



Global Employer Services Immigration

New Flemish immigration rules for self-employed foreign nationals as from 1 January 2022

Foreign nationals engaged in a self-employed activity in Belgium must possess a professional card. The relevant legislation dated from 1965 and was outdated. The government of Flanders, therefore, decided to revise the legislation resulting in some significant changes, implementing new admission requirements and a digital application procedure.

The Flemish parliament issued a decree on 15 October 2021 on the performance of self-employed activities by foreign nationals that entered into force on 1 January 2022, following publication in Belgium's official journal. This alert summarises the key changes introduced by the new legislation.

Admission requirements

Prior to 1 January 2022, there were no defined conditions for submitting a professional card application. With the introduction of admission requirements, the Department of Work and Social Economy (WSE) will be able to assess whether a professional card application delivers innovative, economic, sporting, artistic, or cultural added value for Flanders. Depending on the category of business, an overview of all documents and evidence required to support the application is now available.

In addition, some broader exemptions have been introduced, taking into account the residence status of the self-employed person or the duration and/or nature of the activity.

Digital procedure

The administrative procedure is being digitised and centralised at the Economic Migration Service of the WSE department of the Flanders region.

As from 1 February 2022, foreign nationals who are legally residing in Belgium may submit an application for a new professional card directly to the WSE, without going through an enterprise counter or embassy, which should reduce processing times. For applications submitted from outside Belgium, the embassies and the Ministry of Internal Affairs will continue to play an important role in confirming the residence status of the self-employed person and accompanying family members.

Applications to renew a professional card, applications made from outside Belgium, or applications made by an intermediary must continue to be made via an enterprise counter or embassy until the roll-out of the digital process for these applications is completed, which is expected to be by mid-2022. The new admission requirements, however, apply to such applications as from 1 January 2022.

Contacts

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