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Public documents

Belgium



Belgium

Article 24(1)(a) - languages accepted by the Member State for the public documents to be presented to its authorities pursuant to point (a) of Article 6(1)

The use of languages by local services is governed by Belgium's language-related legislation for administrative matters (Law of 2 August 1963 on the use of languages for administrative matters and the Royal Decree of 18 July 1966 coordinating laws on the use of languages for administrative matters).

This legislation determines which language(s) citizens may use when submitting documents to an authority.

Belgium has four linguistic regions: the Dutch-speaking region, the French-speaking region, the German-speaking region, and the Brussels Capital region (Article 2 of the Law on the use of languages for administrative matters). In each linguistic region, the local authorities will only accept documents submitted in the language of that region.

- Dutch-speaking region:

The municipalities in the provinces of Antwerp, Limburg, East Flanders, West Flanders and Flemish Brabant:

where documents should be submitted in Dutch

With the exception of: the municipalities of Sint-Genesius-Rode, Wezembeek-Oppem, Drogenbos, Kraainem, Linkebeek, Wemmel, Bever, Herstappe, Spiere-Helkijn, Voeren, Mesen and Ronse:

where documents should be submitted in Dutch, but may be submitted in French.

- French-speaking region:

The municipalities in the provinces of Hainaut, Luxembourg, Namur, Liège (with the exception of the German-speaking area) and Walloon Brabant:

where documents should be submitted in French.

With the exception of: the municipalities of Soignies, Enghien, Mouscron and Comines-Warneton:

where documents should be submitted in French, but may be submitted in Dutch.

With the exception of: the municipalities of Malmedy and Waimes:

where documents should be submitted in French, but may be submitted in German.

- German-speaking region:

The municipalities of Amel, Büllingen, Burg-Reuland, Bütgenbach, Eupen, Kelmis, Lontzen, Raeren and Sankt Vith:

where documents should be submitted in German, but may be submitted in French.

- Brussels Capital region:

The municipalities of Anderlecht, Auderghem, Berchem-Sainte-Agathe, Brussels, Etterbeek, Evere, Ganshoren, Forest, Ixelles, Jette, Koekelberg, Molenbeek-Saint-Jean, Saint-Gilles, Saint-Josse-ten-Noode, Schaerbeek, Uccle, Watermael-Boitsfort, Woluwe-Saint-Lambert and Woluwe-Saint-Pierre:

where documents may be submitted in Dutch or French.

Article 24(1)(b) – an indicative list of public documents falling within the scope of this Regulation

1) Civil status certificates (drawn up by Belgian municipalities and by diplomatic missions and consulates)

- Birth certificate;
- Marriage certificate;
- Adoption certificate;
- Acknowledgement certificate;
- Death certificate;
- Change of surname certificate;
- Change of first name certificate;
- Divorce certificate;
- Missing person certificate;
- Belgian nationality certificate;
- Stillbirth certificate;
- Prenatal acknowledgement certificate;
- Certificate regarding declaration of choice of surname;
- Change of registered gender certificate;
- Adoption revocation certificate, adoption review certificate, second change of registered gender or cancellation certificate.

2) Court decisions

- Court decision substituting a birth certificate;
- Court decision establishing a parent-child relationship (application to establish maternal, paternal or co-maternal relationship);
- Court decision contesting a parent-child relationship (maternity, presumed paternity or co-maternity, recognition by the mother, father or co-mother);
- Adoption decision by the court.

3) Extract from the Central Criminal Register

Provided that the extract does not list any convictions and therefore shows a clean criminal record:

- extract from the Central Criminal Register issued pursuant to Article 595 of the Code of Criminal Procedure;
- extract from the Central Criminal Register issued pursuant to the first subparagraph of Article 596 of the Code of Criminal Procedure;
- extract from the Central Criminal Register issued pursuant to the second subparagraph of Article 596 of the Code of Criminal Procedure;
- extract from the Central Criminal Register issued pursuant to Article 596bis of the Code of Criminal Procedure.

In Belgium, extracts for use by individuals are usually issued by the municipal authorities, which have been connected to the Central Criminal Register since 1 January 2018. The Central Criminal Register only issues certificates directly in specific circumstances (such as for foreign residents, diplomats or legal persons).

4) Certificates issued by consular posts

- Certificate of non-impediment to marriage;
- Civil status certificate (divorce, legal separation and annulment of marriage, registered partnership, dissolution of registered partnership);

- Certificate of domicile (domicile and/or residence, with or without address history);
- Nationality certificate;
- Consular registration certificate;
- Household composition certificate;
- Name concordance certificate.

5) Certificates issued by municipalities/the Federal Public Service of the Interior (*SPF Intérieur*)

- Certificate showing a person's main residence;
- Certificate showing a person's main residence with address history;
- Proof of life certificate;
- Belgian nationality certificate;
- Legal cohabitation certificate;
- Pre-nuptial residence certificate;
- Belgian electoral certificate;
- Extract from registers.

Article 24(1)(c) – the list of public documents to which multilingual standard forms may be attached as a suitable translation aid

1) Copies of civil status certificates

Drawn up by municipalities and consular posts:

- Birth certificate;
- Marriage certificate;
- Death certificate.

2) Extract from the Central Criminal Register

- Absence of a criminal record.

3) Certificates issued by consular posts

- Proof of capacity to marry;
- Marital status.

4) Certificates issued by municipalities/the Federal Public Service of the Interior

- Certificate showing a person's main residence -> Annex X;
- Certificate showing a person's main residence with address history -> Annex X;
- Proof of life certificate -> Annex II;
- Legal cohabitation certificate -> Annex VII;
- Pre-nuptial residence certificate -> Annex X.

Article 24(1)(d) – the lists of persons qualified, in accordance with national law, to carry out certified translations, where such lists exist

As yet, there is no list of sworn translators in Belgium.

The Law of 10 April 2014 amending various provisions with a view to establishing a national register of legal experts and establishing a national register of sworn translators, interpreters and translator-interpreters entered into force on 1 December 2016.

This law sets out to create a national register of sworn translators, interpreters and translator-interpreters; however, the national register is not yet operational.

A new law on the further development of the national register is currently being drafted. Once the law has been passed and the national register is operational, Belgium will send the Commission a link to the website of the national register. This website will make it easy for anyone to find a sworn translator for the language they need in their region, although not all information on sworn translators will be publicly available.

Article 24(1)(e) – an indicative list of types of authorities empowered by national law to make certified copies

Certified copies cannot be issued for civil status certificates, certificates issued by municipalities or the Federal Public Service of the Interior, or for extracts from the Central Criminal Register.

Only the original document/copy or certificate is considered authentic.

A certified copy of a judicial decision is issued in the cases provided for in the second subparagraph of Article 792 and in Article 1067bis of the Judicial Code, i.e. in the instances listed in Article 704(2) of the Judicial Code, as well as in adoption cases and in all other cases where notification triggers the start of the period for lodging an appeal. A certified copy is also issued for the purposes of having the certificate recognised in another country or legalised.

An enforceable copy (*copie exécutoire or grosse*) of a judicial decision may also be issued; this is the authentic instrument that allows an enforcement officer to enforce a judicial decision. An enforceable copy may only be issued once.

Article 24(1)(f) – information relating to the means by which certified translations and certified copies can be identified

Information regarding extracts and certificates (not certified copies)

1) Civil status certificates:

- The logo of the municipality OR the logo of the BAEC OR the logo of the consular post and the logo of Belgium.
- Electronic stamp of the BAEC + link/barcode to be used to check that the copy or extract was issued by the BAEC.

2) Certificates from the Federal Public Service of the Interior (using 'Mon dossier'):

The seal (electronic stamp) of the Kingdom of Belgium and the words 'SPF Intérieur – Registre national' appear on each document.

The files are in PDF format and feature the National Register's signature and all the official logos.

The electronic stamp appears in the letters 'IBZ' in the header.

3) Extracts from the Central Criminal Register

- Extracts issued by the municipal authorities

The extract must be dated and signed by the municipal authorities. (Article 10, Royal Decree of 21 November 2016).

Currently, extracts must always feature an authentic stamp, the date and the signature of the mayor or his/her deputy.

As extracts are taken from the Central Criminal Register, they will also always feature a visible (scanned) signature of the Director of the Central Criminal Register.

A number of municipalities already issue extracts in electronic format.

- Extracts issued by the Central Criminal Register

The document will feature the embossed stamp of the Central Criminal Register, as well as the (registered) signature of the official who issued the extract.

Article 24(1)(g) – information about the specific features of certified copies

Nothing aside from what is referred to above.

■ Last update: 08/01/2024

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