

Belgian Data Protection Act (Law of 30 July 2018)

Belgium's Data Protection Act implements and clarifies GDPR requirements for processing personal data in Belgium.



What it is

The Belgium Data Protection Act — Law of 30 July 2018 is a national data protection regulation that supports organizations in complying with data protection requirements and safeguarding the privacy rights of individuals. This law supplements and operationalizes the EU General Data Protection Regulation (GDPR) within Belgium, clarifying local enforcement and specific national provisions on data processing, privacy, and security.

Enacted and maintained by the Belgian Parliament and overseen by the Belgian Data Protection Authority (DPA), the Act is applicable to both public and private organizations processing personal data in Belgium. Its scope includes governance for lawful processing, individual rights, special categories of data, security measures, and procedures for reporting data breaches.

At a glance

<div>PUBLISHER</div> Data Protection Authority (Belgium)	<div>TYPE</div> Regulation	<div>VERSION</div> Belgium Data Protection Act (Law of 30 July 2018)
<div>EFFECTIVE</div> July 30, 2018	<div>DOMAIN</div> Privacy	<div>FAMILY</div> Global Privacy Regulations
<div>REGION</div> Belgium	<div>ADOPTION MODEL</div> Regulatory Compliance	<div>IMPLEMENTATION COMPLEXITY</div> High

Source: <https://www.dataprotectionauthority.be>

Why it matters

- Support compliance with GDPR** Facilitate adherence to both national and EU data protection regulations, reducing the risk of regulatory penalties and violations.
- Strengthen individual rights protection** Enhance mechanisms to uphold data subjects' rights, fostering greater trust and transparency with clients and stakeholders.
- Enhance incident response capabilities** Enable organizations to promptly detect, manage, and report data breaches, minimizing potential impact and improving accountability.
- Increase audit readiness** Support thorough documentation and evidence collection, streamlining regulatory audits and demonstrating continuous regulatory compliance.

How SmartSuite supports Belgian DPA

Personal Data Inventory and Mapping

Track personal data assets, processing activities, and data flows across the organization.

Records of Processing and Legal Basis Tracking

Maintain documentation of processing activities and legal bases for processing personal data.

Data Subject Rights Workflows

Automate access, correction, and deletion requests with deadlines and full audit trails.

Privacy Risk and Impact Assessments

Track privacy impact assessments, approvals, mitigation tasks, and compliance evidence.

Vendor and Processor Oversight

Monitor vendors and processors that handle personal data on behalf of the organization.

Privacy Compliance Reporting and Audit Readiness

Provide dashboards and reports showing privacy program coverage and compliance readiness.

Common framework mappings

- APEC PF
- CCPA/CPRA
- GDPR
- ISO 27701
- NIST Privacy Framework v1.0
- UK DPA 2018

Official resources

Belgium Data Protection Act – Full Text

Provides the official legal text of the Belgium Data Protection Act of 30 July 2018.

gegevensbeschermingsautoriteit.be/professioneel/avg

Belgium DPA Guidance on Data Protection Act

Outlines implementation guidance for organizations complying with the Belgium Data Protection Act.

gegevensbeschermingsautoriteit.be/professioneel/avg

Belgium DPA FAQ on Data Protection Legislation

Defines answers to frequently asked questions regarding data protection legislation in Belgium.

gegevensbeschermingsautoriteit.be/professioneel/avg

Frequently asked questions

What is the Belgium Data Protection Act — Law of 30 July 2018 used for?

The Belgium Data Protection Act — Law of 30 July 2018 is used to regulate personal data processing and ensure the privacy rights of individuals in Belgium. It supplements the EU GDPR by specifying national requirements and clarifying enforcement within the Belgian context.

Is compliance with the Belgium Data Protection Act mandatory?

Yes, compliance is mandatory for all organizations, both public and private, that process personal data in Belgium. Non-compliance may result in regulatory investigations and significant penalties enforced by the Belgian Data Protection Authority (DPA).

Who does the Belgium Data Protection Act apply to?

The Act applies to any organization, regardless of size or sector, that processes personal data within Belgium, or offers goods and services to individuals located in Belgium. This includes both data controllers and processors.

What key controls or documentation are required under the Belgium Data Protection Act?

Organizations must maintain records of processing activities, conduct data protection impact assessments (DPIAs) for high-risk processing, implement security measures, and establish procedures for breach notification. Attention to legal bases for processing and respect for data subject rights are also essential controls.

How do organizations implement the Belgium Data Protection Act in practice?

Implementation involves integrating data protection policies, conducting regular risk assessments, training staff, monitoring compliance, and responding to data subject rights requests. Effective organizations also maintain robust documentation and follow established incident response and breach reporting protocols.

How does the Belgium Data Protection Act relate to the GDPR?

The Belgium Data Protection Act operationalizes the GDPR within Belgium by addressing local requirements, enforcement mechanisms, and certain sector-specific exceptions. While GDPR sets the overarching standards, the Act provides additional requirements and clarifications tailored to Belgian law and practice.

What are the ongoing compliance requirements for the Belgium Data Protection Act?

Ongoing compliance requires continuous monitoring of data processing activities, periodic updates to privacy and security policies, regular staff training, timely reporting of data breaches, and responding to audits and regulatory inquiries from the Belgian DPA.

How would SmartSuite support Belgium Data Protection Act — Law of 30 July 2018?

SmartSuite enables organizations to manage Belgium Data Protection Act compliance by mapping regulatory controls, tracking risks in registers, collecting and organizing compliance evidence, and supporting audit readiness. Workflow automation, dashboard reporting, and policy governance tools help ensure continuous oversight and effective response to regulatory requirements.

License included / downloadable: Yes Belgium's Data Protection Act is publicly available through official Belgian government legal resources.

Full framework page and mappings: smartsuite.com/frameworks/belgium-data-protection-act-law-of-30-july-2018