Driving License Exchange
relocation committee update

The Basic Principles
of European and non-European driving licenses

Living and Working in Belgium
your visa, immigration and Schengen visa questions answered

MEMBERS’ NEWS ▪ SOCIETY PAGES
The ABRA Board recently sent out a survey to our members. Of course we speak to you at meetings and events, but we wanted to give you the opportunity to share your thoughts on where our organisation is heading and how we are doing.

Thank you to the members who have sent in their survey responses, and if you have not yet had a chance to reply, don’t worry, a reminder is winging it’s way to you as I write this. The suggestions and information requests we receive help us set the agenda for the upcoming year and years to come, so please do try and find five minutes to send us your input.

The initial responses have been very positive, and we look forward to exploring these in more detail in our next issue. We have taken note of your requests for practical advice and information on topics such as the driving license exchange process and immigration, as well as other popular topics which we will cover in future editions.

In this edition we’re delighted to share a progress report by our relocation committee on the driving license matter, and have delved into the FOD Mobiliteit en Vervoer’s ‘omzendbrieven’ to find answers to the questions expats and relocators alike are faced with. But we need your help too: if your (client) companies are affected by the slow exchange process, then we want to hear from you. Together we can make a powerful plea for change!

We have also addressed some of the most commonly asked questions on immigration matters great and small. Our thanks go out to Fragomen for explaining the EU Intra-Corporate Transfers directive, the recently adopted European Travel Information and Authorisation System (ETIAS), Blue Cards and Professional Cards and recent updates to work permit legislation.

We hope you enjoy the read,

Isabelle Prémont

WITH SPECIAL THANKS TO OUR PARTNERS FOR THEIR CONTINUED SUPPORT

BBF  ING  BNP PARIBAS FORTIS  KBC Brussels
Driving License Exchange
relocation committee update
by Fiona Klomp

Much to the frustration of expats and relocation agents alike, there is a lot of discussion around the process of exchanging a foreign driving license for a Belgian one. How long should it take? What are the legal requirements? And what can the expat do whilst awaiting their new license? With conflicting reports and advice coming from the various municipalities or communes, our board has been actively trying to seek some clarity on what should be a straightforward process. We looked at the different types of licenses and spoke with Eric Klitsch of Brussels Relocation and Koen Reekmans of Altair Global for an update on their efforts to ease the process.

When an expat moves to Belgium they are legally required to exchange their national driving license for a Belgian one. Although the FOD Mobiliteit en Vervoer provides us with a list of countries that award recognised non-European driving licenses (countries not listed are not recognised), and although each and every local commune has received exactly the same directive when it comes to handling foreign licenses, many members report long delays, lengthy processes and conflicting instructions.

One thing is clear: you can drive here with your foreign license as long as you are not registered as a Belgian resident. As soon as you are registered, you need to exchange your license for a Belgian (European model) driving license. It’s this registration process where some of the perceived delay comes from: whereas you can get registered within 2 weeks in a smaller commune such as Waterloo, it can take up to 5 months in a busy commune such as Brussels city centre. Going back to the commune to initiate your driving license exchange after you’ve already been living and working here for five months can feel like red tape for the sake of it.

It is also clear that legally you may not drive without a valid driving license. If your current license has been sent off for exchange, you cannot drive until you have received your Belgian one. Quite simply because under Belgian law you cannot be insured without a valid driving license. The question is at which point your foreign license becomes invalid: is this as soon as it is sent off or only once you’ve received your new one?

“Getting stopped by the police for a routine control and being fined is a risk that some people are willing to take,” Eric explains. “However, it’s not the fine that’s the problem, the problem is if an accident happens. We know of companies that ask their employees to return their car keys to HR on the day they receive their Belgian ID cards. The car stays in lock-up until they have received their Belgian license, it’s a strict policy. A few years ago an expat had an accident while his license had been sent off for exchange and the lease company refused to cover the accident. Thankfully it was mostly material damage to the car, but imagine if you seriously injured someone. You’d be paying both financially and emotionally for the rest of your life.”
“Some communes provide the expat with a document they can show the police in case they are stopped,” adds Koen. “Unfortunately, we’re not sure what the legal validity of this is, even if it is provided by the commune itself. Whether or not this document will get you out of a fine may depend on the policeman who stops you, but you have to take into account your insurer as well. Will they cover you if you drive with a document that certifies your license is being processed? Many brokers will, but you never know for certain until something happens. And finally, the Ministry tells us that such a document holds no legal value. It’s a very murky situation with a lot of grey areas. The expat thinks they are covered and upholding the law, but in actual fact they may not be.”

With the exchange of a foreign driving license taking around six to eight weeks on average it is easy to see why expats, employers and relocators alike would like to see this process speeded up. ABRA’s relocation committee has been exploring the options.

“There are a number of different avenues we have been exploring,” Eric tells us. “The very best outcome would be a faster process altogether. But we understand there are just two people at the Ministry to cover all the driving license exchanges, which means there is an immense backlog. More funds to process foreign arrivals isn’t exactly a popular request.”

“As an interim measure we would like the Ministry to ratify a standard document nationwide that covers expats during the exchange process,” Koen continues. “This of course is a big challenge and one we can use help with. Finally, this document needs to be accepted by insurance and car lease companies, although insurance coverage is for a large part the employer’s responsibility. But it would be good to be able to advise clients which insurance companies will accept such a ‘covering’ document.”

“We have a few client companies who have already expressed an interest in supporting our efforts for this interim document and a faster exchange process. ABRA members - and ReLocate readers - can be of great help here: the more companies that get behind our cause, the stronger our voice will be as we lobby the government. So please ask your clients if they would be willing to attest to the impact of the exchange process on their business. Companies make a serious investment every time they bring over an expat and for them to then have to turn around and say ‘sorry boss, I can’t drive until January’ is problematic to say the least.”

If you would like to get behind our cause and help us lobby for a faster driving license exchange process as well as an official interim document for drivers, then please contact Eric Klitsch or Koen Reekmans via: admin@abra-relocation.com

“Some of our clients have chosen to take out a private service to speed up the process," Koen says. “There are a number of different avenues we have been exploring.”

Claire Langran who chose BSB Primary School for her daughter

“The school’s culture is warm and inclusive, with a focus on learning and growing. Children settle in quickly and are very happy.”
The Basic Principles

the basic principles of European and non-European driving licenses explained

The Recognised European License

Member countries of the European Union give out a European model driving license. These driving licenses are recognised throughout the European Union (EU) and European Economic Area (EEA) as well as many other locations around the world. In broad strokes, if you have a European driving license and are living in Belgium you need to exchange it before it runs out, or if you are settling here on a more permanent basis (exchange within 2 years of settling in Belgium).

Although you can drive here with your Guadeloupean license (yes, as an overseas department of France it’s part of the EU), it may be worth considering exchanging it for a Belgian one if you plan on being here for a while. At the very least you should get your license registered with your local commune, so that if you were to lose or damage it you can easily request a replacement. So far, so good. The matter gets somewhat more complex however as we venture further afield.

The Recognised non-European License

If you are the proud owner of a recognised non-European driving license then according to the conventions of Vienna and Geneva you may legally drive your car here. However, this only holds true providing you do not possess either a Belgian ID card, or an A, B, C, D, E, F, E+ or F+ card.

As soon as you are officially registered as living here you receive your Identification Number of the National Register (rijksregistrenummer/numero national). Your newly acquired residential status automatically means you will need to exchange your license for a Belgian one as you are now a Belgian resident. This in theory should be a straightforward exchange of licenses.

The non-Recognised non-European License

The same system applies with a non-recognised non-European driving license: you can legally drive here with your foreign driving license until you are awarded residential status. As soon as you have received your national number you will need to exchange your driving license for a Belgian one.

However, as your license is not recognised here, you will need to sit both theory and practical exams before it can be considered for exchange. Unfortunately, a letter from your embassy attesting to the validity of your license is of absolutely no value in this process.

The International Driving License

If you are here on a business trip visa (90 days max) then you may want to request an international driving license from your home country to cover the duration of your stay. Check with your home country whether you need an international driving license to go with your national license in Belgium. This will differ from country to country, but your embassy will be able to advise you.

The international driving license has no actual legal value in Europe. It merely serves as an additional document to go with your national license. An international driving license is valid for one year only and must be collected in person from your home municipality, which means you should have obtained it before coming over.

The Exchange Process

The process of exchange is simple in theory: you go to your local municipality with your current driving license and your Belgian ID card and request an exchange. Your license is sent off for a check and then exchanged for a Belgian one.

It is important that your license meets the following requirements: you have the same nationality as your license - or you can prove you were residing in that country for at least 185 days in the year you received it - you received it before moving here, it is valid, and the categories awarded are recognised here.

If your license is not in one of the recognised national languages, you may need to have it translated by a sworn translator before it can be considered, especially if it is not in our Latin alphabet. If your country does not follow the Gregorian calendar (as we do in Europe) then the valid from/to dates will also need translating. Some embassies provide standard translations of national driving licenses, so it is worth checking with your embassy.

Your license is then sent off to the FOD Mobiliteit en Vervoer who will verify that your driving license is not counterfeit. Providing your license is real and you do not need to sit any additional tests it will be exchanged for a Belgian one. This usually takes between six and eight weeks. The commune essentially acts as a letterbox, so how quickly they send it on to the Ministry can also depend on their own backlog.

If you have to sit both theory and practical tests, then you will need to pass these before your license can be exchanged for a Belgian one. Larger cities such as Brussels and Antwerp offer driving tests in a number of different languages, or you can bring a sworn translator along at your own expense.
Again, much depends on how long it takes for you to book (and sit) your exams and receive your test results. Bring your results along with your national license (and any translations) to your local commune and ask for the exchange process to be initiated. You should have your new license within 6 - 8 weeks.

Practical Advice

Good to know: a national foreign license (whether recognised or non-recognised) always exempts you from driving lessons, providing you are requesting a license with the same categories (AM, A, B, C, D, G) given out in Belgium. You may however still need to take theory and practical tests, depending on the license you hold.

You can start taking theory lessons online even before you arrive in Belgium and can book your exams the day you receive your national number. Sending off proof of passing with your current license gets things moving as quickly as possible.

We have to remind expats that driving without a license is illegal in Belgium and leaves you open to fines if you are stopped by the police, and worse: potentially uninsured should something happen. Although somecommunes provide a document stating your license has been sent off for exchange, we are told this has no legalvalue at present.

Leaving Belgium

You can request your national license back when you leave Belgian territory and give up your residential status. Should you come back again in future years, you will have to start the exchange process again. Until you have physically received your Belgian license you can still change your mind and request your national license back.

Useful Websites

List of recognised EU and EEA driving licenses:
https://mobilit.belgium.be/nl/wegverkeer/rijbewijs/vreemde_rijbewijzen/europese_rijbewijzen
List of recognised non-EU and EEA driving licenses:
https://mobilit.belgium.be/nl/wegverkeer/rijbewijs/vreemde_rijbewijzen/niet_europese_rijbewijzen
FOD directive on exchanging European driving licenses:
FOD directive on exchanging foreign driving licenses:
Exams with an interpreter:
http://www.goca.be/nl/p/rbw-tolk
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Living and Working in Belgium

your visa, immigration and Schengen visa questions answered

by ElizaMaree Power

Contemplating a move to Belgium is quite a task in itself, however once you have made the decision to relocate, there is then the rather complex exercise of figuring out immigration regulations, spousal rights and customary red tape. Who better to enlighten us on the ins and outs of the Belgian immigration system than the experts themselves, Fragomen. We’ve asked them the burning questions you want to know the answer to - whatever stage of the immigration process you are approaching, they’ve got it covered.

What kind of preparations are recommended before relocating to Belgium in regards to immigration and visas?

“It is key to find out if you need a Belgian visa or permit to visit, live, work or study in Belgium. The Belgian legislation applicable to the employment of foreigners makes a distinction in the rules applicable to the right to enter and stay and the rules applicable to the right to work. EU/EEA and Swiss citizens can work without a work permit in Belgium. Third-country nationals, however, will typically need a work permit to engage in economic activities.”

What is the Blue Card System? Why is it necessary to differentiate between highly-skilled / highly-paid workers and everyone else?

“In 2000 the European Council met in Lisbon to define the strategic plan that could help the Union’s competitive position in the global market in terms of employment, economic reform and social cohesion as part of a knowledge-based economy. In that meeting the Union set the strategy to become the most competitive and dynamic knowledge-based economy in the world capable of sustainable economic growth with more and better jobs and greater social cohesion.

There are three types of work permit:

Type-A work permits allow you to work for any employer indefinitely; Type-B work permits allow you to work for a specific employer for up to a year (renewable); Type-C work permits allow those staying in Belgium only temporarily – such as students – to work for any employer for up to a year (also renewable).

In order to establish this goal the EU established measures to attract highly skilled employees from outside of the EU, one of those being the European Blue Card. Why exactly was it deemed so important to put the focus on this? At the time the Council concluded that the growth of the EU would be at stake because of the lack of highly qualified and skilled human capital. Therefore, special schemes and measures had to be put in place to increase Europe’s attractiveness.
towards highly-educated and talented foreigners to help build this competitive knowledge-based economy.”

There has recently been some reform to the “Blue Card System”, have the changes benefited workers or have they made the process more difficult and restrictive?

The EU Blue Card scheme has been in operation since 2009. The scheme was proven unsuccessful for a number of reasons, including more attractive national parallel schemes, limited associated rights and its limited ability to attract young talent. The European Commission adopted a proposal to review the EU Blue Card scheme to address those weaknesses and to improve the EU’s ability to attract and retain highly skilled workers in 2016. It foresees more flexible admission criteria, extended labour market access and intra-EU mobility rights for EU Blue Card holders and facilitated access to EU long-term residency. The Commission’s proposal is currently discussed between the European Parliament, the European Commission and the Council and will hopefully be adopted in the course of 2018.

What are the most common queries that your team deals with in regards to visa processes in Belgium?

• Can my spouse work? Not automatically. “The spouse of a foreign worker does not have an immediate right to work on the basis of the dependent residence permit. They still require a work permit B sponsored by an employer. The good news on the other hand is that the status of dependent spouse offers access to a work permit B category with more relaxed eligibility criteria.”

• Can we expedite the procedure? “Unfortunately it is not possible to opt for an expedited procedure in Belgium. The relevant authorities usually handle applications on a first come first serve basis and strive to deliver in a consistent manner against stable processing times (2-4 weeks for work permit applications and 5-15 working days for visa applications).”

• Does the embassy keep my passport? “Some of our clients who have a very busy travel schedule are terrified of having to surrender their passport at the Embassy while applying for their visa. Luckily we often have good news as most embassies quite cooperative towards the requests from applicants to give the passport back if they can substantiate the urgent need for this (eg. Business travel). requirement for it.”

• Does the EU Blue Card offer me the right to work in the entire EU? “Unfortunately this is not yet the case. The EU Blue Card only grants work rights in the member state that has issued the EU Blue Card. I have to explain to our clients that they still require work authorisation if they would go to work in any of the other member states.”

• Can my (non-married) partner come with me? Again, not necessarily. “This often creates a “reality shock” for non-married couples as they are forced to make a choice to apply for family reunification by either marrying (abroad or in Belgium) or concluding legal cohabitation upon arrival in Belgium (subject to various eligibility requirements).”

• My work visa is about to expire, should I renew my visa even when I’m already in Belgium and have a residence permit? “The work visa is “transferred” into the residence permit upon completing the town hall registration procedure. The legal status of the foreigner in Belgium is not defined by the visa as soon as they have the valid residence permit. Their status is 100% compliant and covered when they have a valid work and residence permit.”

What is the process from work permit (A, B or C,) to residency (D) to citizenship?

• To apply for residency you have to have lived (uninterrupted) in Belgium for five years.
• If you hold a Blue Card from another EU-member state, and have lived elsewhere in the EU, this can count towards your five-year period.
• Acquiring citizenship requires the applicant to have a permanent residency status.
• Once permanent residency is acquired it then follows a ‘Nationality Declaration’ track.
  • Nationality Declaration:
    - Legal residence of between five and 10 years in Belgium;
    - Be able to prove that you speak one of the three main languages;
    - You are socially and economically integrated.

Want to acquire citizenship through marriage to a Belgian national?

• You must have been living together for three years;
• Still fulfil the five-year residence requirement;
• Also have knowledge of one of the three main languages.

Are entrepreneurs able to apply for a Professional Card without holding any other visa for residency in Belgium? Are the visa and immigration rules different for entrepreneurs?

“As a rule, a foreign national exercising a self-employed activity in Belgium needs to be in possession of a Professional Card. Some foreign nationals are exempt from this requirement, such as foreign nationals who come to Belgium on a business trip, provided that the trip does not exceed three consecutive months. Whether the entrepreneur needs a visa and/or Belgian residence permit will depend on their nationality and duration of stay in Belgium. The general rules apply which are similar for foreign employees and self-employed.”

What is the EU Intra-Corporate Transfers directive and when do you think it will be transposed into Belgian legislation?
“The EU ICT directive harmonises the conditions of entry and residence for third-country nationals amongst the EU Member States (excluding UK, Ireland and Denmark) in the framework of an intra-corporate transfer (ICT). An ICT is the temporary secondment of a third-country national who resides outside the EU, from a company established outside the EU to which the employee is bound by an employment contract to a group company located in a Member State. This directive introduces for the first time a European ICT work permit that enables the third-country national to work under certain conditions in EU Member States other than the one that issued the EU ICT permit.

Given the intra-EU mobility rights associated with this new EU ICT permit, it is crucial that Belgium implements the European Directive as soon as possible. Not doing so places Belgium at a significant competitive disadvantage not only in attracting this type of skilled worker but investment as a whole. It creates an obstacle for economic growth and strategic planning for multinational companies that have their regional headquarters in Belgium and have positions with pan-European duties or have to develop skills in a multicultural international environment. The transposition of the Single Permit and the EU ICT permit is anticipated for the second half of 2018.”

The European Travel Information and Authorisation System (ETIAS) was adopted by the European Parliament’s Committee on Civil Liberties, Justice and Home Affairs on 19 October 2017. What does this mean for travellers?

ETIAS is an electronic monitoring system and will be compulsory for third country nationals who do not need visas to travel the Schengen Area. It will be the equivalent of ESTA (similar system in the US) and it will aim to ensure that people travelling to the EU do not threaten the security of the Schengen countries and to impede irregular migration.

Legislation setting ETIAS up is being discussed internally in the European Parliament and the Council of the EU. Once both institutions agree upon their respective position, discussions in trialogues between the European Parliament, Council and European Commission will begin. It is expected that ETIAS will be fully operational by 2020.

With thanks to Jo Antoons, Alexander De Nys, Christine Sullivan, Andreia Ghimis and Rimma Abadjan of Fragomen.

www.fragomen.com

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www.kbcbrussels.be
Walter Vermeeren retires from Altair Global

After more than 25 years of dedication, it is now time for Walter to enjoy his well-deserved freedom. Altair would like to thank him for all the years he has been leading the offices in France, the Netherlands and Belgium with hard work and passion. Altair celebrated his promotion to happy retirement with a farewell dinner at the Brabantse Golf Club on September 21st. We wish him the best!

Helena Vreedenburgh takes on Sales & Marketing at Altair Global Belgium

Altair Global is very happy to welcome Helena Vreedenburgh who will take on Sales and Marketing activities. She is originally Dutch but has lived in 15 countries. Helena is fluent in 5 languages (English, Dutch, French, Spanish and Portuguese) with also some basic knowledge of German.

She has been working in the relocation industry for 5,5 years as a relocation consultant, had sales experience for the past 6 years and also had marketing experience for about 4 years as Marketing Research Consultant. She’s passionate about relocation and we wish her a warm welcome at Altair Global Brussels.

Véronique Fauconnier takes over as Managing Director for Altair Global Belgium

Congratulations to Véronique Fauconnier on her new position as MD for Altair Global Belgium. She enters into her directorship with a great start as Altair Global has now become EuRA Global Quality Seal (EGQS) qualified in Belgium, France, The Netherlands and the UK.

President and Chief Operating Officer, Kathryn Cassidy, says, “Congratulations to Barry Potter who steps in to take over from Walter as Senior Vice President EMEA and Véronique as they move into their new positions! We look forward to the continued successes and achievements our team in Europe consistently delivers.”

Home Consult opens second office

After more than 20 successful years in Sterrebeek, Home Consult is delighted to have opened the doors to their second office in Tervuren. “Our new office expands our service area even further, allowing us to guarantee an optimal service for all of our customers,” says Tine Vanmoer.

The new Home Consult office is located on Markt 1, 3080 Tervuren and can be reached via immo@home-consult.be and +32 2 731 07 07.
Gosselin Mobility awarded EGQS

On September 14th, the Belgian branch of Gosselin Mobility obtained the EGQS or EuRA Global Quality Seal. This is one of the highest quality accreditations within the relocation industry.

Gosselin is one of the few mobility companies to hold both EGQS (relocation) and FIDI-FAIM (moving) accreditations. “All credit to Sabine, Tamara and Glen of the relocation team and Nathalie and Karl from QSHE. Their knowledge, experience and great team effort made this audit a great success,” Gosselin’s head office tells us.

www.gosselinmobility.eu

BSB Aquatic Coordinator inducted into the International Marathon Swimming Hall of Fame

BSB is exceptionally proud to announce that their Aquatic Coordinator Kathrin Lammers has been inducted into the International Marathon Swimming Hall of Fame (IMSHOF), acknowledging her extensive career as a professional marathon swimmer.

While BSB swimmers can enjoy developing their skills in the safety of a heated pool with adjustable floor for depth, Kathrin has plenty of experience swimming in challenging conditions such as the cold, rough waters of the lac St-Jean in Quebec where she has completed the famed Traversée International an impressive five times. Her marathon experiences also include more scenic swims such as that of the FINA Swimming World Cup in Rio de Janeiro, passing by beauty points like Copacabana beach and Ipanema.

“It is an incredible honour,” added Kathrin. “These experiences have shaped my worldview and increased my passion for the sport, making me a dedicated and internationally-minded coach. I take great pride in sharing my knowledge and experiences with beginners and advanced swimmers alike in my role as Aquatic Coordinator. It’s inspiring to know that the next generation of marathon swimmers could be right here at BSB.”

www.britishschool.be

ISF International School: one school, two campuses

Following the successful completion of a merger in April 2017 between St Paul’s British Primary School and ISF, our Tervuren campus has now changed its’ name to ISF Tervuren International School.

This name change further supports ISF’s vision of “one school - two campuses” where students and staff of both campuses will collaborate, share best practices and engage with each other on many different levels, including the application of educational technologies, school trips, curriculum and professional development.

ISF Tervuren continues to fulfil the requirements of the UK National Curriculum and maintains its first class accreditation from the Council of British International Schools, ISF also follows the International Primary Curriculum which meets the needs of internationally mobile families.

For more information contact: Orla Mc Loughlin, Head of School +32 2 767 30 98 or visit the website at:

www.isftervuren.org

St. John’s becomes IB Continuum School

With the introduction of the IB Middle Years Programme (MYP) for grades 6-10, St. John’s will be the only IB continuum school in the Brussels area, with the IB Primary Years Programme in Elementary School and the Diploma Programme in grades 11-12. The MYP benefits to students include technology and blended learning.

“The IB teachers and MHS leadership are currently conducting an IB DP review to build upon our excellent results and further improve them,” says Marcia De Wolf. “We are also introducing CEM tracking which has been developed by the University of Durham. CEM is an external assessment in Grade 11 that can predict likely future performance in IB Diploma examinations. It can also inform teaching and learning for individuals, targeting strengths and weaknesses, assess ability and discover potential.”

St. John’s is now the only school in Brussels to offer the Advanced Placement (AP) exams, which are a value-added not only for entrance to American colleges and universities, but also for the UK. An Assistant Principal position was added to focus on student well-being and confidence, with expanded services and more proactive counselling.

www.stjohns.be
ABRA AGM & Member Meeting - Thursday 18th May, 2017

The ABRA AGM & Meeting was held at the British School of Brussels in Tervuren. The AGM was followed by the member meeting with a panel presentation and Q&A on Brexit by Christine Sullivan, who specializes in Brexit issues at Fragoman Worldwide Immigration Solutions and Glenn Vaughn, Chief Executive, British Chamber of Commerce in Belgium. A reception followed the meeting.

For more event photographs and to put names to faces please visit the ABRA website.
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