board communicates its opinion simultaneously to the applicant and the Economic Licences Service.
- 6) The **Economic Licences Service** decides on the application after having examined the Board's opinion. It may take a decision in accordance with the Board's opinion. In the event of differing conclusions, it refers the case to the Minister for the Self-employed, who then takes the decision.
- 7) The **professional card** or the reasoned decision of refusal to issue such card is sent via the diplomatic mission, the consular post or the municipality with which the application was lodged.
- 8) The applicant may appeal against a decision of refusal with the **Council of State** within 60 days of the notification of the decision (i.e. the day on which the applicant takes knowledge of the decision). In the event of refusal, the applicant may lodge a second application only two years after lodging the previous one. This principle does not apply where:
  - The refusal is based on a decision of inadmissibility;
  - The applicant produces new elements;
  - The application relates to a new activity.

## 6. What is the duration?

The professional card is issued for a maximum of **5 years**. Generally, a first-time card is delivered for a probationary period of **2 years**. After this period has expired, the professional card may be renewed provided that the applicant has fulfilled the regulatory obligations and has satisfied the criteria of usefulness, which justified granting the licence. The professional card is issued for one or more particular activities as mentioned on it. Any change or addition of activity is therefore subject to prior authorisation.

## 7. What are the other formalities to fulfil?

On receipt of the professional card:

- **The self-employed worker** must go to a business one-stop shop in order to get a business identification number and register with the Crossroads Bank for Enterprises. If the activity so requires, he must also register with the VAT Office and become affiliated to the Social Insurance Fund for Self-employed Workers.
- **The company representative** must, in the event of his being responsible for the daily management of the company, register his professional card with the Crossroads Bank for Enterprises, via a business one-stop shop, and afterwards affiliate himself to a Social Insurance Fund for Self-employed Workers.

**Starting up a company in Belgium** requires lodging the company's statutes with the Registry of the Commercial Court of the place of its registered office. The company is consequently registered with the Crossroads Bank for Enterprises and receives a business identification number. In the event of commercial activities, the company must be granted access to the occupation by a business one-stop shop which will register its activities. The company must then be registered with the VAT Office and, if it employs staff, with the National Office for Social Security.

## 8. Who is exempted from holding a professional card?

Some people may be exempted from obtaining a professional card to work in Belgium in a self-employed capacity (under certain conditions):

- 1) Foreigners holding a permanent and **valid identity card** for foreigners.
- 2) Nationals of a Member State of the **European Economic Area** (Member States of the European Union, Iceland and Liechtenstein) and family.
- 3) The **spouse** of a Belgian and family.
- 4) **Refugees** recognised by Belgium.
- 5) Husbands or wives assisting or **replacing their spouses** in the exercise of their self-employed activity.
- 6) Foreigners **travelling on business**.
- 7) Foreigners travelling in order to give **lectures**.
- 8) Foreign **journalists**.
- 9) Foreign **sportsmen** and women.
- 10) Foreign **artists**.
- 11) Foreign **students** who attend a training course.
- 12) Foreigners who come to Belgium in order to attend a **training course**.
- 13) Foreigners exercising an **itinerant trade activity**.
- 14) Foreigners registered on the **Roll of Lawyers** or on the trainees' list.
- 15) Self-employed managers and researchers working for **coordination centres**.
- 16) **Swiss** nationals.
- 17) Nationals of **Romania, Bulgaria**, holding a « CEEC Certificate ».

## 9. Whom to apply to for further contact or information?

- **Economic Licences Service** (Federal Public Service Economy):  
WTC III, 25<sup>th</sup> floor, Boulevard Simon Bolivar, 30 - 1000 Brussels  
Fax: 32(0)2 208 51 47. E-mail [info.EVA@mineco.fgov.be](mailto:info.EVA@mineco.fgov.be)
  - Mrs Y. SERVAIS, assistant adviser, phone: 32(0)2 208 51 04
  - Mrs M.J. MEURIS, administrative assistant, phone: 32(02)208 51 33
  - Mrs C. MARCHAND, administrative assistant, phone: 32(0)2 208 51 35
  - Mrs F. HERLIN, administrative assistant, phone: 32(0)2 208 51 34
- **Registry of the Economic Inquiry Board** (same address as above)
  - Mr Louis LAMBERT, head of the Registry. Phone: 32(0)2 208 52 21  
Fax: 32(0)2 208 51 47 - E-mail [louis.lambert@mineco.fgov.be](mailto:louis.lambert@mineco.fgov.be)
- **Foreigners' Office:** WTC II, Chaussée d'Anvers, 59b 1000 Brussels  
Phone: 32(0)2 206 13 00
- **Assistance Unit for Foreign Investors** (Federal Public Service Economy):  
Rue du Progrès - 1210 Brussels  
Mr F. LAITEM, industrial adviser. Phone: 32(0)2 277 60 60. Fax: 32(0)2 503 10 47
- **Council of State:** rue de la Science, 33 1040 Brussels. Phone: 32(0)2 234 96 11