

Belgian Chambers

Federatie van Belgische Kamers van Koophandel
Fédération des Chambres de Commerce belges
Verband der Belgischen Handelskammern
Federation of Belgian Chambers of Commerce



Belgian-Luxembourg Chambers of Commerce abroad

Accreditation Programme & Survey



Introduction

The Federation of Belgian Chambers of Commerce (hereafter the Federation) is the umbrella organisation for all Chambers of Commerce in Belgium and most of the Belgian-Luxembourg Chambers of Commerce abroad (BLCCA). For the latter network the Federation closely cooperates with the Chamber of Commerce of the Grand Duchy of Luxembourg. The Federation defends the interests and the role of Chambers towards the Belgian (regional and federal) authorities and, through Eurochambres and the International Chamber of Commerce, on the international scene. The Federation wants to be a platform where its members can exchange experiences and ideas and learn from each other. More specifically, it encourages good cooperation between Belgian local Chambers and the Chambers abroad. Finally, the Federation aims for a more active involvement of Belgian Chambers in international projects, such as the development by the European Commission of EU Centres abroad.

In 2003, on request of its members, the Federation established a certification procedure, with the objective of obtaining a larger coherence and legitimacy for the network of Belgian Chambers of Commerce abroad. Conscious of the importance of such a quality control, the Chamber of Commerce of the Grand Duchy of Luxembourg also integrated the certification procedure in its strategy. Thanks to a cooperation agreement with the Federation signed in 2006, the Luxembourg Chamber of Commerce became a strong partner in the certification programme. In 2012, this Chamber implemented a system of financial support for Luxembourg and Belgo-Luxembourg Chambers of Commerce satisfying certain criteria, such as the respect of the accreditation criteria described hereafter.

End 2007, 25 Belgian and Belgian-Luxembourg Chambers of Commerce abroad (hereafter called BLCCA or Chambers) were certified. In the same logic of the accreditation programme of local Chambers of Commerce in Belgium and in line with international trends, the BLCCA Steering Committee of the Federation decided that from then on the certification would be replaced by the accreditation of BLCCA. The BLCCA Steering Committee immediately took this opportunity to refine the former certification programme and adjust it to the reality. The result is the *Accreditation programme for Belgian-Luxembourg Chambers of Commerce abroad*, a programme that is less regulatory than before, but aims to outline the main principles that Chambers need to take into account when fulfilling their mission. Chambers are free to give content to these principles, while taking into consideration the situation of the local market.

These principles, which will be itemized in the chapter on the accreditation criteria, are:

- a corporate governance structure allowing the Chamber to be run in a professional way and not subject to personal interests;
- a professional way of working assuring continuity and offering a consistent range of quality services and activities;
- synergy with the Luxembourg authorities as well as the federal and regional Belgian authorities, that defend and promote economic and commercial interests of Luxembourg and Belgium.

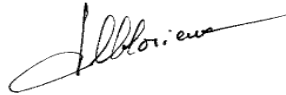
Chambers that do not represent Luxembourg obviously do not have to take into account the requirements of the accreditation programme linked to Luxembourg. Nevertheless, the BLCCA Steering Committee strongly recommends that these Chambers try to establish a relationship with Luxembourg in the future.

We are convinced that the new Accreditation programme will contribute to the development of the BLCCA network and to a professionalization of the Chambers, so that they can become a full-fledged partner of the Belgian and Luxembourg authorities and of internationally active companies.

Should you have further questions, please do not hesitate to contact the Federation (contact person: Mr. Wouter Van Gulck - wvangulck@belgianchambers.be - phone + 32 2 209 05 50) or the Chamber of Commerce of the Grand Duchy of Luxembourg (contact: blcca@cc.lu – tel. +352 42 39 39 - 360/310).



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BLCCA Steering Committee



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1. Accreditation procedure

Every Chamber that wants to become a member of the Federation, submits a request for accreditation. It provides the completed survey (see chapter 4) and the requested documents (see chapter 3). The Federation, which is in charge of the secretariat of the Accreditation Board, prepares a report of every application for the Accreditation Board.

The Federation was given a mandate by the Accreditation Board to exercise a control on the infrastructure and the services offered by the candidate Chambers. It may delegate part of or the entire control (for instance, to an accountant as far as annual accounts are concerned), while maintaining its responsibilities.

The Chambers need to give access to all useful information for the analysis of the application file. This includes access to the financial information that demonstrates the healthy management and sustainability of the Chamber.

The Chamber of Commerce of the Grand Duchy of Luxembourg may ask for the advice of the network of Luxembourg Embassies and of the Honorary Consuls of Luxembourg abroad. The Federation may ask for the advice of the central administration of the Belgian Ministry of Foreign Affairs and the regional export promotion agencies, and their respective representatives abroad.

The Federation and the Chamber of Commerce of Luxembourg commit to deliver a decision within 3 months of receipt of the application file

BLCCA Accreditation Board

Competences

After the evaluation of a request for accreditation (by means of the mentioned survey), the Accreditation Board decides about the follow-up to be given to the request. The Accreditation Board can:

- Suggest to accredit a Chamber if it judges that the Chamber complies with the totality of the conditions laid down in the accreditation programme;
- Suggest to grant the status of associated member if it judges that the Chamber does not comply with some specific criteria of the accreditation programme, or if its history file is considered insufficient;
- Suggest to refuse the affiliation of a Chamber if it judges that the Chamber does not comply at all with the essential aspects of the accreditation programme.

On the basis of the documents a Chamber needs to provide every year to the Federation, the Accreditation Board might grant the Chamber accredited status if it esteems that all conditions for accreditation are fulfilled.

A candidate Chamber can appeal against the decision of the Accreditation Board to the Appeal's Committee. This appeal needs to be submitted within 30 days of receipt of the decision of the Accreditation Board.

The final decisions (approval, exclusion and requalification) are taken by the Board of Directors of the Federation, once the Accreditation Board (or if necessary the Appeal's Committee) has heard the Chamber and has given its evaluation.

The granted accreditation or association will be valid for 3 years. At the end of the accreditation procedure, an accredited Chamber will receive a certificate carrying the accreditation logo and indicating the corresponding triennial period, and the Chamber's logo. Every accredited Chamber will be allowed to use the accreditation logo (provided by the Federation) on its different external communication tools. In case the accreditation would be withdrawn from a Chamber, then the Chamber will have no longer the right to use the accreditation logo.

On the other hand, the associated Chambers will receive a certificate indicating the corresponding association period and carrying the Chamber's logo and the mention "associated member of Belgian Chambers" and "of the Chamber of Commerce of the Grand Duchy of Luxembourg", in case the Chamber also represents the Grand Duchy of Luxembourg, but no accreditation logo.

Composition of the BLCCA Accreditation Board

The tasks and functions of the Accreditation Board, as described in this accreditation programme, are executed by the Steering Committee¹ of the Federation.

Co-opted members as well as the general manager and the staff members of the Federation and of the Chamber of Commerce of the Grand Duchy of Luxembourg can take part in the Accreditation Board meetings in an advisory capacity.

Composition of the Appeal's Committee

The Appeal's Committee consists of three members. The President of the federation is ex officio President of the Appeal's Committee. He appoints two other members, out of which one representative of the Chamber of Commerce of the Grand Duchy of Luxembourg. They cannot be members of the Accreditation Board nor have been implicated in any other capacity in the first evaluation process of an application for accreditation.

Conditions for maintaining the status of accredited or associated BLCCA

The accreditation programme is a dynamic programme. The Federation and the Accreditation Board aim to make sure the criteria mentioned in chapter 2 are being respected. This includes that permanent access needs to be given to the required information. The accreditation or association cannot be granted indefinitely and will be valid for a period of three years. After the first and the second year of each accreditation period, the Chamber is to send to the Federation the following documentation: the annual accounts revised by an external expert, the activity plan for the previous and following years, the members list indicating their nationalities. Thanks to these documents, the Federation will be able to confirm that no major modifications have taken place, which could affect the status of accredited or associated Chamber. If it appears that a Chamber has made false

¹ The Steering Committee is the statutory organ within the Federation that, as emanation of the Board of Directors, is in charge of following up the relations with the BLCCA. The composition of the Steering Committee is as follows:

« The Steering Committee will be composed of maximum twelve members :

- a. Ex officio members :
 - the President ;
 - the Vice-president elected by the BLCCA;
 - a representative of the Chambre de Commerce Luxembourg ;
 - the managing director ;
- b. Elected members:
 - six members elected amongst the administrators representing the BLCCA
 - two representatives of the local Belgian Chambers of Commerce
- c. Above-mentioned members may co-opt additional members having a proven experience in foreign trade and who understand the structure and functioning of a BLCCA. They do not have a voting right. »

declarations, the Accreditation Board may propose to the Board of Directors of the Federation to withdraw the accreditation or association of that Chamber.

If the withdrawal is confirmed by the Board of Directors, the BLCCA will immediately have to stop any use of its accredited or associated status. This new decision will also be announced to the Luxembourg and Belgian (regional and federal) authorities.

An accredited or associated Chamber not settling its annual membership fee will lose its status of accredited or associated member.

In case doubts may arise if an accredited or associated Chamber should maintain its status, the Federation reserves the right to ask such a Chamber to complete the accreditation survey again.

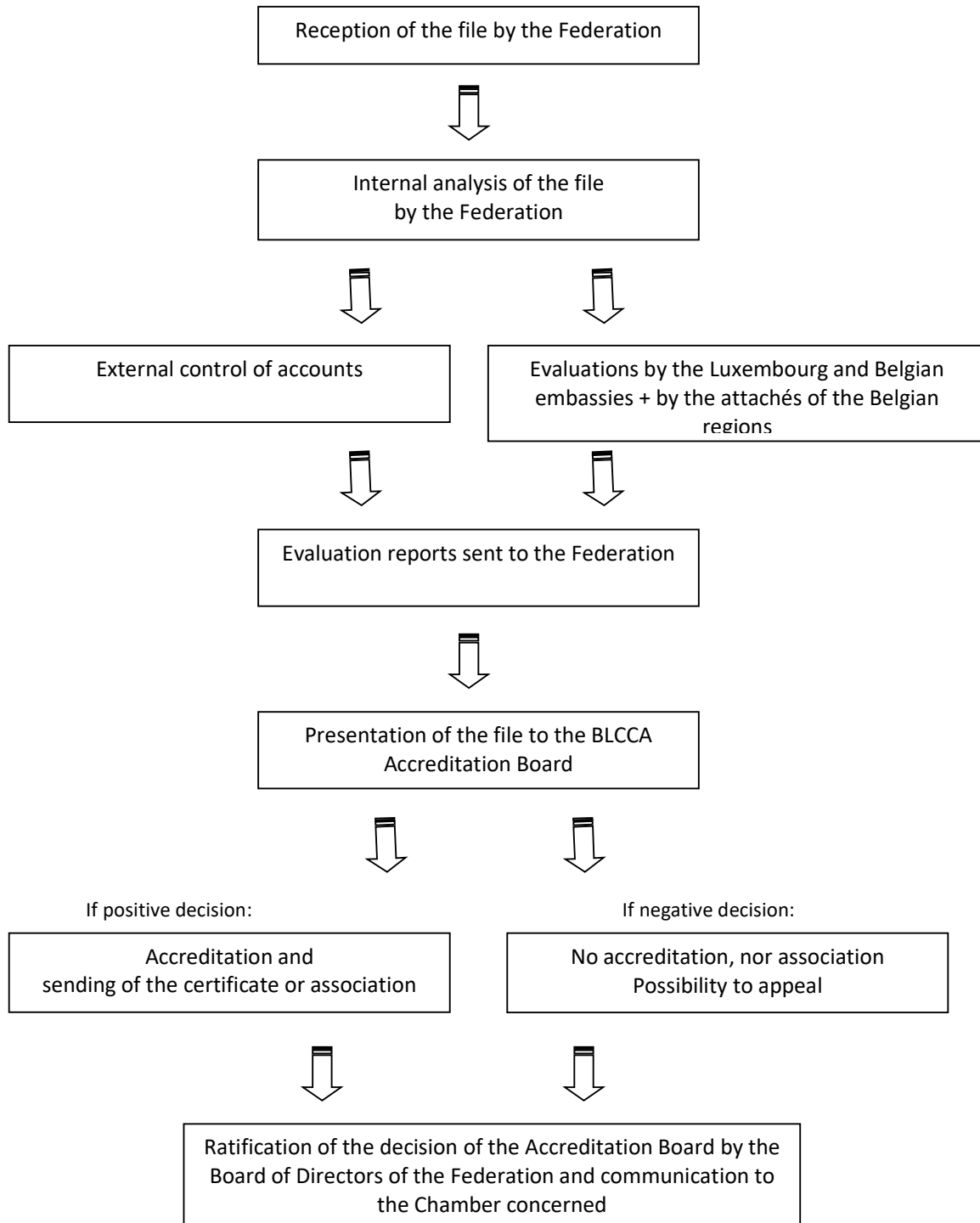
Costs

The Chamber pays a contribution to cover part of the accreditation or association costs. This contribution corresponds to 300 euro and it will only be asked for the first accreditation or association.

It is important to underline that this contribution does not include all costs related to the accreditation procedure. The rest of the total amount is taken in charge by the Federation and the Luxembourg Chamber of Commerce.

The annual membership of the BLCCA amounts to 1,25% of the membership fees the Chamber received the civil year before, and will not be less than € 445 (base year = 2018). This minimum amount will increase by 2,5% per year.

Schematic outline of the accreditation or association procedure



2. Criteria for accreditation

General

Each Belgian-Luxembourg Chamber of Commerce needs to contribute actively to the promotion of economic and commercial interests of Belgium and, if necessary, of Luxembourg, in the region or country to which the name of the Chamber refers to. This way, the Chamber plays a role of national interest that goes beyond the mere gathering of business people. The Chamber wants to be a point of contact, separate from though complementary to the official Belgian (federal and regional) and Luxembourg authorities, for companies and organisations of Belgium, Luxembourg and the country or region where it is active. To this purpose, the Chamber develops an annual action programme, preferably complemented by concrete projects that contribute to the improvement of Belgium's (and Luxembourg) commercial interests.

The criteria to obtain the accreditation are based on three principles that need to be at the root of the functioning of every Chamber. These principles are:

- a corporate governance structure allowing the Chamber to be run in a professional way and not subject to personal interests;
- a professional way of working assuring continuity and offering a consistent range of quality services and activities;
- synergy with the Luxembourg authorities as well as the federal and regional Belgian authorities, that defend and promote economic and commercial interests of Luxembourg and Belgium.

Furthermore, an accredited or associated Chamber must pay the annual membership fee to the Federation timely and correctly, and is expected to participate actively to the activities organised by the latter and by the Luxembourg Chamber of Commerce. Also, the Chamber commits to working together with the other members of the Federation (local Chambers of Commerce or the other Chambers abroad).

An accredited or associated Chamber will provide, on demand of the Federation, the useful information regarding its functioning or structure, so that the Federation will always have up-to-date information.

For any third country, only bilateral² Chambers based abroad (neither in Belgium nor in Luxembourg) are eligible for this Accreditation Programme. Exceptionally, a bilateral Chamber based in Belgium or Luxembourg can apply for accreditation if it is certified as official bilateral Chamber by the competent authority of the represented country.

Bilateral Chambers, accredited prior to 2017 and based in Belgium or Luxembourg, preserve their right to accreditation in the following accreditation periods, as long as they satisfy the accreditation criteria.

All other Chambers can qualify for association, provided they comply with the relevant criteria of this Accreditation Programme.

² The definition "bilateral Chambers" refers to Belgian Chambers of Commerce facilitating economic and trade relations with a specific third country or region. The majority of these Chambers is based abroad, more specifically in the country or region where they operate, but in some cases they can be based in Belgium. Most bilateral Chambers represent the interests of Belgian and Luxembourg companies. In this regard, one could even speak about "trilateral Chambers".

As from 2017, Chambers that represent a same third country, of which one is based in the represented country and the other(s) in Belgium and/or Luxembourg, are encouraged to sign cooperation agreements in order to strengthen their impact and to increase their representativeness.

Additionally, as from 2017, in order to be eligible for accreditation, bilateral Chambers must represent the whole of Belgium and/or Luxembourg, and they should preferably represent the third country in its whole. If the latter is not the case, the Chamber must substantiate this clearly in its accreditation file and the Accreditation Board must motivate its decision to deviate from the principle that the third country must be represented as an undivided whole.

Bilateral Chambers accredited prior to 2017 and representing a region of a third country preserve their right to accreditation in the following accreditation periods, as long as they satisfy the accreditation criteria.

Bilateral Chambers based abroad are also encouraged to have a delegate in Belgium and/or Luxembourg for easier contact and more efficient cooperation with local Belgian Chambers of Commerce.

A bilateral Chamber existing only on paper, with no real activities and services, with no paying members, with no relations with the Belgian and Luxembourg authorities in the represented third country, and with no proven outreach on the local foreign economy and market, does not comply with the criteria set out in this Accreditation Programme.”

1. Corporate governance structure

Founded voluntarily by private companies, the Chamber guarantees its legitimacy by respecting laws, decrees and decisions of the country where it's established and which determine the conditions of establishment, incorporation and functioning of such organisations.

The establishment of every Chamber is based on its by-laws, containing the rules for its functioning. The Chamber undertakes the necessary steps for publishing them in the national journal of laws. The by-laws, or the internal rules of operation, need to mention at least following elements:

- legal status of the association;
- objectives of the association;
- decision and control organs of the association, with mention of their respective responsibilities – general assembly;
- names of the persons in charge of the management and the daily functioning of the association – conditions of appointment;
- members of the association – conditions for membership – exclusion;
- financial means of the association – daily and annual control;
- dissolution of the association.

The major changes in the by-laws will be communicated to the Federation. The words “major changes” covers following examples:

- corporate name;
- objectives;
- procedures for appointment of the Board of Directors;

- legal status;
- rules regarding the management of the Chamber;
- change of President or of the person in charge of the daily management of the Chamber;
- rules for membership.

The majority of the Board of Directors must be composed of people that are professionally active or that have a position of responsibility in a company or a social-economic organisation. For ethical reasons and for reasons of good corporate governance, the President and the members of the Board of Directors commit themselves not to abuse of their position within the Chamber for personal gain and not to get paid by the Chamber, except for the person in charge of the daily management, according to the terms of the by-laws of the Chamber.

The Chamber is requested to guarantee transparency with regards to the election of the President and the nomination of the administrators (call for nominations, procedure, etc.)

The by-laws must foresee a procedure for a reasonable renewal of the mandates of the members of the Board of Directors, mentioning amongst others the maximum duration of a mandate. These conditions are also valid for the President.

The Chamber will do its utmost to avoid members of its management carrying out a political mandate without prior approval of the Board of Directors. The Chamber ensures that if a director accepts a political mandate, he/she places his/her mandate at the disposal of the Board of Directors, which will decide on the eventual dismissal of the director concerned.

The control on the financial management will be carried out on a regular basis, at least once a year, by an external professional expert. Every year, the Chamber provides a copy of its approved accounts to the Federation.

2. Professional functioning and quality services

To ensure a good representativeness, it is strongly recommended that the Chamber counts a minimum amount of members. This minimum guarantees that the Chamber has a critical mass, which contributes to a professional functioning and delivery of quality services and activities of the Chamber.

The Accreditation Board will apply following minima as guidelines:

- minimum number of paying members: 50;
- minimum number of paying Belgian members: 10;
- minimum number of paying Luxembourg members in case the Chamber also represents Luxembourg: 2.

If during the presentation of the accreditation file to the Federation, or during an intermediate control, it appears that the Chamber does not achieve the minima required above, it will gain (c.g. maintain) the accreditation only when it can clearly substantiate this deviation. Alternatively, the status of associated member might be granted.

In order to assure a professional functioning and quality of activities and services, the Chamber is expected to present a business plan for the period of accreditation or association, clearly showing

the mission, vision, objectives and strategy of the Chamber for the coming years. This plan must be supported by an annual financial plan. The main purpose of the business plan is for the Chamber to prove its long-term viability. The business plan is not to be confused with the activity plan, the latter being more detailed and subject to certain external factors, such as subsidies, activities of third parties and changes in the economic climate.

In its financial plan, a Chamber needs to prove a certain level of self-financing, namely thanks to membership and services offered to (non-)members. The Chamber can take into account the subsidies received by the Luxembourg and Belgian (federal/regional) authorities. If these are more than 30% of the total income, the Chamber will be asked to explain this situation.

The membership fee for corporate members should not be less than 100 euro.

Chambers that receive subsidies for their functioning or projects must avoid at all cost double subsidies, according to the applicable Belgian and European regulations. They have to keep a transparent accounting and be organised in a way allowing the subsidising authorities to easily control the use of subsidies.

The activities and services offered by the Chamber contribute to the stimulation of economic and trade relations between, on the one hand, Belgium (and its regions) and Luxembourg, and on the other hand, the country or region to which its activities refer. More specifically, the Chamber aims to promote the interests of the Belgian and Luxembourg businesses abroad. There is a wide range of services that may be offered by the Chamber, depending on the characteristics and the opportunities of the market where the Chamber is based, as well as on the needs of the private sector and the financial means of the Chamber.

In this context, the services offered by the Chamber are almost unlimited. What follows is a non exhaustive list of examples:

- organisation of trade missions;
- organisation of information stands during trade fairs abroad;
- support companies during business travels (logistics, introduction in private and public sectors, etc.);
- help enterprises to communicate in the language of the country, either directly or by putting them in contact with translators or interpreters;
- give advice to companies on the rules and customs of the country;
- organisation of meetings for companies, seminars, study days, workshops, lunches, receptions, visits of fairs and companies, etc.;
- give awards to companies that have contributed to the promotion of bilateral commercial relationships.

The Chamber must be reachable by e-mail and by phone during the normal office hours and should inform visitors in advance on its opening hours to the public and on how they can make appointments in the Chamber office. The office may be located in the premises of a company, where the Chamber rents an office that must be clearly identifiable. Companies asking for advice or information to the Chamber should receive a response to their inquiry within a reasonable period of time or should be redirected straight to the right source of information/assistance. The Chamber should develop a website dedicated to its activities and services to members.

It is the responsibility of the Chamber to organise its work in a way that allows it to comply with the above needs of accessibility, a timely and correct follow-up of inquiries and a high quality of service delivery. In order to facilitate interaction with Belgian and/or Luxembourg companies, it is preferable

that a Chamber based outside Belgium or the neighbouring countries have a representative in Belgium and/or Luxembourg.

3. Synergy with the Belgian and Luxembourg authorities

The main mission of a BLCCA is to contribute to the Belgian and Luxembourg economic and commercial relations abroad. In that perspective, it cannot operate independently from the competent public authorities (such as the diplomatic representatives and the regional investment and trade promotion agencies) since they all pursue the same goal. Without being an extension of the official authorities, BLCCA are expected to strengthen the foreign economic and commercial policy of Belgium and Luxembourg, especially through their range of services and their action programme.

With regard to Belgium, the Chambers should respect the federal structure of the country, taking into account that important competences like promotion of foreign trade have been delegated to the regions. The BLCCA should then of course act like a loyal partner towards both the federal and regional authorities.

In view of optimizing the economic and commercial impact of Belgium and Luxembourg abroad, it is highly desirable that Chambers – as private organisations – and the official Belgian (federal and regional) and Luxembourg public authorities in the field work together as much as possible, not to overlap or compete each other, but to complement one another's activities. It is important to stress that the BLCCA are part of a worldwide network of local, regional, national and bilateral Chambers of Commerce. This structure offers Chambers certain privileged contacts that may be less obvious for representatives of public organizations. BLCCA must accept to open up their knowledge and network not only to Belgian/Luxembourg companies, but also to the diplomatic representatives from Belgium (and its regions) and Luxembourg. On the other hand, a Chamber does not need to gain knowledge nor build new contacts in matters for which the public authorities are better equipped. When developing its services and annual action programme, it is in the Chamber's own interest to put in place services and activities that complement those of the official Belgian and Luxembourg representatives.

In order to further increase the synergies, it would therefore be desirable to invite the aforementioned public authorities to the Board meetings of the Chamber, as observers.

3. Required documents

Data – documents	Required (R)/ Desired (D)
Completed survey (in English, Dutch or French)	R
By-laws	R
List of administrators mentioning their nationality	R
Business plan and budget (for the duration of the accreditation): describing the mission, vision, strategy, objectives of the organisation	R
Activity report of the past year	R
Action programme of the ongoing year	R
Financial report, certified by an independent auditor	R
Members' list mentioning their nationality and country of legal head office	R
List of the staff with description of their function	R
For Chambers based in Belgium: certified copy of the certificate as official bilateral Chamber by the competent authority of the represented country	R
If any, copy of the cooperation agreements signed with other Chambers representing the same third country	D
A few examples of recent publications (magazines, brochures, special folders, leaflets, etc.)	D

3. What are the management and control bodies of the Chamber?

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4. Can you confirm that the President and the members of the Board of Directors (except the person in charge of the daily management) are not paid by the Chamber?

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5. Does the BLCCA have procedures in place that guarantee the good faith of its members?
Comment briefly.

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6. For the Chambers based abroad, do you have a representative in Belgium?

- 6.1. If so, please indicate his/her name and full contact details.
- 6.2. If not, please motivate why not.

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7. For the Chambers established in Belgium or in Luxembourg, does the Chamber have a representative abroad?

- 7.1. If so, please indicate his/her name and full contact details.
- 7.2. If not, please substantiate why not.

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11. What are the main activities organised by the BLCCA for Belgian, Luxembourg and foreign companies?

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12. Number of paid employees:
 Full time employees:
 Part-time employees:

13. Turnover of the last three fiscal years. Please, mention the figures in euros.

TURNOVER	Year 2016	Year 2015	Year 2014
<i>Membership fees</i>			
<i>Subsidies</i>			
<i>Own services</i>			
<i>Other income</i>			
TOTAL			

14. Does the Chamber have its own offices? If not, how and where does the Chamber welcome visitors?

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15. How does the Chamber guarantee that the information inquiries are treated in a correct, timely and consistent way?

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16. Describe the relations (nature, frequency, collaboration, gatherings, etc.) between the Chamber and the local Chambers of Commerce in Belgium and Luxembourg.

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17. Describe the relations (nature, frequency, collaboration, gatherings, etc.) between the Chamber and the other Chambers of Commerce abroad (local, bilateral, European). Did the Chamber sign cooperation agreements with any of the other Chambers? If so, please attach a copy of the agreement, preferably in English, French or Dutch.

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18. If you wish to add other information on the functioning of or the services provided by your Chamber, please do so here.

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III. SYNERGY WITH THE BELGIAN AND LUXEMBOURG AUTHORITIES

19. Describe the relations (nature, frequency, collaboration, gatherings, etc.) between the Chamber and the Belgian and Luxembourg authorities, in particular the Ministry of Foreign Affairs, the Ministry of Foreign Trade and the trade and investment promotion agencies. Please, clarify how you perceive this synergy between the Chamber and these authorities.

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20. Which type of common activities/actions does the Chamber organise in cooperation with the Chamber of Commerce of the Grand Duchy of Luxembourg ? Comment briefly.

20.1. If the Chamber does not accomplish any activity/action with the Luxembourg Chamber of Commerce, please comment briefly if the Chamber is willing to try and establish cooperation with Luxembourg in the future or not.

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21. Does the Chamber receive subsidies from the Belgian (federal and regional) and Luxembourg authorities?

21.1. If so, please indicate the amounts perceived in the last three years, mentioning the subsidizing authority.
Has a subsidy request been refused in the past?

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22. Does the Chamber undertake activities aiming to attract investments in Belgium/Luxembourg? If yes, please comment.

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23. Does the Chamber help foreign companies to have access to the Belgian/Luxembourg market? If this is the case, is this one of the main activities of the Chamber? Please give a percentage if possible.

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24. If you wish to add other information on the relations of your Chamber with the Belgian (federal and regional) and Luxembourg authorities, please do so here.

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