

# Belgium



## Your local contact

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Status	Implemented
Name of National Law	NIS-2 Law and NIS-2 Royal Decree
Entered into force	October 18 <sup>th</sup> 2024
Link to current draft or equivalent	<a href="http://www.ejustice.just.fgov.be/eli/loi/2024/04/26/2024202344/moniteur">http://www.ejustice.just.fgov.be/eli/loi/2024/04/26/2024202344/moniteur</a> and <a href="http://www.ejustice.just.fgov.be/eli/arrete/2024/06/09/2024005260/moniteur">http://www.ejustice.just.fgov.be/eli/arrete/2024/06/09/2024005260/moniteur</a>
Scope (deviating from NIS-2-Directive)	(Additional) categories of entities in scope: The Belgian NIS-2 Law applies to entities established in Belgium, following the criteria set out in the NIS-2-Directive. For a limitative list of entities, the Belgian law provides that a formal designation by the CCB is required to enter scope. Further, certain entities are covered regardless of their size, a.o. entities dependent on the federal state or the federated entities, as well as to entities providing domain name registration services. By exception, the NIS-2 Law will also be applicable to non-BE providers of public electronic communications networks or publicly accessible electronic communications services when they provide these services in Belgium, or for other predefined IT providers (e.g. DNS service providers) when their main establishment (i.e. decision making, risk management or operation) is in Belgium.
Registration	Essential, important entities DNS service providers must register with the CCB unless another notification duty exists towards sector specific regulatory authorities.
Information Security Standards referenced	«Cyberfundamentals Framework» (CyFun®); ISO/IEC 27001
Incident reporting	Essential and important entities must report to the CCB and, in certain cases, the recipients of the services.
Authority / CSIRT	Centre for Cybersecurity Belgium (CCB)
Fines (deviating from NIS-2-Directive)	<p>The administrative fines may vary from:</p> <ul style="list-style-type: none"><li>• EUR 500-125.000 for non-compliance with the information obligations;</li><li>• EUR 500-200.000 for an entity that has sanctioned one of its employees or subcontractors for performing the obligations of the law in good faith and within the scope of their duties;</li><li>• EUR 500-200.000 for non-compliance with supervision obligations;</li><li>• EUR 500-7.000.000 or 1,4% of the total worldwide annual turnover for non-compliance with the obligations related to the cybersecurity risk-management measures;</li><li>• EUR 500-10.000.000 or 2% of the total worldwide annual turnover for non-compliance with the obligations related to the cybersecurity risk-management measures.</li></ul> <p>The administrative fine is doubled in the event of a repeat offence for the same acts within a period of three years.</p>
Worth mentioning	<p>The Belgian Authorities may temporarily prohibit the exercise of managerial responsibilities in case of infringements.</p> <p>A NIS-2 Scope Test Tool has been developed by the national authority (<a href="https://atwork.safeonweb.be/fr/nis2#scroll-to-795">https://atwork.safeonweb.be/fr/nis2#scroll-to-795</a>).</p>