



Eerste Kamer *der Staten-Generaal*



The Dutch Senate unfolded

der Staten-Generaal



The role of the Senate

In the Netherlands, the Senate and the House of Representatives together form the States General, the Dutch Parliament. The Senate acts as co-legislator and scrutinises the actions of the government. Every bill adopted by the House of Representatives must also be passed by the Senate before it can become law. The Senate pays particular attention to ensuring the legality, enforceability and feasibility of bills.

Legislative role

Before becoming law, bills placed before Parliament undergo several stages. It is usually the government that proposes a bill. The House of Representatives can also do this: the right of initiative. The Senate does not have this right. The Senate cannot make changes to a bill. It can only adopt or reject it in its entirety. However, this does not mean that the Senate cannot exercise influence:



Government commitment

While a bill is being considered, the government can make certain undertakings. The Senate may decide to accept the bill on the basis of such commitments.

Motion

A statement by the Senate. In motions, the Senate can express views and make requests calling on the government to do or refrain from doing something. Motions are voted on. The motion will only have political significance if a majority of the Senate votes in favour.

Amending bill

A bill that requires improvement or an addition to a bill already under consideration (or in some cases already adopted but not yet in force). The Senate postpones the plenary discussion until the amending bill has been passed by the House of Representatives.

Legislative procedure

MINISTRY

The minister drafts a bill



COUNCIL OF MINISTERS

The minister convinces the Council of Ministers that the bill is sound and should become law.



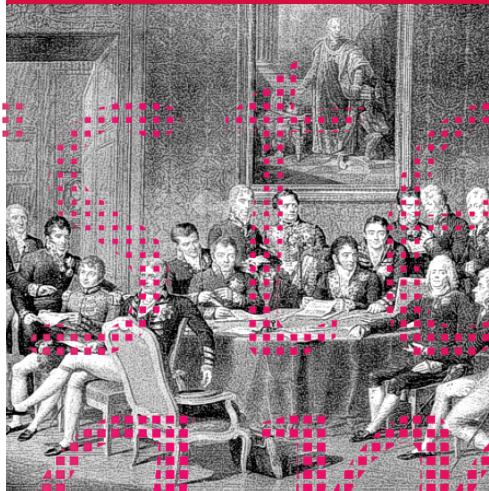
Key moments in history

The founding of the Senate in 1815

After the fall of Napoleon, the Congress of Vienna in 1815 decides to merge the Austrian Netherlands (now Belgium) with the Northern Netherlands. However, the Belgian nobility fears a loss of influence and presses for the merger to be accompanied by the establishment of a house of peers following the British example. The result: the Senate, with 40 to 60 members appointed for life by the King. The Senate was not only made up of Belgian noblemen, but of the most eminent in the country on account of their birth, wealth or record of service to the State.

Thorbecke revises the Constitution

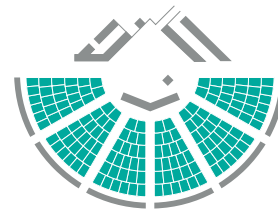
After the separation from Belgium in 1830, the Senate continues to exist, although with only half its members, in order to act as a counterweight to the House of Representatives on behalf of the Crown. However, in 1848, the Netherlands enters a period of rapid political change, partly as a result of revolutions across Europe. In that year, the Constitution is radically revised at the initiative of Thorbecke, a member of the House of Representatives. From then on, senators are no longer appointed by the King, but elected by the Provincial States. The King loses his influence.





COUNCIL OF STATE

The Council of State checks whether the bill appears sound and gives recommendations. The minister then sends the bill to the House of Representatives.



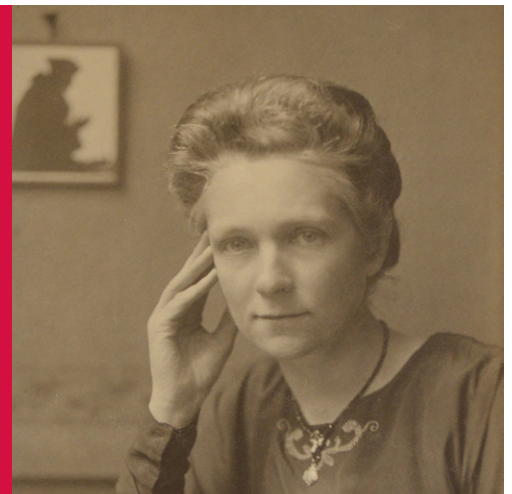
HOUSE OF REPRESENTATIVES

In the parliamentary committee, members raise questions about the intention and contents of the bill. They may also propose amendments. Eventually, members vote for or against the proposal and the proposed amendments in a plenary sitting. If adopted, the bill goes to the Senate.



First female senator

In 1917, the Constitution changes again. From then on, women are also eligible to stand for election to the Senate. The first female senator is Carry Pothuis-Smit. She is elected in 1920 and for a long time is the only woman in an otherwise all-male Senate.



King William II is unhappy with the revision of the Constitution. He therefore presents a portrait of himself as a gift to the Senate, with the words: "I am unable to be with you, and I am therefore giving you my portrait, to ensure that I am always with you."

The portrait still hangs in the Plenary Hall.

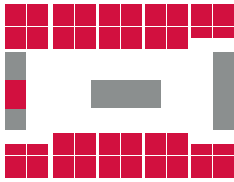
Carry Pothuis-Smit

The changing Senate

Across the centuries, the role of the Senate has continued to be a source of discussion. The number of members and their period of office have changed several times. Despite this, the bicameral system has been maintained and the Senate has always had a clearly-defined

role alongside that of the House of Representatives. Currently, the parliamentary system has again become the subject of discussion. The work of a government committee established in 2017 to review the system is still ongoing.





SENATE

Members also pose questions in parliamentary committees in order to ascertain whether the bill is sound and legal, enforceable and feasible. However, they cannot make any further changes. The Senate also votes for or against the bill.

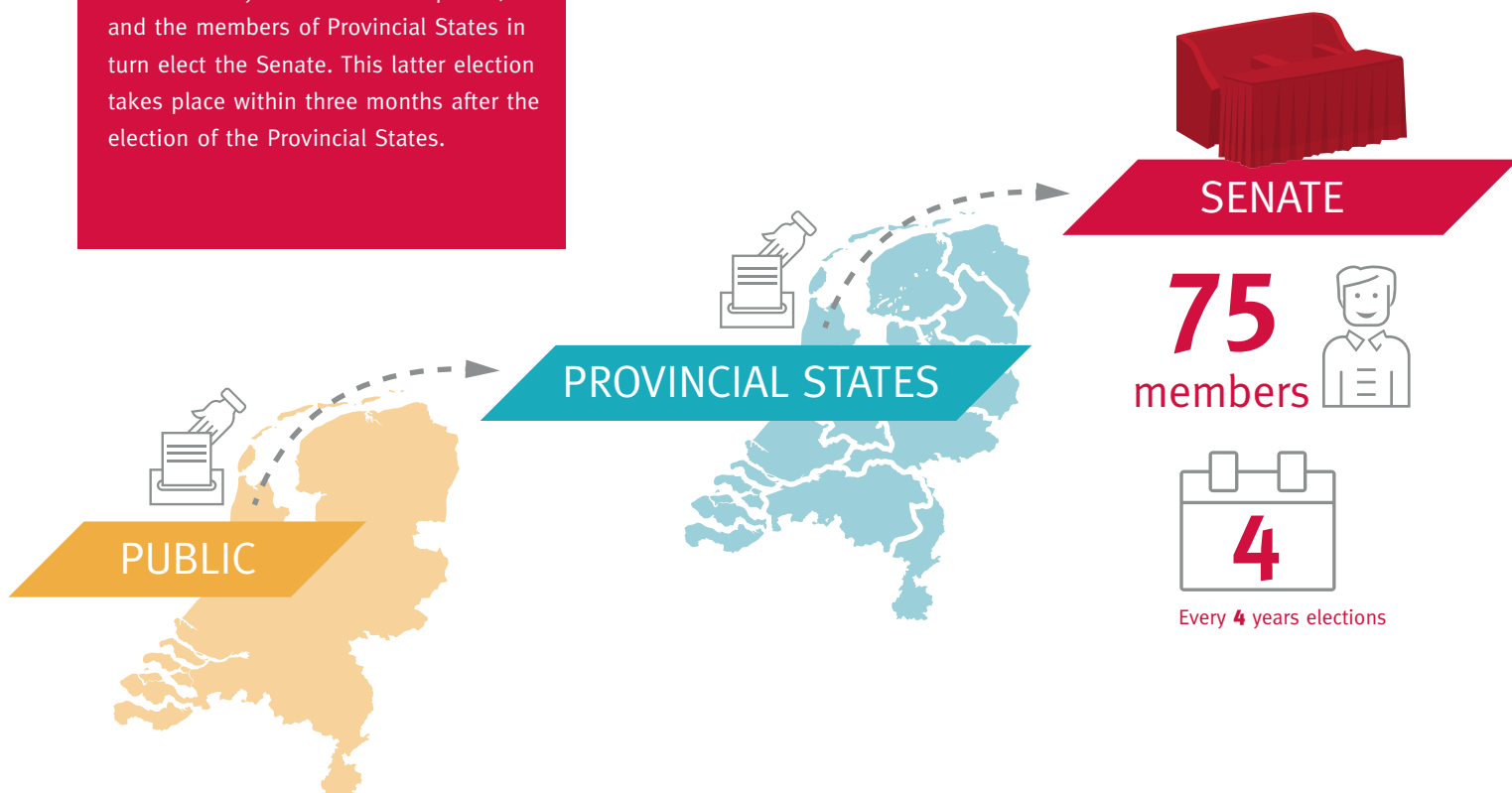


KING

If adopted, the bill is sent to the King and the minister to sign it.

The 75 members of the Senate are elected by the members of the 12 Provincial States. This is a two tiered form of election: members of the Provincial States are elected by members of the public, and the members of Provincial States in turn elect the Senate. This latter election takes place within three months after the election of the Provincial States.

How is the Senate elected?





PUBLICATION

Publication in the Bulletin of Acts, Orders and Decrees of the Kingdom of the Netherlands.
The act now enters into force.

Membership of the Senate: a multifaceted part-time role

Working for the Senate is a part-time position: the Senate generally meets one day a week (on Tuesdays). In addition to their role as senators, many members also have a job elsewhere. Many are active in the academic world, the business community, public administration, healthcare and education. They also often hold ancillary positions. Because of their work elsewhere, senators have often acquired specific knowledge or experience in wider society. This, combined with the political responsibility of their role, has great added value for the debate with the government. Senators are ideally placed to assess whether specific legislation is necessary or desirable. The placing of policy and legislation in a wider perspective and assessing it in terms of its cohesion and whether it is oriented towards the future, is why the Senate is sometimes referred to as the '*chambre de réflexion*'.



Scrutinising role

Scrutinising government policy is primarily done by the House of Representatives. The Senate adopts a restrained attitude and mainly scrutinises policy in broad outline, ensuring that the government's plans form a cohesive whole. So far, the Senate has never made use of its right to institute a parliamentary inquiry and very rarely summons a member of government to account (right of interpellation). The Senate has also only instigated a parliamentary committee of inquiry on two occasions.

Right to decide on the budget

The Senate is also restrained in the use of its right to approve and amend budgetary policy, an important instrument in government scrutiny. This is also more the preserve of the House of Representatives, since it can also amend these bills (right of amendment). The Senate is only able to approve or reject budgets. The Senate is reluctant to use its right of rejection because of the significant consequences for relevant areas of policy, which could grind to a halt as a result.



European Union

In the national legislative process, the Senate only acts after the House of Representatives has acted.

However, the situation is different in the case of the European legislative process. In this context, the Senate and House of Representatives can act simultaneously. In addition, both chambers have the same powers in exercising scrutiny over the development of European legislation.

The handling of European proposals is fully integrated within regular parliamentary work. This means that all standing committees also consider European dossiers. For this purpose, senators make a selection from the dossiers. The Senate has a procedure by which the committees select for scrutiny what they consider to be the most important proposals from the European Commission's annual working programme. If a proposal

on this priority list is published, it will automatically appear on the agenda of the relevant committee.

If the parliamentary committee decides to consider the contents of the proposal, it will consider using the potential methods of influence at its disposal, including written or verbal consultation with the Dutch government, the European Commission or other European institutions. The Senate's public European dossiers are also published on its Europapoort website (www.eerstekamer.nl/eu). This includes all relevant information about the proposal concerned.

States General:

Joint Sessions



Although the Senate and House of Representatives usually meet separately, they occasionally meet jointly. These are the Joint Sessions of the States General. The most well-known of these is on the third Tuesday in September when the King reads out his Speech from the Throne in the Hall of Knights. In it, he outlines policy for the coming year on behalf of the government. Joint Sessions are also held to approve proposed marriages of members of the Royal House and for the inauguration of a new head of state. Joint Sessions are chaired by the President of the Senate.



Eerste Kamer der Staten-Generaal

Binnenhof 22
2513 AA Den Haag

PO Box 20017
2500 EA Den Haag

telephone +31 70 312 92 00

fax +31 70 312 93 90

email postbus@eerstekamer.nl

website www.eerstekamer.nl



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Attending a plenary sitting

In principle, anyone can attend plenary sittings. They are held every Tuesday, except during recess. Sittings usually start at 13:30 and last as long as necessary, occasionally until after midnight. To attend, you should report to the public gallery at Binnenhof 23. Please note: numbers are limited. It is not possible to reserve places. Plenary debates can also be watched live on the Senate website.