



BUSINESS PERMIT APPLICATION (including the declaration of honour)



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1. Input

Fields marked with an * are compulsory

Activity concerned by the application*

Project within the framework of the "Start Your Business" initiative (ADEM)*

☐ No

☐ Yes

Type of application

☐ Initial application

☐ Modification of an existing permit

Modification of an existing business permit

Business permit number (if known):

Type of change:

☐ Addition of business activity

☐ Transfer of operating address

☐ Addition of business manager

☐ Extension / Renewal

☐ Change of manager and cancellation of the relevant business permit

☐ Renewal of a provisional permit

Information about the business owner/company director

Surname *:

First name *:

Luxembourg identification number *:

Date of birth *:

Resident in Luxembourg since *:

Place of birth *:

Country of birth *:

Nationality *:

Street and number *:

Postcode *:

Town/city *:

Country *:

Mailing address (if different from the address above)

Street and number *:

Postcode *:

Town/city *:

Country *:



2a. Application in own name / personal application

Operating address

☐ To be defined (not yet known)

☐ Street and number:

Postcode:

Town/city : Country :

2b. Application on behalf of the company

Name of the company:

Luxembourg registration number: (if incorporated)

Address of the registered office

Street and number:

Postcode:

Town/city : Country :

Operating address (if different from the registered office address)

☐ To be defined (not yet known)

☐ Street and number:

Postcode:

Town/city : Country :

3. Access of the the Ministry of the Economy

☐ In the context of my application, I hereby authorise the Ministry of the Economy, Department for Authorisations of Establishment, to directly access the files held by the Registration Duties, Estates and VAT Authority (AED), the Luxembourg Inland Revenue (ACD) and the Joint Social Security Centre (CCSS), and which are concerning me or the businesses in which I am holding or have held a managerial position or in which I have had a substantial influence.

☐ I do not agree to this option and acknowledge that I myself will provide all necessary documents in relation with my application, including those held by the Registration Duties, Estates and VAT Authority (AED), the Luxembourg Inland Revenue (ACD) and the Joint Social Security Centre (CCSS) (certificates concerning me or concerning the businesses in which I am holding or have held a managerial position or in which I have had a substantial influence by virtue of the provisions provided for by Article 4, 6 and 32 of the amended law of 2 September 2011).



4. Declaration of honour

Fields marked with an * are compulsory

I hereby declare on my honour that during the three years preceding the application:

- ☐ I have held a remunerated management position as a manager, formally appointed or de facto, apparent or hidden, in a company / the following companies (please specify in the table hereinafter)
- ☐ I, alone or jointly with my spouse, partner or with a third party, have held, directly or indirectly, the majority of shares / interests in the following company / the following companies (please specify in the table hereinafter)
- ☐ I have been able to influence significantly the management of the following company / the following companies (please specify in the table hereinafter)

Company(ies), in Luxembourg and abroad, concerned by the above point(s) *:

| Trade name* | Registered office* | Start* (YYYY/MM) | End* (YYYY/MM) |
|-------------|--------------------|---------------------|-------------------|
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- ☐ I have neither exercised managerial positions, appointed or de facto, apparent or hidden, in a company, nor have I held, alone or with my spouse, partner or with a third party, directly or indirectly, the majority of shares / interests in a company and I have not been able to exercise significant influence over the management or administration of a company.

5. Validation - Signature

Fields marked with an * are compulsory

City:

Date of application *:

Applicant's
handwritten
signature *:



6. Supporting documents

To be added to each application:

- The Droit de Chancellerie tax stamp of EUR 50 can be obtained from the Registration Duties, Estates and VAT Authority (Administration de l'enregistrement, des domaines et de la TVA). This amount can also be paid by bank transfer to the following IBAN account: LU76 0019 5955 4404 7000 (BCEELULL) of the same authority with the following communication 'autorisation d'établissement' (attach copy of the payment);
- In the case of creation of a company in Luxembourg, the draft articles of association are sufficient for the issuance of an agreement in principle. The articles of association duly filed with the RCS will be requested before the business permit is issued;
- If the manager already has a national identification number: an extract from the Luxembourg criminal record, less than 6 months old (record n° 3);
- A copy of the identity card or residence permit (both sides).

a) If the application concerns a commercial activity or craft activity from list C:

No qualification is required. However, for the activities:

- HORECA: the certificate of the training "Regulated access to the HoReCa professions" organised by the "House of Training" or equivalent;
- TRANSPORT: the "Certificate of professional competence in road haulage/passenger transport";
- REAL ESTATE: the certificate of the "Regulated Access to the Real Estate Professions" training organised by the House of Training or equivalent, must be attached.

For HORECA and TRANSPORT activities, professional experience proven by a certificate of affiliation from the Joint Social Security Centre or by an EC certificate from the country of origin can exempt the training. For REAL ESTATE activities, 3 years of experience in a management position in a Luxembourg company with a relevant business permit can exempt you from the training.

b) If the application concerns a craft activity or a liberal profession (list A or B), the following must be added:

- Copy of diplomas / qualifications;
- Certificate of affiliation to the Joint Social Security Centre (ccss.public.lu);
- The EC certificate in accordance with Directive 2005/36/EC of 7 September 2005 on the activities carried out in the country of origin, to be issued by a competent administrative authority in the country of origin.

c) The following must be added only if the person responsible for the day-to-day management (the business permit holder) is a non-resident or has been a resident in Luxembourg for less than 10 years:

- An extract from the criminal record, less than 6 months old, issued by the State(s) where the person has resided for the last 10 years or, failing that, an affidavit;
- A declaration of non-bankruptcy less than 6 months old, not limited in time and space, to be made under oath before a notary. This declaration must provide information about any bankruptcy in which the applicant has been involved, either in their own name, as a manager, or as a person able to significantly influence the management or administration of the company.

NB: the business permit is only granted if there is a physical installation in Luxembourg that includes an infrastructure suitable for the nature and scale of the activity concerned. A lease agreement or proof of establishment must be provided, at the latest in a second step after your application has been processed.



7. Submission by post

Send the completed and signed document together with the supporting documents by post to the following address:

Ministère de l'Économie
Service des autorisations d'établissement
BP 535
L-2937 Luxembourg

In the case of electronic transmission (MyGuichet.lu), there is no longer any need to send this form by post.

8. Your rights

Data processing as provided for by law

The data processing is provided for by the [amended law of 2 September 2011 regulating the access to craft, commercial and industrial activities as well as to certain liberal professions](#) (establishment law). Its article 32 authorises the minister in charge of business permits to collect any information required to assess whether a company meets the requirements in terms of authorisation of establishment.

Data processed

The data processed and the data which can be accessed by the Department for Authorisations of Establishment are detailed in the [Grand Ducal regulation of 28 April 2015 creating the processing of personal data necessary for the execution of article 32 of the law of 2 September 2011 regulating the access to craft, commercial and industrial activities as well as to certain liberal professions](#).

Publication of data

If the minister grants the business permit requested, the following data will be [freely available online](#) (Art.32(1) paragraph 3 of the establishment law):

- the business permit number;
- the company name;
- the company address;
- the activities for which the establishment has been granted authorisation; and
- the name(s) and first name(s) of the business manager.

Your rights

In accordance with Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, you have a right of access, correction and removal of data concerning you. You also have the right to withdraw your consent at any time.

If you wish to exercise your rights and/or to obtain information on the data concerning you, please contact the Ministry of the Economy, Department for the Authorisations of Establishment, tel. (+352) 247 74 700 (on-call telephone service from 9.00-12.00 and 13.30-16.30), or by email to info.pme@eco.etat.lu.

Complaints can be submitted to the [National Commission for Data Protection](#) (*Commission nationale pour la protection des données*) whose registered offices are at 15, boulevard du Jazz, L-4370 Belvaux.

If you have any questions relating to the signing and electronic submission of this form, please call the Guichet.lu Helpdesk at the following number: (+352) 247 82 000.