

APPLICATION FOR RESIDENCE PERMIT FOR INDEPENDENTS

(version 240312)

(articles 51 to 53 of the modified law of 29th August 2008 on the free movement of people and immigration)

Form to be sent to
Ministère des Affaires intérieures
Direction générale de l'immigration
B.P. 752 L - 2017 Luxembourg

I. Information relating to the applicant and his/her family situation:

1. Last name:	
2. First name(s):	
3. Place and date of birth:	
4. Sex:	male <input type="checkbox"/> female <input type="checkbox"/>
5. Nationality:	
6. National insurance number* :	(* if already registered with the Centre Commun de la Sécurité Sociale)
7. Residence in the country	Since / /
8. Marital status:	<input type="checkbox"/> Single <input type="checkbox"/> Married since / / <input type="checkbox"/> With civil partner since / / <input type="checkbox"/> Separated since / / <input type="checkbox"/> Divorced since / / <input type="checkbox"/> Widower - widow
9. Current activity:	
10. Legal address:	<i>Number :</i> <i>Street :</i> <i>Town :</i> <i>Post code :</i> <i>Country :</i> <i>Telephone :</i> <i>Fax :</i> <i>Email :</i>
11. Postal address:	<i>Name of representative (if relevant) :</i> <i>Number :</i> <i>Street :</i> <i>Town :</i> <i>Post code :</i> <i>Country :</i> <i>Telephone :</i> <i>Fax :</i> <i>Email :</i>
12. Last name of spouse/ civil partner:	
13. First name(s) of spouse/ civil partner:	
14. Address of spouse/ civil partner: (if different from applicant's)	<i>Number :</i> <i>Street :</i> <i>Town :</i> <i>Post code :</i> <i>Country :</i> <i>Telephone :</i> <i>Fax :</i>
15. Activity of spouse/civil partner:	

16. Other people sharing or likely to share the applicant's household:

Last name	First name(s)	Date of birth	Place of birth	Nationality	Relationship	Current activity

II. General information about independent professional activities in Luxembourg

17. Legal form of the business:	Sole trader (entreprise individuelle)	<input type="checkbox"/>
	Private limited liability company (société à responsabilité limitée)	<input type="checkbox"/>
	Public limited liability company (société anonyme)	<input type="checkbox"/>
	General partnership limited by shares (société en commandite par actions)	<input type="checkbox"/>
	General partnership (société en nom collectif)	<input type="checkbox"/>
	Limited partnership (société en commandite simple)	<input type="checkbox"/>
	Cooperative company (société cooperative)	<input type="checkbox"/>
	Branch of foreign company (succursale d'une société étrangère)	<input type="checkbox"/>
18. Type of investment:	Creation of a new business	<input type="checkbox"/>
	Takeover of an existing business	<input type="checkbox"/>
	Acquisition of a share of an existing company	<input type="checkbox"/> (>25%, =<50% of shares)
	Acquisition of a share of an existing company	<input type="checkbox"/> (>50% of shares)
19. Business activity: (*)	<u>Activity</u> : description of the activity and the business sector	
	<u>Market</u> : description of the target market	
	<u>Competition</u> : competition at local level and description of competitive advantage	

(*) The applicant is free to attach a more detailed marketing plan or descriptive part of a business plan.

20 Name of the business (existing or planned)	
20.1. Name of company	(trade or company name)
20.2. Name of sole trader	(name of operator + possibly brand name)
21. Registration number (if an existing business)	
22. Registered office: (if known))	<i>Number :</i> <i>Street :</i> <i>Town :</i> <i>Post code :</i> <i>Telephone :</i> <i>Fax :</i>
23. Operating address: (if known and different from 22)	<i>Number :</i> <i>Street :</i> <i>Town :</i> <i>Post code :</i> <i>Telephone :</i> <i>Fax :</i>
24. Building schedule in the case of new buildings:	<i>Start of building : / /</i> <i>End of building : / /</i>
25. Operating and/or sales surface area (if applicable)	<i>Sales area : m2</i>

III. Estimates for new business or business to be acquired (*)

(*) The applicant is free to attach the figures from a properly prepared business plan.

1. Sources and uses of funds at the start or at the moment of acquisition of the business

<u>USES-ASSETS</u>	<u>SOURCES-LIABILITIES</u>
<u>Fixed assets</u> Real estate Alterations Plant Professional equipment Motor vehicles IT equipment Licences Real estate rental guarantee Other (specify :)	<u>Capital and loans</u> Share capital Contribution in kind (specify :) Partners' loans Family loans Bank loans Leasing Other (specify :)
<u>Current assets</u> Stocks et work-in-progress Debtors Other (specify :)	<u>Current liabilities</u> Creditors Tax and social security payable Other debt Other (specify :)
<u>Cash</u> Cash (cash in hand, cash at bank etc.) Other (specify :)	<u>Cash - liabilities</u> Bank lending Other (specify :)
Total :	Total :

2. Key historical figures for the business to be acquired

	Year 3	Year 2	Year 1	Current period
Turnover :				
Personnel costs :				
Depreciation :				
Net profit :				
Fixed assets :				
Total debt :				

3. Budgeted profit and loss accounts for 3 years from start or acquisition

	Years							
	year 1	% * income	year 2	% * income	1-2 var. in %	year 3	% * income	2-3 var. in %
1. Turnover		%		%	%		%	%
2. ± variation in finished goods/work-in-progress		%		%	%		%	%
3. + other income in the period		%		%	%		%	%
4. Income for the period		%		%	%		%	%
5. – purchases		%		%	%		%	%
6. – goods and services		%		%	%		%	%
7. Added value		%		%	%		%	%
8. – personnel costs		%		%	%		%	%
9. – other operating costs		%		%	%		%	%
10. Gross operating profit		%		%	%		%	%
11. – depreciation		%		%	%		%	%
12. – provision for liabilities		%		%	%		%	%
13. Net operating profit		%		%	%		%	%
14. + financial income		%		%	%		%	%
15. – financial costs		%		%	%		%	%
16. Net profit before exceptional items and tax		%		%	%		%	%
17. + exceptional income		%		%	%		%	%
18. – exceptional charges		%		%	%		%	%
19. Net profit before tax		%		%	%		%	%
20. – tax		%		%	%		%	%
21. Profit after tax		%		%	%		%	%
22. Cash-earnings (21+11)		%		%	%		%	%

Lux.	European Union	Other
%	%	%

Approximate turnover in % per market:

IV. Employment

1. Management team :

<i>Last name</i>	<i>First name(s)</i>	<i>Nationality</i>	<i>Job</i>	<i>Current activity</i>	<i>Current address</i>

2. Jobs to be created in 3 years :

<i>Year :</i>	<i>Qualified</i>	<i>Non qualified</i>	<i>Residents</i>	<i>Commuters</i>	<i>Recruitment outside the EU</i>
<i>n</i>					
<i>n+1</i>					
<i>n+2</i>					

3. Management team remuneration :

4. Specialists or technicians essential for the operation of the business :

5. Other personnel :

Speciality/Job	Numbers	Qualification required	Recruitment outside the EU
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
Speciality/Job	Numbers	Qualification required	Recruitment outside the EU
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Information note on the protection of personal data:

The General Department of immigration of the Ministry of Home 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, 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://gd.lu/immigration>.

V. Attachments to this form

Note: it is recommended that all applicants attach a detailed business plan. For information on this, please contact the employers' associations or visit the Government « Portail Entreprises »: www.entreprises.lu.

Required attachments:

- 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*;
- if need be, a mandate/proxy¹;
- a proof of financial resources or necessary funds for setting up or acquiring a business;
- balance sheets and P&Ls' of the last three financial periods in the case of the acquisition of an existing business.

Required attachments relating to the application for a business license (autorisation d'établissement) under the law of 2nd September 2011 (nota bene: it is recommended to check the conditions for the different economic activities with the local chamber of commerce www.cc.lu or the chamber of skilled (craft) trade www.cdm.lu or to visit www.entreprises.lu):

- for non-residents and persons resident in Luxembourg for less than 5 years, a notarized certificate of non-bankruptcy of recent date and not limited in time or local court. This declaration under oath can be established with a notary of the applicants choice;
- copy of a bank transfer for 24 euros to CCP Luxembourg IBAN LU 47-1111 008792 620000 - CCPLLULL with the following message: applicant's name + "autorisation de commerce";
- criminal record extract from the country of origin or affidavit;
- copy of the charter and the bylaws (statuts de la société) (combined Memorandum of Association and Articles of Association) or draft of the charter and the bylaws if the activity is carried out by a company;
- registered copy or copy of the draft of the notice of appointment of the director /directors if the activity is carried out by a company.

According to the activity planned:

- documents proving that the applicant possesses the required qualifications and fulfils the conditions necessary to access the profession he intends to adopt, or the assessment provided by the competent authority confirming that the independent worker fulfils the requirements of the proposed activity;² and
- proof of internship or professional practice:
 - proof of the activities carried out in the country of origin or outside Luxembourg, supplied by a competent authority;
 - or
 - proof of the activities carried out in Luxembourg, supplied by a certificate of registration with the competent social security (www.ccss.lu).

Optional attachments :

- Real estate lease contract;
- Feasibility study;
- Other documents substantiating the viability of the business plan,
Specify:

Signature :

, (date)

¹ 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.

² In the absence of a satisfactory assessment by the competent authority, the minister passes on a copy of the application and of the joined documents to the competent authority who will assess whether the applicant possesses the qualifications required to exercise the activity in question. Until the competent authority can provide an appraisal of the worker's aptitude, the minister will keep the application in abeyance.