

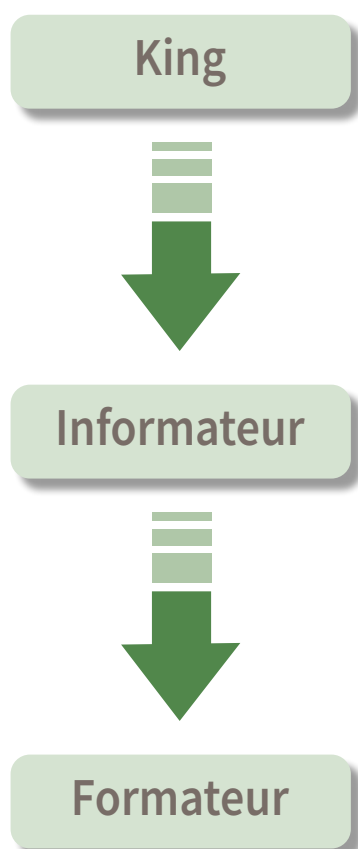
The Federal Government Formation

The government making power belongs to the House of Representatives: the government must obtain the confidence of the majority of the House.

No party has a majority in the House of Representatives: this is one of the consequences of the proportional representation electoral system. To form a government, coalitions have to be formed.

From a historical point of view, ministers were the servants of the King. The Head of State still plays an important role in the formation of the government. Article 96 of the Constitution stipulates moreover that the King appoints and dismisses “his” ministers.

The formation of the government is based more on custom and tradition than on written law.



How is a government formed?

» Consultations with the King

After the elections, the initiative to form a new government rests with the King. He first consults the Presidents of the House of Representatives and the Senate. Then, he conducts meetings with a number of prominent people in socio-economic and political spheres in order to learn of their opinions on the election results and on the policy that a new government should conduct. In general an informateur is appointed following these meetings. If the election results show a clear parliamentary majority, then the King can immediately appoint a formateur.

» Appointment of an informateur

The informateur is often an experienced politician who learns from the representatives of the political parties and explores the various government coalition possibilities. His task is to verify which political parties have the majority of seats and to examine whether they can form a coalition or not on the basis of their respective manifestos.

He reports these possibilities to the King and advises him regarding the appointment of a formateur.

» Appointment of a formateur

The King appoints the formateur on the basis of the report of the informateur. His assignment is to reach a government agreement (these are the main objectives that the government wishes to reach during the legislature). This operation takes place at the time when the formateur is conducting his negotiations with the party leaders he has approached with a view to forming a coalition. The negotiations concern the practical composition of the government. The majority parties make their desiderata known and present their candidates for the posts of ministers and secretaries of State.

If these negotiations succeed, he presents a new government team to the King. Most of the time the formateur becomes the Prime Minister.



King

**SERVICE PUBLIC FÉDÉRAL
CHANCELLERIE DU PREMIER MINISTRE**

[C – 2020/15683]

**1^{er} OCTOBRE 2020. — Arrêté royal
Gouvernement. — Démission. — Nomination**

PHILIPPE, Roi des Belges,
A tous, présents et à venir, Salut.
Vu la Constitution, l'article 96 ;
Sur la proposition de la Première Ministre,

Nous avons arrêté et arrêtons :

Article 1^{er}. La démission offerte par M. Alexander De Croo, de ses fonctions de Vice-Premier Ministre et Ministre des Finances, chargé de la Lutte contre la fraude fiscale, et Ministre de la Coopération au développement, est acceptée.

Il est nommé Premier Ministre.

Art. 2. Le présent arrêté entre en vigueur ce jour.

Art. 3. La Première Ministre est chargée de l'exécution du présent arrêté.

Donné à Bruxelles, le 1^{er} octobre 2020.

PHILIPPE

Par le Roi :

La Première Ministre,
S. WILMES



House

Investiture of the government

» The King appoints his ministers (article 96 of the Constitution).

The King is “incapable” of acting alone without being covered by a minister (see information sheet 7).

In practice events happen in the following manner:

- the Prime Minister who is standing down signs together with the King the first decree that appoints the new Prime Minister (see illustration).
- the new Prime Minister signs jointly with the King the decree that appoints the other members of the government.

The appointed ministers take the oath before the King. After taking the oath, the ministers meet and draw up the government statement.

The government statement to the House of Representatives (“State of the Union”)

The Prime Minister reads the government statement to the House of Representatives. He sets out the main lines of the government agreement (“State of the Union”). Following this statement, a debate takes place in plenary session.

The debate on the government statement ends in a vote of confidence. If at the end of the debate on the government statement, the Prime Minister obtains the confidence of the majority (by a motion of confidence being adopted), he may begin implementing the government agreement. It is then said that the government has obtained its investiture.

Policy statements by the members of the government

Each member of the government makes a policy statement to the House on taking office. This document sets out the strategic options and the main thrust of policy implementing the government agreement. The relevant committees of the House debate these policy statements and may formulate recommendations.

Legislature

The federal government remains in power for a maximum period of five years (the equivalent of a parliamentary term). The confidence that the government receives at the time of its accession to power is conditional, however, and may be revoked at any time. In other words a government must always ensure that a majority of members support its policy.