



constituteproject.org

Belgium's Constitution of 1831

Historical

This complete constitution has been generated from excerpts of texts from the repository of the Comparative Constitutions Project, and distributed on constituteproject.org.

Table of contents

Preamble	3
TITLE I: Territory and its Divisions	3
TITLE II: Belgians and their Rights	3
TITLE III: Powers	6
CHAPTER FIRST: THE TWO HOUSES	7
Section I: The House of Representatives	8
Section II: The Senate	9
CHAPTER II: THE KING AND HIS MINISTERS	10
Section I: The King	10
Section II: The Ministers	14
CHAPTER III: JUDICIAL POWER	15
CHAPTER IV: PROVINCIAL AND COMMUNAL INSTITUTIONS	17
TITLE IV: Finances	17
TITLE V: The Army	19
TITLE VI: General Dispositions	19
TITLE VII: Constitutional Revision	20
TITLE VIII: General Disposition	20
Supplementary Dispositions	21

Preamble

In the name of the Belgian people, the National Congress decrees:

TITLE I: Territory and its Divisions

Article 1

Belgium is divided into provinces. These provinces are: Antwerp, Brabant, East Flanders, West Flanders, Hainaut, Liege, Limbourg, Luxembourg, Namur, except the relations of Luxembourg with the German Confederation.

The territory may be divided by law into a greater number of provinces.

Art 2

Subdivisions of the provinces can be established only by law.

Art 3

The boundaries of the State, of the provinces and of the communes can only be changed or rectified by law.

TITLE II: Belgians and their Rights

Article 4

Belgian citizenship is acquired, preserved or lost according to rules determined by the civil law.

The present Constitution and the other laws relative to political rights shall determine what other conditions than citizenship are necessary in order to exercise these rights.

Art 5

Naturalization shall be granted by the legislative authority.

Only supreme naturalization shall give to the foreigner the same privilege as the Belgians in the exercise of political rights.

Art 6

In the State, there shall be no distinction of order.

All Belgians are equal before the law; they alone are admitted to civil and military employments, with such exceptions as may be established by law for particular cases.

- Source of constitutional authority
- Preamble

- Accession of territory
- Secession of territory

- Requirements for birthright citizenship
- Conditions for revoking citizenship

- Requirements for naturalization

- General guarantee of equality

- Mentions of social class

Art 7

Individual liberty is guaranteed.

No one can be prosecuted, except in the cases specified by law and in the form which it prescribes. Save when taken in the act, no one shall be arrested except by virtue of an order issued by a judge. It shall be shown at the time of the arrest, or not later than twenty-four hours thereafter.

Art 8

No one shall be deprived, against his will, of the judge whom the law assigns him.

Art 9

No penalty shall be established or enforced except by law.

Art 10

The home is inviolable. No search shall be made except in cases provided for by law and in the form which it prescribes.

Art 11

No one shall be deprived of his property except for public use and then only in the cases and in the manner provided for by law; and a just indemnity, to be ascertained beforehand, shall be paid.

Art 12

The penalty of the confiscation of goods shall not be established.

Art 13

Civil death is hereby abolished; it shall not be re-established, i.e., legal deprivation of all civil rights a favorite form of punishment.

Art 14

The freedom of religions, their public exercise, as well as the liberty of expressing their opinions on every matter, are guaranteed; reserving the right of repressing crimes committed in the exercise of these liberties.

Art 15

No one shall be compelled to observe in any manner whatsoever, the rites and ceremonies of any form of religion, nor be required to observe days of rest.

Art 16

The State shall not have the right to interfere in the nomination nor in the installation of the ministers of any religious body, nor to prohibit these ministers from corresponding with their superiors, and publishing their acts; reserving in the last case the ordinary responsibility for press matter and publication.

Civil marriage must always precede the religious marriage with such exceptions as may be established by law.

Art 17

Public education shall be free; every preventive measure is prohibited. The repression of crime alone shall be regulated by law.

Public instruction given at the expense of the State shall also be regulated by law.

Art 18

The press is free; no censorship shall ever be established, nor can writers, editors or printers be required to give bonds.

When the author is known, and resides in Belgium, the editor, printer or news agent cannot be prosecuted.

Art 19

All Belgians shall have the right to assemble peaceably and without arms, conforming themselves to the laws which may regulate the exercise of this right, but without being obliged to obtain permission beforehand.

This regulation does not apply to open air meetings, which are entirely under police regulation.

Art 20

Belgians shall have the right to form associations; this right cannot be suppressed by any preventive measure.

Art 21

Each individual shall have the right to address to the public authorities, petitions signed by one or more persons.

Only the constituted authorities have the right to address petitions in a collective name.

Art 22

The secrecy of the mails shall be inviolable.

The law shall determine who are the responsible agents in the violation of the secrecy of the mails.

Art 23

The use of the languages spoken in Belgium is optional. It can be regulated by law alone, and then only in the cases of documentary acts of public authority and for judicial affairs.

Art 24

No previous authorization is necessary to begin suits against public officials for the acts of their administration, with such exceptions as may be made regarding the Ministers.

TITLE III: Powers

Article 25

All powers emanate from the nation.

They shall be exercised in the manner established by the Constitution.

Art 26

The legislative power shall be exercised collectively by the King, the House of Representatives and the Senate.

Art 27

The right of initiative shall belong to each one of the three branches of the legislative power.

But all laws relative to the receipts or expenses of the State, or the contingent of the army, must be first voted by the House of Representatives.

Art 28

The interpretation of the laws in an authoritative manner shall belong only to the legislative power.

Art 29

To the King shall belong executive power within the limits prescribed by the Constitution.

Art 30

The judicial power shall be exercised by the courts and tribunals.

Arrests and sentences shall be executed in the King's name.

Art 31

The interests which are exclusively communal or provincial shall be regulated by the respective communal or provincial councils according to the principles established by the Constitution.

• Ultra-vires administrative actions

• Structure of legislative chamber(s)
• Initiation of general legislation

• Budget bills
• Initiation of general legislation
• First chamber reserved policy areas
• Spending bills

• Constitutional interpretation

• Name/structure of executive(s)

• Structure of the courts

• Municipal government
• Subsidiary unit government

CHAPTER FIRST: THE TWO HOUSES

Article 32

The members of the two houses represent the nation and not simply the province or the subdivision which may have elected them.

Art 33

The sessions of the houses shall be public.

Nevertheless each house may resolve itself into a secret committee upon the demand of its President or of ten of its members.

They decide then, by absolute majority, whether the session shall be continued in public upon the same subject.

Art 34

Each house shall judge of the returns and qualifications of its own members, and shall decide disputes arising upon these matters.

Art 35

No one shall be at the same time a member of both houses.

Art 36

A member of one or the other of the two houses, being appointed by the Government to a salaried position, shall in case of acceptance, cease immediately to exercise a member's functions. He can resume them only by virtue of a new election.

Art 37

At each session, each house shall choose its own President, Vice-Presidents and other officers.

Art 38

Legislative action shall be taken only by an absolute majority of votes; with such exceptions regarding elections and presentations as the house may prescribe.

In case of a tie, the proposition under deliberation shall be lost.

Neither of the two houses can take action upon any matter except when a majority of the members be present.

Art 39

Votes are taken orally or by sitting and rising; upon the passage of laws the vote must always be taken by roll call and orally.

Elections and presentations of candidates shall be made by secret ballot.

- Legislative committees
- Public or private sessions

- Outside professions of legislators

- Leader of first chamber
- Leader of second chamber

- Quorum for legislative sessions

- Secrecy of legislative votes

Art 40

Each house has the right of inquiry.

Art 41

No bill can be passed by either house until it has been adopted article by article.

Art 42

The houses have the right of amending and of dividing proposed articles and amendments.

Art 43

No petition shall be presented in person to the houses.

Each house shall have the right of referring to the Ministers those petitions which have been addressed to it. The Ministers are required to report upon their contents, whether the house demands it.

Art 44

No member of either house shall be prosecuted or questioned concerning opinions and votes given by him in the exercise of his functions.

Art 45

No member of either house, during its session, shall be prosecuted or arrested save by the authorization of the house of which he is a member.

Exception is made in the case of being taken in the act.

Bodily restraint shall not be exercised against a member of either house during its session, save by the same authorization.

The detention or prosecution of a member of either house shall be suspended during the session until its termination, provided the house require it.

Art 46

Each house may determine by its own rules, the method by which it shall exercise its powers.

Section I: The House of Representatives

Article 47

The House of Representatives shall be composed of Deputies elected directly by those citizens paying the census prescribed by the electoral law, which shall not exceed 100 florins of direct tax nor be below twenty florins.

• Legislative oversight of the executive

• Immunity of legislators

• Immunity of legislators

• First chamber selection
• Restrictions on rights of groups
• Restrictions on voting

Art 48

The elections shall be conducted in such divisions of the provinces and in such precincts as the law shall determine.

Art 49

The electoral law shall fix the number of Deputies upon the basis of population; the number shall not exceed the proportion of one Deputy for every 40,000 inhabitants. The law shall also determine the conditions requisite for one to be an elector as well as all things relating to elections.

Art 50

In order to be eligible, it is necessary

1. To be a Belgian by birth, or to have received supreme naturalization.
2. To enjoy civil and political rights.
3. To have attained the age of twenty-five years.
4. To be a resident of Belgium.

No other condition of eligibility shall be required.

Art 51

Members of the House of Representatives shall be elected for four years.

One-half the members shall be renewed every two years in a method to be prescribed by law. In case of dissolution the house shall be entirely renewed.

Art 52

Each member of the House of Representatives shall be entitled to a monthly salary of 200 florins, during the continuance of the session. Those who live in the city where the session is held shall not be entitled to salary.

Section II: The Senate

Article 53

The members of the Senate shall be elected in proportion to the population of each province, by those citizens who may vote for the members of the House of Representatives.

Art 54

The Senate shall be composed of a number of members equal to half the Deputies of the other house.

Art 55

The Senators shall be elected for eight years; one-half retiring every four years in a method to be prescribed by the electoral law.

In case of dissolution, the Senate shall be entirely renewed.

Art 56

In order to be elected Senator and remain such it is necessary

1. To be a Belgian by birth, or to have received supreme naturalization.
2. To enjoy political and civil rights.
3. To be a resident of Belgium.
4. To have attained the age of forty years.
5. To pay in Belgium at least 1,000 florins of direct taxes, including licenses.

In the provinces, where the list of citizens paying 1,000 florins of direct tax, does not attain the proportion of one person in 6,000, it shall be completed by taking those paying the highest tax of the province, until this proportion of one to 6,000 has been attained.

Art 57

The Senators shall receive neither salary nor expenses.

Art 58

At the age of eighteen years, the heir apparent of the King shall be, by right, a Senator. He shall have only a deliberate voice until he attains the age of twenty-five years.

Art 59

The Senate shall not assemble except during a session of the House of Representatives.

CHAPTER II: THE KING AND HIS MINISTERS

Section I: The King

Article 60

The constitutional powers of the King shall be the King hereditary, in the direct, natural and legitimate descent from His Royal Highness Leopold of Saxe-Coburg, from male to male, by rule of primogeniture and to the perpetual exclusion of women and their descendants (Text published the first of September, 1831.)

Art 61

In case of failure of male heirs from His Royal Highness Leopold of Saxe-Coburg, he shall be allowed to name his successor, with the assent of the two houses, expressed in the manner prescribed by the following article. (Text published 1st of September, 1831.)

If there be no nomination made in this manner, the throne shall be vacant.

Art 62

The King cannot be, at the same time, the chief of another State, without the assent of both houses.

Neither of the two houses shall deliberate upon this subject, unless two-thirds, at least, of the members who compose it are present and action can be taken only by the consent of two-thirds of the voters.

Art 63

The person of the King shall be inviolable; his Ministers shall be responsible.

Art 64

No act of the King shall have any effect, if it be not countersigned by a Minister, who by this act alone, makes himself responsible.

Art 65

The King shall appoint and dismiss his Ministers.

Art 66

He shall confer grades in the army.

He shall appoint the employees of the general administration and foreign affairs with such exceptions as may be established by law.

He shall make other appointments only when authorized to do so by law.

Art 67

He shall make the rules and regulations necessary for the execution of the laws, without power to suspend the laws themselves or to dispense with their execution.

Art 68

The King shall command the land and naval forces, declare war, make treaties of peace, of alliance and of commerce. He shall give information in respect to the foregoing matters to the two houses as soon as the interest and safety of the State permit it, joining therewith the customary communications.

Treaties of commerce and those which might seriously burden the State, or individually bind the Belgians shall go into effect only after having received the assent of the houses.

- Head of state selection
- Eligibility for head of state

- Quorum for legislative sessions

- Head of state immunity

- Powers of cabinet
- Head of state decree power

- Cabinet removal
- Cabinet selection

- Foreign affairs representative
- Head of state powers
- Selection of active-duty commanders

- Head of state decree power

- International law
- Treaty ratification

- Designation of commander in chief
- Power to declare/approve war

No cession, no exchange, no addition of territory can take place except by law. In no case shall the secret articles of a treaty be destructive of the published articles.

Art 69

The King shall sanction and promulgate the laws.

Art 70

The houses shall have the right to meet each year upon the second Tuesday of November, unless they have been previously summoned by order of the King.

The houses shall be in session each year, for at least forty days.

The King shall close the sessions.

The King shall have the right of convoking the houses on extraordinary occasions.

Art 71

The King shall have the right of dissolving the houses simultaneously or separately. The act of dissolution shall announce the date of new elections within forty days and the assembling of the houses within two months.

Art 72

The King may adjourn the houses. Nevertheless the adjournment shall not exceed the term of a month nor shall it be repeated in the same session without the assent of the houses.

Art 73

He shall have the right to remit or to reduce the sentences pronounced by the judges, save those who are decreed regarding the Ministers.

Art 74

He shall have the right to coin money in accordance with the law.

Art 75

He shall have the right to confer titles of nobility, without power of ever attaching any privilege to them.

Art 76

He shall confer military titles, observing in this regard, that which the law prescribes.

Art 77

The law shall fix the civil list for the duration of each reign.

Art 78

The King shall have no other powers than those which the Constitution formally confers upon him and the particular laws passed in pursuance of the same Constitution.

Art 79

Upon the death of the King the houses shall assemble without waiting to be summoned not later than the tenth day after his decease.

If the houses have been previously dissolved and the time of meeting had been set in the act of dissolution, for a time later than the tenth day, the old houses shall resume their functions until the meeting of the new houses.

If only one house has been dissolved, the same rule is to be followed regarding the other house.

From the death of the King until the taking of the oath by his successor to the throne or by the regent, the constitutional powers of the King shall be exercised in the name of the Belgian people, by the Ministers united in council, and under their own responsibility.

Art 80

The King shall attain his majority at the age of eighteen years.

He shall take possession of the throne, only after he has solemnly taken, in the presence of the assembled houses, the following oath:

"I swear to observe the Constitution and the laws of the Belgian people, to maintain their national independence and the integrity of their territory."

Art 81

If, at the death of the King, his successor is a minor, the two houses shall meet in joint session in order to provide for a regency and for the public safety.

Art 82

If the King should be found unable to govern, the Ministers, after having established this inability, shall immediately call together the houses.

Public protection and the regency shall be provided for by the two houses.

Art 83

The regency shall be conferred only upon one person.

The regent shall enter upon his functions only after having taken the oath prescribed by article 80.

Art 84

No change in the Constitution shall be made during a regency.

- Powers of cabinet
- Head of state replacement

- Minimum age of head of state
- Joint meetings of legislative chambers
- Oaths to abide by constitution

- Minimum age of head of state
- Head of state replacement
- Joint meetings of legislative chambers

- Head of state removal
- Head of state replacement

- Head of state replacement
- Oaths to abide by constitution

- Constitution amendment procedure

Art 85

In case of a vacancy of the throne, the houses convened in joint session shall provisionally establish a regency, until the meeting of the houses, which shall be entirely renewed. This meeting shall take place within two months. The new houses convened in joint session shall provide definitely for the vacancy.

Section II: The Ministers

Article 86

No one shall be a Minister who is not a Belgian by birth or who has not received supreme naturalization.

Art 87

No member of the Royal Family shall be a Minister.

Art 88

The Ministers shall have a deliberative voice in one or the other house only when they are members thereof.

They shall have free access to each of the houses and must be heard when they demand it.

The houses may require the presence of the Ministers.

Art 89

In no case shall the verbal order or writ of the King relieve a Minister from his responsibility.

Art 90

The House of Representatives shall have the right of impeaching the Ministers and of bringing them before the Court of Appeal, which alone shall have the right of judging them. This court is the joint meeting of both houses. Exception is made in those cases which may be established by law, as to the resort to civil action by the party injured and as to crimes and misdemeanors which the Ministers may have committed when not in the performance of their functions.

A law shall determine the cases of responsibility, the penalties to be inflicted upon the Ministers and the mode of procedure against them; whether upon the accusation submitted by the House of Representatives, or upon the prosecution of the injured parties.

Art 91

The King cannot pardon a Minister condemned by the Court of Appeals, except upon the demand of one of the two houses.

- Head of state replacement
- Joint meetings of legislative chambers

- Establishment of cabinet/ministers

- Eligibility for cabinet

- Eligibility for cabinet

- Eligibility for cabinet

- Legislative oversight of the executive

- Cabinet removal
- Supreme court powers

CHAPTER III: JUDICIAL POWER

Article 92

Disputes which have for their object civil rights are to be tried only by the tribunals.

Art 93

Disputes which have for their object political rights are to be tried by the tribunals, with such exceptions as may be established by law.

Art 94

No tribunal nor civil court shall be established except by law. No extraordinary commissions or tribunals shall be established under any name whatsoever.

Art 95

There shall be for all Belgium one Court of Appeal.

This court shall not have original jurisdiction in any case, but the trial of Ministers.

Art 96

The sessions of the tribunals shall be public, unless this publicity be dangerous to public order or morals; and in such a case, the tribunal must declare it to be so in a formal manner by a legal decision.

In the matters of political offenses and in those relating to the press, the unanimous opinion of the court is necessary in order to exclude the public.

Art 97

Every judgment shall be accompanied with an opinion. It shall be pronounced in public session.

Art 98

The jury shall be established in all criminal matters and for political and press offenses.

Art 99

The Justices of the Peace and the judges of the tribunals shall be named directly by the King.

The Councillors of the Appellate Court and the Presidents and Vice-Presidents of the tribunals of first instance in their jurisdiction shall be appointed by the King from two lists; one presented by the courts, the other by the Provincial Councils.

The Councillors of the Court of Appeal shall be appointed by the King from two double lists, one presented by the Senate, the other by the Court of Appeals.

In these two cases the candidates named upon one list can be also named upon the other.

• Structure of the courts

• Right to public trial

• Supreme court opinions

• Jury trials required

• Supreme court selection
• Structure of the courts
• Ordinary court selection
• Subsidiary unit government

• Right to appeal judicial decisions

All these presentations shall be made public at least fifteen days before the appointment.

The courts shall choose from their own body their Presidents and Vice-Presidents.

Art 100

The judges shall be appointed for life.

No judge shall be deprived of his place nor suspended except by a judgment.

The removal of a judge from one place to another can take place only by a new appointment and with his consent.

Art 101

The King shall appoint and dismiss the representatives of the public ministry in the courts and tribunals.

Art 102

The salaries of the members of the judicial class shall be fixed by law.

Art 103

No judge shall accept from the government any salaried appointment; but he may perform the duties connected with such appointment gratuitously; reserving those cases of incompatibility established by law.

Art 104

There shall be three Courts of Appeal in Belgium.

The law shall determine their jurisdiction and the places where they shall be established.

Art 105

Particular laws shall regulate the organization of the military tribunals, their powers as well as the rights and obligations of the members of these courts and the duration of their functions.

There shall be commercial tribunals in the places established by law. Their organization, their powers, the mode of appointment of their members and the duration of the functions of these latter shall be prescribed by law.

Art 106

The Court of Appeals shall decide questions of jurisdiction in a manner to be determined by law.

Art 107

The courts of tribunals shall enforce administrative orders and general regulations both provincial and local only when they are in conformity with law.

- Supreme court term length
- Supreme/ordinary court judge removal
- Ordinary court term length

- Head of state powers

- Protection of judges' salaries

- Structure of the courts

- Establishment of military courts

- Supreme court powers

- National vs subnational laws

CHAPTER IV: PROVINCIAL AND COMMUNAL INSTITUTIONS

Article 108

The provincial and communal institutions shall be regulated by law.

These laws shall secure the application of the following principles:

1. Direct election, save the exceptions which the law establishes in regard to the chiefs of communal administrations and the representatives of the government at the provincial council.
2. The assignment to provincial and communal councils of all matters which are of provincial and communal interest, without prejudice to the right of approving their acts in such cases and in such manner as the law may determine.
3. The publicity of the meetings of the provincial and communal councils within the limits established by the law.
4. The publicity of budgets and accounts.
5. The intervention of the King or the legislative power to hinder the provincial and communal councils from exceeding their powers and injuring the general interest.

Art 109

The printing of the records of the civil, State, and the keeping of the registers are exclusively a matter of the communal authorities.

TITLE IV: Finances

Article 110

No tax for the benefit of the State shall be established except by law.

No provincial charge nor tax shall be established except by consent of the provincial council.

No communal tax or charge shall be levied without the consent of the communal council.

The law may determine the exceptions of which experience may demonstrate the necessity, relative to provincial and communal taxes.

Art 111

All State taxes shall be voted annually.

• Municipal government
• Subsidiary unit government

• Municipal government

• Subsidiary unit government

• Municipal government

The laws which authorize them shall be in force only for one year, unless they be renewed.

Art 112

No privilege shall be established in the matter of taxation.

No exemption from a tax nor diminution thereof can be established except by law.

Art 113

Except in the cases formally excepted by law, no contribution shall be demanded of the citizens except in the form of a State tax, or of a provincial or communal tax.

This provision shall not alter the existing regime in regard to polders and the wateringeng which shall be subject to ordinary legislation.

Art 114

No pension nor remuneration from the public treasury can be granted, except in accordance with law.

Art 115

Each year the houses shall determine the law of accounts and shall vote the budget.

All the receipts and expenses of the State shall appear in the budget and in the accounts.

Art 116

The members of the Court of Accounts shall be named by the House of Representatives for a term fixed by law.

This court shall be charged with the examination and with the liquidation of the accounts of the general administration, together with the accounts of persons responsible to the public treasury. It shall see that no appropriation of the budget shall be exceeded and that no transfer from one head to another shall take place. It shall examine the accounts of the different administrative departments of the State and shall be charged with collecting for this end all necessary information and documents on the subject. The general account of the State shall be submitted to the houses with the observations of the Court of Accounts.

The court shall be organized by a law.

Art 117

The salaries and pensions of the Ministers of Religion shall be chargeable to the State and the necessary sums therefor shall be annually carried in the budget.

TITLE V: The Army

Article 118

The method of recruiting the army shall be determined by law. Legal regulations shall also provide for the promotion, rights and obligations of the military.

Art 119

The number of the army shall be fixed annually. The law which determines the number shall be in force only for one year, unless it be renewed.

Art 120

The organization and powers of the armed police shall be regulated by law.

Art 121

No foreign force shall be admitted into the service of the State, nor shall it occupy or traverse her territory, unless permitted by law.

Art 122

There shall be a militia, the organization of which shall be regulated by law.

The officers of all grades as high as captain shall be chosen by the militia, with such exceptions as may be judged necessary in the case of the accountants.

Art 123

The mobilization of the militia shall not take place except by law.

Art 124

Members of the military shall be deprived of their rank, honors and pensions, except in a manner determined by law.

TITLE VI: General Dispositions

Article 125

The Belgian nation hereby adopts for its national colors, red, yellow and black and for the royal arms, the Belgian lion with the motto, "Union makes strength." (L'Union Fait la Force.)

Art 126

The City of Bruxelles shall be the capital of Belgium and the seat of government.

• National motto

• National capital

Art 127

No oath can be imposed except by law, which shall determine the formula.

Art 128

Every foreigner on Belgian territory shall enjoy the protection accorded to persons and property, with such exceptions as may be established by the law.

Art 129

No law, or general administrative regulation, provincial or communal, shall be obligatory, until after it has been published in the form determined by law.

Art 130

The Constitution can neither be suspended in whole nor in part

TITLE VII: Constitutional Revision

Article 131

The legislative power shall have right to declare that there is need for the revision of such constitutional provisions as it may designate.

Upon this declaration, the two houses are dissolved.

They shall both be convoked anew, conformably with article 71.

The houses shall act in common with the King, upon the points under revision.

In this case, the houses shall not sit unless two-thirds at least of the members which compose each of them are present, and no change shall be adopted which does not receive at least two-thirds of the votes.

Art 132

In choosing the chief of the State for the first time the first provision of article 80 may be dispensed with.

TITLE VIII: General Disposition

Art 133

Foreigners established in Belgium before the first day of January, 1814, and who have continued to reside therein shall be considered Belgians by birth, upon condition that they declare their intention to enjoy the benefit of the present provision.

The declaration must be made within six months, counting from the day when the present Constitution shall go into force, provided such persons are of age. If they be

minors, the declaration must be made within the year which shall follow their majority.

This declaration must be made before the provincial authorities having jurisdiction over the place where they reside.

It must be made in person or by a legal proxy, having a special and authentic power of attorney.

Art 134

Until the passage of a law relating to the matter the House of Representatives shall have a discretionary power, in accusing a Minister, and the Court of Appeals, a similar power in judging him, as to defining the offense and determining the punishment therefor.

Nevertheless, the punishment shall not exceed imprisonment; without prejudicing, however, the cases expressly provided for by the penal laws.

Art 135

The personnel of the courts and of the tribunals shall be maintained as it actually exists, until other legal provision is made.

A law covering this matter shall be passed during the first legislative session.

Art 136

A law to be passed in the same session, shall determine the method of the first appointment of the members of the Court of Appeals.

Art 137

The fundamental law of the 24th of August, 1815, is hereby abolished, as well as the provincial and local statutes.

Meanwhile the provincial and local authorities shall preserve their powers until the law has otherwise provided.

Art 138

Counting from the day when the Constitution shall go into effect, all laws, ordinances, resolutions, rules and other acts contrary thereunto are hereby abrogated.

Supplementary Dispositions

Article 139

The National Congress shall take action by separate laws as soon as possible upon the following matters:

1. The press.

2. The organization of the jury.
3. Finances.
4. Provincial and communal organizations.
5. Responsibility of Ministers and other executive agents.
6. Organization of the judiciary.
7. Revision of the pension list.
8. Proper measures to prevent the abuse of the plurality of offices.
9. Revision of legislation concerning bankruptcies and reprise.
10. The organization of the army the rights of promotion and retirement and the penal military code.
11. The revision of the codes.

The executive authority is hereby charged with the execution of the present ordinance.

Topic index

A

Accession of territory	3, 12
Approval of general legislation	12

B

Budget bills	6, 18
------------------------	-------

C

Cabinet removal	11, 14, 21
Cabinet selection	11
Compensation of legislators	9, 10
Conditions for revoking citizenship	3
Constitution amendment procedure	13, 20
Constitutional interpretation	6

D

Designation of commander in chief	11
Dismissal of the legislature	12

E

Electoral districts	9
Eligibility for cabinet	14
Eligibility for first chamber	9
Eligibility for head of state	10, 11
Eligibility for second chamber	10
Establishment of cabinet/ministers	14
Establishment of military courts	16
Extraordinary legislative sessions	12

F

First chamber reserved policy areas	6
First chamber selection	8
Foreign affairs representative	11
Free education	5
Freedom of assembly	5
Freedom of association	5
Freedom of press	5
Freedom of religion	4

G

General guarantee of equality	3
---	---

H

Head of state decree power	11
Head of state immunity	11
Head of state powers	11, 12, 16
Head of state removal	13
Head of state replacement	13, 14
Head of state selection	10, 11
Head of state term length	10
I	
Immunity of legislators	8
Initiation of general legislation	6
International law	11
J	
Joint meetings of legislative chambers	13, 14
Jury trials required	15
L	
Leader of first chamber	7
Leader of second chamber	7
Legislative committees	7
Legislative oversight of the executive	8, 14
Length of legislative sessions	12
M	
Mentions of social class	3
Minimum age for first chamber	9
Minimum age for second chamber	10
Minimum age of head of state	13
Municipal government	6, 17
N	
Name/structure of executive(s)	6
National capital	19
National motto	19
National vs subnational laws	16
O	
Oaths to abide by constitution	13
Official or national languages	5
Ordinary court selection	15
Ordinary court term length	16
Outside professions of legislators	7
P	

Political theorists/figures	10
Power to declare/approve war	11
Power to pardon	12
Powers of cabinet	11, 13
Preamble	3
Principle of no punishment without law	4
Protection from expropriation	4
Protection from unjustified restraint	4
Protection of judges' salaries	16
Provision for civil marriage	5
Public or private sessions	7
Q	
Quorum for legislative sessions	7, 11
R	
Regulation of evidence collection	4
Requirements for birthright citizenship	3, 20
Requirements for naturalization	3
Restrictions on rights of groups	8
Restrictions on voting	8, 9
Right of petition	5
Right to academic freedom	5
Right to appeal judicial decisions	15
Right to privacy	4, 5
Right to public trial	15
S	
Secession of territory	3, 12
Second chamber selection	9, 10
Secrecy of legislative votes	7
Selection of active-duty commanders	11, 12
Size of first chamber	9
Size of second chamber	9
Source of constitutional authority	3
Spending bills	6
Structure of legislative chamber(s)	6
Structure of the courts	6, 15, 16
Subsidiary unit government	6, 15, 17
Supreme court opinions	15
Supreme court powers	14, 16, 21
Supreme court selection	15
Supreme court term length	16
Supreme/ordinary court judge removal	16

T

Term length for first chamber	9
Term length of second chamber	10
Transitional provisions	20, 21
Treaty ratification	11

U

Ultra-vires administrative actions	6
--	---