

Un-authorised Translation: Only the Danish version of the text has legal validity.

Consolidated Act No. 1348 of 11 December 2008 on the Research Advisory System, etc.

Part 1

Scope of the Act

Section 1. To strengthen the quality, coordination and internationalisation of Danish research and the dissemination and application of research results, the Minister for Science, Technology and Innovation establishes the Danish Council for Research Policy, the Danish Councils for Independent Research, the Danish Council for Strategic Research and the Danish Research Coordination Committee.

Subsection 2. To ensure the scientific integrity of Danish research, the Minister for Science, Technology and Innovation establishes the Danish Committees on Scientific Dishonesty, cf. section 31.

Subsection 3. The main purpose of the Danish Council for Research Policy shall be to provide independent, expert research policy advice to the Minister for Science, Technology and Innovation, the Danish Parliament and the Government. The Council shall have a purely advisory function, cf. section 3.

Subsection 4. The Danish Councils for Independent Research shall have both a funding function and an advisory function. The main purpose of the Councils shall be to support specific research activities based on the initiatives of the scientists themselves, and to provide scientific research advice in this regard, cf. sections 7 and 8.

Subsection 5. The Danish Council for Strategic Research shall have both a funding function and an advisory function. The main purpose of the Council shall be to support research within politically prioritised and thematically demarcated areas of research, and to provide scientific research advice in this regard, cf. sections 17 and 18.

Subsection 6. The Danish Research Coordination Committee shall be responsible for coordinating the public funding function for research, cf. section 25. The Committee shall furthermore allocate funds for scientist education and handle certain advisory cases, cf. sections 26 and 27.

Subsection 7. The Councils and the Committee mentioned in subsections 4-6 in combination shall ensure that all state research grants, with the exception of basic grants associated with particular institutions or grants for research based authority service, are allocated in open competition following scientific assessment of their quality.

Part 2
Definitions

Section 2. For the purposes of this Act:

- 1) Recognised scientists: persons who have engaged in active scientific research for a number of years, and who possess academic and research qualifications at a level corresponding to those of at least an associate professor or a senior scientist.
- 2) Research experts: persons at the PhD level, who possess either knowledge of or experience with the performance of research tasks for a number of years at a national or international level, or who have undertaken in-depth research administration, research management, research dissemination or research policy work for an institution, organisation or company.
- 3) Scientific dishonesty: Falsification, fabrication, plagiarism and other serious violation of good scientific practice committed wilfully or grossly negligent by planning, performance or reporting of research results.

Part 3
The Danish Council for Research Policy

Section 3. The Danish Council for Research Policy shall provide the Minister for Science, Technology and Innovation with research policy advice. The Danish Parliament, or any government minister, may obtain research policy advice from the Council. Such advice may be provided on request or at the Council's own initiative.

Subsection 2. The Council's tasks encompass the provision of general advice for the benefit of society on aspects of Danish and international research policy, including:

- 1) Framework conditions for research.
- 2) Appropriations for research.
- 3) Major national and international research initiatives.
- 4) Developments in the national research strategy.
- 5) Denmark's role and position in international research cooperation.
- 6) Education and recruitment of scientists.

Subsection 3. The advice given must be based on documentation and research policy analysis. In this connection, the Danish Councils for Independent Research, the Danish Council for Strategic Research and the Danish Research Coordination Committee are obliged within their remits to provide advice to the Council.

Subsection 4. The Danish Council for Technology and Innovation and other relevant institutions and organisations may provide advice to the Council on request.

Subsection 5. The task of the Council is to strengthen the communication of Danish research policy.

Subsection 6. The Council shall present an annual report on Danish research policy containing the Council's evaluation of general developments within Danish research, its quality in an international context, and its social relevance. The Council shall perform a hearing of the annual report.

Section 4. The Danish Council for Research Policy shall consist of a chairperson and eight members.

Subsection 2. The chairperson and all other members of the Council must either be recognised scientists or research experts who, in combination, represent a body of knowledge regarding research in the universities, government research institutions, research institutions under the Danish Ministry of Culture, and the business community. At least half must be recognised scientists.

Subsection 3. The Minister for Science, Technology and Innovation shall appoint the chairperson and the eight members in their personal capacities. The chairperson and the other members shall be appointed for a period of three years. Reappointment may not occur more than once. If a member leaves the Council in an untimely manner, a new member may be appointed for a period of less than three years.

Subsection 4. The Council shall draw up rules of procedure, which shall be subject to the approval of the Minister for Science, Technology and Innovation.

Section 5. The Minister for Science, Technology and Innovation may lay down detailed rules governing the activities of the Danish Council for Research Policy.

Section 6. The decisions of the Danish Council for Research Policy may not be brought before any other administrative authority.

Part 4

The Danish Councils for Independent Research Funding function

Section 7. The Danish Councils for Independent Research shall support Danish research, on the basis of scientists' own initiatives, within both individual areas of scientific research and interdisciplinary research. The Councils may in special cases support politically prioritised measures within Danish research where appropriation for such purpose has been made.

Subsection 2. On receipt of application, support may be allocated to specific research activities, which may for example encompass:

- 1) Research groups.
- 2) Research infrastructure, including operating subsidies and equipment.
- 3) Scientist networks.
- 4) International cooperation.
- 5) Scientist education.
- 6) Research consortia.

Subsection 3. The Councils may also award subsidies to individual grants.

Subsection 4. The Councils may provide support for both specific individual research activities, cf. subsection 2, and special projects, cf. section 11, subsection 5.

Subsection 5. The Councils shall contribute to strengthening the dissemination and application of research results.

Subsection 6. Within its remit, the Councils may provide funding for experimental work.

Subsection 7. In connection with the exercise of its funding function, the Councils shall also provide scientific research advice within all scientific areas of research to funding applicants and other relevant parties.

Advisory function

Section 8. The Danish Councils for Independent Research shall provide scientific research advice to the Minister for Science, Technology and Innovation within all areas of scientific research. The Danish Parliament, or any government minister, may obtain corresponding scientific research advice from the Councils. Such advice may be provided on request or at the Councils' own initiative.

Subsection 2. On request, the Councils may provide scientific research advice to public sector institutions. The Councils provide scientific research advice to the Institution of Accreditation on request.

Subsection 3. On request, the Councils may provide scientific research advice to private institutions.

Subsection 4. The Council may render the advice mentioned in subsection 2, first sentence and subsection 3 by directing names of recognised scientists outside the Council if the desired assistance relates to assessment of applications made to other granting institutions.

Subsection 5. The Councils shall issue an annual report on its activities to the Minister for Science, Technology and Innovation.

Structure and remit

Section 9. The Danish Councils for Independent Research shall consist of a board and a number of scientific research councils.

Section 10. The Board shall consist of a chairperson and eight members, all of whom must be recognised scientists. The Board shall appoint a vice-chairperson at its first meeting.

Subsection 2. The Minister for Science, Technology and Innovation shall appoint the chairperson and members in their personal capacities. Appointment shall take place following open application.

Subsection 3. The Board shall be appointed for a period of four years. Reappointment may occur for a period of no more than two years. If a member leaves the Councils in an untimely manner, a new member may be appointed for a period of less than four years.

Subsection 4. The Board shall draw up rules of procedure.

Section 11. The Board may appoint and name up to six scientific research councils at its own discretion.

Subsection 2. The Board shall determine the remit of each council, and in this connection ensure that the councils cover in combination all areas of scientific research, and that the lines of demarcation between the councils are brought into accord on an ongoing basis with developments in scientific research.

Subsection 3. The Board shall report to the Danish Research Coordination Committee on its initiatives, pursuant to subsections 1 and 2.

Subsection 4. The Board itself shall not have the power to allocate grants, but shall distribute the free research grants among the scientific research councils. *Repealed*

Subsection 5. On the basis of an analysis of the councils' initiatives, the Board may allocate up to a fifth of the funding to special initiatives, including interdisciplinary and inter-council initiatives.

Subsection 6. Funds for special initiatives, cf. subsection 5, shall be distributed by the scientific research councils. The Board may determine that one or more councils shall distribute the funding.

Section 12. Only in general administrative matters shall the Board have authoritative powers in relation to the scientific research councils.

Subsection 2. The Board bears the supreme responsibility for the scientific research advice provided pursuant to section 8. *Repealed*

Section 13. Within their remits, the scientific research councils shall exercise a funding function pursuant to section 7, and shall provide the Board with an advisory function pursuant to section 8.

Section 14. All members of the scientific research councils must be recognised scientists.

Subsection 2. The Minister for Science, Technology and Innovation shall appoint the members in their personal capacities, in such a manner as to provide the individual councils with the broadest possible professional representation within their spheres of concern.

Subsection 3. The Danish Council for Independent Research may establish an interdisciplinary research council which may consist of members appointed by the Minister for Science, Technology and Innovation according to subsection 2 for the handling of interdisciplinary assignments.

Subsection 4. The members of the scientific research councils shall be appointed for a period of four years. Reappointment may occur for a period of no more than two years. If a member leaves the councils in an untimely manner, a new member may be appointed for a period of less than four years.

Subsection 5. The individual councils shall constitute themselves and shall elect chairpersons from among their members.

Subsection 6. Every council shall draw up rules of procedure, which shall be subject to the approval of the board of the Danish Councils for Independent Research.

Section 15. The Minister for Science, Technology and Innovation may lay down detailed rules governing:

- 1) The Danish Councils for Independent Research's general rules for subsidies in connection with its funding function.
- 2) The Councils' presentation of accounts.
- 3) The Councils' calls for applications and the requirements for these.
- 4) The Councils' case processing in connection with its funding function. The Minister may in this connection also determine that external experts must be involved to a specified degree in the assessment of applications.
- 5) The Councils' awards of grants to scientists and persons undergoing scientist education.
- 6) The Council's access to delegation of powers of grant and advice within the Councils or to the secretariat.

Subsection 2. The Minister for Science, Technology and Innovation may stipulate formal requirements and deadlines in connection with the circumstances described in subsection 1, nos. 3-5, and may determine that failure to comply with the formal requirements, including of electronic communication, or deadlines shall entail the rejection of the application.

Section 16. The rulings of the Supervisory Board and the scientific research councils shall not be brought before any other administrative authority, cf. however subsection 2.

Subsection 2. The Minister for Science, Technology and Innovation may stipulate rules to the effect that complaints about legal matters in connection with rulings made by the scientific research councils or by the instance to which the Council has delegated the powers of grant may be brought before the Minister.

Subsection 3. The Minister for Science, Technology and Innovation may stipulate that complaints concerning legal questions in connection with the decisions made by the scientific research councils or the secretariat may be brought before the Minister, pursuant to rules laid down by the Minister.

Part 5

The Danish Council for Strategic Research Funding function

Section 17. The Danish Council for Strategic Research shall provide support for Danish research within politically prioritised and thematically demarcated areas of research, including for initiatives that are defined by their content.

Subsection 2. The Council shall ensure the granting of the research programmes described in subsection 1 in the form of, for example:

- 1) Research groups.
- 2) Research infrastructure, including operating subsidies and equipment.
- 3) Scientist networks.
- 4) International cooperation.
- 5) Scientist education.
- 6) Research consortia.

Subsection 3. In association with the granting described in subsection 2, the Council may award

subsidies to PhD grants, etc.

Subsection 4. The Council shall work for the research cooperation with the Faroe Islands and Greenland.

Subsection 5. The Council shall contribute to enhancing the dissemination and application of research results.

Subsection 6. The Council shall contribute to increasing the interplay between public and private research. In this connection, the Council shall actively strive to publicise its own strategic research efforts, aiming at relevant players in the private sector, with a view to attracting funding from foundations and companies for jointly financed research projects.

Subsection 7. The Council shall on its own initiative seek out new research trends, and may initiate projects against this background, to the extent that the Danish Parliament provides the necessary funding. The Council moreover may initiate projects on the basis of new research trends with complete or partial funding from other partners.

Subsection 8. In connection with the exercise of its funding function, the Council shall also provide scientific research advice to funding applicants and other interested parties, within politically prioritised and thematically demarcated areas of research.

Advisory function

Section 18. The Danish Council for Strategic Research shall provide the Minister for Science, Technology and Innovation with scientific research advice within politically prioritised and thematically demarcated areas of research. The Danish Parliament, or any government minister, may obtain corresponding scientific research advice from the Council. Such advice may be provided on request or at the Council's own initiative.

Subsection 2. Prior to the allocation by individual ministers of state research grants, with the exception of basic grants associated with a particular institution or grants for research based authority service, the Council shall approve the allocation procedure and undertake a scientific evaluation of the applications received. Against this background, the individual ministers will then allocate funding among the applicants that the Council deems worthy of support.

Subsection 3. On request, the Council may provide scientific research advice to public sector institutions within politically prioritised and thematically demarcated areas of research.

Subsection 4. On request, the Council may provide scientific research advice to private institutions within politically prioritised and thematically demarcated areas of research.

Subsection 5. The Council shall also seek out new research trends on its own initiative, cf. section 17, subsection 7.

Subsection 6. The Council shall issue an annual report on its activities to the Minister for Science, Technology and Innovation.

Structure and remit

Section 19. The Danish Council for Strategic Research shall consist of a board and a very limited number of programme committees.

Section 20. The Board shall consist of a chairperson and eight members.

Subsection 2. The Minister for Science, Technology and Innovation shall appoint the chairperson and one member. The other members shall be appointed by the Minister after open application.

Subsection 3. The Board shall be composed of recognised scientists and research experts representing user interests. The chairperson and the other members must also possess knowledge of and experience with the performance of strategic research tasks in Danish and international contexts.

Subsection 4. The Board as a whole must represent skills drawn from all significant research interests in both public and private research spheres. The required skills include knowledge of:

- 1) Basic research and training.
- 2) Strategic research, including government research and research in hospitals.
- 3) Cooperation between companies and government research institutions.
- 4) Technological development and innovation.
- 5) International research partnerships.
- 6) Scientist education.
- 7) Human resources and social processes.

Subsection 5. The chairperson and the eight members shall be appointed in their personal capacities. The Board shall be appointed for a period of four years. Reappointment may occur for a period of no more than two years. If a member leaves the Council in an untimely manner, a new member may be appointed for a period of less than four years.

Subsection 6. The Board shall draw up rules of procedure.

Section 21. The Board, at its own discretion and to a very limited degree, may appoint a number of programme committees with the power to allocate grants to support research within politically defined and thematically demarcated areas of research, cf. section 17, subsection 1.

Subsection 2. The Board shall determine the number of programme committees and their demarcation in relation to each other. The Board must in this regard ensure that the number of such committees is kept to the lowest possible level, and that all such committees are dissolved upon the completion of their tasks.

Subsection 3. The Board may transfer power to allocate grants as mentioned in subsection 1 to the Commission for Scientific Investigations in Greenland.

Subsection 4. The Board shall inform the Danish Research Coordination Committee about initiatives according to subsections 1 and 2.

Subsection 5. The Board itself shall have no powers to allocate grants, but shall allocate the strategic programme funds to the programme committees, the Commission for Scientific Investigations in Greenland or in certain cases to one or several of the scientific research councils, cf. section 9.

Subsection 6. If the Board deems that the implementation of a grant under the Finance and Appropriation Act comprises more than one programme committee in terms of scientific area, the Board may decide that several programme committees or the Committee for Scientific Investigations in Greenland in combination with one or several programme committees shall process the applications for the programme in unison and shall make a decision as one authority (joint committee).

Subsection 7. When the joint committee has made final decision according to subsection 6, it shall place the competence for approving professional and budgetary reporting in one of the programme committees.

Subsection 8. All members of a programme committee must be recognised scientists. The members shall be appointed by the Board.

Section 22. Only in general administrative matters shall the Board have authoritative powers in relation to the programme committees. If one or several of the scientific research councils or the Commission for Scientific Investigations in Greenland are allocated tasks pursuant to section 21 subsection 5, the Board shall possess the same powers towards these councils.

Subsection 2. The Board bears the supreme responsibility for the scientific research advice provided pursuant to section 18; and it may create programme panels consisting of recognised scientists to assist it in its advisory function by case preparation, or alternatively, after making request to the Board of the Danish Councils for Independent Research, obtain the same assistance from one or more of the scientific research councils. *Repealed*

Section 23. The Minister for Science, Technology and Innovation may lay down detailed rules governing:

- 1) The general subsidy rules in connection with the funding function of the Danish Council for Strategic Research.
- 2) The Council's presentation of accounts.
- 3) The Council's calls for applications and the requirements for these.
- 4) The Council's case processing in connection with its funding function. The Minister may in this connection also determine that external experts shall be involved to a specified degree in the evaluation of applications.
- 5) The Council's awards of grants to scientists and persons undergoing scientist education, cf. section 17, subsection 3.
- 6) The Council's access to delegation within the Council or to the secretariat of grant and advisory powers.

Subsection 2. The Minister for Science, Technology and Innovation may stipulate formal requirements and deadlines in connection with the circumstances described in subsection 1, nos. 3-5, and may decide that failure to comply with the formal requirements, including about electronic communication, or deadlines shall entail the rejection of the application.

Section 24. The decisions of the Board, the programme committees, the Commission for Scientific Investigations in Greenland and the scientific research councils shall not be brought before any other administrative authority, see, however, subsection 2.

Subsection 2. The Minister for Science, Technology and Innovation may stipulate rules to the effect that complaints about legal matters in connection with rulings made by the programme committees by the Commission for Scientific Investigations in Greenland and the scientific research councils or by the instance to which the programme committee or the Council has powers of delegation may be brought before the Minister.

Subsection 3. The Minister for Science, Technology and Innovation may stipulate that complaints concerning legal matters raised in connection with the decisions of the programme committees, of the scientific research councils following delegation by the Danish Council for Strategic Research, or of the secretariat, may be brought before the Minister, pursuant to rules laid down by the Minister.

Part 6

The Danish Research Coordination Committee Coordination of the funding function

Section 25. The purpose of the Danish Research Coordination Committee shall be to promote cooperation between the Danish Councils for Independent Research, the Danish Council for Strategic Research, the Danish National Research Foundation, The Danish High Technology Fund, the Danish Council for Technology and Innovation and other research systems in connection with the funding function, as well as in the relationship between the funding function and other state research grants.

Subsection 2. The Committee shall coordinate the work of the three councils and the two funds, cf. subsection 1. The Committee shall in this connection contribute to the promotion and coordination of international Danish research activities. For this purpose, the three councils and the two funds shall at least once every year give a review to the committee about their international activities.

Repealed

Subsection 3. The Committee shall draw up joint, uniform, binding guidelines governing the exercise of the funding function by the Danish Councils for Independent Research and the Danish Council for Strategic Research, cf. sections 7 and 17.

Subsection 4. In matters connected with the coordination of the funding function, the Committee shall function as an organ of consensus, and shall have no authority over the other bodies in the research advisory system. In the drawing-up of guidelines pursuant to subsection 3, the Committee however shall arrive at its decisions by a simple majority of votes.

The scientist education

Section 26. The Danish Research Coordination Committee shall allocate funds for scientist education within all main areas of natural science. The Committee shall allocate the scientist education funds to the Council for Independent Research and the Council for Strategic Research.

Subsection 2. In connection with allocation of scientist education funds, the Committee may determine more specific requirements for the allocation of the funds.

Subsection 3. In cases subject to subsections 1 and 2, the Committee shall arrive at its decisions by ordinary majority of votes.

Subsection 4. On request, the Committee may provide private sector institutions with advice on scientist education.

Subsection 5. The Committee shall be responsible for strengthening the communication of Danish scientist education.

Subsection 6. The Committee, as a key element of its work, shall also seek to promote the establishment of powerful and attractive scientist education environments throughout the research system. The Committee shall in this regard take part in extensive cooperation with universities, government research institutions and research institutions under the Danish Ministry of Culture.

Subsection 7. In matters pertaining to advice on support for scientist education, the Committee shall arrive at its decisions by a simple majority of votes.

Special advisory cases

Section 27. Upon request, the Danish Research Coordination Committee may assist the Minister for Science, Technology and Innovation in special advisory cases. The Minister may determine that the Committee shall render its advisory services upon prior hearing of national or international experts.

Subsection 2. In relation to the assignments according to subsection 1, the Committee may, upon request of the Minister, allocate any special grants to the Council for Independent Research and the Council for Strategic Research. In this connection, the Committee may determine more specific requirements of the use of the grants.

Subsection 3. For the use in handling the assignments according to subsection 1, the Committee may obtain advice from expert committees established for the purpose.

Subsection 4. In cases subject to subsections 1-3, the Committee shall arrive at its decisions by ordinary majority of voting.

Structure and remit

Section 28. The Danish Research Coordination Committee shall consist of a chairperson and seven members.

Subsection 2. The Committee shall be composed of the chairpersons of the Danish Councils for Independent Research, the Danish Council for Strategic Research and the Danish National Research

Foundation, two members proposed by the Danish Rectors' Conference, one member proposed by the Assembly of Director Generals of the Danish Government Research Institutions, one member proposed by the Danish Council for Technology and Innovation, and one member proposed by the Danish High-Technology Foundation.

Subsection 3. The administrative manager of the Danish Councils for Independent Research and the Danish Council for Strategic Research, etc., cf. subsection 2 of section 35, the administrative manager of the Danish National Research Foundation, and the administrative manager of the Danish High-Technology Foundation, shall participate with observer status in the meetings of the Committee.

Subsection 4. The Minister for Science, Technology and Innovation shall select the five proposed members pursuant to subsection 2. The members shall be appointed for a period of four years. Reappointment may occur for a period of no more than two years. If a member leaves the Committee in an untimely manner, a new member may be appointed for a period of less than four years.

Subsection 5. The Committee shall constitute itself for a period of four years, and shall elect a chairperson from among its members.

Subsection 6. The Committee shall draw up rules of procedure, which shall be subject to the approval of the Minister for Science, Technology and Innovation.

Repealed

Section 30. The statements and decisions of the Danish Research Coordination Committee may not be brought before any other administrative authority.

Part 6a

Participation in international research cooperation

Section 30a. The Danish Councils for Independent Research and the Danish Council for Strategic Research may, in the performance of their task of strengthening the internationalisation of Danish research, cf. subsection 1 of section 1, participate in international research cooperation within the funding function of each council, in cases where such cooperation is judged by the Boards to be of benefit to Danish research.

Subsection 2. The Boards may, in performing their tasks pursuant to subsection 1, decide to allocate up to 20 per cent of each appropriation in the annual Finance and Appropriation Acts to international forums, provided that this does not conflict with the conditions attached to the appropriation; but cf. subsections 3 and 4. Where international research cooperation is thematically demarcated, cf. subsection 1 of section 17, the Boards shall agree between themselves which of the two bodies is to participate; and in this connection the Danish Councils for Independent Research may participate in international activities that are defined more narrowly than by subsection 1 of section 7.

Subsection 3. The Boards shall not allocate funds to international forums without having satisfied themselves that the grants will be distributed in open competition and following scientific assessment of the quality of the research in question, cf. subsection 7 of section 1.

Subsection 4. The allocation of funds to international forums presupposes the approval of the Minister for Science, Technology and Innovation with regard to the legal framework for the international forum's distribution of funds, its general conditions for the granting of funds and its presentation of accounts.

Subsection 5. The Boards shall ensure ongoing coordination of the work.

Part 7

The Danish Committees on Scientific Dishonesty

Section 31. The purpose of the Danish Committees on Scientific Dishonesty is to process cases relating to scientific dishonesty raised by report and which signify

- 1) research performed in Denmark
- 2) research performed by persons with employment in Denmark, or
- 3) research performed with Danish public support.

Subsection 2. With respect to scientific products prepared under private auspices, the case may only be processed if the private enterprise or similar has requested to be subject to the Committees' jurisdiction or wishes to assist in the enlightening of the case.

Subsection 3. The Committees may process cases by own initiative if the cases are of social interest or of significance to the health of human beings or animals, and where reasoned assumption of scientific dishonesty exists.

Subsection 4. In the event that scientific dishonesty is ascertained by the Committees, the Committees may:

- 1) Inform the accused person's employer, if the party in question is employed as a scientist.
- 2) Recommend withdrawal of the scientific project concerned.
- 3) Inform the relevant authority responsible for the area.
- 4) Make out a police report when a punishable offence is involved.
- 5) At the special request of an appointing authority, state its views on the degree of scientific dishonesty.

Subsection 5. The chairperson shall resolve all legal questions, cf. section 32, subsection 2.

Subsection 6. The Committees shall publish annual reports on their activities.

Section 32. The Danish Committees on Scientific Dishonesty shall consist of one or more committees covering all areas of scientific research.

Subsection 2. The chairperson must be a high court judge.

Subsection 3. The Minister for Science, Technology and Innovation shall stipulate the number of

members. Each member must have a corresponding deputy. The members and deputies must all be recognised scientists, who in combination cover all areas of scientific research, cf. section 36, subsection 2.

Subsection 4. The chairperson shall be appointed by the Minister for Science, Technology and Innovation upon recommendation from the courts. The members and the deputies shall be appointed by the Minister in their personal capacities following a hearing conducted by the Danish Councils for Independent Research. The chairperson, the other members and the deputies shall be appointed for a period of four years. Reappointment may occur for a period of no more than two years. If a member or deputy resigns in an untimely manner, a new member or a new deputy may be appointed for a period of less than four years.

Subsection 5. The Committees shall draw up rules of procedure, which shall be subject to the approval of the Minister for Science, Technology and Innovation.

Section 33. The Minister for Science, Technology and Innovation may lay down detailed rules governing the activities of the Danish Committees on Scientific Dishonesty.

Section 34. The decisions of the Danish Committees on Scientific Dishonesty may not be brought before any other administrative authority.

Part 8

Miscellaneous provisions

Section 35. Secretariat services for the Danish Council for Research Policy shall be provided by the Ministry of Science, Technology and Innovation.

Subsection 2. Secretariat services for the Danish Councils for Independent Research, the Danish Council for Strategic Research, the Danish Research Coordination Committee and the Danish Committees on Scientific Dishonesty shall be provided by an independent secretariat.

Subsection 3. The Minister for Science, Technology and Innovation, or a person empowered by the Minister for this purpose, shall supervise the allocation of grants and legal questions in connection with the work of the Danish Councils for Independent Research, the Danish Council for Strategic Research and the Danish Research Coordination Committees.

Section 36. A member of an organ encompassed by this Act, or of the board of the Danish National Research Foundation, may not be a member of another organ encompassed by this Act.

Subsection 2. The provision of subsection 1, however, shall not prevent a member of a scientific research council from being a member of a research council and a programme committee or a programme panel, or vice versa, cf. subsection 1 of section 21 and the first sentence of subsection 2 of section 22. The same shall apply to members of the Danish Research Coordination Committee, whose membership follows from their positions, cf. section 28, subsection 2, and to members of the Danish Committees on Scientific Dishonesty and their deputies, cf. section 32, subsection 3. A case preparatory programme council, see section 22 subsection 2, may be established entirely or partially by members of the programme committees of the programme committees of the Council on Strategic Research.

Section 37. The Danish Councils for Independent Research and the Danish Council for Strategic Research may receive funding from other sources besides the state. Non-state funds must be kept separate from state funds.

Section 38. Bodies providing subsidies under this Act may demand reimbursement of the subsidy if the conditions for the award of the subsidy are not observed.

Section 39. The Danish Councils for Independent Research and the Danish Council for Strategic Research must publish advisory guidelines on their subsidising practice.

Section 40. This Act shall be updated in the 2009-10 session of the Danish Parliament on the basis of an evaluation of the research advice system.

Section 40 a. The Minister for Science, Technology and Innovation may authorise a government authority established under the Ministry or, upon negotiation with the relevant Minister, other government authorities to exercise the powers given to the Minister according to this Act.

Subsection 2. The Minister may stipulate rules on the access to complain about rulings made under authority according to subsection 1, including to the effect that the rulings shall not be appealed against.

Subsection 3. The Minister may stipulate rules about the exercise of powers which another government authority upon negotiation with the relevant Minister is authorised to exercise according to subsection 1.

Part 9 *Coming into force, etc.*

Section 41. This Act shall come into force on 1 January 2004. At the same time, the Act on Research Policy Advice, etc., cf. Consolidated Act no. 676 of 19 August 1997, shall be repealed.

Subsection 2. Rules determined in pursuance of the Act on Research Policy Advice, etc., cf. Consolidated Act no. 676 of 19 August 1997, shall remain in force until repealed or replaced by rules issued in pursuance of this Act.

Subsection 3. The chairperson and members of the current Danish Council for Research Policy shall become the chairman and members of the new Danish Council for Research Policy, and shall continue to hold those positions until the expiry of their current period of office, with the opportunity to be reappointed if such reappointment was permitted under the former rules.

Subsection 4. The current rights and duties of the existing state research councils shall be assumed by the Danish Councils for Independent Research and the Danish Council for Strategic Research, respectively, cf. sections 7 and 17.

Subsection 5. The current state research councils shall continue as scientific research councils under this Act until such time as the board of the Danish Councils for Independent Research has

determined the limits between the Councils, and scientific research councils have been appointed in pursuance of this Act.

Subsection 6. The members of the current state research councils may be re-nominated to the scientific research councils if such re-nomination was permitted under the former rules governing the state research council in question.

Subsection 7. The current programme committees shall continue in existence until they have completed the duties assigned to them by the current Board of the Danish Research Councils. Following the discontinuation of the Board of the Danish Research Councils, the programme committees shall report to the board of the Danish Council for Strategic Research.

Subsection 8. In connection with the implementation of this Act, the Minister for Science, Technology and Innovation may deviate from the stated provisions governing the length of the period of appointment of the members of the boards of the Danish Councils for Independent Research and the Danish Council for Strategic Research, cf. section 10, subsection 3, and section 20, subsection 5.

Act No. 418 of 8 May 2006 contains the following provision on coming into force:

§ 2

This Act shall come into force on 1 June 2006.

Act No. 295 of 27 March 2007 contains the following provision on coming into force:

§ 3

This Act shall come into force on 1 April 2007.

Act No. 552 of 17 June 2008 contains the following provision on coming into force:

§ 3

Subsection 1. This Act shall come into force on 1 September 2009.

Subsection 2. The time of coming into force of section 1, no. 3, 33, and 34, will be decided by the Minister for Science, Technology and Innovation.

Subsection 3. Section 1, no. 27 and 28 come into force 1 January 2009.

The Ministry of Science, Technology and Innovation, 11 December 2009

Helge Sander

/Jesper Schaumburg-Müller

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Un-authorised Translation: Only the Danish version of the text has legal validity.

