

Denmark- Legal Annex

1. **Constitution, 5th June 1953**
2. **Regulations of voluntary registration of commission and economic interests by members of the Danish Parliament** (Carried by The Committee of Order of Business May the 18th 1994 with changes carried by The Committee of Order of Business December the 13th 2001 and March the 3rd 2005) (In English and Danish)
3. **Salary Law** (in Danish)
4. **Blank disclosure form**

Law(s) that have been reviewed but which do(es) not contain any relevant provisions for the current study:

- Standing Orders of the Parliament

1. **Constitution, 5th June 1953**

Section 30 [Eligibility for Membership]

(1) Any person who has a right to vote at Parliament elections shall be eligible for membership of the Parliament, unless he has been convicted of an act which in the eyes of the public makes him unworthy of being a Member of the Parliament.

(2) Civil servants who are elected Members of the Parliament shall not require permission from the Government to accept their election.

2. **Regulations of volunteer registration of commission and economical interests of members of the Danish Parliament** (Carried by The Committee of Order of Business May the 18th 1994 with changes carried by The Committee of Order of Business December the 13th 2001 and March the 3rd 2005).

§ 1. The Danish Parliament Committee of Order of Business recommends that members of the Danish Parliament register their commissions and economical interests by the rules in these regulations.

Subsection 2. Temporarily members of the Danish Parliament are included by these regulations when the membership has lasted a continuous period of 4 weeks.

Subsection 3. Ministers, who are not members of the Danish Parliament, have access to become registered by the rules of these regulations.

Subsection 4. Members, who choose to register their commissions and economical interests, must accept the regulations in full.

- § 2. The following commissions and economical interests are registered:

Conditions of income

- 1) Paid committee appointments in private or public companies. Appointment and company are registered.
- 2) Paid appointment, commission or similar in excess of the commission as Member of the Danish Parliament. Appointment and employer/commissioning party are registered.
- 3) Independent income giving company, which is exercised in excess of the work as Member of the Danish Parliament. The description is registered.

Gifts, journeys abroad and financial support etc.

- 4) Domestic companies, organizations, institutions or individuals who are granting the member financial support, including material profits, secretary assistance and similar in excess of the means, the Danish Parliament or the party of the member of the Danish Parliament place at disposal. Name, description of the support and the time of the support are registered.
- 5) Gifts from domestic donors, when the gift from the individual donor has a value, which obviously exceeds 3,000 DKR, and the gift has association to the membership of the Danish Parliament. Name of the donor, description of the gift and the time of the gift must be registered.
- 6) Journeys to and visits in foreign countries, where the expenses not in full are paid for with government finances by the party the member is connected to or by the member self, and which have connection to the membership of the Danish Parliament. Name of the donor, time of the journey plus name of the country visited must be registered.
- 7) Every financial contribution, financial advantage, gift or similar, which are received from public authorities, organizations or individuals from other countries, when the value of the received obviously exceeds 3,000 DKR, and the contribution concerned etc. has connection to the membership of the Danish Parliament. Name of the donor, description of the contribution etc. and the time of the contribution etc. must be registered.

Financial circumstances

- 8) Company interests with a value, which obviously exceeded 75,000 DKR per 31st of December in advance of the consent renewal plus recently acquired company interests after the 31st of December with a value, which obviously exceeds 75,000 DKR. Name of the company is registered.

Arrangements with previous and/or future employer about current and future circumstances

- 9) Arrangement of financial disposition with previous employer, including agreement of leave, leave without wages, continuous wage disburse or maintenance of personnel interests, pension entitlements and similar under the membership of the Danish Parliament. Description of the agreement and name of the employer are registered.

10) Agreement of employment or similar with future employer regardless of whether the employment will not take effect before the member has resigned from the Danish Parliament. Description of the agreement and name of the employer are registered.

Subsection 2. Amounts or value of the commissions and economical interests mentioned in subsection 1 must not be registered.

Subsection 3. Information which is mentioned in points 4-7 will only be registered 4 years from receipt of the gift etc.

§ 3. The registration must be done before one month after a newly elected Danish Parliament has met, a substitute is approved as an ordinary member or the registration duty for a temporary member commences. New registration obligated information, including registration obligated information about recently acquired company interests or change of previous registered information must be registered by one month after the new information are available. Registration of company interests, which not before the acquisition have acquired a value which obviously exceeds 75,000 DKR, can however on time be registered by the first coming consent declaration by § 4.

Subsection 2. Registration must happen in front of an official, which is appointed by the presidium of the Danish Parliament. The formulas, which are to be used for the registration, must be approved by presidium of the Danish Parliament.

Subsection 3. Before 20 work days (Saturdays not included) after the registration time limit is expired after a general election, the register must be accessible to the public by application to the official, who manages the registration, or by inspection of a print of the register, which must displayed in the Danish Parliament. The presidium of the Danish Parliament can make decision about the information in the register in addition will be accessible for the public on the website of the Danish Parliament.

Subsection 4. When new information or changes is registered in the previously made registration, the previously registered data of the member of the Danish Parliament must at the same time be filed. The update must be completed before 10 work days (Saturdays not included) after the member has registered new information.

§ 4. It is a condition to be registered that there exists a written consent from the member of the Danish Parliament about the chance of a publication as mentioned in § 3. The consent must be renewed once a year.

§5. The regulations come into force the 4th of March 2005 and apply to registration obligated information after the general election the 8th of February 2005.

Regler om frivillig registrering af folketingsmedlemmernes hverv og økonomiske interesser

(Vedtaget af Udvalget for Forretningsordenen den 18. maj 1994 med ændringer vedtaget af Udvalget for Forretningsordenen den 13. december 2001 og den 3. marts 2005)

§ 1. Folketingets Udvalg for Forretningsordenen anbefaler, at Folketingets medlemmer registrerer deres hverv og økonomiske interesser efter bestemmelserne i disse regler.

Stk. 2. Midlertidige medlemmer af Folketinget er omfattet af disse regler, når medlemskabet har været en sammenhængende periode på 4 uger.

Stk. 3. Ministre, der ikke er medlemmer af Folketinget, har adgang til at blive registreret efter bestemmelserne i disse regler.

Stk. 4. Medlemmer, som vælger at registrere deres hverv og økonomiske interesser, skal acceptere regelsættet i sin helhed.

§ 2. Følgende hverv og økonomiske interesser registreres:

Indtægtsforhold

- 1) Lønnede bestyrelsesposter i private eller offentlige selskaber. Stilling og selskab registreres.
- 2) Lønnet stilling, hverv eller lignende ud over hvervet som folketingsmedlem. Stilling og arbejds/opdragsgiver registreres.
- 3) Selvstændig indtægtsgivende virksomhed, som udøves ud over arbejdet som folketingsmedlem. Arten registreres.

Gaver, udenlandsrejser og økonomisk støtte m.v.

- 4) Indenlandske selskaber, organisationer, institutioner eller enkeltpersoner, som yder medlemmet økonomisk støtte, herunder materielle fordele, sekretærbistand og lignende, ud over de midler, Folketinget eller folketingsmedlemmets parti stiller til rådighed. Navn og støtens art registreres.
- 5) Gaver fra indenlandske givere, når gaven fra den enkelte giver har en værdi, som åbenbart overstiger 3.000 kr., og gaven har tilknytning til medlemskabet af Folketinget. Giverens navn, gavens art og tidspunkt for gaven skal registreres.
- 6) Rejser til og besøg i udlandet, hvor udgifterne ikke i deres helhed afholdes af statslige midler, af det parti, medlemmet tilhører, eller af medlemmet selv, og som har tilknytning til medlemskabet af Folketinget. Giverens navn, tidspunkt for rejsen samt navn på besøgsland skal registreres.
- 7) Enhver økonomisk ydelse, økonomisk fordel, gave eller lignende, som er modtaget fra offentlige myndigheder, organisationer eller enkeltpersoner fra andre lande, når værdien af det modtagne åbenbart overstiger 3.000 kr. og den pågældende ydelse m.v. har tilknytning til medlemskabet af Folketinget. Giverens navn, art af ydelsen m.v. og tidspunktet for ydelsen m.v. skal registreres.

Formueforhold

- 8) Selskabsinteresser med en værdi, som åbenbart oversteg 75.000 kr. pr. 31/12 forud for samtykkefornyelsen samt ny erhvervede selskabsinteresser efter den 31/12 med en værdi, som åbenbart overstiger 75.000 kr. Selskabets navn registreres.

Aftaler med tidligere og/eller fremtidig arbejdsgiver om aktuelle eller fremtidige forhold

- 9) Aftale af økonomisk karakter med tidligere arbejdsgiver, herunder aftale om orlov, tjenestefrihed uden løn, fortsat lønudbetaling eller opretholdelse af personalefordele,

pensionsrettigheder og lignende under medlemskabet af Folketinget. Aftalens art og arbejdsgiverens navn registreres.

10) Aftale om ansættelse eller lignende med fremtidig arbejdsgiver, uanset om ansættelsen først vil få virkninger efter, at medlemmet er trådt ud af Folketinget. Aftalens art og arbejdsgiverens navn registreres.

Stk. 2. Beløb eller værdi af de i stk. 1 nævnte hverv og økonomiske interesser skal ikke registreres.

Stk. 3. Oplysninger som nævnt i stk. 1, nr. 4-7, vil dog kun være registreret i 4 år fra gavens m.v. modtagelse.

§ 3. Registreringen skal foretages inden en måned efter, at et nyvalgt Folketing er trådt sammen, en stedfortræder er godkendt som ordinært medlem eller registreringspligten indtræder for et midlertidigt medlem. Nye registreringspligtige oplysninger, herunder registreringspligtige oplysninger om ny erhvervede selskabsinteresser, eller ændring af tidligere registrerede oplysninger skal registreres inden en måned efter, at de nye oplysninger foreligger. Registrering af selskabsinteresser, der først efter erhvervelsen har fået en værdi, som åbenbart overstiger 75.000 kr., kan dog rettidigt registreres ved den førstkommende samtykkefornyelse efter § 4.

Stk. 2. Registrering skal ske over for en embedsmand, som udpeges af Folketingets Præsidium. De skemaer, som skal benyttes ved registreringen, skal godkendes af Folketingets Præsidium.

Stk. 3. Inden 20 hverdage (lørdage ikke medregnet) efter, at registreringsfristen er udløbet efter et folketingsvalg, skal registeret være tilgængeligt for offentligheden ved henvendelse til den embedsmand, som står for registreringen, eller ved gennemsyn af en udskrift af registeret, som skal være fremlagt i Folketinget. Folketingets Præsidium kan træffe beslutning om, at registeroplysningerne tillige vil være tilgængelige for offentligheden via Folketingets hjemmeside.

Stk. 4. Når der registreres nye oplysninger eller ændringer i den tidligere foretagne registrering, skal folketingsmedlemmets tidligere registrerede data samtidig arkiveres. Opdatering skal gennemføres inden 10 hverdage (lørdage ikke medregnet) efter, at medlemmet har registreret nye oplysninger.

§ 4. Det er en betingelse for at blive registreret, at der foreligger et skriftligt samtykke fra folketingsmedlemmet om, at der kan ske en offentliggørelse som nævnt i § 3. Samtykket skal fornys én gang om året.

§ 5. Reglerne træder i kraft den 4. marts 2005 og finder anvendelse på registreringspligtige forhold indtrådt efter folketingsvalget den 8. februar 2005.

3. Salary Law (in Danish)

VEDERLAG, PENSION OG BOLIGGODTGØRELSE M.V. TIL FOLKETINGETS MEDLEMMER PR. 1. OKTOBER 2005

Der udbetales vederlag til medlemmer af Folketinget i henhold til valglovens § 108. Vederlaget består af et *grundvederlag*, der svarer til aflønning af en stats tjenestemand i lønramme 38 og et *skattefrit omkostningstillæg*. Ethvert medlem er forpligtet til at modtage grundvederlaget og omkostningstillægget.

Omkostningstillæg I ydes for medlemmer med bopæl i Danmark.

Omkostningstillæg II ydes for medlemmer valgt i Grønland og på Færøerne.

Godtgørelse for boligudgifter ydes til medlemmer med bopæl uden for Sjælland og Nyborg Kommune, der har udgifter til en fast supplerende bolig i Københavnsområdet. I ganske særlige tilfælde kan godtgørelsen også ydes til medlemmer med bopæl på Sjælland uden for HT-området og i Nyborg Kommune. Godtgørelsen udgør maksimalt 82.949 kr. årligt, hvoraf op til 59.249 kr. kan godtgøres mod dokumentation af udgifter til husleje, varme, vand, el og gas.

Hotellovernatning ydes i nærmere bestemt omfang i forbindelse med Folketingets arbejde for medlemmer, der ikke modtager godtgørelse for boligudgifter.

FOLKETINGSVEDERLAG OG BOLIGGODTGØRELSE

Beløb i hele kr. pr. 1. oktober 2005	Pr. måned	Pr. år
Grundvederlag	43.969	527.624
Omkostningstillæg I	4.263	51.153
Omkostningstillæg II	5.684	68.203
Godtgørelse for boligudgifter	6.912	82.949

Folketingets formand modtager vederlag efter de samme regler, der gælder for vederlag til statsministeren. Folketingets formand har desuden ret til ventepenge og pension efter samme regler som gælder for ministre.

EFTERVEDERLAG

Et ordinært folketingsmedlem, der forlader Folketinget pga. folketingsvalg eller sygdom, modtager efter sin udtræden et eftervederlag. Det svarer til grundvederlaget i 12-24 måneder afhængigt af varigheden af medlemskabet. Eftervederlaget udbetales ubeskåret til og med den 12. måned. Fra den 13. måned modregnes eventuelle lønindtægter og anden arbejdsindkomst samt ventepenge og pension mv.

FOLKETINGSPENSION

Et folketingsmedlem er iflg. valglovens § 110 berettiget til egenpension, når han i én eller flere perioder har været medlem af Folketinget i tilsammen mindst 1 år. Pensionen ydes fra 60 års alderen, dog ikke så længe der modtages grundvederlag eller eftervederlag.

Den højeste pension opnås efter 20 års medlems tid og udgør for medlemmer, der pensioneres pr. 1. februar 2001 eller senere, 25.307 kr. om måneden, dog for pensionister under 65 år 28.441 kr. om måneden inkl. "under-65-års tillæg".

Kilde: Folketingets Løn- og økonomikontor, oktober 2005

4. Blank disclosure form

the Danish PARLIAMENT

STANDARD FORMULA

For report on information about commission and economical interests of members of the Danish Parliament

Refers to the regulations of volunteer registration of commission and economical interests of members of the Danish Parliament (carried by The Committee of Order of Business May the 18th 1994 with changes carried by The Committee of Order of Business December the 13th 2001 and March the 3rd 2005).

Refers to guidance of June the 22nd 1994 about volunteer registration of commission and economical interests of members of the Danish Parliament decided by The Presidium December the 6th 2001 and March the 2nd 2005.

Name _____

Party: _____

County District/
Grand District _____

State of affairs (put a cross)

..... Member of
Parliament
..... Minister and Member of
Parliament

..... Minister and not-Member of Parliament
..... Temporarily member of
Parliament

Consent declaration

The undersigned, who is familiar with the regulations of volunteer registration of commission and economical interests of members of the Danish Parliament, gives by this consent to, that information contained in this formula can be registered and published referring to the decisions in the mentioned regulations. Consent also includes publishing of the information on the Danish Parliaments website.

.....date.....signature.....

CONDITIONS OF INCOME (PT. 1-3)

1) Paid committee appointments in private or public companies. Appointment and company are registered.

2) Paid appointment, commission or similar in excess of the commission as Member of the Danish Parliament. Appointment and employer/commissioning party are registered.

3) Independent income giving company, which is exercised in excess of the work as Member of the Danish Parliament. The description is registered.

GIFTS, JOURNEYS ABROAD AND FINANCIAL SUPPORT ETC. (PT. 4-7)

(Information which is mentioned in points 4-7 will only be registered 4 years from receipt of the gift etc.)

4) Domestic companies, organizations, institutions or individuals who are granting the member financial support, including material profits, secretary assistance and similar in excess of the means, the Danish Parliament or the party of the member of the Danish Parliament place at disposal. Name, description of the support and the time of the support are registered.

5) Gifts from domestic donors, when the gift from the individual donor has a value, which obviously exceeds 3000 Dry, and the gift has association to the membership of the Danish Parliament. Name of the donor, description of the gift and the time of the gift must be registered.

6) Journeys to and visits in foreign countries, where the expenses not in full are paid for with government finances by the party the member is connected to or by the member self, and which have connection to the membership of the Danish Parliament. Name of the donor, time of the journey plus name of the country visited must be registered.

7) Every financial contribution, financial advantage, gift or similar, which are received from public authorities, organizations or individuals from other countries, when the value of the received obviously exceeds 3000 DKR, and the contribution concerned etc. has connection to the membership of the Danish Parliament. Name of the donor, description of the contribution etc. and the time of the contribution etc. must be registered.

FINANCIAL CIRCUMSTANCES (PT. 8)

8) Company interests with a value, which obviously exceeded 75000 DKR per 31st of December in advance of the consent renewal plus recently acquired company interests after the 31st of December with a value, which obviously exceeds 75000 DKR. Name of the company is registered.

ARRANGEMENTS WITH PREVIOUS AND/OR FUTURE EMPLOYER ABOUT CURRENT OG FUTURE CIRCUMSTANCES (PT. 9-10)

9) Arrangement of financial disposition with previous employer, including agreement of leave, leave without wages, continuous wage disburse or maintenance of personnel interests, pension entitlements and similar under the membership of the Danish Parliament. Description of the agreement and name of the employer are registered.

10) Agreement of employment or similar with future employer regardless of whether the employment will not take effect before the member has resigned from the Danish Parliament. Description of the agreement and name of the employer are registered.

Put a cross:

..... This is the first time I make a report. I have the, in this formula, listed commission and financial interests.

..... I already have registered information in the register. I have the, in this formula, listed changes to the current registered information (there is only entered information in the formula in the fields of the posts, that have changes)

..... I have no commission or financial interests included by the regulations. I wish that this information appears from the register.

..... I do not wish to make a report by the regulations. I give my consent to that this information appears from the register.