



Facts from Belgium

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SETTING UP IN BELGIUM: IMMIGRATION PROCEDURES

General Principles

Depending on the professional activity, US citizens who want to set up a business in Belgium will need a professional card (carte professionnelle/beroepskaart) or a work permit (permis de travail/ arbeidskaart), in addition to the temporary residence visa (permis de séjour/ verblijfsvergunning) before starting their activities. Applications for the temporary residence visa and the professional card are filed with the appropriate Belgian consular office in the US. Work permits are obtained from the regional authorities in Belgium.

1. Temporary Residence Visa

A citizen of the United States of America who intends to reside in Belgium for a period longer than 90 days, or for a succession of periods totaling more than 90 days within 6 months, must obtain a temporary residence visa. Before coming to Belgium, an application for a temporary residence visa must be filed with the Belgian Embassy or Consulate, depending on the applicant's location in the U.S. The applicant needs to provide the necessary background documents, and to possess either a work permit or a professional card.

Within 8 days of arrival in Belgium, the visa holder must go with any accompanying family member to the local town hall to register as a foreign national. He/she will be provided with a temporary Certificate of Registration which is valid for 4 months, and which can be extended.

The US spouse and dependent children (under 18 years) of a US citizen who has obtained a work permit or professional card and a temporary residence visa, do not need a visa prior to entering Belgium. Family members should have valid US passports and should submit the following upon their arrival in Belgium to the municipal authorities of their place of residence (*):

- the marriage certificate with apostille for the spouse
- the birth certificate with apostille for the children
- a criminal history record check for family members over 18.

*** An overview of the visa application procedure, including downloadable application forms, can be found on the website of the Embassy of Belgium at www.diplobel.us**

A simplified procedure for important investments is applicable in exceptional cases. Please consult the fact sheet 'Moving to Belgium for Investment Purposes'.

2. Professional Card for Independent Professionals

A professional card is needed by US citizens:

- who wish to reside in Belgium to carry out an independent profession (e.g. lawyers, consultants), or
- who are appointed managing directors in a company incorporated in Belgium, or
- who hold a power of attorney to operate a branch of a company originally incorporated in another country, or
- who have established a company of which the act of incorporation has been published in the Official Gazette in Belgium

Applications for a professional card must be filed at the same time as the application for a temporary residence visa through the Belgian Embassy or Consulate, depending on the applicant's place of residence in the US.

Professional cards are issued by the Federal Public Service Economy, Small and Medium -Sized Enterprises, Self-Employed, and Energy. It is recommended that the application be filed at least 4 months prior to the intended departure date. The card will be issued for a maximum of 5 years, and is renewable.

An overview of the application procedure for the professional card can be found at www.diplobel.us

3. Work Permits for Employees: Documents Needed for Work Permit Application in Addition to the Application Form

US citizens with employee status in Belgium, including those US citizens who have a contract with or receive a fixed salary from a US parent company, need a work permit.

In principle, the work permit must be obtained by the employer or his representative in Belgium prior to the arrival in Belgium of the prospective employee. *The first employee of a US company to go to Belgium to start up an office/branch must apply him/herself for a work permit through a representative (audit firm, attorney,..) in Belgium after the new office/branch has been legally established.*

The work permit must be obtained from the Regional employment service which covers the employer's place of business (VDAB for Flanders, FOREM for Wallonia, ORBEM/ BGDA for Brussels). Work permits will be sent to the town hall of the employer or his representative in Belgium. After the US employee has received the permit, he/she will use the permit to apply for the required visa at the appropriate consular office in the US (see above).

Top level researchers who perform fundamental research in Belgium do not need a work permit. Highly educated employees with a gross salary of over €31,073 will be eligible for a work permit for 4 years, which will be renewable once. Highly educated employees with a gross salary of over €51,842 and who are not assigned to Belgium (i.e. pay social security taxes in Belgium) will be eligible for a work permit of unlimited duration. Both categories of employees can already enter Belgium without the work permit. Professional activities however can only commence after the work permit has been obtained.

Documents needed for work permit application:

- Medical/health certificate in the official language (French or Dutch) of the relevant Region, within three months of the date of the work permit application, signed by a doctor affiliated with the Belgian Embassy or Consulate. Specific, multi-lingual forms are available from the appropriate consular office in the US and can be downloaded at www.diplobel.us
- Employment contract in compliance with Belgian law, except for highly educated and executive staff and researchers mentioned above.

Employees of coordination centers are exempt from the work permit. See www.diplobel.us for further details.

Useful Addresses and Links

Embassy of Belgium

Bart Deelen, Business Development
3330 Garfield Street NW, Washington DC 20008
Phone (202) 625-5810, Fax (202) 625-7567
bart.deelen@diplobel.org
www.diplobel.us

Federal Service for Foreign Investments

Generaal Lemanstraat 60, 1040 Brussels
Phone + 32 2 206 58 64
Fax + 32 2 514 03 89
E-Mail: invest.belgium@mineco.fgov.be
www.mineco.fgov.be

Federal Public Service Foreign Affairs

Visa Service
Karmelietenstraat 15, 1000 Brussels
Phone + 32 2 501 81 11
Fax + 32 2 501 38 88
www.diplobel.fgov.be/en/travel/visa.asp

Professional Card

Federal Public Service Economy, SME's, Self-Employed, Energy

Bestuur voor KMO-beleid/ Administration de la Politique PME
World Trade Center III
Simon Bolivarlaan 30, 1000 Brussels
Phone + 32 2 208 51 04 or + 32 2 208 51 33 (F)
Phone + 32 2 208 51 40 or +32 2 208 51 48 (NL)
Fax + 32 2 208 51 47
E-Mail: marie-jeanne.meuris@mineco.fgov.be (F)
veerle.bossuyt@mineco.fgov.be (NL)
www.mineco.fgov.be

Work Permit

Ministry of the Flemish Community

EWBL Department, Administration for Employment
Section Migration-Employment Policy
Markiesstraat 1, 1000 Brussels
Phone + 32 2 553 39 42
Fax + 32 2 553 44 00 / 553 44 22
E-Mail: arbeidsmarktbeleid@vlaanderen.be
www.vlaanderen.be/werk

Ministry of the Walloon Region

Employment and Immigration Service
Place de la Wallonie 1, Bat.2, 4th floor
5100 Namur
Phone + 32 81 33 31 11
Fax + 32 81 33 43 22
E-Mail: seimm@m.rw.wallonie.be
<http://emploi.wallonie.be>

Ministry of the Brussels Capital Region

Economy and Employment Administration
Employment Policy Service (Section Immigration)
Boulevard du Jardin Botanique 20, 1035 Brussels
Phone + 32 2 800 34 74
Fax + 32 2 800 38 07
E-Mail: expan.eco@mbhg.irisnet.be
www.bruxelles.irisnet.be