Legal remedies

How do I contact the decision-making department?

In addition to the appeal procedures set out below, you may contact the administrative department that made the decision at any time, in particular to obtain additional clarification on the decision, to supplement your initial application with information not known to the administration, or to communicate your grounds for appeal.

The department to contact is the following:

Service public de Wallonie
SPW Économie, Emploi, Recherche
Département de la Gestion financière
Direction de la Gestion financière
Boulevard Cauchy, 43-45 à 5100 NAMUR
creances.recherche@spw.wallonie.be

There is no fee for contacting the administrative department and no special requirements apply. This step does not suspend the time limit for lodging an appeal. The absence of an administrative reply does not mean that your request has been accepted.

How do I lodge an appeal?

I. Appeals before the Council of State

A. Applying for an annulment

An annulment of the decision may be requested by applying to the Council of State either :

- electronically to the following address https://eproadmin.raadvst-consetat.be ;
- by registered letter, dated and signed, to the following address:
  Conseil d'État
  Greffe
  Section du Contentieux administratif
  Rue de la Science, 33
  1040 Bruxelles

You must submit your request within **60 calendar days** from the date of notification of the contested decision. If a complaint is lodged with the Ombudsman for Wallonia and the French Community before expiry of this time limit, the time limit is suspended for a maximum period of four months, in accordance with Article 19(3) of the Consolidated Laws on the Council of State.

In your request, you must set out the grounds of your appeal, meaning the legal rules that have been infringed by the decision and how they have been infringed.

B. Requesting a suspension

Sending an annulment application does not suspend the effects of the decision.

Therefore, if there is an urgent issue incompatible with processing the case for annulment and if there is a serious argument that is clearly and likely to lead to annulment, you may apply to the Council of State to request a suspension of the decision.

The request for suspension may be submitted before, at the same time, or after the application for annulment is sent.

In exceptional cases and under special conditions, you may also request a suspension of the decision on grounds of extreme urgency.

Practical information
The application for annulment and the request for suspension are valid only if they contain specific annexes and information. For details, please refer to the consolidated laws and decrees mentioned below and available at *http://www.raadvst-consetat.be* (under the heading 'Procedure').

Each appellant must pay a fee of EUR 200 (amount as of 1 February 2025) via a bank transfer form which is sent to them after receipt of the appeal.

For further information: Laws on the Council of State, consolidated on 12 January 1973, Decree of the Regent of 23 August 1948 determining the procedure before the Administrative Litigation Section of the Council of State, Royal Decree of 5 December 1991 determining the summary procedure before the Council of State, available at http://www.raadvst-consetat.be (under the heading 'Procedure').

II. Appeals before the ordinary courts

If the dispute concerns a personal right, you may lodge an appeal against the decision in the competent court of law.

The appeal is subject to costs.

For more information: Judicial Code, available on the website of the Belgian Official Gazette: http://www.ejustice.just.fgov.be/cgi/summary.pl.

Lodging a complaint with the Ombudsman for Wallonia and the French Community

You may also use the mediation service (which is free) provided by the Ombudsman for Wallonia and the French Community. Complaints may be lodged verbally at the Ombudsman's head office, or any of the locations where there is an Ombudsman service. It may also be submitted in writing, electronically, or by post to the following:

Le Médiateur de la Wallonie et de la Fédération Wallonie-Bruxelles
Rue Lucien Namêche 54
5000 Namur
Tél (freephone number): 0800 19199
reclamation@le-mediateur.be
www.le-mediateur.be

⚠️ **This mediation does not suspend enforcement of the contested decision. It does not constitute a legal remedy. The Ombudsman's recommendations are not binding on the administration.**

Ideally, a complaint should be preceded by contacting the department that made the decision, as otherwise the Ombudsman may refuse to examine it. The Ombudsman may also refuse mediation if the events took place more than one year before the complaint was lodged.
Mediation can take place in parallel with an appeal before the Council of State. If it is lodged before expiry of the time limit for lodging an appeal for annulment, that time limit is suspended for a maximum period of four months in accordance with Article 19(3) of the Consolidated Laws on the Council of State.

For more information: Joint Decree of 13 July 2023 of the French Community and the Walloon Region on the shared mediation service of the French Community and the Walloon Region, available at https://wallex.wallonie.be.