The House of Representatives
Legislative competence: monocameral procedure

What does monocameral mean?

The monocameral legislative procedure means that a single house, i.e. the House of Representatives, adopts a federal law. The Senate does neither intervene in the examination nor the vote of these laws.

It is the simplest federal legislative procedure. The two other procedures (optional and compulsory bicameral[1]) follow the same basic idea, although the House and the Senate have to agree on the same text (compulsory bicameral procedure) or the Senate may make observations that the House may or may not take into account (optional bicameral procedure).

The monocameral procedure is the general rule

Article 74 of the Constitution does not list the monocameral matters. This procedure therefore applies in all cases that are not compulsory bicameral (House and Senate have equal power[1]) or optional bicameral (the House has the last word, but the Senate has a right of evocation[2]).

Procedure

» Initiative

Only the members of the House and the King (= the Federal government) can take a legislative initiative.

Bill

When the legislative initiative comes from the King (= the federal government) it is called a Bill. The office of the minister or department first prepares a draft Bill which is then submitted for approval to the Council of ministers.

The draft Bill is also sent to the legislation section of the Council of State, for advice. The Bill then may be amended on the basis of this advice.

Private Member's Bill

When the initiative comes from one or more members of the House, then it is called a Private Member's Bill. A Private Member's Bill is not automatically submitted to the Council of State.

The President of the House may, however, at any time in the procedure, request the opinion of the Council of State on Bills, Private Member's Bills and amendments. The President is bound to request the advice of the Council of State when one third of the members of the House or a majority of the members of a language group request so.

» Submission of a Bill

A Bill, the presentation of the reasons in which the government explains the objectives of the Bill, the advice of the Council of State, and possibly the impact analysis of the regulation (the preceding evaluation of the possible consequences of the Bill) are sent to the House. The texts, drawn up in French and Dutch, are printed and distributed.

» Submission of a Private Member's Bill

A Private Member's Bill is submitted to the President. He decides whether the Private Member's Bill may be further developed, translated, printed and distributed.

There is an additional step with regard to the Private Member's Bills: the author must request the House to take his proposal into consideration. In general this is merely a formality. Nevertheless, as an exception it sometimes happens that it is only taken into consideration after a vote, for example when some deputies think it should not be examined.

» Referral

The President of the House refers the Bills and Private Member's Bills to one or more committees in relation to the subject dealt with.

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(1)   See information sheet 11.05.
(2)   See information sheet 11.06.

» Committee examination

The committee meets in the presence of the responsible minister. He is helped by assistants from his office or by civil servants from his department. In principle, the committee meetings are public. A majority of the committee members must be present all the time for the Bills and Private Member's Bills to be examined.

- The author or authors set out the reasons for submitting the Bill or Private Member's Bill.
- There is a general discussion and a discussion on each article.
- Then there is a vote, first of all on each article and then on the whole text. The majority of the committee members must be present for the vote to be valid.

The members of the House or government are always able to submit amendments. These amendments may be submitted up until the close of the general discussion in the plenary session (see further). The members may also split articles. This last technique may turn out to be useful in order to separate certain contested provisions from provisions on which there is agreement.

The committee discussion is normally the subject of a report written by one or more members of the committee chosen by their colleagues, who act as rapporteur(s). The report includes an analysis of the committee discussion and the reasoned conclusions proposing the adoption, amendment or rejection of the Bill or Private Member's Bill. The committee reports are translated, printed and distributed at least three days before the general discussion in the plenary session, unless the House requested urgency.

» Examination in plenary session

A general discussion is devoted to the general objectives of the Bill or Private Member's Bill. It normally starts with a reading by the committee rapporteur.

There is then a discussion of the articles of the text, as they have been adopted by the committee.

Then there is a vote, on each article or on part of an article and then on the whole text (possibly after a second reading). The final vote is done by a name call. In the past the secretaries read out the names of the House members in alphabetical order. Since 1955 the vote has been done automatically.

» Submission to the King

The House submits the adopted Bills for royal signature.

Royal signature and promulgation

With his signature, the King marks his formal agreement with the text of the law. No time limit is set for royal signature. The federal government is responsible in the event of the King's refusal to sign a law.

The King promulgates the law. As head of the executive the King confirms the existence of the law and orders its implementation.

» Publication

All laws are published in the Moniteur belge (the State official Journal) in French and Dutch. They enter into force on the tenth day of their publication, unless the text of the law gives another date. It must then be observed by all the citizens.