

Brexit: will work permits be required for British citizens?

From 1 January 2021, the rules will change for employers wishing to hire British employees in Belgium, with a distinction being made between British citizens who already live in Belgium and those who arrive in the country after 31 December 2020.

British employees living in Belgium before 2021

For British citizens already residing in Belgium before 1 January 2021, no action needs to be taken, as they currently hold an E or E+ card. However, the Immigration Office will contact them in 2021 to issue them with another residence permit – an M card – which will enable them to work in Belgium without their employer having to apply for a single permit from the region in question. However, employers will have to request a copy of their British employees' residence documents and keep them on file, as British employees will become third-country nationals under the new arrangement.

British employees arriving in Belgium after 2020

British citizens travelling to Belgium for a maximum period of 90 days will be exempt from visa requirements. However, their employer will have to apply for a work permit from the competent region. The region to which an application for a work permit must be submitted shall be determined by the place of employment. Current exemptions for work permits (such as meetings with limited numbers or a training course) shall continue to apply to British employees.

However, if a British citizen comes to live and work in Belgium for more than 90 days, their employer will have to apply for a single permit. The single permit includes access to the territory governed by the federal state and permission to work (granted by the region). However, an application for a single permit only needs to be submitted to the competent region, which is determined based on the place of employment.

Trainees

In the future, it will be far more complicated to hire a British trainee under a professional integration agreement (Convention d'immersion professionnelle). In all other cases except for trainees residing in Belgium before 1 January 2021, employers must apply for a work permit (maximum stay of 90 days) or a single permit (stay of more than 90 days).

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