



GMS Flash Alert

Immigration Edition

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Belgium – New Minimum Salary Criteria for 2019

In Belgium, minimum salary criteria for a work permit type B, a Single permit, and a Blue Card have changed as from 1 January 2019.

This *GMS Flash Alert* covers the 2019 minimum yearly gross salary requirements for non-European Economic Area (EEA) nationals working in Belgium on a work permit type B (for employment in Belgium for less than 90 days), Single Permit (for employment in Belgium for more than 90 days), and a European Union (EU) Blue Card (specific type of Single Permit) (see Appendix A below).

WHY THIS MATTERS

In order to obtain the appropriate permit allowing employment of non-EEA nationals in Belgium, the respective minimum salary requirements need to be met. Companies planning to employ non-EEA nationals in Belgium will have to take this into consideration.

Context

Prior to employing non-EEA nationals in Belgium, companies will need to obtain a Belgian work permit, a Single Permit, or an EU Blue card for these employees before the start of the employment in Belgium.

According to Belgian legislation, very specific conditions apply for obtaining a Belgian work permit type B or a Single Permit. These conditions can be difficult to comply with. However, exceptions apply for specific categories of personnel. Amongst these exceptions, two categories are frequently used by companies active in Belgium, i.e., the category of “highly-skilled personnel” and the category for “personnel in a management position.” To qualify as highly-skilled personnel/personnel with a management position, certain conditions have to be met, such as the worker concerned must

earn at least a certain minimum annual salary. From 1 January 2019, this amount will be EUR 41,868 (highly-skilled personnel) and EUR 66,989 (management personnel) in Flanders. In Brussels and Wallonia, these thresholds are increased with the yearly official index¹ and will amount to EUR 41,739 (highly-skilled personnel) and EUR 69,637 (personnel in a management position).

More Details

A noteworthy evolution is the Flanders Region², which is exercising its competence to differentiate the minimum salary applicable to employment of non-EEA nationals in Flanders. This results in a slightly higher minimum salary thresholds for highly-skilled individuals older than 30 years and individuals in a management position, compared to non-EEA nationals in employment in Brussels and the Walloon Region.

Another novelty is the introduction by the Flanders Region of lower salary thresholds for highly-skilled individuals aged below 30 years old or nurses (no age cap).

To obtain a work permit B or Single Permit for a trainee employed in Brussels or the Walloon Region, employers are required to pay the trainee the minimum salary of the sector (and in any case, the legally guaranteed average monthly minimum income). Flanders requires proof that the trainee has sufficient means of existence in order to grant a work permit B or Single Permit for a trainee.

Finally, as from 1 January 2019, the Flanders Region introduced a third category of employees for whom a work permit B or Single Permit can be obtained, that is mid-skilled workers to be employed in specific “bottleneck” professions. The Flemish Minister for Work (*De Vlaamse Minister van Werk, Economie, Innovatie en Sport*) has determined the list which applies for the period as from 1 January 2019 through 31 December 2020³. The employer will have to pay the minimum salary of the sector (and, in any case, the legally guaranteed average monthly minimum income).

APPENDIX A (Source: KPMG Tax and Legal Advisers, Belgium)

Work permit B and Single Permit (amounts for 2019)	Brussels Region	Walloon Region	Flemish Region
Highly-skilled employees	€ 41,739.00	€ 41,739.00	€ 41,868.00 € 33,495 (< 30 or nurses)
Management personnel	€ 69,637.00	€ 69.637,00	€ 66,989.00
EU Blue Card	€ 53,971.00	€ 53,971.00	€ 50,242.00
Trainee	Min. salary (sector)	Min. salary (sector)	Sufficient means of existence
Mid-class	/	/	Min. salary (sector)

FOOTNOTES:

1 This yearly index issues from the the Belgian Consumer Price Index which is a list of prices of goods and services, kept by the [Belgian Federal Public Service Economy](#). The index is updated on a monthly basis, and reflects the evolution in the cost of living. The Belgian system tracks two indices: the general *Consumer Price Index* and the *Health Index*. The latter uses the same basket of goods/products as the former, with the exception of products which could be detrimental to health, such as cigarettes and petrol. Wages (including minimum wages for immigration purposes) are coupled to the Health Index.

2 See (in Dutch): "[Besluit van de Vlaamse Regering houdende uitvoering van de wet van 30 april 1999 betreffende de tewerkstelling van buitenlandse werknemers.](#)"

3 See the list (in Dutch), noted in "[Ministerieel besluit houdende vaststelling van de lijst met middengeschoolde functies waarvoor een structureel tekort aan arbeidskrachten bestaat.](#)"

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* Please note that KPMG LLP (U.S.) does not provide immigration services.

The information contained in this newsletter was submitted by the KPMG International member firm in Belgium.

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