

Translator's comment: Please note that only the official Danish version of the Act on Non-formal Education and Democratic Voluntary Activity has legal validity.

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Subsequent amendments to the provisions

ACT no. 444 of 23/05/2012

ACT no. 310 of 29/03/2014

ACT no. 552 of 02/06/2014

Consolidation Act on support for non-formal adult education, voluntary activities in democratic associations, day folk high schools and the University Extension (the Act on Non-formal Education and Democratic Voluntary Activity)

This is an Act to consolidate the law on support for non-formal adult education, voluntary activities in democratic associations, day folk high schools and the University Extension (the Act on Non-formal Education and Democratic Voluntary Activity), cf. Consolidation Act no. 535 of 14 June 2004 with the changes provided by section 2 of Act no. 593 of 24 June 2005, Act no. 1593 of 20 December 2006, section 8 of Act no. 561 of 6 June 2007, Act no. 1523 of 27 December 2009 and Act no. 574 of 7 June 2011.

The provisions of section 34 of this Act shall not take full effect until 1 January 2012, cf. section 2 of Act no. 574 of 7 June 2011.

Part I

Non-formal education and democratic voluntary activities

Chapter I

Purpose and framework for non-formal education and democratic voluntary activities

Section 1. Part I of this Act shall in respect of different opinions ensure public grants etc. for non-formal education and democratic voluntary activities that are based on community and the ideological basis of each initiator.

Section 2. (1) The municipal council shall ensure a framework that makes it possible for children, adolescents and adults to establish and take part in non-formal education and democratic voluntary activities, cf. subsections (2) to (4).

(2) The municipal council shall provide grants for

- 1) teaching, study circles, lectures, debate-generating activities and activities arranged as flexibly organised activities for adults and for children and adults together, cf. Chapter 4 on non-formal adult education.
- 2) activities for children and adolescents, including recreational clubs and youth clubs, and potentially for activities for adults, cf. Chapter 5 on voluntary activities in democratic associations.

(3) The municipal council shall provide premises, cf. Chapter 6 on assignment of premises and outdoor facilities.

(4) The municipal council shall provide grants for premises, cf. Chapter 7 on grants for private premises etc.

Chapter 2

Democratic voluntary associations as a basis for grants

Section 3. The non-formal education and democratic voluntary activities shall be established by a



democratic voluntary association with articles of association, cf. sections 4 and 5, in order to be grant-entitling and potentially be assigned premises, however cf. section 6(1), no. 3) and section 21(6).

Section 4. (1) A democratic voluntary association is

- 1) an association that offers non-formal adult education etc., cf. Chapter 4, or
 - 2) a democratic association that offers voluntary activities, cf. Chapter 5.
- (2) A democratic voluntary association under subsection (1), no. 1) shall
- 1) have formulated an object of association, which shall appear in the articles of the association,
 - 2) offer non-formal education and democratic voluntary activities as provided by this Act,
 - 3) have a board of directors consisting of no less than 5 persons that are chosen or appointed by the members or the member organisations that are behind the association,
 - 4) give the participants in the non-formal education and democratic voluntary activities the opportunity to sit on the board of directors,
 - 5) offer non-formal education and democratic voluntary activities that is basically open to all, cf. section 7(4),
 - 6) be resident in the grant-providing municipality and
 - 7) offer activity that is not-for-profit and continuous.
- (3) A democratic voluntary association under subsection (1), no. 2) shall
- 1) have formulated an object of association, which shall appear in the articles of the association,
 - 2) offer non-formal education and democratic voluntary activities as provided by this Act,
 - 3) have a board of directors,
 - 4) be democratically organised,
 - 5) be based on active membership and have no less than 5 paying members,
 - 6) basically be open to all who consent to the object of the association, cf. section 14(3),
 - 7) be resident in the grant-providing municipality and
 - 8) offer activity that is not-for-profit and continuous.

(4) When applying for grants or premises, democratic voluntary associations under subsection (1) shall issue a statement that the association will retrieve statements of previous convictions in respect of children to the extent that the association employs persons who are to be in direct contact with children younger than 15 years of age as part of the job, cf. the Act on the retrieval of a statement of previous convictions in respect of children on the appointment of staff etc. The obligation to issue such statement shall also apply even if the association at the time of the issue of such statement does not employ any persons who are to be in direct contact with children younger than 15 years of age as part of the job.

(5) The Minister of Education shall lay down more detailed rules for the statement mentioned in subsection (4).

Section 5. (1) A democratic voluntary association may offer activities under both Chapters 4 and 5. Based on an assessment of the primary activity of the association, the municipal council shall decide whether the association is to be considered a democratic voluntary association offering non-formal adult education or a democratic voluntary association offering voluntary activities under this Act.

(2) The board of directors shall be responsible towards the municipal council for the use of the received grant, for assigned premises etc. and for financial statements and documentation for the activity.

(3) A democratic voluntary association may not be established or operated for commercial ends, and any profit resulting from participant fees as part of the association's activities under this Act shall accrue to the democratic voluntary association to be used in a manner consistent with this Act. Upon the dissolution of a democratic voluntary association, any profit resulting from participant fees as part of the association's activity under this Act shall accrue to public utility purposes.

(4) The following persons may not sit on the board of directors:

- 1) Members of the boards of directors of foundations, companies, associations or other businesses who lease premises etc. to the association or who control any lessor of premises etc. to the association.
- 2) Lawyers, accountants and similar advisers for or employees of foundations, companies, associations or other businesses who lease premises etc. to the association or who control the lessor of premises etc. to the association.
- 3) Owners of premises etc. leased to the association.



(5) Subsection (4), numbers 1) and 2), do not extend to foundations, companies, associations or other businesses that are not-for-profit and whose main object is to provide facilities for children and adolescents cf. section 4(3).

(6) The municipal council may disregard the provisions of subsection (4) when the lease is of insignificant scope and when the municipal council deems that such dispensation will not make it possible for unauthorised interests to influence the decision-making processes of the democratic voluntary association.

(7) In special cases, the municipal council may distribute grants and assign available premises to an association that is not resident in the municipality.

(8) The municipal council shall decide whether an association meets the requirements for receiving grants under this Act, however cf. section 32. The association shall annually file a report with the municipal council describing the association's non-formal education and democratic voluntary activities for the previous year. The municipal council may decide that no such annual report shall be filed.

(9) The Minister of Education may lay down more detailed rules regarding the articles of association, cf. section 3(1).

Chapter 3

The distribution of grants

Section 6. (1) On an annual basis, the municipal council shall decide on and distribute a ceiling amount for

- 1) non-formal adult education, cf. Chapter 4,
- 2) voluntary activities in democratic associations, cf. Chapter 5, and
- 3) development work within the scope of the Act.

(2) The municipal council may decide that part of the ceiling amount mentioned in subsection (1) be used for specified purposes within the scope of the Act.

Chapter 4

Non-formal adult education

Section 7. (1) The objective of non-formal adult education is to advance democratic understanding and active citizenship, and, with a point of departure in the teaching, to increase the participants' general and subject-related insight and skills. The aim is to strengthen the individuals' ability and desire to take responsibility for their own lives and to play an active and engaged part in society.

(2) Non-formal adult education comprises teaching, study circles, lectures and debate-generating activities, and fees are charged for participation, however cf. section 8(3).¹⁾ The municipal council may, where special conditions apply, decide to disregard the requirement that participant fees be paid.

(3) No grants may be given for formally qualifying learning activities.

(4) Non-formal adult education shall be open for all. The municipal council may, where special conditions apply, approve non-formal adult education for a specific, delimited group of participants. However, teaching for the same participant may only be approved for participation in one class and for one year maximum.

(5) The municipal council shall lay down rules for exemptions from the requirement that participant fees be paid, cf. subsection (2).

Section 8. (1) Basic grants shall be given to the association for the remuneration of teachers and executives within non-formal adult education, cf. sections 1 and 7. Remuneration etc. shall be in conformity with the provisions laid down in section 52. The non-formal education and democratic voluntary activities shall be managed by one or more executives.

(2) The municipal council may decide that a supplementary basic grant be given for remuneration expenses etc. for executives and teachers within non-formal adult education in accordance with the provisions laid down in this Chapter for participants with disabilities related to the teaching of a specific topic.

(3) The individual association shall allocate 10 percent of the ceiling amount, cf. subsections (1) and (2), to debate-generating activities that may be spent on other types of expenditure than executive and teacher remuneration. It is not a requirement that participant fees be paid for activities that receive funding from this pool. At the end of the fiscal year, reimbursement of unused funds in this pool shall occur. However, the municipal council may decide that small unused allocation amounts in the pool be transferred to next year's



pool.

(4) The individual association may allocate up to 40 percent of the ceiling amount, cf. subsections (1) and (2), less 10 percent, cf. subsection (3), for class activities within flexibly organised activities, which may be spent on other types of expenditure than executive and teacher remuneration.

(5) The Minister of Education shall lay down rules on the use of the pools mentioned in subsections (3) and (4). The municipal council may with due consideration to the rules laid down by the Minister of Education set more detailed guidelines for the use of the pools.

Section 8 a. (1) The municipal council may decide that special grants be given for the following purposes, cf. section 6(2):

- 1) Reduction of participant fees for particular groups.
- 2) Teaching etc. that implies small classes.
- 3) Establishment of partnerships for solving concrete tasks.

Section 9. (1) Within the Act and the rules laid down pursuant hereto, the individual association shall decide on participant fees, on the employment and dismissal of executives, teachers and other employees, on the selection of topics and organisation type, on other activities, on course length and on the number of participants in each class.

Section 10. (1) Applications for grants shall be filed with the municipal council, which may set one or more annual time limits for such applications.

(2) The municipal council may lay down more detailed rules regarding the formal requirements for grant applications.

Section 11. (1) The municipal council shall establish a grant model based on local conditions. The basis for the calculation of the grant shall be indicated by the model. The municipal council may specify weighting between subjects and topics.

(2) The municipal council's total grants for non-formal adult education under this Chapter may not exceed 1/3 of the associations' total expenses for

- 1) remuneration etc. of executives and teachers,
 - 2) provision of internet access for teachers of classes within flexibly organised activities,
 - 3) premises and teaching materials for classes within flexibly organised activities, and
 - 4) advertising in connection with classes that are completed within flexibly organised activities.
- (3) The municipal council grants distributed under section 8(2) and (3) and section 8a and the associations' expenses for remuneration etc. of executives and teachers for teaching under section 8(2) and (3) section 8a shall not be subject to the restriction imposed by subsection (2).

(4) A municipal council's total grants for participants with disabilities in relation to the teaching of a concrete topic, cf. section 8(2), may not exceed 8/9 of the expenses for remuneration etc. of executives and teachers in connection with such teaching.

Section 12. The municipal council shall be responsible for administration in connection with remuneration etc., set pursuant to section 52, of executives and teachers regarding activities for the associations that so desire and that are not affiliated with a national organisation that receives subsidies through Oplysningsforbundenes Fællesråd (unofficial English name: the National Association of Adult Education Associations) under the Act on Certain Games, Lotteries and Betting.

Section 13. The Minister of Education may lay down more detailed rules on grants for non-formal adult education, including rules delimiting the topics and activities for which grants may be given.

Chapter 5

Voluntary activities in democratic associations

Section 14. (1) The objective of voluntary activities in democratic associations is to advance democratic understanding and active citizenship, and, with a point of departure in the activity and the community of commitment, to strengthen the non-formal education and democratic voluntary activity. The aim is to strengthen the members' ability and desire to take responsibility for their own lives and to play an active and engaged part in society.



(2) Voluntary activities in democratic associations encompass sports and philosophically related and socially engaged work with children and young people, and fees are charged for participation. The municipal council may, where special conditions apply, decide to disregard the requirement that participant fees be paid.

(3) A voluntary democratic voluntary association shall be open for all who consent to the object of the association. The municipal council may, where special conditions apply, approve activities for a specific, delimited group of participants as voluntary activities in democratic associations. However, activities for the same participant may only be approved for participation in one class/team and for one year maximum.

(4) The municipal council shall lay down rules for exemptions from the requirement that participant fees be paid, cf. subsection (2).

Section 15. Grants shall be given for activities for children and adolescents younger than 25 years of age, cf. sections 1 and 14.

Section 16. (1) The municipal council may decide to give grants for activities within sports and philosophically related and socially engaging adult activities in associations for persons older than 25 years of age, cf. sections 1 and 14(1).

(2) The municipal council shall assign premises, cf. Chapter 6, for activities within sports and philosophically related and socially engaging work. The association must meet the requirements for receiving grants under this Act, but it is not a condition that a grant be given for the activity.

Section 17. Within the Act and the rules laid down pursuant hereto, the individual association shall decide on the employment and dismissal of executives, instructors and other employees, and on the use of the grant.

Section 18. (1) Applications for grants shall be filed with the municipal council within a time limit set by this council.

(2) The municipal council may lay down more detailed rules regarding the formal requirements for grant applications.

Section 19. (1) The municipal council shall establish a grant model based on local conditions. The basis for calculating the grant allocation shall be indicated by the model.

(2) The municipal council may decide that increased grants be given for e.g. particular types of activity and persons with special needs.

(3) The municipal council may decide that special grants be given for the establishment of partnerships for solving concrete tasks.

(4) Where possible, grants shall be prepaid in instalments or prepaid as amounts paid on account.

Section 20. The Minister of Education may lay down more detailed rules on grants for activities, including rules delimiting the activities for which grants may be given.

Chapter 6

Assignment of premises and outdoor facilities

Section 21. (1) The municipal council shall assign the following types of premises in order of priority if these are available and suitable for the purpose, including sports centres, other halls and outdoor facilities that are owned by the municipality or located in the municipality:

- 1) Municipal premises etc.
- 2) Premises etc. that are used for providing education by approval pursuant to the Act on Institutions for General Upper Secondary Programmes and General Adult Education Etc., premises that are used for providing training and education for social and health care helper students, social and health care assistant students, nursing and radiography students, for the basic educational training programme (PGU) and premises that are used for activities pursuant to the Act on Educational Resource Centres, etc.
- 3) Regional premises etc.
- 4) Governmental premises etc.

(2) Those who are to provide one of the types of premises mentioned in subsection (1), no. 2), may choose to provide other equally suitable premises instead.

(3) When assigning premises and outdoor facilities, the municipal council shall normally prioritise in the following order:



- 1) Activities for children and adolescents.
- 2) Non-formal adult education, including activities related hereto.
- 3) Activities for adults.

(4) As for assigning premises that are particularly suitable for non-formal education and democratic voluntary activities for persons with disabilities, however, assignment for such activities shall normally occur prior to other assignment.

(5) It is a condition for the assignment of premises that the association meet the requirements for receiving grants under this Act, but it is not a condition that a grant be given for the teaching or the activity, however cf. subsection (6). This means that premises may be assigned for activities related to the teaching.

(6) If the municipal council has distributed a grant for an activity pursuant to section 6(1), no. 3), premises shall be assigned for this activity in accordance with subsections (1) to (4).

(7) The municipal council may require that it be given the information necessary to assess whether assigned premises have been used in accordance with the Act with regard to the requirements for non-formal education and democratic voluntary activities.

Section 22. (1) The premises and outdoor facilities mentioned in section 21 shall be made available free of charge with electricity, heating, cleaning and necessary equipment.

(2) The municipal council shall pay any expenses for electricity, heating and cleaning in connection with the use of premises etc. mentioned in section 21(1), numbers 2) to 4).

(3) Premises and outdoor facilities shall be made available with the layout, furniture, fixtures and fittings that are available when the premises are used for their primary purpose.

(4) If within non-formal adult education, cf. Chapter 4, or within the area of voluntary activities in democratic associations, cf. Chapter 5, the municipal council pays voluntary supplementary grants for the operating costs in connection with the use of the association's own or leased private premises, the municipal council may decide that a fee is to be charged for the use of assigned premises, including halls/sports centres and outdoor facilities. The fee shall become part of the pool allocated for voluntary, supplementary grants for premises within the area in question by the municipal council.

(5) The municipal council shall set the size of the fee, cf. subsection (4). The total amount collected from each area, cf. subsection (4), may not exceed the total expense for the voluntary supplementary grants for premises for each area in the municipality, and it may not exceed the expense for the municipal council's operation of the assigned premises.

(6) The Minister of Education may lay down more detailed rules on the assignment of premises and outdoor facilities, including rules on the definition of "suitable premises" and on charging fees.

Chapter 7

Grants for private premises etc.

Grants for premises for non-formal adult education, cf. Chapter 4

Section 23. (1) The municipal council shall distribute grants for no less than 75 percent of the operating costs for ordinary premises without special equipment that are owned or leased by associations for the teaching of adults and of children and adults together and for activities related to teaching. The municipal council may disregard the requirement to give grants for premises if the municipal council is able to assign suitable premises.

(2) Grants for operating costs for other premises, including halls/sports centres and special subject rooms owned or leased by associations for teaching etc. and activities related hereto, shall be distributed in accordance with rules laid down by the municipal council. The municipal council may disregard the requirement to distribute grants if the municipal council is able to assign suitable premises.

(3) The Minister of Education may lay down more detailed rules on the definition of "suitable premises" and on grants for operating costs for ordinary rooms and may thus set a ceiling on the operating costs for which the municipal council is obligated to give grants.

Section 24. (1) The municipal council may reduce the size of the grant, cf. section 23(1), if the operating costs for any particular ordinary premises are not in reasonable proportion with the number of participants or to the use of the premises in other respects.



(2) The municipal council may reduce the size of the grant, cf. section 23(1), if the operating costs for any particular ordinary premises do not correspond with the normal level of expenditure for local premises that are suitable for the purpose.

Grants for premises for voluntary activities in democratic associations, cf. Chapter 5

Section 25. (1) The municipal council shall give grants to the value of no less than 65 percent of the operating costs, however cf. subsections (2), (3) and (5), for premises, including halls/sports centres and camps owned or leased by the association for activities for children and adolescents younger than 25 years of age. Associations shall be able to provide documentation for their number of activity hours.

(2) The municipal council may decide not to approve new applications for grants for premises if the municipal council is able to assign suitable premises.

(3) If persons over 25 years of age participate in the activities within subsection (1), the size of the grant may be reduced proportionately with the number of such participants in relation to the number of total participants. Such reduction may not happen because of executives' or instructors' being over 25 years of age, however. In cases of doubt, the municipal council shall decide on the basis of a concrete assessment whether the persons in question take part in the activity as executives or instructors of the association.

(4) The municipal council may lay down rules on grants for operating costs for private premises etc. for activities for persons over 25 years of age.

(5) The provisions of subsection (1) notwithstanding, the municipal council may decide that no grants be given for operating costs for

- 1) own halls/sports centres for which the association has not previously received grants for premises,
- 2) new leases in halls/sports centres, or changes to leases if the lease in comparison with the expenses of an existing lease imply additional expenses for the municipal council,
- 3) significant expansion of the activity base in halls/sports centres that imply additional expenses for the municipal council, or
- 4) new premises and camps or for new leases in regard to premises and camps if the new premises or halls/sports centres imply significant additional expenses for the municipal council.

(6) The Minister of Education may lay down more detailed rules on grants for operating costs of premises, including halls/sports centres and camps, and may thus set a ceiling on the operating costs for which the municipal council is obligated to distribute grants, and on the definition of a "new application". The Minister of Education may lay down more detailed rules concerning the definition of "premises", including "halls/sports centres and camps", and on the definition of "suitable premises".

Section 26. (1) The municipal council may reduce the size of the grant, cf. section 25, if the operating costs for any particular premises, including a hall/sports centre or a camp, are not in reasonable proportion with the number of participants or to the use of the premises, including hall/sports centre or camp, in other respects.

(2) The municipal council may reduce the size of the grant, cf. section 25, if the operating costs for any particular premises, including a hall/sports centre or a camp, do not correspond with the normal level of cost for local premises that are suitable for the purpose.

(3) The municipal council may reduce the size of the grant for leased premises etc., cf. section 25, if the price of the lease includes types of expenditure that would not have resulted in a grant if it had been the association's own premises etc.

General provisions on grants for private premises etc.

Section 27. (1) It is a condition for receiving grants for private premises, including a hall/sports centre or a camp, that the association meet the requirements for receiving grants under this Act, but it is not a condition that a grant be given for the teaching or the activity.

(2) The premises mentioned in sections 23 and 25, including halls/sports centres and camps, must be privately owned and located within the borders of the country or in South Schleswig.

Section 28. The municipal council may set time limits for applying for grants. The municipal council shall decide how the grant is paid.



Chapter 8

Financial statements, auditing and reimbursement

Section 29. (1) Associations shall present financial statements on grants in accordance with Chapters 4, 5 and 7 of the Act and shall include documentation for the total participant fees paid in connection with activity pursuant to Chapters 4 and 5. The financial statements shall be signed by all members of the board of directors.

(2) The financial statements must show that the association has used the grant in accordance with the Act and the rules laid down in pursuance of the Act.

(3) The municipal council shall set the accounting period and time limit for the financial reporting.

(4) The municipal council may lay down rules on formal requirements for financial reporting and auditing of financial statements.

(5) The Minister of Education or whoever the Minister authorises hereto may lay down more detailed rules on financial reporting and auditing etc., including rules on digital financial reporting.

Section 30. The municipal council may require that amounts that have not been used in accordance with the Act and the rules laid down in pursuance of the Act be reimbursed or offset in the grant for the subsequent year. The municipal council may require that it be given the information necessary to assess whether the association has met the conditions for receiving the grant.

Section 31. (1) Claims regarding reimbursement of excessively paid grants shall be issued against the association.

(2) The board of directors are personally liable for the grant received pursuant to this Act if the reimbursement claim has arisen due to an unlawful act or omission attributable to this person as deliberate or negligent. The members of the board of directors are not otherwise personally liable for any grants received pursuant to this Act.

Section 32. If an association is not in compliance with the Act or the rules laid down in pursuance of the Act, the municipal council may choose not to give grants and not to assign premises for a specified period of time.

Chapter 9

Administration

The municipal council

Section 33. (1) The municipal council shall decide on all matters related to activity under this Act that are not assigned to another authority.

(2) The municipal council shall ensure that grants be distributed by objective criteria resulting in equal terms for receiving grants and equal terms for being assigned premises for activity that is similar with regard to function and content. However, special consideration shall be taken regarding activities for children and adolescents and for teaching etc. of adults with special needs in relation to the organisation of the teaching.

(3) Activities for children and adolescents of a philosophically related, political and religious nature shall be considered equal to other types of non-formal education and democratic voluntary activity for children and adolescents.

(4) The municipal council shall lay down more detailed rules on grants for activity within the scope of Act and on the assignment of premises and outdoor facilities.

(5) Concerning information about activity pursuant to this Act, the municipal council shall have the right to collect all necessary information from the individual association. The municipal council may stop payments or withhold payments if an association does not comply with the conditions for receiving grants under this Act, however cf. subsection (6).

(6) If the statement mentioned in section 4(4) and section 45(3) is not available, the municipal council shall dispense with distributing grants and assigning premises for the association.

(7) The municipal council may stop payments or withhold payments and remove the association's right to use premises already assigned to it if the municipal council learns that an association that is obligated to



retrieve statements of previous convictions in respect of children pursuant to rules laid down under the Act on the retrieval of a statement of previous convictions in respect of children on the appointment of staff etc. does not retrieve such statements.

Section 34. The municipal council shall adopt and make public a policy for non-formal education and democratic voluntary activities in the municipality indicating the following:

- 1) The objective of citizens' participation in non-formal adult education and voluntary activities in democratic associations.
- 2) A framework for non-formal adult education and voluntary activities in democratic associations, including the physical framework.
- 3) Correlation and connection between the grant-eligible non-formal education and democratic voluntary activities and self-organised groups and activities, including as to the financial framework for the non-formal adult development work, cf. section 6(1), no. 3).
- 4) Correlation between non-formal education and democratic voluntary activities and other policy areas, including opportunities for the establishment of partnerships for solving concrete tasks, cf. section 8a, no. 3), and section 19(3).
- 5) Delimitation of non-formal education and democratic voluntary activities as compared with other similar activities.
- 6) The extent and nature of user involvement in connection with non-formal education and democratic voluntary activities within the municipality, cf. section 35(1).

Section 35. (1) The municipal council shall ensure that non-formal education and democratic voluntary activities in the municipality are brought before the commission mentioned in subsection (2) as concerns all matters of a general significance for such activities, including prior to approving

- 1) the policy for non-formal education and democratic voluntary activity mentioned in section 34.
- 2) the municipality's budget for non-formal education and democratic voluntary activities and
- 3) the municipality's rules on grants for non-formal education and democratic voluntary activities.

(2) The municipal council shall establish a commission within the municipal administration to represent the activity that is eligible for grants pursuant to Chapter 3 and to which it can assign its tasks under this Act.

Section 35 a. Repealed.

Section 36. Repealed.

Section 37. Repealed.

Section 38. Repealed.

Section 39. Repealed.

Section 40. (1) The expenses for a commission to which the municipal council has assigned tasks pursuant to section 35(2) shall be paid by the municipal council.

(2) Regarding participation in meetings in a commission to which the municipal council has assigned tasks under section 35(2), the members may receive per diem allowances, compensation for established loss of earnings and allowances for travelling expenses, etc. in accordance with the provisions of the Local Government Act.

(3) The Minister for the Interior and Health may lay down rules on consideration for chairpersons of commissions to which the municipal council has assigned tasks under section 35(2).

Section 41. Repealed.

Section 42. Repealed.

Chapter 10

Other provisions



Section 43. (1) Participation in activity pursuant to this Act shall not be conditional on being resident in the municipality in which the activity takes place.

(2) The municipal council may claim compensation from the participant's municipality of residence for any

expenses in connection with teaching, study circles and activities arranged as flexibly organised activities within Chapter 4. The municipality of residence shall be the municipality in which the person in question is registered in the municipal registry at the start of attending the teaching, study circle and the flexibly organised activity.

(3) The municipal council may claim compensation from another municipality for the expenses for teaching, study circles and activities arranged as flexibly organised activities pursuant to Chapter 4 for persons who are registered in this municipality's registry, but who are counted as part of the other municipality's population as for calculation of municipal equalisation and general grants for municipalities.

(4) The Minister of Education shall lay down more detailed rules on compensation for expenses in connection with teaching, study circles and activities arranged as flexibly organised activities within Chapter 4, including rules on collection. The Minister of Education shall also lay down rules on inter-municipal equalisation.

(5) An association that receives grants in accordance with Chapter 4, except section 8(3), shall provide the municipal council with information on names, addresses and day and year of birth of the participants included in the grant calculation. An association shall also provide information on the civil registration numbers of participants in teaching, study circles and activities arranged as flexibly organised activities who are resident in another municipality and are included in the grant calculation. The association shall inform the participants that the civil registration number will be disclosed to the municipal council.

(6) The municipal council may decide that persons who do not have a Danish civil registration number may be included in the grant calculation, cf. the second sentence of subsection 5.

Chapter 11

Government grants

Section 44. (1) The Minister of Education shall distribute grants for consultancy services and employee training with regard to activity pursuant to part I of this Act for nationwide non-formal education and democratic voluntary activity organisations etc. Grants may also be distributed for courses at centres for teachers in adult education.

(2) The Minister of Education shall distribute grants for the participation of disabled persons in non-formal education and democratic voluntary activities.

(3) The Minister of Education may authorise organisations that operate within the scope of the Act to distribute and administrate the grants.

(4) The Minister of Education may lay down more detailed rules on the distribution of grants pursuant to subsections (1) and (2), including rules on financial reporting and auditing etc. and on the administration of the scheme, including on payment of advances and saving up non-used amounts for use in the following fiscal year.

(5) The Minister of Education may decide that the Act on Public Access to Documents in Administrative Files, the Public Administration Act and the Act on Processing of Personal Data shall apply in relation to the organisations' administration of grants, cf. subsection (3).

Part II

District associations etc.

Chapter 12



Section 45. (1) District associations for children and adolescents shall be defined as associations etc. that have local associations in several municipalities, in the case of Bornholm, however, several local associations in the Municipality Bornholm, that are members directly or through local unions. Branches and local associations that are members of a district association shall not be considered district associations.

(2) The association must have normal association activity offers for the members of the local association. Administrative unions without association activities shall not be considered district associations.

(3) When applying for grants or premises, the association shall issue a statement that the association will retrieve statements of previous convictions in respect of children to the extent that the association employs persons who are to be in direct contact with children under 15 years of age as part of the job, cf. the Act on the retrieval of a statement of previous convictions in respect of children on the appointment of staff etc. The

obligation to issue such statement shall also apply even if the association at the time of the issue of such statement does not employ any persons who are to be in direct contact with children younger than 15 years of age as part of the job.

(4) The municipality in which the association is resident and the municipalities in which the association activity take place shall be indicated in the articles of association. If the municipal councils involved have not agreed on the appointment of an administering municipality, the administering municipality shall be the one in which the association is resident.

(5) The municipal councils of the municipalities involved, cf. subsection (4), shall make arrangements with the municipal council of the administering municipality regarding assignment of premises and outdoor facilities, regarding grants for premises, regarding any grants for the association activity and regarding the laying down of rules for the settlement of grants, including rules on reimbursement of grants, cf. subsections (6) to (9).

(6) The municipal council of the administering municipality, cf. subsection (4), shall assign premises that suitable for the purpose, e.g. sports centres, other halls and outdoor facilities, for the association activity for children and adolescents in accordance with the provisions of Chapter 6.

(7) The municipal council of the administering municipality, cf. subsection (4), shall distribute grants for premises for association activity for children and adolescents in accordance with the provisions of sections 25 to 28.

(8) The municipal council of the administering municipality, cf. subsection (4), may distribute grants for association activity for children and adolescents.

(9) The municipal council of the administering municipality, cf. subsection (4), may lay down rules on the settlement of grants, including rules on reimbursement of grants, for association activity for children and adolescents.

(10) The Minister of Education may lay down more detailed rules on association activity for children and adolescents within the Act and on the statement mentioned in subsection (3).

Part II a

Day folk high schools

Chapter 12 a



Section 45 a. (1) The municipal council may decide to give grants to a day folk high school if the following conditions are met:

- 1) The day folk high school is an independent, self-governing institution with articles of association approved by a municipal council and with a board of directors of which the members meet the conditions of section 5(4) and (6).
- 2) The object of the day folk high school is to offer teaching organised for adults with a non-formal education and democratic voluntary activity aim that is able to advance, among other things, democratic understanding and active citizenship, or with an employment-enhancing aim.
- 3) The grant may only be used for the day folk high school's non-formal education and democratic voluntary activities or employment-enhancing activities.
- 4) Upon the dissolution of the day folk high school, any surplus funds shall be used for non-formal education and democratic voluntary activity purposes or employment-enhancing purposes following approval by the municipal council.
- 5) A municipal council shall supervise to ensure that the day folk high school meet the conditions for receiving grants, and the municipal council may require that the school provide it with all necessary information.

(2) The municipal council may require as a condition for giving a grant that rules on remuneration and employment terms, including pension terms, laid down or agreed with a municipal council be followed regarding employees at the day folk high school.

(3) The municipal council may provide further conditions for giving grants, including rules on reimbursement of grants if the grant conditions have not been met.

(4) The Minister of Education may provide grants for consultancy services within the day folk high school

area.

Part III

The University Extension

Chapter 13

Section 46. The objective of the activities of the University Extension is to, through non-formal adult educational teaching and lectures, to extend people's knowledge of research methodology and results, and to advance democratic understanding and active citizenship.

Section 47. (1) The Minister of Education shall appoint a University Extension Committee, which shall have the overall financial and professional responsibility for the collective activity of the Danish University Extension, cf. section 48.

(2) The University Extension Committee shall consist of 13 members who shall be appointed as follows:

- 1) 3 members shall be appointed by the Minister of Education, with 1 member with special expertise in dissemination being appointed following nomination by the Danish Adult Education Association and 2 members being appointed following nomination by the governmental research councils, and the chairman shall be appointed by the Minister of Education from among these 3 members,
- 2) 5 members shall be appointed following joint nomination by the University Extension departments located in the university cities, and
- 3) 5 members shall be appointed following joint nomination by the University Extension departments located outside the university cities, and

(3) The appointment period shall be 3 years, but the chairman shall be appointed for 4 years the first time. Re-appointment may occur the first time. If a member resigns before the expiration of the appointment period, a new appointment shall be made for the remainder of the appointment period.

(4) The Minister of Education may collect information from the University Extension on all matters related to the University Extension activity and may lay down rules on the form in which the information shall be provided, including special digital formats. The Minister of Education may lay down more detailed rules on the University Extension's other services and secretariat service, including rules on the appointment of a University Extension headmaster.

Section 48. (1) The University Extension activity shall be performed with responsibility towards the University Extension Committee, cf. section 47. The Minister of Education shall lay down more detailed rules on the performance of the activity.

(2) The University Extension activity shall be subject to the Public Administration Act, the Act on Public Access to Documents in Administrative Files, the Public Authorities' Registers Act²⁾ and the Act on Public Archives.

Section 49. (1) The government shall distribute grants for remuneration etc. of lecturers and teachers, allowances for travelling expenses and administration in relation to University Extension activity. The size of the grants shall be set in the annual central government budgets.

(2) The total participant fees shall amount to no less than one fourth of the expenses related to the remuneration etc. of teachers and one third of the expenses related to the remuneration of lecturers.

(3) Grants, cf. subsection (1), shall be paid to the University Extension Committee, who shall distribute the grants for the University Extension activity in and outside of the university cities. The Minister of Education may lay down more detailed rules on grants and the distribution of grants, including rules on advance payments etc.

(4) The Minister of Education shall lay down rules on financial reporting and auditing in relation to University Extension activity in and outside of the university cities.

Section 50.³⁾ (1) Universities and other institutions for higher education, cf. the University Act and the Act on the Danish University of Education, shall provide premises with necessary equipment for University Extension activity. The expenses for this shall be paid by the universities and institutions concerned. Minister



for Science, Technology and Innovation... (omitted)⁴⁾ ... may lay down more detailed rules on this.

(2) If the necessary premises for the University Extension activity are not able to be provided pursuant to subsection (1), the municipal council shall assign premises in accordance with the provisions of section 21 and section 22(1) to (3) and (6).

Section 51. (1) Complaints about decisions made in relation to the University Extension activity may be brought before the University Extension Committee within 4 weeks of the announcement of the decision. The Minister of Education may lay down more detailed rules on justified complaints and complaint themes, whereas rules on justified complaints and complaint themes in relation to use of the premises of the institutions within the University Act may be laid down by the Minister for Science, Technology and Innovation.

(2) The decisions of the University Extension Committee under subsection (1) and other decisions made by the University Extension Committee may not be brought before any other administrative authority.

Part IV

General provisions

Chapter 14

Remuneration and experimentation

Section 52. The Minister of Finance or whoever this Minister authorises hereto shall lay down rules and may also enter into agreements on remuneration and other terms of employment for teachers and executives, cf. Chapters 4 and 13.

Section 53. (1) The Minister of Education may dispense with the provisions of the Act in order to advance experiment and development work within the scope of the Act.

(2) The Minister of Education shall distribute grants for experiment and development work within the scope of the Act.

(3) The Minister of Education may lay down more detailed rules on the distribution of grants pursuant to subsection (2), including rules on financial reporting and auditing etc. and on the administration of the scheme, including on the payment of advances, reimbursement of grants and saving up non-used amounts for use in the following fiscal year.

Chapter 15

Effect and transitional provisions

Section 54. The Act shall take effect on 1 August 2000, however cf. subsection (2) and shall be effective on applications for grants and assignment of premises as from the fiscal year of 2001. However, the provisions in Chapter 13 on the University Extension shall be effective as from 1 August 2000 with the exception of section 50(2).

(2) to (8) (Transitional provisions – omitted)

Section 55. (Relates to another Act – omitted)

Section 56. The Act shall not extend to the Faeroe Islands and Greenland.



Under section 1 of Act no. 149 of 25 March 2002 on the amendment of the Act on support for non-formal adult education, voluntary activities in democratic associations, day folk high schools and the University Extension (the Act on Non-formal Education and Democratic Voluntary Activity) and the repeal of the Act on Day Folk High Schools and the Act on Open Youth Education and amendment of the Act on Reimbursement of and Subsidies for Travelling Expenses Incurred in Connection with Participation in Vocationally Oriented Adult and Continuing Education and amendment of various other Acts, the title, section 2(2), no. 2), section 8(1), first sentence, section 21(4), first and third sentences, section 23(1) and (2), section 25(1), first and second sentences, section 27(1), section 29(1), (2) and (5), section 30, section 31(1), section 32, section 33(5), first and second sentences, section 37(4) and section 38(1) were amended; section 2(2), no. 3), section 3(2) and (3) and section 29(3), second sentence, were repealed; section 6, section 10(1), section 11, section 13,

section 31(2) and section 37(3) were redrafted; and Part II a (Chapter 12 a with section 45 a) was inserted. The Act has the following provisions related to effect and transition:

Section 7

(1) The Act shall take effect on 1 July 2002, however cf. subsections (2) and (3) and sections 8 to 10...(omitted).

(2) to (4). (Relate to day folk high schools – omitted)

Section 8

(1) Section 1, numbers 2) to 4) and 9) to 19) shall take effect on 1 April 2002, however cf. subsection (2). Section 1, numbers 5) to 8) shall take effect on 1 July 2002 and be effective with relation to grants for the fiscal year of 2003 and subsequently, however cf. subsection (3).

Subsections (2) to (3). (omitted)

Sections 9 to 10

(Relate to other Acts – omitted)

Section 11

(Relates to day folk high schools – omitted)

Under section 1 of Act no. 1224 of 27 December 2003 on the amendment of the Act on support for non-formal adult education, voluntary activities in democratic associations, day folk high schools and the University Extension (the Act on Non-formal Education and Democratic Voluntary Activity) and of the Act on Youth Schools (Making the Non-formal Education and Democratic Voluntary Activities Commissions Optional), section 8(3), second sentence, section 24(1) and (2), section 26(1) to (3), the heading of section 34, section 34(1), first sentence, the heading of section 36, section 38(3), first sentence and the heading of section 40 were amended; section 22(4), section 25(6), section 33(4), section 38(4) and section 39 were redrafted; and section 24(3), section 26(4), section 35a and section 37(10) were inserted. The Act has the following provisions related to effect and transition:

Section 3

(1) The Act shall take effect on 1 January 2004.

(2) Non-formal adult education activity commissions established under sections 34 and 35 of the Act on Non-formal Education and Democratic Voluntary Activity shall be maintained till the expiration of the present electoral period. However, the municipal council may decide to abolish its non-formal education and democratic voluntary activity commission with effect as from 1 January 2004 or later in the electoral period. The municipal council shall provide the time at which the non-formal education and democratic voluntary activity commission shall be abolished. At that time, the competencies and duties of the non-formal education and democratic voluntary activity commission shall be transferred to the municipal council.

Under section 1 of Act no. 1227 of 27 December 2003 on the amendment of the Act on support for non-formal adult education, voluntary activities in democratic associations, day folk high schools and the University Extension (the Act on Non-formal Education and Democratic Voluntary Activity) (Amended Grant Provisions for the Education of Disabled Persons), section 11(4) and section 44(5) were amended. The Act has the following commencement provision:

Section 2

(1) The Act shall take effect on 1 January 2004.



Under section 2 of Act no. 593 of 24 June 2005 on the amendment of the production schools, the Act on support for non-formal adult education, voluntary activities in democratic associations, day folk high schools and the University Extension (the Act on Non-formal Education and Democratic Voluntary Activity) and various other Acts in the area of the Ministry of Education (Consequential Amendments Due To Local Government Reform), section 2(3), section 3, section 5(7), section 16(2), first sentence, the heading of Chapter 6, section 22(2), (5), second sentence, and (6), section 23(1), second sentence, (2), second sentence, and (3), section 25(2) and (7), second sentence, section 33(2), first sentence, and (4), section 38(1) and (2), first sentence, section 43(3), the heading of Part II, section 45a(1), no. 1) and numbers 3) to 5), (2) and (3) were amended; and section 21(1) and (2) (upon which the previous subsections (2) to (4) became subsections (3) to (5)) and section 45 were redrafted. The Act has the following commencement provision:

Section 11

(1) The Act shall take effect on 1 January 2007.

Subsections (2) to (3). (Relate to other Acts – omitted)

(4) Section 2 of the Act shall be effective for applications for grants and assignment of premises relating to the fiscal year of 2007 and later.

(5) For 2007, the Ministry of Education shall distribute grants to municipalities in which is located a day folk high school to which the county council gave a grant in 2006. The grant shall be an amount corresponding to the grant given by the county council in 2006 recalculated upward to 2007 levels for prices and remuneration.

Under section 1 of Act no. 1593 of 20 December 2006 on amendment of the Act on support for non-formal adult education, voluntary activities in democratic associations, day folk high schools and the University Extension (the Act on Non-formal Education and Democratic Voluntary Activity) (Flexibly Organised Activities), section 4(2), no. 5), section 8(2), first sentence, section 12, section 35a, section 37(5) and section 43(2) to (5) were amended; section 2(2), no. 1), section 7(2), section 8(3) and (4) (upon which the previous subsection (4) became subsection (5)) and section 11(5) were redrafted; and section 8(2), fifth sentence, was inserted. The Act has the following commencement provision:

Section 2

(1) The Act shall take effect on 1 January 2007.

Under section 8 of Act no. 561 of 6 June 2007 on changes to the vocational education and training programmes and other Acts and on the repeal of the Act on Basic Social and Healthcare Training Programmes and the Act on Agricultural Training Programmes (Youth Education for All), section 21(1), no. 2) was redrafted. The Act has the following commencement provision:

Section 16

(1) The Act shall take effect on 1 August 2007, however cf. subsection (2).

(2) (Relates to another Act – omitted)

Under section 1 of Act no. 1523 of 27 December 2009 on amendment of the Act on support for non-formal adult education, voluntary activities in democratic associations, day folk high schools and the University Extension (the Act on Non-formal Education and Democratic Voluntary Activity) (Statement on Retrieval of Statement of Previous Convictions in Respect of Children and Digital Financial Reporting), section 29(5), section 33(5), second sentence, section 45(5) to (9) were amended; section 45(2) (upon which the previous subsections (3) to (9) became subsections (4) to (10)) were redrafted; and section 4(4) and (5), section 33(6) and (7) were inserted. The Act has the following commencement provision:



Section 2

(1) The Act shall take effect on 1 January 2010.

Under section 1 of Act no. 574 of 7 June 2011 on amendment of the Act on Non-formal Education and Democratic Voluntary Activity (Democratic Understanding and Active Citizenship), section 3, section 4(2), no 5), and (3), no. 6), section 5(1), second sentence, and (8), section 6(1), numbers 1) and 2), section 10(1), section 18(1), section 21(1), (3) and (5), first sentence, section 23(1), second sentence, and (2), second sentence, section 25(2) and (3), third sentence, section 28, first sentence, section 43(5), first and third sentences, and section 46 were amended; section 7, section 8, section 11, section 14, section 34, section 35, section 40 and section 45a(1), no. 2) were redrafted; section 6(1), no. 3), section 8a, section 19(3) (upon which the previous subsection (3) became subsection (4)) and section 21(6) to (7) were inserted; section 21(5), third sentence, section 22(4), third sentence, section 24(3), section 25(6) (upon which the previous subsection (7) became subsection (6)), section 26(4), section 33(4), second sentence, sections 35a to 39 and sections 41 to 42 were repealed; and the heading above section 34, the heading above section 40 and the heading above section 41 were removed. The Act has the following commencement provision:

Section 2

(1) The Act shall take effect on 1 August 2011.

(2) Applications for grants and premises relating to the fiscal year of 2011 shall be processed pursuant to the rules in force up to then.

(3) No later than 1 January 2012, the municipal council shall have passed and published a policy for non-formal education and democratic voluntary activities in the municipality, cf. section 34 of the Act on Non-formal Education and Democratic Voluntary Activity as drafted in section 1, no 22) of this Act.

The Ministry of Education, 11 July 2011

TROELS LUND POULSEN

/ Christin Jensen



- 1) Non-formal adult education shall also include activities arranged as flexibly organised activities. By mistake, the formulation was not included in Amendment Act no. 574 of 7 June 2011. The mistake will be rectified by the next amendment.
- 2) Now Act no. 429 of 31. May 2000 on Processing of Personal Data, which took effect on 1 July 2000, repealing the Public Authorities' Registers Act.
- 3) By royal resolutions of 27 November and 4 December 2001, the Ministry of IT and Research was changed to the Ministry of Science, Technology and Innovation. At the same time, cases relating to e.g. the Act on the Danish University of Education and the University Act, including the institutions encompassed by the Act, were transferred to this Ministry from the Ministry of Education. The power to lay down more detailed rules shall therefore be vested in the Minister for Science, Technology and Innovation.
- 4) The Minister for Science, Technology and Innovation shall also lay down rules on the Danish University of Education, cf. note 3.

I, the undersigned Anders Ulvskov Jørgensen, authorized translator and interpreter of the English language, hereby certify the preceding text to be a true and faithful translation of the attached photocopy in the Danish language.
In Witness Whereof I have here unto set my hand and affixed my Seal of Office this 30th day of November 2015

Anders U. Jørgensen

