

## **The federal government**

### **Workings**

#### **General**

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The workings of the Council of ministers (Cabinet) are based on custom and tradition. When forming the government, the new Prime Minister gives each of his ministers and secretaries of State a collection of papers containing directives relating to the workings of government in general and the Cabinet in particular. It specifies the times and days of meetings, which files must be submitted to the Cabinet as well as the procedure to be followed on this occasion. These papers also contain instructions concerning ministerial ethic, such as the confidentiality of discussions, etc.

With regard to taking decisions, the individual ministers used to have wide powers themselves: they took alone decisions relating to their department, without consulting their colleagues in the government team.

Gradually, however, the decisions have been taken in a more collective manner within the Cabinet. This development was considered necessary to guarantee cohesion within the government team, which is always based on a coalition, but which must nevertheless lead to a coherent policy.

Currently the situation is such that certain decisions that have not been subject to discussion in the Cabinet are null and void.

#### **What does the Council of ministers (Cabinet) discuss?**

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The Cabinet discusses the general policy of the country. The agenda contains the points of current affairs that concern public opinion, foreign relations, as well as all questions that risk jeopardising government solidarity.

The Cabinet also discusses the draft bills that will be submitted to the House of Representatives, and draft royal decrees, certain draft ministerial decrees and circulars with a budgetary impact.

#### **How do things work in practice?**

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##### **» Preparation**

Each minister prepares the dossiers relating to his department, together with the Policy Cell. The subjects that come under the competence of several members of government are subject to prior consultation in order to adopt a common position.

##### **» Consultations**

When political initiatives are developed, the minister and the Policy Cell of the federal government department consult with the sector concerned, community or regional governments, trade unions and other institutions.

##### **» Preparation of the Council of Ministers**

When a member of government decides to take an initiative, he requests that the item is placed on the Cabinet agenda. Each file is submitted in 60 copies to the Cabinet and generally contains:

- an “introductory note to the Cabinet” which is concluded by a concrete “proposed decision”
- the document itself: the draft bill, draft royal decree, and a presentation of the motives or the report to the King
- documents supplementing the dossier, such as:
  - the opinion of the State Council
  - the opinion of the Finance Inspectorate
  - the impact analysis of the regulation.

When a member of the government wishes to submit such papers, he must give notice of his intention beforehand.

The dossier is distributed to all the members of government as well as to certain other bodies concerned with the workings of the Cabinet, such as the King’s cabinet, the presidents of the federal government departments... This way of working allows other ministers to make comments if necessary.

The Prime Minister draws up an agenda for the next meeting.

## »» Deliberations and decision making process

Unless decided otherwise, the Cabinet meets once a week, on Friday morning.

The ministers meet at 16 rue de la Loi in Brussels, which houses the chancellery of the Prime Minister (the administration).

For reasons of government cohesion, in principle they do not vote. The Cabinet deliberates until a consensus has been obtained. The Prime Minister closes the debate when there is an agreement between the ministers. Once a decision has been taken, all ministers are jointly and individually responsible. A member of government cannot openly express reservations regarding a collective decision.

If it turns out impossible to obtain a consensus, the examination of the matter is deferred. In many cases the matter is referred to a working group with a view to reaching a solution acceptable to all ministers on the basis of the proposals and counter proposals. Any minister who cannot ultimately go along with a consensus has to resign.

## »» Public information

The contents of the Cabinet debates are secret. Full discretion is expected on the part of ministers. Over the years the custom has developed that a press pack is issued after the Cabinet meetings through the federal information service. This press pack contains all the press communiqués on the Cabinet decisions. The Prime Minister and the ministers concerned may also hold a press conference at the end of the Cabinet meeting.

## »» Notification and minutes

The decisions taken by the Cabinet are recorded in notifications and are distributed to all members of government.

The Cabinet Secretary makes a “summary report” of the meeting. This report has only been done systematically since 1918.

## »» Archives

When the Prime Minister resigns from his office, it is customary for him to take his personal files with him. The majority of former Prime Ministers (or their heirs) have placed their personal archives in the Royal Archives Deposit. The summary reports of the Cabinet meetings have also been held there since 1920. The minutes of the Council of Ministers’ meetings for the period 1918-1979 may be consulted on the Internet site of the General Archives of the Kingdom ([www.arch.be/conseildesministres](http://www.arch.be/conseildesministres)).

You will find actual information on the federal government at <http://www.belgium.be>