



## Courdid newsletter: WagwEU notification

Based on European law, Dutch law (WagwEU) has been implemented regarding the employment conditions for European employees who will be temporary working in the Netherlands. One of the administrative obligations from the WagwEU, is the obligation to notify.

As of 1 March 2020 foreign employers from the EU/EEA and Switzerland have a duty to notify new temporary postings in the Netherlands that begin on or after 1 March 2020. The notification has to be made prior to the start of the activities in the Netherlands.

# Online notification

The foreign employer (service provider) has to make a notification of the activities in the Netherlands through the following website:

<https://www.postedworkers.nl/>

As of 10 February 2020, it is possible to notify new assignments starting on or after 1 March 2020. Assignments to the Netherlands started prior to 1 March 2020 do not have to be reported.

The foreign employer must report through the website in most common situations the following information (this summary can deviate, for example in the situation of self employed individuals):

- The identity of the service provider;
- Company information;
- Contact person in the Netherlands;
- De identity of the client /service recipient;
- The sector in which the employee will be working in the Netherlands;
- Working address in the Netherlands;
- Expected duration of activities in the Netherlands;
- Identity of the individual responsible for salary payment;
- Identity of employees who will be working in the Netherlands;
- Availability of an A1 certificate.

Please also see the checklist on the next page for a more distinctive list of data needed.



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# Checklist for employers abroad

This data is needed complete a notification in the  
online notification portal

## Identity of the person submitting the notification:

- ✓ Name
- ✓ Gender
- ✓ Date of birth
- ✓ Nationality
- ✓ Personal identification number
- ✓ Dutch citizen service number (BSN) (if applicable)
- ✓ Phone number
- ✓ Email address

## Company information:

- ✓ Company name
- ✓ Country of residence
- ✓ Registration number Chamber of Commerce  
(company/commercial registry)
- ✓ VAT identification number
- ✓ Business address

## Your contact person in the Netherlands, as mentioned in Article 7 of the WagwEU:

- ✓ Name
- ✓ Gender
- ✓ Date of birth
- ✓ Nationality
- ✓ Personal identification number
- ✓ Dutch citizen service number (BSN) (if applicable)
- ✓ Phone number
- ✓ Email address
- ✓ Address in the Netherlands at which the contact  
person can be reached



## Identity of the service recipient (the client):

- ✓ Company name service recipient
- ✓ Country of residence
- ✓ Registration number Chamber of Commerce  
(in Dutch: KvK number)
- ✓ Branche number (if applicable)
- ✓ VAT identification number (in Dutch: btw  
number)
- ✓ Address service recipient
- ✓ Name contact person service recipient
- ✓ Email address contact person service recipient
- ✓ Phone number contact person service recipient

## Project information:

- ✓ Sector in which you will be working in the  
Netherlands, including subsector and SBI code.  
You can find the SBI codes on: [Click here](#)
- ✓ Address/place where the work will be performed
- ✓ Scheduled start and end date of the posting
- ✓ Who is responsible for the payment of the wages

## Identity of employee(s) who are coming to work temporarily in the Netherlands:

- ✓ Name
- ✓ Gender
- ✓ Date of birth
- ✓ Nationality
- ✓ Personal identification number
- ✓ Dutch citizen service number (BSN) (if applicable)
- ✓ Email address
- ✓ Is the employee a third-country national? If so,  
end date of work permit issued by the sending  
EEA-country/Switzerland
- ✓ Start and end date activities employee
- ✓ A1-certificate? If so, number and country of issue  
A1-certificate.



# Exceptions to notification

For some situations a limited reporting obligation applies in which a notification has to be made only once a year.

This applies to small foreign companies (max 9 employees) within 100km from the dutch boarder that frequently perform activities in the Netherlands. This also applies to foreign employers active in freight transport by road.

This once-a-year notification does not apply to the temporary employment sector.

Furthermore there is no reporting obligation in the following situations:

- Employees travelling to the Netherlands for business meetings or who conclude contracts with companies, provided that the duration of stay does not exceed 13 consecutive weeks within a period of 52 weeks;
- Certain installation activities;
- Urgent maintenance of equipment or machines;
- Attending scientific conferences, provided that the stay does not exceed 5 days per calendar month.

High fines can be imposed in case the reporting obligation is not met.

For an extensive Q&A regarding this new reporting obligation, see: <https://english.postedworkers.nl/faq>

Please also feel free to contact us should you have any questions.



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