

## Chamber wants easier immigration

Whilst welcoming the general thrust of the proposed reform of immigration law (see page 62 for details), the Chamber of Commerce has called these relaxed criteria "too severe" given the lack of skills in the economy. In particular they are unhappy that candidates from outside the European Economic Area will need to have a signed contract to receive a work permit, rather than just a firm job offer. The Chamber is also worried that rules such as allowing a person to work in the same sector are too vague and in general they would like the whole tone of the text to be more liberal.



**The British Chamber  
of Commerce for Luxembourg**

By Stephen Evans

# Are you a foreigner?

*It is a paradox that despite its labour shortages, Luxembourg has a bureaucratic and sometimes slow system for granting work permits to non-Europeans. This is set to change, and speaking at the 20th March British Chamber Lunch, minister delegate for foreign affairs and immigration Nicolas Schmit spelt out the reforms that are in the pipeline.*



"Most of you are immigrants and also many are recruiters, so you need to know where staff are coming from. Also I want to point out your rights as EU citizens and resident." Nicolas Schmit said he hoped people would become more engaged with Luxembourg politics with the advent of dual nationality and by them registering to vote. Although still controversial, he hoped new rules regarding these questions will be published in the coming months.

## Easier for Europeans

Schmit took a very Europhile and liberal view: "most non-Luxembourgers are not immigrants in the true sense of the word as most are from the EU and have arrived as part of the free movement of labour. We have made this easier and Luxembourg is economically, socially and culturally richer as a result. This has been a win-win with a more open society." The restrictions on eight new member states from 2005 were lifted last year.

So what steps are due to be taken? An application for a residence permit for citizens of the European Economic Area can take months, so this is to be abolished, with only registration at the commune required and the home residence card being valid. He said that individuals without national ID cards would have to carry passports, but this contradicts the advice given to Business Review by the UK embassy. They were told by the police that other official pieces of ID (e.g. driving licence) would be sufficient.

## ...and for the rest

Then there is the idea of permanent residence when you have been here five years, with a maximum six month break. Non-EEA nationals will no longer need a residence permit, a document which can take a while to procure even after the work permit has been granted. In the future a work permit will suffice. The process will be as follows: the candidate would be issued with a contract and then the vacancy

is declared to ADEM which will check to see if no unemployed EU citizen is qualified to do this job. Then a one year permit will be granted. Currently, employees have to stick with the same employer during this period but under the new rules they will have the freedom to change, as long as they stay in the same profession. This permit can be then renewed for another two years, with the same restrictions but after three years the permit is granted with full freedom to move sector.

## Seven types of non-EEA work permit:

**Highly qualified:** If the person has the experience, qualifications and is offered a job there is no need for a market test and a three year permit will be granted. There is a debate about the level of the salary but Schmit did not want this to be too high as he hoped to attract young people.

**Group transfer:** No special permit would be needed if the person is moving within the same group. Similarly, an expert coming for a specific task would not need a special permit.

**Self employed:** Applicants have to submit a business plan and receive authorisation, there is a check to make sure these plans are sustainable and this leads to the granting of a three year permit.

**Sports people:** Must be employed on minimum wage

**Students:** They are to be granted quick one-year permits and when they have finished their studies they can work for two years without authorisation.

**Researcher:** To encourage top quality researchers they would make a contract with a research institute which would allow them residency for the duration of the project

**Family:** If the worker is resident for more than 12 months then the family can stay too.

### Up coming events

**Thursday 2 May**  
British Chamber Lunch  
Paul Helminger, Mayor,  
Luxembourg City

**Friday 6 June**  
British Chamber Lunch - HM  
Ambassador, Peter Bateman  
The City of London:  
The World's Foremost  
International Financial Centre

**Friday 20 June**  
British Chamber Golf Day &  
Prize Giving Dinner  
Golf Club de Luxembourg,  
Junglinster

**Friday 26 September**  
Annual Summer Dinner - The  
Orangerie, Mondorf les Bains  
Opera a la Carte

Non-members also welcome  
- see [www.bcc.lu](http://www.bcc.lu) for details