



The Belgian Parliamentary Committee on Law Assessment



Parliamentary Committee on Law Assessment

- **Law of April 25th 2007 establishing a Parliamentary Committee on Law Assessment**
- **Provides a structural framework for *ex post* impact assessment by Parliament**



Why?

- **Two trends:**



marked increase in the number of laws

loss of quality

- **Repositioning Parliament**

- **Participative democracy**



The Committee

- **A joint committee**
 - equal representation of both the House of Representatives and the Senate: 11 members of the House, 11 senators
- **An advisory body**
 - no legislative power as such
 - can advise the Parliament / a Minister / the Government



Sources of information

- **jurisprudence of the Constitutional Court**
- **annual reports of the Judicial branch**
- **any other report addressed to the Chambers according to a specific law (for example annual report of the ombudsman, of the Court of Audit ...)**
- **requests sent by citizens**



Requests by citizens

How ?

- by sending a request to the Committee
- electronic procedure to be followed from the website www.comitesuivilegislatif.be



COMITÉ PARLEMENTAIRE CHARGÉ DU SUIVI LÉGISLATIF

NL FR DE

[Présentation](#) [Objet du suivi](#) [Manière de procéder](#) [Publications](#)[Requêtes](#) [Jurisprudence](#) [Rapports](#)

Introduction électronique d'une requête auprès du Comité

ETAPE 1/3

Veillez nous communiquer votre adresse électronique et copier le texte ci-dessous avant d'envoyer votre requête :

Votre adresse électronique:

Vous êtes:

Entrez le texte ci-dessous:



Introduire une requête

Ce que vous
devez savoir
d'abord

[→ Par la poste](#)[→ Electronique](#)

Contact



Secrétariat:
→ info@comitesuivilegislatif.be

Liens utiles

- [La Chambre des représentants](#)
- [Le Sénat de Belgique](#)

Informations sur les différents services
de médiation en Belgique :
[Ombudsman.be](#)



COMITÉ PARLEMENTAIRE CHARGÉ DU SUIVI LÉGISLATIF

FR

Home

Introduire une requête auprès du Comité

ETAPE 3/3

Remplissez les champs avec * dans le formulaire ci-dessous (les autres champs sont optionnels).

Personne physique :

E-Mail *	<input type="text" value="sz@senate.be"/>
Titre *	<input type="text" value="Monsieur"/>
Nom *	<input type="text"/>
Prénom *	<input type="text"/>
Profession *	<input type="text"/>
Rue *	<input type="text"/>
N° *	<input type="text"/>
Boîte:	<input type="text"/>
CP *	<input type="text"/>
Commune *	<input type="text"/>
Pays *	<input type="text"/>
Téléphone:	<input type="text"/>

De quel texte de loi s'agit t'il ? * :

Contact



Pour les questions et les problèmes techniques, contacter info@comitesuivilegislatif.be



Formal requirements

- **Act of Parliament**
 - no article of the Constitution, no secondary legislation
- **The Act should be at least three years in force**
- **The application of the Act poses problems**

due to the complexity of the text, lack of coherence, mistakes, lack of precision, illegibility, obsolescence, contradictions, or due to the fact that the law is poorly adjusted to the situation it is supposed to regulate



Formal requirements

- 1° date
- 2° name, profession and place of residence
- 3° the exact indication of the act involved
- 4° a precise description of the complaints
- 5° the indication of the public service charged to apply the act
- 6° a summary of the point of view of the public service charged to apply the act



Examination procedure

- 1. Acknowledgement**
- 2. Examination of admissibility**
 - Committee adopts a positive stand
- 3. Examination of substance**
- 4. Final decision**
- 5. Letter informing the petitioner**
- 6. Public report**
 - Anonymous on demand of the petitioner
 - Published on website
 - Addressed to both Houses and the Government
- 7. The Committee has no legislative powers by itself**



Results

1. 100 requests (May 2013 – May 2015)

Since January 2015: 1 request/month

2. All requests by private citizens

None by associations, administration...

3. Almost all fail to meet the formal requirements

Committee is very tolerant

4. Mainly topics of “everyday life”

Family law, inheritance law, social security

Very little “spam”



Analysis of the formal requirements

Major problems for petitioners

1. Identification of the Act that causes problems
2. Indication of the public service involved
3. Failure to join the point of view of the public service to the request
4. Hard to find out if a law is at least three years in force



General analysis

1. Small number of requests

Causes: ignorance about the Committee? Formal requirements?

2. (Very) small number of well-founded requests

3. Absence of “professional” petitioners

4. Insight in what really bothers people

5. Lack of legislative powers: blessing or obstacle?

6. Investment of time that few MP can afford

→ written procedure?

7. Requires considerable support

Thank you for your attention



Belgian Senate – Legal Service

May 2015

Gert Van der biesen

gvdb@senate.be

