

JOINT REGULATIONS

Leiden - Delft - Erasmus Strategic Alliance

THE EXECUTIVE BOARDS OF LEIDEN UNIVERSITY, DELFT UNIVERSITY OF TECHNOLOGY AND ERASMUS UNIVERSITY ROTTERDAM;

IN VIEW OF

Article 8.1 of the Higher Education and Scientific Research Act (WHW);

HAVING REGARD TO THE APPROVAL OF

The Supervisory Board of Leiden University (dated 13 March 2014), the Supervisory Board of Delft University of Technology (dated 6 March 2014), the Supervisory Board of Erasmus University Rotterdam (dated 6 March 2014);

HAVING REGARD TO THE ADVICE OF

The University Council of Leiden University (22 August 2013), the Works Council of Delft University of Technology (30 September 2013), the Student Council of Delft University of Technology (4 October 2013) and the University Council of Erasmus University Rotterdam (13 November 2013);

WHEREAS

- the playing field for universities is changing due to a growing worldwide competition for academic talent and scarce resources;
- there have been structural changes to the concepts of the transfer of knowledge;
- government policy and the funding of universities are changing;
- the geographical proximity and the complementarity in terms of content of the three universities offer great potential for the improvement of profiling and positioning on the (inter)national playing field if the three join forces;
- Leiden University, Delft University of Technology and Erasmus University Rotterdam have already been successfully collaborating for a long time in the areas of education, research and valorisation;
- in view of the considerations mentioned above, the three Executive Boards decided in 2010 to intensify their collaboration;
- this intensification and expansion of the collaboration was formalised in 2012 by the formation of the *Leiden-Delft-Erasmus Strategic Alliance (LDE)*, with the joint profiling agenda *Adding Value, joint profiling policy document of the Leiden-Delft-Erasmus strategic alliance* of 26 April 2012;
- the intentions stated in the profiling policy document are the source of inspiration for the Universities' collaboration, and it is desirable to formalise this collaboration in these joint regulations;

- the goal of the alliance is to further improve the quality of education and research, with clearer profiling of the range of courses offered and better (international) positioning of research activities;
- the complementary courses on offer shall thereby be made more accessible and tailored to each other;
- new, multidisciplinary combinations in the courses on offer shall lead to more attractive study programmes that can compete better internationally;
- the collaboration between research disciplines offers greater possibilities for contributing to the social questions formulated in the European research agenda and the Dutch Top Sectors, and creates more opportunities for securing additional resources for (excellent) research, and
- by joining forces, the three universities will be more attractive to academic talent and students;

DECIDE TO ESTABLISH THE FOLLOWING JOINT REGULATIONS:

Section 1 GENERAL PROVISIONS

Article 1 Definitions

In these joint regulations and the provisions based on them, the following definitions apply:

- a. Universities: Leiden University, Delft University of Technology and Erasmus University Rotterdam;
- b. executive boards: the executive boards of the Universities;
- c. steering group: the steering group, as described in Article 4 of these joint regulations;
- d. LDE project manager: the secretary of the steering group, as described in Article 4 of these joint regulations;
- e. LDE meeting: the meeting, as described in Article 8 of these joint regulations;
- f. LDE centres: the centres, as described in Article 9 of these joint regulations;
- g. LDE degree programmes: the degree programmes, as described in Article 10 of these joint regulations;
- h. other LDE partnerships: the other types of collaboration, as described in Article 11 of these joint regulations;
- i. LDE Strategic Alliance: the collaboration between the Universities, of which these joint regulations are a result;
- j. LDE fund: the fund, as described in Article 12 of these joint regulations;
- k. WHW: The Higher Education and Scientific Research Act.

Article 2 Establishment of joint regulations

In these joint regulations, the Universities shall regulate their interrelationships with regard to the activities related to the LDE Strategic Alliance.

Article 3 The joint regulations

The joint regulations include

- a. a steering group,
- b. the LDE project manager,
- c. the LDE meeting,
- d. LDE centres,
- e. LDE degree programmes and
- f. other LDE partnerships.

Section 2 STEERING GROUP

Article 4 Composition

1. The steering group of these joint regulations is composed of the members of the executive boards of the Universities.
2. The chair of the steering group rotates between the chairs of the executive boards of the Universities, in accordance with a rotation schedule drawn up by the steering group.
3. The LDE project manager is appointed by the executive boards of the Universities and shall act as the secretary of the steering group.

Article 5. Meetings and decision making

1. The steering group shall meet in accordance with a meeting schedule drawn up by the steering group, and as often as the chair believes it is necessary or if at least two members of the steering group express a desire for a meeting.
2. The steering group may be assisted by advisers.
3. Decisions may only be made in the steering group if all three institutions are present or represented. A minimum of one member per executive board must be present.
4. Decisions shall be made unanimously. Each University has a single vote.
5. The transfer of authority to the steering group shall only occur in writing. The steering group shall determine in each case whether or not the employee representative bodies and/or Supervisory Boards of the Universities shall be involved in this, and if so, under which title.

Article 6 Tasks

1. The steering group's role includes inspiring, coordinating and facilitating collaboration between the three universities in the areas of education, research and valorisation.
2. The steering group shall draw up a long-term plan for a period of four years. This plan shall at least include the mission, vision and strategy of the strategic alliance, as well as the policy statements and concrete objectives for the planning period.
3. The steering group shall draw up a working plan once a year. The annual working plan shall at least include the policy statements and concrete objectives for the coming year.
4. The steering group shall draw up an annual budget plan for the LDE resources, in which the proposed expenditure of these resources shall also be determined.
5. Every year, the steering group shall draw up an annual report on the previous calendar year. This report shall also contain the balance sheets.
6. The steering group shall establish the LDE centres and the other LDE partnerships. The steering group may provide the LDE centres and other LDE partnerships with general and specific guidance. The steering group may decide to dissolve the LDE centres and other LDE partnerships.
7. The steering group shall determine in each case whether or not the employee representative bodies and/or Supervisory Boards of the Universities shall be involved in the creation of the documents mentioned in this article, and if so, under which title.

Article 7 Statements, notices and representation

1. The steering group shall determine which documents are submitted to the Supervisory Boards or the employee representative bodies of the Universities, as well as the moment of submission and the title of the documents.
2. The supervision by the Supervisory Boards and the representative bodies shall occur in accordance with the usual practices of each University.
3. The steering group may consult with the joint Supervisory Boards or the joint employee representative bodies.

Section 3 LDE MEETING

Article 8 LDE meeting

1. The steering group may decide to hold a meeting, referred to as the LDE meeting.
2. The LDE meeting may be attended by the members of the executive boards, deans and coordinators of the LDE centres.
3. At the LDE meeting, advice may be requested on matters concerning the LDE Strategic Alliance.
4. The steering group shall organise the LDE meeting.

Section 4 LDE CENTRES

Article 9 LDE centres

1. LDE centres are partnerships focused on collaboration in the areas of education and research concerning a particular scientific and socially relevant subject, based on a multi-disciplinary and/or an interdisciplinary approach.
2. LDE centres have a coordinator.
3. The steering group decides on a potential location for the LDE centre.
4. Every year, the coordinator of the LDE centre shall submit a budget plan, an updated long-term budget, an annual plan, an updated long-term plan, an annual report and the balance sheets to the steering group.
5. The documentation, described in the fourth paragraph, as well as the regulations concerning the settlement and secondment, shall be in accordance with the regulations contained in Appendix 1 or additional regulations established by the steering group for this purpose.
6. The LDE centres are incorporated in the register maintained by the LDE project manager.
7. The steering group shall establish regulations for the internal management of a LDE centre. These regulations, to which these joint regulations apply, shall contain further rules for the implementation of the joint regulations.

Section 5 LDE DEGREE PROGRAMMES

Article 10 LDE degree programmes

1. LDE degree programmes are joint degree programmes of the Universities, or two of the Universities, to which these joint regulations apply based on a decision of the steering group.
2. The rules that apply to the degree programme in question remain in force, unless the steering group decides otherwise.
3. The LDE degree programmes are incorporated in the register maintained by the LDE project manager.
4. When a LDE degree programme is established, it is determined at the start whether or not one of the participating Universities may end the collaboration, and if so, how and under which conditions.
5. When implementing paragraphs one to four, the steering group shall respect the rules concerning degree programmes in the WHW, as well as the related authority of other bodies and individuals. The transfer of authority to the steering group shall only occur in writing.

Section 6 OTHER LDE PARTNERSHIPS

Article 11 Other LDE partnerships

1. Other LDE partnerships are those joint regulations and partnerships, governed by private law, between the Universities, or two of the Universities, to which these joint regulations apply, as decided by the steering group.
2. The rules of the joint regulations in question or of the regulations governed by private law shall remain in force, with the understanding that the coordinator of the other LDE partnership, or a body equated with the coordinator by the steering group, shall submit a budget plan, an updated long-term budget, an annual plan, an updated long-term plan, an annual report and the balance sheets to the steering group every year.
3. The other LDE partnerships are incorporated in the register maintained by the LDE project manager.
4. The steering group may establish regulations for the internal management of a LDE partnership, or modify the existing regulations. These regulations, to which the joint regulations apply, shall contain further rules for the implementation of the joint regulations.

Section 7 LDE FUND

Article 12 Resources

1. The resources of the LDE fund consist of an annual, equal contribution by the Universities.
2. The Universities shall undertake to provide the LDE fund with resources, as incorporated in the budget plan, at least in the period from 2013 to 2015.
3. The rules regarding financial management of the LDE fund have been incorporated in Appendix 1.
4. The steering group shall determine the extent to which the types of collaboration mentioned in Articles 9, 10 and 11 are financed by the LDE fund. This shall be elaborated further in the regulations concerned.

Section 8 COLLABORATION AND ACCESSION

Article 13 Collaboration with non-university organisations

1. Non-university organisations may become involved in certain activities performed within the framework of these joint regulations by entering into a partnership agreement governed by private law.
2. The steering group shall decide on the collaboration referred to in the first paragraph if a member of the steering group or the coordinator of a LDE centre, LDE degree programme or other LDE partnership submits a request to this effect.
3. At the very least, the partnership agreement determines the nature and scope of the collaboration, the financial, personal and/or material contributions of the organisation

concerned, and the manner in which this organisation contributes to the performance of the tasks of the steering group, an LDE centre, LDE degree programme or other LDE partnership.

Article 14 Collaboration with other universities

1. Joint regulations may be established with other universities.
2. Article 13 shall apply *mutatis mutandis* to such joint regulations.

Section 9 OTHER PROVISIONS

Article 15 Validity period of the joint regulations

1. These joint regulations shall enter into force on 15 September 2014 and shall remain valid until 31 December 2018.
2. One year before the termination of the joint regulations, at the latest, the Universities shall meet to discuss the possibility of extending the regulations, possibly in a modified form.

Article 16 Modification and early termination of the joint regulations

1. The Executive Board of each University may submit a proposal for the modification or early termination of the joint regulations to the steering group.
2. A decision on modification or early termination of these regulations shall be made by the steering group.
3. If the joint regulations are terminated, current commitments shall be shared by the Universities, according to the ratio that was applicable to the payment of the fixed contributions to the LDE fund up to that moment.
4. If the joint regulations are terminated or if the agreed upon validity period expires, the remaining financial reserves and property of the LDE Strategic Alliance shall be divided amongst the Universities, according to the ratio that was applicable to the payment of the fixed contributions to the LDE fund up to that moment.

Article 17 Dispute settlement

1. A dispute arising from the implementation of these joint regulations shall first be referred by the chair of the steering group, accompanied by his or her advice, to the three chairs of the Supervisory Boards of the Universities for mediation.
2. If the dispute cannot be resolved satisfactorily in this manner, it shall be referred to the three chairs of the Supervisory Boards for a decision.
3. The three chairs of the Supervisory Boards may unanimously decide to refer their tasks, as defined in the first two paragraphs, to a neutral mediator or a neutral arbiter.

Article 18 Decisions

The steering group shall make the final decision in all cases not provided for in these joint regulations.

Article 19 The name of the joint regulations


1. These joint regulations may be referred to as: Joint Regulations for LDE Strategic Alliance
2. These regulations will be posted on the websites of the universities.
3. These regulations have been translated from Dutch into English. In the event of any discrepancy, the Dutch text shall prevail.

Thus drawn up and signed in triplicate,

The Executive Board of Leiden University

Chair:


Date:


15.9.2014

The Executive Board of Delft University of Technology

Chair:

Date:


15-9-2014

The Executive Board of Erasmus University Rotterdam

Chair:

Date:


15 Sept 2014

Appendix 1. LDE fund

This appendix contains the regulations concerning the financial management of the LDE fund.

General

The basis for these regulations is the decision made by the steering group on 29 October 2012.

All costs incurred and to be paid out shall be borne by the Universities, each a third.

Management of the LDE fund

The management of the LDE fund shall be the responsibility of the LDE project manager, who shall be assisted by a financial officer. At the instruction of the LDE project manager, the financial officer shall perform all financial tasks relating to the LDE fund, as described below.

Each university shall designate one permanent administrative point of contact. This point of contact reports on the expenditure to the LDE project manager each quarter. This report shall be submitted no later than 15 working days after the end of the quarter.

The LDE project manager shall then supply the steering group, as well as the project initiators, with complete overviews.

The complete overview of the 4th quarter shall be approved by the steering group, after which financial settlement between the Universities shall occur.

Funding

The Universities shall make their own contributions to the LDE fund. Each University shall provide € 800,000 every year for the years 2013, 2014 and 2015.

Overview of amounts (in € K):	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>Total</u>
Leiden University	800	800	800	2,400
Delft University of Technology	800	800	800	2,400
Erasmus University Rotterdam	<u>800</u>	<u>800</u>	<u>800</u>	<u>2,400</u>
Total	2,400	2,400	2,400	7,200

The amounts provided shall not be transferred to a fund or bank account in advance.

Organisational costs

The general organisational costs shall be financed from the LDE fund.

General organisational costs are (in full):

- LDE project manager's salary
- Other costs that are directly attributable to the LDE project manager, such as telephone and computer expenses, and travel and accommodation expenses
- Meetings and related expenses
- Secretarial support
- Marketing and communications employee.

Before the beginning of the calendar year, the LDE project manager shall draw up a budget for the general organisational costs and submit it to the steering group for approval.

The general organisational costs shall always be registered and paid via the administration of TU Delft.

The financial officer shall report the general organisational costs to the LDE project manager each quarter.

The general organisational costs shall be included in the complete overview in the annual settlement.

Projects

Under these joint regulations, eight LDE centres have been established (so far):

LDE centres

Governance

Education and Learning

Sustainability

Global Heritage & Development

Economic and Financial Governance in the EU

Metropolis and Mainport

Frugal Innovation in Africa

Safety and Security

Start-up

Each LDE centre shall receive a contribution of € 25,000 from the LDE fund for the start-up phase. This start-up subsidy is provided to the initiators of the LDE centres as a lump sum. In this phase, a budget does not need to be submitted in advance, but a statement on costs must be submitted afterwards. A format shall be provided for this, including a list of rates. Together with a content report on the realisation of the objectives, the steering group shall evaluate the completion of this phase and determine the start-up subsidy. Afterwards, the final payment shall be made.

Payment of the lump sum to the initiator shall be organised locally by the permanent administrative contact point of each University (where the initiator is appointed).

The initiator may determine if the start-up subsidy should be transferred to a different University, and what the scope of that transfer shall be, in connection with contributing to this start-up phase.

The start-up subsidy must be included (once only) in the complete overview of the 2013 annual settlement (Q1 2014), and the statement on costs must be submitted in connection with this settlement.

The steering group may prescribe general and specific subsidy conditions for the allocation of resources.

The steering group decides on the allocation of resources based on the plans and budgets submitted, after which the LDE project manager writes allocation letters to the initiators, which contain a

number of conditions. The LDE project manager shall communicate with the permanent administrative points of contact of each University regarding the allocation, clarifying which sums need to be paid to the initiators by each University.

Payment of the allocated sum shall be organised by the permanent administrative point of contact of each University.

The initiator may determine the amount of the allocated subsidy that must be transferred to a different University in relation to its contribution to the project.

The permanent administrative point of contact shall report to the LDE project manager on the resources spent each quarter, after having first consulted the initiator on this matter.

The paid subsidies shall be included in the complete overview in the annual settlement.

Continuation - personnel rates

Reimbursement of the additional direct salary costs, including a premium for social and pension costs, is the general principle. Given the fact that the Universities have different cost price systems, a simple system is employed for this purpose, using the Collective Labour Agreement as a basis.

The rates are calculated as follows:

- a single rate per salary scale for each calendar year
 - based on the maximum gross wage according to the Collective Labour Agreement as of 1 January of the calendar year
 - + 50% premium (for social costs, pensions, other personnel-related costs)
- (indexation therefore occurs on the basis of increases under the Collective Labour Agreement)*

The rates must be used to draw up the (long-term) budget, as well as the statement.

Another general principle is that the personnel at the LDE centres are reimbursed on the basis of full-time equivalence. Time registration is therefore not applicable. The coordinator determines the full-time equivalence of each employee for his project, in consultation with the LDE project manager and the other Universities.

Continuation - other costs

Reimbursement of other costs at the rate of actual expenses is the general principle (invoiced value including VAT). Other costs may include equipment, hiring of third parties, etc.

Continuation - determination

After the end of the calendar year, an annual income statement for each LDE centre shall be submitted to the LDE project manager by the relevant permanent administrative point of contact. The LDE project manager shall submit this statement to the steering group, which shall determine the resources spent.

Annual settlement

The LDE project manager shall collect all statements (organisational costs + 8 LDE centres) per calendar year and shall submit these to the financial officer. The financial officer shall present these in an overview called the 'annual settlement'. The steering group shall approve the overview, thereby determining the annual amounts. The financial officer subsequently ensures that the joint settlement is realised on time by cooperating with the permanent points of contact at the Universities.

Practical planning overview:

- 15 working days after the end of the year: submission of the annual income statements
- 5 working days later: drawing up the annual settlement
- next SG: determination of the annual amounts (*SG is monthly*)
- within 2 weeks after SG: communication with the initiators and administrative point of contact
- within 4 weeks after SG: actual financial settlement by means of bank transfers

Other:

Interest settlement and/or allocation is not applicable.

Material costs, if applicable, shall be declared, including VAT.

No agreements shall be made regarding the type of financial statements in the balance sheets of the Universities; this shall instead be determined individually/locally. The Universities shall likewise determine the content statements in consultation with the LDE project manager.

The statements shall not be audited separately.