

## Act on Universities (the University Act)

We, Margrethe the Second, by the Grace of God Queen of Denmark, hereby make known that the Danish Parliament has passed and we have given our Royal Assent to the following Act:

### Part 1

#### *Scope of the Act*

1. –(1) This Act applies to universities under the Ministry of Science, Technology and Innovation.
- (2) The universities are independent institutions under the public-sector administration and supervised by the Minister of Science, Technology and Innovation.

#### *Purpose*

2. –(1) The university shall conduct research and offer research-based education at the highest international level in the disciplines covered by the university. The university shall ensure a balanced relationship between research and education, on a regular basis screen for the relevancy of its research and educational disciplines, prioritise and develop them further, and disseminate knowledge of scientific methods and results.
- (2) The university has freedom of research and shall safeguard this freedom and ensure the ethics of science.
- (3) The university shall collaborate with society and contribute to the development of international collaboration. The university's scientific and educational findings should contribute to the further growth, welfare and development of society. As a central knowledge-based body and cultural repository, the university shall exchange knowledge and competencies with society and encourage its employees to take part in the public debate.
- (4) The university shall contribute to ensuring that the most recent knowledge within relevant disciplines is made available to non-research oriented higher education.

### Part 2

#### *Degree Programmes*

3. –(1) The university is free to decide which research-based degree programmes it wants to offer within its academic scope. Pursuant to section 4 (1 (articles 1 and 2)) and section 5 (1) of this Act, the degree programmes offered by the university shall be subject to the approval of the Minister of Science, Technology and Innovation.
- (2) The Minister may revoke the approval of a programme offered pursuant to subsection (1), if it is no longer necessary for the university to offer the programme concerned, or if the

programme no longer lives up to the high standard of quality applicable at all times to research-based education.

(3) In special cases, the Minister can initiate an evaluation of one or more programmes.

4. –(1) The university may offer the following research-based full-time programmes as independent well-rounded educational programmes:

- 1) Bachelor programme for 180 ECTS points.
- 2) Master's programme (candidatus) for 120 ECTS points.
- 3) PhD programme for 180 ECTS points.

(2) 60 ECTS points are equivalent to 1 year of a full-time programme.

(3) In exceptional cases, the Minister may deviate from the points listed in subsection (1), when special circumstances require it.

(4) The Minister can determine thresholds limiting the student intake.

5. –(1) The university can offer the following research-based educational activities as part-time programmes:

- 1) Master's programme.
- 2) Other continuing and further education.
- 3) Supplementary educational activities in order to meet the admission requirements for a Master's programme (candidatus).

(2) A university's provision of part-time programmes can include all the courses that it is approved to offer on a full-time basis, single courses from these and domain-specific programmes.

6. –(1) Within its academic fields, a university can award the bachelor's degree, the master's (candidatus) degree, the PhD degree and the doctoral degree. In addition to the master's degree (candidatus), the university can also award the degree of master under a continuing education scheme.

(2) The Minister lays down the rules concerning the acquisition of the doctoral degree.

7. Subject to the approval of a second Minister, the university may offer programmes in accordance with rules laid down by the Minister concerned.

8. The Minister lays down general rules governing education, including grading and quality development, cf. sections 4 and 5, on the titles connected to education, and cf. section 6 on admission requirements.

9. During the study programme, the university shall offer guidance on education and subsequent job opportunities.

## Part 3

### *Governance Regulations*

#### *The Board*

10. –(1) The Board is the highest authority of the university. The Board shall safeguard the university's interests as an educational and research institution and determine guidelines for its organisation, long-term activities and development.

(2) To the greatest possible extent, the Board shall be open about its activities.

(3) The Board shall administer the university's funds to ensure that they serve the university's goals to the greatest extent possible.

(4) The Chairman of the Board shall administer the real estate together with a member of the Board.

(5) The Board shall approve the university's budget in accordance with the Rector's recommendation, including the distribution of the collective resources and the principles concerning the use of these resources, and it shall approve the accounts.

(6) The Board shall set up the university's charter and amendments. These shall be subject to the Minister's approval.

(7) The Board shall employ and dismiss the Rector and employ and dismiss the university's executive management on the recommendation of the Rector.

(8) The Board shall enter into a performance contract with the Minister.

(9) The Board has no authority over individual cases relative to other employees of the university, cf. subsection (7), or relative to students.

(10) The charter shall lay down further details concerning the openness of the Board's activities, cf. subsection (2). The charter shall also lay down details concerning the procedures for employment and dismissal, pursuant to (7) above. The employment procedure shall ensure that the Rector has academic and managerial legitimacy.

11. –(1) The Board shall answer to the Minister regarding the activities of the university, including the administration of the university's collective resources.

(2) If the Board disregards orders from the Minister concerning the rectification of unlawful matters, the Minister may order the Board to resign so that a new board can be appointed.

(3) If the Board's actions jeopardise the continued activities of the university, the Minister may order the Board to resign immediately, and in this connection install an interim governing board, until a new Board can be appointed.

(4) The Board or the Minister may decide to bring an action against members of the Board, the Rector, any auditors or others if the university has suffered any losses.

(5) The Board shall be authorised to take out a standard directors' liability insurance.

12. –(1) The Board shall be composed of external members and members representing the academic staff of the university, which includes PhD students with university contracts, the

technical and administrative staff and the students. The Board shall comprise a majority of external members. The Board shall elect a chair from among its external members.

(2) Together the members of the Board shall use their experience and knowledge concerning education, research and the dissemination and exchange of knowledge to contribute to the promotion of the university's strategic work.

(3) The external members shall be selected on the merit of their personal qualifications and appointed for a period of four years. They may be re-appointed to serve an additional four-year period. In addition, the external members shall be experienced in management, organisation and economics, including the evaluation of budgets and accounts.

(4) The other members shall be elected by and from the academic staff of the university, which includes PhD students with university contracts, the technical and administrative staff and the students. The students shall be represented by a minimum of two members.

(5) The charter shall lay down further details concerning setting up the Board pursuant to subsections (1–4).

13. –(1) The university may set up a representative assembly to be composed of external members.

(2) The representative assembly shall conduct general discussions on the research, educational activities and other activities of the university and issue statements on these issues to the Board.

(3) The charter shall lay down further details concerning the representative assembly pursuant to subsections (1) and (2). The charter may also stipulate that the representative assembly appoints some or all of the external members of the Board.

#### *Rector*

14. –(1) The Rector shall undertake the day-to-day management of the university within the framework laid down by the Board. The other members of the university's executive management, Deans, Heads of Department and Directors of Studies shall undertake their duties in a manner authorised by the Rector, cf. section 16(1) and (3–7), section 17(2) and (4) and section 18(5).

(2) The Rector shall be an acknowledged researcher within one of the university's academic fields and have knowledge of the educational sector. The Rector shall be an experienced manager and organiser of research environments and have knowledge of a university's activities and relationship with society.

(3) The Rector shall make recommendations to the Board regarding the employment and dismissal of the other members of the university's executive management, cf. section 10(7).

(4) The Rector shall employ and dismiss Deans if the university is split up into main academic areas.

(5) The Rector shall recommend the budget to the Board and approve the accounts.

(6) The Rector shall lay down the rules governing disciplinary actions regarding students.

(7) The Rector shall be authorised to sign on behalf of the university with the exception of real estate concerns, cf. section 10(4), and shall make decisions on all matters, with the exceptions of section 10(1) and (5-8), section 15(2) and section 18(4) and (6).

(8) The Rector shall approve all external collaborations with a binding effect on the university.

(9) Under special circumstances, the Rector may dissolve the Academy Council, cf. section 15(1). The Rector can also under special circumstances assume the tasks of the Academy Council, cf. 15(2).

(10) The charter shall lay down further details concerning the procedures of employment and dismissal pursuant to subsection (4). The employment procedure shall ensure that Deans possess academic and managerial legitimacy.

### *Academy Council*

15. –(1) The university shall set up an Academy Council either for the entire university or for each of the main academic areas.

(2) The Academy Council shall have the following tasks:

- 1) Make statements to the Rector on the internal distribution of funds.
- 2) Make statements to the Rector on central strategic research questions and educational issues and plans for knowledge exchange.
- 3) Make recommendations to the Rector on the composition of academic committees to assess applicants for scientific positions.
- 4) Award PhD and doctoral degrees.

(3) The Academy Council may make statements on all scientific issues of substantial relevance to the activities of the university and has a duty to discuss scientific issues presented to them by the Rector.

(4) The Academy Council shall be composed of the Rector, ex officio chairman, except for conditions noted in subsection (5), and of members representing the academic staff, including PhD students with university contracts and the students. Representatives of the academic staff, including PhD students with university contracts, and of the students shall be elected by and from the academic staff, including PhD students with university contracts and the students.

(5) If several Academy Councils are set up, the Dean of each of the main academic areas shall be ex officio chairman of the Academy Council of that main academic area.

(6) The charter shall lay down further details concerning the set up of an Academy Council pursuant to subsections (1) and (4).

### *Dean*

16. –(1) The Dean shall manage the main academic area, ensure the interaction between research and education and quality of education and teaching, as well as the cross-disciplinary development of the quality of the education and research of the main academic area.

(2) The Dean shall be an acknowledged researcher with experience and knowledge of teaching, management and the interaction of a university with society.

(3) The Dean shall employ and dismiss the Head(s) of Department.

(4) The Dean shall set up Study Boards and approve the Chairmen and Vice-Chairmen of the Study Boards.

(5) The Dean shall appoint and remove Directors of Studies subject to the recommendation of the Study Board set up pursuant to subsection (4).

(6) The Dean shall approve curricula, subject to proposals from the Study Board.

(7) In special cases, the Dean can dissolve a Study Board set up pursuant to subsection (4). Also in special cases, the Dean may take over the tasks of the Study Board, in such cases deviating from section 18 (4) and (6).

(8) If no dean is employed, the Rector or a person authorised by the Rector shall see to the Dean's tasks.

(9) The charter shall lay down further details concerning employment and dismissals pursuant to subsection (3). The employment procedure shall ensure that Heads of Department possess academic and managerial legitimacy. The charter shall also lay down further details concerning appointment and removal pursuant to subsection (5).

#### *Departments and Heads of Department*

17. –(1) Usually, research and educational activities are the responsibility of the departments.

(2) The Head of Department shall undertake the day-to-day management of the department, which includes planning and allocation of tasks. The Head of Department may allocate specific jobs to specific employees. Members of the academic staff are free to conduct research within the strategic framework laid down by the university for its research activities to the extent they are not requested to address jobs allocated to them by the Head of Department.

(3) The Head of Department shall be an acknowledged researcher and have teaching experience.

(4) The Head of Department shall ensure the quality and interaction between the research and education of the department, and in consultancy with the Study Board and the Director of Studies the Head of Department shall follow-up on evaluations of education and teaching.

(5) In the exceptional case, when a Head of Department is not employed, cf. subsection (1), the Dean shall see to the tasks of the Head of Department, cf. section 14(1).

#### *Study Board and Director of Studies*

18. –(1) To safeguard student influence on education and teaching, the Dean shall set up the necessary number of Study Boards, cf. section 16(4).

(2) Each Study Board shall comprise equal numbers of representatives of the academic staff and the students, selected by and from the academic staff and the students respectively.

(3) The Study Board shall select from among its members a chairman from the academic staff and a vice-chairman from the students.

(4) The Study Board shall recommend the Director of Studies to the Head of Department, cf. section 16(5).

(5) In co-operation with the Study Board, the Director of Studies shall undertake the practical organisation of teaching and assessments forming part of the exams.

(6) The Study Board shall ensure the organisation, realisation and development of educational and teaching activities, including aims to:

- 1) assure and develop the quality of education and teaching, and follow-up on evaluations of education and teaching;
- 2) produce proposals for curricula and changes thereof;
- 3) approve the organisation of teaching and assessments forming part of the exams;
- 4) handle applications concerning credit and exemptions; and
- 5) make statements on all matters of importance to education and teaching within his/her area and discuss issues related to education and teaching as presented by the Rector or the person authorised by the Rector to do so.

(7) The charter shall lay down further details concerning setting up a Study Board, including election of Chairman and Vice-Chairman and recommendation for Director of Studies, pursuant to subsections (1-4), and tasks, pursuant to subsections (5) and (6).

(8) In the charter, the Board may decide to set up Study Boards at different levels of the organisation.

(9) In the charter, the Board may lay down special rules to govern master's programmes and can deviate from the governance regulations as specified in this Part, when necessary to achieve the ends.

## Part 4

### *Economic Matters*

19. –(1) The Minister shall subsidise the university's educational, research and dissemination activities and other tasks allocated to the university. Subsidies to educational activities shall be awarded based on rates, as specified in the annual Budgets, and the number of full-time equivalent students and any completed studies. The annual Budgets specify the framework governing subsidies to research and dissemination activities and other activities allocated to the university.

(2) Subsidies to university tasks as specified in subsection (1) shall also comprise contributions to cover indirect university expenses, this includes management, administration, buildings etc.

(3) Subject to negotiations with the Minister of Finance, the Minister may specify rules governing subsidies to the universities' activities, pursuant to subsections (1) and (2), payment of subsidies to the universities, this includes payment in advance, and aspects concerning budgets and appropriations relative to the universities.

(4) The Minister may lay down rules governing which students will produce subsidies pursuant to subsection (1), and how to estimate the number of full-time equivalent students.

(5) The Minister may request information from the university for budgetary and statistical purposes and lay down requirements to the programme administration systems.

20. –(1) Other ministers can subsidise the university.

(2) The university may accept subsidies and donations from third parties, in addition to those provided by the State through appropriation acts.

(3) The university may make money on activities they offer and run subsidised activities.

21. –(1) Within its scope, the university has at its free disposal subsidies, income and capital as a whole. It is a condition that the university should comply with the conditions for the subsidies and the rules of management and should undertake the tasks subsidised pursuant to sections 19 and 20.

(2) The university may accumulate subsidies to be spent in accordance with the university's purpose in the following financial year.

(3) The university shall deposit its cash funds in compliance with the order on the depositing of the money of foundations and board fees etc.<sup>1</sup>

22. –(1) To a reasonable extent, the university shall pay for and make facilities available to activities related to students' union activities.

(2) To a limited extent, the university may pay for and make facilities available to other student activities.

(3) The university may pay for accident insurance for students enrolled at the university.

23. The Minister shall reimburse, on a quarterly basis and against due documentation, the university's expenses for payment of duties under the VAT act that pursuant to the VAT act are not deductible from the statement of tax liabilities (non-deductible input VAT) of an enterprise and that the university incurs to procure goods and services subsidised pursuant to sections 19 and 20.

24. –(1) The Minister may retain subsidies, cancel subsidies fully or in part or request full or part repayment if the university does not comply with the conditions for the subsidies and the rules of management.

(2) The Minister may retain subsidies, cancel subsidies fully or in part or request full or part repayment if a petition in bankruptcy is filed against the university, if the university suspends its payments, or if there is a risk that the university may stop its activities due to other factors.

(3) The Minister may request repayment of subsidies if the calculation of the subsidies rests on an incorrect basis or if the calculation of the subsidies as such was incorrect.

(4) The Minister has the same powers on behalf of other ministers, cf. subsections (1–3).

(5) Claims for repayment pursuant to subsections (1–4) and expenses paid for the university pursuant to section 31(2) and section 42(1) can be set off against future subsidies.

25. The Minister may grant loans for various institutional purposes, this includes purchase of equipment. The Minister may specify the terms and conditions of such loans.

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<sup>1</sup> In Danish: Bekendtgørelse om anbringelse af fondes midler og bestyrelsesvederlag m.v.



### *Student Fees*

26. –(1) The university shall request part payment for participation in educational activities and assessments forming part of the exam for part-time programmes partially subsidised pursuant to section 19(1) and section 20(1).

(2) The university may request full payment for participation in educational activities and tests and other assessments forming part of the exams for full-time and part-time programmes not subsidised pursuant to section 19(1) and (4) and section 20(1).

(3) The university shall request full payment from external students<sup>2</sup> for their participation in assessments forming part of the exam.

(4) The university shall set up a basis for calculating student fees. Together with any subsidies, the student fees may not exceed the costs incurred. The Minister may specify further details on how to set up the basis for determining student fees.

27. The university may request that Ph.D. students, whose education is funded by external sources, pay in full for their participation in educational activities and assessments forming part of the exam.

### *Accounts and Audits*

28. –(1) The university shall comply with the legislation governing the accounting of the State, etc.

(2) The accounts shall be prepared as specified by the Minister.

(3) The university accounting year is the financial year. At the conclusion of the accounting year, the university shall prepare annual accounts comprising a profit and loss account, balance and a list of capital equipment. The Board and the Rector shall sign the accounts, cf. section 10(5) and section 14(5).

(4) The university accounts shall be audited by an Auditor General as provided by the legislation governing audits of the accounts of the State etc.

(5) The Auditor General and the Minister may arrange that audits pursuant to subsection (4) are undertaken jointly by the Auditor General and an accountant as agreed upon. A state-authorized or registered accountant shall conduct such audits.

### *Staff*

29. –(1) The university shall follow the rules on wage and employment conditions, including pensions, as laid down by or agreed with the Minister of Finance for staff employed by the university. The university shall also follow the rules on special remunerations as laid down by or agreed upon with the Minister of Finance.

(2) The duty to give evidence as laid down in the act on public servants shall apply to members of the Board.

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<sup>2</sup> In Danish: "selvstuderende", i.e., a registered student permitted to study for a specific exam and sit at this exam without attending lectures, etc.

(3) The Minister may lay down rules on employment of academic staff and teachers.

(4) Powers that the Minister of Finance pursuant to subsection (1) has delegated to the Minister may be delegated to the universities by the latter.

#### *Building Matters etc.*

30. –(1) Universities that change into independent universities under this Act shall comply with the scheme laid down for the administration of the buildings of the State.

(2) The Minister shall be authorised to transfer state-owned buildings, furniture and other movables to the university upon the university's request.

(3) The conditions that are specified for transfers pursuant to subsection (2) shall be subject to the approval of the authorities empowered to perform such transfers.

(4) After negotiations with the Minister of Finance and the Minister of Economic and Business Affairs, the Minister may lay down rules concerning the university's construction activities and building matters as such concerning buildings that the university possesses or has taken over.

(5) The university may take out a general insurance covering the buildings that the university possesses or has taken over.

## **Part 5**

### *Changes in the Status of the University*

31. –(1) For collaboration activities between universities or between universities and other educational or research institutions, the Minister may approve exceptions from applicable legislation and lay down special rules governing such collaboration as recommended by the institutions involved. For institutions that are not under the Minister of Science, Technology and Innovation, such approval shall take place after negotiations with the minister concerned. The same shall apply to mergers between universities or mergers between universities and other research institutions.

(2) For approval of collaboration activities pursuant to subsection (1), the Minister may decide – as regards collaboration between universities and state-run research institutions – that money paid by the State to a third party on behalf of the university, pursuant to section 24(5), shall be set off against the university's subsidies, pursuant to section 19(1) and section 20(1).

32. –(1) Should the Board abolish the university, the net assets of the university shall be transferred to the State, apart from section 38(8). A decision to abolish shall be approved by the Minister.

(2) Donations granted to the university shall be transferred to the State, unless otherwise provided by generally applicable Danish legislation, cf. section 38(8) however.

33. The Minister may lay down special rules governing universities or parts thereof that assume special tasks or where special circumstances speak in favour of it.

## Part 6

### *Miscellaneous Provisions*

34. –(1) Legal questions relating to the university's decisions on student matters may be brought before the Minister in accordance with the rules laid down by said Minister.

(2) The Minister may determine that others may submit complaints to the Minister on legal questions relating to the decisions of the university.

35. Upon the university's application, the Minister may approve that foundations and associations contribute to the university's research-based degree programmes if the employment procedures of these foundations and associations are not contrary to the employment procedures of the State.

36. In exceptional cases and to a limited extent, the Minister may approve deviations from the governance regulations of the law, cf. Part 3, as proposed by the university.

## Part 7

### *Interim Provisions and Entry into Force*

37. –(1) This Act enters into force on 1 July 2003.

(2) The Senate shall assume the tasks that are the responsibility of the Board until a Board has been set up; section 10 also applies to the work of the Senate in the same way as it does to the work of the Board. During this period, the Rector and the University Director shall be empowered to make the necessary arrangements concerning real estate, cf. section 10(4). However, only the Senate may make the decisions necessary to continue the activities of the university.

(3) At the time when this Act enters into force, the people elected as Rector, Deans and Heads of Department may continue in their positions, with the powers vested in them according to the law, for the duration of this election period, unless the charter specifies a different election period, and after that until the Board has employed a Rector, as specified in the charter, and the Rector has employed Deans, as specified in the charter, and the Deans have employed Heads of Department, as specified in the charter and as authorised by the Rector.

(4) At the time when this Act enters into force, the people elected as Chairmen and Vice-Chairmen of the Study Boards may continue in their positions for the duration of this election period, unless the charter specifies a different election period, and after that until new Study Boards have been set up, and Chairmen and Vice-Chairmen of the Study Boards have been elected and approved by the Deans as laid down in the charter.

(5) The rules on removal of elected leaders (Rector, Deans and Heads of Department) applicable until now shall apply during the period until new leaders have been employed or appointed in accordance with the charter.

(6) The present members elected to collegiate bodies shall continue for the duration of this election period unless the charter specifies a different election period, and after that until new bodies have been set up in accordance with the charter and new members have been elected. The collegiate bodies, cf. subsection (2) however, maintain the powers that have been vested

in them until now to the extent these powers have not been transferred to others according to this Act.

(7) The Senate shall lay down in a special clause of the charter, subject to the Minister's approval, the procedure to follow when setting up the first Board. This clause shall also specify replacement of both leaders (Rector, Deans and Heads of Department) and members elected to the collegiate bodies that resign during the interim period. This special clause shall be submitted for the Minister's approval not later than 1 January 2004.

(8) The Board shall be set up by 1 January 2005 at the latest. The Minister shall approve the composition of the first Board.

(9) The university charter shall be submitted for the Minister's approval by 1 May 2005 at the latest.

38. –(1) The Advisory Councils and the Senates of Copenhagen Business School and the Aarhus School of Business will be abolished simultaneously with setting up a Board, although not later than 1 January 2005. Simultaneously with the abolishment of the Advisory Council of Copenhagen Business School, the charter of 18 November 1995 for Copenhagen Business School will be revoked.

(2) The Advisory Council of Copenhagen Business School undertakes the tasks that are specified in Order no. 340 of 21 June 1974 issued by the Ministry of Education on the administration of Copenhagen Business School, and the Advisory Council of the Aarhus School of Business undertakes the tasks as specified in the charter of 8 March 2000 for the Aarhus School of Business and that are allocated to the Boards in this Act until the Boards have been set up.

(3) Until 1 January 2005, the Minister may cancel the appointment of the Advisory Councils if these bodies do not comply with injunctions to set unlawful matters right, or if these bodies jeopardise the continued existence of the university through their arrangements, cf. section 11 (2) and (3).

(4) Upon enquiry with the involved Senates, the Advisory Councils of Copenhagen Business School and the Aarhus School of Business shall lay down a special clause on the procedure for setting up the first Boards, whose composition shall be approved by the Minister. This clause shall also specify replacement of both leaders (Rector, Deans and Heads of Department) and members elected to the collegiate bodies that resign during the interim period.

(5) The provisions laid down in section 37 (3-6) and (9) shall also apply to the business schools.

(6) Existing governmental loans granted to the business schools to erect, reconstruct or procure buildings and subsidies to furnish rented premises shall continue on the same terms.

(7) Also in future, only Copenhagen Business School and the Aarhus School of Business may use the Danish term for "business school" (in Danish: "handelshøjskole").

(8) If either Copenhagen Business School or the Aarhus School of Business is abolished, and if the remaining assets are sufficient, the net assets of the business school as computed on 31 December 1990 and any donations made from 1 January 1991 to 30 June 2003 in the form of movables, real estate and grants for the construction of real estate, shall be used for the purposes specified in the charter applicable at all times. If there are any additional remaining assets, the net assets of the business school as computed on 30 June 2003 shall be used for teaching and educational aims as specified by the Minister. The charter may lay down rules to compute the net assets.

39. –(1) After consultations with the Boards of the Danish University of Education and the Technical University of Denmark, the Minister shall lay down the procedure to follow for the change-over of each university to this Act.

(2) After consultation with the Board of the Danish University of Education, the Minister may abolish fully or in part Act no. 483 of 31 May 2000 on the Danish University of Education, and after consultation with the Board of the Technical University of Denmark, the Minister may abolish fully or in part Act no. 1265 of 20 December 2000 on the change-over to a self-governing institution by the Technical University of Denmark.

(3) The Danish University of Education adheres to the provisions set out in the act on the Danish University of Education until these provisions are abolished and replaced by the provisions of this Act. The Technical University of Denmark adheres to the provisions set out in the act on the Technical University of Denmark until these provisions are abolished and replaced by the provisions of this Act.

40. After negotiations with the Minister of Education, the Minister of Science, Technology and Innovation may approve the merger of the Danish Forestry College and the Royal Veterinary and Agricultural University, Denmark.

41. –(1) When this Act enters into force, the *IT-højskolen i København* changes status from being a free faculty under Copenhagen Business School to a self-governing university, IT University of Copenhagen.

(2) After consultation with the Board of the IT University, the Minister shall set up an interim arrangement.

42. –(1) Universities that pursuant to this Act change to subsidised funding shall take over the debts and obligations concluded with the State as debtor. However, the State places surety to guarantee the obligations that the universities have assumed up until the time of take-over.

(2) Universities under subsection (1) enter into the incorporeal rights of the universities at the entry into force of this Act.

(3) The Minister shall publish the date of taking over, pursuant to subsections (1) and (2) in the *Statstidende*.

43. –(1) For universities that pursuant to this Act shall change over to subsidised funding, the intra-state/university accounts shall be computed.

(2) The university shall produce a final annual account in connection with the change-over to subsidised funding.

(3) The rules of appropriation applicable to Government institutions in force at the time when this Act enters into force shall apply to the university until the Minister issues more specific rules for subsidies pursuant to section 19(3).

(4) The rules of accounting applicable to universities in force at the time when this Act enters into force shall apply to the university until the Minister issues more specific rules for the university's accounting practices pursuant to section 28(2).

(5) The Minister shall determine the time of changing over to subsidised funding.

44. To universities that pursuant to this Act have changed over to a self-governing institution, the Minister may assign donations granted the former governmental institution.

45. –(1) Public servants employed at universities that pursuant to this Act change over to a self-governing body may choose to uphold their employment status as public servants for work performed at the university. Public servants are not entitled to receive compensation during temporary unemployment, allowance pay or pension as a result of the university's change-over to a self-governing body and are under an obligation to submit to the changes to the extent and form of their services resulting from this change-over.

(2) The university shall pay the wages and pension contributions to the Treasury for such public servants, this includes any expenses for compensation during temporary unemployment, allowance pay and money payable after death. Expenses for current pensions shall be borne by the State. If the university is abolished, any expenses for compensation during temporary unemployment or allowance pay and money payable after the death of a public servant of the university shall be paid by the Treasury if the abolished university does not have sufficient funds to cover these expenses.

(3) The Rector shall make any decisions regarding suspensions, initiation of an official examination of the work of a public servant, appointment of a leader of an examination, impose disciplinary punishment and bring actions for slander pursuant to the rules laid down in the act on public servants.

(4) The Minister shall make any decisions pursuant to subsection (3) as regards the Rector and the executive management of the university until the Board has been set up, following that the Board shall assume these rights.

46. –(1) Subject to consultations with the Board of the Danish Science Park at Hørsholm, the Minister may abolish the independent institution the Danish Science Park at Hørsholm and rescind the act on the Danish Science Park at Hørsholm, cf. consolidated act no. 736 of 7 August 2001.

(2) Upon the abolishment of the Danish Science Park at Hørsholm, the current Government loan of DKK 52.5m granted to the Science Park shall be discontinued.

(3) The Minister shall have the powers to include the assets and liabilities of the Science Park by way of non-cash contributions in a dedicated public limited company founded by the Government under the name of SCION\*DTU A/S, with the Government as the sole shareholder.

(4) The Minister shall have the powers to transfer the shares of SCION\*DTU A/S to the Technical University of Denmark.

47. Arrangements concluded by the university, pursuant to section 10(2) of the University Act applicable so far, may continue until 1 July 2005, pursuant to section 48(1) article 1.

48. –(1) The following acts and regulations are hereby repealed:

1. Act on universities etc. (the University Act), cf. consolidated act no. 1177 of 22 December 1999.

2. Act on business schools and business school departments, cf. consolidated act no. 864 of 27 September 1996.

(2) Rules laid down under the provisions of acts referred to in subsection (1) and section 39(2) shall remain in force until repealed or replaced by rules laid down under the provisions of this Act.

*Given at Christiansborg Castle, 28 May 2003*

Under Our Royal Hand and Seal

Margrethe R.

/Helge Sander