



GUIDELINES FOR RULES ON BORROWING AND HIRING OF THE UNIVERSITY'S COMMUNAL ROOMS.

These guidelines elaborate on the provisions laid down in 'RULES ON BORROWING AND HIRING OF THE UNIVERSITY'S COMMUNAL ROOMS' and, together, they constitute the 'Code of Practice' in this area.

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1. Legislative framework for UCPH's lending/hiring out of rooms:

Section 22 of the Danish University Act (*Universitetsloven*) states that UCPH must pay the expenses incidental to and make facilities available to students' union activities and other student activities to a reasonable extent.¹

UCPH is also a self-governing institution, see section 20(3) of the Act, and disposes of its assets within its objectives. UCPH may undertake income-generating activities; hiring out of rooms to external parties for events that fall within the University's objectives and field of interest may be carried out as a side activity.

The purpose clause (section 2) of the University Act highlights research, education and knowledge dissemination as core activities, and the University must, among other objectives, seek collaboration with the surrounding society and contribute to the development of international collaboration.

This is a broad purpose clause which generally supports the University's role as a 'social institution' with broad fields of interest/spheres, but where its role is, however, also related to the interaction between society and University on the performance and effect of the University's core activities (research, education, knowledge dissemination).

2. General comments

Purpose

The purpose of the Code of Practice is to ensure that the practice for lending of rooms and hiring out of rooms to the University's internal users and external stakeholders, respectively, are based on objective purposes, and that there is a uniform practice across faculties and administrative units at UCPH.

This is ensured by the Code of Practice stipulating that borrowing and hiring of rooms must be in conformity with the University's objectives/field of interest. In addition, overall criteria are laid down for compliance with core values, which must be observed by borrowers and hirers of rooms. Within this framework, the intention is to support students', staff's and stakeholders' opportunities to plan and hold events at UCPH.

¹ The explanatory notes to the provision mention student-run bookshops as an example of 'other student activities'.

Structure

The rules are structured so that internal users have the opportunity to borrow rooms (see Clause 2(1)), while external stakeholders have the opportunity to apply for hiring of rooms against payment (see Clause 3(1)).

The Code of Practice contains certain modifications to this, for example that internal users may be charged a fee for borrowing certain communal rooms (such as the Ceremonial Hall), see Clause 2(5), and that, in certain cases, rent may be waived for external stakeholders' use of a room, see Clause 3(5).

The Code of Practice then lays down the criteria that must be met for a room to be lent or hired out (see Clause 2(2)-(4) and Clause 3(1)-(3)).

Scope

The Code of Practice defines who are regarded as internal users of the University, see Clause 2(1), which also includes staff at UCPH. The special opportunity for UCPH staff to hire the Refectory (Munkekælderen) and similar individual rooms on campus for private events is regulated by other rules and is therefore not covered by the Code of Practice.

An *event*, see Clause 2(2), is an activity with a predetermined academic or social content and purpose. The event has fixed start and end times and is of a short duration (typically a couple of hours or a day). Furthermore, the event is typically aimed at a wide circle of people.

Room loan or hiring arrangements of a longer duration are not covered by the Code of Practice and are regulated in separate codes on, for example, subletting and in concluded subtenancy agreements.

The Code of Practice does not apply to UCPH events, that is events where UCPH is either the sole organiser or where UCPH, as co-organiser in collaboration with a stakeholder, determines the contents of the event and therefore has sole responsibility or co-responsibility for its implementation. Such examples are ceremonies, UCPH's annual commemoration, graduation events or a conference arranged with an external partner, where the academic contents have been determined by UCPH in collaboration with the external party.

The Natural History Museum of Denmark (SNM) is part of SCIENCE. The museum's letting activities are covered by the Danish Museum Act (*Museumsloven*) and accompanying rules and regulations, and the Code of Practice does not apply to SNM and other entities that hire out rooms to external stakeholders under the Danish Museum Act or other legislation.

For all events applied for and accepted, the organiser is responsible for the content and holding of an event, see section 2(6) and section 3(6).

3. Comments on the individual provisions:

Clause 1. Communal rooms

Clause 1(1): Communal rooms

Communal rooms are all rooms that are shared by two or more users and that are used for teaching, meetings and seminars, conferences, social activities and other events that fall within UCPH's objectives. Communal rooms do not include offices and other rooms specifically assigned to employees, UCPH units or associations by agreement, and such rooms are therefore exempt from lending/hiring out.

Clause 1(2) and (3): Room loan/hire agreement and terms and conditions

For each campus area, lending/hiring out of communal rooms is handled by the attached room administration unit. For both areas, the room administration is part of Campus Service, while the room administration for the Frederiksberg Plus campus area is part of the SCIENCE Study Administration.

Rooms are booked via KUnet ([Lokalebooking - KUnet](#)), where reference is also made to the guide to the booking process as well as relevant information as well as forms through which specific information regarding the booking is entered (example of room booking form: [Lokalebestilling Studenterforening \(ku.dk\)](#)). In connection with all booking of communal rooms, the borrower/hirer will be asked to sign a form to confirm their acceptance of the applicable rules and regulations for borrowing and hiring of UCPH's communal rooms as well as the specific terms and conditions for borrowing or hiring the room in question, including remedies for breach. Some communal rooms may have special status, such as UCPH's Ceremonial Hall and the Maersk Tower (*Mærsktårnet*), which are subject to separate rules and regulations and practice, see also Clause 2(5) below.

The campus-specific room administration unit handles the procedure for booking of rooms at UCPH and ensures that the borrower or hirer accepts the applicable terms and conditions for borrowing and hiring of rooms, see Clauses 2 and 3. The further terms and conditions for, for example, use and accessibility of the room, use of AV and IT equipment, cleaning, attendant and security guard services, compensation for damage and breach, rent payment as well as any other payments are attached to the room loan/hire agreement.

Clause 2. Borrowing conditions

Clause 2(1): The borrowers/the University's internal users

Staff means all full-time or part-time employees at UCPH. Staff also includes an enrolled PhD student or an academic staff member (VIP), for example a visiting researcher or professor emeritus, who is not employed at UCPH, but who has UCPH as their fixed workplace, typically for a fixed-term period.

Some UCPH employees also have external employment, for example at a regional hospital (double employment). This group can borrow rooms on an equal footing with other staff members, as long as the loan is for a work-related purpose as part of the person's employment at UCPH.

A student may be employed at UCPH, for example as a project worker or student assistant, and must be aware in this connection of whether the room is being borrowed in the person's capacity as a student or as a member of UCPH's staff. .

Staff associations are associations whose members form part of the staff at UCPH, and whose purpose is to organise academic or social events for the association's members.

A *student* is a person who is enrolled as a part-time or full-time student in a degree programme offered by the University of Copenhagen. PhD students are not to be regarded as students, as they are enrolled as academic staff.

Student associations are those associations or organisations which, according to their statutes, are affiliated with UCPH and organise activities for their members (UCPH students). An event may be 'closed', that is reserved for members of the association in question.

Other associations may include alumni associations or academic associations/networks, typically with representation of UCPH-employed researchers (VIP). In the assessment,

importance is attached to whether the object, practice and history of the statutes support that the association has a requirement for affiliation with UCPH that is of a sufficiently important nature.

Clause 2(2), (3) and (4): The events

Subclause (2) stipulates the types of events that constitute the internal users' core activities. Added to this are students' political activities. The list of examples of events is not exhaustive.

Lending of rooms to employees for work, for example for meetings or events, can be accommodated. Meetings etc. may be internal or with participation of external representatives. Work involves a broad definition and purpose, and the crucial factor is whether the borrowing of the premises supports the employee's performance of his or her work at UCPH. Lending for social activities for employees can also be accommodated. Correspondingly, lending of rooms may also be accepted for, for example, associations' general meetings or other regularly recurring events related to the association's operation and activities.

For other types of events, a further assessment must be made.

In relation to the student associations' political activities, it follows directly from section 22 of the Danish University Act that rooms may be lend for students' union activities. The provision entails a certain prioritisation that such events may be held, as the provision stipulates that UCPH must "pay the expenses incidental to and make facilities available to students' union activities and other student activities to a reasonable extent". However, events with a student political purpose do not take precedence over other events and, for example, a demand cannot be made for special privileged access to borrow a room for such events.

A number of student associations have party-political affiliations, for example Frit Forum – Social Democratic Students of Denmark and Konservative Studerende (Conservative Students). There may therefore also be a wish to hold events that include party-political content or representation, for example with the participation of a politician who gives a presentation on education policy or other political topics. Such events may be accommodated.

Party-political debates on political topics, organised by student-political associations, may also be accommodated. However, these events will typically have UCPH as co-organiser and will then not be covered by this Code of Practice.

Social activities mean, for example, parties, Friday bars, café evenings as well as dinner and party activities that take place in connection with the celebration of religious festivals.

In cases of doubt, the crucial factor is whether the contents of an event can be held within the University's objectives. However, as a general rule, internal users' activities must be expected to be accommodated within the objectives and thus be approved precisely because of these users' proximity to the University.

Subclause (3) lists, however, examples of types of events which are certain not to be approved.

Religious events mean events whose purpose and content are the preaching and practice of a religion. Instead, it is stipulated that such an activity may take place in the 'reflection rooms' that exist on campus. Events such as 'Christmas and Easter parties' and 'Eid dinners' are activities that take place in connection with the celebration of religious festivals, but that are interpreted as a social activity, which can be accommodated unless the main purpose of the specific event is assessed to be the preaching and practice of the religion.

Private parties mean, for example, celebrations of a student association member's or an employee's birthday or other similar private purposes that cannot be supported by the University, and where reference must instead be made to private providers. The circumstance

that an event, including a party, is limited to being only for students at a department does not mean that there is a private purpose (private party).

As mentioned above under general comments, employees' access to the rental of Munkekælderen and similar individual rooms on campus for private events is regulated by other rules.

Subclause (4) further specifies that fundamental university values must be respected. An application may also be rejected if it is found that the content of the event means that it cannot be held for security reasons.

The criteria in subclause (4) concern both the content of the event and the actual holding of the event, where, for example, any requirements for a particular form of debate, the composition of participants or representation may be in conflict with the criteria.

For example, a student association may, for example, hold a debate event on a controversial topic within its object. The decisive factor is whether the event is academically or socially relevant, and whether there is focus on debate and information in the content and organisation of the event as opposed to, for example, agitation for particular views on the topic or the like.

Clause 2(5): The provision stipulates that a cost-based fee may be charged for borrowing of selected communal rooms, such as the 'Ceremonial Hall' and the 'Maersk Tower'. The payment will be specified in the room loan agreement, see Clause 1(3).

Clause 2(6): The provision stipulates that the borrower is responsible for compliance with the borrowing terms.

Clause 3. Conditions of hire

Clause 3(1), (2) and (3): Hirers/external stakeholders

Associations and organisations affiliated with the University mean associations with a more peripheral affiliation with UCPH. The associations do not conduct their activities at UCPH and the affiliation may, for example, be historically based and still mean that the object of the association may fall within the University's field of interest.

Other external parties mean all other stakeholders such as public authorities, special interest organisations and private companies.

The interpretation of *the University's field of interest* is correspondingly based on the purpose clause of the Danish University Act, which is, however, narrowed by the additional condition that the specific event must have a link to the University. The content of the event (and the event applicant) must, therefore, basically be seen as contributing to or supporting the University's function and role in relation to the surrounding society such as promotion of debate or dissemination of knowledge and information in society.

However, an additional condition is that the content of the event has a (sufficient) connection to the University's work or activities, for example within education, dissemination and research. The latter activities cover broad academic areas concerning the topics etc. that are being researched or taught at the University. Whether the affiliation is sufficient is determined based on a case-by-case assessment. For example, a conference on Parkinson's disease that has been organised by the Danish Parkinson's Association and concerns the dissemination of the latest knowledge about the disease will fall within the above research activities in relation to the topic, as research into the disease is conducted at UCPH. Conversely, a request to hold the Danish Parkinson's Association's general meeting at UCPH cannot be met, as such an event concerning the running of the association is not regarded as having a sufficient affiliation with

UCPH. If the general meeting is combined with a conference, the event may be accommodated. If a UCPH researcher is invited to give a presentation at the conference, this does not make it a UCPH event, see the comments on the scope of the rules in Clause 2.

Public authorities' requests to hold public administration events at UCPH can be accommodated as a general rule because the events fall within the University's field of interest. This obviously applies particularly to central government authorities within the university and education sector, such as the Ministry of Higher Education and Science. The same applies where the event has a political content and purpose, for example where a minister wishes to hold an event where the government's policy is presented and communicated to the press etc.

It will also be possible to hold the Danish Agency for Higher Education and Science's Christmas party in the Ceremonial Hall. As mentioned above, the determining factor is whether the affiliation with UCPH is sufficient, and it must be possible to explain why UCPH has allowed the event to be held at the University and thus be associated with UCPH. It is consequently not sufficient that the external stakeholder simply wishes to hold an event at UCPH.

Subclause (2) lists examples of types of events which are certain not to be approved.

Political activities mean that political parties cannot hire rooms at UCPH for their specific political activities. Such activities fall outside the University's objectives and field of interest.

This provision does not prevent the organisation of political debates, including party-political debates in connection with election campaigns or the like. On the contrary, UCPH is expected to take on an active role as a facilitator of political debates during election campaigns. Therefore, such events will typically have UCPH as main organiser or co-organiser, and, in such case, the Code of Practice does not apply, see Clause 2 on scope.

Correspondingly, *subclause (3)* stresses that events must fall within the framework of the Danish University Act and respect fundamental university values. An application may also be rejected if it is found that the content of the event means that the event cannot be held for security reasons.

The criteria in *subclause (3)* apply to both the content of the event and the actual holding of the event.

Clause 3(4): The rent payment may be based on a cost-related rent or a market-fixed rent.

To counter distortion of competition, the rent must be fixed on an arm's length basis in cases in which the content of the event or other circumstances entail that UCPH as facilitator is acting in a competitive market.

Clause 3(5) paras (1) and (2): In relation to *Clause 3(5) para (1)*, this may, for example, be events organised by the Danish University Extension, see the Danish Act on Popular Education (*Lov om folkeoplysning*).

In relation to *Clause 3(5) para (2)*, this may, for example, be the 'Blood Bank' (*Blodbanken*), which offers to take blood samples from students et al. for healthcare purposes.

Clause 3(6): The provision stipulates that the hirer is responsible for compliance with the conditions of hire.

Clause 4. Breach

Clause 4(1) and (2): The provision stipulates who follows up on room loan and hire agreements under which the borrower or hirer is in breach and who makes decisions in these cases.

The faculty management and the Central Administration management follow up on and make decisions in the cases referred to in subclauses (1) and (2), respectively. In cases not mentioned in the provision, it is agreed on an ad-hoc basis who will follow up on the matter.

The concluded room loan or hire agreement, see Clause 1(2) and (3), constitutes the legal basis and cases of breach concern breach of the agreement. This involves follow-up on a contractual relationship in private law, and the decision made is not in the nature of an administrative law decision. Therefore, the Danish Public Administration Act (*Forvaltningsloven*) does not apply to the case processing. The case processing must nevertheless be organised internally, so that cases are adequately examined and so that there is sufficient establishment and specification of the circumstances etc. on which the claim of breach of an agreement is based. The party in breach must be involved in the case processing and must be given the opportunity to make statements before a decision is made. A decision which is onerous on the party in breach must be accompanied by a statement of the grounds on which the decision is based.

These rules have been issued by the Rector and are administered by the local room administration units. Questions concerning understanding and interpretation of the rules can be directed at the Rector's Office: rektorsekretariatet@adm.ku.dk

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