



National Factsheet

Gender balance in Boards

Country: **Germany**

January, 2013

Unitary or dual board system

Germany has a dual (or two-tier) board system, characterised by the existence of both a supervisory (*Aufsichtsrat*) and an executive board (*Vorstand*). In the European Union, corporate governance codes recommend a unitary-board system in 8 countries and a dual-board system in 10 countries, though there may be some exceptions. In the remaining 9 countries a hybrid system applies and companies can choose between a one or two-tier approach.

National measures to improve gender balance on boards

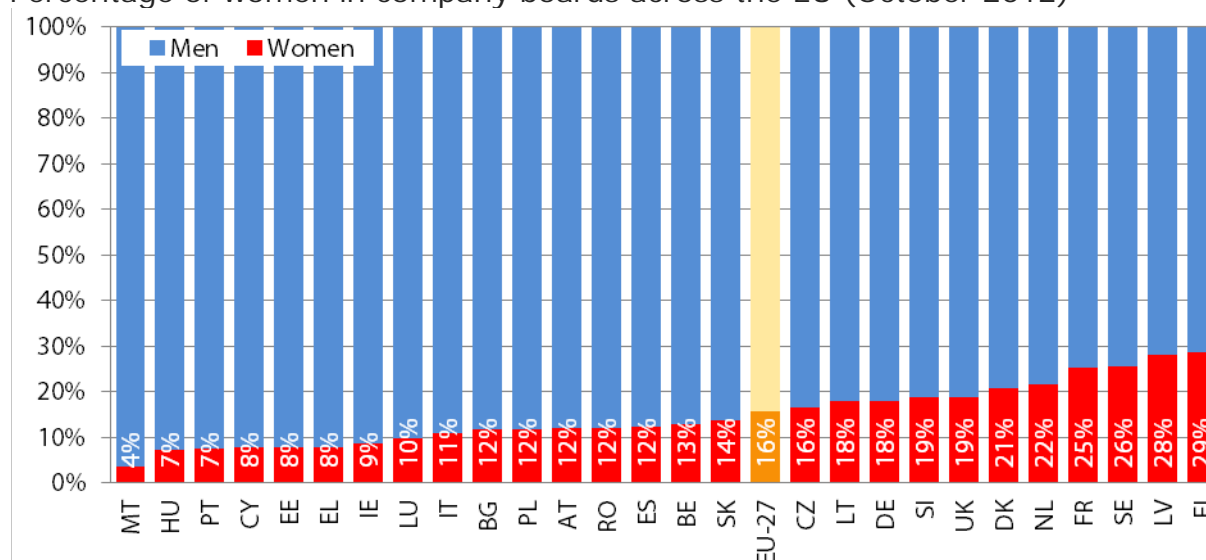
The German system has opted for **self-regulation** in order to improve gender balance on company boards: according to the German Corporate Governance Code, **supervisory boards of listed companies** should establish targets for their composition, including 'appropriate participation' of women. A reporting obligation is foreseen. The upper house of parliament (*Bundesrat*) in Germany recently voted in favour of a 40% quota. Previous efforts at self-regulation have failed to deliver significant improvements. An agreement between the government and businesses aimed at increasing the proportion of women in executive positions was made in 2001 and more recently, in 2011, DAX 30 companies agreed to company-specific voluntary targets.

Current percentage of women on boards and presidents

Women represent 17.9% of the board members of the largest publicly listed companies in Germany (DAX 30). This proportion is slightly higher than the EU average (15.8%). Women count for 3.3% of board chairs but there are no women CEOs.

	Germany	EU-27
Board chairs	3.3%	3.3%
CEOs	0%	2.4%
Members of boards	17.9%	15.8%

Percentage of women in company boards across the EU (October 2012)



Source: European Commission's database on women and men in decision-making; last updated in October 2012.

See: http://ec.europa.eu/justice/gender-equality/gender-decision-making/database/index_en.htm

Companies covered: Data cover the largest publicly listed companies in each of the 27 EU Member States. Publicly listed means that the shares of the company are traded on the stock exchange. The "largest" companies are taken to be the members (max.50) of the primary blue-chip index, which is an index maintained by the stock exchange covering the largest companies by market capitalisation and/or market trades. Only companies which are registered in the country concerned are counted. The database contains information on 582 companies, which corresponds to 5,910 Board Members.

Board members covered: In countries with unitary (one-tier) systems, the board of directors is counted (including non-executive and executive members). In countries with two-tier systems, only the supervisory board is counted.

Figures on executive and non-executive directors

Women represent 13.8% of non-executive directors in the largest publicly listed companies in Germany and 7.2% of executive directors. Both are below the respective EU averages.

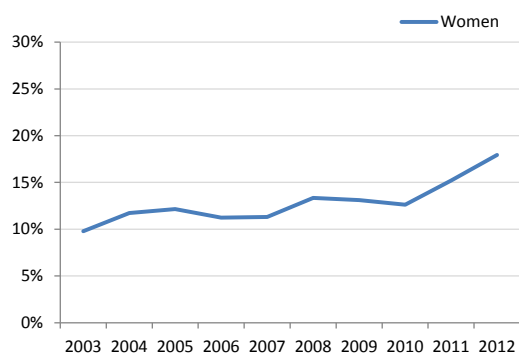
	Germany	EU-27
Executives	7.2%	10.2%
Non-executives	13.8%	16.8%

Note: In a two-tier system data cover executive and non-executive members of both boards. In a one-tier system data cover the main board plus the members of the most senior executive body (e.g. executive committee). In all cases, individuals sitting on more than one decision-making body are counted only once. Employee representatives are excluded.

Source: European Commission's database on women and men in decision-making, October 2012

Trends

The proportion of women on boards in Germany has risen from just under 10% in 2003 to approaching 18% in October 2012. This represents an average increase of 0.9 percentage points per year. At this rate of change it would take another 25 years or so to achieve gender balanced boards with at least 40% of each gender.

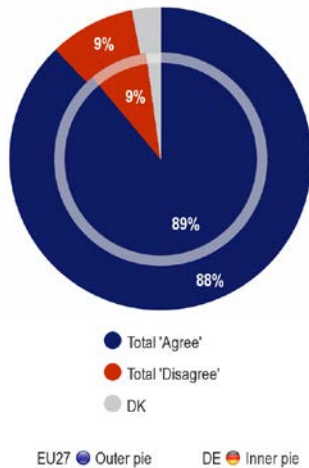


Source: European Commission's database on women and men in decision-making

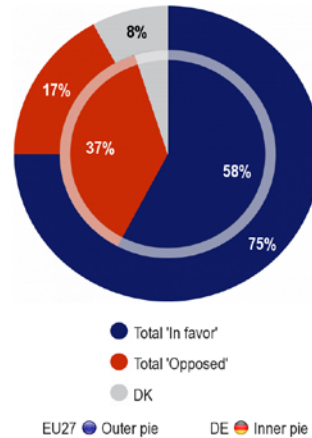
Key Eurobarometer figures

89% of Germans (and 88% of Europeans) think that, given equal competences, women should be equally represented in positions of leadership in companies and 58% (and 75% of Europeans) are in favour of legislation on this matter under the condition that qualification is taken into account without automatically favouring one or other gender.

QE2. Do you agree or disagree with the following statement: Given equal competence, women should be equally represented in positions of leadership in companies.



QE5. Some European countries (e.g. France, Spain, the Netherlands, Italy, Belgium and Norway) have already taken legal measures to ensure a more balanced representation of men and women on company boards. Are you in favour or opposed to a legislation on this matter under the condition that qualification is taken into account without automatically favouring one of either gender?



Source: Special Eurobarometer 376 Women in decision-making positions.

See: http://ec.europa.eu/public_opinion/archives/eb_special_379_360_en.htm

Number of companies that will be affected

There are around 7,500 publicly listed and EU-registered companies in the European Union (2011 figure). The available data indicate that about a third of these are SMEs (companies with less than 250 employees), which means that the legislative proposal is likely to affect a total of about 5,000 companies. Of these, it is estimated that around 700 are listed in Germany.