Guidelines for the Industrial PhD Programme

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These guidelines are in force as of 18 December 2013.
1. What is an Industrial PhD?
An Industrial PhD is an industrially focused three-year research project and PhD education, conducted jointly by a private sector company, an Industrial PhD candidate and a university. The Industrial PhD candidate is employed by the company and at the same time enrolled at the university. The candidate spends all his/her working time on the research project and PhD education, and divides the working time between the company and university.

The aim of Industrial PhD Programme is to:
- educate researchers at a PhD level with knowledge about industrially focused research and innovation,
- create growth in the Danish business community through the promotion of co-operation on research and innovation between universities and Danish privately held companies, and
- facilitate knowledge transfer and networking between Danish companies and researchers at universities in Denmark and abroad.

Public institutions may also apply for an Industrial PhD project. If funding has been allocated for this particular purpose, public institutions may apply for subsidy. Subsidy can be applied for at certain application rounds announced beforehand at www.erhvervsphd.dk. If no funding has been allocated, public institutions must defray all expenses for the education, including expenses for enrolment and supervision at the university - see more in section 5.

### Significant changes since last edition of the guidelines

**Participation in mandatory information meeting prerequisite to payment of subsidy**
Companies in approved projects cannot receive subsidy before the company supervisor has participated in the information meeting. This now extends to university supervisors, who have to participate in the information meeting before universities can receive subsidy. The candidate will be considered to be in non-compliance with his or her obligations if not attending. Read more in section 11.

**Educational clauses in employment contracts**
It is now enforced that employment contracts of Industrial PhD candidates must not contain educational clauses. Read more in section 10.

2. General conditions
The first step when commencing an Industrial PhD project is to submit an application to the Danish Agency for Science, Technology and Innovation (DASTI). The application is drafted jointly by a company, a university and a candidate. The company is the formal applicant, since the company upon approval of the project employs the candidate and is the project host.
When DASTI has received the application, it is assessed by the Industrial PhD Programme Committee (the Programme Committee), which consists of research professionals from the private sector and public research institutions. Processing time is max. two months.

An Industrial PhD application can either be approved, conditionally approved or rejected. If an application is conditionally approved or rejected, DASTI will send a letter to the company detailing the conditions for approval or the reasons for rejection. If the application is approved, the company and university will receive a letter of commitment from DASTI. The letter of commitment contains the formal requirements for the parties during the Industrial PhD project and constitutes the contract with DASTI. DASTI will publicise titles and participants of all approved and conditionally approved projects at www.erhvervsphd.dk.

During the project, the candidate is employed in a Danish division of the company and simultaneously enrolled at the university. The candidate spends all his/her working time on the project and PhD education, and is not allowed to have other work tasks. The company pays the candidate’s salary and receives a wage subsidy from DASTI. The university receives a subsidy for supervision, equipment and other expenses for the candidate's education.

As a starting point, the candidate must divide his or her time equally between the company and university. Accordingly, the student has at least two supervisors: a university supervisor and a company supervisor. In addition, co-supervisors and third-party supervisors can also be attached to the project.

It is only possible for the candidate to stay at the company’s non-Danish divisions for a total of up to six months as part of the project.

In addition to applications with named candidates, a private sector company can apply for approval of up to five projects per application round without named candidates. Final approval is given on the condition that the company subsequently finds a qualified candidate, e.g. through job advertisements. It is not possible for public institutions to apply without named candidates.

The following sections will elaborate the different steps in applying for and carrying out an Industrial PhD project.

3. Admission requirements

The company, candidate and university must fulfil certain criteria when applying for an Industrial PhD.

The company must:
- be a company in the private sector with divisions or subsidiaries physically located in Denmark,
- be able to financially support the Industrial PhD project for all three years,
- designate a company supervisor capable of supervising the candidate with regard to the industrially related aspects of the project, and
- have a professional working environment capable of supporting the project.
**About the requirements**

**Company in the private sector:** In the Industrial PhD Programme, a company or organisation is part of either the private or the public sector. An organisation is part of the public sector if at least one of the following is true:

- At least half of the revenue consists of subsidies from the public sector (incl. citizen payment as compelled by law).
- The organisation is part of a larger public organisation.
- The organisation is an interest group for other public organisations.
- Between a quarter and half of the revenue consists of public subsidies, and at least half of the members of the board of directors are appointed by other public authorities.

If in doubt, it is possible to ask DASTI to categorise an organisation before applying.

**Company supervisor:** The supervisor must have completed an education corresponding to a Danish medium length higher education or above. However, professional academic qualifications are not necessary. The supervisor can be a company employee or an external person attached to the project. The supervisor must be able to allocate sufficient time for supervising.

**Professional working environment:** A professional working environment consists of at least two people capable of taking over as company supervisor. If this requirement cannot be met, the company can attach a private sector third party to serve in this function. Alternatively, the professional support can be ensured by several companies collaborating on a project.

Several companies can work together on a joint Industrial PhD project if they:

- collectively meet the financial and professional requirements,
- enter into a binding cooperative agreement on project financing and allocation of the Industrial PhD candidate’s time,
- designate at least one employee as company supervisor, and
- base the Industrial PhD project in one of the cooperating companies.

**The Industrial PhD candidate must:**

- have an education at a master’s degree level,
- have obtained a weighted grade point average of at least 8.2 on the Danish 7-point grading scale or 9 on the 13-point scale for the entire master’s programme (i.e. for both the bachelor’s and master’s studies),
- at least have obtained the grade 10 for any final thesis or examination project.
  - Applicants with ungraded final projects must submit a written statement or assessment of the project.
  - Special rules apply to applicants enrolled under 4+4 or 3+5 schemes - see section 7 for more.

**About grades:** A candidate with a slightly lower grade point average can be approved if the candidate can document research ability. The compensating qualifications can for example be (sorted in diminishing importance – the higher, the more important):

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• peer-reviewed articles published in scientific journals,
• research-based patenting,
• relevant research experience, for instance as a research assistant,
• grade progression during the education,
• top grades in subjects relevant to the project, and
• relevant, independent references on the candidate’s research ability.

The Programme Committee, which assesses the application and the candidate, will assess the qualifications relative to how far the candidate is from the required grade levels and how relevant the qualifications are to the project.

Non-Danish education: Candidates with a non-Danish education must have the same grade levels as candidates with a Danish education. It is not necessary to convert non-Danish grades to the Danish 7-step scale. Instead, the application must include an assessment that the candidate’s grade levels at least match those required for Danish educations. The assessment must be certified by the Head of Studies, Head of Department, Head of PhD programme, Associate Dean, Dean, Pro-Rector or Rector at the enrolling university. A description of the non-Danish grading scale should be submitted along with the grade assessment.

The project can be started only when the candidate is enrolled and admitted to a PhD programme at the host university. DASTI and the Programme Committee are not bound by prior admission to a PhD programme when considering the application.

The university must:
• be a university or institution of higher education in Denmark or abroad,
  – Non-Danish universities must be officially authorised by the country in question to conduct PhD programmes.
• designate a university supervisor for the project.
  – The university supervisor must be an acknowledged researcher within the research field in question, employed at the university and attached to its PhD programme, and must not supervise too many other PhD students already.
• have an academic working environment capable of supporting the project.
  – I.e. the university must have several employees working within the field who are capable of taking over as supervisor if necessary.

If the host university is non-Danish, a Danish university must be attached to the Industrial PhD project as a third party.

Public research institutions as supervising environment: It is possible for public sector research institutions that do not carry out PhD educations themselves to contribute with a university supervisor and be responsible for the academic working environment. Accordingly, the candidate's two primary working environments and supervisors will be at the company and the research institution. The research institution's university supervisor must fulfil the same requirements as university supervisors from universities.
The supervision must be conducted in collaboration with a university which enrols the candidate in a PhD programme. The university receives the university subsidy and is responsible for dividing it between the university and the research institution per mutual agreement. The university is responsible for giving the candidate the opportunity of completing the PhD study and must make sure that all educational requirements are fulfilled.

At application, the committee assesses if the research institution has a relevant and qualified research environment and whether the supervisor at the research institution fulfils the requirements for a university supervisor.

4. Third parties
Other relevant organisations can also be attached to the project as third parties. Third parties can be based in any country. Each third party must designate a third-party supervisor to the project. It is possible to apply for attachment of a third party during the education.

Third party eligible for subsidy: Only one third party per project can receive subsidy. To be eligible for subsidy, the third party must be a university or research institution within the public sector, and must not be part of the host university. DASTI provides a subsidy of up to DKK 45,000 for supervising the Industrial PhD candidate, corresponding to 80-100 hours of supervision.

Third parties not eligible for subsidy: Third parties can be from both the private and public sector. However, private sector third parties cannot receive subsidy from DASTI. Public sector third parties which are not universities, or whose primary purposes do not include research, also cannot receive subsidy from DASTI.

5. Industrial PhD in the public sector
Public institutions may also apply for approval of an Industrial PhD project in collaboration with a university. The public institution functions as a private company in the Industrial PhD project. Several public institutions can also collaborate on a joint Industrial PhD project.

The regular Industrial PhD Programme does not provide subsidy for public sector Industrial PhDs. If funding has been allocated for this specific purpose, public institutions may apply for subsidy. Subsidy can be applied for at certain application rounds announced beforehand at www.erhvervsphd.dk. If any subsidy remains from the first application round where available, the remainder can be applied for at subsequent application rounds. Subsidy amounts are the same as for private sector projects.

If no special funding has been allocated, public institutions must defray all expenses for the education, including the university's expenses.

The purpose of Industrial PhD projects in the public sector is:
- to support the public sector’s focus on possible improvements through targeted, practical, research based projects,
- to train scientists with knowledge about the relevance of research and development in the public sector,
to build knowledge-sharing networks between public institutions and research institutions.

An application for a public sector Industrial PhD must be with a named candidate.

For Industrial PhD projects where a public research institution employs the candidate and thus functions as the host company, the project must not fall within the institution’s established research activity fields.

Public sector projects mainly within the fields of medical and health science cannot obtain subsidy, since these fields are covered by the health care sector’s regular PhD programmes.

6. Industrial PhD educations lasting more than three years

Industrial PhD projects lasting more than three years can be approved if the project follows a 4+4 or 3+5 scheme, or if the host university is non-Danish and does not conduct PhD educations of less than four years.

At enrolment at a non-Danish university which conducts PhD educations lasting longer than three years, DASTI provides subsidy for the last three years of the education.

The following rules apply for 4+4 or 3+5 schemes:

- As with three-year Industrial PhD projects, a project application is made. The candidate should have completed or be working towards completing the third or fourth year of university studies.
- The Programme Committee will assess the project description and give a conditional approval if the application meets the programme requirements and the candidate has a weighted grade point average of at least 8.2 on the Danish 7-point grading scale at the time of application.
- Under a 4+4 scheme, the candidate is enrolled or employed at the university for the first two years according to the university’s own regulations, and under a 3+5 scheme for the first three years.
- When two years remain of the entire education, the candidate submits a statement or grade for the examination which is part of the PhD education at the university and which the candidate is taking instead of the traditional thesis or final master’s project. If the examination is graded, the candidate must have earned at least the grade 10. If DASTI, possibly after consulting the Programme Committee, assesses that the candidate lives up to Industrial PhD candidate requirements, the company then hires the candidate on ordinary Industrial PhD terms.

DASTI provides subsidy to the company for the final two years of 4+4 or 3+5 educations. DASTI provides subsidy to the university for the final three years of 4+4 or 3+5 educations.

7. Application and assessment

Applications are sent to DASTI, but are assessed by the Programme Committee. The application and any other communication must be in Danish or English.
Applications for Industrial PhD projects must be submitted with DASTI’s online application system (e-application). E-application in English can be found at:
> fivu.dk/en/research-and-innovation/funding-programmes-for-research-and-innovation/e-application/e-application

E-application is also available in Danish and can be found at:
> fivu.dk/forskning-og-innovation/tilskud-til-forskning-og-innovation/e-ansogning

There are three yearly application deadlines. The application deadlines are continuously determined and announced at www.erhvervsphd.dk. DASTI must receive the application no later than 12 noon on the closing date for applications.

The application must include:
- a research hypothesis or research questions for the project,
- a description of the state-of-the-art and theoretical background of the project’s research field,
- a description of the project’s academic research news value and perspectives,
- a project description divided into phases, and
- a knowledge dissemination plan (see section 12 on dissemination requirements).

Industrial PhD in a private sector company: Here, the application must also include a description of the project’s news value and commercial perspectives for the company. Commercial perspectives can be prospects of direct or indirect economic gain. Indirect economic gain can for instance be achieved by:
- improving efficiency,
- acquiring knowledge which increases the company’s revenue,
- strategically working towards establishing new products or markets, and/or
- development of long term concepts and/or strategies for the company.

Industrial PhD projects in a public institution: Commercial perspectives are not required for Industrial PhD projects in the public sector. Instead, the application should describe the project’s news value and benefit to the institution, for example by:
- improving efficiency,
- knowledge building directly increasing the institution’s competences,
- systematic dissemination of knowledge, and/or
- strengthening the quality of the product/service provided by the institution.

In addition to the institutional benefit, public sector Industrial PhD projects must also be useful to society. Accordingly, the application should describe how the project is of broader use to society, for example by ensuring that the institutional benefit:
- can be disseminated to other similar institutions,
- can lead to better conditions of life for citizens in society, or
- can improve conditions for the business community.
Additional assessment criteria
The Programme Committee evaluates applications by the criteria listed above, as well as:
• whether the company is able to professionally and financially support the project,
• whether the candidate is qualified to carry out a research project within the area specified,
• whether the university milieu is relevant to the project,
• whether the university supervisor is academically qualified to supervise the candidate within the project’s field of research,
• whether the supervisors can be expected to dedicate sufficient time for supervising,
• whether there is a financial and professional distinction between the company and the university, and
• whether it is likely that the project can be carried out within the framework specified.

8. Assessment procedure
An Industrial PhD application can either be approved, conditionally approved or rejected. If a project is conditionally approved, DASTI will send the company a letter detailing these conditions. When the conditions have been met, the project may commence.

If a project is rejected, the company receives a letter stating the grounds for rejection. A rejected Industrial PhD project cannot be initiated, regardless of whether the project has the university’s approval. It is possible to reapply. When an application is resubmitted, changes in the project description must be clearly indicated, and a description of how the grounds for the previous rejection have been addressed must be included. All application material incl. new signatures must be resubmitted when reapplying.

Applications without named candidates can be either conditionally approved or rejected. If conditionally approved, the company must subsequently find a qualified candidate for the project, for instance through job advertisements. When the candidate is selected, the company submits documentation for the candidate’s qualifications to DASTI. If DASTI, possibly after consulting the Programme Committee, assesses that the candidate lives up to the Industrial PhD candidate requirements, the company can hire the candidate and the project commence. A candidate must be found and approved no later than six months after the project has obtained a conditional approval.

If more qualified applications are received than there are means to subsidise, the Programme Committee will prioritise applications by the standard assessment criteria as well as the purposes and objectives of the Industrial PhD Programme.

The Danish Council for Technology and Innovation, which is the funding authority for the Industrial PhD Programme, is the appeals body for all announced decisions, cf. the Act on technology and innovation (Executive order no. 835 of 13 August 2008, incl. subsequent changes). All rejections are elaborated and supplied with guidelines on how to appeal. Professional, academic
and legal matters may be appealed. The Council’s decisions cannot be appealed, as its decisions cannot be brought before any other administrative authority, cf. § 4 (1-5).

9. Subsidy and financing
When a project is finally approved by DASTI, it begins from the date of the Industrial PhD candidate’s enrolment into the host university’s PhD programme. This date must be on or after the date of approval.

DASTI provides subsidy from this date. Subsidy cannot be paid out before DASTI has received:
- documentation for enrolment at the university, and
- signed signature sheets from the letter of commitment that DASTI sends to the company and university.

If the Industrial PhD project has not commenced within six months of receipt of the letter of commitment, DASTI may decide to annul the subsidy.

Subsidy to the company
The wage subsidy to the company is DKK 14,500 per month or DKK 522,000 for three years.

In addition, the company can receive subsidies to cover documented expenses for the following of the Industrial PhD candidate’s activities:

- **Stays in Denmark and abroad**: Up to DKK 137,000 for:
  - participation in project relevant conferences,
  - participation in PhD courses not offered by the host university, and
  - project relevant stays at non-Danish universities or research institutions (but not at the company’s non-Danish divisions).

  This includes a single round trip to the destination, visa, travelling insurance, lodging and university fees. Food, daily/local transportation, books etc. are not covered.

  Of the DKK 137,000, up to DKK 7,000 can be used for the company supervisor’s project relevant travel expenses. An additional DKK 7,000 can be used for the university supervisor’s project relevant travel expenses.

- **Stays at non-Danish host universities**: Up to DKK 122,000 for stays at non-Danish host universities where the candidate is enrolled for the entire project period. DKK 32,000 is granted to cover travel expenses for the entire period and DKK 90,000 for stays. This includes round trips to the destination, via, travelling insurance, lodging and university fees. Food, daily/local transportation, books etc. are not covered.

  For projects approved before 24 June 2011, food expenses are also covered.
The company must pay all other expenses for the project. This includes the candidate's personal equipment, e.g. laptop computer, mobile phone, etc.

**Co-financing:** The Industrial PhD Programme follows article 31 of the European Commission's General block exemption Regulation. This means that up to 50 pct. of a private sector company's total expenses (so-called 'eligible costs') for an Industrial PhD project can be financed by public means.

'Eligible costs' are expenses for personnel, equipment, buildings, materials, purchased knowledge, consulting advice and other operating costs incurred directly as a result of the research activity, cf. further definition in article 31, paragraph 5 of the Commission's General block exemption Regulation (see attachment).

Accordingly, if DASTI's subsidies make up less than 50 pct. of these costs, it is possible for other public authorities to provide further subsidy, as long as this limit of 50 pct. is not exceeded.

DASTI can provide subsidy for a project which is a subproject of other publicly subsidised research projects, as long as the total public subsidy for the company's eligible costs for the Industrial PhD project does not exceed the 50 pct. limit.

In case of public co-financing, there must be a documentable financial boundary between the Industrial PhD project and other activities receiving public subsidies, so the company's auditor can certify that the co-financing limit of 50 pct. is not exceeded.

Please note that GTS institutes cannot use performance contract funding from DASTI to co-finance their own Industrial PhD projects.

There are no restrictions on private co-financing of private sector Industrial PhD projects.

There are no restrictions on public or private co-financing of public sector Industrial PhD projects.

**Payment and auditing:** As a point of departure, subsidy is paid out to the company once a year when the financial report is submitted. Alternatively, the company may choose to submit financial reports quarterly or semi-annually and subsequently receive subsidy. The financial report must contain a statement of expenses eligible for subsidy in the period itemised by type and the amount of subsidy requested, as well as accumulated expenses and subsidies for the entire project period.

At the final financial project report, an auditor's statement, verifying that the receipts declared in the financial report exist, and that the terms for subsidy have been kept, must be included.

Forms for financial reporting and auditor’s statement are available at [www.erhvervsphd.dk](http://www.erhvervsphd.dk).
For projects approved after 17 January 2011, any third party eligible for subsidy will receive up to DKK 45,000 in subsidies by invoice to the company. The company can subsequently be reimbursed by DASTI by including these expenses on the financial report.

**Subsidy to the university**

The university receives a subsidy from DASTI covering:

- supervision of the Industrial PhD candidate,
- the university’s dialogue with the company,
- the Industrial PhD candidate’s work facilities at the host university,
  - This includes acquisition and/or use of equipment necessary for carrying out the university part of the project.
- the Industrial PhD candidate’s participation in relevant PhD courses at the university,
  - If the host university does not offer relevant courses in the project field, the host university may use part of its subsidy to pay for the candidate’s participation in PhD courses at other universities.
- assessment of the PhD thesis.

University subsidy (incl. overhead):

- DKK 360,000 for projects within the fields of natural, technical, agricultural, veterinary and health sciences
- DKK 252,000 for projects within the fields of social science and the humanities.

85 pct. of the university subsidy is paid out at the project’s commencement. The remaining 15 pct. is paid out when DASTI has received documentation for the candidate’s obtainment of the PhD degree.

**Subsidy to third parties**

For projects approved after 17 January 2011, subsidy for third parties is paid out by invoice to the company. The company can subsequently be reimbursed by DASTI by including these expenses in its financial reporting.

For projects approved before 17 January 2011, DASTI pays out 85 pct. of the third party subsidy when the third party enters the project. If the third party is participating in the project from the outset, the third party subsidy is paid out at the project’s commencement. The remaining 15 pct. is paid out when DASTI has received documentation for the candidate’s obtainment of the PhD degree.

**Projects without subsidy**

For projects without subsidy the company must cover all expenses, including expenses for the business course.

10. Employment, salary, IPR and leave

**Employment**

The company hires the Industrial PhD candidate for all three years as a full-time employee. The candidate’s work tasks and time must be devoted exclusively to
the Industrial PhD project and education, and a formal employment contract, freeing up the candidate from any work not part of the Industrial PhD education, must be drawn up and agreed to for the entire period of commitment. As a minimum, the employment must be on ordinary terms for salaried employees. Any non-compete clauses or similar in the employment contract must not limit possibilities of employment elsewhere. Likewise, the contract must not contain educational clauses or the like requiring the candidate to reimburse company expenses for the education, if the education is discontinued or in case the candidate changes job after completion of the education.

Salary
The candidate's salary must as a minimum correspond to the current pay rate of the collective agreement for PhD fellows employed in the Danish state. The salary for PhD fellows in the state is determined by seniority. For a new university graduate, the annual salary is ca. DKK 354,000, and the end wage at 4 years of seniority is ca. DKK 428,000. All salaries include employee and employer retirement fund contributions. Further questions about salary levels can be directed to Mr Jeppe Wartacz (jwa@ui.dk, tel. 7231 8659) or Mr Werner Sonne (wsn@ubst.dk, tel. +45 7231 8667) at the Department of University Law (Kontor for Universitetsjura) in the Danish Agency for Higher Education (Styrelsen for Videregående Uddannelser).

IPR
Industrial PhD candidates are subject to the provisions of the Danish act on employee inventions while supervisors at Danish universities and other Danish public research institutions are subject to the provisions of the Danish act on inventions at public research institutions. Questions regarding intellectual property rights should be resolved before signing the employment contract.

Leave
The company may request a leave of absence for the Industrial PhD candidate from DASTI. DASTI must approve the request before the leave can commence.

The request must:
- state the project’s reference number,
- state the period of the leave requested,
- state the reason for the request,
- state the new end date of the project – the end date is extended by the period of leave,
- be signed by the company, university and candidate.

The request can be emailed as a PDF file to the Industrial PhD Secretariat.

DASTI does not provide wage subsidy to the company during periods of leave. Pay during leave is determined by the company’s existing rules and practice for its employees.
11. Other obligations

Information meeting
After application approvals, all company supervisors, university supervisors and Industrial PhD candidates must participate in a common information meeting.

The information meetings are held after every application round. The parties must participate at the first or the next meeting held after approval. DASTI cannot pay out subsidy to the company before the company supervisor has participated in the meeting. Likewise, DASTI cannot disburse subsidy to the university before the university supervisor has participated in the meeting. The candidate will be considered to be in non-compliance with his or her obligations if not attending. Supervisors who have participated in an information meeting within the past three years do not have to participate again if supervising a new project. Read more about the information meetings at www.erhvervsphd.dk.

Business course
Industrial PhD candidates must complete DASTI’s business course, which is approved as an integral part of the combined PhD programme. The business course comprises 7.5 of the approx. 30 ECTS points required for a Danish PhD education. Candidates will be invited to take the course during the first or second year of their education. Further information on the business course is available at www.erhvervsphd.dk.

Academic reporting
Ongoing academic reporting to DASTI during the project is not required. The Industrial PhD candidate’s attainment of the PhD degree will document that the project has fulfilled the academic requirements of a PhD education.

Knowledge dissemination requirement
All Danish PhD programmes require students to gain experience in disseminating knowledge which, to the extent possible, is directly related to their PhD project, cf. the Danish PhD Executive Order part 3, § 7. The knowledge dissemination can consist of articles, presentations, teaching and other ways of exchanging knowledge at the company, university or elsewhere. The company, candidate and university determine the extent, type and period of knowledge dissemination. The business course report produced as part of the business course accounts for 120 hours of dissemination.

As a part of their collective agreement, regular PhD fellows are obliged to teach when employed at universities. This collectively agreed obligation does not apply to Industrial PhD candidates, who as a consequence are not required to teach at the university. However, teaching at the university can still be part of their knowledge dissemination.

Open Access
In conjunction with the other funding councils of the Danish Ministry of Education, the Danish Council of Technology and Innovation has adopted an Open Access policy that also includes the Industrial PhD Programme. This means that all articles written as a consequence of an Industrial PhD project and
accepted by a peer-reviewed scientific journal must be made freely accessible, if the journal permits.

Accordingly, when publishing in a closed journal, one is obliged to ask the journal for the right to publish in parallel the article in a freely accessibly archive. For this purpose, templates for a letter to the journal and appendix to the publication agreement are available at DASTI’s homepage here:

> fivu.dk/forskning-og-innovation/samspil-mellem-viden-og-innovation/open-science/open-access-politik-for-offentlige-forskningsrad-og-fonde

Here, the Open Access policy is described in additional detail. The policy also includes the PhD thesis. Accordingly, the final PhD thesis must also be published in a freely accessible archive, for instance the Danish Royal Library.

As recipients of subsidy, the company and university are responsible for ensuring that the Open Access policy is followed.

Duty to disclose all material facts
As recipients of subsidy, the company and university must uphold their duty to disclose all material facts to DASTI. DASTI must be informed as soon as possible in case of changes in the basis for payment of subsidy. This would include:

- supervisor changes,
- leave,
- major disruptions and delays, and
- significant project changes.

It is not possible to objectively define what significant project changes are. However, as a main rule these are changes of a magnitude that make the project not immediately recognizable as the one originally approved.

The project can continue only if and when DASTI, possibly after consulting the Programme Committee, approves the changes.

If the duty to disclose all material facts is not upheld, DASTI has the option to cancel subsidy and require repayment of any paid out subsidies.

12. Granting of PhD degree and Industrial PhD certificate
The university appoints the PhD Assessment Committee, which in Denmark must include at least one person with relevant corporate research experience within the field of research, cf. the Executive Order on PhD Programmes, Part 11, § 26.

Any questions about confidentiality must be resolved in advance between the parties to the education and should not cause any delays in the PhD thesis defence.

The host university approves the complete PhD education and confers the PhD degree once the PhD thesis has been accepted and defended at a public thesis defence. If the candidate is enrolled at a non-Danish university, this university must confer the PhD degree in accordance with its national provisions.
When the PhD degree is obtained and the business course passed, DASTI will issue an Industrial PhD certificate to the candidate.

**If the education is discontinued**
If an Industrial PhD education is discontinued, the participants must jointly provide a written account for the course of the education and the reasons for its discontinuation. The account must be signed by the company, university and candidate, and must be delivered to DASTI within three months after the date of discontinuation. The deadline for submission can be extended if special circumstances arise.

The company may be required to repay any subsidy received if it breaks off or prevents the planned execution of an Industrial PhD education that the host university and the candidate are still interested in and capable of continuing. However, the candidate is likewise obligated to fulfil the research and employment conditions agreed upon in the application.

**13. Legal authority, right to information and confidentiality**
The Industrial PhD Programme is authorised by the Danish Act on technology and innovation (Executive order no. 835 of 13 August 2008, incl. subsequent changes). Regulations on PhD education in Denmark are established in the Executive order no. 18 of 14 January 2008 regarding PhD programmes at universities (the PhD Executive Order).

The provisions on administrative transparency also apply to the Industrial PhD Programme. The provisions generally distinguish between the parties’ right of access to documents in cases that concern themselves and the public’s right of access to documents in every case.

The right of access to documents does not apply to information about individuals’ private circumstances, technical devices etc., if it is financially imperative to the person or company concerned that the information is withheld. The right of access to documents may also be limited to the extent necessary to protect private and public interests, ie. when warranted by considerations of secrecy or other special circumstances.

Each case must consider specifically whether it is plausible that public access to information could be damaging to that party’s interests, ie. the opportunity to exploit the results commercially in the short or long term.
The European Commission's definition of 'eligible costs' – with regard to public co-financing of a private sector Industrial PhD project (see section 10).

COMMISSION REGULATION (EC) No 800/2008 of 6 August 2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (General block exemption Regulation)

Article 31
Aid for research and development projects

5. The eligible costs shall be the following:

a) personnel costs (researchers, technicians and other supporting staff to the extent employed on the research project);

b) costs of instruments and equipment to the extent and for the period used for the research project; if such instruments and equipment are not used for their full life for the research project, only the depreciation costs corresponding to the life of the research project, as calculated on the basis of good accounting practice, shall be considered eligible;

c) costs for buildings and land, to the extent and for the duration used for the research project; with regard to buildings, only the depreciation costs corresponding to the life of the research project, as calculated on the basis of good accounting practice shall be considered eligible; for land, costs of commercial transfer or actually incurred capital costs shall be eligible;

d) cost of contractual research, technical knowledge and patents bought or licensed from outside sources at market prices, where the transaction has been carried out at arm's length and there is no element of collusion involved, as well as costs of consultancy and equivalent services used exclusively for the research activity;

e) additional overheads incurred directly as a result of the research project;

f) other operating costs, including costs of materials, supplies and similar products incurred directly as a result of the research activity.