

**BELGIUM – Orde van Vlaamse Balies (OVB)  
(Introduced in 2002)**

1. Legal basis			
	<ul style="list-style-type: none"> <li>- <u>Regulation</u> concerning continuing training</li> <li>- Adopted by the General Assembly of the OVB on 16/06/2010</li> <li>- Entry into force on 10/12/2010</li> </ul>		
2. Training			
2.1. Basic information			
	Extent	<ul style="list-style-type: none"> <li>- Min. 16 points/judicial year</li> <li>- Max. 8 points for non-legal matters and max. 8 points for <i>in-house</i> activities</li> <li>- Transmission of surplus possible (for lawyers: max. 48 points to the next judicial year of which max. 32 points attained during this year; for trainee lawyers: any points obtained in addition to the courses/examination for obtaining certificate of competence can be transmitted to the next judicial years)</li> </ul>	
	Exemptions	<ul style="list-style-type: none"> <li>- Motivated reasons (e.g. pregnancy, age, illness)</li> <li>- Exemptions granted by the President of the local Bar</li> </ul>	
2.2. Activities and methods			
Activities	Courses	✓	<ul style="list-style-type: none"> <li>- 1 hour = 1 point</li> <li>- Max. 6 points/day (max. 6 hours/day)</li> <li>- Max. 32 points for the complete course</li> </ul>
	Language courses	✓	<ul style="list-style-type: none"> <li>- 1 hour = 1 non-legal point (only if legal language courses)</li> <li>- Max. 6 points/day (max. 6 hours/day)</li> <li>- Max. 32 points for the complete course</li> </ul>
	Teaching	✓	<ul style="list-style-type: none"> <li>- 1 hour = 2 points</li> <li>- Max. 10 points /judicial year</li> </ul>
	Writing/publishing	✓	<ul style="list-style-type: none"> <li>- 1000 words = 2 points</li> <li>- Max. 32 points/publication</li> </ul>
	Foreign training activities	✓	<ul style="list-style-type: none"> <li>- Max. 10 points for activities accredited by a foreign bar/ judicial year</li> </ul>
	Other	✓	<ul style="list-style-type: none"> <li>- Speaking at conference: 1 hour = 2 points; max. 12 points/day (max. 6 hours/day)</li> <li>- Additional degree/doctorate at a university department of law: max. 32 points for the complete course</li> <li>- Participation in professional education course in <i>cassation procedure</i>: 10 points/judicial year: max. 10 points for the complete course</li> </ul>
Methods	Availability of e-methods	NO	
2.3. Course providers			
	Bar/Law Society	✓	OVB and local Bars
	Accredited provider	NO	

	Other provider (free market providers)	✓	<ul style="list-style-type: none"> <li>- Number of providers: 864 (from 2002 until July 2011)</li> <li>- Prior application for a course accreditation: ✓</li> <li>- Accreditation body: the Recognition Committee<sup>1</sup> of the OVB</li> <li>- Procedure: application 6 weeks prior to the course<sup>2</sup></li> <li>- Criteria for accreditation: subject of the course – (a) legal (b) non-legal but relevant to the profession of the lawyer</li> </ul> <p><u>Explanatory note:</u> Every provider needs to get accreditation for the course. It is not the provider who is accredited but it is the course meaning that it is possible that a provider gets accreditation for the first course, but not for the second course (accreditation of the course depends on its content).</p>
<b>3. Assessment of training activities</b>			
	Accredited course of 'other provider'	Automatically awarded with points	
	Other training activity	<p><u>Procedure:</u></p> <ul style="list-style-type: none"> <li>- Right for an <i>a posteriori</i> assessment</li> <li>- Applicant: lawyer</li> <li>- Assessment body: Recognition Committee</li> </ul> <p>Training activities can also be/are assessed during the compliance procedure (please see below 4.1.)</p> <p><u>Criteria for assessment:</u></p> <ul style="list-style-type: none"> <li>- Quality (subject – (a) legal (b) non-legal but relevant to the profession of the lawyer)</li> </ul>	
<b>4. Supervision</b>			
<b>4.1. Compliance procedure</b>			
	Regular control	<ul style="list-style-type: none"> <li>- Lawyer submits a written report (electronically) and documents of proof<sup>3</sup> to the President of his/her local Bar annually by 30 September</li> <li>- The President of the local Bar submits an overview<sup>4</sup> to the OVB until 31 March (indicating how many points each lawyer has obtained)</li> </ul>	
	Random control	NO	
<b>4.2. Sanctions</b>			
	Non-disciplinary	<ul style="list-style-type: none"> <li>- It is up to the discretion of the President of the local Bar not to initiate disciplinary proceedings under certain conditions (the President might order to fulfill the obligation within a fixed period of time)</li> <li>- The President of the local Bar inquires as to whether the lawyer has had valid reasons for not obtaining points</li> </ul>	
	Disciplinary	<ul style="list-style-type: none"> <li>- A breach of the Regulation can lead to a disciplinary sanction by the Disciplinary board; it is the President of the local Bar who can ask to summon a lawyer to appear for the Disciplinary board</li> <li>- Sanctions: <ul style="list-style-type: none"> <li>- Warning</li> </ul> </li> </ul>	

<sup>1</sup> Consists of 7 members: the Director of the OVB's Continuous Education Department is the President; other members are 3 lawyers admitted to the Bar and 3 academics; all are elected by the General Assembly of the OVB.

<sup>2</sup> The application fee for recognition equals the cost for one participant in the activity, with a minimum of €110 and a maximum of €695.

<sup>3</sup> Documents of proof are automatically attached to the report if a Bar or OVB course; if not, the lawyer has to scan or fax the documents.

<sup>4</sup> The overview indicates how many lawyers have obtained (1) 16 points; (2) 8-15 points; (3) 1-7 points; (4) 0 points and exemptions.

		<ul style="list-style-type: none"><li>- Reprimand</li><li>- Suspension for a period of up to 1 year</li><li>- Striking off from the list of trainees, the lawyers' roll or the EU-list</li></ul>
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