

Arrogation of office, of titles or of a name:

written by Dennis_ Rombaut_ | March 28, 2022

To usurp an office is to pretend to hold a particular public office. The classic example is posing as a police officer. The offence may consist of both performing acts associated with the office and/or presenting oneself as the holder of a public office.

Assumption of title is the assumption of a capacity that is not a public office but is nevertheless protected in some way. For example, architect, professional journalist, lawyer, physician, company auditor, ...

Wearing a badge of honour, uniform, ribbon, professional dress or other distinguishing mark associated with a title or office is also punishable. Think of a police uniform or toga. It is essential that the wearer had the intention to make others believe that he or she is the holder of the corresponding office or title. A mere dressing up for a theatre or film, or during carnival, does not fall under this.

Finally, the impersonation of a name is also punishable. It is only the fraudulent assumption of a family name that is punishable. Thus, it is punishable to tell the police a false surname, but not to tell them a false first name.

For more information on this offence, a concrete punishment and/or advice tailored to your needs, contact our criminal lawyers at info@studio-penale.be.