

Decree of the Flemish Government on the Flemish Advisory Committee on referendums

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Date 08/07/1997
concerning the Flemish Advisory Committee on referendums

Art. 1.

There is a Flemish Advisory Committee on referendums, hereinafter the Committee to mention.

Art. 2.

The Commission shall provide, at the request of the Flemish Government and within the time limit specified in that request is determined, advice on the application of the administrative supervision of the decisions regarding the holding of a plebiscite.

Art. 3.

The Commission shall submit an annual report with an overview of the opinions of such information. That annual report is sent to the Flemish Government that tells it to the Flemish Parliament.

Art. 4.

The Commission's offices is located in the premises of the Ministry of the Flemish community.

Art. 5.

§ 1. The Commission consists of a Chairman and four members, including a Vice President.

A maximum of two-thirds of the members of the Commission may be of the same sex.

§ 2. The Flemish Minister, responsible for the internal affairs, appoints the President, the Vice President and once the members for a renewable term of three years.

The President shall be appointed under the magistrates of the Council of State.

Two members, nominated by the college of officials-General, appointed under the officials of the Ministry of the Flemish community because of their thorough knowledge of administrative law.

Two members must have an academic degree, at least at the level of master-level, or should a feature on A-level positions, and at least one of them should possess a special knowledge of administrative law.

For each of the members, with the exception of the President, an alternate shall be appointed under the same conditions as the working members.

§ 3. If a member is absent or prevented from attending, the Member shall be replaced by his alternate.

If a member resigns or for any other reason ceases to be part of the mandate of the Commission, completes the substitute its predecessor.

§ 4. If the President is absent or prevented or pending his replacement, commands are perceived by the Vice-President.

§ 5. The members of the Commission may be relieved of their command for deficiencies in their tasks or for infringement of the dignity of their Office.

Art. 6.

The Commission shall, within one month after its installation a rules of procedure.

These rules, as well as any subsequent changes thereto, have been unanimously approved by the members and is approved by the Flemish Minister, responsible for internal affairs.

Art. 7.

The President shall direct the meetings and sign on behalf of the Committee on all correspondence and opinions.

Art. 8.

The Committee deliberates validly only if at least the majority of its members are present. It shall decide by an absolute majority.

In the event of a tie is the voice of the President or, in his absence, the Vice-Chairman, shall prevail.

Art. 9.

If the Commission deems it necessary for the exercise of her mandate, it may show notes by experts.

Art. 10.

The Secretariat of the Commission is always observed by a Flemish Minister; responsible for internal affairs, designated official of level A of the Ministry of the Flemish community.

Art. 11.

The operating expenses of the Commission and of its secretariat are charged to the budget of the Ministry of the Flemish community.

For the fulfillment of their mission, the President and members of the Commission, as well as the experts who are heard, under application of the Decree of the Flemish Government of 14 december 1983 laying down certain measures to harmonise the functioning and of the attendance fees and fees of advisory bodies.

Art. 12.

(not included)

(Modifies the annex to the decision of the Flemish Government of 14 december 1983 laying down certain measures to harmonise the functioning and of the attendance fees and fees from advisory bodies)

Art. 13.

The Flemish Minister, responsible for the internal affairs, is responsible for the implementation of this decision.
