

## Legal basis for enforcement

		Remarks
<b>Federal level</b>	- Law of December 21, 1998 on product standards for promoting sustainable production and consumption patterns and for safeguarding the environment and public health (Chapter VI)	
<b>Flemish Government</b>	- Decree of 5 April 1995 concerning general provisions relating to environmental policy (Title XVI)  - Order of the Flemish Government of 12 December 2008 in implementation of Title XVI of the Decree of 5 April 1995 concerning general provisions relating to environmental policy (Belgian State Journal February 10, 2009)	
<b>Brussels Capital Region</b>	- Ordinance of 05 June 1997 regarding environmental permits (Belgian State Journal June 26, 1997) and Decree of the Government of the Brussels Capital Region of 02 September 2010 containing various measurements relative to the exploitation and the control of installations using certain substances, such as or contained in a mixture, subjected to the REACH Regulation (Belgian State Journal September 24, 2010)  - Ordinance of 25/03/1999 regarding the inspection, prevention, reporting and prosecution of environmental infringements, and environmental liability (Belgian State Journal June 24, 1999)	The exploitation of installations using substances of Annex XIV to the REACH Regulation is also subject to the preliminary obtaining of an environmental permit
<b>Region of Wallonia</b>	- Decree of 05 June 2008 regarding the investigation, establishment, prosecution and suppression of violations and the reparation measures related to the environment (Belgian State Journal June 20, 2008)  - Program-Decree of 22 July 2010 (Belgian State Journal August 20, 2010)	

# Penalties for violations

## ***At Federal level***

	<b>Non-severe violations</b>	<b>Severe violations</b>	
Actors	Civil servant  If no administrative fine is fixed by the civil servant, criminal proceeding by the Prosecutor can be possible.	Prosecutor  If no criminal proceedings by the Prosecutor are initiated, administrative fine can to be fixed by the civil servant	<ul style="list-style-type: none"> <li>• To obtain values for effective fines, multiply values shown in table by approx. 8, except               <ul style="list-style-type: none"> <li>- when the perpetrator has illegally placed on the market with intent a product which causes serious dangers for the environment or human health, he is liable to be sentenced to 10 days to 10 years in prison and/or a penal fine of 1.000 euros up to 7000000 euros</li> <li>- when the perpetrator has illegally placed on the market by gross negligence a product which causes serious dangers for the environment or human health, he is liable to be sentenced to 8 days to 1 year in prison and/or a penal fine of 250 euros up to 5000000 euros</li> </ul> </li> </ul>
Penal/Administrative fine	Administrative fine: 26 euros up to 6.000 euros  Penal fine: 52 euros up to 120.000 euros	Administrative fine: 80 euros up to 200.000 euros  Penal fine: 160 euros up to 4.000.000 euros	
Imprisonment	8 days to 1 year	8 days to 3 years	
Other penalties and measures	-	Various	

## ***At Regional level***

<b>Flemish Government</b>	Fine: 100 euro to 250.000 euro Imprisonment: 1 month to 2 years				<ul style="list-style-type: none"> <li>• a judge will decree penalties within the limits shown in present table</li> <li>• to obtain values for effective fines, multiply values shown in table by +/- 8)</li> <li>• if no criminal prosecution → administrative fine (max. 2.000.000 euro) can be imposed if the public prosecutor invites the administrative sanctioning authority to follow-up</li> <li>• in case of non-severe violation (enumeration in attachment XVIII of the Order of the Flemish Government of 12 December 12, 2008) → no criminal prosecution, only administrative fine (max. 400.000 euro) can be imposed</li> </ul>
<b>Brussels Capital Region</b>	<b>Severe violations</b>	<b>Severe violations</b>	<b>Non-severe violations</b>	<b>Non-severe violations</b>	<ul style="list-style-type: none"> <li>• a judge will decree penalties within the limits shown in present table</li> <li>• if no criminal prosecution → alternative administrative fine (50 euro up to 62.500 euro) can be imposed</li> </ul>
<b>Region of Wallonia</b>	<b>Severe violations</b>	<b>Severe violations</b>	<b>Non-severe violations</b>	<b>Non-severe violations</b>	<ul style="list-style-type: none"> <li>• a judge will decree penalties within the limits shown in present table</li> </ul>
	Fine: 10.000 euro up to 500.000 euro	Imprisonment: 1 month to 2 years	Fine: 50 euro up to 100.000 euro	Imprisonment: 8 days to 2 years	
	Fine: 100 euro up to 1.000.000 euro	Imprisonment: 8 days month to 3 years	Fine: 100 euro up to 100.000 euro	Imprisonment: 8 days to 6 months	

## Enforcement authorities' addresses

		Remarks
<b>Federal Public Service Health, Food Chain Safety and Environment</b>	Federal Public Service Health, Food Chain Safety and Environment Directorate-General Environment Section Inspection Place Victor Horta 40 box 10 1060 Brussels E-mail: <a href="mailto:info@environment.belgium.be">info@environment.belgium.be</a>	Inspectorate competent for REACH, CLP, BPR, PIC, POP
<b>Federal Public Service Employment, Labour and Social Dialogue</b>	Federal Public Service Employment, Labour and Social Dialogue Labour Inspection 1, Rue Ernest Blerot 1070 Brussels E-mail: <a href="mailto:info@employment.belgium.be">info@employment.belgium.be</a>	Inspectorate competent for REACH, POP
<b>Flemish Government</b>	Flemish Government – Department of Environment & Spatial Development Division Enforcement Graaf de Ferrarisgebouw Koning Albert II-laan 20, bus 8 1000 Brussels E-mail: <a href="mailto:handhaving.omgeving@vlaanderen.be">handhaving.omgeving@vlaanderen.be</a>	Inspectorate competent for REACH, POP
<b>Brussels Capital Region</b>	Brussels Environment Division Inspection Site de Tour & Taxis Avenue du Port 86C / 3000 1000 Bruxelles 02 / 775 75 75 E-mail: <a href="mailto:info@environnement.brussels">info@environnement.brussels</a>	Inspectorate competent for REACH, POP
<b>Region of Wallonia</b>	Public Service Wallonia Directorate-General Agriculture, Natural Resources and Environment Avenue Prince de Liège 7 5100 Namur (Jambes) E-mail: <a href="mailto:reach.spw.arne@spw.wallonie.be">reach.spw.arne@spw.wallonie.be</a>	Inspectorate competent for REACH, POP

## Links to Enforcement authorities' websites

		Remarks
<b>Federal Public Service Health, Food Chain Safety and Environment</b>	<a href="https://www.health.belgium.be/en/environment/chemical-substances/environment-and-federal-inspection">https://www.health.belgium.be/en/environment/chemical-substances/environment-and-federal-inspection</a>	
<b>Federal Public Service Employment, Labour and Social Dialogue</b>	<a href="http://www.werk.belgie.be/tww.aspx">http://www.werk.belgie.be/tww.aspx</a>	Not available in English
<b>Flemish Government</b>	<a href="https://www.lne.be/toezicht-en-handhaving">https://www.lne.be/toezicht-en-handhaving</a> <a href="https://www.lne.be/handhavingsregelgeving">https://www.lne.be/handhavingsregelgeving</a>	Not available in English
<b>Brussels Capital Region</b>	<a href="https://environnement.brussels/">https://environnement.brussels/</a> FR : <a href="https://environnement.brussels/inspection">https://environnement.brussels/inspection</a> NL : <a href="https://leefmilieu.brussels/inspectie">https://leefmilieu.brussels/inspectie</a>	Not available in English
<b>Region of Wallonia</b>	<a href="http://environnement.wallonie.be/">http://environnement.wallonie.be/</a>	Not available in English