Newsletter

Which HR changes were introduced by the Programme Act of 30 May 2026?

JUNE 2026

Dear reader,

In its Government Agreement of 31 January 2025, the Federal Government announced several structural reforms, notably in the field of (para)fiscal matters. Since then, their implementation has been gradually progressing.

In this framework the Programme Act of 18 July 2025 and the Act of 18 December 2025 containing various provisions were already adopted (the measures of which were discussed in our newsletters of 4 August 2025 and 15 December 2025).

We also analysed, in a separate newsletter of 14 April 2026, the new capital gains tax on financial assets.

In this contribution, we focus on the main (para)fiscal measures introduced by the Programme Act of 30 May 2026.

Further reforms are, however, expected in the near future. These include, in particular, the adjustment of the progressive tax brackets, the abolition of certain tax advantages, the introduction of a separate tax for professional income of pensioners, and the extension of the (para)fiscal regime for income from copyright to IT profiles. We will revert to these developments once the relevant texts have been adopted by Parliament.

Enjoy the read!

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1 Compensation & Benefits

1.1 Taxation

1.1.1 Management company

Management companies constitute a tax optimisation tool that is frequently used in structuring remuneration packages for company directors. Where they qualify as small companies, both the company and its shareholders benefit from certain tax advantages.

On the one hand, for corporate income tax purposes, these entities may benefit from a reduced rate of 20% on the first EUR 100,000 of profits, instead of the standard rate of 25%.

On the other hand, mechanisms such as the liquidation reserve and the VVPRbis regime allow for a reduction in the taxation of dividends distributed to shareholders, which are normally subject to withholding tax at a rate of 30%.

However, the Programme Law amends this advantage by increasing the tax burden on such distributions: the effective rate applicable to these distributions thus rises from 15% to 18%. The increase in the taxation of dividends derived from management companies reflects the government's intention to reduce the tax attractiveness historically associated with these structures.

a) Liquidation reserve

Reserves built up until 30 December 2025: Reserves constituted until this date continue to benefit from the previous regime, which results in an overall taxation of 13.64% where a distribution is made after a waiting period of five years from the time the reserve was created. This rate consists of a separate levy of 10% upon creation of the reserve, followed by a withholding tax of 5% on the balance (90%) at the time of distribution.

In the meantime, the Programme Law of 18 July 2025 introduced the possibility of reducing this waiting period from five to three years, in exchange for a slightly higher effective overall taxation, namely 15% (10% + 6.5%).

However, liquidation reserves constituted for the financial year closed on 31 December 2025 cannot benefit from this optional regime, as the Programme Law sets 30 December 2025 as the cut-off date for the application of the new taxation rate.

Reserves built up from 31 December 2025 onwards: For new reserves constituted from that date, only the three-year waiting period is maintained (the five-year period is abolished), with an overall taxation rate of 18% (10% upon creation and 9.8% upon distribution).

In other words, reserves constituted from the financial year closed on 31 December 2025 onwards are subject to a rate of 9.8% upon any subsequent distribution, without the possibility of benefiting from the previous rates of 6.5% or 5%.

Consequently, companies whose financial year coincides with the calendar year will not be able to benefit from the 6.5% rate, as the reserves relating to the financial year closed on 31 December 2025 will automatically fall under the new 9.8% regime.

Moreover, the Programme Law also introduces an anti-abuse provision targeting companies that, as from 24 November 2025 (the date on which the government agreement was announced), would modify their financial year-end in order to circumvent the application of the new regime. As a result, companies that would artificially shift the closing date of their financial year with a view to having their reserves classified as reserves not subject to the 9.8% rate will not be able to benefit from the more favourable previous rates. In such cases, a withholding tax rate of 9.8% will apply, as if the reserves had been constituted under the new regime.

In the event of liquidation: No withholding tax is due on the distribution of these reserves upon liquidation; only the separate levy of 10% remains applicable.

However, a new anti-abuse provision is intended to counter abusive arrangements consisting of liquidating a company followed by the creation, within three years, of a similar structure for the sole purpose of avoiding withholding tax, the rate of which has recently increased significantly (from 5% to 9.8%).

b) VVPRbis regime

Contrary to the liquidation reserve, the VVPRbis regime allows for the application of a reduced withholding tax rate, provided that the distribution takes place as from the profit allocation relating to the third financial year following that in which the company was incorporated. This regime applies to small companies incorporated as from 1 July 2013.

Before the entry into force of the Programme Law: Dividends distributed as from the third financial year following the contribution benefit from a reduced rate of 15%.

After the entry into force of the Programme Law, thus as from 1 July 2026: This same rate is increased to 18% for distributions made as from the third financial year following the contribution.

c) Comparison

	Liquidation reserve built up until 30.12.2025 5-year period	Liquidation reserve built up until 30.12.2025 3-year period	Liquidation reserve built up as from 31.12.2025 3-year period	VVPRbis: distribution before entry into force of the Programme Law	VVPRbis: distribution from entry into force of the Programme Law
Profit	100.000,00 EUR	100.000,00 EUR	100.000,00 EUR	100.000,00 EUR	100.000,00 EUR
Corporate income tax (20 %)	80.000,00 EUR	80.000,00 EUR	80.000,00 EUR	80.000,00 EUR	80.000 EUR
Separate levy (10%)	72.727,27 EUR	72.727,27 EUR	72.727,27 EUR	/	/
Distribution	72.727,27 EUR	72.727,27 EUR	72.727,27 EUR	80.000,00 EUR	80.000,00 EUR
Withholding tax	3.636,36 EUR	4.727,27 EUR	7.127,27 EUR	12.000,00 EUR	14.400,00 EUR
TOTAL NET	**69.090,91 EUR**	**68.000,00 EUR**	**65.600,00 EUR**	**68.000,00 EUR**	**65.600,00 EUR**
Effective tax burden (%)	31 %	32 %	34 %	32 %	34 %

1.1.2 Exemptions from remittance of professional withholding tax

a) Correction factor

Exemptions from remittance of professional withholding tax constitute an important tax lever for employers in Belgium. In practice, they allow an employer, who is required to withhold professional withholding tax on employees' remuneration, not to remit the full amount to the tax authorities. The professional withholding tax withheld remains an advance payment on the employee's final income tax liability, even where the employer benefits from a partial exemption from remitting such withholding tax to the tax authorities.

The amount not remitted therefore represents a direct saving for the company. By contrast, the exemption has no direct impact on the employees to whom it applies.

Several regimes coexist, the most commonly used of which include, in particular, shift or night work, continuous work, research and development (R&D), and overtime. Over the years, these exemptions have grown significantly in scale. Whereas they represented a limited cost for public finances at the beginning of the 2000s, they now amount to several billion euros per year for the Belgian State, with this cost continuing to increase.

In this context, the government has decided to further limit the budgetary impact of these exemptions. This measure forms part of a broader policy aimed at controlling the State's tax expenditures.

The existing exemption rates formally remain unchanged. However, a correction factor will henceforth be applied to the total amount of exemptions to which a company is entitled.

The applicable correction rates are as follows:

- 97% for remuneration paid or attributed in 2027;
- 93.35% for remuneration paid or attributed in 2028;
- 95.90% as from 2029.

This latter rate suggests that the correction factor of 95.90% may be definitive, as no end date has been set for its application.

By way of example, a company that could initially benefit from an exemption of EUR 100,000 for remuneration paid in 2027 under the current rules will only be able to retain EUR 97,000 (100,000 × 97%) after application of the correction factor.

b) Exemption (from remittance of professional withholding tax) for night work

The Programme Law introduces a modification to the regime of exemptions from remittance of professional withholding tax for night work. Until now, the Income Tax Code provided an autonomous definition of night work as work performed between 8 p.m. and 6 a.m. for the purposes of the exemption for night work. This autonomous time frame is now abandoned: the Programme Law instead refers to the definition of night work set out in Article 35, §1 of the Labour Act of 16 March 1971.

This reference is, however, not merely formal. It is intended to take into account the recent changes to the labour law framework: in the distribution sector and related sectors, the time frame considered as night work (and giving rise to a night premium) has, for new employees, been limited to the period from 11 p.m. to 6 a.m.

By anchoring the tax definition of night work to the Labour Act, the legislator intends to ensure that the exemption regime for professional withholding tax will automatically follow these legal developments, without creating any discrepancy between the social and tax obligations of the employers concerned. This amendment may also restrict the possibility of applying the night work exemption regime for professional withholding tax where the time periods qualifying as night work are reduced.

These changes apply to remuneration paid or attributed as from 1 June 2026.

c) Exemption for the employment of occasional workers in the fruit-growing and horticulture sector

An exemption from remittance of professional withholding tax had been introduced in 2023 for employers active in the fruit-growing and horticulture sectors. However, this exemption was annulled, with retroactive effect as from 1 January 2024, by the Constitutional Court in 2025.

The Programme Law reintroduces a new exemption from remittance of professional withholding tax for these employers. In practice, the exemption amounts to EUR 1.30 per hour of occasional work performed in the fruit-growing or horticulture sector.

This measure enters into force with effect as from 1 January 2026.

1.1.3 Copyright

Under certain conditions, income from copyright qualifies as movable income taxed at a rate of 15%, up to a certain threshold (EUR 77,220 for the 2026 income year).

In addition to this favourable tax rate, beneficiaries of copyright income have so far also been able to deduct a favourable lump-sum expense allowance from the received copyright income, namely:

- a lump-sum expense allowance of 50% on the first tranche of EUR 20,590 of copyright income (indexed amount for the 2026 income year); and
- a lump-sum expense allowance of 25% on the second tranche of copyright income between EUR 20,590 and EUR 41,180 (indexed amounts for the 2026 income year).

In practice, the taxable base to which the 15% rate is applied is calculated after deduction of this lump-sum expense allowance.

As a result, the effective tax burden ultimately amounts to approximately 7.5% to 12%.

The legislator now, however, narrows the scope of application of the existing lump-sum expense deduction for copyright income.

Henceforth, only artists holding a standard artwork certificate or an “artwork certificate plus” will be eligible for the lump-sum expense deduction. Artists who only hold a “starter” artwork certificate, or who do not hold such a certificate at all, will be excluded from the possibility of deducting these lump-sum expenses.

In cases where a “qualified” artist also derives income relating to a non-recognised activity, the lump-sum expense deduction will apply only to the “qualified” income.

With this amendment, the legislator aims to reserve the application of the lump-sum expense deduction for artists who carry out a professional artistic activity.

This measure applies to income paid or attributed as from 1 January 2026.

For copyright income granted or paid before the tenth day following the publication of this law in the Belgian Official Gazette (i.e., before 11 June 2026), employers may still take the lump-sum expense allowance into account when calculating the withholding tax (subject to a possible regularisation upon the employee’s final tax assessment). For copyright income granted as from this date, however, this lump-sum can no longer be taken into account.

Finally, the government also intends to reopen the possibility for IT profiles, which are currently excluded from the favourable copyright tax regime. A draft bill submitted to the Chamber on 17 December 2025 indeed provides for bringing IT profiles back within the scope of the copyright tax regime as from 2026. However, this amendment is not yet final and still needs to be approved by Parliament.

1.1.4 Taxes on insurance transactions, securities accounts, and credit institutions

1. Annual tax on insurance transactions

An increase in the tax rate is envisaged for premiums falling due as from 1 July 2026.

The rate will be raised to 9.6% instead of 9.25%.

In addition, the legislator introduces an anti-abuse provision under which the strategic replacement of insurance contracts will not be accepted. Policyholders who terminate an existing policy prematurely and conclude a substantially similar new policy before the rate increase will remain subject to the higher rate.

This increase will, inter alia, apply to premiums for sickness or hospitalisation insurance paid by employers for the benefit of their personnel.

2. Annual tax on securities accounts

The tax rate of the annual tax on securities accounts with an average value exceeding EUR 1,000,000 during a reference period (generally a period of twelve consecutive months running from 1 October to 30 September of the following year) will also be increased.

This rate will be doubled to 0.30% for reference periods ending as from the date of publication of the law in the Belgian Official Gazette (i.e., 1 June 2026). However, no changes are made to the threshold condition.

3. Annual tax on credit institutions (the “bank tax”)

The Programme Act also introduces several amendments to the annual tax on credit institutions. This tax is calculated on the basis of the average amount of liabilities that a credit institution has vis-à-vis its clientele.

In particular, the applicable rate is increased and a number of technical adjustments are made with regard to the calculation of the taxable base.

These changes, which are primarily relevant for the financial sector itself, will apply as from assessment year 2027.

1.1.5 Temporary tax credit for commuting expenses

In the context of rising fuel prices related to the conflict in the Middle East, the legislator has introduced a temporary support measure for employers: a tax credit for those who decide to increase their contribution to their employees’ commuting (home-to-work) expenses.

This measure is included in the Act of 28 May 2026 introducing various energy-related measures.

Who is concerned?

The measure applies to employers in the private sector (subject to the CBA-Act of 5 December 1968), as well as to certain autonomous public companies (Proximus, Bpost, Skeyes, HR Rail). It only covers commuting carried out by vehicle, either the employee’s private car or a company car, provided that the employer does not bear the fuel or charging costs. Bicycles (and bicycle allowances) are explicitly excluded from the scope of application.

Which period?

The tax credit covers commuting carried out between 1 May and 31 July 2026, provided that the increased allowance is paid or granted no later than 31 October 2026.

How does the mechanism work?

An employer who increases an existing commuting allowance, or introduces one for the first time, benefits from a tax credit calculated on the basis of the number of kilometres concerned, multiplied by the amount of the increase per kilometre, subject to a cap equal to the lower of the following amounts:

- 20% of the reference compensation (i.e., the compensation before the increase), or
- EUR 0.10/km.

Where no compensation was provided until then, and the reference compensation therefore amounts to EUR 0, the tax credit is only granted if the increase in compensation for commuting is at least EUR 0.10/km. The tax credit is then calculated as 20% of the newly introduced compensation, still capped at EUR 0.10 /km.

Example 1:

An employer currently grants no compensation whatsoever for commuting by private vehicle and decides to introduce a compensation of EUR 0.10/km. A tax credit of EUR 0.02/km may be granted (EUR 0.10 × 20%).

Example 2:

An employer currently grants EUR 0.20 /km and decides to increase this amount to EUR 0.25/km, i.e., an increase of EUR 0.05. The tax credit amounts to EUR 0.04/km, namely 20% × EUR 0.20, since EUR 0.04 does not exceed the actual increase (EUR 0.05) and does not exceed the absolute cap of EUR 0.10.

Conditions to be met

Several conditions apply:

- The increase must be recorded in writing. This may be done via a collective bargaining agreement, work rules, an individual contract or an addendum, but also via a simple internal communication (e-mail, intranet, or mention on the payslip);
- The increase may not be compensated by a third party;
- It does not apply to commuting charged to a foreign establishment of the taxpayer;
- For non-residents, the credit is granted only for commuting relating to income taxable in Belgium;
- A separate document must be attached to the company’s tax return in order to benefit from the tax credit.

Tax consequences

For the employer, the measure entails a trade-off: to the extent that the tax credit is granted, the increase in the allowance is not deductible as a business expense.

For the employee, the increased allowance (covered by the tax credit) received during the period May-July 2026 is exempt from income tax up to the amount covered by the employer’s tax credit. Any amount exceeding the tax credit falls under the “standard” exemption of EUR 500 per year (indexable) (which applies only if the employee opts for the lump-sum deduction of professional expenses in their tax return). From a social security perspective, commuting allowances are exempt from contributions up to EUR 0.4571 per kilometre as for April 2026 and up to EUR 0.4841 as for May 2026.

Key takeaway

Employers wishing to benefit from this measure must act swiftly: the increase in the commuting allowance must be formalised in writing, covering the period from 1 May to 31 July 2026. A simple internal communication is sufficient; a collective agreement or contractual addendum is not required. Employers must, however, take into account the impact on tax deductibility on the employer’s part.

Finally, it should be noted that this tax credit is temporary. There is a risk that, once the measure expires, employees may consider the (increased) mileage allowance as an acquired right, making it difficult for the employer to reduce or withdraw it thereafter.

1.2 Social security

1.2.1 The social work bonus

The social work bonus consists of a system of reductions in employees' social security contributions (the 13.07%) for low wages. This bonus gradually decreases as the salary increases.

The Programme Act provides for a strengthening of this bonus as from 1 January 2028 by increasing the salary ceiling used to calculate the bonus.

1.2.2 Target group reduction for first hires

a) First hires

The target group reduction for first hires is a key hiring support mechanism, allowing employers to benefit from a reduction in employer social security contributions (NSSO/ONSS) when recruiting their first employees.

Prior to the reform, this scheme offered a particularly substantial benefit for the first employee, with a reduction of up to EUR 3,100 per trimester, without any time limitation. For the second and third employees, the benefit - limited in time - could be applied over 13 trimesters, spread over a period of 20 trimesters following the start of employment, for a total amount of EUR 13,750 and EUR 11,250 respectively. Since 2024, this regime had already been restricted to the first three employees.

As from 1 July 2026, the Programme Act modifies this regime. The reduction granted for the first hire is significantly decreased, from EUR 3,100 to EUR 2,000 per trimester. This reduction applies not only to new hires, but also to ongoing reductions as of that date.

At the same time, the legislator reintroduces the reduction for a broader number of employees, as it will now apply from the second to the fifth employee. However, this extension is accompanied by a standardised benefit, set at EUR 1,000 per trimester, applicable over 12 trimesters within a period of 20 trimesters following the start of employment. This results in a total saving of EUR 12,000 per employee for the employer.

A transitional regime is provided for reductions already ongoing for the second and third employees before 1 July 2026: these may continue to be applied under the former rules.

b) Collective reduction of working time and four-day week

Before the reform, employers could benefit from a reduction in employer social security contributions of EUR 400 as from the trimester following the introduction of a reduction in working time or a four-day working week:

- 8 trimesters when working time is reduced to 37 hours per week or less;
- 12 trimesters when working time is reduced to 36 hours per week or less;
- 16 trimesters when working time is reduced to 35 hours per week or less;
- 4 trimesters when a four-day working week is introduced.

This scheme is, however, abolished as from 1 July 2026.

A transitional measure nevertheless allows employers who already benefit from this reduction on that date to continue applying it for the remaining trimesters. This possibility is limited to existing situations and does not extend to employees taken over from another employer.

c) Target group reduction in the hospitality industry

The specific target group reduction for the hospitality industry (HoReCa), applicable to five full-time permanent employees, is abolished as from 1 July 2026.

1.2.3 Capping of employer social security contributions

Since 1 July 2025, no employer social security contributions are due on the portion of an employee's gross base remuneration exceeding EUR 85,000 per trimester (it being understood that this cap does not apply to variable remuneration). This cap per trimester is indexable.

As from 1 July 2026, the Programme Act excludes salaried athletes - whose employers may already benefit from a specific reduction in social security contributions - from the benefit of this cap.

1.2.4 Digitalisation of social security

The government aims to digitalise and modernise administrative processes in the field of social security.

In particular, it is envisaged that, as from 1 January 2028, the trimesterly DmfA declarations will be replaced by a modernised system of monthly reporting.

2 Cent index

With the introduction of the cent index, the legislator aims to temporarily intervene in the mechanism of automatic wage indexation. The objective of this system is twofold: on the one hand, to limit the impact of indexation on labour costs, and on the other hand, to allow part of the realised savings to flow back to the government through a specific employer contribution.

2.1 Capped indexation

The Programme Act distinguishes between two categories of employees.

For employees with a monthly gross salary of up to and including EUR 4,000, the existing indexation mechanisms remain fully applicable. The indexation as provided for in sectoral or company collective bargaining agreements or in the individual employment contract remains fully preserved. No capping therefore applies to these wages.

For employees with a monthly gross salary exceeding EUR 4,000, an adjusted indexation is introduced. This mechanism would be applied twice: a first time in 2026 as from 1 June 2026 and a second time in 2028.

This system entails that the first 2% indexation is capped at a reference salary of EUR 4.000 (full-time).

- **Example**: An employee with a monthly gross salary of EUR 5,000 is employed in a sector where an indexation of 2% is applied. Under the 'old' system, the indexation would be calculated on the full base salary, resulting in an increase of EUR 100 per month. Under the new system, however, this 2% is capped at EUR 4,000, resulting in a monthly increase of EUR 80. The labour cost saving for the employer in that case amounts to EUR 20 per month.

When the planned indexation exceeds 2%, the first 2% is only applied to the salary up to EUR 4,000. The portion of the indexation exceeding this percentage is then again applied to the full salary.

- **Example**: If the (sectoral) indexation amounts to 2.2%, the first 2% remains capped at EUR 4,000 (EUR 4,000 x 2% = EUR 80), while the additional 0,2% is applied to the full salary of EUR 5,000 (EUR 5,000 x 0,2% = EUR 10). The total wage increase then amounts to EUR 90, instead of EUR 110 under the 'old' system.

2.2 Reference salary

For the assessment of the EUR 4,000 threshold, only the contractual gross base salary is taken into account, expressed as a full-time equivalent, irrespective of the actual working time performed.

For part-time employees, the reference salary of EUR 4,000 is calculated on the basis of a conversion to full-time employment. The contractual gross base salary is recalculated on the basis of an employment fraction in order to determine whether the EUR 4,000 threshold is exceeded.

For employees whose base salary is expressed as an hourly wage, the reference salary is determined by multiplying the hourly wage by the full-time weekly working time applicable to the function concerned, then multiplying by 13 and dividing by 3.

For employees whose base salary is expressed as a daily wage, the monthly salary on the basis of a five-day workweek is calculated by multiplying the daily wage by 65 and dividing this result by 3.

Other wage components and benefits are not subject to the application of the cent index, such as overtime pay, meal vouchers, company cars, bonuses and other extra-legal benefits, among others.

2.3 Wage moderation contribution

The Programme Act also provides for a specific employer contribution, the so-called wage moderation contribution. The legislator intended to prevent employers from fully benefiting from the labour cost savings resulting from the application of the cent index.

The wage moderation contribution amounts to 50% of the amount that the employer saves as a result of the capped indexation. It is due for each month in which the wage moderation applies.

The collection of this wage moderation contribution takes place via the NSSO, together with the ordinary social security contributions.

2.4 Duration of application

The cent index does not apply indefinitely. The mechanism applies to all successive indexations from 1 June 2026, but ceases once the cumulative indexation percentage reaches or exceeds 2%.

From that moment onwards, subsequent indexations are again fully applied to the actual gross salary, without capping at EUR 4,000.

- **Example:** If, following the entry into force of the Act, three consecutive indexations are applied of respectively 0.8%, 0.8% and 0.7%, then the third indexation partially falls under the capping system (cumulative: 2.3%). More specifically, the first 2% is capped at EUR 4,000, while the remaining 0.3% is applied to the full salary.

From 2028 onwards, a new cent index period begins under the same conditions. The mechanism again becomes applicable from the beginning of that year, until the moment when a cumulative indexation percentage of 2% is again reached or exceeded, calculated from that new starting point.

The collection of the wage moderation contribution takes place in 4 phases:

- Phase 1: Special wage contribution (first period)

  A special wage moderation contribution is due as from 1 June 2026. This contribution runs until the day on which the moderation effect of the first cent index period is achieved, i.e., when the cumulative indexation percentage reaches or exceeds 2%.

- Phase 2: Special wage contribution (second period)

  A special wage moderation contribution is due as from 1 January 2028. This contribution runs until the day on which the moderation effect of the second cent index period is achieved.

- Phase 3: Provisional consolidated wage moderation contribution

  - A provisional consolidated wage moderation contribution is due as from the first day of the quarter following the quarter in which the effect of the first cent index period is achieved.

- Phase 4 : Definitive consolidated wage moderation contribution

  - A definitive consolidated wage moderation contribution is due as from the first day of the quarter following the quarter in which the effect of the second cent index period is achieved.

2.5 Limitation of indexation of pensions and social benefits

Finally, the Programme Act also provides for a temporary limitation of the indexation of pensions and social benefits, such as unemployment, maternity and disability benefits. This limitation also applies to certain benefits for self-employed persons, such as the bridging right and maternity and disability benefits.

The mechanism broadly aligns with the cent index for wages, but with a lower reference ceiling, which is set here at a gross amount of EUR 2,000.

Concretely, for pensions and benefits as well, the first 2% indexation is subject to a cap. For pensions and benefits up to and including EUR 2,000 gross, indexation remains fully applicable. For pensions and benefits exceeding EUR 2,000 gross, the first 2% is capped at EUR 2,000, which amounts to a maximum increase of EUR 40.

For social benefits granted on a daily basis, this monthly ceiling translates as follows:

- in a 26-day regime: a maximum of EUR 1.54 per day;
- in a five-day payment system: a maximum of EUR 1.85 per day.

For social benefits for self-employed persons, the same ceilings apply. The increase in the maternity allowance may not exceed EUR 9.23 per week.

As is the case for wages, this limitation is also temporary and will be applied twice, namely in 2026 and 2028.

3 Pensions

The Programme Act also contains a single chapter concerning the determination of the minimum pension contribution payable for statutory staff members appointed after 31 May 2026. Employers in the private sector are therefore not targeted by this chapter.

4 Combating social fraud

As announced in the coalition agreement of January 2025, the government is stepping up the fight against social fraud, undeclared work and social dumping to the maximum extent.

4.1 Checkinatwork

The attendance registration applicable on temporary or mobile construction sites (Checkinatwork) is supplemented with a mandatory registration upon leaving the site (as is already the case in the cleaning sector).

Where use is made of the online application of the social security authorities, each person presenting themselves on a temporary or mobile construction site must personally have a registration device.

The entry into force of these provisions still needs to be determined by Royal Decree and will take place at the latest on 1 January 2027.

4.2 Loss of NSSO contribution reductions

A judge may decide to deprive the employer of an NSSO contribution reduction if the employer intentionally commits one of the following infringements:

- failure to declare an employee in DIMONA (Article 181 Social Criminal Code);
- failure to declare a casual worker in DIMONA (Article 181/1 Social Criminal Code);
- committing forgery or using forged documents with the intent either to unduly obtain or grant, retain or facilitate the retention of a social benefit, or to avoid or reduce the payment of contributions owed by oneself or by another (Article 232 Social Criminal Code);
- making incorrect or incomplete declarations in order to avoid or reduce the payment of contributions (Article 234 Social Criminal Code);
- committing fraud[1] with the intent either to unduly obtain or grant, retain or facilitate the retention of a social benefit, or to avoid or reduce the payment of contributions owed by oneself or by another (Article 235 Social Criminal Code).

4.3 Powers of social inspectors acting as judicial police officers

The powers of social inspectors acting as judicial police officers, assistant officers to the public prosecutor and to the labour auditor are extended to infringements of other national and European legislation relating to road transport, for which social inspectors are responsible for supervising compliance.

4.4 New database of social debts

Where the National Institute for the Social Security of the Self-Employed (INASTI) establishes that a contractor or subcontractor has social debts, it notifies them by registered letter[2].

In the absence of settlement or a payment plan within 15 calendar days following this notification, the debtor is included in a public database.

5 Self-employed persons

5.1 Registration obligation for working partners and assisting persons

Since 1 July 2024, companies and self-employed persons active in the construction and cleaning sectors must register their working partners and assisting persons in the Crossroads Bank for Enterprises.

The aim is to combat misuse of legal statuses, for example when persons are declared as “partners” or “helpers” while they should in fact qualify as employees.
Until now, in the event of incorrect or missing data, the INASTI could impose an administrative fine after a period of 30 days. Some companies nevertheless remained non-compliant despite the sanction.

This Programme Act goes one step further: if a company still fails to comply after a fine, the INASTI may now directly intervene and itself register, correct or delete the data in the Crossroads Bank for Enterprises.

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[1] Defined in this article as “*having used false names, false capacities or false addresses, corporate structures, or any other fraudulent act in order to create the belief in the existence of a fictitious person, a fictitious company, a fictitious accident or any other fictitious event, or to otherwise abuse trust”.*

[2] Or any other means that guarantees the date and the confirmed delivery of the sending.

This measure enters into force on the tenth day following the publication of this Programme Act in the Belgian Official Gazette, namely on 11 June 2026.

5.2 Withholding obligation (check-in) – verification of INASTI debts

When a company engages a contractor or subcontractor, it is sometimes required to withhold amounts from invoices if that service provider has social or tax debts. In order to verify whether this obligation applies, an online checking tool already exists for tax debts with the FPS Finance and for NSSO debts.

The new Act integrates INASTI debts into this mechanism. In practice, the website https://www.checkinhoudingsplicht.be/ now allows verification of whether a self-employed contractor or subcontractor has debts with the INASTI, in addition to the tax and NSSO debts that could already be checked. This consultation henceforth has official evidential value towards the INASTI: if the website indicates a debt, the co-contractor is legally obliged to apply the withholding.

Finally, where a self-employed person or a company cannot be located and no address is known in Belgium, the INASTI may now address its notifications of fines to the jointly and severally liable party, which is a new possibility that did not previously exist.

This measure enters into force on the tenth day following the publication of this Programme Act in the Belgian Official Gazette, namely on 11 June 2026.

5.3 Set-off of tax and social security debts

If a company or an individual has claims against the State, the State may withhold repayment in order to cover an unpaid tax or social debt, sometimes even where such debt is disputed. This set-off mechanism applies automatically or on a precautionary basis, without formalities.

This existing system already covers debts managed by the FPS Finance, namely tax debts, and by the NSSO, namely employees' social security contributions.

The Programme Act extends this system to INASTI debts and claims. This means that the set-off mechanism now applies more broadly to all self-employed persons, regardless of whether they act as natural persons, assisting spouses, or company directors subject to the social status of the self-employed.

This measure enters into force on the tenth day following the publication of this Programme Act in the Belgian Official Gazette, namely on 11 June 2026.

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