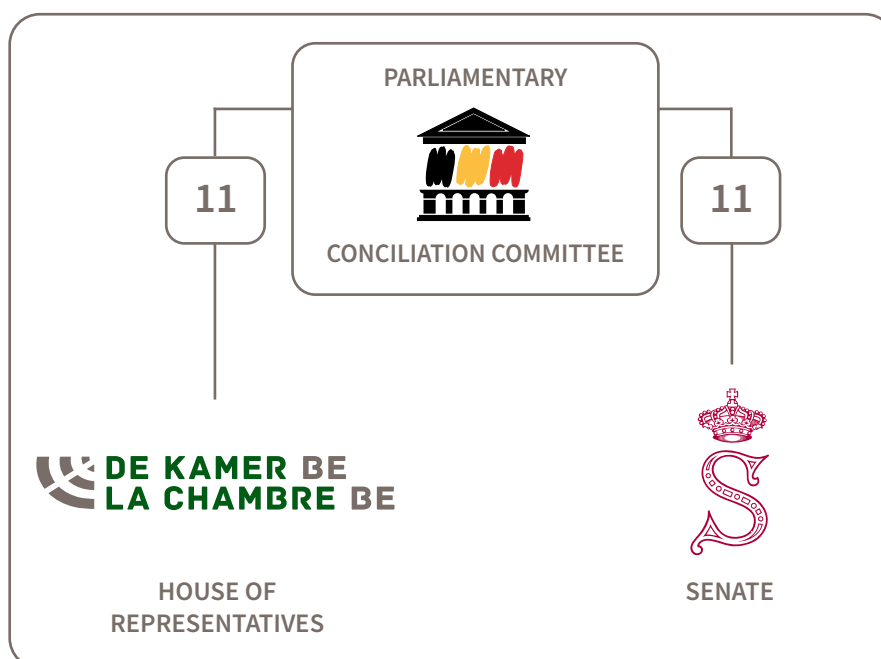


The House of Representatives

The Parliamentary Conciliation Committee



General

The 1993 constitutional revision brought an end to the system in which the House of Representatives and the Senate were equally competent (total bicameralism). This system has been replaced by a system providing a division of tasks between the two legislative assemblies. In order to guarantee the good working of this, it was decided to create a conciliation body consisting of an equal number of members of the House of Representatives and the Senate: the parliamentary conciliation committee (article 82 of the Constitution).

There was already an informal arrangement between the two legislative assemblies on the organisation of parliamentary proceedings, generally in conciliation with the government. This conciliation partly takes place in a structured way in the framework of the parliamentary conciliation committee.

Composition

The parliamentary conciliation committee consists of 22 members, i.e. 11 members of the House of Representatives, including the President of the House of Representatives, and 11 Senators, including the President of the Senate.

The permanent members as well as their substitutes are appointed by their respective assembly for the duration of the legislature of the House of Representatives (in principle 5 years) according to the system of proportional representation of the political groups.

The committee is chaired for the duration of a session (i.e. a parliamentary year, in principle from October to October of the next year) in turns by the President of the House of Representatives and the President of the Senate.

Competences

» Settling conflicts of competence between the House of Representative and Senate regarding legislation

Taking the division of competences between the House and Senate into account, three legislative procedures are possible.

The monocameral procedure⁽¹⁾ (article 74 of the Constitution); (also called single chamber legislative procedure)

The House of Representatives is exclusively competent for all subjects which are not expressly mentioned in articles 77 and 78 of the Constitution.

The bicameral procedure⁽²⁾ (article 77 of the Constitution); (also called the two-chamber legislative procedure)

The House of Representatives and Senate are equally competent for a certain number of subjects (the Constitution, the institutions and the financing of the German-speaking Community, the financing of political parties, ...).

The optional bicameral procedure⁽³⁾ (article 78 of the Constitution); (also called optional two-chamber legislative procedure)

For some other subjects, the House of Representatives is competent but the Senate may examine the Bill (right of evocation) and propose amendments to the House of Representatives.

The author or authors of the Bills or Private Member's Bills are bound to indicate in article 1 of the text which procedure applies. There may be disputes on this respect. The conciliation committee thus decides which parliamentary procedure is to be followed. The committee may request the opinion of the Council of State, legislation section, in this respect. When examining the Bills, Private Member's Bills and the amendments on which it has to give its advice, the Council of State is bound to verify, on its own initiative, that the dividing up of authorities between the legislative chambers has been respected.

» Competence for time limits

The optional bicameral procedure requires the Senate to observe a certain number of time limits, in particular a 15-day time limit for evocation and a 30 day scrutiny time limit. The scrutiny time limit may be extended by the parliamentary conciliation committee.

Working

An issue may be put to the conciliation committee, either by the President of the House or the Senate, or on the request of at least eight committee members.

The conciliation committee takes its decision with an absolute majority of the members in each of its two components (i.e. at least 6 of the 11 members of the House of Representatives and at least 6 of the 11 Senators). If this majority is not reached, the decision is taken by a majority of two thirds of all of the members (i.e. at least 15 of the 22 members).

The decisions taken by the committee bind the two assemblies and are brought to the attention of their members by their respective President.

1 See information sheet 11.04
2 See information sheet 11.05
3 See information sheet 11.06