

## Luxembourg simplifies the legal regime applicable to business licenses

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The Luxembourg law of 2 September 2011 regulating access to the professions of craftsman, trader, industrialist and certain liberal professions, has been amended with effect from 30 July 2018 (the **Revised Law**) in order (i) to facilitate individuals' access to certain professional activities and (ii) simplify the process with the Luxembourg Ministry of Economy for the obtaining of business licenses (*autorisations d'établissement*) (the **Business License**) in order to perform commercial activities in the Grand Duchy of Luxembourg.

The main changes in the Revised Law concern the three following points:

1. The requirement for persons carrying out "commercial activities not otherwise regulated" (*activités commerciales non autrement réglementées*) to justify professional qualifications has been abolished. Consequently, it will no longer be required to provide the Ministry of Economy with a proof of professional qualifications for activities which are no longer distinctly listed in the Revised Law in order to apply for a Business License. From now on, only a proof of professional integrity will be required in this framework along with the satisfaction of the usual conditions concerning the company, i.e. appropriate premises, executive's effective and permanent management, relationship between the executive and the company materialised through an employment agreement or a participation in its share capital;
2. The categories of "economic adviser" (*conseil économique*) and "adviser in" (*conseil en*) have been abolished and will, from now on, only need to satisfy the requirements applicable to the "commercial activities not otherwise regulated". As a result, any person performing business advisory services shall no longer be required to provide a proof of professional qualifications as described under (i) above; and
3. The specific Business Licence regime applicable to large-scale retail store (*grandes surfaces*) has also been abolished.

It is to be noted that any Business License granted by the Ministry of Economy prior to the entry into

force of the Revised Law will remain valid for commercial activities and services.

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