



LE GOUVERNEMENT
DU GRAND-DUCHÉ DE LUXEMBOURG
Ministère des Affaires étrangères
et européennes

Direction de l'immigration

Exercising an employed or self-employed activity after graduation

A holder of a 'student' residence permit, having obtained his final diploma leading to a Master's degree or having successfully defended his doctoral thesis for research work in Luxembourg, may remain in Luxembourg to pursue an employed or self-employed activity under certain conditions.

Two scenarios can arise:

- a. A third-country national holding a valid 'student' residence permit wants to stay in Luxembourg after obtaining a higher education diploma in order **to find a job** or set up a business. In this case, he must have a residence permit. The application must be submitted before the expiry of the residence permit.
- b. A third-country national holding a valid 'student' residence permit wants to stay in Luxembourg after obtaining a higher education diploma when **he has already found a job** or has a concrete project of setting up a business **before the expiry of his residence permit**.

a. Job searching and entrepreneurship

A third-country national holding a residence permit in Luxembourg as a student or in the context of intra-EU mobility and who wishes to remain in Luxembourg to **seek employment or to set up a business** must have a residence permit 'stay for the purpose of job-searching or entrepreneurship'. The application must be submitted before the expiry of the residence permit.

i. Requirements

To obtain such a residence permit, the applicant must fulfill the following conditions:

1. He/she has **successfully completed** in the Grand Duchy of Luxembourg the last year of a final diploma of higher education leading to a **Master's degree** or he has successfully defended his **doctoral thesis** for research work in the Grand Duchy of Luxembourg leading to the **rank of Doctor**;
2. He/she provides proof that he has **sufficient resources** during his stay to cover his living expenses, without resorting to the social assistance system, and his return. The monthly resources must be at least 1.161,60 EUR (80% of the actual social inclusion income in Luxembourg);
3. He/she provides proof of a valid **health insurance**.

ii. Application for a residence permit

The application for a residence permit "stay for the purpose of job-searching or entrepreneurship" must be submitted no later than 30 days before the end of validity of the residence permit as a student or the end of the mobility period for which the student is authorized to reside in Luxembourg.

The applicant must make an application to the Minister responsible for immigration¹. He must indicate his identity (name and surname) and his exact address. 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 issued by the Grand Duchy of Luxembourg;
- proof that he/she has successfully completed in the Grand Duchy of Luxembourg the last year of a final diploma of higher education leading to a Master's degree or he/she has successfully defended

¹ The application has to be sent to the Directorate of Immigration (see address below).

his doctoral thesis for research work in the Grand Duchy of Luxembourg leading to the rank of Doctor;

- proof of a health insurance covering all risks in Luxembourg (travel insurance) ;
- provides proof that he has sufficient resources during his stay to cover his living expenses and his return. The monthly resources must be at least 1.161,60 EUR (80% of the actual social inclusion income in Luxembourg)². Proof can be brought by:
 - a scholarship or student loan certificate indicating the duration and allocated amount;
 - a bank certificate ;
 - a certificate of support established by a guarantor residing in Luxembourg (see “Financial statement of support for a third-country national in the context of an application for a residence permit”, available on www.guichet.lu);
- proof of the money transfer/deposit of the issuing tax of EUR 80.- to the following account: CCPL n° LU46 1111 2582 2814 0000 (beneficiary: Ministère des Affaires étrangères et européennes, Direction de l’Immigration; communication: titre de séjour dans le chef de...);
- if need be, a mandate/proxy³.

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

If the information or documents provided in support of the application are inadequate or incomplete, the Minister shall set a reasonable time for the applicant to provide the required additional information. The 90-day period is suspended until receipt of the required information or documents within the time limit set by the Minister. If the information or additional documents have not been provided in due time, the application may be rejected.

A receipt which certifies the submission of his application and authorizes his/her presence in the territory for a period of three months is issued to the applicant allowing him to introduce the proof that he has successfully completed his final diploma leading to a Master degree or the evidence that he successfully defended his doctoral thesis leading to the rank of Doctor.

A decision is taken on the basis of a complete application within a maximum of 90 days.

In case of a positive outcome, a **residence permit for private reasons with the mention ‘stay for the purpose of job-searching or entrepreneurship’, valid for a period of 9 months**, is issued to the applicant.

iii. Stay after the expiry of the residence permit “stay for the purpose of job-searching or entrepreneurship”

Before the expiry of his residence permit “stay for the purpose of job-searching or entrepreneurship”, the interested person must submit an application for a residence permit as an employee or self-employed person to the Minister. The employed or self-employed activity must be **linked to the academic background**.

- A residence permit as an employee may be granted if the conditions of article 42, paragraph 1, points 1 and 4, of the modified law of 29 august 2008 on the free movement of people and immigration are fulfilled. The residence permit allows the beneficiary to pursue an employed activity limited to a single sector and a single profession. The activity can however be exercised

² The social inclusion income is 1.452,00 EUR according to the current scale since January 1st 2019. 80% of the social inclusion income is then 1.161,60 EUR as of January 1st 2019. The amount of the social inclusion income is however adapted regularly. Please check the actual amount on the internet site http://www.mss.public.lu/publications/parametres_sociaux/index.html

³ The applicant 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 applicant. 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

with several employers, either simultaneously (2x20hours) or consecutively. The following documents must be enclosed to the application for the residence permit:

- a copy of his/her valid passport, in its entirety (all pages);
 - o a recent extract from his/her police record issued by the Grand Duchy of Luxembourg;
 - o a resume ;
 - o a copy of the diplomas or professional qualifications ;
 - o a copy of the employment contract, dated and signed by the applicant and his employer and in accordance with the Luxembourg labor law;
 - o if need be, a mandate/proxy ⁴.
- A residence permit as a self-employed worker may be granted if the conditions of article 51 of the modified law of 29 august 2008 on the free movement of people and immigration are fulfilled. The third-country national must submit an application to the Minister responsible for immigration by using the form 'Application for residence permit for independents' (available on the internet site www.guichet.lu).

If the applicant returns to his country of origin without having applied for the resident permit, he will fall back under the ordinary law in case he wants to return to Luxembourg to engage in an employed or self-employed activity.

b. Employment or concrete project to set up a business

The third-country national holding a valid 'student' residence permit and who has obtained a final diploma leading to a Master's degree or who has successfully completed his/her doctoral thesis for research work in Luxembourg, wishes to remain in Luxembourg while he/she **has found a job or has a concrete project of setting up a business.**

Article 59 of the modified law of 29 august 2008 on the free movement of people and immigration holds an exceptional regime: the residence permit granted under this article is a favor for the person staying in Luxembourg as a student and having obtained his final diploma leading to a Master's degree or having successfully defended his doctoral thesis for research work in Luxembourg.

Before the expiry of his student's residence permit, the intrested person must submit his application to the Minister.

If the applicant returns to his country of origin without having applied for the resident permit, he will fall back under the ordinary law in case he wants to return to Luxembourg to engage in an employed or self-employed activity.

Based on article 59 :

- A residence permit as an employee may be granted if the conditions of article 42, paragraph 1, points 1 and 4, of the modified law of 29 august 2008 on the free movement of people and immigration are fulfilled. The residence permit allows the beneficiary to pursue an employed activity limited to a single sector and a single profession. The activity can however be exercised with several employers, either simultaneously (2x20hours) or consecutively. The following documents must be enclosed to the application for the residence permit:
 - o a copy of his/her valid passport, in its entirety (all pages);
 - o a recent extract from his/her police record issued by the Grand Duchy of Luxembourg;

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

- a resume ;
 - a copy of the diplomas or professional qualifications ;
 - a copy of the employment contract, dated and signed by the applicant and his employer and in accordance with the Luxembourg labor law;
 - if need be, a mandate/proxy ⁵.
- A residence permit as a self-employed worker may be granted if the conditions of article 51 of the modified law of 29 august 2008 on the free movement of people and immigration are fulfilled. The third-country national must submit an application to the Minister responsible for immigration by using the form 'Application for residence permit for independents' (available on the internet site www.guichet.lu).

The employed or self-employed activity must be **linked to the academic background**.

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>

⁵ 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