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## Which expats could benefit from the (1983) special tax regime ?

Based on an **administrative practice** that had been in place since 1983, **expats** who came to work in Belgium and who met certain conditions, were entitled to reduced **income taxes and social security** on their Belgian salary. A **new expat regime** has been in place since 2022.

The expats who could benefit from this (old) regime were **foreign executives, specialists, and researchers**. Only those who **do not had the Belgian nationality** were eligible. While this was quite a controversial requirement, the old status was only accessible for **non-Belgian nationals**.

The tax status could be applied for by the **following categories** of expats:

- (i) foreign **executives** who were working in a managerial position in a Belgian branch or Belgian company, without necessarily being considered an employee;
- (ii) foreign **specialists** who had special knowledge or specialist skills that were very difficult or impossible to find on the Belgian labour market;
- (iii) foreign **researchers** who worked in Belgium as scientists in a recognized scientific research centre or laboratory.

The expatriate had to be **directly recruited abroad** by a Belgian company **or temporarily assigned from abroad** to a Belgian entity that is part of an international group. A company was considered to be **'international'** when it has an entity in at least one country other than Belgium or at least 50% of the shares of the Belgian entity are held by a foreign shareholder.

**Research centres or laboratories** must not be part of an international group but must be exclusively engaged in scientific or technical research in any type of area. Simply collecting information or documentation was **not enough** to qualify as a **research centre**, except when this activity was carried out with a view to creating new regulations or to developing new manufacturing methods or products. If the expat earned a gross remuneration of **at least €50,000 per year**, the tax office automatically presumed that the employee had **'special' skills**. If the annual salary was **lower**, it was still possible to apply for the expat status, but any special knowledge or experience **had to be demonstrated**. This could be done on the basis of your degree or previous job experience.

The employment in Belgium also had to be **temporary**, which had nothing to do with the duration of the Belgian employment (which could even be an **indefinite term contract**), but was demonstrated by the fact that the expat had to maintain their **centre of personal and economic interests outside Belgium**, and therefore qualify as a **non-resident taxpayer**. If this condition was no longer met, the tax office could at any point in time decide to **revoke** your expat status.

TAXPATRIA® can check if you are **eligible to apply** for the (new) expat status and assist with **filing your application** with the Belgian tax authorities.