



# GMS Flash Alert

## Immigration Edition

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# Belgium – Authorities Set New 2020 Minimum Salary Criteria

The Belgian immigration authorities have recently published the new minimum salary requirements for specific categories of employees working in Belgium for whom no prior labour market investigation is required.<sup>1</sup> These minimum salary requirements are yearly updated and vary per region. (For coverage of last year's (2019) criteria, see GMS [Flash Alert 2019-067](#), 3 April 2019.)

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## WHY THIS MATTERS

In order to obtain the appropriate permit allowing employment of non-European Economic Area (EEA) nationals in Belgium, the respective minimum salary requirements must be met.

Employers need to monitor whether salary requirements are met and need to budget for increases in order to help ensure the continued legal employment in Belgium of their workforce.

Non-compliance with these minimum salary requirements may lead to a finding by the authorities of illegal employment by the employer and consequently can lead to the imposition of administrative and/or penal sanctions on the employer<sup>2</sup>:

- Employing a non-EEA national without a legal right to work in Belgium can result in a penalty between €400.00 and €8,000.00 per infraction.
- Employing a non-EEA national without a legal right to work and a legal right to reside in Belgium can result in a penalty between €2,400.00 and €48,000.00 per infraction.

## New Minimum Salary Thresholds

(Source: KPMG Tax and Legal Advisers, Belgium)

Amounts for 2020)	Brussels Region	Walloon Region	Flemish Region
Highly-skilled employees	€ 42,869.00	€ 42,869.00	€ 42,696.00 € 33,156.80 (< 30 years or nurses)
Management personnel	€ 71,521.00	€ 71,521.00	€ 68,314.00
EU Blue Card	€ 55,431.00	€ 55,431.00	€ 51,235.00
Trainee	Min. salary (sector)	Min. salary (sector)	Sufficient means of existence
Mid-class	N/A	N/A	Min. salary (sector)

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### KPMG NOTE

Prior to employing non-EEA nationals in Belgium, companies have to obtain a Belgian work permit, a Single Permit, or a European Blue card for these employees. The conditions to obtain such a permit are very strict. Except for specific categories of employees, a labour market investigation is also required. Such investigations can be time consuming and can lead to a refusal to grant the permit by Belgium's immigration authorities.

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### FOOTNOTES:

For the Brussels Region, click [here](#).

For the Walloon Region, click [here](#).

For the Flemish Region, click [here](#).

2 For the Belgian Social Criminal Code (Article 175 on illegal employment of non-EEA nationals in Belgium) (in Flemish), click [here](#).

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## Contact us

For additional information or assistance, please contact your local GMS or People Services professional\* or the following professional with the KPMG International member firm in Belgium:



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*\* Please note that KPMG LLP (U.S.) does not provide any immigration services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.*

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

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