

HR TAX & IM RESPONSES TO COVID-19 PANDEMIC – SUMMARY OF THE WEEK

EU Regulation 883/2004

For the determination of the applicable social security scheme, the Belgian authorities have confirmed that the crisis period will be excluded for determining the percentage of physical presence in the home State – more details [here](#).

Immigration

Question link to minimum remuneration will arise for workers holding a work-permit under unemployment crisis scheme. We are currently requesting that the crisis period will be disregarded. The Brussels Regio and the Flemish Regio have confirmed said approach. We will continue to follow up with Wallonia. The three Regio's accept only e-filing of new request.

Salary split - general

No general position has been taken with respect to how to treat taxwise the split situation. Currently, the position seems to strictly apply the criterion of the physical presence in order to allocate the power of taxation between States. We defend an approach leading to extent some fictitious cases of sourcing abroad based on the OECD comments.

We have shared our analysis with the Ruling commission, the Central Authorities and the Minister of Finances.

Salary split - Luxembourg

A specific agreement has been signed between Luxembourg and Belgium in the scope of appreciation of the 24 days cap. Home working time will be disregarded when analysing the cap. We have requested an extension of the interpretation irrespective the location of work in Belgium.

Special tax status

We have requested that the crisis period will be disregarded for the purposes of determining the travel exclusion percentage. On top, we defend the idea to have a similar treatment than remuneration for the unemployment allowances for determining the TFA. We are in contact with the competent tax authorities on these topics. A e-filing process has been put in place in concertation with the Foreign tax office.

Home office allowance

Based on our contacts both with the NSSO and the Ruling commission, the specific 10% rule foreseen in the scope of home office work scheme will not be accepted. A [specific procedure](#) has been put in place by the Ruling commission in order to allow companies to grant 126,94 euros per month (said allowance cannot be combined with the current home office allowance that would be in apply by companies).

Tax bill payment

A general extension for payment of 2 additional months has been granted for all tax bills issued as from March 12. Specifics measures are also available in case of payments difficulties – more details [here](#).

Contact us

The above summarized quickly and partially the overall set of measures in place in connection with the international mobility. Convinced that it will evolve, we advise to stay in close contacts in order to assess your situation and see how we can help you to go through the crisis. Just send us an [e-mail](#) in order to schedule a Teams meeting.