



Laga Newsflash

Flemish parliament adopts new framework decree on administrative enforcement

On 13 March 2019, the Flemish parliament adopted a new framework decree on administrative enforcement regarding violations of Flemish regulations. With this decree, the Flemish Government gives substance to its expanded role and powers with regard to administrative and criminal enforcement, after the sixth state reform in 2014.

The new framework decree serves as an additional general legal framework for sectoral regulations. Sectoral regulations can adopt the framework in whole, or in part, through an explicit decretal implementation provision in which it is determined whether the framework decree on administrative enforcement is fully or only partially applied, and conditions are imposed if necessary.

Dealing with supervision, investigation, prosecution and fines, the framework decree also provides for the legal protection of citizens. In order to increase the codification's chances of success, it was decided to proceed in phases, by including the administrative measures component at a later stage and adding it as a subsequent "tranche" to the existing framework decree. This offers policy fields the opportunity to operate partially within the familiar framework for a period of time.

The federal law on municipal administrative sanctions of 24 June 2013 remains the general framework regulation for administrative sanctioning at local level.

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