

CHECK LIST OF FINANCIAL MEASURES BY FEDERAL & REGIONAL AUTHORITIES

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1) What support can my company expect from public authorities?

The public authorities are implementing a number of measures and amending rules to help and support businesses in these difficult times.

Payment plan for employers' social contributions

In terms of the payment of social security contributions due for the first and second quarters of 2020, the "Covid-19 crisis" will be accepted as justification for appeal in respect of payment facilitation.

Please contact your Social Insurance Fund.

<https://www.inasti.be/fr/news/difficultes-suite-au-coronavirus>

Temporary reduction in social security contributions

It will also be possible to obtain a temporary reduction in employers' social security contributions if the situation justifies it.

Please contact your Social Insurance Fund.

<https://www.inasti.be/fr/news/difficultes-suite-au-coronavirus>

Application for exemption from contributions

An exemption can be granted by the National Institute for the Social Security of the Self-employed (NISSE) and can also be a solution. Please note: for the quarters subject to an exemption, you do not build up pension rights. This exemption is therefore a measure to be considered as the last solution.

Please contact your Social Insurance Fund.

<https://www.inasti.be/fr/news/difficultes-suite-au-coronavirus>

VAT payment plan

If the company can prove that payment difficulties are linked to the Covid-19 crisis, it will be possible to spread VAT payments and benefit from an exemption from the usual charges.

<https://finances.belgium.be/fr/entreprises/mesures-de-soutien-dans-le-cadre-du-coronavirus-covid-19>

Professional withholding plan

It will also be possible to spread the payments relating to withholding tax and to benefit from an exemption from the usual charges if the debtor can prove that the payment difficulties are related to the Covid-19 crisis.

<https://finances.belgium.be/fr/entreprises/mesures-de-soutien-dans-le-cadre-du-coronavirus-covid-19>

Payment plan for income tax / corporate tax

If the taxpayer has obvious difficulty in paying taxes due to Covid-19, it is possible to request a deferral of payments for personal and corporate tax.

<https://finances.belgium.be/fr/entreprises/mesures-de-soutien-dans-le-cadre-du-coronavirus-covid-19>

Reduction of prepayments from self-employed

If a self-employed person reviews their income during the year and derives that their income is lower than that used as the basis for calculating the contribution, they may ask to limit the level of contribution.

Please contact your Social Insurance Fund.

<https://www.inasti.be/fr/news/difficultes-suite-au-coronavirus>

Flexibility in the execution of federal public contracts

The federal state will not apply penalties or sanctions against providers, companies and self-employed persons for all federal public contracts if it is demonstrated that the Covid-19 crisis is the cause of the delay or failure to perform.

2) What financial aid is currently granted to entrepreneurs?

Extension of gateway law

Under the same condition, self-employed persons who carry out their activity on a principal basis may benefit from gateway law based on forced termination of activity, once the termination lasts more than a week. The amount of financial assistance is 1,266.37 euros per month or 1,582.46 euros per month in case of dependent relatives.

Please contact your Social Insurance Fund.

<https://www.inasti.be/fr/news/difficultes-suite-au-coronavirus>

3) My company employs staff. What are the guidelines?

Temporary unemployment due to “force majeure”

This measure is adopted in order to preserve employment in the sectors concerned and avoid layoffs, or even bankruptcies. Employers can use temporary unemployment due to force majeure. An employer who invokes “force majeure” must file an electronic declaration as soon as possible with the unemployment office of the operating location. He has to mention "CORONAVIRUS" as the reason for “force majeure”. Temporary unemployment for reasons of “force majeure” will be extended for three months, until 30 June 2020. Temporary unemployment due to force majeure may also be invoked

pending recognition as a “company in difficulty”. Recognition of temporary unemployment due to « force majeure » occurs within three to four days.

<https://www.onem.be/fr/documentation/feuille-info/t2>

Temporary unemployment due to economic reasons

Companies affected by a decrease in their business or the supply of goods can use the temporary unemployment for “economic reasons”. For workers, the employer must file an electronic declaration with the unemployment office of the operating location. The employer must mention "CORONAVIRUS" as “economic reason”. In this case, the employer must also make an electronic declaration to the unemployment office of the operating location. The employer must mention “SUSPENSIONS EMPLOYES (EMPLOYEE SUSPENSION)” as “economic reason” and indicates “CORONAVIRUS” in the “comment” area. If a company does not meet these preliminary conditions, it can submit a request to the Minister of Employment to be recognised as a company in difficulty on the basis of unforeseeable circumstances which lead to a substantial short-term reduction in turnover, production or orders.

<https://www.onem.be/fr/documentation/feuille-info/t2>

Teleworking

Teleworking is mandatory for all non-essential services, regardless of their size and for all employees for whom this is possible, without exception.

<https://emploi.belgique.be/fr/themes/contrats-de-travail/teletravail/teletravail-occasionnel>

NSSO payment plan

If you face payment difficulties and want to avoid the recovery of your debt by way of constraint, the National Social Security Office (NSSO) can grant you amicable payment terms. The NSSO sets the payment deadline in consultation with you.

https://www.socialsecurity.be/site_fr/employer/applis/paymentplan/index.htm

4) What if, despite the cost containment measures, I can no longer reimburse my creditors?

The aim of the judicial reorganisation procedure (commonly referred to as PRJ) is to preserve the continuity of the business. The completion of a request for PRJ means that the creditors' enforcement proceedings will be suspended. It protects against seizing of assets (including work tools) to be used to reimburse creditors. Once the application is fulfilled, the company in difficulty can no longer be declared bankrupt except by its own decision.

If the complaint is receivable, the Court will grant a period for the company in difficulty which will last maximum six months. During this period the company must make all the effort to achieve the goal of

its reorganisation (either the negotiation of a gentleman's agreement with at least two of its main creditors, or the negotiation of a collective agreement with all its creditors or the transfer of its activity).

Concretely, the company which uses a PRJ by collective agreement undertakes to respect a reimbursement plan which must be voted by the creditors and approved by the Court. The duration of this period must allow the company in difficulty to negotiate its repayment plan with its creditors while being sheltered from possible enforcement measures.

With one or the other exceptions, this reimbursement plan may be spread over a period of 5 years, the maximum reimbursement period proposed by the Belgian law. In addition, if the plan is complied with, the amounts cancelled within the framework of the reorganisation plan must never be reimbursed to the creditors. This procedure can therefore allow savings, in addition to spreading the reimbursement over a longer period of time.

5) What about my tax obligations?

The Minister of Finance has granted certain deadlines to make the following declarations:

Postponement of the deadline for the introduction of VAT declarations:

- ➔ Declaration relating to February 2020, deadline postponed to 6 April 2020;
- ➔ Declaration relating to March 2020, deadline postponed to 7 May 2020;
- ➔ Declaration relating to the 1st quarter of 2020, deadline postponed to 7 May 2020.

Postponement of the VAT payment period:

- ➔ The VAT relating to the monthly declaration of February 2020, deadline postponed to 20 May 2020;
- ➔ The VAT relating to the monthly declaration of March 2020, deadline postponed to 20 June 2020;
- ➔ The VAT relating to the quarterly declaration, deadline postponed to 20 June 2020.

Postponement of the withholding tax payment period:

- ➔ The withholding tax relating to the monthly declaration of February 2020, deadline postponed to 13 May 2020;
- ➔ The advance payment relating to the monthly declaration of March 2020, deadline postponed to 15 June 2020;
- ➔ The withholding tax relating to the quarterly declaration, deadline postponed to 15 June 2020.

Postponement for filing the statement of intra-Community operations:

- ➔ Statement of February 2020: deadline postponed to 6 April 2020;
- ➔ Statement from March 2020: postponed to 7 May 2020;

➔ Statement for the first quarter of 2020: postponed to 7 May 2020.

Postponement for filing the annual list of customers subject to the deadline of 31 March:

The submission is postponed until 30 April 2020. In case of termination of the activity, the submission must be done no later than the end of the 4th month after the termination of activities subject to VAT.

An additional period of two months will automatically be granted, in addition to the normal period, for the payment of income tax, corporate tax, legal person tax, non-residents income tax.

This measure applies to the tax statement, tax year 2019, established from 12 March 2020.

More information via the following link:

<https://finances.belgium.be/fr/Actualites/18-03-2020-coronavirus-mesures-soutien-supplementaires>

6) Report of credits payment

On Saturday 21 of March , an agreement was reached between the financial sector and the Federal Government on dealing with the economic consequences of the coronavirus crisis. The financial sector is committed to providing support to non-financial businesses and viable self-employed workers by deferring payment obligations of their loans, free of charge, until 30 September 2020. Please note, the measure is therefore limited to viable businesses and without delayed payment! Please also note the obligation for companies to be back on track by 30 September (an obligation which will be difficult to respect if the current containment will last).