

## The House of Representatives

### Votes

#### General

Parliaments take decisions that fundamentally affect the life of the citizens. Given the importance of these parliamentary decisions (such as laws for example), procedures have been set up. These are aimed at determining whether the proposals have the support of the majority of the deputies.

Moreover, democracy is based on the idea that rules supported by the majority of the population will be better applied.

The parliamentary decision process “par excellence” is the vote. Through this process it can be verified whether a proposal is supported by a majority of deputies or not.

In this context two ideas are important.

- **The quorum:**

In order to avoid a limited number of parliamentarians taking decisions, the presence of a certain number of them is required, otherwise the vote is invalid.

- **The majority:**

In a democracy decisions are taken by a majority. This is most often a half plus one. In certain cases concerning very important decisions (eg. constitutional revision) a special majority is required in order to protect the minority.

#### Majorities

##### » Absolute majority

Article 53 of the Constitution stipulates that any resolution is taken with an absolute majority of the votes. In the event of a tie, the proposal submitted to discussion is rejected<sup>1</sup>.

A quorum of half plus one is required (= 76 deputies)

PRESENT	“YES” VOTES
At least half plus one (= 76 deputies)	The majority of the votes cast

##### » Special majority

This is a qualified majority of two-thirds. This majority is required for a constitutional revisions (article 195 of the Constitution) and also for changing the numbering and the subdivisions of the Constitution (article 198 of the Constitution).

In this case a quorum of two-thirds (= 100 deputies) is required.

PRESENT	“YES” VOTES
At least two-thirds (= 100 deputies)	At least two-thirds of the votes cast

<sup>1</sup> All the appointments and presentations that the House is called on to make, are also taken with an absolute majority of the votes. However when reaching the third round of voting, the relative majority is sufficient. In case of equality of votes, the member with the greatest length of service, is appointed.

## » Reinforced qualified majority

In certain cases a reinforced qualified majority is required (article 4 of the Constitution):

- a majority of the votes cast in each language group
- in addition, a majority of two-thirds of the votes cast in the two language groups.

In this case the quorum is the majority of the members of each language group.

This majority is required, in particular:

- to change the boundaries of the linguistic regions (Article 4 of the Constitution)
- to bring certain territories directly under the federal executive power (Article 5 of the Constitution)
- to create regional bodies (Article 39 of the Constitution)
- to amend the guarantees provided to Dutch-speakers and French-speakers in the former province of Brabant during elections for the House of Representatives (Article 63 of the Constitution)
- to broaden the bicameral and optional bicameral legislative procedures (Articles 77 and 78 of the Constitution)
- where it is a matter of the composition and workings of the parliaments and governments of the Communities and Regions, with the exception of the Parliament and Government of the German-speaking Region (Articles 118 and 121 of the Constitution)
- to amend the way in which the Flemish and the French-speaking Communities can exercise the powers of the Flemish and Walloon Region respectively (Article 137 of the Constitution)
- for the settlement of conflicts of interest (Article 143 of the Constitution)
- to amend certain essential elements of the organization of the Brussels judicial district and certain rules relating to the general assembly of the administrative litigation section of the Council of State (Articles 157bis and 160 of the Constitution)
- where it concerns the system for funding the Communities and Regions, except that applicable to the German-speaking Community (Articles 175 and 177 of the Constitution).

### PRESENT

The majority of each language group

### “YES” VOTES

The majority of the votes cast in each language group

Two-thirds of the two language groups together

## Voting procedures

The Rules of Procedure provide for three types of voting:

### » The call-over (= electronic vote)

The deputies used to cast their vote, one after the other, by calling out after their name was called in alphabetical order. Since 1955 the vote has been done electronically. Electronic voting is considered equivalent to the call-over method and is the most frequently used voting method.

In certain cases this type of vote is compulsory:

- at the end of debates on a government statement
- the vote on laws as a whole
- when requested by at least 8 members.

### » Vote by sitting and standing

In less important cases requiring quick treatment and in which there is a clear majority the vote is done by sitting and standing. This type of vote is anonymous: it is impossible to know afterwards who voted for or against. In the event of doubt the vote is taken again or done electronically.

This voting procedure is used for votes on amendments and individual articles or a vote on an urgent motion.

### » Secret vote

In principle the votes are public. The public must be able to check the position adopted by a deputy. It is the democratic way of proceeding. In accordance with the Constitution, votes on Bills or Private Member's Bills are always public. On the legislative level there are no secret votes.

On the other hand the appointments and presentations that the House is called on to make are by secret ballot (eg. members of the Court of Audit).