



**Authorisation to stay for a third-country national
in view of salaried activity as a highly qualified worker (« European blue card »)**
(article 45 of the modified law of 29 august 2008 on the free movement of people and immigration)

The third-country national who wishes to reside on Luxembourg territory for more than three months to work as a highly qualified worker, must be holder of an authorisation to stay « European blue card ». The application must be made and favourably advised **before entering on Luxembourg territory**. An application made after the entry on the territory is inadmissible.

1. Requirements

Is considered a highly qualified worker, the third-country national who:

- presents a work contract for a highly qualified job, valid for one year or more;
- presents a document proving that he/she has the professional qualifications required for the activity or the sector mentioned in the work contract or that he/she satisfies the required conditions for the regulated job described in the work contract;
- the payment must at least equal 1,5 times the average gross annual salary¹. As exception, the payment must be at least equal to 1,2 times the average gross salary² for the professions of the following categories of the ISCO-08 classification:
 - 2120 - Mathematicians, actuaries and statisticians
 - 2511 - Systems analysts
 - 2512 - Software developers
 - 2513 - Web and multimedia developers
 - 2514 - Applications programmers
 - 2519 - Software and applications developers and analysts not elsewhere classified
 - 2521 - Database designers and administrators
 - 2522 - Systems administrators
 - 2523 - Computer network professionals
 - 2529 - Database and network professionals not elsewhere classified

Highly qualified workers are not subject to the local labour market test.

2. Application for the authorisation to stay

The third country national must submit an application to the minister in charge of immigration.³ The applicant must disclose his/her identity (names, first names) as well as his/her exact address in the country of residence. He/she must also enclose the following documents in the application:

- a copy of his/her valid passport, in its entirety (all pages);
- a recent extract from his/her police record or an *affidavit* issued in the country of residence;
- a *curriculum vitae* ;

¹ The wage applicable threshold is fixed annually and made public in the "Mémorial". The threshold applicable in 2017 is 73.998 Euros. The thresholds applicable for next year can be looked up in the "Mémorial" as soon as they will have been fixed.

² The wage applicable threshold to these categories of profession is fixed annually and made public in the "Mémorial". The threshold applicable in 2017 is 59.198,40 Euros. The thresholds applicable for next year can be looked up in the "Mémorial" as soon as they will have been fixed.

³ The application can be submitted by sending it to the Immigration Directorate (see address below) or by handing it in to a diplomatic or consular representation of Luxembourg or the diplomatic or consular mission representing Luxembourg.

- a copy of his/her diplomas or professional qualifications;
- a copy of the work contract, dated and signed by himself/herself and the employer and conforming to Luxembourg labour law, mentioning a payment at least equal to 1,5 times or 1,2 times the average gross annual salary and valid for one year or more;
- if need be, a mandate/proxy⁴.

In case the documents are not in German, French or English, a conforming translation by a sworn translator must be enclosed.

An incomplete application will be sent back to the applicant.

3. Important notice

The authorisation to stay for highly qualified worker is granted for one profession in one sector for any employer. This restriction remains for the first two years. A change of sector or profession is only possible with the authorisation of the minister in charge of immigration.

4. Family reunification

In case the highly qualified worker wants to bring along his/her spouse/partner or his/her unmarried minor children (or those of his/her spouse/partner), he/she must enclose the documents required for family reunification (see the form « Authorisation to stay for a family member of a third-country national », available on the internet site www.guichet.lu)

If granted, the third-country national receives a “temporary authorisation to stay” (“*autorisation de séjour temporaire*”). This temporary authorisation to stay is valid for a period of 90 days. During this time, the third-country national must :

- either request a visa to enter the Schengen area, if subject to visa obligation;
- or, if not subject to visa obligation, enter on the territory of Luxembourg and make his/her declaration of arrival at the municipality (“*administration communale*”) of the chosen place of residence.

After entering Luxembourg, the third-country national has to follow the procedure to apply for the residence permit (“*titre de séjour*”).

For further information (in English, French and German), please visit the web site www.guichet.lu

Information note on the protection of personal data

The Directorate of Immigration of the Ministry of Foreign and European Affairs collects and uses your personal data in the context of its public interest mission in implementation of the amended law of 29 August 2008 on the free movement of persons and immigration, and in compliance with the legal provisions on data protection. More detailed information on the processing of your data, as well as on your rights in the matter, are available on the website: <https://maee.gouvernement.lu/en/services-aux-citoyens/visa-immigration.html>

⁴ The third-country national may confer mandate to a third person so as to submit the application in his/her place. In this case, the appointed person, except for juridical consultants, must present a duly signed and dated mandate from the third-country national. The signature must be preceded by the handwritten phrase « good for power of attorney ». You can find a model of a mandate/proxy on the internet site www.guichet.lu