

# Accreditation: bilateral chambers of commerce / bilateral business clubs in Luxembourg or abroad (CCBL)

## Accreditation Program

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## **1. Introduction**

The Chamber of Commerce (hereinafter referred to as the "CC") implements an accreditation process for bilateral chambers of commerce / bilateral business clubs in Luxembourg or abroad (hereinafter referred to as the "CCBL ») promoting the development and consolidation of a professional and homogeneous network.

Based on the accreditation program for Belgian-Luxembourg Chambers of Commerce Abroad, which was instituted in 2006 by the Federation of Belgian Chambers of Commerce and the CC, this program has been adapted to the realities of CCBLs and aims to establish a benchmark in order to achieve greater consistency and legitimacy of the CCBL network.

The result is a program which specifies the criteria that CCBLs must meet within the framework of their organization as well as in the performance of their tasks to achieve the status of accredited CCBL.

This accreditation program will contribute to the development of the CCBL network and to the professionalism of each CCBL, so that they can be a full partner of the Luxembourg authorities and of companies that are active abroad and in Luxembourg.

The accreditation program also aims to allow any accredited CCBL to benefit from a recognized status as a partner of the Chamber of Commerce through the use of the logo offered to Accredited CCBLs and advantages such as partner subsidies (for a project carried out in partnership with the Chamber of Commerce) as well as project subsidies (50% of the project costs will be borne by the Chamber of Commerce).

For any questions regarding this accreditation program, you can contact the International Affairs team (e-mail: [bilateral@cc.lu](mailto:bilateral@cc.lu)) of the Chamber of Commerce.

## **2. Prerequisites for the accreditation request and to be maintained throughout the accreditation**

### **a. Geographic criterion**

No more than one CCBL accredited per country to which the CCBL targets its activities may be established in the Grand Duchy of Luxembourg.

The purpose of this criterion is both to eliminate the risk of confusion and to prevent conflicting situations from leading to a loss of service quality and image levels both in Luxembourg and in the countries concerned.

### **b. Organizational criteria**

#### **i. Structure of the CCBL**

In order to be able to submit an accreditation request and subsequently maintain the status of accredited CCBL, the CCBL:

- must be validly incorporated / formed and established according to the national law applicable to it (regardless of the form of grouping or corporate form) for at least two years;
- must have articles of association and / or an act of incorporation governing its operation.
- established in Luxembourg must duly file its articles of association in the Trade and Companies Register and published in the Electronic Compendium of Companies and Associations.
- established abroad must, where applicable, fulfill the deposit and / or registration and / or publication of its constituting act and / or statutes with the state body (ies) competent.
- must communicate the changes to its statutes or its constituting act to the CC within 6 months of the modification;
- must have a name clearly indicating the country or countries to which its activities are targeted;
- must have internal regulations or a code of ethics clearly defining the roles, responsibilities and duties of its officers, bodies, commissions and other committees where applicable;
- must have a minimum of 30 members and maintain a list of its active members; and
- have an official spokesperson.

The articles of association, the constitution, and / or, where applicable, the internal regulations of the CCBL, must also include the following elements:

- the legal form of the CCBL;
- the objectives of the CCBL;
- the decision-making and control bodies of the CCBL, with mention of the respective responsibilities;
- a procedure for periodically renewing the terms of office of the members of the management body;
- the prohibition of the exercise of political mandates by members of the management body, the governing body, and the president, if applicable;
- a procedure applicable to the dissolution of the CCBL.

## **ii. Governance of the CCBL**

The CCBL is required to:

- ensure the regular control of financial management, at least once a year, by an external professional expert;
- have a management body that meets at least 3 times a year;
- have a director in charge of the day-to-day management of CCBL affairs;
- ensure the transparency of the appointment of members of the management body, the management body and, where applicable, the chairman;
- to ensure that the functions of members of the management body, the management body, and / or chairman, where applicable, are not combined with another mandate or another function within the CCBL; and
- to stand up to the CC on the commitment of the members of the management body, the management body and / or, where applicable, the chairman not to use their position

within the CCBL for personal gain and not to be remunerated for their participation in the CCBL, with the exception of the person (s) in charge of day-to-day management in accordance with the terms set out in the CCBL's statutes.

The CCBL's management body can only be made up of the following people, to the exclusion of all others:

- members of the association who exercise a position of responsibility in a company or a socio-economic organization;
- honorary members of the association who have held a position of responsibility in a company or a socio-economic organization (the number of honorary members being limited to 25% of the total number of members of the management body);
- ambassadors of the Grand Duchy of Luxembourg in the countries concerned by the CCBLs or the persons they designate;
- ambassadors to the Grand Duchy of Luxembourg of the countries concerned by the CCBLs or the persons they designate.

### **c. Functional criteria**

#### **i. Internal functioning of the CCBL**

As part of maintaining professional operations and quality service offered by the CCBL, the CCBL is expected to:

- that it has an annual budget<sup>1</sup> approved by the appropriate statutory bodies;
- that it develops and communicates annual activity programs and reports;
- that it request a contribution from its members which may not be less than one hundred and fifty (150) euros for member companies and fifty (50) euros for natural persons members of the CCBL;
- that its annual program of activities clearly demonstrates the mission, vision, objectives and strategy of the CCBL for the coming year; .
- that it has a website, a telephone number and an e-mail address dedicated to the activities of the CCBL;
- it has a dedicated office (which may be inside a company but must be clearly identifiable);
- that it be independent from other existing CCBLs and differentiated in terms of staff and the offices it uses<sup>2</sup>;
- that it has within its management body a person responsible for all matters relating to the protection of personal data.

#### **ii. Services offered by the CCBL**

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<sup>1</sup> The CCBL can take into account, in its annual budget, the subsidies received by the Luxembourg authorities and / or its country of origin, but must also demonstrate that it has a certain level of self-financing, in particular through contributions and services offered to its (non-) members.

<sup>2</sup> In order to guarantee the independence of each CCBL, one person cannot occupy the post of Chairman or Director (responsible for the day-to-day management of CCBL's activities) of two separate CCBLs.

The services offered by the CCBL must contribute to the stimulation of economic and commercial relations between Luxembourg on the one hand, and the country / countries to which the activities of the CCBL are targeted on the other. More particularly, the CCBL must promote the interests of the Luxembourg professional world in its country of origin. The list of concrete services that can be offered by the CCBL is not restricted. The range of services depends, among other things, on the characteristics and possibilities of the market targeted by the CCBL, the needs of the private sector and the means available to the CCBL.

In this context, the services offered by the CCBL may be, for example:

- the organization of meetings, seminars, webinars, business meetings, study days, workshops, lunches, receptions, visits to fairs and companies, etc. ;
- the organization of information stands at fairs in Luxembourg and / or abroad;
- support for companies during prospecting trips (logistics, introductions to the private and public sectors, etc.);
- the organization of trade missions in collaboration with the CC;
- helping businesses communicate in the language of the country, either directly or by putting them in contact with translators or interpreters;
- advice to companies on the customs and traditions of the country / countries to which the CCBL targets its activities;
- awarding of prizes to companies that have helped promote bilateral trade relations.

It is up to the CCBL to organize itself in such a way as to meet accessibility needs, in order to provide rapid and accurate information and so that it can offer quality service.

#### **b. Criteria relating to complementarity with the Luxembourg authorities**

CCBLs are expected to contribute to strengthening the economic and trade policy of Luxembourg and the country to which they target their activities and that they take this into account in the organization of their services and action programs.

In order to optimize Luxembourg's economic and commercial impact abroad, it is highly desirable that the CCBLs, coming from the private sector, and the Luxembourg public authorities work as often as possible in collaboration in the field and complement each other as best as possible. , taking care that the activity programs do not overlap.

The Chairmen of accredited CCBLs undertake to regularly inform the CC of any institutional activities in Luxembourg in the country to which they target their activities.

### **3. Accreditation procedure**

#### **a. Accreditation request form**

The CCBL accreditation request is made by electronic filing of an accreditation request consisting of an accreditation form (appendix 1) accompanied by the documents to be attached (appendix 2) on the site [www. cc.lu](http://www.cc.lu).

#### **b. Documents to attach to the accreditation request**

The CCBL must provide all the required documents to enable the analysis of its application.

## Data - documents

### Required (R) / Desired (S)

- |   |   |
|---|---|
| 1. Constitution and / or Statutes of the structure:   | R |
| 2. List of members of the management body   | R |
| 3. Internal regulations   | R |
| 4. Up-to-date list of active members with mention of the companies / organizations to which they belong           | R |
| 5. Activity report for the past year  | R |
| 6. Program of activities for the current year   | R |
| 7. Financial report, checked by an external expert  | R |
| 8. List of staff employed with job descriptions   | R |
| 9. Minutes of the last two General Assemblies (if the structure must legally follow them)                         | R |
| 10. Other accreditation (s) or recognition of a foreign state   | S |
| 11. Possible cooperation / sponsorship agreements with one or more other entity (ies)                             | S |
| 12. Some copies of recent publications relating to the CCBL (magazines, special files, brochures, leaflets, etc.) | S |

### **Audit to obtain the status of "accredited CCBL" and decision**

The Accreditation Council analyzes the accreditation request file.

It is made up of executives from the International Affairs team of the Chamber of Commerce under the supervision of the management of the Chamber of Commerce.

During the decision-making process, the Accreditation Council consults the central administration of the Ministry of the Economy and / or the Ministry of Foreign and European Affairs, the export promotion agencies, their respective representations abroad, as well as any other Luxembourg organization that it deems useful to consult. The purpose of this consultation is to verify complementarity with the Luxembourg authorities.

The Accreditation Council assesses whether this request meets the conditions set out in the accreditation program and issues either a notice of approval or a notice of rejection if it considers that the CCBL concerned does not meet the criteria.

The final approval decision is communicated by the CC decision to the CCBL concerned.

## **4. Maintenance of accreditation**

The accreditation program is a dynamic program aimed at ensuring compliance with the criteria set out in the specifications.

The maintenance of accreditation will be framed by a biannual cyclical monitoring carried out by the CC Accreditation Council. Spot checks may also be performed by the Accreditation Council at the discretion of the CC.

If during an inspection, it appears that the CCBL no longer meets all the criteria required in point 2, the accreditation will be maintained if the CCBL can remedy the situation in order to meet all the criteria within two months. . In the absence of a response or non-compliance after the two-month deadline, the CC may terminate the accreditation on the advice of the accreditation committee within two weeks.

## **5. Withdrawal of accreditation**

Withdrawal of the accreditation of a CCBL can be pronounced by the CC either (i) at the request of the accredited CCBL itself, or (i) at the request of the Accreditation Council following a periodic check. as provided in below.

From the date of communication of the withdrawal decision, the CCBL must immediately cease all use of the accreditation in any way (including the use of the CCBL Accredited logo). This withdrawal will also be communicated by the CC to the Luxembourg and foreign authorities concerned.

## **6. Use of the CCBL Accredited logo**

The accredited CCBL has the right to use the CCBL Accredited logo throughout the duration of the accreditation.

## **7. Use of subsidies**

In the event of payment of subsidies by the CC under the conditions set out in the document entitled "subsidy criteria", the accredited CCBL must guarantee that they will not be used for purposes other than those for which the subsidies will be paid.

The accredited CCBL will also have to guarantee the legal use of the subsidies paid and declare that these subsidies will not be used for purposes of corruption, money laundering, terrorist financing, and / or more generally, in the context of relations with states. , natural or legal persons, or other entities subject to international financial sanctions.

## **8. Independence of the CCBL and the CC**

The accredited CCBL and the CC remain independent entities, acting on their own account and under their own responsibility.

The accreditation of a CCBL by the CC cannot represent a temporary grouping of companies, nor a joint venture, nor give rise to any kind of solidarity between the accredited CCBL and the CC with regard to third parties.

The CC cannot be held responsible for any improper allocation and / or use by the CCBL of the grant (s) granted under the accreditation program.

## **9. Previous relationships**

This accreditation program replaces and cancels any previous agreement existing between a CCBL and the CC.

## **10. Compliance with the law**

Each CCBL must ensure that it complies with all the legal and regulatory provisions applicable to it, in particular with regard to state aid and the protection of personal data.

## **11. Protection of personal data**

As part of the examination of the accreditation application file and relations with an accredited CCBL, the CC may be required to process personal data, in particular managers and members of the CCBL, as the data controller, in compliance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46 / EC.

The CC refers the persons concerned to its data protection policy available online: [https://www.cc.lu/la-chambre-de-commerce/la-chambre-de-commerce/protection-des-donnees-personnelles /](https://www.cc.lu/la-chambre-de-commerce/la-chambre-de-commerce/protection-des-donnees-personnelles/)

## **12. Law and jurisdiction**

The Accreditation Program is subject to Luxembourg law.

Any disputes arising from or in connection with this accreditation program will be settled definitively in accordance with the Arbitration Rules of the Arbitration Center of the Chamber of Commerce of the Grand Duchy of Luxembourg by one or more arbitrators appointed in accordance with this Rules.