

Message 001

Communication from the Commission - TRIS/(2026) 0309

Directive (EU) 2015/1535

Notification: 2026/0044/BE

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħx il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20260309.EN

1. MSG 001 IND 2026 0044 BE EN 29-01-2026 BE NOTIF

2. Belgium

3A. FOD Economie, KMO, Middenstand en Energie

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3B. Vlaamse Overheid

Departement Omgeving

4. 2026/0044/BE - N30E - Gas

5. Decision of the Flemish Government regulating remedial measures for the construction and operation of natural gas distribution facilities and for work in the vicinity of such facilities

6. Natural gas

7.

8. This decision contains the engineering codes necessary to guarantee the safety of natural gas distribution within Flanders. Those preventative measures are aimed, on the one hand, at distribution system operators with regard to the design, construction, commissioning, operation and maintenance of natural gas distribution facilities. On the other hand, this Decision is addressed to third parties who carry out works on or in the vicinity of natural gas distribution facilities.

9. Natural gas distribution, the supply of natural gas to final consumers is a regional competence based on Article 6(1)(VII)(1)(b) of the Special Act on Institutional Reform (BWHI). Until recently, the control of natural gas distribution safety was regulated on the federal level. This changed in 2021, when the Council of State, in its Opinion 70.190/VR on the draft Royal Decree on the safety measures to be taken in connection with the establishment and operation of pipeline gas distribution facilities and to be respected by third parties in connection with works in the vicinity, ruled that natural gas distribution security falls within the competence for energy policy as referred to in Article 6(1)(VII)(1)(b) of the BWHI and that the 'regulation relating to remedial measures concerning the facilities supporting the network activity of gas distribution must be regarded as falling within the competence of the regions'. Consequently, in that opinion, the Council of State asserts that control of the safety of the distribution of natural gas is a regional competence.

As a result of this clarification of the division of competences between the federal and regional levels, a new article was inserted in the Energy Decree of 8 May, 20093: Article 4.1.11/8. This Article provides that the Flemish Government, acting on a joint proposal from the natural gas distribution system operators, is to adopt a safety code. This safety code defines the engineering controls necessary in order to ensure the safety of the natural gas distribution network.

10. Numbers or titles of the basic texts: There are no basic texts.

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

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