



PEOPLE SOLUTIONS INSIGHTS & UPDATES

EXTENSION OF COMPULSORY SCHOOLING UNTIL THE AGE OF 18 APPLICABLE AS FROM 01 SEPTEMBER 2026 IMPACT REGARDING LABOUR LAW

Pursuant to the **Law of 20 July 2023***, the compulsory schooling age in Luxembourg will be extended from 16 to 18 years as from 1 September 2026.

This will have direct implications for the employment of young persons and, in particular, for the conclusion of employment contracts with young persons under 18, including fixed-term employment contracts with students outside school holidays.

I. Scope of the new rules

- ▶ **Condition of age:** Any minor who has reached the age of four before 1 September and whose habitual residence is in the Grand Duchy of Luxembourg is subject to compulsory schooling. Compulsory schooling ends at the age of eighteen instead of 16.
- ▶ **Condition of residency:** The new compulsory schooling requirements apply to young persons whose habitual residence is in Luxembourg.

By contrast, young persons habitually residing outside Luxembourg remain subject to the compulsory school-leaving age determined by the legislation applicable in their country of residence. This distinction is particularly relevant for Luxembourg employers recruiting students residing in neighbouring countries.

- ▶ **Period concerned:** outside school holiday periods only. This legislative change mainly impacts the conditions under which young persons under 18 may work outside school holiday periods, in particular under student fixed-term contracts, but also potentially under other employment contracts.

* Law of 20 July 2023 on compulsory schooling
(Official Journal, Mémorial A No. 460 of 27 July 2023).



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Country	Start of compulsory education	End of compulsory education as from 1 September 2026
Luxembourg	4 years old	18 years old
France	3 years old	16 years old**
Belgium	5 years old	18 years old
Germany	(generally) 6 years old	Varies by federal state (Land) : generally after 9 or 10 years of compulsory full-time schooling

** France : compulsory education applies until age 16, followed by a **training obligation until age 18**.

Disclaimer : The information provided above is for general guidance and indicative purposes only. Applicable legal requirements may vary and change over time. The relevant legislation and the competent authorities in each country concerned should therefore be consulted to confirm the rules applicable to each individual situation.

II. Consequences regarding the employment of students and young workers

Under the rules currently applicable, students may, subject to the relevant statutory conditions, enter into a fixed-term employment contract (contrat à durée déterminée - CDD) **outside school holidays** from the age of 16.



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As from 1 September 2026, the position will change for students habitually residing in Luxembourg. In principle, such students will no longer be eligible to enter into this type of fixed-term employment contract outside school holidays until they have reached the age of 18, insofar as they remain subject to compulsory schooling.

The situation differs for students residing outside Luxembourg. Luxembourg employers may continue to employ such students under a fixed-term employment contract outside school holidays once they have reached the compulsory school-leaving age applicable under the legislation of their country of residence, including where that age is below 18.

Please note, however, that the rules applicable to employment **during school holidays** remain unchanged in this respect. Young persons between the ages of 15 and 27 may continue to be employed during school holidays, subject to the applicable statutory conditions, irrespective of whether they reside in Luxembourg or abroad.

III. Exceptions for certain students under the age of 18

The extension of compulsory schooling does not result in an absolute prohibition on concluding a fixed-term employment contract outside school holidays with every student under the age of 18.

Such a contract may, in particular, remain possible where the student concerned has obtained a diploma certifying the completion of secondary education or vocational training, issued by a Luxembourg public educational institution or by a private educational institution approved by the Luxembourg State.

The same applies where the young person holds another diploma or certificate recognised as equivalent, either pursuant to applicable legislation or by a decision of the Minister responsible for National Education.

Employers should therefore assess the individual circumstances of the student concerned and, where appropriate, obtain the relevant diploma, certificate or evidence of equivalence before entering into the employment relationship.

IV. Treatment of ongoing contracts

Specific rules apply to employment contracts concluded outside school holidays that are still ongoing when the new compulsory schooling requirements become applicable (i.e. on 1 September 2026).

Where the student concerned is under the age of 18 and remains subject to compulsory schooling, an exemption from compulsory schooling must be obtained in order for the employment relationship to continue.



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The application for such exemption must be submitted no later than 8 days before the start of the requested exemption period in writing to the Minister responsible for National Education by the holder(s) of parental authority and must be accompanied by a copy of the relevant employment contract.

Where granted, the exemption applies for the duration of the employment contract concerned, thereby allowing the minor to continue performing the contract notwithstanding the extension of compulsory schooling until the age of 18.

Employers with ongoing contracts involving students who will still be under the age of 18 when the new rules become applicable should therefore identify the contracts concerned in advance and ensure that the relevant students and their legal representatives are informed of the procedure to be followed in due time.

V. What should employers do

Employers should review their procedures for recruiting and employing students and young workers.

Before entering into an employment contract outside school holidays, employers should verify whether the young person concerned remains subject to compulsory schooling, taking into account, in particular, his or her habitual place of residence and the compulsory school-leaving age applicable to that person.

Where an exception is relied upon for a Luxembourg-resident student under the age of 18, employers should request appropriate evidence that the student has completed secondary education or vocational training, or holds another diploma or certificate recognised as equivalent.

Employers should also review any ongoing contracts with students under the age of 18 that may be affected as from 1 September 2026 and, where applicable, ensure that the necessary exemption procedure with the Ministry of National Education is initiated by the holder(s) of parental authority.

Finally, employers are advised to review and, where necessary, update their student-hiring documentation, employment contract templates and internal recruitment processes. Particular attention should be paid to procedures for establishing the student's habitual residence, determining whether he or she remains subject to compulsory schooling and identifying any supporting documentation that must be obtained.



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HOW CAN WE SUPPORT YOU?

Our team is available to assist employers in preparing for the entry into force of these new requirements.

In particular, we can:

- ▶ Advise on the eligibility of students and young workers under the age of 18 for employment in Luxembourg,
- ▶ Assess the documentation required in individual cases,
- ▶ Provide guidance regarding the exemption procedure applicable to ongoing contracts, and
- ▶ Assist with the drafting or review of the relevant employment contracts and related employment documentation.



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