

NEWSFLASH: LEGAL INTEREST RATES RISE SUBSTANTIALLY

written by Ruben Brosens | January 18, 2023



Newsflash: Legal interest rates rise substantially

Belgian legal interest rates on late payments do not escape the current economic and financial climate either and undergo a substantial increase as from 1 January 2023 both in terms of the ordinary legal interest rate as well as that applicable to trade transactions.

The FOD Finance has just communicated the legal late payment interest rate applicable as from 1 January 2023.[\[1\]](#) You can find the information sheet [here](#).

The ordinary legal interest rate rises from 1,50% to no fewer than 5,25% as from 1 January 2023.

The interest rate for "trade transactions" in turn increases from 8% to 10.50%. The application of this interest rate is limited to "commercial transactions" which are defined in accordance with the Late Payment Act[\[2\]](#) as: "A transaction between companies or between companies and public authorities leading to the supply of goods, the provision of services or the design and execution of public works and building and civil engineering works against remuneration."

As a debtor, you will therefore have to more than ever pay attention to your payment deadlines as the interest always provided for by law as compensation for late payment has risen substantially, regardless of what may be contractually provided.

This may possibly be an appropriate time for you as a company to have your general terms and conditions as concerning late payments reviewed. In addition, there have been important legal changes that should also be taken into account during such a review in relation to unlawful clauses. See our prior article on this subject on Jubel.[\[3\]](#)

For further questions on this subject, you can always contact us by e-mail: joost.peeters@studio-legale.be or by phone: 03/216.70.70.

[1]

See:

https://financien.belgium.be/nl/over_de_fod/structuur_en_diensten/algemene_administraties/thesaurie/rentevoet_betalingsachterstand_handelstransacties

[2] Wet van 2 augustus 2020 betreffende de bestrijding van de betalingsachterstand bij handelstransacties.

[3] <https://www.jubel.be/onrechtmatige-bedingen/>