

Global Immigration alert

July 2024



Luxembourg

Luxembourg implements major changes relating to EU Blue Cards

Executive summary

On 1 July 2024, Luxembourg implemented major changes to its regulations governing EU Blue Cards (work permits for highly qualified workers), which include decreased salary thresholds and relaxed contractual and qualification criteria, among others. While these changes are based on the [EU Blue Card Directive 2021/1883](#), Luxembourg's new laws generally adopt the most favorable options for eligible employees.

Key developments

The following changes went into effect on 1 July 2024:

- ▶ **Educational and professional requirements:** Individuals working in specialist or managerial roles in the information and communication technology sector can now apply for EU Blue Cards if they have at least three years of work experience in the seven years prior to filing the application and longer need to submit relevant academic qualifications. Applicants working in other professions must have either a recognized higher education degree obtained after completing a three-year course, or at least five years of relevant professional experience at a level comparable to higher education diplomas.
- ▶ **Employment contract:** Applicants must have an employment contract that is valid for at least six months (down from one year previously) for a highly qualified job with a company in Luxembourg.
- ▶ **Residence permits:** The amended laws confirm that these permits will continue to be issued with a maximum validity of four years (double the two-year minimum validity required by the EU Directive). If the applicant's employment contract is valid for less than four years, the permit will be issued

for the validity period of the contract plus an additional three months, subject to a maximum of four years. The amendments also confirm that EU Blue Card holders may remain in Luxembourg during the residence permit renewal process. While this process was generally followed in practice, there was no legislation in this regard until the introduction of the recent amendments.

- ▶ **Salary requirements:** The minimum salary requirement for highly skilled workers has been reduced from 1.2 or 1.5 times (depending on the case) the average gross annual salary to the average gross annual salary for all applicants.
- ▶ **Change of employer:** EU Blue Card holders who have worked in Luxembourg for less than 12 months (down from 24 months) must submit an application to the labor authorities before changing their employer. The authorities may reject the application within 30 days. After 12 months (down from 24 months), in general, Blue Card holders who seek to undertake another highly qualified job may change employers without completing any formalities (except for jobs in public authorities and functions that require candidates who are Luxembourg nationals).
- ▶ **Permitted period of unemployment:** Individuals who have held EU Blue Cards for less than two years can remain unemployed for up to three months cumulatively without losing their Blue Card. Those who have held EU Blue Cards for two years or more can remain unemployed for up to six months cumulatively without losing their Blue Card. Previously, EU Blue Cards were revoked if the holder remained unemployed for more than three consecutive

months or lost their job more than once during the Card's validity period.

- ▶ *Change of residence*
 - ▶ Individuals who hold EU Blue Cards issued in another EU Member State, have resided in that Member State for at least 12 months and have applied for a Blue Card in Luxembourg may begin working in Luxembourg immediately upon arrival in the country (without having to wait for the Card to be issued). Previously, this benefit was available only if they had stayed in another EU Member State for at least 18 months and already held a Luxembourg residence permit. The application for an EU Blue Card in Luxembourg may be filed while the individual still resides in the other EU Member State, and the Luxembourg authorities will process it in 30 days (60 days for complex cases).
 - ▶ If holders (and their dependents) of Blue Cards issued in Luxembourg move to another EU Member State, the Luxembourg Blue Card will remain valid until the other Member State decides on their application. If the application is rejected, individuals (and their dependents) may re-enter Luxembourg without additional formalities.
- ▶ *Short-term travel:* Holders of Blue Cards issued in another EU Member State may enter and reside in Luxembourg to conduct (short-term) business activities for up to 90 days in any 180-day period without obtaining a separate authorization. This right also applies to individuals who previously held EU Blue Cards but now hold EU long-term residence permits. Holders of EU Blue Cards issued by a country that does not fully apply the Schengen [acquis](#) (i.e., Bulgaria, Cyprus and Romania) must present a valid travel document and proof of their trip's purpose.
- ▶ *Family reunification:*
 - ▶ If applications for eligible family members are submitted along with the primary applicant's application, residence permits for family members will be granted at the same time as Luxembourg EU Blue Cards (in general, within 30 days of application submission or 60 days in complex cases, down from approximately nine months previously (with no fast-track processing)).
 - ▶ Family members of individuals who have been issued a Blue Card in Luxembourg may move to the country along with the primary applicant and apply for a residence permit from within Luxembourg, provided the primary applicant held a Blue Card in another EU Member State and their family resided with them for at least 12 months in that EU Member State as their dependents. Previously, family members had to reside outside Luxembourg until their permits were issued and could not accompany the primary candidate to Luxembourg.

Impact on employers

These changes are expected to make Luxembourg more attractive for highly qualified third-country nationals and benefit employers by simplifying Blue Card application requirements. In general, these changes aim to harmonize the conditions of entry and residence of highly qualified workers from third countries and increase the attractiveness of EU Blue Cards.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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