

EN



one-stop shop

to create

Access to travel agent
professions

HOUSE OF _____
ENTREPRENEURSHIP

Are you a travel agent?

Definition and conditions of access

Definition of the activity of travel agent

The activity of “trader - travel agent” concerns any person who offers or provides support, as their principal or secondary activity, in operations relating to the organisation and/or sale of:

- individual or collective travel or accommodation;
- services provided during travel arrangements or holidays (the issuance of vouchers for transport, accommodation or meals, room reservations in hotels or tourist accommodation, etc.);
- services related to tourist hospitality, including customer care and organisational planning and/or the organisation of additional events;
- travel, holiday and round trip packages 1.

NB: The activity of tourist guide is not included in this field.

Conditions of access to the profession

Travel agents involved in a commercial activity which is otherwise regulated must have a financial guarantee and specific professional liability insurance, in accordance with the law of 8 April 2011 and the Grand-Ducal Regulation of 19 May 2011.

The business permit is granted to the business manager operating under his own name, or the company he runs provided that he meets the legal requirements in terms of qualification and professional integrity as a trader and can provide proof that the business has fixed business premises in Luxembourg (see the enclosed check list).

- A vocational diploma (diplôme d’aptitude professionnelle - DAP) or higher, or three years professional experience in Luxembourg or the European Union allowing access to the profession of trader. 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 or a copy of a previously held business permit are accepted as proof of qualification.

Proof of mandatory guarantees must also be demonstrated accordingly:

- a copy of an offer for a professional liability insurance
- the original copy of the financial guarantee issued by a collective insurance fund, a bank establishment or a credit insurance company.

Insurance against financial insolvency of travel agencies

To take out “insurance against financial insolvency of travel agencies”, the applicant should contact the Association of Travel Agents of the Grand Duchy of Luxembourg (Syndicat des Agents de Voyages du Grand-Duché de Luxembourg - SAVL) or the Union of Travel Agencies of the Grand Duchy of Luxembourg (Union Luxembourgeoise des Agences de Voyages du Grand-Duché de Luxembourg - ULAV), which have concluded professional liability insurance framework agreements with several insurers.

The entrepreneur must have joined the Trade Confederation (clc).



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 €24².

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!

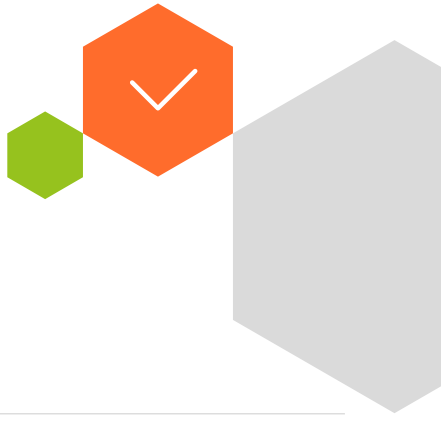
Download all the relevant forms here:

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 the law of 8 April 2011 concerning the implementation of Consumer Code sets the regulatory framework for "package travel" in chapter 5 (art. L. 225-1 to L. 225-20).
 - 2 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.
 - 3 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.
 - 4 most companies (public limited companies (SA), limited liability 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

Proof of integrity

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

Proof of guarantees

- the original copy of the financial guarantee
- copy of an offer for a professional liability insurance

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 permit³
- proof of payment of the tax of €24
- draft of the articles of association (companies only)⁴

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

Main form

- completed “business permit” form

Proof of qualification

- copy of a 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

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 guarantees

- the original copy of the financial guarantee
- copy of an offer for a professional liability insurance

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 permit³
- 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
- The law of 8 April 2011 concerning the implementation of a Consumer Code
- Grand-Ducal Regulation of 19 May 2011 determining the amount, terms and use of the financial guarantee provided in article L. 225-6 of Consumer Code
- Grand-Ducal Regulation of 19 May 2011 determining the prior information requirements and provisions of contracts relating to travel, holiday and round trip packages, in implementation of articles L. 225-9, L. 225-11 and L. 225-12 of the law of 8 April 2011 concerning the implementation of Consumer Code
- The European Union public consultation relating to Directive 90/314/EEC concerning travel, holiday and round trip packages: position of the Grand-Duchy of Luxembourg - October 2007

Learn more about this sector

- National Institute for Statistics and Economic Studies of the Grand Duchy of Luxembourg (STATEC)
www.statec.lu
- Luxembourg Consumers' Union (ULC)
www.ulc.lu
- Trade Confederation (clc and its federations SAVL and ULAV)
www.clc.lu
- Luxembourg Commission for Travel-Related Disputes (CLLV)
www.ulc.lu/fr/organes

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.*



HOUSE OF —————
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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

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