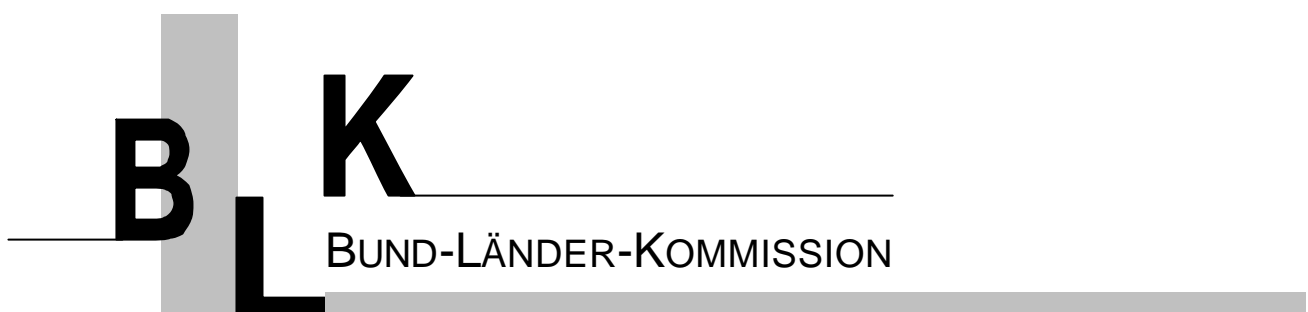


**Information**  
**on the**  
**Bund-Länder-Commission**  
**for Educational Planning**  
**and Research Promotion**

**2005**



**BUND-LÄNDER-KOMMISSION**

*FÜR BILDUNGSPLANUNG UND FORSCHUNGSFÖRDERUNG*

Bund-Länder Commission for Educational Planning and Research Promotion  
- Secretariat -

Friedrich-Ebert-Allee 38, D-53113 Bonn

Phone: + 49-228-5402-0  
Fax: + 49-228-5402-150  
E-mail: [blk@blk-bonn.de](mailto:blk@blk-bonn.de)  
Internet: [www.blk-bonn.de](http://www.blk-bonn.de)

Translation:  
Federal Ministry of Education and Research

2005

Contents	Page
I. Tasks, Organization and Consultation Procedure	5
1. General Information	7
2. Tasks	8
3. Organization, Members and Consultation Procedure	11
4. Links with Other Bodies with a Role in Educational and Research Policy	14
II. Legal Basis	17
Article 91 a and 91 b of the Basic Law	19
BLK Agreement	21
Skeleton Agreement on Pilot Experiments	29
Skeleton Agreement on Research Promotion	33

## **I. Tasks, Organization and Consultation Procedure**



## 1. General Information

The BLK was established in 1970 as Bund-Länder Commission for Educational Planning (Bund-Länder-Kommission für Bildungsplanung) by an Administrative Agreement between the Federal and Länder governments. After the Commission was given additional functions in 1975 by the Skeleton Agreement on Research Promotion, its name was changed to "Bund-Länder Commission for Educational Planning and Research Promotion" (Bund-Länder-Kommission für Bildungsplanung und Forschungsförderung - BLK) with effect from 5 April 1976. It is an intergovernmental commission and cooperates closely with the various Conferences of Länder Ministers.

The activities of the Bund-Länder Commission for Educational Planning and Research Promotion are based on

- the Administrative Agreement between the Federal and Länder Governments on the Establishment of a Joint Commission for Educational Planning of 25 June 1970 (BLK Agreement),
- the Skeleton Agreement on the Coordinated Preparation, Implementation and Scientific Support of Pilot Experiments in Education of 7 May 1971 (Skeleton Agreement on Pilot Experiments) and on
- the Skeleton Agreement between the Federal and Länder Governments on the Joint Promotion of Research of 28 November 1975 (Skeleton Agreement on Research Promotion).

With the Agreements concluded on 17/21 December 1990, the Länder of Brandenburg, Mecklenburg-Western Pomerania, Saxony, Saxony-Anhalt and Thuringia acceded to the above Agreements with effect from 1 January 1991.

The basis of the Administrative Agreement and the Skeleton Agreements on Pilot Experiments and Research Promotion is Article 91 b of the Basic Law, according to which the Federal and Länder governments may, on the basis of agreements, cooperate in educational planning and in the promotion of research institutions and research projects of supraregional importance. Article 91 b of the Basic Law became effective on 1 January 1970.

## 2. Tasks<sup>1)</sup>

The BLK is the permanent forum for the discussion of all questions of education and research promotion which are of common interest to the Federal and Länder governments (BLK Agreement, Article 1). It makes recommendations to the Heads of the Federal and Länder governments on educational planning and research promotion.

### 2.1 Educational planning and innovations in education

A number of factors have led to new requirements which are to be met by the education system. More than ever, demographic developments in Germany require the potential of a well qualified labour force. Structural changes in the economy, growing internationalization and manifold use of the new media are adding to this trend.

Joint educational planning by the Federal Government and the Länder in the BLK is to enable the education sector to meet future requirements and to be internationally competitive. Structures and content will change. This will determine the new focuses of joint educational planning in the BLK. The promotion of women in education and science will remain another important goal of the BLK's work.

In accordance with the agreement concluded between the Federal and Länder governments on a higher education and science programme (HWP) of 16 December 1999, the Federal Government and the Länder are jointly supporting the further development of higher education and science as well as the realization of equal opportunities for women in research and teaching in nationally relevant fields. The HWP programme is a follow-up to the joint special funding programme for higher education and research (HSP III), which expired at the end of 2000. After review of the funding goals and volumes by the BLK, the duration of the agreement, which was to expire at the end of 2003, was extended by three years until 2006.

Together with the Federal Employment Agency (Bundesagentur für Arbeit), the BLK has since 1971 published the information manual "Studien- und Berufswahl", which is also available on the Internet ([www.studienwahl.de](http://www.studienwahl.de)). Since 1972 the BLK has annually calculated

---

<sup>1)</sup> For details see [www.blk-bonn.de](http://www.blk-bonn.de) and BLK annual reports

the current expenditure on education, science, research and development; since 1999, such calculations have been based on the data provided by the Federal Statistical Office (Statistisches Bundesamt). They are published as "BLK Education Finance Report" (BLK-Bildungsfinanzbericht).

As regards innovation in education, the BLK's work mainly includes support for pilot projects under programmes running for about five years. They are expected to give major impetus to further development in school education, vocational training, higher education and continuing education. The projects focus on

- improving quality in schools and school systems
- increasing efficiency in mathematics and science teaching (transfer programme)
- education for sustainable development
- lifelong learning
- cultural education in the media age
- teaching and living democracy at school
- language teaching and learning as a continuum: practical school strategies for bridging interfaces in the education system
- in-service training for teachers at vocational schools
- support of the study structure reform process at higher education institutions by means of the introduction of new study courses
- introduction of a credit point system at institutions of higher education
- continuing education at universities.

All pilot projects aim to achieve early availability and application of innovative development results and to firmly support the broad implementation of the results.

## **2.2 Research promotion**

The BLK has the following main tasks pursuant to the Skeleton Agreement on Research Promotion:

- It endeavours to coordinate the Federal and Länder governments' research policy concepts and decisions and develops a medium-term plan for this field.



- It plans priority measures and makes recommendations concerning the mutual exchange of information between the Federal and Länder governments in matters of research promotion.
- It develops the terms and conditions for the appropriation of funds and sets up uniform principles for budgets and financial plans as well as general financial management guidelines and principles for evaluation insofar as they do not already exist.
- It suggests that the heads of the Federal and Länder governments approve the annual grant requirements of the research and/or service institutions, research funding organizations and research projects jointly financed by all the Parties to the Agreement. Such approval will be based on the respective medium-term financial plans.
- It suggests institutions and research projects for inclusion in the joint financial promotion as well as the termination of their promotion.

By resolution of the heads of the Federal and Länder governments, the BLK was assigned the additional task of dealing with policy issues concerning specialized information systems in 1978.

### **2.3 Education Forum**

After more than two years' work, the Education Forum presented twelve recommendations for the reform of the German education system in late 2001. The fields which it considered to be of prior importance were early support, individual support, lifelong learning for everyone, learning to take responsibility, and the reform of training and in-service training of teachers.

The recommendations of the Education Forum are not only addressed to political stakeholders but also to those responsible for organizing local education processes (see the results of the Education Forum on [www.forumbildung.de](http://www.forumbildung.de)).

## **2.4 Joint Initiative for the Promotion of Study, Research and Training in Germany**

Together with science, industry and the local authorities, the Federal and Länder governments decided in the BLK in autumn 2000 to launch a Joint Initiative for the Promotion of Study, Research and Training in Germany (Konzertierte Aktion "Internationales Marketing für den Bildungs- und Forschungsstandort Deutschland"). A frame of reference agreed in the BLK between the Federal Government, the Länder, the scientific community, industry and the local authorities provides a basis for joint work.

The primary objective of this joint initiative is to increase the international attractiveness of education and research in Germany by launching a number of different activities and measures, to strengthen international cooperation in promising fields and to encourage students, researchers and specialist staff interested in vocational qualification to come to Germany.

Major documents of the Joint Initiative can be found on the Internet at [www.blk-bonn.de/marketing.htm](http://www.blk-bonn.de/marketing.htm).

## **3. Organization, Members and Consultation Procedure**

### **3.1 Commission (Kommission)**

The Commission is the BLK's highest consultation and decision-making body. The Commission consists of eight representatives of the Federal Government and one representative - in matters of research promotion two representatives - of each Land Government. The representatives of the Federal Government hold 16 votes, which are cast jointly, whereas the representatives of the 16 Länder governments hold one vote each.

The chairperson and the deputy chairperson are appointed for one year alternately from among the representatives of the Federal Government and the Länder governments.

The Commission takes its decisions with a majority of at least 25 of its members' votes. Members who have been outvoted may put down their dissenting opinion in a special vote.

The Commission makes recommendations, which - with the special votes, if any - are submitted to the heads of the Federal and Länder governments for deliberation and decision-making. A decision requires approval by at least 13 heads of government; it is binding only on those who have approved it.

The Skeleton Agreement on Research Promotion provides for simplified procedures for approval by the heads of government.

Any results of the Commission's deliberations which are expected to be of interest to the community of experts are, as a rule, published in the BLK series "Materialien zur Bildungsplanung und zur Forschungsförderung".

Representatives of the Science Council (Wissenschaftsrat), the Local Authorities' Associations (Kommunale Spitzenverbände) and the Central Committee of the Federal Institute of Vocational Training (Bundesinstitut für Berufsbildung) take part in the Commission's meetings in an advisory capacity.

The procedure to be followed by the Commission is laid down in the BLK's rules of procedure.

### **3.2 Committees and State Secretaries Panels**

In order to prepare its decisions, the Commission has set up two committees:

- Committee on "Educational Planning" (Ausschuss "Bildungsplanung")
- Committee on "Research Promotion" (Ausschuss "Forschungsförderung").

Decisions in accordance with the Skeleton Agreement on Pilot Experiments are to be taken by the project group on "Innovations in Education" (Projektgruppe "Innovationen im Bildungswesen"), which has been assigned to the Committee on "Educational Planning".

Representatives of the competent Federal and Länder government departments are members of the committees and the project group. In addition, experts may be requested to give their advice where necessary.

The State Secretaries Panel "Multimedia in Higher Education", which was set up by the Commission, is to act as a steering group for the use of new media in higher education. Another BLK State Secretaries Panel is preparing the deliberations of the Joint Initiative for the Promotion of Study, Research and Training in Germany.

### **3.3 Working groups, working panels and ad hoc groups**

The committees may set up working groups and invite experts for the preparation of their deliberations and decisions.

In addition to the project group on "Innovations in Education" mentioned under 3.2 above, the Committee on "Educational Planning" has set up the following panels:

- Working panel "Initial and Continuing Vocational Training" (Arbeitskreis "Berufliche Aus- und Weiterbildung")
- Editorial conference on the information manual "Choice of studies and occupations" (Redaktionskonferenz "Studien- und Berufswahl").

The Committee on "Research Promotion" prepares its deliberations in groups of rapporteurs.

The

- Working panel "Promotion of Women in Science" (Arbeitskreis "Förderung von Frauen in der Wissenschaft").

has been assigned to both committees.

In addition, the Commission, the committees and the project group set up ad hoc groups for handling temporary assignments on a case-by-case basis.

### **3.4 Secretariat**

The Secretariat of the BLK is in charge of performing the day-to-day business and preparing the meetings of the Commission and of the other bodies. Apart from briefing activities, its tasks also include technical work.

The Secretariat is located in Bonn. It is subject to the instructions of the chairperson of the Commission. The Secretariat, which employs 24 staff members in established posts, has been set up at the Office of the Federal President; the Secretariat's expenses are covered by the Federal Government. The Secretary-General and his/her deputy are appointed by the Federal Government acting in agreement with the Länder.

The Secretariat regularly publishes an annual report with the results of the deliberations in the year under review and with information on ongoing projects. The annual report also contains a list of all BLK publications, which can be obtained from the Secretariat.

The BLK's publications and press releases are available for download at [www.blk-bonn.de/veroeffentlichungen.htm](http://www.blk-bonn.de/veroeffentlichungen.htm) and at [www.blk-bonn.de/pressemitteilungen/pressemitteilungen.htm](http://www.blk-bonn.de/pressemitteilungen/pressemitteilungen.htm). Subscription to the monthly BLK Newsletter is possible by filling in the box at [www.blk-bonn.de](http://www.blk-bonn.de).

## **4. Links with Other Bodies with a Role in Educational and Research Policy**

### **4.1 Science Council (Wissenschaftsrat)**

The Science Council was set up as an advisory body in 1957 by virtue of an Administrative Agreement concluded between the Federal and Länder governments. Its function is to draw up recommendations concerning the development of higher education, science and research in terms of contents and structure. Furthermore, it attends to the functions it has been assigned by special provisions, in particular the University Construction Act.

The Scientific Commission of the Science Council consists of 32 scientists or recognized public figures. The Administrative Commission is composed of six representatives of the Federal Government and 16 representatives of the Länder governments. Both Commissions together constitute the Plenary Assembly of the Science

Council, which adopts the recommendations and opinions.

Representatives of the Science Council attend the meetings of the BLK in an advisory capacity. The Secretary-General of the Science Council participates as a permanent guest in the meetings of the Commission; vice versa, the Secretary-General of the BLK takes part as a permanent guest in the meetings of the Science Council.

#### **4.2 Local Authorities' Associations (Kommunale Spitzenverbände)**

The Federation of German Local Authorities' Associations includes the German Association of Cities and Towns (Deutscher Städtetag), the German Association of Towns and Municipalities (Deutscher Städte- und Gemeindebund) and the German Association of Rural Districts (Deutscher Landkreistag). Representatives of the Local Authorities' Associations participate in the meetings of the Commission and the Committee on "Educational Planning" in an advisory capacity.

#### **4.3 Federal Institute of Vocational Training**

The Federal Institute of Vocational Training (BIBB) was established in 1970 on the basis of the Vocational Training Act (BBiG). Today, the legal basis of the BIBB is the Vocational Training Promotion Act (BerBiFG) of 23 December 1981. The BIBB's task is to participate in the further development of out-of-school vocational education and training through research and development, promotion and counselling, and to cooperate with all those involved in vocational education and training, namely employers and trade unions as well as the Federal and Länder governments. The Federal Institute's Central Committee is composed of 16 representatives each of the employers' associations, the trade unions and the Länder governments as well as five representatives of the Federal Government. In addition, one representative of the Local Authorities' Associations and one representative of the Federal Employment Agency attend Central Committee meetings in an advisory capacity. Up to two members of the Central Committee participate in the meetings of the Commission in an advisory capacity.

#### **4.4 The Standing Conference of the Ministers of Education and Cultural Affairs of the Länder (Kultusministerkonferenz – KMK)**

The task of the KMK is to coordinate the work of the relevant ministries in the 16 Länder. The Conference ensures the necessary degree of uniformity in education, science and culture with regard to issues which are of importance to all Länder. The KMK is the conference of Länder ministers which is most important for the BLK's work. Continuous working relations exist between the Secretariats of the KMK and the BLK. The Secretary-General of the KMK participates as a permanent guest in the meetings of the Commission; vice versa, the Secretary-General of the BLK participates in the meetings of the Conference of Deputy Education and Science Ministers of the Länder and in the plenary meetings of the KMK.

#### **4.5 Planning Committee for University Construction (Planungsausschuss für den Hochschulbau)**

The Planning Committee for University Construction was established by virtue of the University Construction Act of 1 September 1969. This law is based on no 1 of paragraph (1) of Article 91 a of the Basic Law, according to which the extension and construction of institutions of higher education including university clinics is a joint task of the Federal and Länder governments. The Planning Committee is chaired by the Federal Minister of Education and Research. Other members are the Federal Minister of Finance and one minister (or senator) from each of the 16 Länder. The Committee's task is to draw up a skeleton plan for the construction and extension of universities. This plan covers a four-year period and is updated annually for the period of one year. Thus the Committee performs medium-term planning tasks within a specific, limited area of education, namely building measures in the higher education sector. The Skeleton Plan for University Construction is binding on the Federal and Länder governments.

## **II. Legal Basis**





**The Basic Law**  
**for the Federal Republic of Germany**

(Extract)

**VIII a. Joint Tasks<sup>1</sup>**

Article 91 a

(1) In the following areas the Federation shall participate in the discharge of responsibilities of the Länder, provided that such responsibilities are important to society as a whole and that federal participation is necessary for the improvement of living conditions (joint tasks):

1. extension and construction of institutions of higher learning, including university clinics;
2. improvement of regional economic structures;
3. improvement of the agrarian structure and of coastal preservation.

(2) Joint tasks shall be defined in detail by a federal law requiring the consent of the Bundesrat. This law shall include general principles governing the performance of such tasks.

(3) The law referred to in paragraph (2) of this Article shall provide for the procedure and institutions required for joint overall planning. The inclusion of a project in the overall plan shall require the consent of the Land in whose territory it is to be carried out.

(4) In cases to which subparagraphs 1 and 2 of paragraph (1) of this Article apply, the Federation shall finance one half of the expenditure in each Land. In cases to which subparagraph 3 of paragraph (1) of this Article applies, the Federation shall finance at least one half of the expenditure, and the proportion shall be the same for all Länder. Details shall be regulated by the law. The provision of funds shall be subject to appropriation in the budgets of the Federation and the Länder.

---

<sup>1</sup> Chapter VIII a. was inserted into the Basic Law by federal law of 12 May 1969 and entered into force on 1 January 1970.

(5) Upon request the Federal Government and the Bundesrat shall be informed about the execution of joint tasks.

#### Article 91 b

Pursuant to agreements, the Federation and the Länder may cooperate in educational planning and in the promotion of research institutions and research projects of supraregional importance. The apportionment of costs shall be regulated by the relevant agreements.

**Administrative Agreement between the Federal and  
Länder Governments on the Establishment of a Joint  
Commission for Educational Planning**

**(BLK Agreement)**

**of 25 June 1970  
as amended on 17/21 December 1990<sup>1</sup>**

Bundesanzeiger 1991 p. 683<sup>2</sup>

The Federal Government and the governments of the Länder of the Federal Republic of Germany, on the basis of Article 91 b of the Basic Law, conclude the following agreement:

**Article 1**

The Federal Government and the governments of the Länder shall set up a joint commission for educational planning (the Commission). It will be a permanent forum for discussion of all the problems involving the Federal and Länder governments in the field of education and the promotion of research.

**Article 2**

In the field of educational planning, the Commission shall have the following tasks:

---

<sup>1</sup> The Länder of Brandenburg, Mecklenburg-Western Pomerania, Saxony, Saxony-Anhalt and Thuringia acceded to the BLK Agreement by Agreement of 17/21 December 1990, which became effective on 1 January 1991.

<sup>2</sup> "Bulletin" of the Press and Information Office of the Federal Government of 3 July 1970, no. 90, p. 891

1. prepare a joint long-term skeleton plan for coordinated development of the education system as a whole,
2. prepare medium-term phased plans for the realization of the educational policy aims established by the skeleton plan,
3. make recommendations for the coordination of Federal and Länder sub-plans ready for implementation,
4. prepare programmes for carrying out priority measures,
5. ascertain the expected financial requirements for the implementation of the plans and programmes, and work out proposals for raising and making available the required funds by the Federal Government and the Länder (joint educational budget) on the basis of the demand assessed by the Federal and Länder governments,
6. continually revise the plans adopted by the heads of the Federal and Länder governments and propose any required amendments (updating),
7. suggest projects in the field of educational research and planning and, if necessary, prepare agreements between the Federal and Länder governments on individual projects and institutions in educational research and planning which are of supraregional importance,
8. promote the international exchange of experience in educational planning.

### Article 3

(1) Nos 1, 4, 5 and 6 of Article 2 shall apply *mutatis mutandis* to the measures taken by the Federal and Länder governments with regard to general research promotion; the financial requirements of general research promotion shall be included in the joint educational budget.

(2) General research promotion measures shall be coordinated with research planning in the fields of big science and departmental research.

(3) The Commission may suggest and prepare agreements on research projects and institutions of supraregional importance.

#### Article 4

The Commission shall work out proposals for the joint establishment and continued development of supraregional information systems for education and the advancement of research.

#### Article 5

The heads of government are entitled to assign further tasks to the Commission by a unanimous vote.

#### Article 6

(1) The Commission shall coordinate its activities with research and financial policy and with the most important sectors of social policy, in particular economic, labour market and social security policy, while taking into account the aims of regional planning and policy. The financial proposals and phased plans shall be coordinated with Federal and Länder financial planning.

(2) When implementing its tasks, the Commission shall take into account the recommendations made by the German Education Council and the Science Council as well as the decisions and recommendations made by the conferences of the competent Länder ministers and the pertinent plans of the Federal Government; the Commission shall provide an opportunity for the conferences of the competent Länder ministers to submit their comments.

(3) The Federal Government and the governments of the Länder shall make available to the Commission the data and documentation required.

## Article 7

(1) The Commission shall consist of eight representatives of the Federal Government and one representative of each Land government. The appointment of deputies and advisory members shall be permitted. Members as well as deputy and advisory members should be ministers, state secretaries or parliamentary state secretaries.

(2) The representatives of the Federal Government shall have sixteen votes, which must be cast jointly, the representatives of the Länder governments shall have one vote each.

(3) The Commission shall take its decisions with a majority of at least 25 of its members' votes.

(4) Members who have been outvoted may put down their dissenting opinion in a special vote (minority vote).

(5) The Commission may set up committees, among the members of which may also be representatives other than those of the Federal and Länder governments mentioned in paragraph 1 above.

(6) Further details of the procedure to be followed shall be determined by the rules of procedure to be adopted by the Commission.

## Article 8

The chairperson of the Commission shall be appointed for the period of one year, alternately from among the representatives of the Federal Government and the Länder governments.

## Article 9

(1) The recommendations of the Commission and the minority votes shall be submitted to the heads of government for consultation and decision-making.

(2) Decisions shall require the consent of no less than thirteen heads of government. They shall only be binding on those who have consented to them.

(3) Decisions by the heads of government may also be brought about by circulation of the respective documents.

## Article 10

(1) For the handling of the everyday business of the Commission and for the practical preparation of its consultations, a joint secretariat shall be set up at the seat of the Federal Government.

(2) The head of the secretariat and his/her deputy shall be appointed by the Federal Government in consultation with the Länder governments. The head of the secretariat shall be proposed by the Federal Government; his/her deputy may be proposed by the Länder governments.

(3) The secretariat shall be subject to the instructions of the chairman of the Commission.

(4) The secretariat shall see to it that the members of the Commission and the heads of government are informed regularly and without delay. Each of the members of the Commission and each head of government may, at any time, seek information with regard to the work of the secretariat.

(5) In the implementation of its tasks, the secretariat shall cooperate with the secretariat of the Standing Conference of Länder Ministers of Education, with the representative of the Conference of Länder Finance Ministers and with the secretariats of the German Education Council and the Science Council. At the request of the chairman of the Commission, the above-mentioned bodies shall assist the secretariat of the Commission in the fulfilment of tasks coming under their terms of reference.



## Article 11

Staff and other expenditure incurred by the secretariat shall be paid for by the Federal Government, with the exception of those costs which are incurred as a result of the collaboration of Länder government employees in the secretariat. These costs shall be borne by the Land having seconded the employees.

## Article 12

(1) The Agreement shall be concluded for an indefinite period of time. It may be denounced by giving one year's notice to take effect no earlier than 31 December 1974.

(2) Without prejudice to paragraph 1 above, the Federal and Länder governments shall enter into negotiations on the amendment of Articles 10 and 11, if one of the participating governments so requests after 31 December 1971.

(3) The Agreement shall take effect on 1 July 1970.

- - -

### *Protocol notes concerning the present Agreement*

The Contracting Parties agree on the following points:

Concerning the second sentence of Article 1:

The Commission shall include in its deliberations the structure and cooperation of the various institutions of educational planning commissioned by the Federal and Länder governments.

Concerning no 1 of Article 2:

The term "education system as a whole" is to be interpreted comprehensively and includes, in particular, pre-school education, continuing education and training assistance.

The Contracting Parties are aiming at submitting the first skeleton plan by 1 May 1971.

Concerning Article 2 and paragraph 1 of Article 6:

The Financial Planning Council shall be given a share in the coordination of the funding proposals and the phased plans with the financial planning of the Federal and Länder governments in accordance with Section 51 of the Law on Budgetary Principles.

Concerning no 6 of Article 2:

The updating and continual revision of the plans shall in each case be accompanied by stock-taking and reporting.

Concerning paragraph 1 of Article 3:

General research promotion within the meaning of this Agreement shall not include big science, departmental or industrial research.

Concerning Article 4:

The data and the information shall be available to the Federal and Länder governments as well as to the legislative bodies. Third parties who have a legitimate interest may also be granted access to the data. It shall, however, be a prerequisite that the legitimate interests of those involved be safeguarded. The Contracting Parties shall develop criteria for the passing-on of data to third parties and for provisions concerning the protection of individuals, while paying due regard to the differing nature of the material. In so doing, they shall take into consideration the protective clauses in the law on statistics.

Concerning the last half-sentence of paragraph 2 of Article 6:

A time limit has to be set for the submission of comments in each case.

Concerning paragraph 1 of Article 7:

No Land shall appoint more than one deputy member. The deputies and the advisory members must be interchangeable. Deputies of ministers who do not carry the official title of "State Secretary" shall also be allowed to act as deputies. The same rule shall apply correspondingly to the advisory members.

Within the framework of the rules of procedure of the Commission, provision shall be made for the cooperation in an advisory capacity of representatives of the Local Authorities' Associations as well as the Science Council, the German Education Council and the Federal Committee on Vocational Education, in accordance with Section 50 of the Vocational Training Act of 14 August 1969.

Concerning Article 8:

During the first year of the Commission's activities, the Federal Minister of Education and Science shall be in the chair.

Concerning paragraph 1 of Article 10:

The secretariat shall be set up at the German Federal President's Office; it shall consist of not many more than 25 staff members. The Contracting Parties shall make available the necessary personnel after mutual consultations.

**Skeleton Agreement**  
**on the coordinated preparation, implementation and**  
**scientific support of pilot experiments in education**

- Skeleton Agreement on Pilot Experiments -  
of 7 May 1971<sup>1</sup>

Gemeinsames Ministerialblatt, p. 284

Article 1

**Functions**

The Federal and Länder governments agree on a procedure within the framework of the functions of the Bund-Länder Commission for Educational Planning to coordinate the preparation, implementation and evaluation of pilot experiments in education and to secure financing subject to the approval of the legislative bodies.

Article 2

**Objective**

The pilot experiments are to be designed in such a way as to constitute important aids to decision-making concerning the development of the education system. Criteria are to be developed which facilitate the establishing of priorities.

---

<sup>1</sup> The Länder of Brandenburg, Mecklenburg-Western Pomerania, Saxony, Saxony-Anhalt and Thuringia acceded to the Skeleton Agreement on Pilot Experiments by Agreement of 17/21 December 1990, which became effective on 1 January 1991 (Bundesanzeiger 1991, p. 683).

### Article 3

#### **Financial skeleton plan**

The Commission shall draw up a financial skeleton plan which extends over several years and is geared to the priorities (Article 2) and included in the educational budget.

### Article 4

#### **Registration**

The experiments shall be registered with the secretariat of the Bund-Länder Commission by the Federal Government or the participating Länder within the framework of their responsibilities. The applications must contain:

- a) Objectives and reasons for the experiment
- b) Specific problems to be investigated by the experiment
- c) Design and implementation of the experiment
- d) Time schedule and financing schedule
- e) Information on the scientific support of the experiment
- f) Recognition of the duty to report on the experiment

### Article 5

#### **Registration deadlines**

The applications must reach the secretariat no later than 1 January and 1 July of each year. Decisions on applications will be taken within six months as a rule.

## Article 6

### **Recognition**

A working group consisting of representatives of the Federal and Länder governments shall examine the applications - after their prior formal examination by the secretariat - for their relative importance and urgency and submit a proposal to the Commission or to a body commissioned by it concerning any experiments to be carried out, the order in which they are to be carried out and what their scope should be. The proposal shall also cover financing. It shall take into account the objectives set by the Bund-Länder Commission.

The initiative of the Länder and the Federal Government to carry out experiments within the framework of their responsibilities shall not be affected. The Federal and Länder governments shall be obliged to communicate their experiments to the Commission or to the body commissioned by it.

## Article 7

### **Coordination of the scientific support of experiments**

The Commission or the body commissioned by it shall ensure coordination of the scientific support of the experiments.

## Article 8

### **Financing**

The special funds required for the pilot experiments shall as a rule be raised half by the Federal Government and half by the Land hosting the experiment or by the participating Länder. In individual cases, a different financing formula may be recommended by the Commission or the body commissioned by it.

## Article 9

### **Entry into force**

The agreement shall enter into force as soon as the heads of the Federal and Länder governments have given their approval.

- - -

### *Protocol note concerning the present Agreement*

Concerning the third sentence of Article 6, the Länder of Bavaria, Rhineland-Palatinate and Schleswig-Holstein make the following reservation:

"The agreement is approved on condition that - in accordance with the aims of the pilot experiments laid down in Article 2 to provide an aid to decision-making concerning the development of the education system – promotion pursuant to the third sentence of Article 6 is not restricted to a single type of school determined by the Bund-Länder Commission."

**Skeleton Agreement**  
**between the Federal and Länder Governments on the**  
**Joint Promotion of Research Pursuant to**  
**Article 91 b of the Basic Law**

- Skeleton Agreement on Research Promotion -  
of 28 November 1975<sup>1</sup>

Bundesanzeiger no 240 of 30 December 1975, p. 4  
Last amended by Agreement of 25 October 2001,  
Bundesanzeiger, p. 25218

The Federal Government and the governments of the Länder of Baden-Württemberg, Bavaria, Berlin, Brandenburg, Bremen, Hamburg, Hesse, Lower Saxony, Mecklenburg-Western Pomerania, North Rhine-Westphalia, Rhineland-Palatinate, the Saarland, Saxony, Saxony-Anhalt, Schleswig-Holstein and Thuringia, on the basis of Article 91 b of the Basic Law, conclude the following skeleton agreement:

Article 1

(1) The Contracting Parties shall collaborate on the promotion of institutions and projects of scientific research of supraregional importance in accordance with the detailed provisions of this agreement and for that purpose shall inform each other about their plans and decisions in this field. While preserving their own competence, they shall strive for close coordination in the field of research policy.

---

<sup>1</sup> The Länder of Brandenburg, Mecklenburg-Western Pomerania, Saxony, Saxony-Anhalt and Thuringia acceded to the Skeleton Agreement on Research Promotion by Agreement of 17/21 December 1990, which became effective on 1 January 1991 (Bundesanzeiger 1991, p. 683).



(2) The Contracting Parties shall undertake obligations under this agreement, subject to provision of the required budgetary funds by their legislative bodies.

*Protocol note concerning Article 1*

The Contracting Parties understand that the skeleton agreement including its implementing regulations provides for the content and forms of their cooperation in the field of research promotion comprehensively and exclusively.

The second sentence of Art. 1, para. 1 of Art. 3 in connection with nos 1, 4, 5 and 6 of Art. 2 and Art. 4 of the Administrative Agreement between the Federal and Länder governments on the Establishment of a Joint Commission for Educational Planning shall remain unaffected. When fulfilling the duties assigned to it under these provisions, the Commission shall act in the composition required by para. 2 of Art. 8 and in accordance with the procedural provisions of this skeleton agreement.

Article 2

(1) The joint promotion of research shall cover:

1. The German Research Association (Deutsche Forschungsgemeinschaft) (including the collaborative research centres, the post-graduate study groups and other tasks assumed by the German Research Association)
2. the national research centres (Großforschungseinrichtungen)
3. the Max Planck Society (MPG)
4. the Fraunhofer Society
5. other autonomous research institutions of supraregional importance and overall interest to national science policy, provided that the need for financial assistance to be met by the Federal and Länder governments towards current costs exceeds a given amount

6. other organizations sponsoring research institutions and research promotion organizations as well as institutions fulfilling a service function for research, provided that the requirements mentioned under no 5 are fulfilled
7. research projects of supraregional significance and of overall interest to national science policy, provided that their need for financial assistance exceeds a given amount
8. the German Academy of Natural Scientists LEOPOLDINA
9. the Wissenschaftskolleg zu Berlin.

(2) The research institutions jointly promoted pursuant to para. 1 shall - together with their institutes, if any - be listed. The lists relating to nos 2, 5 and 6 of para. 1 shall be revised every two years.

(3) The details of joint promotion and the preconditions and consequences of withdrawal from the joint promotion shall be settled in implementing agreements. These agreements shall also fix the amounts of financial assistance needed which, when exceeded as mentioned in nos 5, 6 and 7 of para. 1 above, constitute the prerequisite for joint promotion, and furthermore the criteria and procedure for an updating of these amounts.

#### *Protocol notes on Article 2*

Concerning para.1

The joint promotion shall not extend to research institutions and research projects of departmental or industrial research.

### Concerning para. 3

The amounts shall be fixed initially<sup>1</sup> as follows:

- For research institutions (no 5 of para. 1 above) and for organizations sponsoring research institutions and research promotion organizations (no 6 of para. 1 above),

the need for financial assistance by the Federal and Länder governments towards the current costs estimated for 1974 must exceed DM 1.5 million (€ 1.7 million as from 1 January 2002).

- For institutions fulfilling a service function for research (no 6 of para. 1 above),

the need for financial assistance by the Federal and Länder governments towards the current costs estimated for 1974 must exceed DM 1 million (€ 1.1 million as from 1 January 2002).

- For research projects (no 7 of para. 1 above)

the need for financial assistance by the Federal and Länder governments must exceed € 255,646<sup>2</sup> annually. The term research project shall also apply to a programme coordinated by the Union of German Academies of Sciences and Humanities.

### Article 3

Pursuant to the Commission's recommendations referred to in no 2 of para. 1 of Art. 10 of this skeleton agreement, the Contracting Parties shall inform each other of

1. the principles and procedures applied by them in their own research promotion;

---

<sup>1</sup> Last updated on 1 January 2002, see § 3 AV-FE.

<sup>2</sup> Previously DM 500,000; converted by the secretariat (rounded up to full euro amount).

2. all research institutions and research projects promoted by them jointly;
3. all research institutions and research projects promoted by them alone to the extent that this is likely to be of significance for the joint research promotion and information is available;
4. their plans
  - regarding the establishment of new research institutions
  - concerning research projects
  - concerning the inclusion of research institutions in financial promotion;

if requested by one of the Contracting Parties, an exchange of views shall take place on the matter under review;

5. the planned establishment of new international research institutions, envisaged international research programmes and important international individual projects; if requested by one of the Contracting Parties, an exchange of views shall take place on the matter under review.

#### Article 4

The Contracting Parties shall attempt to take a uniform position on important issues of research policy when collaborating with autonomous research promotion organizations and with science organizations of supraregional importance.

#### *Protocol note on Article 4*

The Federal and Länder governments shall strive to cast a unanimous vote in the bodies of research institutions on which they are represented jointly.

#### Article 5

(1) Financial support for research institutions shall extend to their investment and operating costs.

(2) Financial support for research projects within the meaning of no 7 of para. 1 of Art. 2 shall extend to the cost of the project as provided in the implementing agreements.

(3) The extent of the financial support for special research programmes shall be determined by an implementing agreement.

## Article 6

(1) With regard to the financial promotion of research, the following ratios shall be applied to financing by the Federation and the Länder:

- |   |       |
|---|-------|
| 1. German Research Association  | 58:42 |
| 2. No longer applicable   |       |
| 3. No longer applicable   |       |
| 4. National research centres  | 90:10 |
| 5. Max Planck Society   | 50:50 |
| 6. Fraunhofer Society   | 90:10 |
| 7. Other research institutions of<br>supraregional significance   | 50:50 |
| 8. Other organizations or institutions<br>according to no 6 of para. 1 of Art. 2;<br>deviation from this ratio is permitted subject<br>to approval by all Contracting Parties | 50:50 |
| 9. German Academy of Natural Scientists<br>LEOPOLDINA   | 80:20 |
| 10. Wissenschaftskolleg zu Berlin   | 50:50 |

Payments in excess of the financial contribution according to the respective ratio may be made

1. in the cases provided for in nos 4, 6, 9 and 10 of the first sentence, with the approval of the Federation and the participating Länder,
2. in the cases provided for in nos 7 and 8 of the first sentence, with the approval of the majority of the Länder,
3. in all other cases, with the approval of all Contracting Parties.

(2) The ratios applying to the financing of the promotion of research projects shall be determined individually by the participating Contracting Parties, taking into account the recommendation of the Commission, in the range of 90:10 to 50:50 (Federation - Länder); fixed ratios may be determined for selected groups of projects. This shall also apply to the promotion of research projects which are managed via the German Research Association.

(3) The pro rata promotion amounts shall be paid directly to the recipient unless otherwise agreed in individual cases.

#### *Protocol notes on Article 6*

Concerning the first sentence of para. 1

The right of the host Land to promote additional special projects on its own in institutions included in the joint promotion shall remain unaffected.

Concerning the first sentence of para. 2

The financing ratios currently applied to individual or specific types of research projects shall remain in force and may not be modified to the detriment of the Länder unless agreed among the participating Contracting Parties.

Concerning the second sentence of para. 2

This provision shall also cover projects for the improvement of scientific services.

## Article 7

(1) The German Research Association, the Max Planck Society and autonomous research institutions, other organizations sponsoring research institutions and research promotion organizations as well as institutions fulfilling a service function for research (nos 5 and 6 of para. 1 of Art. 2 above) shall be financed jointly by all Contracting Parties. The financing share to be contributed by the Länder shall be apportioned between the Länder according to ratios to be established by them.

(2) The national research centres and the Fraunhofer Society shall be financed by the Federation and the participating Länder. The financing share to be contributed by the Länder shall be established in the implementing agreements.

(3) The German Academy of Natural Scientists LEOPOLDINA (no 8 of para. 1 of Art. 2 above) and the Wissenschaftskolleg zu Berlin (no 9 of para. 1 of Art. 2 above) shall be financed by the Federation and the host Land.

(4) In other cases of joint promotion, the implementing agreements shall stipulate which Länder will participate and in which way the financing share to be contributed by them shall be apportioned between them.

## Article 8

(1) The Bund-Länder Commission for Educational Planning shall propose the measures and decisions to be taken jointly by all the Contracting Parties in accordance with this skeleton agreement. It shall be named "Joint Commission for Educational Planning and Research Promotion" (Commission).

(2) The Commission shall include eight representatives of the Federal Government and two representatives of each Land government when fulfilling its functions in accordance with this skeleton agreement.

Otherwise membership and the votes of the representatives of the Federal and Länder governments shall be subject to the provisions of Article 7 of the Administrative Agreement between the Federal and Länder Governments on the Establishment of a Joint Commission for Educational Planning of 25 June 1970, with the proviso that the representatives of each Land government have one vote.

(3) The Commission should charge its Committee on "Research Promotion" with the drawing-up of proposals. The Committee on "Research Promotion" may set up working groups.

(4) Existing agreements specifically governing decision-making procedures or mutual coordination shall remain unaffected.

(5) The Commission shall provide for the participation of scientists, experts and science organizations in an advisory capacity in the preparation of the decisions.

### *Protocol notes on Article 8*

Concerning para. 1

As far as its activities according to this skeleton agreement are concerned, the Commission will adjust its rules of procedure. Provision shall be made that the meeting shall be chaired by a member of the Commission in charge of research promotion issues when agenda items concerning tasks under this skeleton agreement are discussed.

Concerning para. 3

1. The Committee on "Research Promotion" is to be composed of deputies of ministers/directors-general.
2. The Commission may stipulate in its rules of procedure that decisions on proposals made by the Committee on "Research Promotion" shall in specific cases be taken via a simplified circulation procedure. A procedure pursuant to paras 2 and 3 of Art. 9 of this skeleton agreement may be followed.



3. It is possible to draw on the services of existing Bund-Länder committees.

Concerning para. 4

This provision also covers the Lindau Agreement.

## Article 9

(1) Decisions taken by the Commission pursuant to Article 8 shall become binding on the Contracting Parties on approval by the heads of government.

(2) Approval pursuant to para. 1 above shall be considered given unless a request for consultation and decision-making by the heads of government is made by one of the Contracting Parties within four weeks after receipt of a decision taken by the Commission.

(3) If a request is made pursuant to para. 2 above, paras 2 and 3 of Art. 9 of the Administrative Agreement between the Federal and Länder Governments on the Establishment of a Joint Commission for Educational Planning of 25 June 1970 shall apply to the decision-making by the heads of government.

(4) In the case of decisions by the Commission concerning the terms and conditions for appropriations, financial management guidelines, principles for budgets and financial plans and for efficiency control (no 3 of para. 1 of Art. 10) and concerning the budgets and financial plans as well as the annual grant requirements of the research institutions and research projects receiving promotion (no 3 of para. 2 of Art. 10), approval pursuant to para. 1 above shall be considered given, notwithstanding para. 2, once the decision has been taken by the Commission provided that it was taken unanimously.

(5) Inclusion of research institutions in the joint promotion can only be decided if the Land hosting the institution votes in favour.

### *Protocol notes concerning para 2. of Art. 9*

1. Referring to para. 2, the secretariat of the Commission will without delay pass all decisions under para. 2 on to the Federal Chancellery and to the State (Senate) Chancelleries of the Länder.

2. The request shall be submitted to the chairman of the Conference of Länder Minister-Presidents. It shall be communicated to the other Contracting Parties and to the secretariat of the Commission for their information.

## Article 10

(1) Within the framework of its competence pursuant to Art. 8, the Commission shall in particular perform the following functions in the field of joint research promotion:

1. It shall strive to bring about coordination of research policy planning and decisions among the Contracting Parties and it shall develop a medium-term plan for this sector which, among other things, is a suitable consultation basis for the medium-term financial planning of the Federal and Länder governments.
2. It shall plan priority measures for research promotion, in particular for the improvement of the exchange of information and for cooperation in the university and non-university sectors, and it shall make recommendations concerning the mutual information of the Contracting Parties pursuant to Art. 3 of this skeleton agreement.
3. It shall evolve the terms and conditions for the appropriation of funds and it shall set up uniform principles for budgets and financial plans as well as general financial management guidelines and principles for efficiency control insofar as they do not already exist.

(2) If all Contracting Parties are to participate (nos 1 and 2) or if they are already participating (no 3) in the financing of a research institution or a research project, the Commission shall, in particular, have the following additional tasks:

1. It shall prepare the implementing agreements for the promotion of research institutions and research projects required for the implementation of this skeleton agreement.
2. It shall suggest research institutions and research projects for inclusion in the joint financial promotion and it shall also suggest termination of such promotion.

3. It shall suggest approval of the annual grant requirements on the part of the research institutions and research projects receiving promotion and, if all those participating in the financing pay their contributions directly to the grant recipients, it shall also suggest approval of the budgets and financial plans. The medium-term financial plans for the sector of research promotion are to be taken into consideration.

(3) The process of mutual information pursuant to Article 3 of this skeleton agreement shall be effected via the Committee on "Research Promotion" and implemented by the secretariat. Agreements between individual Contracting Parties concerning the promotion of research institutions and research projects shall be submitted for comment to the Commission in due time before their conclusion.

#### Article 11

(1) This skeleton agreement shall be concluded for an indefinite period of time. It may be denounced after the expiry of four years from the date of its entry into force by giving notice of termination at least two years before the end of any calendar year.

(2) This skeleton agreement shall enter into force on 1 January 1976, if all Contracting Parties have signed it. Reservations are not admissible.

(3) The application of the provisions governing the joint promotion of the institutions and organizations mentioned in nos 2, 4, 5 and 6 of para. 1 of Art. 2 of the skeleton agreement shall be suspended until 1 January 1977.