

EN



one-stop shop

to create

Access to HORECA
professions

HOUSE OF _____
ENTREPRENEURSHIP

Are you in the HORECA branch?

Definition and conditions of access

The activities include

- **Establishments selling alcoholic and non alcoholic beverages (cafe, tearoom or snack bar, etc.)** selling of drinks and hot dishes to be consumed on the premises or for take away and various other products to customers.
- **Eating establishment (restaurant and food truck)** selling of hot dishes and alcoholic and non alcoholic drinks on the premises or for take away or delivery to the end-consumer and selling of various other products to customers.
- **Accommodation establishment (hotel, boarding house, etc.)** leasing furnished rooms; serving breakfast, hot dishes and meals on the premises to lodgers; selling alcoholic and non alcoholic drinks on the premises or to take away; selling various other products to the lodgers of the rooms.

Conditions of access to the profession

Any trader operating a restaurant, cafe, hotel, food truck or other similar establishment in the Grand Duchy of Luxembourg must hold a Hotel & Catering business permit issued by the Luxembourg Ministry of the Economy, in accordance with the law of 2 September 2011.

The permit is granted to the business manager operating under his own name, or the company he runs:

- if he meets the legal requirements in terms of qualification and professional integrity > *supporting documents required*,
- and if the company has fixed business premises in Luxembourg (not a “mailbox” company) > *a lease agreement or residence certificate (if relevant) is required*.

These professions can be accessed:

- with a vocational diploma (diplôme d’aptitude professionnelle - DAP), or diploma that is equivalent or higher in any area > *Certificate of Professional Competence (CAP), Certificate of Technical and Vocational Proficiency (CATP), Advanced level (BAC), bachelor’s degree, master’s degree, etc.*
- or with three years professional experience in any sector in Luxembourg or the European Union > *a certificate of the Joint Social Security Centre (CCSS) indicating the professional background or an EC Certificate issued by the country concerned is required*,
- or with a certificate of successful completion of the final exam which completes the course for access to the profession of trader organised by the Chamber of Commerce via the House of Training or any other similar training course provided in another EU Member State,
- or with a copy of a previously held business permit.

And a certificate of successful completion of the final exam which completes the course for access to professions in the Hotel & Catering sector organised by the Chamber of Commerce via the House of Training.

The professional integrity has to be demonstrated accordingly (please see the check list).



Completing the application

Requesting a business permit

Once completed, the application should be sent to the General Directorate for SMEs and Entrepreneurship of the Luxembourg Ministry of the Economy. The processing of the application is subject to the payment of a tax stamp of €24¹.

By post

Direction générale PME et Entrepreneuriat
19-21, boulevard Royal
L-2449 Luxembourg

Online submission

MyGuichet - guichet.lu secure interactive platform

Make sure to fill in your application correctly using the enclosed check list!

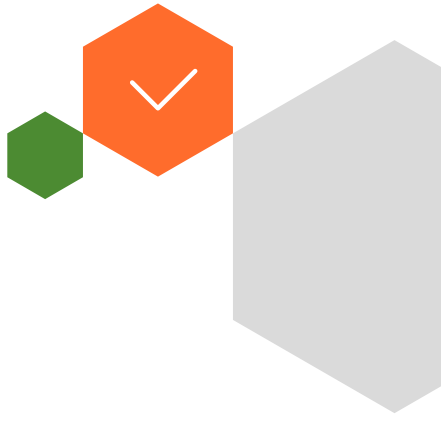
Download all the relevant forms here:

www.guichet.public.lu/entreprises/en/formulaires

Make sure to select the right business premises for your activity!

According to the law, fixed premises means, inter alia, a physical installation in Luxembourg that includes an infrastructure suitable to the nature and scale of the concerned activity.

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- 1 transfer €24 to the account LU09 1111 7026 5281 0000, BIC code: CCPLLULL, Diekirch branch-revenue, stating: "business permit" or purchase of a tax stamp at the Land Registration and Estates Department.
 - 2 any third-country citizens (from outside the EU) who would like to settle in Luxembourg for more than three months to operate a self-employed activity need to follow a specific procedure, unless they are a family member of an EU citizen or deemed a resident of Luxembourg; have long-term residence status; or have international protection in Luxembourg. Contact organisation: Immigration Department - Foreign Services.
 - 3 most companies (public limited companies (SA), private limited companies (Sàrl), etc.) must then be constituted before a notary. The notary is responsible for registering the company at the Luxembourg Trade and Companies Register.



Check list

Complete the check list below

A. Resident for more than 5 years

Main form

- Completed “business permit” form

Proof of qualification

- copy of your diploma
 - or a certificate of affiliation to the Joint Social Security Centre (Centre Commun de la Sécurité Sociale - CCSS)
 - or a copy of a certificate of successful completion of the final exam which completes the course for access to the profession of trader
 - or a copy of a previously held business permit
- and a copy of a certificate of successful completion of the final exam which completes the course for access to professions in the Hotel & Catering sector

Proof of integrity

- copy of a recent criminal record in Luxembourg
- completed “sworn declaration” form

Proof of fixed premises

- either a copy of the lease agreement, or equivalent,
 - or a residence certificate (as the case may be)

Other attachments

- copy of your identity card or residence permit²
- proof of payment of the tax of €24
- draft of the articles of association (companies only)³

B. Resident for less than 5 years or a non-resident

Main form

- completed “business permit” form

Proof of qualification

- either a copy of your diploma or an EU Certificate
 - or a copy of a certificate of successful completion of the final exam which completes the course for access to the profession of trader
 - or a copy of a previously held business permit
- and a copy of a certificate of successful completion of the final exam which completes the course for access to professions in the Hotel & Catering sector

Proof of integrity

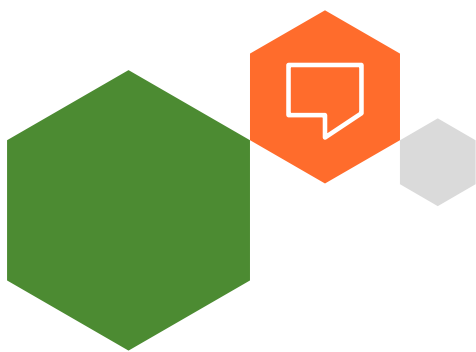
- copy/copies of a recent criminal record(s) in the country/countries of residence
- notarial declaration of non-bankruptcy
- completed “sworn declaration” form

Proof of fixed premises

- either a copy of the lease agreement, or equivalent,
 - or a residence certificate (as the case may be)

Other attachments

- copy of your identity card or residence permit²
- proof of payment of the tax of €24
- draft of the articles of association or final statutes (companies only)³



Find out more

Further information

Main reference texts

- Luxembourg Commercial Code
- The law of 2 September 2011 governing the access to artisan, commercial, industrial and some liberal professions in Luxembourg

Register for the course to access the profession

- House of Training
www.houseoftraining.lu
customer@houseoftraining.lu

Learn more about this sector

- Horesca - National Federation of Hoteliers, Restaurant Owners and Cafe/ Bar Owners of the Grand-Duchy of Luxembourg
www.horesca.lu
- Eurotoques - Association of the Artisan Cooks of Luxembourg
www.eurotoques.lu
- Luxembourg Foodtrucks Association
www.facebook.com/Luxfta
- National Institute for Statistics and Economic Studies of the Grand Duchy of Luxembourg (STATEC)
www.statec.lu

Registration with the authorities

After obtaining the business permit, there are a number of steps that the person in charge of the management/operation of the future company must carry out, depending on the legal form chosen. For example:

- *registration by means of electronic filing with the Luxembourg Trade and Companies Register for sole proprietorships and partnerships,*
- *get registered with the Joint Social Security Centre (CCSS) and undertake an operating declaration (if intending to hire staff),*
- *get registered for Value Added Tax by submitting an initial declaration to the Land Registration and Estates Department.*

Specific registrations are required to the Hotel & Catering sectors:

- *register as an establishment in the food sector with the Food Safety Department,*
- *apply for a licence to serve and sell alcohol from the Licensed Premises Department of the Customs and Excise Agency.*



HOUSE OF —————
ENTREPRENEURSHIP

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L-1468 Luxembourg-Kirchberg
T. (+352) 42 39 39 330
info@houseofentrepreneurship.lu

houseofentrepreneurship.lu

Would you like to take the next step?
Further details and relevant forms
are available on guichet.lu

Initiated by:



LE GOUVERNEMENT
DU GRAND-DUCHÉ DE LUXEMBOURG
Ministère de l'Économie

In partnership with: 1535°, ADEM, Chambre des Métiers, guichet.lu, ITM, IPIL, Luxinnovation, MCAC, nyuko, Technoport, Ministère de la Santé, Ministère de la Fonction publique et de la Réforme administrative - CFUE