



Terms of Reference

of the Steering Committee of the Austrian National Contact Point for the OECD Guidelines for Multinational Enterprises

(All function terms used are to be understood as gender-neutral and are valid in the masculine and feminine form.)

1.) Members

The Steering Committee includes one representative from each of the following institutions:

- a. Federal Ministry of Science, Research and Economy,
- b. Federal Chancellery,
- c. Federal Ministry of Labour, Social Affairs and Consumer Protection,
- d. Federal Ministry for Europe, Integration and Foreign Affairs,
- e. Federal Ministry of Finance,
- f. Austrian Federal Chamber of Labour,
- g. Austrian Chamber of Agriculture,
- h. Austrian Trade Union Federation,
- i. Federation of Austrian Industries,
- j. Austrian Federal Economic Chamber; and, furthermore
- k. one representative of an Austrian-based member organization of OECD Watch as a representative of civil society, as well as
- l. one expert with knowledge in the field of extrajudicial dispute resolution.



2.) Appointment of Members

2.1.) The members of the Steering Committee as well as one substitute member are appointed by the abovementioned institutions for a period of two years. The institutions will be allowed to appoint another substitute member, if necessary.

2.2.) In the event that the Austrian-based member organisations of OECD Watch are not able to reach an agreement regarding their appointment, the right to appoint – after setting a period of grace of four weeks by the chairperson – goes back to the Federal Minister of Science, Research and Economy.

2.3.) The expert with knowledge in the field of extrajudicial dispute resolution is appointed by the Federal Minister of Science, Research and Economy.

3.) Chairmanship

3.1.) The appointed representative of the Federal Ministry of Science, Research and Economy or its substitute respectively is in charge of the chairmanship.

4.) Convocation

4.1.) The Steering Committee is, as a rule, convoked by the chairperson twice a year. Furthermore, the Steering Committee shall be convoked by the chairperson if necessary, or if requested in writing by at least five members stating grounds therefore. The preliminary agenda as well as possible documents shall be enclosed in the convocation.

4.2.) The head of the Austrian National Contact Point (NCP) participates in the meetings in an advisory capacity; he/she has no right to vote. He/she is in charge of keeping the minutes.

4.3.) If necessary, external experts can be consulted for the meetings. The chairperson shall decide upon such a consultation.

5.) Resolution and written circulation procedure

5.1.) The Steering Committee takes decisions regarding its field of tasks with a simple majority of the votes cast. Abstentions from voting are admissible. In the event of a tie vote, the deciding vote is cast by the chairperson.



5.2.) Resolutions in the written circulation procedure (exclusively by e-mail) are admissible. The voting is valid provided it is received by the Austrian NCP (NCP-Austria@bmwfw.gv.at) within the term determined by the chairperson. In the event that no statement arrives within the term, it shall be deemed as an abstention from the vote.

6.) Sessions

6.1.) The chairperson and the individual members of the Steering Committee seek a loyal cooperation within the framework of their activities.

6.2.) The consultations of the Steering Committee are confidential and subject to secrecy. The disclosure of the personal views and the position of the nominating institutions shall not be affected thereby.

6.3.) Confidentiality also applies to

a. Secret documentation and information brought to the consultations by the members of the Steering Committee, as well as

b. Trade and business secrets and personal data of third persons,

which were brought to the knowledge of the members in their function as members of the Steering Committee.

6.4.) Decisions in deviation from 6.2. and 6.3. can be agreed in individual cases by decision of the Steering Committee.

6.5.) The obligations pursuant to 6.2. and 6.3. are valid without a time limit.

7.) Minutes

7.1.) The minutes of the meetings are forwarded to the members by the chairperson for approval in the circulation procedure. The explanations with regard to the resolution and the written circulation procedure apply.

7.2.) Together with the minutes of the meeting, a short and anonymised version of the minutes of the meeting shall be forwarded to the members of the Steering Committee. This short version will be published on the website of the Austrian NCP.



7.3.) In the minutes of the meeting it shall be recorded whether resolutions have been adopted unanimously, consensually or by majority. Minority opinions shall, upon request, be recorded accordingly.

8.) Field of Duties

The field of duties of the Steering Committee includes the following:

- a. Consulting the Austrian NCP in all matters regarding the implementation of the Guidelines, including the handling of notifications in specific instances;
- b. The support and consulting of the Austrian NCP during the implementation of the pro-active agenda;
- c. Participation in the preparation of the annual report of the Austrian NCP to the OECD Investment Committee;
- d. The promotion of a broad dialogue on the Guidelines with stakeholders;
- e. Proposals for the further development of the Austrian NCP;
- f. The suggestion that a matter be referred to the OECD Investment Committee in case of doubts regarding the interpretation of the Guidelines;
- g. Evaluation of the activities of the Austrian NCP, in particular with regard to the compliance with the Terms of Reference and the implementation of the key criteria pursuant to Item I of the Procedural Guidance of the OECD Guidelines for Multinational Enterprises as well as the compliance with the latter.

9.) Evaluation of the activities and modification of the Terms of Reference

9.1.) The Steering Committee evaluates its activities on a regular basis, however at the longest after two years, and submits proposals for improvement.

9.2.) The Steering Committee decides on modifications of the Terms of Reference including the field of duties. In order for them to be approved, these resolutions require at least nine pro-votes.