

Consolidated Act on Regions and on the Abolition of Counties, the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*) and the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*) (the Act on Regions)

The following is a consolidation of the Act on Regions and on the Abolition of Counties, the Greater Copenhagen Authority and the Greater Copenhagen Hospital Community (the Act on Regions), see Consolidation Act No. 1032 of 6 July 2018 as amended by section 31 of Act No. 1518 of 18 December 2018, section 21 of Act No. 2186 of 29 December 2020, and section 9 of Act No. 923 of 18 May 2021.

Part 1

General rules

1.-(1) Counties, the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*) and the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*) are abolished as from 1 January 2007.

¹ This is an unofficial translation. Only the Danish version in the Official Law Gazette (*Lovtidende*) has legal validity. Certain provisions on the entering into force of changes to the Act have been left out of this translation.

(2) Denmark will be divided into five regions as from 1 January 2007, see subsection (3).

(3) The regions are as follows: -

(i) A region comprising Greater Copenhagen and Bornholm, which is designated the Capital Region of Denmark (*Region Hovedstaden*). The Capital Region of Denmark comprises the Counties of Copenhagen and Frederiksborg and the Municipalities of Copenhagen, Frederiksberg and Bornholm. The Regional Council is domiciled in Hillerød.

(ii) A region comprising the remainder of Zealand, which is designated Region Zealand (*Region Sjælland*). Region Zealand comprises the Counties of Roskilde, Western Zealand and Storstrøm. The Regional Council is domiciled in Sorø.

(iii) A region comprising Southern Jutland and Funen, which is designated the Region of Southern Denmark (*Region Syddanmark*). The Region of Southern Denmark comprises the Counties of Funen, Southern Jutland and Ribe and the Municipalities of Børkop, Egtved, Fredericia, Give, Jelling, Kolding, Lunderskov, Vamdrup and Vejle located in the County of Vejle. The Regional Council is domiciled in Vejle.

(iv) A region comprising Central Jutland, which is designated the Central Denmark Region (*Region Midtjylland*). The Central Denmark Region comprises the Counties of Ringkøbing and Aarhus, the County of Vejle except for the municipalities belonging to the Region of Southern Denmark, see paragraph (iii), and the County of Viborg except for the municipalities belonging to the North Denmark Region (*Region Nordjylland*), see paragraph (v). The Regional Council is domiciled in Viborg.

(v) A region comprising Northern Jutland, which is designated the North Denmark Region. The North Denmark Region comprises the County of Northern Jutland and the Municipalities of Hanstholm, Morsø, Sydthy, Thisted and Aalestrup located in the County of Viborg. The Regional Council is domiciled in Aalborg.

(4) Where one or more municipalities or parts of municipalities located within the boundaries of the same region amalgamate, the amalgamated municipality will belong to the relevant region.

(5) If a municipality or municipalities or any part(s) of municipalities forming part of the amalgamation are located in more regions, the Minister of the Interior and Housing shall decide on the necessary revision to the regional boundaries to avoid that the boundaries of a municipality extend to several regions.

(6) The regions in which such municipalities are located are mentioned in the list of revisions to municipal boundaries set out in section 1(2) of the Act Revising Municipal Boundaries (*lov om revision af den kommunale inddeling*), which is effective as from 1 January 2007.

(7) (Repealed)

2. This Act applies to the regions, see section 1. The Act applies to all regional government affairs, unless otherwise provided by law.

3.-(1) Regional affairs are governed by regional councils elected according to the rules of the Local and Regional Government Elections Act (*lov om kommunale og regionale valg*) on the election of regional councils.

(2) A regional council is chaired by a person designated as chair of the regional council.

(3) Detailed rules for regional government affairs will be laid down in bylaws adopted by the regional council. The regional council shall give two readings of proposals for bylaws and amendments to the bylaws with an interval of at least six days.

(4) A regional council shall notify the National Social Appeals Board (*Ankestyrelsen*) of the adoption of bylaws and amendments to bylaws. The bylaws must be available to the citizens of the region.

(5) A regional council shall adopt its own rules of procedure.

4. The name of a region may be changed only with the consent of the Minister of the Interior and Housing.

Part 2

Tasks

5. (1) In accordance with the relevant legislation, a regional council shall:

(i) perform tasks related to the operation of hospitals and make available offers of treatment by authorised healthcare professionals, including performing tasks naturally linked to the healthcare services of regional authorities;

(ii) perform the following regional development tasks:-

(a) prepare regional development strategies and perform supportive tasks;

(b) perform certain coordination tasks relating to the performance, capacity and geographical location of schools of secondary education and general adult education;

(c) publish a strategy for regional contributions to sustainable developments; and

(d) collaborate with authorities in other countries and set up bodies to facilitate such collaboration;

(iii) provide and develop certain social-sector offers to vulnerable groups and groups with special needs, including:-

(a) performing certain tasks of coordinating the capacity and composition of regional offers;

(b) performing certain tasks of coordinating the capacity and composition of highly specialised national and provincial offers in collaboration with the other regions;

(c) contributing to making available expedient and safe assistive devices;

(d) performing tasks relating to the continuation of existing social housing for senior citizens and social cohousing and building new social housing for senior citizens and social cohousing;

(e) providing and developing certain offers for children and young people facing social and behavioural issues as agreed with a local council; and

(f) performing municipal tasks naturally linked to the tasks of the regional authorities under paragraph (iii) as agreed with a local council;

(iv) perform the following tasks relating to special needs education:-

(a) provide and develop national and provincial offers of special needs education and perform certain tasks of coordinating the capacity and composition of such offers;

(b) provide and develop offers of dedicated education to persons suffering from speech, audio or visual impairment and perform certain tasks of coordinating the capacity and composition of such offers;

(c) perform municipal tasks naturally linked to the tasks of the regional authorities under paragraph (iv) as agreed with a local council;

(v) establish public transport companies:-

(a) which are responsible for tasks relating to public transport services in the form of regular services, determination of ticket fares and ticketing systems, coordination and planning of public transport, special needs transport solutions for severely physically disabled citizens and private railways;

(b) which may perform tasks relating to the procurement of transport services incumbent on a municipal or regional authority as agreed with a local or regional council; and

(c) which may perform tasks relating to the operation of a ferry route on behalf of and as agreed with a local council;

(vi) perform the following regional tasks relating to nature, the environment and the administration of physical planning and climate:-

(a) coordination and certain other tasks relating to state and municipal administration of physical planning and water supply;

(b) mapping, surveillance, prioritisation and remediation of contaminated land as well as related tasks;

(c) mapping of raw material deposits, preparation of raw materials plans and certain other tasks related to raw material deposits and raw materials plans; and

(d) certain tasks relating to climate;

(vii) handle its own production of electricity.

(2) A regional council may not perform tasks other than those mentioned in subsection (1).

6.-(1) A regional council shall set up a liaison committee composed of the chair of the regional council and the mayors of the local governments of the region. The chair of the regional council shall also chair the liaison committee. The liaison committee will receive secretariat support from the regional administration.

(2) A liaison committee shall convene at least twice a year to discuss and develop the collaboration between the regional and the local authorities.

(3) A liaison committee may also perform tasks provided by law.

(4) A liaison committee may not make decisions, but see section 7(1) to (5).

7.-(1) The chair of a liaison committee shall plan and convene committee meetings. The chair shall lead discussions of the liaison committee and see to it that notes of discussions are entered into the minute book.

(2) A liaison committee shall decide on the basis of proposals from committee members what subjects to discuss at liaison committee meetings.

(3) A liaison committee shall adopt its own rules of procedure. An agenda must be distributed to committee members before liaison committee meetings. The liaison committee may set deadlines for the distribution of the agenda, for the submission of committee members' proposals

for subjects to be discussed at a liaison committee meeting and for the inclusion of such proposals in the agenda.

(4) In the absence of the chair or a member of the liaison committee, the relevant deputy chair of the regional council or the local council shall attend that specific meeting as the chair or a member of the liaison committee, respectively.

(5) A liaison committee may allow persons on the regional payroll to observe meetings in order to provide secretariat functions, etc., to the committee. The liaison committee may summon other persons, including councillors of local councils or members of the regional council, to observe the debate if it is desirable to bring out facts of the matter or for the purpose of the discussions of the committee.

(6) Decisions of a liaison committee under subsections (1) to (5) are made by a majority of votes. The Chair has the casting vote in case of a tied vote. Liaison committee decisions must be entered into the minute book of the liaison committee.

(7) The expenditure related to the activities of a liaison committee are payable by the regional council.

(8) The Minister of the Interior and Housing may lay down detailed rules for the activities of liaison committees.

Part 3

Regional government

Regional councils

8. A regional council has 41 members.

9.-(1) A newly elected regional council shall hold its constitutive meeting between 1 and 15 December of the regional government election year, provided always that it may not convene until

the former regional council has decided any election complaints and withdrawal petitions from members elect. The meeting must be convened by the member with the greatest seniority on the regional board or if more members have been in office for the same period of time, the oldest of those members.

(2) At the constitutive meeting, the regional council shall elect one of its members as chair. The election must be overseen by the member who convened the meeting. Elections must be conducted under the rules of section 24(1) of the Act on Local Government (*lov om kommunernes styrelse*).

(3) No regional employee may chair a regional council. Moreover, the chair of the regional council may not concurrently chair a local council, be a council cabinet member, see section 64 of the Act on Local Government, or chair a standing committee of a municipality governed by the rules of section 64a of the Act on Local Government. The chair of the regional council has the right to be relieved of his or her duties if elected for one of the offices mentioned in the second sentence hereof.

(4) As soon as the chair has been elected, the regional council shall elect from among its members a first deputy chair and a second deputy chair to preside, in that order, in the absence of the chair. The election must be overseen by the newly elected chair, or in his or her absence by the member overseeing the election of the chair, in accordance with the proportional representation system, see section 24(3) of the Act on Local Government.

(5) The chair and the deputy chairs are elected for the term of office of the regional council.

10.-(1) A regional council shall set the time and venue of ordinary meetings. The schedule of meetings must be published at the beginning of each financial year. Ordinary meetings must be held at regular intervals. The time and venue of meetings must be published.

(2) Section 8(2) to (7) of the Act on Local Government on the convening and conduct of local council meetings, etc., and section 8a of the same Act on electronic sharing of documents apply with the necessary modifications.

11.-(1) Allowances, pension contributions, etc., are paid in accordance with section 16(1), (3) to (6) and (8) to (12), section 16a and section 34 of the Act on Local Government, but see subsection (3). A regional council may decide to pay allowances, etc., in accordance with the provisions mentioned in the first sentence hereof.

(2) A regional council may decide to pay a committee allowance for membership of the executive committee and dedicated committees.

(3) The Minister of the Interior and Housing shall lay down detailed rules for allowances, pension contributions, etc., and may, for this purpose, deviate from subsection (1).

12.-(1) Section 7 of the Act on Local Government on the election of chairs and deputy chairs of local councils, section 8b of the same Act on the processing of data by councillors in the performance of their duties, sections 9, 9a and 10 to 15 of the same Act on local council meetings, etc., as well as section 16b(1) to (3) and sections 16c to 16e on councillors' right of absence from work, prohibition of dismissal, etc., and the publication of the amount of allowances apply with the necessary modifications to the regional council and its members.

(2) Subject to reciprocity, the Minister of the Interior and Housing may conclude agreements with another country under which persons performing political duties at regional level in that country may be granted the right to be absent from work in Denmark to perform such political duties at regional level to the extent laid down in subsection (1), read with section 16b(1) to (3) of the Act on Local Government.

(3) The Minister of the Interior and Housing may lay down rules for the performance of an agreement, see subsection (2).

Committees, etc.

13.-(1) A regional council shall set up an executive committee to perform the functions entrusted to a finance committee set up by a local council under the Act on Local Government. An opinion must be obtained from the executive committee for each individual matter to be presented to the regional council for decision.

(2) A regional council shall stipulate in its bylaws whether the performance of the direct administration of its other regional affairs will be entrusted to the executive committee or the regional council, whether in full or in part.

(3) A regional council shall lay down a provision in its bylaws on the composition and powers of the executive committee. The executive committee must have an odd number of members. The executive committee must have at least 11 and no more than 19 members.

(4) A regional council shall also elect members for the committees, commissions, boards of directors or governors, etc., on which the regional council must be represented pursuant to other provisions.

(5) Members of the committees, etc., mentioned in subsections (1) and (4) must be elected immediately after the election of the chair and deputy chairs of the regional council. Such committee members are elected for the term of office of the regional council.

(6) A regional council may set up dedicated committees as mentioned in section 17(4) of the Act on Local Government. The regional council shall decide on the composition of dedicated committees and lay down rules for their activities.

(7) Members of a regional council are obliged to stand for election to committees, commissions, boards of directors or governors, etc., and to perform other duties allocated to them by the regional council. Unless otherwise specifically provided, the regional council may also leave duties to other willing citizens of the region.

(8) A regional council shall see to the organisation of the regional administration and lay down rules for the employment and dismissal of regional staff.

14. Executive committee members must be elected among the members of a regional council. The chair of the regional council shall chair the committee.

15.-(1) Section 20, section 21(1) and section 23 of the Act on Local Government on committees, etc., set up by a local council otherwise apply with the necessary modifications.

(2) The third sentence of section 22(1) and section 22(2) and (3) of the Act on Local Government on the activities of committee chairs apply with the necessary modifications to the chair of an executive committee.

(3) Section 24 of the Act on Local Government on election procedures, sections 25 and 26 of the same Act on the election of members to committees, etc., section 28 of the same Act on the resignation of committee members, etc., and section 29(1) and (3) and section 29(5)(b) of the same Act on the disqualification of committee members apply with the necessary modifications to regional councils and executive committees.

Regional council chairs

16. Sections 30 to 33 of the Act on Local Government on chairs and deputy chairs of local councils apply with the necessary modifications to chairs and deputy chairs of regional councils.

Economic administration of regional authorities

17. The financial year of regional authorities is 1 January to 31 December.

18.-(1) The proposed annual budget for the next financial year of a regional authority must be prepared by the executive committee for the regional council before the deadline set by the Minister of the Interior and Housing.

(2) The proposed annual budget must be accompanied by a multiannual budget estimate for a period determined by the Minister of the Interior and Housing.

(3) The proposed annual budget and multiannual budget estimate as finally adopted by the executive committee must be published when the proposal is available to all members of the regional council.

19.-(1) A regional council shall have two debates on the proposed annual budget and multiannual budget estimate of the executive committee with an interval of at least three weeks.

(2) At the second debate, the proposed annual budget and multiannual budget estimate must be discussed and decided on by the regional council. The Minister of the Interior and Housing shall set the deadline for the second debate and may also set different deadlines for specified items in the annual budget and the multiannual budget estimate. The Minister of the Interior and Housing shall lay down detailed rules for the specification of items in the annual budget requiring the regional council to decide on the allocation of funds when adopting the final annual budget.

20.-(1) The final annual budget as adopted and the multiannual budget estimate must be published.

(2) A brief account of the contents of the annual budget and the budget estimate must be published before the commencement of the next financial year.

21.-(1) The items in the annual budget for which the regional council decided on the allocation of funds when adopting the final annual budget, see section 19(2), will constitute the binding rule for the regional administration the following year.

(2) The basic contributions from the local authorities adopted by the regional council will constitute the binding rule for the determination of the following year's basic contributions, see section 6 of the Financing of Regions Act (*lov om regionernes finansiering*).

(3) The development contributions from the local authorities adopted by the regional council will constitute the binding rule for the determination of the following year's development contributions, see section 7 of the Financing of Regions Act.

(4) Section 40(2) and (3) of the Act on Local Government apply with the necessary modifications to the annual budgets of regions.

(5) The Minister of the Interior and Housing may lay down detailed rules for the relationship between income and expenditure and for the application of general reserves, whether in full or in part, in the annual budget and the multiannual budget estimate.

22.-(1) Any decision on to raise loans and assume of guarantees must be made by the regional council, unless otherwise provided by the Minister of the Interior and Housing.

(2) The Minister of the Interior and Housing may lay down detailed rules under which any decision to enter into rental or lease agreements by which the regional authority assumes a particular obligation must be made by the regional council.

23.-(1) The financial statements of a regional authority must be presented by the executive committee to the regional council before the deadline set by the Minister of the Interior and Housing. The financial statements must be accompanied by a list of the regional government's sureties and guarantees. To the extent necessary, financial statements must also be accompanied by comments, in particular on major discrepancies between amounts allocated and amounts recognised in the accounts.

(2) A regional council shall prepare financial statements for the auditors. When the auditors' comments on the financial statements have been delivered to the executive committee and – as far as comments not directly attributable to the area of administration falling within the scope of the executive committee are concerned – also to the relevant regional authority for the purpose of

their comments, the regional council shall convene to make a decision concerning the comments received and to approve the financial statements.

(3) The financial statements as adopted must be published.

24.-(1) The Minister of the Interior and Housing may lay down detailed rules for the administration of affairs pertaining to regional payments and accounts, for the presentation of financial statements, for the audit and for decisions concerning the comments.

(2) The Minister of the Interior and Housing may lay down detailed rules for the preparation and distribution of information on the financial affairs of the regional authority to the regional council and the local councils of the region.

25.-(1) The Minister of the Interior and Housing shall prescribe the layout of the annual budget, the multiannual budget estimate and the financial statements of a regional authority.

(2) The financial statements of a regional authority must be sent to the National Social Appeals Board (*Ankestyrelsen*) together with the audit report and the decisions made by the regional council in that connection, see section 23(2). The Minister of the Interior and Housing shall set the deadline for submitting financial statements to the National Social Appeals Board.

(3) When auditors prepare a partial report to a regional council, see section 29, read with section 42(4) of the Act on Local Government, the auditors shall notify the National Social Appeals Board of such partial report.

26. The Minister of the Interior and Housing may lay down rules for the raising of loans and similar transactions by regional governments.

27. The Minister of the Interior and Housing may lay down rules on the right of a regional council to bind the regional authority by sureties or other financial guarantees or by committing

the regional authority to make regular payments or the like which the regional authority does not have a statutory obligation to make.

28.-(1) The financial statements of a regional authority must be audited by a state-authorized or registered public accountant. The auditors of a regional authority must be competent and independent. The auditors of a regional authority must be appointed by the regional council and approved by the National Social Appeals Board (*Ankestyrelsen*). Such approval may always be withdrawn. Consent is required from the National Social Appeals Board for the regional council to dismiss its auditors.

(2) The audit must include all accounting areas falling within the scope of the regional council. The auditors shall test whether the financial statements are correct and whether transactions subject to the accounting requirements are in accordance with allocations made, the regional council's other decisions, legislation and other directions as well as agreements entered into and common practice. It must also be ensured that due financial consideration has been shown in the application of funds and the operation of the enterprises whose financial statements fall within the scope of the audit.

(3) On his or her own initiative or at the request of the Auditors of Public Accounts (*statsrevisorerne*), the Auditor General (*rigsrevisor*) may initiate an audit investigation pursuant to the Act on Audits of State Financial Statements, etc. (*lov om revisionen af statens regnskaber m.m.*) of the financial statements of regional authorities as well as selected accounting areas falling within the scope of those financial statements. For the purpose of such investigations, the Auditor General has the right of access to the accounting records of regions, etc., in accordance with sections 12 and 13 of the Act on Audits of State Financial Statements, etc.

28a.-(1) The Minister of the Interior and Housing may lay down rules allowing extraordinary financial monitoring of a region in exceptional cases.

(2) As part of the extraordinary monitoring, the Minister of the Interior and Housing may order a regional council to:-

- (i) set binding targets for the financial development of the region for a period determined by the Minister; and
- (ii) lay down requirements for the region's deposits of cash, including the means of deposit.

29. Section 42(3) to (7) and sections 42b and 42c of the Act on Local Government on audits of the financial statements of local authorities, section 43 of the same Act on the bookkeeping of local authorities and section 44 of the same Act on the investment of municipal funds apply with the necessary modifications to the economic administration of regional councils.

Supervision and penalty provisions

30. The supervision of the regions is performed by the National Social Appeals Board (*Ankestyrelsen*).

31. Parts VI and VII of the Act on Local Government on supervision of local governments apply with the necessary modifications to the supervision of regional governments by the National Social Appeals Board (*Ankestyrelsen*).

32. A member of a regional council who grossly neglects the duties incumbent on him or her by virtue of his or her office is sentenced to a fine. Simple negligence of duties is not punished.

Special rules

33 to 35. (Repealed)

35a.-(1) The Minister of the Interior and Housing may lay down rules for the calculation of the costs of a regional authority's own performance of a task which the regional government has decided to put up for tender (control bids) and for the submission of control bids.

(2) The Minister of the Interior and Housing may lay down rules on the powers vested in the Complaints Board for Public Procurement (*Klagenævnet for Udbud*) under the rules of the Act for the Enforcement of Public Procurement Rules, etc. (*lov om håndhævelse af udbudsreglerne m.v.*) and directions issued pursuant to that Act to consider complaints of a regional government's violation of rules laid down pursuant to subsection (1).

35b. (Repealed)

36.-(1) If so approved by the Minister of the Interior and Housing, a regional council may insert rules in its bylaws which deviate from the rules of sections 11, 13, 18 and 19 and section 23(1) and (2) as well as the rules of section 15 of this Act, read with section 20(5), section 21, the third sentence of section 22(1) and section 22(2) and (3) of the Act on Local Government.

(2) If so approved by the Minister of the Interior and Housing, a regional council may insert a provision in its bylaws on a different form of governance than that mentioned in section 13, but see sections 36a to 36c. Such decision must be adopted prior to or during the term of office of the regional council and is binding only for the remainder of the term of office.

(3) The Minister of the Interior and Housing may lay down detailed rules for a form of governance approved under subsection (2), including for the deviations from the contents of this Act necessitated or made desirable by that form of governance.

36a.-(1) A regional council may stipulate in its bylaws that the regional council shall set up a finance committee and one or more standing committees to perform the direct administration of regional affairs. The rules of Part III of the Act on Local Government, except for section 17(5), apply with the necessary modifications to a region in which such decision has been made, instead of sections 13 to 15 of the same Act. The finance committee shall also perform the functions otherwise entrusted to the executive committee under the same Act.

(2) A regional council may stipulate in its bylaws that a finance committee set up under subsection (1) be designated as executive committee.

36b.-(1) A regional council may stipulate in its bylaws that the finance committee and standing committees set up pursuant to section 36a shall not perform the direct administration of regional affairs or only perform the direct administration of regional affairs in certain areas, but see subsection (2).

(2) The finance committee shall perform the tasks entrusted to the finance committee under section 18(2) to (4) of the Act on Local Government and the tasks entrusted to the finance committee under section 18 and section 23(1) and (2) of the same Act.

36c.-(1) A provision that a region must be governed by the rules of sections 36a or 36b must be adopted prior to or during the term of office of the regional council. If a regional council has decided during the term of office to change its form of governance under the first sentence hereof, such decision will be binding for the remainder of the term of office.

(2) The Minister of the Interior and Housing may lay down detailed rules for allowances in regions governed under section 36a or section 36b, including rules for allowances to members of the finance committee and standing committees.

37.-(1) Provisions on wages and salaries of and other employment conditions for regional staff must be approved by the Commission set up pursuant to subsection (2). Following negotiation with the Minister of the Interior and Housing, the Minister of Finance may decide that wages and salaries of and other employment conditions for staff of independent institutions given a contract by the regional authority to perform statutory obligations imposed on regional authority must also be approved by the Commission. The Commission may decide that the number of positions in specified staff groups, which are otherwise subject to the powers of the Remuneration Commission, must be submitted to the Remuneration Commission for approval. The Commission

also has the right to exercise the powers contained in section 227 of the Health Care Act (*sundhedsloven*) to enter into collective agreements with unions of healthcare professionals, etc., on the terms and conditions of the provision of healthcare services and on the issuing of opinions.

(2) The Regional Government Remuneration Commission (*Regionernes Lønnings- og Takstnævn*) is composed of nine members and their substitutes, who must be approved by the Minister of Finance. The procedure to be followed for approval of members is as follows:

(i) Five Commission members and their substitutes will be approved following nomination by the regional councils, each regional council nominating one member and his or her substitute;

(ii) Two Commission members and their substitutes will be approved following nomination by Local Government Denmark (*Kommunernes Landsforening*);

(iii) One Commission member and his or her substitute will be approved following nomination by the Minister of Health; and

(iv) One Commission member and his or her substitute will be approved following nomination by the Minister of Finance.

(3) The Commission shall elect its chair among the five members who have been approved following nomination by the regional councils.

(4) Decisions of the Commission are made by a majority of votes, but see subsections (5) and (6).

(5) Members of the Commission appointed by the Minister of Finance or approved following nomination by the Minister of Health may oppose decisions of the Commission under subsection (1).

(6) Members of the Commission approved following nomination by Local Government Denmark (*Kommunernes Landsforening*) have three votes each when the Commission decides to enter into collective agreements with unions of healthcare professionals, etc., stipulating the terms and

conditions for services offered by local councils pursuant to section 140a(1) of the Health Care Act (*sundhedsloven*) and the provisions laid down pursuant to section 140b of the Health Care Act.

(7) Following negotiation with the Minister of the Interior and Housing, the Minister of Finance shall lay down detailed rules for the activities of the Commission.

38. Section 63 of the Act on Local Government on the duty of local councils to provide information, section 63a of the same Act on the relevant Minister's opinions on the lawfulness of local authorities' transactions, sections 66 to 66d of the same Act on the removal or suspension of a mayor, section 68 of the same Act on the sale of real property owned by a local government in a public sale and section 69 of the same Act on emergency government apply to regional government with the necessary modifications. The directions issued pursuant to sections 68 and 69 of the Act on Local Government apply with the necessary modifications, unless otherwise provided by the Minister of the Interior and Housing.

Part 4

Preparation of new regions

Election and constitutive meetings of regional councils of the new regions

39.-(1) The first election to the regional councils will be held on 15 November 2005. The regional council elections on 15 November 2005 will be held in accordance the rules of Parts 1 to 9 and 12 of the Local Government Elections Act (*lov om kommunale valg*) on the election of county councils and the directions issued pursuant to those rules, but see subsections (2) and (3) and section 40.

(2) The tasks entrusted to incumbent county councils or county government election committees in connection with county government elections pursuant to the Local Government Elections Act (*lov om kommunale valg*) and the directions issued pursuant to that Act will be

performed by the regional government election committees at the election to be held on 15 November 2005. A regional government election committee must be appointed by the county councils of the counties located in full or in part within the boundaries of a region, and as far as the Capital Region of Denmark (*Region Hovedstaden*) is concerned also by the local councils of the Municipalities of Copenhagen, Frederiksberg and Bornholm. The Minister of the Interior and Housing shall lay down detailed rules for the appointment, composition and activities of regional government election committees and for the payment of the expenditure related to measures incumbent on regional government election committees.

(3) The Minister of the Interior and Housing may lay down detailed rules for the regional government election to be held on 15 November 2005. The Minister of the Interior and Housing may deviate from the provisions of subsections (1) and (2), including from the applicable rules of the Local Government Elections Act (*lov om kommunale valg*) and the directions issued pursuant to that Act, which apply pursuant to subsection (1).

40. The first term of election of the regional councils will be reckoned from 1 January 2006 and end on 31 December 2009. The first term of office of the regional councils will be reckoned from 1 January 2007 and end on 31 December 2009.

41.-(1) A newly elected regional council shall hold its constitutive meeting by 15 December 2006.

(2) The constitutive meeting must be convened by the chair of the region preparation committee, see section 44(2). He or she shall preside over proceedings at the constitutive meeting, including votes taken at that meeting.

(3) The chair and deputy chairs must not be elected at the constitutive meeting, see section 44(5).

Appointment of regional preparation committees

42.-(1) During the period from 1 January 2006 to 31 December 2006, the regional councils must act as region preparation committees tasked with preparing the formation of the regions, see section 52.

(2) If a final decision is made before 31 December 2005 to declare the outcome of the election on 15 November 2005 invalid, the consequence being that a second election must be called, the newly elected region preparation committee will not enter into function. If a final decision is made after 31 December 2005 on invalidity, the newly elected region preparation committee shall resign. When a second election has been held, the newly elected region preparation committee will not enter into function until a final decision has been made that no additional election will be held.

43. Part 11 of the Local Government Elections Act (*lov om kommunale valg*) on the resignation of members and the replacement of such members by their substitutes during the term of office apply with the necessary modifications to region preparation committees. The tasks entrusted to a newly elected county council under Part 11 of the Local Government Elections Act must be performed by the newly elected region preparation committee.

44.-(1) A newly elected region preparation committee shall hold its constitutive meeting between 1 and 15 December 2005, provided always that it may not convene until the regional government election committee has decided any election complaints and withdrawal petitions from members elect, see section 39(2). The meeting must be convened by the oldest member of the region preparation committee.

(2) At the constitutive meeting, the region preparation committee shall elect one of its members as chair. The election must be overseen by the member who convened the meeting. Elections must be conducted under the rules of section 24(1) of the Act on Local Government.

(3) The chair of a region preparation committee may not simultaneously chair an amalgamation committee, see section 11(3) of the Act Revising Municipal Boundaries (*lov om revision af den kommunale inddeling*). The second and third sentences of section 9(3) on the duties incompatible with the office of chair of a regional council apply with the necessary modifications to the office of chair of a region preparation committee.

(4) As soon as the chair has been elected, the region preparation committee shall elect from among its members a first deputy chair and a second deputy chair to preside, in that order, in the absence of the chair. The election must be overseen by the newly elected chair, or in his or her absence by the member overseeing the election of the chair, in accordance with the proportional representation system, see section 24(3) of the Act on Local Government.

(5) A chair and the deputy chairs are also elected for the first term of office of the regional council.

45.-(1) A region preparation committee shall set the time and venue of its meetings. The schedule decided must be published as specified by the region preparation committee. The notice of publication must also state in which manner the list of agenda items and a transcript of the minute book must be available to the citizens of the region, see subsection (2). Meetings must be announced in advance as specified by the region preparation committee.

(2) A list of all items for discussion at a region preparation committee meeting as well as a transcript of the minute book, except for information subject to the statutory duty of confidentiality, must be available to the citizens of the region, if possible.

(3) Section 8(2) to (5) of the Act on Local Government on the convening and conduct of local council meetings apply with the necessary modifications to meetings of region preparation committees.

46.-(1) A region preparation committee may also set up one or more subcommittees dedicated to performing particular duties or carrying out preparatory or advisory functions for the region preparation committee. The region preparation committee shall decide on the composition of subcommittees and lay down rules for their activities.

(2) If it is not possible to agree on the composition of subcommittees, an election of members must be conducted separately for each subcommittee in accordance with the proportional representation system, see section 24(3) of the Act on Local Government.

47. A region preparation committee shall decide on a framework for administrative assistance, including on the employment and dismissal of administrative staff.

48. The county councils, the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*) and the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*) as well as the local councils of the Municipalities of Copenhagen, Frederiksberg and Bornholm shall provide the assistance for the preparation of the creation of new regions required by the region preparation committees, including making available and providing the information required by a region preparation committee, and make sure that they are represented at the meetings convened by a region preparation committee. Region preparation committees may set deadlines for such assistance.

49. Region preparation committees shall adopt their own rules of procedure.

50.-(1) Allowances, etc., are paid in accordance with section 16(1), (3) to (6) and (8) to (12), section 16a and section 34 of the Act on Local Government, but see subsection (2). A region preparation committee may decide to pay allowances, etc., in accordance with the provisions mentioned in the first sentence hereof.

(2) The Minister of the Interior and Housing shall lay down detailed rules for allowances, etc., and may, for this purpose, deviate from subsection (1). Rules may also be laid down on the reduction of the allowances paid to members of the region preparation committee who are simultaneously members of a county council, the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*) or the Board of Governors of the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*).

(3) If a member of a region preparation committee who is simultaneously a member of a county council has opted not to be compensated for loss of earnings for which he or she can provide evidence in connection with those duties, see section 16(5) of the Act on Local Government, he or she cannot opt to be compensated for loss of earnings in connection with his or her duties as a member of the region preparation committee.

51. Section 7 of the Act on Local Government on the election of chairs and deputy chairs of local councils, sections 9 to 15 of the same Act on local council meetings, etc., section 24 of the same Act on election procedures, sections 25 and 26 of the same Act on the election of members to committees, etc., section 28 of the same Act on the resignation of committee members, etc., sections 30 to 33 of the same Act on chairs and deputy chairs of local councils, section 43 of the same Act on the bookkeeping of local authorities, section 44 of the same Act on the investment of municipal funds, section 63 of the same Act on the duty of local councils to provide information, etc., section 66 of the same Act on mayors' refusal to perform duties, section 67 of the same Act on wages and salaries and other conditions of employment for municipal staff and section 68 of the same Act on the sale of real property owned by the local government in public sales apply with the necessary modifications to the activities of the region preparation committee. The directions issued pursuant to sections 67 and 68 of the Act on Local Government apply with the necessary modifications, unless otherwise provided by the Minister of the Interior and Housing.

Tasks of region preparation committees

52. During the term of office of the region preparation committees, a region preparation committee shall:

- (i) adopt detailed rules for the governing of regional affairs in bylaws, see section 3(3), including decide on the region's form of governance, see section 13, and notify the relevant County Governor, see section 66, of the bylaws adopted and amendments made to the bylaws, see section 3(4);
- (ii) adopt the rules of procedure of the regional council, see section 3(5);
- (iii) adopt the 2007 budget for the region;
- (iv) appoint competent auditors for the region, see section 28(1);
- (v) lay down in regulations detailed rules for the organisation of the regional system of payments and accounts, see section 29, read with section 42(7) of the Act on Local Government;
- (vi) lay down in audit regulations detailed rules for the audit of the financial statements of the regional authority;
- (vii) decide on the organisation of the regional administration, including on the employment and dismissal of administrative staff;
- (viii) decide on the termination or revision of agreements affecting the region;
- (ix) decide on any collaborations between the region and others;
- (x) make decisions in accordance with the rules laid down under sections 53 to 56 for decisions on the financial transactions of county councils, the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*) and the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*) as well as the local councils of the Municipalities of Copenhagen, Frederiksberg and Bornholm;
- (xi) pursuant to the Act Governing Certain Procedural Issues in the Reform of Municipal Structures (*lov om visse proceduremæssige spørgsmål i forbindelse med kommunalreformen*) with

effect for the region, enter into negotiations and decide on the adoption or dismissal of proposed agreements and proposed settlements concerning assets and liabilities, rights and duties as well as employees who will be transferred to the regional administration due to the change in the distribution of tasks; and

(xii) make other decisions necessary for the preparation of the establishment of the region.

53.-(1) The Minister of the Interior and Housing may lay down rules under which decisions effective for 2006 or later made by the county councils, the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*) and the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*) as well as the local councils of the Municipalities of Copenhagen, Frederiksberg and Bornholm on or after 1 January 2006 for major financial transactions in connection with tasks transferred from the said authorities to the regions on 1 January 2007 will be subject to approval by the region preparation committee(s) covering the geographical area of the said authority in full or in part. The Minister of the Interior and Housing may lay down rules under which decisions effective for 2006 or later and made by the authorities mentioned in the first sentence hereof on or after 1 January 2006 on major financial transactions in connection with tasks transferred from the said authorities to the local authorities or the central government on 1 January 2007 will be subject to approval by the Minister of the Interior and Housing. The scope of application of the rules under the first and second sentences hereof may be restricted to one or more of the authorities mentioned in the first sentence hereof or to certain types of financial transactions.

(2) The Minister of the Interior and Housing may lay down rules under which the region preparation committee and the Minister of the Interior and Housing may stipulate the conditions for approval, including that a request for approval must be decided by a county council, the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*), the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*) or the local councils of the Municipalities of Copenhagen, Frederiksberg or Bornholm in meeting.

(3) Transactions necessary to comply with measures required by legislation or other binding subordinate legislation are exempt from subsection (1).

54.-(1) The Minister of the Interior and Housing may lay down rules under which decisions effective for 2006 or later made by the county councils, the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*) and the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*) as well as the local councils of the Municipalities of Copenhagen, Frederiksberg and Bornholm before 1 January 2006 in connection with or after the adoption of the 2006 budget on major financial transactions in connection with tasks transferred from the said authorities to the regions on 1 January 2007 can be revised by the region preparation committee(s) covering the geographical area of the said authority in full or in part. The Minister of the Interior and Housing may lay down rules under which decisions effective for 2006 or later and made by the authorities mentioned in the first sentence hereof before 1 January 2006 in connection with or after the adoption of the 2006 budget on major financial transactions in connection with tasks transferred from the said authorities to the local authorities or the central government on 1 January 2007 may be revised by the Minister of the Interior and Housing. The scope of application of the rules under the first and second sentences hereof may be restricted to one or more of the authorities mentioned in the first sentence hereof or to certain types of financial transactions.

(2) A revision under subsection (1) may not give rise to additional expenditure for the authority whose decision has been revised. The Minister of the Interior and Housing may also lay down rules under which the region preparation committee or the Minister of the Interior and Housing, respectively, will be authorised to stipulate the conditions for the revision, including whether the proportion of the allocated funds associated with a decision revised under subsection (1) may not be used without the consent of the region preparation committee or the Minister of the Interior and Housing, respectively.

55.-(1) The Minister of the Interior and Housing may lay down rules under which decisions effective for 2006 or later made by the county councils, the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*) and the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*) as well as the local councils of the Municipalities of Copenhagen, Frederiksberg and Bornholm in connection with or after the adoption of the 2006 budget on the employment of new staff for tasks transferred to the regions on 1 January 2007 will be subject to approval by the region preparation committee(s) covering the geographical area of the said authority in full or in part. The Minister of the Interior and Housing may lay down rules under which decisions effective for 2006 or later and made by the authorities mentioned in the first sentence hereof in connection with or after the adoption of the 2006 budget on the employment of new staff for tasks transferred from the said authorities to the local authorities or the central government on 1 January 2007 will be subject to approval by the Minister of the Interior and Housing. The scope of application of the rules under the first and second sentences hereof may be restricted to one or more of the authorities mentioned in the first sentence hereof or to certain types of new employees.

(2) The Minister of the Interior and Housing may lay down rules under which the region preparation committee and the Minister of the Interior and Housing may stipulate the conditions for approval under subsection (1), including that a request for approval must be decided by a county council, the Greater Copenhagen Authority or the Greater Copenhagen Hospital Community or by the local council of the Municipality of Copenhagen, Frederiksberg or Bornholm in meeting.

(3) The employment of new staff, see subsection (1), means staff employed for new positions.

(4) The employment of new staff necessary to comply with measures required by legislation or other binding subordinate legislation is exempt from subsection (1).

56.-(1) The Minister of the Interior and Housing may lay down rules under which the region preparation committee(s) covering the geographical area of the counties, the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*), the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*) or the Municipalities of Copenhagen, Frederiksberg or Bornholm in full or in part may order the county councils, the Greater Copenhagen Authority, the Greater Copenhagen Hospital Community and the local councils of the Municipalities of Copenhagen, Frederiksberg or Bornholm to reduce any amount allocated in the 2006 budget as adopted to a specific maximum amount. The scope of application of the rules may be restricted to one or more of the authorities mentioned in the first sentence hereof or to funds allocated within one or more particular areas.

(2) An order under subsection (1) is a binding rule on the administration of an authority mentioned in subsection (1) from the time when the county council, the Greater Copenhagen Authority, the Greater Copenhagen Hospital Community or the local council of the Municipality of Copenhagen, Frederiksberg or Bornholm is notified of the order. Measures giving rise to income or expenditure exceeding the amount of the allocation reduced pursuant to the order cannot be implemented. Measures required by legislation or other binding subordinate legislation may always be implemented regardless of such order.

(3) An order under subsection (1) must be accompanied by a proposal for the reduction of specified items in the annual budget. The Minister of the Interior and Housing shall lay down detailed rules for the specification of the annual budget items which must accompany a proposal for reduction of such items in pursuance of an order under subsection (1).

57. The Minister of the Interior and Housing may lay down rules on the duty of the county councils, the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*), the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*) as well as the local councils of the Municipalities of Copenhagen, Frederiksberg and Bornholm to regularly notify the region

preparation committee(s) covering the geographical area of the authority in full or in part of financial developments, including the cash flow and the employment of new staff, of the authority and of the 2006 budget.

58. On 1 January 2007, the regional councils will be subrogated to the rights and duties acquired and assumed by the region preparation committees. At the same time, the regions will assume the assets and liabilities of the region preparation committees.

59.-(1) The chair of a region preparation committee shall prepare a proposal for the 2007 budget and multiannual budget estimate for the region for the region preparation committee.

(2) A region preparation committee shall have two debates on the proposed 2007 budget and multiannual budget estimate for the region with an interval of at least three weeks. At the second debate, the proposed 2007 budget and multiannual budget estimate must be discussed and decided on by the region preparation committee.

(3) The items in the annual budget for which a region preparation committee decided on the allocation of funds when adopting the annual budget, see subsection (2), will constitute the binding rule for the regional administration for 2007.

(4) The basic contributions from the local authorities adopted by a region preparation committee will constitute the binding rule for the determination of the basic contributions for 2007, see section 6 of the Financing of Regions Act (*lov om regionernes finansiering*). The development contributions from the local authorities adopted by the region preparation committee will constitute the binding rule for the determination of the development contributions for 2007, see section 7 of the Financing of Regions Act.

(5) Section 20 and section 21(4) apply to the 2007 budgets for the regions.

(6) The Minister of the Interior and Housing shall lay down detailed rules for the region preparation committees' preparation and adoption of 2007 budgets and multiannual budget

estimates for the regions and shall prescribe the layout of the annual budgets and multiannual budget estimates.

Finances and funding of region preparation committees

60.-(1) A region preparation committee shall adopt its own budget for the term of office of the region preparation committee.

(2) A region preparation committee must have a debate and make a decision on the proposed budget for the region preparation committee prepared by the chair of the region preparation committee for the region preparation committee.

(3) The items in the budget of the region preparation committee for which the region preparation committee decided on the allocation of funds when adopting the budget, see subsection (2), will constitute the binding rule for the region preparation committee's administration during the term of office of the region preparation committee.

(4) The final budget as adopted must be available to the citizens of the region. A brief account of the contents of the budget must be published as specified by the region preparation committee.

(5) Section 21(4), read with the first to third sentences of section 40(2) and section 40(3) of the Act on Local Government, applies with the necessary modifications to the annual budgets of region preparation committees.

(6) The Minister of the Interior and Housing shall lay down detailed rules for the region preparation committees' preparation and adoption of budgets for the region preparation committees and for the publication of an account of the contents of the budgets of the region preparation committees and shall prescribe the layout of the budgets of the region preparation committees.

61.-(1) A region preparation committee shall appoint competent auditors, who must be approved by the supervisory authority, to audit the financial statements of the region preparation

committee. Consent is required from the supervisory authority for the region preparation committee to dismiss its auditors.

(2) The system of payments and accounts of a region preparation committee must be organised in accordance with the payments and accounting regulations of one of the counties located in full or in part within the boundaries of the region, and as far as the region preparation committee of the Capital Region of Denmark (*Region Hovedstaden*) is concerned also in accordance with those of one of the Municipalities of Copenhagen, Frederiksberg and Bornholm. The region preparation committee shall choose among the regulations governing the system of payments and accounting of the counties mentioned in the first sentence hereof, and as far as the region preparation committee of the Capital Region of Denmark is concerned also among those of the Municipalities of Copenhagen, Frederiksberg and Bornholm, which regulations must be used as the basis for the system of payments and accounting to be used by the region preparation committee.

(3) The audit of the financial statements of a region preparation committee must be performed in accordance with the audit regulations of one of the counties located in full or in part within the boundaries of the region, and as far as the region preparation committee of the Capital Region of Denmark is concerned also in accordance with those of one of the Municipalities of Copenhagen, Frederiksberg and Bornholm. The region preparation committee shall choose among the audit regulations of the counties mentioned in the first sentence hereof, and as far as the region preparation committee of the Capital Region of Denmark is concerned also among those of the Municipalities of Copenhagen, Frederiksberg and Bornholm, which regulations must be used as the basis for performing the audit.

(4) Region preparation committees and regional councils shall obtain and provide to their auditors the information necessary for the auditors' performance of their duties.

(5) Section 25(3), section 28(2) and section 29, read with section 42(3), (4) and (6) and the second sentence of section 42(7) of the Act on Local Government, apply with the necessary modifications to the audit of the financial statements of region preparation committees.

(6) The Minister of the Interior and Housing shall lay down detailed rules for the audit of the financial statements of a region preparation committee and for the administration of affairs pertaining to the payments and accounts of a region preparation committee.

62.-(1) The financial statements of a region preparation committee must be prepared by the executive committee of the region and submitted to the regional council.

(2) A regional council shall submit financial statements to the auditors of the region preparation committee. When the auditors' comments on the financial statements have been delivered to the executive committee, the regional council shall convene to make a decision concerning the comments received and on the approval of the financial statements.

(3) The financial statements of a region preparation committee must be sent to the State Administration (*Statsforvaltningen*), which performs supervision of the region, together with the audit report and the decisions made by the regional council in that connection, see subsection (2).

(4) The second and third sentences of section 23(1) and section 23(3) apply with the necessary modifications to the financial statements of region preparations committees. Section 29, read with sections 42b and 42c of the Act on Local Government, applies with the necessary modifications to audit reports on the financial statements of region preparation committees.

(5) The Minister of the Interior and Housing shall lay down detailed rules for the presentation of the financial statements of region preparation committees, for decisions concerning comments and for the submission of financial statements to the National Social Appeals Board (*Ankestyrelsen*) and shall prescribe the layout of the financial statements of region preparation committees.

63. The Minister of the Interior and Housing may lay down rules on the right of a region preparation committee to bind the region preparation committee and the regional authority by raising loans and similar transactions.

64. The Minister of the Interior and Housing may lay down rules on the right of a region preparation committee to bind the region preparation committee and the regional authority by sureties or other financial guarantees or by committing the region preparation committee or the regional authority to make regular payments or the like which the region preparation committee or, as the case may be, the regional authority does not have a statutory obligation to make.

65. The expenditure for the activities of a region preparation committee are payable by the county councils, and as far as the Capital Region of Denmark (*Region Hovedstaden*) is concerned also by the Municipalities of Copenhagen, Frederiksberg and Bornholm, according to rules laid down by the Minister of the Interior and Housing.

Supervision and penalty provisions

66. The supervision of the region preparation committee of the Capital Region of Denmark (*Region Hovedstaden*) must be performed by the County Governor of the County of Copenhagen. The supervision of the region preparation committee of Region Zealand (*Region Sjælland*) must be performed by the County Governor of the County of Western Zealand. The supervision of the region preparation committee of the Region of Southern Denmark (*Region Syddanmark*) must be performed by the County Governor of the County of Southern Jutland. The supervision of the region preparation committee of the Central Denmark Region (*Region Midtjylland*) must be performed by the County Governor of the County of Aarhus. The supervision of the region preparation committee of the North Denmark Region (*Region Nordjylland*) must be performed by the County Governor of the County of Northern Jutland.

67. Parts VI and VII of the Act on Local Government apply with the necessary modifications to the supervision of the regional preparation committees by the County Governors mentioned in section 66.

68. A member of a region preparation committee who grossly neglects the duties incumbent on him or her by virtue of his or her office is sentenced to a fine. Simple negligence of duties is not punished.

Miscellaneous provisions

69. When for the purpose of the creation of a region and the preparation of such creation, the region preparation committee receives documents which are internal pursuant to the Act on Public Access to Documents in Public Files (*lov om offentlighed i forvaltningen*) and the Public Administration Act (*forvaltningsloven*) from the counties, the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*) and the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*) located in full or in part within the boundaries of the region, and as far as the Capital Region of Denmark (*Region Hovedstaden*) is concerned also from the Municipalities of Copenhagen, Frederiksberg and Bornholm or the inter-municipal cooperation bodies to which the said authorities are parties, such documents will not cease to be considered internal documents due to the disclosure of the documents. The same applies to internal environmental information falling within the Act on Access to Environmental Information (*lov om aktindsigt i miljøoplysninger*).

70. Following prior negotiation with the relevant Minister, the Minister of the Interior and Housing may decide to deviate from the applicable legislation, including legislation on the contents and scope of and payment of the services of county authorities necessitated by the preparation and creation of the new regions.

71.-(1) The 2006 financial statements of the Counties of Copenhagen and Frederiksborg and of the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*) and the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*) must be submitted to the Regional Council of the Capital Region of Denmark (*Hovedstadens Regionsråd*) by the executive committee of the region. The 2006 financial statements of the Counties of Roskilde, Western Zealand and Storstrøm must be submitted to the Regional Council of the Region of Zealand (*Sjællands Regionsråd*) by the executive committee of the region. The 2006 financial statements of the Counties of Funen, Southern Jutland and Ribe and Vejle must be submitted to the Regional Council of the Region of Southern Denmark (*Syddanmarks Regionsråd*) by the executive committee of the region. The 2006 financial statements of the Counties of Ringkøbing, Aarhus and Viborg must be submitted to the Regional Council of the Central Denmark Region (*Midtjyllands Regionsråd*) by the executive committee of the region. The 2006 financial statements of the County of Northern Jutland must be submitted to the North Denmark Region (*Nordjyllands Regionsråd*) by the executive committee of the region.

(2) A regional council shall submit the 2006 financial statements of one of the authorities mentioned in subsection (1) to the auditors of the relevant authority. When the auditors' comments on the financial statements have been submitted to the executive committee and – as far as comments not directly attributable to the area of administration falling within the scope of the executive committee are concerned – also to the authority to which the task has been transferred for the purpose of their comments, the regional council shall convene to make a decision concerning the comments received and on the approval of the financial statements.

(3) The 2006 financial statements of one of the authorities mentioned in subsection (1) must be sent to the National Social Appeals Board (*Ankestyrelsen*), which performs supervision of the region presenting such financial statements under subsection (1), together with the audit report and the decisions made by the regional council in that connection, see subsection (2).

(4) The second and third sentences of section 45(1) and section 45(3) of the Act on Local Government apply with the necessary modifications to the financial statements mentioned in subsection (1). Sections 42b and 42c of the Act apply with the necessary modifications to audit reports on those financial statements.

(5) The Minister of the Interior and Housing shall lay down detailed rules for the presentation of financial statements mentioned in subsection (1), for the audit of such financial statements, for decisions concerning the comments and for the submission of the financial statements to the National Social Appeals Board and shall prescribe the layout of such financial statements.

72.-(1) A region preparation committee shall set up a liaison committee for 2006 composed of the chair of the region preparation committee and the mayors of the local governments of the region. The local governments of the region forming part of an amalgamation are represented in the liaison committee by the chair of the amalgamation committee. The chair of the region preparation committee shall also chair the liaison committee. The liaison committee will receive secretariat support from the region preparation committee administration.

(2) Section 6(2) to (4) and section 7 as well as the directions issued pursuant to those provisions apply with the necessary modifications to the activities of liaison committees in 2006. The Minister of the Interior and Housing may lay down detailed rules for the activities of liaison committees in 2006.

73. The county councils, the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*), the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*) and the local councils shall provide the assistance to any other public authority for its performance and preparation for the performance of a task transferred to the relevant public authority due to the abolition of the counties, the Greater Copenhagen Authority and the Greater Copenhagen Hospital Community required by the relevant public authority, including making available and providing the

information required by the relevant public authority, and make sure that they are represented at the meetings convened by the relevant public authority. The relevant public authority may set deadlines for such assistance.

74. When for the purpose of performance and preparation for the performance of a task transferred to a public authority due to the abolition of the county councils, the Greater Copenhagen Authority (*Hovedstadens Udviklingsråd*) and the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*), the relevant public authority receives documents from the county councils, the Greater Copenhagen Authority and the Greater Copenhagen Hospital Community which are internal pursuant to the Act on Public Access to Documents in Public Files (*lov om offentlighed i forvaltningen*) and the Public Administration Act (*forvaltningsloven*), such documents will not cease to be considered internal documents due to the disclosure of the documents. The same applies to internal environmental information falling within the Act on Access to Environmental Information (*lov om aktindsigt i miljøoplysninger*).

Part 5

Amendments to other legislation

75 to 84. (Omitted)

Part 6

Commencement and transitional provisions, etc.

85. This Act comes into force on the day following its promulgation in the Danish Law Gazette (*Lovtidende*).¹⁾ Section 37 and Part 5 will not come into force until 1 January 2007.

86. (Repealed)

87. Pension liabilities of the local authorities of the Municipalities of Copenhagen and Frederiksberg relating to the civil servants whose employment was transferred on 1 January 1995 from the relevant local authorities to the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*), see section 15(3) and (4) of the Act on the Greater Copenhagen Hospital Community (*lov om Hovedstadens Sygehusfællesskab*), read with section 76, will be taken over by the Capital Region of Denmark (*Region Hovedstaden*) on 1 January 2007. The pension liabilities transferred pursuant to section 3 of the Act Governing Certain Procedural Issues in the Reform of Municipal Structures (*lov om visse proceduremæssige spørgsmål i forbindelse med kommunalreformen*) from the Greater Copenhagen Hospital Community to authorities other than the Capital Region of Denmark, will be taken over by such other authorities. Following negotiation with the Minister of the Interior and Housing, the Minister of Finance may lay down rules for the reimbursement by the central government after 1 January 2007 of the expenditure for pension liabilities relating to the civil servants, etc., mentioned in the first and second sentences hereof who had retired before 1 January 2007. When laying down rules under the third sentence hereof, the Minister of Finance may deviate from the provision in the second sentence hereof on pension liabilities relating to retired civil servants, etc.

(2) A proportionate share of the pension liabilities of the local authorities of the Municipalities of Copenhagen and Frederiksberg relating to the civil servants who had retired or otherwise resigned by 31 December 1994 and who performed tasks transferred to the Greater Copenhagen Hospital Community on 1 January 1995 before the date of their resignation, will be taken over by the Capital Region of Denmark on 1 January 2007. The proportionate share will be calculated relative to their portion of the tasks mentioned in the first sentence hereof transferred from the Greater Copenhagen Hospital Community to the Capital Region of Denmark on 1 January 2007. Following negotiation with the Minister of the Interior and Housing, the Minister of Finance may lay down rules for the reimbursement by the central government after 1 January 2007 of the

expenditure for pension liabilities mentioned in the first sentence hereof. When laying down rules under the third sentence hereof, the Minister of Finance may deviate from the provision in the first sentence hereof.

(3) Section 15(3) and (4) of the Act on the Greater Copenhagen Hospital Community will continue to apply to pension liabilities of the central government relating to civil servants whose employment was transferred on 1 January 1995 from the central government to the Greater Copenhagen Hospital Community.

(4) Section 15(5) and (6) of the Act on the Greater Copenhagen Hospital Community and the directions and provisions laid down pursuant to section 15(4) and (5) of the same Act continue to apply to pension liabilities under subsection (3).

(5) Following negotiation with the Minister of the Interior and Housing, the Minister of Finance may lay down rules for the calculation of pension liabilities under subsections (1) to (3) and for the calculation, administration, reimbursement, audit, etc. of pensions falling within subsections (1) to (3).

88.-(1) The local governments of the Municipalities of Copenhagen and Frederiksberg are liable in damages for injuries sustained by patients at hospitals, etc., of the Municipalities of Copenhagen and Frederiksberg before the creation of the Greater Copenhagen Hospital Community (*Hovedstadens Sygehusfællesskab*) on 1 January 1995, which will be taken over by the Capital Region of Denmark (*Region Hovedstaden*) on 1 January 2007. The liability in damages mentioned in the first sentence hereof arising due to the performance of a task transferred to authorities other than the Capital Region of Denmark under the legislation on the reform of municipal structures will be taken over by such other authorities.

(2) Subsection (1) does not apply to liability in damages under the Patient Insurance Act (*lov om patientforsikring*).

88a. (Omitted)

89. (Omitted)

90. (Omitted)

91. This Act does not apply to the Faroe Islands and Greenland.

Act No. 176 of 21 February 2017 Amending the Act on Local Government and the Act on Regions (Transfer of Municipal and Regional Supervisory Powers to the National Social Appeals Board, Compensation for Travel Expenses to Councillors Performing Civil Marriage Ceremonies and Targeted Selection of Supervisory Cases by the National Social Appeals Board, etc.) (*lov nr. 176 af 21. februar 2017 om ændring af lov om kommunernes styrelse og regionsloven (Overførsel af det kommunale og regionale tilsyn til Ankestyrelsen, befordringsgodtgørelse til kommunalbestyrelsesmedlemmer ved foretagelse af borgerlige vielser og målretning af Ankestyrelsens udvælgelse af tilsynssager m.v.)*)²⁾ contains the following provision on commencement:

Section 3

(1) This Act comes into force on 1 April 2017.

(2) Section 1(1)(iii)³⁾ does not apply to inquiries received before the commencement of this Act. The rules hitherto in force apply to such inquiries.

(3) The powers vested in the State Administration (*Statsforvaltningen*) or the supervisory authority under rules issued pursuant to the Act on Local Government and the Act on Regions shall be exercised by the National Social Appeals Board (*Ankestyrelsen*).

(4) Cases before the State Administration concerning municipal and regional supervision not decided at the commencement of this Act will be decided by the National Social Appeals Board. After the commencement of this Act, the National Social Appeals Board may also exercise the powers vested in the State Administration or the supervisory authority pursuant to the Act on Local Government and the Act on Regions as amended by this Act and pursuant to rules issued pursuant to those Acts relative to municipal or regional transactions or omissions which take place before the commencement of this Act.

(5) After the commencement of this Act, the Minister of the Interior and Housing may also exercise the powers granted under Part VII of the Act on Local Government and under the Act on Regions as amended by this Act relative to transactions or omissions of the State Administration which took place before the commencement of this Act. The said powers may be exercised in that connection over the National Social Appeals Board, see section 47 of the Act on Local Government as amended by section 1(1)(i) of this Act.

(Provision on the commencement of the Act No. 748 of 8 June 2018 is omitted.)

Ministry of the Interior and Housing, 8 April 2022

Nikolaj Stenfalk

/ Lise Brandi-Hansen