



To Bill no. L 125

The Folketing (Parliament) 2011-12

Supplementary Report Submitted by the Parliamentary Committee on Business, Growth and Exports on 7 June 2012

Supplementary Report

on a

Act on a Mediation and Complaints-Handling Institution for Responsible Business Conduct [by the Minister for Business and Growth Denmark (Ole Sohn)]

1. Amendment proposals

The Minister for Business and Growth has tabled two amendment proposals to the Bill.

2. The Parliamentary Committee work

The Bill was tabled on 28 March 2012 and received its first reading on 19 April 2012. After the first reading, the Bill was referred for consideration by the Parliamentary Committee on Business, Growth and Exports. The Parliamentary Committee submitted a report on 29 May 2012. The Bill received its second reading on 31 May 2012, after which it was referred for new consideration by the Parliamentary Committee on Business, Growth and Exports.

Meetings

After the Bill was referred for new consideration by the Parliamentary Committee the Parliamentary Committee has considered the Bill at one meeting.

Questions

During the new consideration of the Bill the Parliamentary Committee has submitted one question to the Minister for Business and Growth to be replied to in writing, and the Minister has replied.

3. Recommendations

A *majority* of the Parliamentary Committee (SD, SL, SPP, UL and C) recommends the Bill for adoption with the amendment proposals made.

A *minority* of the Parliamentary Committee (L) recommends the Bill for rejection. The minority will vote neither for nor against the amendment proposals made.

Another *minority* of the Parliamentary Committee (DPP and LA) recommends the Bill for *rejection*. The minority will vote in favour of the amendment proposals made.

Inuit Ataqatigiit, Siumut, Sambandsflokkurin and Javnaðarflokkurin were not represented with members of the Committee at the time that the supplementary report was submitted and thus did not have access to submit

recommendations or political statements in the supplementary report.

An overview of the composition of the Folketing is included in the supplementary report.

4. Amendment proposals with remarks

Amendment proposals

From *the Minister for Business and Growth*, adopted by a *majority* (the Parliamentary Committee with the exception of L):

To Section 5

1) *Subsection 2* is worded as follows:

“*Subsection 2*. If the Mediation and Complaints-Handling Institution rejects the case, the Mediation and Complaints-Handling Institution notifies this to the parties.

[Omission of statement after rejection of a case]

To Section 8

2) *Subsection 2* is worded as follows:

“*Subsection 2*. This does not apply, however, if the conclusion of the consideration of the case is that the Mediation and Complaints-Handling Institution rejects the case after an initial assessment, cf. Section 5(1), or that the parties themselves find a solution and thereby close the case, cf. Section 7(1).

[Expansion of the exemption from the Access to Public Administration Files Act]

Remarks

To no. 1

It is proposed that the provision concerning the rejection of the case after an initial assessment is worded so that the

rejection is only notified to the parties to the case. In this connection no statement from the Mediation and Complaints-Handling Institution concerning the concrete case is published.

As stated in the remarks to Section 9 of the Bill, rules will be determined for the reporting of the work of the Mediation and Complaints-Handling Institution, including that the Institution shall prepare an annual report on its activities. In order to create the required transparency in the activities of the Mediation and Complaints-Handling Institution, including the scope for and background to the rejection of cases, and fulfil the OECD's recommendations concerning publication, the intention is that rules will be laid down for this report to include an overall account of the Institution's practice for the rejection of cases. It will thus also be possible for the Institution's practice for the rejection of

cases to be included in the annual discussion of the development in the Institution's practice with the Council on Social Responsibility.

To no. 2

If the Mediation and Complaints-Handling Institution already rejects the consideration of the case after an initial assessment, in view of the special nature of the scheme it is proposed that the case is exempted from the Access to Public Administration Files Act. The proposed amendment to the Bill is in accordance with the recommendations concerning access to public administration from the Council on Corporate Social Responsibility.

Benny Engelbrecht (SD) Jacob Bjerregaard (SD) Jan Johansen (SD) Mette Reissmann (SD) Karin Gaardsted (SD) Chair.

Trine Bramsen (SD) Simon Kollerup (SD) Andreas Steenberg (SL) Nadeem Farooq (SL) Camilla Hersom (SL)

Hans Vestager (SL) Annette Vilhelmsen (SPP) Steen Gade (SPP) Frank Aaen (UL) Henning Hyllested (UL) Kim Andersen (L)

Gitte Lillelund Bech (L) Anne-Mette Winther Christiansen (L) Vice Chair Preben Bang Henriksen (L)

Torsten Schack Pedersen (L) Mads Rørvig (L) Hans Christian Schmidt (L) Hans Christian Thoning (L)

Hans Kristian Skibby (DPP) Dennis Flydtkjær (DPP) Mette Hjermand Dencker (DPP) Kim Christiansen (DPP)

Ole Birk Olesen (LA) Brian Mikkelsen (C)

Inuit Ataqatigiit, Siumut, Sambandsflokkurin and Javnaðarflokkurin did not have members of the Committee.

The Liberals, Denmark's Liberal Party (L)	47	Liberal Alliance (LA)	9
The Social Democratic Party (SD)	44	The Conservative Party (C)	8
The Danish People's Party (DPP)	22	Inuit Ataqatigiit (IA)	1
The Social Liberal Party (SL)	17	Siumut (SIU)	1
The Socialist People's Party (SPP)	16	Sambandsflokkurin (SP)	1
The Unity List (UL)	12	Javnaðarflokkurin (JF)	1

Appendix 1**Overview of documents concerning L 125 after the submission of the report**

Document no.	Title
8	Report submitted on 29/5-12
9	First draft of the supplementary report
10	Amendment proposal from the Minister for Business and Growth
11	Second draft of the supplementary report

Overview of questions and answers concerning L 125 after the submission of the report

Document no.	Title
19	Question concerning how the Minister's most recent amendment proposal is compatible with the principles described in the Minister's answers to several of the questions submitted, cf. the answers to questions 6, 7 and 18 to the Minister for Business and Growth, and the Minister's response