



The World Bank

INTERNATIONAL FINANCE CORPORATION

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT U.S.A.

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Survey on Transparency in Belgium

Definitions of common terms used in this questionnaire:

- *MPs*: members of the lower house/chamber of the national/federal parliament.
- *Financial disclosure laws*: laws that require MPs to disclose their assets and liabilities.
- *Business activities' disclosure laws*: laws that require MPs to disclose secondary employment and business activities in the private sector, such as membership in a company's board of directors, or being an officer or advisor in a company.
- *Family members' individual interests*: Business activities and assets and liabilities owned separately by the MP's family, such as non-marital assets. We only consider assets and interests owned independently by an MP's family member, assets jointly owned are not considered.
- *Post-tenure agreements*: employment agreements and/or business transactions that an MP enters into after completing his parliamentary term, such as an agreement to work for a certain company after completing their parliamentary term.



[Belgium]
Lower House of Parliament – [CHAMBRE DES REPRESENTANTS]

PART 1: DISCLOSURE REQUIREMENTS

If your country requires Members of Parliament (MPs) in the lower house to disclose their financial and/or business interests, please use the blank disclosure form to supplement the law when completing this section.

Disclosure requirement and frequency	TA 2009	Contributor
1. Are MPs required to disclose during their mandate their:		
Assets and liabilities?	Y	[]
Business activities (sources of income, secondary employment, positions in private firms)?	Y	[]
2. When are MPs required to submit a disclosure form?		
Upon taking and leaving office	Y	[]
Upon taking office	N	[]
Annually	N	[]
Once every X years (please specify how often)	N	[]
3. Are MPs required to disclose <u>changes</u> in assets or business activities prior to disclosure deadline (e.g., within 4 weeks of any change)?	N	[]
Applicable law(s) and comments: Loi relative a la obligation de deposer une liste de mandats, fonctions et une declaration de patrimoine, 02/05/1995 , Articles 2.1, and 3.1, 3.2; Standing Orders of the Parliament, Arts. 161-163. For financial interest disclosure, frequency of disclosure is only upon entry and upon exit. For Business Interest disclosure, disclosure is made annually (Law 02/05/1995 Arts. 2 and 3).		
The law(s) identified above is (are) the applicable one(s):		[]
If NO, please cite the applicable law(s): []		
Contributor's Comments: []		

1.1. DISCLOSURE OF ASSETS & LIABILITIES

Report of Assets and Liabilities	TA 2009	Contributor
4. Are MPs required to disclose the following assets and liabilities:		
Personal residence	Y	[]
<i>Details: Disclosure of exact location vs. monetary value</i>		
○ Value and exact location of the property	N	[]
○ Exact location	Y	[]
○ Total value without the exact location	N	[]
○ Not specified	N	[]
Non-financial, non-movable assets (e.g., other real estate)	Y	[]
<i>Details: Disclosure of exact location vs. monetary value</i>		
○ Value and exact location of the property	N	[]
○ Exact location	Y	[]
○ Total value without the exact location	N	[]
○ Not specified	N	[]



Non-financial, movable assets (e.g., jewelry, vehicles)	Y	[]
<i>Details: Disclosure of description vs. monetary value</i>		
○ Value and description of the asset	N	[]
○ Description of the asset	Y	[]
○ Total value without descriptions	N	[]
○ Not specified	N	[]
Stock holdings and other securities	Y	[]
<i>Details: Disclosure of name vs. monetary value</i>		
○ Value of stock and name of company in which they hold stocks	Y	[]
○ Name of company in which they hold stock	N	[]
○ Total value of stock, without the name of the company	N	[]
○ Not specified	N	[]
<i>Details: Disclosure of all vs. certain types of stocks</i>		
○ All stock ownership	Y	[]
○ Stock ownership in certain types of companies (e.g., in specific industries, in companies where the state is a partial owner)	N	[]
○ Stock above a certain threshold	N	[]
▪ Please specify the threshold	N	[]
Interest-bearing financial investments (e.g., bonds, savings accounts)	Y	[]
○ Value of investment and name of company in which investment is held	Y	[]
○ Name of company in which investment is held	N	[]
○ Total value of investment, without the name of the company	N	[]
○ Not specified	N	[]
Liabilities (e.g., loans, credits, mortgages)	N	[]
○ Name of lender and value of liability	N	[]
○ Name of lender only	N	[]
○ Total value of liability, without the name of the lender	N	[]
○ Not specified	N	[]
Applicable law(s) and comments: Loi 2004/21084 (26/06/2004) exécutant et complétant la loi du 2 mai 1995 relative a la obligation de déposer une liste de mandats, fonctions et une déclaration de patrimoine. Law 02/05/1995 Art.3); Standing Orders of the Parliament, Arts. 161-163. Blank Disclosure Form. Disclosure of liabilities is optional only, as can be seen in de financial dislcosure form: "si vous le souhaitez, vous pouvez mentionner ici les dettes et charges financieres". Residence and all properties should be disclosed per Form with respect to their nature, address, municipal registrar's number, and identification of co-owners in case of shared ownership. Other moveable assets such as antiques, jewelries, tapestries and art should be 'briefly described' in the Form.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Contributor's Comments: []		

1.2. DISCLOSURE OF BUSINESS ACTIVITIES

In the questions below, please answer "yes" only if there is an explicit requirement to disclose specific items.



Report of income, secondary employment, and business activities	TA 2009	Contributor
5. Are MPs required to disclose the <u>value</u> of their current income?	N	[]
6. Are MPs required to disclose <u>all</u> sources of income?	No	[]
○ Only <u>some</u> categories of income (i.e. paid secondary employment)	Yes	
7. Are MPs required to disclose <u>unpaid</u> secondary employment?	Y	[]
8. Are MPs required to disclose if they hold the following positions in companies:		
Membership in boards of directors?	Y	[]
○ All types of board membership	Y	[]
○ In certain types of companies (e.g., in specific industries)	N	[]
○ Only if the position is paid	N	[]
Positions as <u>officers</u> (e.g., CEO, CFO)?	Y	[]
○ All types of positions	Y	[]
○ In certain types of companies (e.g., in specific industries)	N	[]
○ Only if the position is paid	N	[]
Positions as <u>advisors</u> (e.g., financial, legal, auditor)?	N	[]
○ All types of advisory work	N	[]
○ In certain types of companies (e.g., in specific industries)	N	[]
○ Only if the position is paid	N	[]
Applicable law(s) and comments: Law 02/05/1995 Art.3); Standing Orders of the Parliament, Arts. 161 : ‘une liste des mandats exercés, publics ou privés, indiquant s’ils sont rémunérés ou non, sera déposée chaque année par chaque député auprès de la Cour des comptes, au début de la session ou en cours de session, au moment où il est admis à siéger’. Blank Disclosure Form: as with Art.3 above, only the sources of professional activities (remunerated or not) should be disclosed.		
The law(s) identified above is (are) the applicable one(s):		[]
If NO, please cite the applicable law(s): []		
Contributor's Comments:		
[]		

1.3. EXPENSES DISCLOSURE

Report on Expenses Disclosure	TA2009	Your answer
1. Are MPs required to disclose any kind of expenses?	No	[]
Applicable law(s) and comments: Law 02/05/1995 Art.3); Standing Orders of the Parliament, Arts. 161-163. Blank Disclosure Form.		
The law(s) identified above is (are) the applicable one(s):		[]
If NO, please cite the applicable law(s): []		
Contributor's Comments:		
[]		

1.3. FAMILY MEMBERS' DISCLOSURE



Report of family members' interests	TA 2009	Contributor
9. Are MPs required to disclose their family members' <u>independently owned</u> interests (as opposed to joint assets or interests)?	N	[]
10. Which family members are covered by the disclosure requirement?		
○ Spouse	N	[]
○ Dependent children	N	[]
○ Other, please specify	N	[]
11. Are family members required to complete the same disclosure form as MPs?	N	[]
Applicable law(s) and comments: The laws are silent on this matter.		
The law(s) identified above is (are) the applicable one(s):		[]
If NO, please cite the applicable law(s): []		
Contributor's Comments: []		

What did you use to complete sections AI and AII?	TA 2009	Contributor
Blank disclosure form	Y	[]
Laws	Y	[]
Applicable law(s) and comments:		
Comments: []		

1.4. PUBLIC AVAILABILITY OF MPs' DISCLOSURE FORMS

Public Availability of MPs' Disclosure Forms	TA 2009	Contributor
12. <u>By law</u> , are filled out disclosure forms accessible by the public?	N	[]
13. <u>In practice</u> , does the public have access to the filled out disclosure forms?	N	[]
At a registrar where the public can request forms in person	N	[]
On the internet	N	[]
○ Please specify the address	N	[]
Disclosures can be obtained from other sources	N	[]
○ Please specify the source	N	[]
14. Are filled out disclosure forms only available to the public under certain conditions?	N	[]
With the express consent of the MP	N	[]
Other	N	[]
○ Please specify	N	[]
15. Does the <u>law</u> specify that only a summary of the disclosure is accessible by the public?	N	[]
16. <u>In practice</u> , does the public have access to the entire disclosure, as opposed to a summary?	N	[]
Applicable law(s) and comments:		



Law on Financial and Business Interest Disclosure 02/05/1995, Art. 3	
The responses on this section correspond to the Financial Disclosure Form. As per the Law on Financial and Business Interest Disclosure 02/05/1995, Art.2 (2), the Business Interest Disclosure Forms are public and fully published in the Official Gazette (Moniteur Belge).	
The law(s) identified above is (are) the applicable one(s):	[]
<i>If NO, please cite the applicable law(s):</i> []	
Contributor's Comments: []	

PART 2: RESTRICTIONS ON DOING BUSINESS IN THE PRIVATE SECTOR

In some countries, disclosure of business interests is not required, but there are restrictions on doing business in the private sector. Such provisions may be found in the constitution, election laws, standing orders of the parliament, anticorruption laws, conflict of interest or incompatibility laws, and ethics laws among others. Please consider all of the above sources of law to answer the questions.

Restrictions on business activities	TA 2009	Contributor
17. During tenure, are MPs prohibited from all <u>paid</u> employment?	N	[]
18. During tenure, are MPs prohibited from the following activities in the private sector:		
Owning stock of private companies?	N	[]
○ Do MPs have to place their stockholding into a trust fund for the duration of their term in office	N	[]
○ Are MPs restricted from owning certain types of stocks (e.g., in certain industries)	N	[]
○ Are MPs restricted from owning stocks above a certain threshold	N	[]
▪ Please specify threshold	N	[]
Being members of boards of directors in companies?	Y	[]
○ In <i>all</i> types of company	N	[]
○ In certain types of companies (e.g., in specific industries)	Y	[]
○ Are there restrictions on being a member of boards of directors only if the position is paid	N	[]
Being officers (CEO, CFO) in companies?	N	[]
○ In <i>all</i> types of company	N	[]
○ In certain types of companies (e.g., in specific industries)	N	[]
○ Are there restrictions on being an officer only if the position is paid	N	[]
Being an advisor to companies (e.g., financial, legal, auditor)?	N	[]
○ In <i>all</i> types of company	N	[]
○ In certain types of companies (e.g., in specific industries)	N	[]
○ Are there restrictions on being an advisor only if the position is paid	N	[]
19. Are there other restrictions on activities in the private sector?	Y	[]
20. Can restrictions on business activities in the private sector be lifted by a third party, such as the Speaker of the Parliament or the Comptroller?	N	[]
Applicable law(s) and comments: Loi du 6 aout 1931, art 1(13) mentions a restriction to be part of the board of a public company. Also, Art.4 mentions other restrictions for Ministers.		



The restriction on other activities in the private sector is related to the salary/allowances that they can receive. As per Art. 1erquinquies (Loi du 6 aout 1931), the “other” salary can’t exceed half of their salary as representatives.	
The law(s) identified above is (are) the applicable one(s):	[]
<i>If NO, please cite the applicable law(s):</i> []	
Contributor’s Comments: []	

PART 3: DOING BUSINESS WITH THE GOVERNMENT

Provisions regulating doing business with the government may be found in the constitution, standing orders of the parliament, or public procurement laws. Please consider all these laws when answering this section.

Doing business with the government	TA 2009	Contributor
21. Are MPs required to disclose doing business with the government?		
Are MPs required to disclose signing contracts with the government (e.g., through participation in privatizations, state- led auctions, contract provisions)?	N	[]
○ Contracts in which they participate <u>directly</u> by themselves	N	
○ <u>indirectly</u> through third parties related to them or where they are involved	N	
○ With <i>all</i> government agencies	N	[]
○ Only with certain agencies (e.g., only if the contract is with parliament) or under certain conditions	N	[]
22. Are MPs prohibited from doing business with the government?		
Are MPs restricted from signing a contract with the government (e.g., through participation in privatizations, state-led auctions)?	n	[]
○ With <i>all</i> government agencies	n	[]
○ Only with certain agencies (e.g., if the contract is with parliament) or under certain conditions	N	[]
Are MPs restricted from being a government contractor (e.g., where an MP provides services or goods to the government directly or via third parties)?	N	[]
○ For all government agencies	N	[]
○ Only for certain agencies (e.g., if the contract is with parliament) or under certain conditions	N	[]
23. Can restrictions on business relations with the government be lifted by a third party, such as the Speaker of the Parliament or the Comptroller?	N	[]
Applicable law(s) and comments: Loi du 6 aout 1931, art 1(13) mentions a restriction to be part of the board of a public company. Also, Art.4 mentions other restrictions for Ministers.		
The law(s) identified above is (are) the applicable one(s):	[]	
<i>If NO, please cite the applicable law(s):</i> []		
Contributor’s Comments: []		

PART 4: OTHER RESTRICTIONS AND DISCLOSURE REQUIREMENTS

Restrictions on holding two public offices	TA 2009	Contributor
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24. Do MPs face restrictions on holding another public office during tenure (e.g., being a mayor or a judge at the same time as being an MP)?	Y	[]
Applicable law(s) and comments: Loi du 6 aout 1931, Art. 1		
The law(s) identified above is (are) the applicable one(s):	[]	
<i>If NO, please cite the applicable law(s): []</i>		
Contributor's Comments: []		
Voting Rules	TA 2009	Contributor
25. Disclosure on voting – Do MPs have to disclose the existence of a personal interest before voting in Parliament?	N	[]
○ Upon disclosing the existence of a personal interest, are MPs allowed to vote?	N	[]
26. Restrictions on voting – Does the law prohibit the MP voting in Parliament on matters in which he has a personal interest, without <i>explicitly</i> requiring the MP to disclose that interest?	N	[]
Applicable law(s) and comments: The laws are silent on this matter.		
The law(s) identified above is (are) the applicable one(s):	[]	
<i>If NO, please cite the applicable law(s): []</i>		
Contributor's Comments: []		
Post-tenure Rules	TA 2009	Contributor
27. Disclosure of post-tenure agreements – Are MPs required to disclose post-tenure agreements (e.g., employment agreements and/or business transactions that they will enter after completing their parliamentary term)?	N	[]
28. Restrictions on post-tenure agreements – Are MPs restricted from working in certain positions for a given period of time following the end of their term in office?	Y	[]
Applicable law(s) and comments: Loi du 6 aout 1931, art.5		
The law(s) identified above is (are) the applicable one(s):	[]	
<i>If NO, please cite the applicable law(s): []</i>		
Contributor's Comments: []		
Rules on Gifts	TA 2009	Contributor
29. Disclosure on receiving gifts		
○ Are MPs required to disclose gifts they receive?	N	[]
○ Is this disclosure public?	N	[]
○ Are MPs required to disclose gifts above a certain value?	N	[]
▪ Please specify the value in local currency	N	[]
30. Restrictions on receiving gifts		
○ Are MPs restricted from receiving gifts?	N	[]
○ Do MPs have to pay for gifts in order to keep them?	N	[]
○ Can MPs receive gifts up to a certain value?	N	[]
▪ Please specify the value in local currency	N	[]



Applicable law(s) and comments: The laws are silent on this matter.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s):</i> []		
Contributor's Comments: []		
Rules on Travel	TA2009	Your answer
31. Are MPs required to disclose their sponsored travel?	N	[]
<i>Details: Disclosure of identity of sponsor vs. monetary value</i>		
o Value and identity of the sponsor	N	[]
o Identity of the sponsor	N	[]
o Total value without identity of the sponsor	N	[]
o Not specified	N	[]
32. Is this disclosure publicly available?		[]
Applicable law(s) and comments: Review of Blank Disclosure Form and laws. Both are silent on this matter.		
Your Comments / Any missing laws?: []		

PART 5: DISCLOSURE REGISTRAR

This section requests information about the government agency which maintains the completed financial and business interest disclosure forms. The registrar may also check the completeness of the disclosure forms. The registrar may also publish the data on how many MPs complied/failed to comply with their obligation to disclose ("compliance data"). Note that the public availability of compliance data is different from the public availability of the actual disclosures, which is addressed in another section. This section inquires about the profile and activities of the registrar.

Existence and profile of registrar	TA 2009	Contributor
31i. Is there an agency in charge of maintaining the completed disclosure forms for MPs?	Y	[]
Does the registrar check the forms for completion?	N	[]
What forms does the registrar keep?		
o Assets and liabilities	Y	[]
o Business activities (sources of income, secondary employment, business activities)	Y	[]
32i. In addition to maintaining disclosures of MPs, does the registrar maintain the disclosure forms of:		
Ministers (cabinet members)?	Y	[]
Judges?	N	[]
Civil servants?	Y	[]
33. Profile of registrar		
	TA 2009	Contributor
Name	Cour des Comptes	[]
Contact information	rue de Namur, 3 B - 1000 – Bruxelles Téléphone : +32 2 551 81 11 Fax : +32 2 551 86 22	[]



Website	http://courdescomptes.be/FR/	[]
Applicable law(s) and comments: Law on Financial and Business Interest Disclosure 02/05/1995, art. 4 Standing Orders of the Parliament, Chapitre III, Art.161(97) and 162 (97) Both Business Interest and Asset Disclosure are kept in the same registrar. The asset disclosures are received in a sealed envelope and the Cour des Comptes can't open them, they only archive them or forward them the Court if the person is under investigation. The business interest disclosures are checked for completeness and content (Law on Financial and Business Interest Disclosure, 2004, art.7).		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s):</i> []		
Contributor's Comments: []		

Activities of the registrar	TA 2009	Contributor
34. By law, does the registrar have to publish data on whether MPs complied/failed to comply with their obligation to disclose?	Y	[]
Applicable law(s) and comments: Law on Financial and Business Interest Disclosure 02/05/1995, art.6(3) Law on Financial and Business Disclosure 26/06/2004, art.7(3)		
Contributor's Comments: []		
35. In practice, are compliance data available?	Y	[]
What types of compliance data are available?		
○ General statistics (compliance rates or percentages)	N	[]
○ Publication of names of MPs who complied/did not comply	Y	[]
With what frequency are compliance data reports published?		
○ On a regular basis (please specify how often)	Y (annually when they define the list, July 15 th the latest)	[]
○ Other (please specify)	N	[]
What is the source of compliance data?		
Government website (please specify): http://www.ejustice.just.fgov.be/cgi/welcome.pl	Y	[]
○ Other (please specify)	N	[]
36. Are there penalties for failure to submit completed disclosure forms?	Y	[]
○ Please specify what kind of penalties	Y (a fine)	[]
Applicable law(s) and comments: Law on Financial and Business Interest Disclosure 02/05/1995, art.6(2) Law on Financial and Business Disclosure 26/06/2004, art.5		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s):</i> []		
Contributor's Comments: []		

**PART 6: DATA INTEGRITY BODY**

This section asks you to provide information about whether the content of the filled out disclosure forms is routinely verified.

Existence and functions of a data integrity body/agency	TA 2009	Contributor
37. Is there a body/agency that is mandated by law to <u>routinely</u> check the content of the disclosure forms?	Y	[]
Does the body/agency check the content of the forms:		
o of all MPs?	Y	[]
o of a random sample of MPs?	N	[]
o each submission period to verify that all information is accurate (e.g., by verifying the content against other records such as tax records, bank statements)?	N	[]
o by comparing the content of the forms upon taking and leaving office to discover irregular increases?	N	[]
o to ensure that MPs activities are not incompatible with their mandate?	Y	[]
38. Does the body/agency check the content of the forms if there is a complaint?	N	[]
Applicable law(s) and comments: The financial disclosure forms are not checked at all. The business disclosures are checked and if they find an irregularity, they do an investigation. The results of the investigation are published (this was mentioned in phone conversation with Cour des Comptes).		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Contributor's Comments: []		
39. Details about the data integrity body		
	TA 2009	Contributor
Name	Cour des Comptes	[]
Contact information	rue de Namur, 3 B - 1000 – Bruxelles Téléphone : +32 2 551 81 11 Fax : +32 2 551 86 22	[]
Website	http://courdescomptes.be/FR/	[]
40. What forms does the body check?		
Assets and liabilities forms	N	[]
Business activities forms	Y	[]
41. Does the agency check the disclosure forms of other government officials?		
Ministers (cabinet members)	Y	[]
Judges	N	[]
Civil servants	Y	[]
Applicable law(s) and comments: []		
The law(s) identified above is (are) the applicable one(s):		[]



<i>If NO, please cite the applicable law(s): []</i>
Contributor's Comments: []

Activities of the data integrity body/agency	TA 2009	Contributor
42. By law, is the body required to publish the results of checking the content of the forms?	N	[]
Applicable law(s) and comments:		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Contributor's Comments: []		
43. In practice, are results of the integrity body's activities in relation to checking the content of disclosure forms available?	N	[]
○ General statistics are published (e.g., the content of 10% the disclosure forms was checked)	N	[]
○ Other (please specify)	N	[]
How often are content checking results published?		
○ On a regular basis (please specify how often)	N	[]
○ Other (please specify)	N	[]
Where are content checking results published?		
○ Government website (please specify)	N	[]
○ Other (please specify)	N	[]
44. Are there penalties for submitting false information in the disclosures?	Y	[]
○ Please specify what kind of penalties	Fines up to 25EUR	[]
Applicable law(s) and comments: Law on Financial and Business Interest Disclosure 02/05/1995, art.6(1) Upon conversation with Cour des Comptes, the results of checking the forms is available.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Contributor's Comments: []		

PART 7: SALARY DATA

Please provide the base salary for MPs in your country	
Amount []	
Currency[]	
Per (month/year) []	
Applicable law(s) and comments:	
The law(s) identified above is (are) the applicable one(s):	
	[]



If NO, please cite the applicable law(s): []

Contributor's Comments:

[]

**PART 8: REFORMS**

Reforms in laws on financial disclosure or business activities		
	Yes	No
Are you aware of any changes that occurred between January 2003 and now to the laws and regulations that will affect answers to this survey?	<input type="checkbox"/>	<input type="checkbox"/>
If your answer is Yes , please briefly describe: 1) the goal of the reform [] 2) its major characteristics [] 3) the date the reform came into force []		
Are you aware of any changes expected by June 1, 2008 to the laws and regulations that will affect answers to this survey?	<input type="checkbox"/>	<input type="checkbox"/>
If your answer is Yes , please briefly describe: 1) the goal of the reform [] 2) its major characteristics [] 3) the date the reform will come into force []		

Thank you for confirming the responses in this questionnaire!

Please return the completed survey to:

Elena Gasol Ramos
EGasolramos@ifc.org
 Phone: 1 202 458 2919

or
 Stéphanie Musialski
smusialski@worldbank.org
 Phone: 202 478 9491