



Country: **Belgium**

1 Introduction

Belgium is been evolving into a federal state, with three regions (Flemish, Walloon and Brussels) and three communities (Flemish, French and German). The legislative responsibilities have been divided among federal level, regions and communities. The Federal Government is responsible for occupational health and safety issues, product related issues and consumer safety. The regions are mainly responsible for territorial and economic issues. The country is further subdivided in 10 provinces and 589 municipalities.

Belgium is bound by European legislation. Most of the European health and safety legislation is in the form of Directives which have to be transposed into national law. A lot of federal health and safety law merely transposes European Directives.

At a Federal level, Acts and Royal/Ministerial Decisions are issued. The Act set out the regulatory framework, which is then implemented and detailed by the Decision. Decisions are only possible to the extent authorised by the Act.

The Three Regional Parliaments are responsible for adopting Decrees (same standing as an Act at Federal level).

Occupational health and safety issues are considered a responsibility of Federal Government and are almost exclusively dealt with by the Federal Ministry of Employment (Ministerie van Tewerkstelling en Arbeid).

The three Regional Governments only have a marginal role with regard to occupational health and safety. They are responsible for education related issues and the organisation of first aid/medical surveillance issues.

There are three official languages: Dutch 60%, French 40%, German.

1.1 Institutions and links

Institution	Link
Ministry of Employment and Labour (Belgian Federal Public Service Employment, Labour and Social Dialogue) (Federale Overheidsdienst Werkgelegenheid, Arbeid en Sociaal Overleg	Tel: +32-2-233.45.11, www.meta.fgov.be
Ministry of Economic Affairs (Ministerie van Economische Zaken)	Tel: +32-2-206.49.08, http://mineco.fgov.be
Occupational Health and Safety information and documentation service	www.prevent.be
Database with all Belgian legislation consolidated	http://www.employment.belgium.be/home.aspx

1.2 Health & Safety Law references

The main document detailing H&S requirements is the Codex on Well-being at Work. This is replacing the General Rules on Labour Protection (ARAB).

Country Legislation Review – Belgium

Occupational health and safety issues are mainly regulated pursuant to six Acts;

The rules governing the requirements for H&S management in Belgium are both complex and onerous; particularly when it comes to the area of H&S advice.

The main document detailing H&S requirements is the Codex on Well-being at Work. This is replacing the General Rules on Labour Protection (ARAB):

The whole Codex can be found in the following link:

<http://www.emploi.belgique.be/moduleDefault.aspx?id=1958>

The main pieces of Health & Safety Law:

Full name	Abbreviation	Content
The Act of 9 February 1994	Act on products and services safety	<p>The Act of 9 February 1994 on the safety of products and services is the transposition into Belgian law of the Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety</p> <p>The Act of 9 February 1994 on the safety of products and services regulates the general framework for the manufacture of all types of machinery and equipment and provides the legal basis for twenty+ royal decrees which fix the requirements and safety procedures. This legislation regulates the place in the market of finished products and by elimination of the risk at the source, this legislation benefits the well-being of workers during the execution of their work.</p>
The Act of 4 August 1996 modified by Acts of 10th January and 6th February 2007.	Act on well-being	<p>The Act of 4 August 1996 on Well-being of Workers at Work provides the framework for occupational health and safety at work. Its provisions are further detailed in the Codex on Well-being at Work, which is in the process of replacing the General Rules on Labour Protection. Acts of 2007 provided modifications related to moral and sexual harassment. This act is amended by implementation of European directive such as the machine or PPE directives.</p> <p>http://www.emploi.belgique.be/DownloadAsset.aspx?id=1896</p>
The Royal Decree of 27 March 1998	General principles on welfare management	<p>The Royal Decree of 27 March 1998 regulates the welfare at work and précises the Codex on well-being at work.</p> <p>It regulates the conditions of internal and external services at work</p>

Country Legislation Review – Belgium

Full name	Abbreviation	Content
The Act of 21 December 1998 modified by the Act of 10 December 2009 and 27 July 2011	Act on product standards	This Act repeals the Act of 28 January 1999 on the guarantees required for substances and preparations safety and health of workers for their welfare, since this matter (the protection of workers against substances and preparations) and amends the Act of 21 December 1998 concerning the promotion of sustainable production and consumption and protection of the environment. This act implements the REACH regulation.
Act of 28 January 2003	Act on medical examinations at work	Act of 28 January 2003 on Medical Examinations at Work. It protects employees against discriminatory medical examinations and also protects the Confidential nature of the results of medical examinations.
Royal Decree of December 15, 2010 Amended by the Royal Decree of March 9, 2014		On the first aid provided to workers who are victims of an accident or who are unwell. The amendment contains provisions concerning internal services and first aid relating to light accidents and training of first aiders http://www.werk.belgie.be/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=32892 (Dutch) and http://www.emploi.belgique.be/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=32892 (French)
Royal Decree 28 may 2003		Work medicine surveillance: http://www.emploi.belgique.be/DownloadAsset.aspx?id=1894