



The Geological Survey of Denmark and Greenland Act

Act no. 536 of 6 June 2007

BE IT KNOWN that the Folketing has enacted and We Margrethe the Second, by the Grace of God, Queen of Denmark, have given Our Royal Assent to the following Act:

Part 1

Responsibilities

§1. The Geological Survey of Denmark and Greenland (GEUS) is an independent and self-governing research institution under the Ministry of the Environment.

§2.-(1) GEUS is responsible for the scientific exploration of geological conditions in Denmark and Greenland and adjacent shelf areas.

(2) GEUS must conduct research to the highest international level into matters of importance for the exploitation and protection of Denmark and Greenland's geological natural values. GEUS must also carry out mapping, monitoring, data collection, data management and communication about these matters.

(3) GEUS must conduct its research independently of the Minister for the Environment and guard its ethics of science.

§3.-(1) GEUS provides geological consultancy to public authorities on matters relating to nature, the environment, energy and mineral resources and takes part in carrying out activities for authorities in these areas.

(2) GEUS is a national geological data centre, and in this capacity GEUS makes data and knowledge available to authorities, educational institutions, enterprises, individuals, etc.

(3) GEUS is subject to the powers of direction of the Minister for the Environment when carrying out activities for authorities under subsections (1) and (2).

§4. In its core areas and in areas where it has special expertise, GEUS contributes to undergraduate, graduate and PhD programmes at the universities, etc. The specific scope and funding must be determined in an agreement between GEUS and the individual universities.

Part 2

Management provisions

§5. GEUS is managed by a board and a managing director.

§6.-(1) The GEUS board comprises one chairman and up to ten members who are appointed for terms of up to four years at a time.

(2) The chairman and up to eight members will be appointed by the Minister for the Environment in their personal capacity, and they must be independent of the Minister for the Environment. They must represent research and commercial insight. 1 member must be appointed upon recommendation by the Greenland Home Rule Authorities, 2 by the University of Copen-

hagen and 1 by Aarhus University. No less than two members must be recognised researchers in the core areas of GEUS. No less than two members must represent significant user interests. The chairman of the GEUS board must have management experience from public or private enterprises as well as research knowledge.

(3) In addition, 2 members must be elected by and from among the employees of GEUS. Board members elected by the employees are protected against termination and other deterioration of their job conditions in the same way as union representatives in the same or a similar area.

§7.-(1) The GEUS board is responsible for the overall management of GEUS. The GEUS board must lay down the general directions for the organisation, long-term operation and development of GEUS.

(2) The GEUS budget is subject to approval by the GEUS board.

(3) The GEUS board must enter into a performance contract with the Minister for the Environment.

§8.-(1) The Minister for the Environment is responsible for appointing and dismissing the managing director upon recommendation by the GEUS board. The managing director must have management experience and, as a minimum, be a research expert in GEUS' working areas.

(2) The managing director is responsible for the day-to-day management of GEUS, including staff management, and represents GEUS externally. The managing director is required to follow the instructions and directions issued by the GEUS board.

§9. The Minister for the Environment must lay down rules on the appointment and assessment of GEUS's scientific staff.

§10.-(1) The GEUS board must draw up byelaws for GEUS establishing the more detailed rules for the activities and management of GEUS.

(2) The byelaws and any proposals to amend them must be approved by the Minister for the Environment. Before approval, the Danish Council for Strategic Research must be consulted as regards those parts of the byelaws and amendments that are related to the field in which GEUS conducts research.

(3) The Minister for the Environment is responsible for issuing notice of the byelaws and amended byelaws.

§11. Decisions made by GEUS may not be brought before any other administrative authority.

Part 3

Publication and evaluation

§12. GEUS must publish its research findings unless publication should not take place due to special considerations, including social considerations and considerations for the possibilities of enterprises to utilise research findings.

§13.-(1) The research and communication of research conducted by GEUS must be evaluated.

(2) The Minister for the Environment must lay down rules in this respect following negotiation with the Minister for Science, Technology and Innovation.

Part 4

Funding, etc.

§14.-(1) Allocations must be provided from the annual Finance and Appropriation Act to fund the activity to be carried out by GEUS.

(2) GEUS may receive funds from other public authorities as well as private individuals.

(3) GEUS may take on tasks from public authorities and private individuals in Denmark and abroad against full or partial payment.

Part 5

Entry into force, etc.

§15. This Act enters into force on the day following its promulgation in the Danish Law Gazette.

§16. This Act does not extend to Greenland and the Faroe Islands.



Executive Order on byelaws for the Geological Survey of Denmark and Greenland (GEUS)

The following is laid down pursuant to section 10(1) and (2) of The Geological Survey of Denmark and Greenland Act (Act no. 536 of 6 June 2007):

Part 1

Name, registered office and relevant ministry

- §1.-(1)** The name of the institution shall be “The Geological Survey of Denmark and Greenland (GEUS)”.
- (2)** The registered office of GEUS shall be in the Greater Copenhagen area. GEUS may have branches in other parts of Denmark, in other parts of the Danish Realm and abroad.
- (3)** GEUS is an autonomous and independent research institution under the Ministry of Climate and Energy. These byelaws are laid down in pursuance of section 10 of Act no. 536 of 6 June 2007 on GEUS, in the following referred to as The Geological Survey of Denmark and Greenland Act.

Part 2

Objective and overall responsibilities

- §2.-(1)** GEUS is responsible for the scientific exploration of geological conditions in Denmark and Greenland and adjacent shelf areas, cf. section 2(1) of The Geological Survey of Denmark and Greenland Act.
- (2)** The objective and overall responsibilities of GEUS are laid down in sections 2-4 of The Geological Survey of Denmark and Greenland Act. More detailed provisions on the tasks and activities of GEUS are laid down in this Part.
- §3.-(1)** GEUS shall help ensure that the governance and legislative work of Danish and Greenlandic public authorities are based on the most recent Danish and international geoscientific knowledge
- (2)** Tasks concerning mineral resources in Greenland shall be carried out within the framework of the act on mineral resources in Greenland (lov om mineralske råstoffer i Grønland). The realisation of scientific and practical surveys in Greenland shall take place following prior notification to the Greenland Home Rule and relevant municipal authorities.
- (3)** As a national geological data centre, GEUS shall collect data, e.g. pursuant to the act on raw materials (lov om råstoffer), the act on use of the Danish subsoil (lov om anvendelse af Danmarks undergrund), the act on the Danish North Sea Partner (lov om Nordsøenheden), the act on water supply (lov om vandforsyning), the act on environmental targets (lov om miljømål), the act on mineral resources in Greenland (lov om mineralske råstoffer i Grønland), or regulations issued in pursuance of said acts.
- (4)** GEUS shall store and safeguard the geological data and survey results which, in accordance with legislation or agreements, GEUS receives from public or private bodies, as well as make these data available and usable through research. GEUS shall make data and survey results available to the authorities

and the public according to the principles of the Aarhus Convention of 25 June 1998, however taking into account current legislation, confidentiality agreements, as well as reasonable quality assurance requirements.

- (5)** Within the scope of its objective, cf. sections 2-4 of The Geological Survey of Denmark and Greenland Act, GEUS may take on research, development, clarification, monitoring, and consultancy tasks for public authorities and private bodies in Denmark and abroad. Taking on commercial tasks may not in any way affect GEUS' independence or distort its competition with private enterprises.
- (6)** GEUS may enter into agreements with relevant Faeroese authorities and institutions on geoscientific activities in The Faeroe Islands.

Part 3

Financing

- §4.-(1)** GEUS is a state company and appropriations shall be provided from the annual Finance and Appropriation Act to fund the activity to be carried out by GEUS.
- (2)** GEUS may receive funding from other public authorities, including from the Greenland Home Rule, and may receive grants and gifts from outside the appropriation acts.
- (3)** GEUS may take on tasks from public authorities and private individuals in Denmark and abroad against full or partial payment. GEUS may also accept payment for the sale of geological data and maps within the framework of current, relevant legislation. GEUS may take part in national and international research programmes and may accept funds from research councils, foundations and similar.
- (4)** GEUS may bear the cost of transferral and protection of rights to inventions and may accept payment in the form of shares in connection with the utilisation of inventions, cf. Act no. 347 of 2 June 1999 on inventions by public research institutions (lov om opfindelser ved offentlige forskningsinstitutioner).
- (5)** GEUS may establish and own one limited company and be the co-owner of one or several limited companies established by other public research institutions with the objective of promoting the exchange of new knowledge and technology between public research institutions and industry, cf. Act no. 483 of 9 June 2004 on technology transfer etc. (lov om teknologioverførsler mv.).

Part 4 GEUS board

§5.-(1) A board shall be responsible for the overall management of GEUS, cf. section 7 of The Geological Survey of Denmark and Greenland Act.

(2) The GEUS board shall lay down the general directions for the organisation, long-term operation and development of GEUS. The Board shall moreover prepare and publish strategy plans for the institution, both scientific and organisational as well as staff plans, and covering an appropriate number of years.

(3) The GEUS board shall approve the GEUS budget within the framework of appropriated funds laid down by the Minister for Climate and Energy, and the board shall approve the distribution of total resources and the principles underlying the use of these resources. The board shall manage the funds of the institution so that the funds benefit the objective of the institution as far as possible. This includes ensuring an appropriate balance between the institution's use of basic funds for research purposes and for other purposes, so as to safeguard the institution's long-term knowledge build-up.

(4) The GEUS board shall enter into a performance contract with the Minister for Climate and Energy and shall approve the institution's work programme. The performance contract and the work programme shall establish the tasks to be carried out with regard to research, consultancy, the authorities, communication, organisational development, and daily operations.

(5) The GEUS board shall ensure the quality of the research performed and shall organise evaluations of the research and communication tasks at appropriate intervals in accordance with the regulations, cf. section 13 of The Geological Survey of Denmark and Greenland Act. The evaluations shall be carried out by experts independent of the institution and of the Minister for Climate and Energy. The board shall decide when the evaluations are to be carried out. The evaluations may be carried out at staggered intervals. The evaluations may also cover others of the institution's tasks.

(6) The GEUS board shall submit its recommendations to the Minister for Climate and Energy regarding appointment and dismissal of the managing director of GEUS. The board shall appoint and dismiss the other members of the senior management (deputy directors) on recommendations by the managing director. If these are civil servants on special conditions (tjenestemænd), the board shall submit its recommendation to the Minister for Climate and Energy.

(7) The GEUS board shall make decisions in individual cases which according to the situation of the institution are of an unusual nature or have far-reaching significance.

§6.-(1) The GEUS board shall comprise one chairperson and up to ten members. Members of the board shall contribute jointly with their experience and expertise to promoting GEUS' strategic activities within the institution's core areas.

(2) The chairperson of the board and up to eight members of the board shall be appointed by the Minister for Climate and Energy on the basis of their personal capacity and shall be independent of the Minister for Climate and Energy. These persons shall be recruited from outside GEUS and shall have research and commercial insight. One member shall be recom-

mended by the Greenland Home Rule; two members shall be recommended by the University of Copenhagen; and one member shall be recommended by Aarhus University. No less than two members shall be recognised researchers in the core areas of GEUS. No less than two members shall represent significant user interests. The chairperson of the board shall have management experience from public or private enterprises as well as research knowledge.

(3) Furthermore, two members shall be elected by and from GEUS' employees. Board members elected by the employees shall be protected against termination and other deterioration of their job conditions in the same way as union representatives in the same or a similar area.

(4) With regard to board members elected by GEUS' employees, cf. subsection (3), one representative and one alternate representing The Danish Confederation of Professional Associations (AC) shall be elected, as well as one representative and one alternate representing other organisations. The GEUS works council shall lay down the more detailed regulations on this. The alternates shall take the place of ordinary members who leave the GEUS board permanently or for longer periods of time, however they shall not participate as proxies at meetings.

(5) The GEUS board shall be supplemented by two delegates from the senior management of the Agency for Spatial and Environmental Planning and the Danish Energy Agency, respectively. The delegates shall be appointed by the Minister for Climate and Energy on recommendation by the respective agencies. The delegates shall participate in the meetings of the board without voting rights.

(6) The GEUS board shall be appointed for up to four years at a time, cf. section 6(1) of The Geological Survey of Denmark and Greenland Act. If a member leaves the board before the expiry of a tenure, a new member shall be appointed for the remaining part of the tenure according to the guidelines in this section. The members of the board may be reappointed. When appointing and reappointing members, continuity as well as renewal in the board shall be taken into account.

(7) A person may be recommended and appointed as alternate for the GEUS board member who has been appointed on recommendation by the Greenland Home Rule. This alternate may participate as proxy if the ordinary member is unable to participate. No other alternates or proxies may be appointed in addition to this and beyond the rules for the alternates for board members elected by GEUS' employees, cf. subsection (4).

§7.-(1) Resolutions by the GEUS board shall be taken by a simple majority. In the event of a parity of votes, the vote of the chairperson of the board shall be decisive. Presence of the majority of the members of the board shall constitute a quorum.

(2) In normal circumstances, the GEUS board shall hold four ordinary meetings each year. Minutes of the meetings, including resolutions by the board, shall be prepared. The chairperson of the board shall prepare the minutes. Secretarial services shall be provided by GEUS.

(3) The GEUS board shall otherwise set its own rules of procedure.

§8.-(1) GEUS board members' fees and reimbursement of travel expenses etc. shall be laid down pursuant to the Ministry of Finance's current regulations on this area.

(2) Other expenses relating from the board's work, including travel expenses of delegates, shall be paid by GEUS.

Part 5 Management board

§9.-(1) GEUS' day-to-day and HR management shall be the responsibility of a managing director. The managing director shall have management experience and shall, as a minimum, be a research expert in GEUS' working areas.

(2) The management board (comprising the managing director and a number of deputy directors) shall be responsible for the day-to-day management of GEUS; shall answer to the GEUS board; and shall represent GEUS externally. When performing these duties, the management board shall follow the instructions and directions issued by the GEUS board.

(3) The management board shall present GEUS' work programmes to the GEUS board and shall brief the GEUS board about GEUS' activities.

(4) The management board shall submit its recommendations to the GEUS board on the cases presented to it.

(5) The managing director shall be accountable to the GEUS board for ensuring that GEUS is administered in accordance with current legislation, administrative provisions applying to GEUS, as well as rulings, collective agreements and other agreements.

(6) The management board shall hire, appoint and dismiss GEUS' employees. The management board may delegate this power.

(7) The management board shall participate in the meetings of the GEUS board, unless the GEUS board in individual cases decides otherwise.

Part 6 Geocenter Denmark

§10. GEUS shall participate in Geocenter Denmark, a centre for geoscientific research, teaching, consultancy and communication. The cooperation of the parties in Geocenter Denmark shall be regulated by the statute of Geocenter Denmark (Statut for Geocenter Danmark) which shall be endorsed by the GEUS board, the Ministry of Climate and Energy, the Ministry of Science Technology and Innovation, the University of Copenhagen and Aarhus University, the University of Copenhagen and Aarhus University.

Part 7 Amendments to the byelaws and entry into force

§11.-(1) The byelaws and any amendments to the byelaws shall be approved by the Minister for Climate and Energy. Before approval, the Danish Council for Strategic Research shall be consulted as regards those parts of the byelaws and amendments to these that are related to the field in which GEUS conducts research, cf. section 10(2) of The Geological Survey of Denmark and Greenland Act.

(2) These byelaws entered into force when they were signed by the chairperson of the GEUS board and the Minister for Climate and Energy on 7 October 2008.

§12.-(1) This Executive Order shall enter into force on 13 February 2009.

(2) These byelaws and any amendments hereto shall be published by the Minister for Climate and Energy pursuant to section 10(3) of The Geological Survey of Denmark and Greenland Act.

(3) At the same time, Executive Order no. 1478 of 14 December 2005 on byelaws for the Geological Survey of Denmark and Greenland (GEUS) (bekendtgørelse nr. 1478 af 14. december 2005 af vedtægt for Danmarks og Grønlands Geologiske Undersøgelse) shall be repealed.

The Ministry of Climate and Energy, 20 January 2009

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