

The House of Representatives

Electoral legislation

In this information sheet we explain different aspects of the legislation concerning the elections for the House of Representatives. You will find an overview of all laws, royal and ministerial decrees on the special web pages of the Federal Public Service Home Affairs: www.elections.fgov.be.

Provincial electoral constituencies

For the House of Representatives the constituencies match with the provinces. The electoral constituency of Brussels-Capital is an exception to this rule, because its boundaries coincide with the territory of the administrative district of Brussels-Capital.

In addition, there are special rules for the voters of the Rhode-Saint-Genèse electoral district, who live on the territory of Flemish Brabant province, but have the possibility of voting either for a list from the Flemish Brabant constituency or for a list from the Brussels-Capital constituency. The Rhode-Saint-Genèse electoral district includes the municipalities of Rhode-Saint-Genèse, Drogenbos, Linkebeek, Wemmel, Kraainem and Wezembeek-Oppem.

There are, consequently, 11 constituencies for the House.

Electoral threshold

There is an electoral threshold of 5% for the election to the House. This is to say, that a list is only allowed into the seat distribution system on condition that it achieves at least 5% of the total number of validly cast votes in the electoral district. So it is entirely possible that a list has no deputies from one or more constituencies because the party did not achieve the 5% threshold there, although it does have deputies from another electoral district where it did pass the threshold.

Equal representation of men and women

With the electoral law of 13 December 2002 the equal representation of men and women on the electoral lists became a reality. On a list with for example 21 candidates a maximum of 11 may be of the same gender. That condition applies both to the list of actual candidates and to the list of reserve candidates. Moreover, neither the first two candidates, nor the first two reserve candidates may be of the same gender. For the other places on the list there is no required order but for the entire list the 50-50-proportion must be observed.

Candidate and reserve candidates

At the elections to the House of Representatives you can vote for effective candidates as well as for reserve candidates. The probability that someone who stands as a reserve candidate becomes a member of parliament after the elections is not small. This is because members of parliament who become a minister or secretary of state are replaced in the House by a reserve during their executive mandate.

The importance of the list votes

In order to determine who is elected, the list votes must be assigned to individual candidates. In accordance with the law of 27 December 2000, only half of the list votes are transferred to the individual candidates. The list votes are added to the named votes obtained by the first candidate until this person obtains the eligibility figure (see information sheet n° 9). If any list votes remain, then they are added to the named votes obtained by the second candidate until this person also has sufficient votes to be elected. And so on until half of the list votes have been used.

Belgians abroad

All Belgians who are registered in the Belgian diplomatic or consular services abroad and are entitled to vote, are obliged to vote in the federal elections. They are registered on the list of voters of the Belgian municipality with which they have an objective relationship, which is generally the municipality where they were last registered in the population register. The precise arrangements are laid down in the law of 19 July 2012.

There are five ways of doing so. They can:

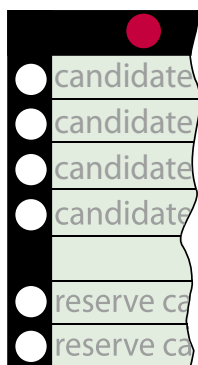
- vote in the Belgian commune in person
- vote in a Belgian commune through a proxy
- vote personally in the diplomatic or consular service in which they are registered
- vote in the diplomatic or consular service in which they are registered, via a proxy
- have a postal vote.

Election campaign

Candidates are not allowed to put whatever amount of money into their election campaign. The Belgian legislator limits the amount political parties as well as individual candidates can spend. Candidates must account for their expenditure during the “reference period” (four months before the elections) and declare it, via the President of the main electoral office, to the Federal Electoral Expenditure Commission for elections to the House and the European Parliament. Candidates may not buy advertising space on the radio or television, or in cinemas. However, they are allowed to publish advertising clips on the Internet.

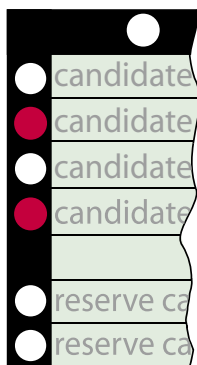
More information
www.elections.fgov.be

How to vote validly?



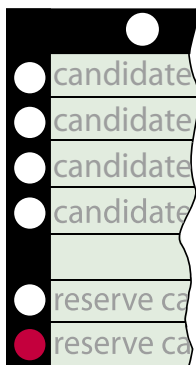
1st possibility

You agree with the order of the candidates.



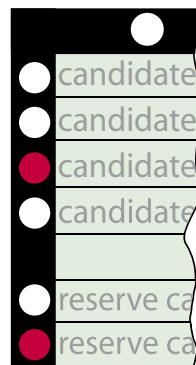
2nd possibility

You mark your preference for 1 or more effective candidates



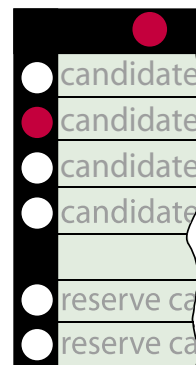
3rd possibility

You mark your preference for 1 or more reserve candidates



4th possibility

You mark your preference for 1 or more effective candidates and 1 or more reserve candidates



5th possibility

Only the name vote will be taken into account