

## The Municipalities

### Background

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The municipalities have always played an important role in Belgium. They have considerable independence.

Under the French regime (1794 - 1815) a centralisation policy was conducted with respect to the local administrations without much success.

In 1830 the Belgian constitutioner expressly acknowledged the general competence of the municipalities for communal matters.

In 1976, Belgium still had 2,359 municipalities. But a major process of merging that began in 1977 reduced their number to 589. For some time now, in a bid to professionalise, strengthen and save money, municipalities have been encouraged to continue this merger process on a voluntary basis. As a result, their number continues to fall.<sup>(1)</sup>

With the ratification of the Lambermont Agreements in 2001, the regions became responsible for the composition, the organisation, the competences and the activities of the municipal institutions.

### Role of the local authorities

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The municipalities are the level of power closest to the citizen. They are competent for all matters of municipal interest that have not been allocated to other levels of power (federal, community, regional, provincial).

The concept of municipal interest enables them to act in many fields.

They maintain public order, they keep the population registers, issue planning permission, maintain local roads and take initiatives in the area of education, culture, sport, etc. They also have responsibilities for social welfare, through the municipal welfare institutions (CPAS).

### Regional authority ...

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The three regions can cancel, complement, modify or replace the existing legislation (New Municipal Act, ...). That has happened, in the mean time.

- In the Flemish Region, the Municipal Decree of December 22th, 2017 applies.
- The Walloon Region has entered the municipal legislation into the Code of local democracy and decentralisation.
- The Brussels Region has modified stipulations of the New Municipal Act by means of ordinances, the most recent dating from 12 July 2018.

### ... yet not quite

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The principle of regional authority has a number of exceptions. In certain cases the federal state remains responsible.

As such, the regions are responsible for the municipal election legislation. But the municipal voting rights of non European nationals were introduced by the federal act of March 19th, 2004 because that is still a federal matter (art. 8 of the Constitution).

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1 [https://www.belgium.be/en/about\\_belgium/government/Communes](https://www.belgium.be/en/about_belgium/government/Communes)

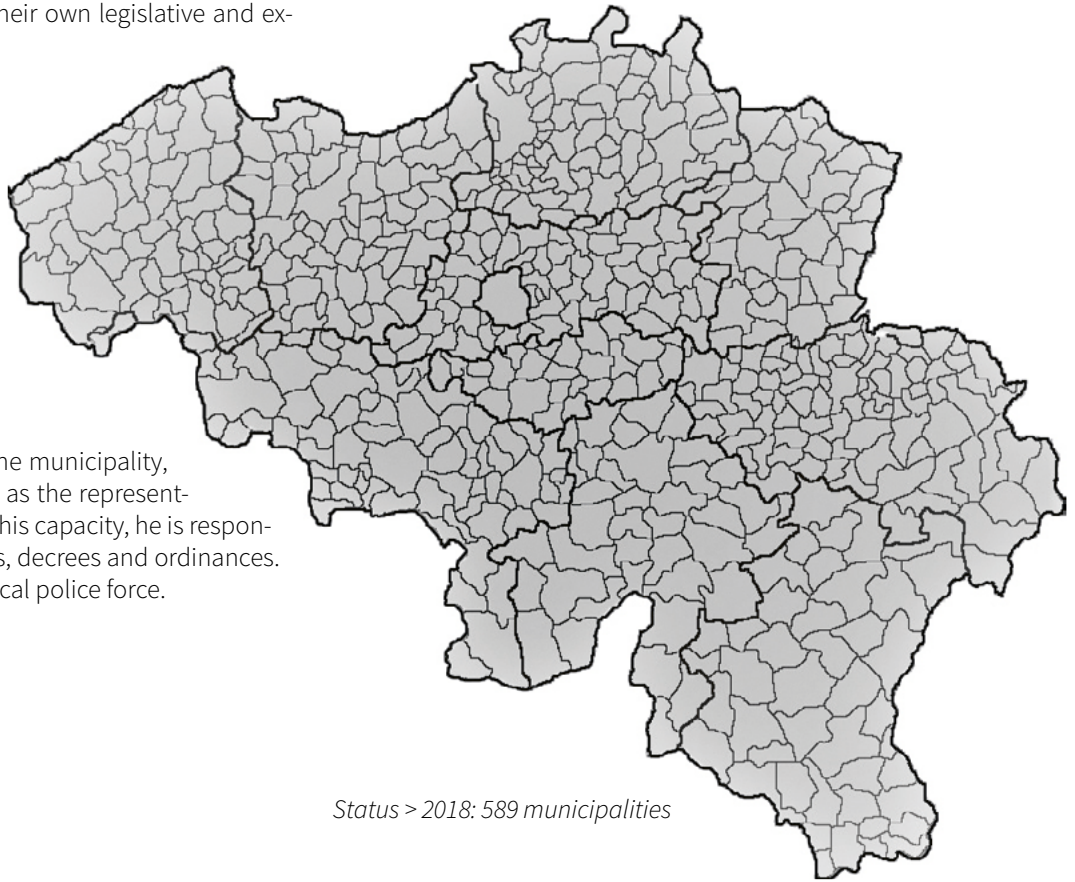
## The municipal bodies

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Until now, all municipalities have their own legislative and executive bodies:

- the municipal council, whose members are elected every six years, is the legislative body;
- the college of mayor and aldermen (or college) form the executive body, charged with the day-to-day running of the local authority.

The mayor is not just the head of the municipality, he also has specific responsibilities as the representative of the federal government. In this capacity, he is responsible for the implementation of laws, decrees and ordinances. The mayor is also the head of the local police force.



*Status > 2018: 589 municipalities*