

EN



one-stop shop

to create

Access to independent
consultant professions

HOUSE OF _____
ENTREPRENEURSHIP

Are you an independent consultant?

Definition and conditions of access

Definition of the activity of independent consultant

The liberal profession of 'consultant in...' (e.g. IT consultant, webmarketing, communication) includes providing services and advice in a specific field of activity requiring high qualifications as well as providing all related or complementary services.

Conditions of access to the profession

This profession may be accessed with a Bachelor's degree (or a diploma/degree equivalent to a three year university degree (BAC+3) in the area concerned, issued by a higher education establishment recognised in the country of issue.

Diplomas issued by the University of Luxembourg or by a higher education establishment recognised in Luxembourg do not have to be homologated.

In all other cases, the degree or final secondary school diploma must first be registered in the register of certificates of higher education to be recognised in Luxembourg.

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*.

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 a degree or final secondary school diploma (Bachelor’s degree or equivalent)
- copy of the ministerial order of registration in the register of certificates

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

- copy of a degree or final secondary school diploma (Bachelor’s degree or equivalent)
- copy of the ministerial order of registration in the register of certificates

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

Registration in the register of certificates

- Secretary of the Ministry of Higher Education and Research - Commission of Certificates (MESR)
www.mesr.public.lu

Learn more about this sector

- National Institute for Statistics and Economic Studies of the Grand Duchy of Luxembourg
www.statec.lu
- Association of the Professionals of the Society of Information
www.apsi.lu
- Professional Network of Marketing and Communication Agencies
www.markcom.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:

- *register with the Joint Social Security Centre (CCSS) and undertake an operating declaration (if intending to hire staff),*
- *register for Value Added Tax by submitting an initial declaration to the Land Registration and Estates Department.*



HOUSE OF —————
ENTREPRENEURSHIP

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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

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