



SINGLE PERMIT

Implementation & New economical migration policy

- *EU Directive 2011/98/EU*
- *RD 09/06/1999*
- *Cooperation agreement 02/02/2018*
- *BVR 07/12/2018 (Flanders)*
- *Law of 30/04/1999*

AGENDA

- Introduction & who we are
- Work permit & residence card ⇔ Single Permit
- Single Permit changes & timelines
- Cooperation agreement ⇔ different rules on regional level
- Single Permit & flexibility within EU => to be implemented
- Practical implementation after 3 months
- Questions



Expatriate care with a personal touch

- **Relocation & expatriate services**
 - Full guidance of foreign employees, executives and their families relocating to Belgium & other destination countries
- **Legal Services**
 - Legal advice and execution of Immigration, social security & Tax matters in relation to international employment
- **Cultural trainings**
 - Integration in Belgian day-to-day life for expats and their family
 - Intercultural Management Training for employees and business leaders

www.bewelcome.be
www.culturaltraining.be



Business Development with a local touch

- **Business Development support**
 - Business start ups, strategic support & implementation
- **Legal Services**
 - Legal advice, execution and co-ordination of all legal aspects with regard to the set-up of a legal entity in Belgium

www.istartdesk.com



International recruitment with a local touch

- **Taylor made international recruitment** service with focus on Portugal, Spain, India towards Belgium & N-Europe
- **HR-Services related to international employment**

www.bewanted.be

Full integrated International Mobility support with experience and professionalism in each domain !

Work permit & Residence card ⇔ Single Permit

The WP & RC still applies to:

1. short term mobility workers < 90 days
2. frontier workers
3. au pairs
4. researchers with a hosting agreement *
5. EU Blue card *
6. Inter Company Transfers / ICT *
7. Trainees (*only within Flemish region*)

The single permit applies to:

1. all employment categories with more than > 90 days stay
2. all exemption requests *

Single Permit: Changes & Timelines

Distinction to be made between legal residence & legal employment
→ now combined in 1 single application process

<u>Until 31/12/2018</u>	<u>Starting 01/01/2019</u>
<ul style="list-style-type: none">• WP application request• WP approval• Send original WP to individual• Individual applies for long stay visa• Individual travels to Belgium & starts working• Individual applies for RC at town hall of place of residence	<ul style="list-style-type: none">• SP application request• SP approval• Individual & Diplomatic post receive "annex 46" simultaneously• Individual applies for long stay visa• Individual travels to Belgium• Individual applies for "annex 49" (temporary SP allowing him to work and reside) + original SP at town hall of place of residence

Single Permit: Changes & Timelines

- Family members that are in Belgium under the family reunification procedure (art. 10 and 10bis) of a residence card holder with unlimited or limited residence now has unlimited access to the Belgian labour market without having to request specific approval for employment!

Single Permit: Process

1. Application to be submitted to regional employment authorities (REM)
 - *Documents regarding employment*
 - *Documents regarding residence*
2. REM decides on admissibility of the request
 - *Are all documents in the application?*
 - *Additional documents to be requested? (15 days deadline)*
3. REM delivers admissibility letter & sends file to Immigration Office (IO)
 - *From this moment a maximum period of 120 days (4 months) starts to count*
 - *Flanders confirms this within 10 days*
 - *Brussels & Wallonia within 15 days*
4. REM & IO each take their individual decisions, inform each other, the applicant & the Diplomatic post / town hall by means of an “annex 46”
5. Applicant must visit the competent Diplomatic post / town hall to apply for the long stay visa / original SP

Single Permit: Timeline A-Z : **up to 6 months ??**

- 1 - Preliminary process to employment/assignment contract (2 to 4 weeks) – can be faster**
 - contact with HR/ Company
 - contact Individual
 - Gross/net pré-calculations, ...
- 2 - Documents gathering process (4 weeks) – can be faster/longer**
 - by HR / Company → confirmation of several info
 - by Individual (PCC, sufficient health insurance, ...)
- 3 - Introduction of the file with REM & process by REM & IO**
 - admissibility letter (10 days) → in practice currently longer
 - 10 days + 120 days processing time (maximum)
- 4 - Approval by REM & IO (maximum 4 months)**
 - IO sends approval to applicant & competent Diplomatic post
- 5 - Applicant applies for visa D (delivered immediately)***
- 6 - Applicant travels to Belgium & applies for Annex 49 (delivered immediately)***
 - applicant can work & reside legally in Belgium
- 7 - Applicant applies for original SP (3 weeks)***

Cooperation agreement between regions

The cooperation agreement of 02/02/2018 between regions confirms a (somewhat) unilateral way of working when it comes to processing a Single Permit.

As every Region has become its own policy maker, there are differences!!!

- Employment authorization categories (i.e. bottleneck function, ...)
- Criteria for obtaining the SP (documents, introduction deadlines, ...)
- Minimum salary threshold (Flanders ⇔ Brussels & Wallonia)

Flemish Economical Migration Policy introduces the following:

- Removal of barriers in attracting talent: lower salary threshold local employment < 30 yrs old
- Increasing the validity period of the SP for specific employment categories from 1 to 3 yrs
- Introducing “Bottleneck” functions → review of this list every 2 years
- Possibility to obtain unlimited access to labour market after 4 yrs as HQ EE on a local contract

Single Permit & flexibility within the EU

→ NOT YET APPLICABLE --> 2020?

The implementation of the Single Permit created a framework for the future implementation of other EU Directives already in place in other EU member states.

EU ICT Permit

EU Permit that allows managers, experts and trainees to be temporarily seconded from a company outside the EU to an entity of the same group within any EU member state for short term and long term intra-EU mobility

EU Researcher Permit

EU Permit for researchers allowing them to work on research projects within recognized research facilities in any EU member state

We will update you once these Directives have been implemented in Belgium

Practical implementation after 3 months

Be “document ready” → can save time!

Company: employment/ secondment agreement / CoC/art. 3 / ...

Applicant: PCC, travel & health insurance, medical certificate / ...

Family: timeline in terms of validity of documents (max. 6 months) & visa D application

Be Alert → Compliance

Even if authorities make mistakes, the factual situation and underlying rules remain basis for inspection!

Importance of Field support at Town hall!

Confidentiality / Personal information

Employer (or proxy holder) is now applying on behalf of the employee's personal behalf !!



Thank you for your attention!
Questions?

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