

Whom does this concern?

- An employer in Belgium wishing to employ a non-European citizen in their company.
- An employer abroad asking one of their employees to work in Belgium.
- Foreign nationals wishing to work in Belgium as an employee.

However, in certain cases it is not required to request an employment authorisation because the foreign national is exempt from work permit. It depends on the worker's residence situation and the duration of his or her employment in Belgium.

- 1) The foreign national is in a specific residence situation. He or she does not need a permit to work in Belgium.
 - nationals of the European Union, Iceland, Norway, Liechtenstein or Switzerland;
 - students, asylum seekers, nationals with subsidiary protection status, on humanitarian grounds, family reunification, etc.

[Consult the list of residence situations that lead to an exemption.](#) (royal decree dated 2 September 2018)

Who should a foreign national who is in one of those situations contact?

The foreign national who is in one of the [listed residence situations \(Royal Decree of 2 September 2018\)](#) has to request a **residence document** from his or her **municipality** (population and/or foreigners department). This document automatically entitles him or her to work in Belgium. The foreign national does not need to apply for an employment authorisation with the Brussels Capital Region, the Flemish Region or the Walloon Region.

This new procedure replaces amongst others the work permit C and the work permit B for the **family members**.

The foreign national must gather the information and documentation relating to his or her residence situation or request it from his or her municipality (population and/or foreigners department). He or she **should not contact Brussels Economy and Employment**. "Residence" matters are a federal competency and thus not dealt with by the Regions. Brussels Economy and Employment refrains from any examination, information or declaration regarding particular residence situations and the related work permits, if any.

- 2) The foreign national comes to Belgium for a temporary employment. For a very short employment duration, the worker does not need a permit.

The exemption is generally limited to 90 days.

[Use the wizard to find out whether you are exempted or should request authorisation.](#)

(article 2 of the [royal decree dated 9 June 1999](#) for employment in Belgium during a limited period)

- 3) In all other cases, the employer must request authorisation before employing the worker in Belgium.

Who needs to request the authorisation?

The employer or their agent needs to request an authorisation to employ a foreign national in Belgium.

The employer or their agent fills out the application form, dates it and signs it. In some cases, this form must also be signed by foreign worker.

The applicant needs to be a natural person lawfully residing in Belgium.

That means that an employer established abroad, for whom an employee comes to Belgium to work there temporarily, needs the services of an agent. In that case, the agent's mandate must be attached to the application.

In only two cases, it's only the foreign worker who needs to request an authorisation to work in Belgium.

Who should you contact?

Read the following pages and send your application to Brussels Economy and Employment if the **intended work location is situated in the Brussels Capital Region**. (To determine the work location: see article 7 of the [Cooperation Agreement \(.pdf\)](#).)

Which type of authorisation should you request?

[Use the guide to know which type of authorisation should be requested.](#)

What do you need to do?

Are you in a situation for which an employment authorisation is required before employing a foreign national in Belgium?

[Know which application to file](#)

Did you receive an employment authorisation for over a year?

Then you have to send us several documents every year. That should happen at the latest a month after the year mark of the validity start date of the employment authorisation.

[Submitting the 'employment authorisation' documents every year](#)

Checks

The Inspection régionale de l'Emploi (regional labour inspectorate) is responsible for checking compliance with the laws and regulations governing the employment of foreign nationals.

Minimal remuneration

As a reminder, every worker should be remunerated in accordance with the Belgian legislation (for instance, the competent joint committee), and this remuneration cannot be lower than 2.029,88 € per month gross (collective labour agreement no. 43 of the National Labour Council).

You are a non-European citizen and you wish to exercise an activity as a self-employed person in Belgium?

- [Professional card](#)

Regulation

- [Law dated 30 April 1999 on the employment of foreign workers](#)
- [Royal decree dated 9 June 1999 implementing the law dated 30 April 1999 with regard to employing foreign workers](#)
- [Royal decree dated 5 July 2018](#)
- [Decree of the Brussels-Capital Government dated 16 May 2019 amending the Royal Decree of 9 June 1999 implementing the Law of 30 April 1999 on the employment of foreign workers with regard to admission to work for activities carried out within the framework of a transfer within a company, a seasonal](#)
- [Decree of the Brussels-Capital Government dated 25 June 2020 amending the Royal decree dated 9 June 1999 implementing the Law of 30 April 1999 with regard to employing foreign workers](#)
- [Cooperation agreement dated 2 February 2018 on the coordination of the policies with regard to granting employment authorisations and residence permits, as well as the norms pertaining to the employment and residence of foreign workers \(.pdf\)](#)
- [Cooperation agreement dated 6 December 2018 implementing the cooperation agreement of 2 February 2018 on coordination between policies on work permits and residence permits and the legislation on employment and residence of foreign workers](#)
- [Law dated 15 December 1980 on access to the territory, residence, establishment and removal of foreigners](#)
- [Royal decree dated 6 June 2019 amending the Royal decree dated 8 October 1981 concerning access to the country, the residence, the location and expulsion of foreign nationals](#)
- [Royal decree dated 2 September 2018 implementing the law dated 9 May 2018 with regard to the employment of foreign nationals in a specific residence situation](#)
- [Royal Decree dated 24 December 2020 amending the Royal decree dated 8 octobre 1981 concerning access to the territory, the residence, the location and expulsion of foreign nationals benefiting from the agreement on the withdrawal of the United Kingdom and Northern Ireland from EU \(.pdf\)](#)
- [Law of 16 December 2020 on the beneficiaries of the agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the EU and the EAEC](#)
- [Notice concerning personal data \(.pdf\)](#)

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