

Guidelines

Sample Bylaws for Collaborative Research Centres

Preliminary note

The exclusive purpose of the bylaws of a Collaborative Research Centre (CRC) is to regulate internal relationships within the CRC. The relationships between the CRC or the coordinating university (grant recipient) and the Deutsche Forschungsgemeinschaft (DFG) are regulated by the funding guidelines and other DFG forms.

www.dfg.de/foerderung/formulare

The sample bylaws are not designed to address all issues that need to be regulated in the statutes of a Collaborative Research Centre. Rather, they represent a minimum set of rules, with specifics to be filled in and further provisions to be added as needed by the CRC. Additional explanations and comments can be found in the footnotes. Furthermore, the provisions of the Framework Act for Higher Education (Hochschulrahmengesetz), the relevant State Higher Education Act (Landeshochschulgesetz), other laws, and the internal regulations of the coordinating university must be considered when drafting the CRC bylaws. For a CRC/Transregio, the sample bylaws must be adapted to the differing circumstances (multiple applicant universities and locations).

Preamble

The high number of researchers participating in the CRC and their affiliation to (often) different departments/faculties of a higher education institution or a non-university research institution make it necessary to establish a formal basis for cooperation, which can be found in the bylaws.

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The members of the Collaborative Research Centre do not wish to create an independent legal entity on the basis of these bylaws or for any other reason. The bodies listed should solely serve to organise and coordinate cooperation within the project.

§ 1 Name, coordinating university, purpose of the Collaborative Research Centre

1. The Collaborative Research Centre (CRC) <title> is a legally dependent institution of <name of coordinating university>.¹
2. The Collaborative Research Centre conducts interrelated research projects in the areas of <research areas>. It is divided into project areas and projects.
3. Furthermore, the Collaborative Research Centre promotes interaction with other research institutions, supports early career researchers, and fosters international cooperation and equal opportunities.

§ 2 Membership²

1. A member of the Collaborative Research Centre may be any person who belongs to one of the participating universities or research institutions and has demonstrated in the research field of the Collaborative Research Centre the ability to conduct independent research (generally after completing a doctorate). Membership is not contingent upon funding under the Collaborative Research Centre.
2. Researchers may apply for membership in the Collaborative Research Centre with its Management Committee.
3. Membership shall end when the member notifies the Spokesperson in writing of his/her withdrawal from the Collaborative Research Centre.

¹ The coordinating university is not necessarily the Spokesperson's university, but the university that submits the combined funding proposal to the DFG.

² Habilitation is not an appropriate minimum requirement for membership in a Collaborative Research Centre. Not making formal qualification a mandatory requirement for membership has the advantage of permitting case-by-case decisions on the basis of candidates' individual qualifications. As the researchers of the CRC are in the best position to judge qualifications at their institution, membership decisions should lie with the Collaborative Research Centre.

4. The loss or revocation of membership shall be decided by <at least equal to admission requirement> majority vote of the General Body.

§ 3 Rights and obligations of members

1. In accordance with the general rules (one predominant institution, requirements for project leaders, etc.), the members of the Collaborative Research Centre are eligible to submit project outlines to the committee of the Collaborative Research Centre that is responsible for the preparation of the combined funding proposal.
2. Members shall collaborate, advise and support each other. Shared resources of the Collaborative Research Centre may be used by all members to the extent possible.
3. Members shall contribute to planning and organisation, early career support, gender equality promotion, and internal organisation within the Collaborative Research Centre in accordance with these bylaws.
4. Publications based on research conducted by the Collaborative Research Centre must include a reference to DFG funding.
5. Each project leader must submit a progress report within <n months> of the end date of the funding period or project completion. Termination of membership does not affect this obligation.
6. If a project leader withdraws from the Collaborative Research Centre, the instrumentation and funds awarded for the project may not be transferred to another institution as a general rule. Any other solution (e.g. transfer of instrumentation) requires the approval of the Management Committee of the Collaborative Research Centre and of the coordinating university's chancellor or responsible Executive Board member. The DFG must be notified of any transfer of instrumentation valued at over €10,000 during the term of the Collaborative Research Centre.

§ 4 Organisational structure and bodies of the Collaborative Research Centre³

1. The Collaborative Research Centre has the following bodies:
 - a) General Body
 - b) <Assembly of Project Leaders>
 - c) Management Committee
 - d) Spokesperson

2. Project leaders shall be researchers who led the conception of the research project.

§ 5 Duties of the General Body

1. The General Body has the following duties:
 - a) Admission of members and decision on the termination of membership
 - b) Adoption and amendment of the bylaws in agreement with the applicant
 - c) Adoption of the combined funding proposal
 - d) Election of the Spokesperson, the Deputy Spokesperson, and other members of the Management Committee
 - e) Decision on the rules for shared use of research results and publication of synthesis papers (incl. definition of terms, rights and obligations, and agreed time limits and waiting periods)
 - f) Acceptance of the report of the Spokesperson
 - g) Decision on the allocation procedure (§ 8) for centrally managed funds
 - h) <if applicable, election of the members of the committees>

³ Depending on the structure of the overall research programme (number and scientific proximity of disciplines involved, their thematic and methodological connections) and the size of the Collaborative Research Centre (number of projects and project areas, number of members), different forms of organisation may be useful. Especially for scientifically homogeneous, smaller Collaborative Research Centres, the bodies specified in a), c) and d) are usually sufficient, provided that the Management Committee reflects the combination of subject areas in the Collaborative Research Centre. Large Collaborative Research Centres involving a relatively large number of disciplines usually require an additional decision-making body, especially for coordination tasks. In Collaborative Research Centres of medium size, coordination tasks may be performed by the Assembly of Project Leaders, provided that they are not too numerous for such a body to function effectively. Such a body has the advantage of allowing project leaders to speak directly, whereas the above-mentioned additional body is elected and thus a representative body.

2. The General Body shall assign the following duties to the <Assembly of Project Leaders, to a committee, or to the Management Committee>⁴:
 - a) Development and coordination of the research programme
 - b) Preparation of the combined funding proposal and internal preliminary assessment of project proposals
 - c) Decision on the inclusion of new projects during the funding period
 - d) Programme-modifying funding actions during the current funding period (e.g. termination of a project for substantive reasons, initial funding of a new project)
 - e) Deliberation on the proposal / purchase of instrumentation used by multiple projects
 - f) Preparation / organisation of scientific events of the Collaborative Research Centre
3. The election of the Spokesperson, Deputy Spokesperson and of the members of the Management Committee, and amendments to the bylaws shall be decided by <an absolute (more than half of members) / a qualified (e.g. at least two-thirds of members)> majority vote of the General Body. In all other cases, the General Body shall decide with <a simple> majority vote (majority of those present). The General Body shall be quorate if at least half of its members are present.
4. The General Body shall be convened by the Spokesperson of the Collaborative Research Centre with a notice period of at least <number> days; the agenda must be sent to all members no later than <number> days before the meeting. The General Body must also be convened at the request of <proportion> of the members of the Collaborative Research Centre with the same notice period.

§ 6 Duties and composition of the Management Committee

1. The Management Committee is composed of the Spokesperson, the Deputy Spokesperson and <one or three> other member(s).⁵ It shall decide by a simple majority. The Management Committee shall be quorate if at least <proportion> of its members are present.
2. Members of the Management Committee are elected for a term of <at least two> years. The General Body may vote the Management Committee or any of its members out of office at

⁴ The responsible body and the separate items must be decided upon on an individual basis.

⁵ It is recommended to include an early career researcher in the Management Committee.

any time with <at least equal to election requirement> majority. The Spokesperson may be voted out of office only if a new Spokesperson is elected at the same time.

3. In addition to any duties assigned by the General Body (§ 5 (2) of the bylaws), the Management Committee is responsible for the following:
 - a) Participation in the hiring and termination (by the university or participating institutions) of employees who are compensated from CRC funds (after consultation with the relevant project leaders)⁶
 - b) Nominations for the election of committee members
 - c) Proposals for the admission and exclusion of members
 - d) Decisions on major internal reallocation requests
 - e) Consultations with the university administration / heads of departments or faculties regarding core support and appointments
 - f) Design and organisation of measures to promote early career researchers and equal opportunities
 - g) All matters not within the jurisdiction of the Spokesperson or other body

§ 7 Duties and term of office of the Spokesperson

1. Anyone holding a permanent, full-time professorship at the <applicant university>, appointed in accordance with the applicable employment law, who is a member of the Collaborative Research Centre and can represent the CRC within the bodies of the university is eligible to be elected Spokesperson. He/she shall lead the central administrative project but shall not be required to lead a research project.
2. The Spokesperson shall chair the Management Committee, the Assembly of Project Leaders and the General Body, and represent the Collaborative Research Centre externally (e.g. towards the university administration and the DFG).
3. The duties of the Spokesperson include:

⁶ The right to propose candidates when recruiting university administrative staff should be with the researcher (project leader) who will work with the new hires.

- Managing current business including the ongoing management and accounting of funds as well as decisions on minor reallocations
 - Convening meetings of the Management Committee, the Assembly of Project Leaders and the General Body
 - Informing members and staff and others participating in the CRC
4. The term of office shall be <at least two> years.⁷

§ 8 Procedure for the allocation of centrally managed funds⁸

1. Travel funds
2. Visiting researcher funds
3. Lump-sum funds
4. Gender-equality funds
5. <...>

⁷ A term of office of the Spokesperson of only one year is not recommended. If frequent personnel change in the office of the Spokesperson is desired, the Spokesperson should be chosen from among the members of the Management Committee so as to ensure continuity in the conduct of business.

⁸ The CRC must elaborate decision procedures for these categories.