

The Provinces

Background

Before the emergence of modern centralised states there existed Earldoms (for example the Earldom of Flanders), Duchies (for example the Duchy of Brabant), and Principalities (for example the Principality of Liège), etc.

When Belgium was part of France (1794-1815) a highly centralised administration was set up. Under the French regime Belgium was divided up into nine departments, precursors of the provinces. The departments, however, had no decision making power.

Under the Dutch regime (1815-1830) the departments were converted into provinces vested with its own competences.

In 1830 the Belgian constitutioner continued this process and conferred general competences to the provinces regarding provincial matters.

After the emergence of new levels of power, such as the communities and regions, the provinces have progressively lost their importance. A province can take initiatives in all areas that it considers to be of a provincial interest and which do not come under the competence of another level of power.

Ten provinces

Belgium has 10 provinces¹⁾:



In the Walloon Region

- Hainaut (chief city: Mons)
- Liège (Liège)
- Luxembourg (Arlon)
- Namur (Namur)
- Walloon Brabant (Wavre)



In the Flemish Region

- Antwerpen (Antwerpen)
- Limburg (Hasselt)
- Oost-Vlaanderen (Gent)
- West-Vlaanderen (Brugge)
- Vlaams Brabant (Leuven)

The district of Brussels-Capital does not form part of any province. The provincial tasks in Brussels are generally dealt with by the institutions of the Brussels-Capital Region and by the French Community Committee, the Flemish Community Committee or by the Joint Community Committee (see information sheet 26).



1 On 01/01/1995, the province of Brabant was divided into two provinces, one in the Flemish Region and one in the Walloon Region.

A regional competence...

During the state reform of 2001, the competence with regard to provincial institutions (and other subordinated administrations) was transferred to the regions.

The regions have the authority to abrogate, complete, modify or replace the existing legislation (provincial law of April 30, 1836), which they have already done.

- In the Walloon Region, the provincial legislation has been inserted into the Code on local democracy and decentralization.
- In the Flemish Region, the provincial decree of 9 December 2005 is applicable. If the legal framework is currently very similar in the regions, this situation might change.

...but not exclusively

There are exceptions to the principle of the competence of the regions. The Federal State remains indeed competent in certain cases.

So, the regions are for instance competent for the appointment of provincial governors but after unanimous advice of the federal Council of Ministers. Regulations relating to the deputy governor of the administrative District of Brussels-Capital and to the deputy governor of the Flemish Brabant province also come under the competence of the federal authorities.

The provincial bodies

The composition, the competences and the working of the provincial bodies come under the competence of the regions.

At present, all the provinces have their own legislative and executive body:

- The provincial council, whose members are elected for 6 years, is the legislative body;
- The provincial college (in the Walloon provinces) or the “deputatie” (in the Flemish provinces) is the executive body.

The provincial governor

» Appointment

The governor is appointed for an undetermined period by the regional government after unanimous advice of the federal Council of Ministers. He has specific competences, among others, as representative of the central authorities.

» Brussels Deputy Governor

In the administrative district of Brussels-Capital, the function of governor has been suppressed by the law of January 6, 2014 on the sixth state reform with regard to the matters referred to in article 78 of the Constitution.

The regional government appoints a deputy governor, after unanimous advice of the federal Council of Ministers. He must be able to demonstrate considerable knowledge of both French and Dutch. He is in charge of ensuring that the language legislation is observed in Brussels.

» Deputy Governor of the Flemish Brabant province

He is appointed by the Flemish government after unanimous advice of the federal Council of Ministers and must prove that he has considerable knowledge of both French and Dutch. He ensures that language legislation is observed in the peripheral communes of the Flemish Brabant province.