



## Remunerated training—Unremunerated training

### 1. Unremunerated training

- We define unremunerated training as the **obligatory** professional training hosted by an institution or a company in Luxembourg when the third country national proves that he :
  - is following a cycle of studies leading to a diploma of a training qualification as foreseen in the register of educational qualifications, section of higher education, referred to in article 68 of the law of 28 October 2016 on the recognition of professional qualifications, corresponding to a level 5 to 8 of the Luxembourg qualifications framework referred to in article 69 of the aforementioned law, or
  - has obtained, in the two years preceding the date of the application for the authorization of stay, a diploma of training qualification as mentioned above.
- The Luxembourg host institution or company and the trainee sign a **training agreement** ("*convention de stage*") which may include an internship allowance and material benefits.

The unremunerated training must be of an educational nature (theoretical and practical training) and must in no case be regarded as employment.

#### Stay shorter than three months:

- The third-country national wishing to take part in an unremunerated training event in Luxembourg is entitled to stay on the territory for a period of up to three months if he or she fulfils the conditions specified in **article 34, paragraph (2)** of the modified law of 29 August 2008 on the free movement of people and immigration i.e. if he fulfils the conditions necessary for entry and residence on the territory and possesses **sufficient personal resources** for the duration of the envisaged stay and for the return to the country of origin.
- In order to prove that he possesses the required resources, he may present a document that testifies his ability to legally obtain the necessary means of existence, such as a training agreement.
- For a stay of less than three months, the unremunerated trainee **does not need a work permit**.

#### Stay longer than three months:

- The third-country national who wishes to **stay** in Luxembourg in order to conduct unremunerated training for longer than three months must, before his entry on Luxembourg territory, apply for an **authorisation to stay as a trainee**, as specified by article 61, paragraph (1) of the modified law of 29 August 2008 on the free movement of people and immigration, and:
  - ✓ Presents an internship agreement that provides theoretical and practical training, concluded with a host entity, namely the host institution or company, which contains:
    1. a description of the internship program, including its educational purpose or pedagogical component;
    2. the duration of the internship;
    3. the placement and supervision conditions of the trainee;
    4. the internship hours;
  - ✓ Brings proof that he has obtained, in the two years preceding the date of the application, a training qualification (certificate of competency or vocational training ("*Brevet de maîtrise*"), certificate of superior technician ("*Brevet de technicien supérieur*"), certificate of superior specialized

- technician (“Brevet de technicien supérieur spécialisé”), Bachelor, Master, Doctorate) or that he is following a course of study leading to a diploma of such a qualification;
- ✓ Presents evidence that he will have sufficient resources during the planned stay;
  - ✓ Provides proof of health insurance coverage;
  - ✓ The host entity provides a nominative certificate covering the trainee's stay and return costs.
- The third-country national who is in possession of a residence permit issued by another EU member State and who wishes to stay in Luxembourg in order to take part in unremunerated training, must apply for an **authorisation to stay for a trainee**.
  - The third-country national who is in possession of a residence permit in another EU member State where he is residing and who wishes to stay in Luxembourg in order to participate in an unremunerated training course **without staying** in Luxembourg, does not need a **specific authorisation**.
  - The third-country national who holds a student residence permit in Luxembourg and who wishes to carry out an unremunerated training in the context of his or her studies during the validity of the permit, does not need to apply for a new **authorisation to stay as a trainee**.

## **2. Intercompany internship**

### **Stay shorter than three months:**

A third-country national who wishes to complete an intercompany internship (within the same group of companies) for less than three months is exempted from a residence and work permit.

### **Stay longer than three months:**

- A third-country national who wishes to do an intercompany internship (within the same group of companies) for a period of more than three months must apply for an authorization to stay of a third-country national as an intra-company transferee (“ICT”).
- A third-country national who has a residence permit in another Member State in which he resides and wishes to carry out a training period in Luxembourg during the period of validity of his residence permit without residing in the territory, does not need any specific authorization.