Belgium

SOURCE: WCO/General Administration of Customs and Excise
17.04.2020

Protective equipment

Export

Despite the fact that procurement has increased and additional production has been encouraged, the current level of Union production and existing stocks of protective equipment will not be sufficient to meet the demand within the Union. Therefore, the EU has issued Regulation 2020/402 of 14 March to control the export of protective equipment.

For the Belgian Customs Administration, that means:

- Selection system does not release the items of the annex of the regulation for export. Goods can only be cleared for export after verifying officers confirm that the shipment does not contain protective equipment OR if a license is available.
- The necessary capacity is provided for the control of the measures.
- There is ongoing concertation with major Belgian industrial stakeholders on the operational side of the regulation.
- The competent authority provides certification for traders that are not targeted by the regulation (e.g. protective gear for automotive industry that has no medical use).

Import

The Belgian Customs Administration issued temporary measures to allow relief of VAT and Customs duties for donations of equipment for the protection of personnel. The relief is based on articles 57 – 58 of regulation 1186/2009.

Disinfectants, sanitizers, etc.

Pharmacists shall be allowed, as an exception and for a limited time, to store and use ethanol. We do require the beneficiaries of the exceptional rules to hold a register.

As a second measure, to increase the production of base substances for disinfectant sprays and liquids, the Belgian Customs Administration temporarily broadens the products that can be used for denaturation for this purpose. This enables pharmacists and hospitals to use alcohols to produce disinfectants based on stocks of available alcohols that would otherwise receive another destination (industrial use, destruction, etc.).

Measures for customs officers

The minister of Internal Affairs and Safety has listed the Customs Administration as an essential service for the vital functions of the Kingdom of Belgium.

This means the Customs Administration will continue its core function of protecting the interests of the Union and facilitate trade.

Remarks from the International Road Transport Union

15.04.2020

On 13 April, relaxations on driving and rest time rules in Belgium have been slightly adapted and limited. For drivers transporting essential goods (food supplies, medicines, medical equipment, fuel), the following applies:

- Increase of the maximum weekly driving limit from 56 hours to 60 hours.
- Increase of the maximum fortnightly driving limit from 90 hours to 96 hours.
- Possibility to postpone a weekly rest period beyond seven-24 hour periods (instead of six).
- Possibility to take 2 consecutive reduced weekly rest periods, provided that:
  - the driver takes at least 4 weekly rests in 4 consecutive weeks, of which 2 are regular weekly rests; and
  - compensation for a reduced weekly rest shall be taken before the end of the fourth week.

For all other drivers, there is the possibility to take the regular weekly rest in the vehicle, provided that it has suitable sleeping facilities and is maintained. Such exemptions apply to national and international goods transport.

Exemptions for both categories apply until 31 May.

Source: FEBETRA

09.04.2020

Belgium has agreed to a temporary and limited relaxation of the enforcement of driving and rest times for all drivers of vehicles active in the transport of goods. This relaxation is granted pursuant to Article 14(2) of the EU Regulation 561/2006. This temporary relaxation applies from 26/03/2020 and will run until 25/04/2020. It will apply to those drivers involved in the delivery of goods, both domestically and internationally. The following provisions will be temporarily relaxed as follows:

- derogation to the Article 8(8) of Regulation 561/2006: suspension of the ban on drivers spending their normal weekly rest period in the vehicle cabin.

In addition to this, general derogation and specific derogations for essential transport have been put into place. Belgium has agreed to a temporary and limited relaxation of the enforcement of driving and rest times for all drivers of vehicles active in the complete supply chain for the transport of essential goods and medication. This relaxation is granted pursuant to Article 14(2) of the EU Regulation 561/2006. This temporary relaxation applies from 01/04/2020 and will run until 30/04/2020. It will apply to those drivers involved in the delivery of goods domestically and internationally. The following provisions will be temporarily relaxed as follows:

- derogation to the Article 6(2) of Regulation 561/2006: replacement of the maximum weekly driving limit of 56 hours to 60 hours;
- derogation to the Article 6(3) of Regulation 561/2006: replacement of the maximum fortnightly driving limit of 90 hours to 96 hours;
- derogation to the Article 8(6) of Regulation 561/2006: postponement of a weekly rest period beyond six-24 hours period;
1. Measures aiming to Facilitate the Cross-border Movement of Relief and Essential Supplies

1.1. Belgian Customs maintains presence and service at all points of entry.
1.2. For hospitals, Belgian Customs has a procedure to rapidly identify the goods upon arrival and confirm whether they are allowed on the EU market by the competent authorities. The hotline can be reached 24/7.
1.3. There is a single point of contact to report possible bottlenecks on logistics. There are weekly high level calls with representatives of the Belgian economic sector.

2. Measures aiming at Supporting the Economy and Sustaining Supply Chain Continuity

2.1. For the Customs Transit procedure, more flexibility has been allowed, respecting the constraints of the European Union Customs Code.
2.2. Supply chains are disrupted because of the lockdown measures in multiple countries. This leads to the build-up of stocks. Temporarily, holders of Customs authorizations (inward processing, bonded warehouse, etc.) can request an extension. The locations must be located in Belgium and can only be used for goods that have not received a final customs destination yet.

3. Measures aiming at Protecting Customs administrations’ Staff

3.1. The Administration took severe measures for protection, based on the social distancing principle. Field officers have reduced staff numbers to allow less interaction. Teams work in the same composition as much as possible.
3.2. Legislation, central services, litigation and prosecution, and all other non-first line officers work from home.
3.3. As a general rule, every document or certificate can temporarily be scanned and delivered to customs. Digital autographs are also accepted. The only exception is documents that need a physical copy in thirds countries (e.g. proof of origin). See also point 4.1.

4. Measures aiming at Protecting Society

4.1. As a general rule, Belgian customs delivers every document, authorization or certificate digitally. The only exception is documents that need a physical copy in thirds countries (e.g. proof of origin). See also point 3.3.
4.2. Belgian customs, in cooperation with the Federal and local police, guard the national borders to prevent unnecessary travel, as is forbidden by national decree. The officers that enforce normally work on internal controls, so this task does not reduce the capacity of Belgian customs at the EU-borders (airports, ports).
4.3. Belgian customs has a stopping function for the controls on the quality of personal protective equipment. There is cooperation with the competent authorities.

Source: WCO/General Administration of Customs and Excise

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- derogation to the Article 8(6): reduction of the regular weekly rest period from 45 hours to 24 hours without any compensation.

Source: FEBETRA

Employers’ federations and trade unions in the Belgian road haulage sector and logistics service providers for third parties have made a joint call on all those involved to ensure, to the extent possible, the protection of all those in the haulage and logistics industry who are working during the COVID-19 pandemic. The call relates to stringently respecting all current measures in place regarding general hygiene, social distancing and the use of equipment at workplaces. The letter is available here.

Source: FEBETRA
Belgian Customs Administration Corona Measures – best practices

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This means the Customs Administration will continue its core function of protecting the interests of the Union and facilitate trade. With this in mind, the Administration took severe measures for protection, based on the social distancing principle. Legislation, central services, litigation and prosecution, and all other non-first line officers work from home. Field officers have reduced staff numbers to allow less interaction.

Temporary and limited relaxation of the enforcement of driving and rest times for drivers
Belgium has notified a temporary and limited relaxation of the enforcement of driving and rest times for the drivers involved in the supply chain relating to essential goods and medicine. This relaxation is granted pursuant to Article 14(2) of Regulation (EC) No 561/2006.

Start date: 19.03.2020
End date: 31.03.2020