

**Doctoral Degree Regulations of School II
of the University of Oldenburg (Department
of Business Administration, Economics and Law)
for Law (Dr iur.)**

14 November 2017

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The Faculty Council of School II of the University of Oldenburg on 13 September 2017 adopted the following Doctoral Degree Regulations, pursuant to Section 9 (3), p. 1 of the NHG (Lower Saxony Higher Education Act) of 26 February 2007 (Lower Saxony Government Gazette, p. 69) last amended by Section 4 of the Act of 15 June 2017 (Lower Saxony Government Gazette, p. 172). The Presidential Board approved the Regulations on 17 October 2017 in accordance with Section 44 (1) Sentence 3 of the NHG.

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Section 1

Purpose of the doctorate and required accomplishments

(1) The School of Computing Science, Business Administration, Economics and Law (hereinafter referred to as the School) awards the degree of Doctor of Law (Dr iur.) as proof of the ability to perform in-depth independent scholarly work in the field of law.

(2) Joint doctoral projects (bi-national doctorates) can be carried out in the framework of international doctoral programmes or on the basis of a cooperation agreement with a foreign university or non-academic research institution (Section 7 (7)). The same applies to cooperation with universities and non-academic research institutions in Germany. The doctoral degree is awarded jointly by the School and the competent authority of the cooperation partner, if the cooperation partner has the right to confer doctorates. Otherwise, the degree will be awarded by the School with reference to the cooperation project.

The doctorate serves as proof of the ability to carry out in-depth, independent scientific work.

- (3) The doctorate requires the successful completion of:
- a) a written doctoral thesis (dissertation) whose subject matter belongs to the field of law and corresponds to the desired degree. For details, see Section 8.
 - b) an oral examination (thesis defence, disputation). For details, see Section 11.

Section 2 Competences

- (1) The following are involved in the procedure of the doctorate:
- a) the Doctorate Committee (Section 3),
 - b) the Examination Committee (Section 4),
 - c) the first assessor (Section 6), who is the supervisor of the thesis according to Section 5, and
 - d) one or more persons as co-assessors (Section 6 and Section 10 (2) Sentence 2).
- (2) The Doctorate Committee decides on procedural matters and on the doctorate, unless the Doctoral Degree Regulations provide otherwise.
- (3) The Examination Committee conducts and marks the doctoral defence.
- (4) The first assessor, or the first assessor together with the co-assessors, evaluate the thesis.

Section 3 Doctorate Committee

- (1) From its ranks, and based on a decision by the Faculty Council, the School forms a Doctorate Committee for the Dr rer. pol. and Dr iur. doctorates. This committee as a rule consists of eight members from the professors' group or habilitated members. A doctoral student can be assigned to the Committee in an advisory role, in accordance with Section 7 (10). The members will elect the chair of the Doctorate Committee.
- (2) Meetings will have a quorum if at least five Committee members are present.
- (3) The Doctorate Committee decides by simple majority. In the case of a tied vote, the vote of the chair will decide the matter. Abstentions are not permitted.

Section 4 Examination Committee

- (1) When a doctoral thesis has been accepted, the Doctorate Committee will set up an Examination Committee for the remainder of the doctoral degree procedure. The composition of this committee should adequately reflect the breadth of the fields of study touched on by the thesis. Subjects outside the legal field touched on by the thesis should be considered in the composition of the Committee. When carrying out bi-national or other joint doctoral degree procedures (Section 1 (2)), professors from the cooperation partner should be adequately considered.
- (2) The Examination Committee will consist of five members:

- a) a member or deputy member of the Doctorate Committee who belongs to the professors' group, or holds a habilitation, as the chair,
- b) the first assessor of the thesis,
- c) two co-assessors of the thesis,
- d) a professor from a subject area adjacent to the topic of the thesis and,
- e) if only one co-assessor has been appointed, another member from the professors' group representing a subject-related field.

If the same person holds both the position named under (a) and a position mentioned under (b) to (e), an additional member of the Examination Committee is to be appointed from the professors' group. At the suggestion of the doctoral candidate, the Committee may appoint, instead of a full professor as mentioned under (d) or (e), a lecturer who holds a doctoral degree and a qualification for independent teaching in a related field. If the chair resigns from the Doctorate Committee after the Examination Committee has been established, he or she will continue to chair the Examination Committee until the end of the doctoral degree procedure.

(3) The majority of the members must belong to the School. In well-founded exceptional cases, there may be fewer. Section 3 (3) shall apply accordingly.

Section 5 Acceptance and supervision

(1) The topic of the thesis is to be agreed upon with a supervisor from among the persons mentioned in

Section 6 (2) Sentence 2. She or he will supervise the thesis in terms of content. The candidate and the supervisor may conclude a Supervision Agreement (as in Annex 1). Such an agreement requires the signature of the chair of the Doctorate Committee, who will first check the admission requirements in Section 7 (5) (a) and (c) - (j)). The Supervision Agreement will give the student the status of an 'accepted doctoral candidate' even if the doctoral project in question has not yet been formally approved pursuant to Section 7. The Doctorate Committee will inform the candidate of her or his acceptance and the university position established for her or him. The applicant can apply to the Doctorate Committee for assistance in finding a supervisor.

(2) The supervisor may also be a professor of another university or a cooperation partner according to Section 1 (2). At the stage of the student's admission to the doctorate, the appointment of an external professor as supervisor requires the approval of the Doctorate Committee. In this particular case, the role of supervisor also confers on the supervisor the right to act as a member of the School's professors' group in the doctoral degree procedure. If so, the co-supervisor must be a member of the School concerned.

(3) If the supervisor of a thesis leaves the School, she or he may continue to supervise the thesis until graduation. In this case, the supervisor must submit to the Doctorate Committee an agreement with the doctoral candidate explaining how they will ensure continued supervision. There is no need for approval by the Doctorate Committee, but the resignation from the School must be reported to the Committee. Section 2 Sentences 3 and 4 apply accordingly.

(4) After careful consideration of business or personal reasons, the supervisor may dissolve the supervisory relationship. He or she must promptly communicate this decision to the doctoral candidate and the chair of the responsible Doctorate Committee, stating the reasons. In this case, the Doctorate Committee will endeavour to provide a successor.

(5) If serious problems arise in the supervisory relationship, the doctoral candidate may contact the responsible Doctorate Committee. In this case, the Doctorate Committee will mediate between the doctoral candidate and the supervisor and endeavour to find a solution.

Section 6 Assessors

(1) The Doctorate Committee will appoint the supervisor as the first assessor of the thesis. He or she should belong to the School. The Doctorate Committee will also appoint up to two co-assessors. At least two of the assessors must belong to the group of persons defined below in (2) Sentence 1. Especially in the case of a bi-national or other joint doctoral degree procedure pursuant to Section 1 (2), the first assessor may belong to the cooperation partner organization.

(2) The assessors must be members of the professors' group pursuant to Section 16 (2) Sentence 4, no. 1 of the NHG (Lower Saxony University Act), lecturers not on furlough, honorary professors, members of the professors' group who have retired or have been relieved of their duties, or junior research group leaders with a doctorate engaged in independent research who belong to the Department of Business Administration, Economics and Law and have been appointed to their post after an external evaluation by recognized research or research funding bodies. At least one assessor must belong to the group of professors, pursuant to Section 16 (2), Sentence 4, no. 1 of the NHG (Lower Saxony University Act).

(3) The doctoral candidate can suggest assessors. If there are no compelling reasons to reject them, such as an excessive burden of work for the persons concerned, these suggestions should be followed.

Section 7 Admission to the doctorate, enrolment

(1) Admission to the doctoral programme requires the passing of the first or second state examination in the Federal Republic of Germany, with a mark of at least *vollbefriedigend* (fully satisfactory), the certificate of the Master of Transnational Law (LL.M.), awarded in conjunction with the University of Bremen in the framework of the Hanse Law School, with a mark of at least *gut* (good), the certificate of the Master of Business and Law awarded at the University, with a mark of at least *gut* (good), or evidence of an equivalent degree in law from an equivalent German or foreign university, with details on the examinations passed and the degrees obtained.

(2) If the conditions referred to in (1) are not met, admission to the doctorate may be obtained if one of the following is submitted:

- a) a certificate of a professionally relevant university programme with an elevated grade or a degree marked *befriedigend* (satisfactory) of the first or second state examination in law, or the Master of Transnational Law (LL.M.), awarded by the Hanse Law School, or a certificate of an equivalent degree in law at an equivalent German or foreign university, as well as a certificate of a test supervised by the first assessor confirming the aptitude for in-depth independent scholarly work, or
- b) a certificate of the first or second state examination in law, or the Master of Transnational Law, awarded by the Hanse Law School, or evidence of an equivalent degree in law at an equivalent domestic or foreign university, and confirmation that the applicant worked for at least a year in legal research and teaching at the University of Oldenburg, one of its affiliated institutes or another university.

- (3) Applicants are not admitted to the doctoral programme if they:
- a) are already carrying out a similar doctoral project at another school or university,
 - b) have already unsuccessfully carried out a doctoral project at another school or another university (exceptions may be made in well-reasoned cases of unusual circumstances), or
 - c) have already successfully completed an equivalent doctoral project at another school or university and are already qualified to use the title associated with the degree.
- (4) The application for admission to the doctorate must be submitted in writing to the chair of the Doctorate Committee.
- (5) The application shall be accompanied by:
- a) a description of the applicant's career and academic curriculum vitae, as well as his or her educational history, with, if applicable, a complete list of academic publications,
 - b) a detailed description of the planned thesis, initialled for approval by the supervisor,
 - c) proof of a higher education entrance qualification,
 - d) certificates and evidence according to Section 7 (1),
 - e) a declaration of any grounds for refusal as described in Section 7 (2),
 - f) if appropriate, an application for the pursuit of a bi-national doctorate or another joint doctoral degree procedure (Section 1 (2)), naming the cooperation partner,
 - g) a declaration that the candidate is aware of, and will comply with, the regulations on good scientific practice of the University of Oldenburg,
 - h) written confirmation from the supervisor that she or he will evaluate the thesis as an assessor,
 - i) a statement that no commercial placement or counselling services (PhD counselling) have been, are being or will be used in connection with the doctoral project,
 - j) a statement that the applicant has not already used major parts of the thesis for a Bachelor's, Master's, *Diplom* or comparable examination paper.

The certificates mentioned under (c) and (d) are to be submitted as certified copies. All submitted documents become the property of the University.

(6) If proof of a foreign degree, as mentioned in Section 7 (1), is provided, the Doctorate Committee will examine whether it is equivalent to the German degrees. This is to be done on the basis of legally binding international agreements and the recognition recommendations of the KMK (The Standing Conference of the Ministers of Education and Cultural Affairs of the Länder and its ZAB, i.e. the Central Office for Foreign Education) and the HRK (German Rectors' Conference). If there are real indications that the degree is materially non-equivalent, recognition may be subject to certain requirements and conditions, such as the passing of knowledge tests.

(7) If an application for a bi-national doctorate or another joint doctoral degree procedure is submitted (Section 4 (f)), the chair of the Doctorate Committee will endeavour to conclude a cooperation agreement of required nature with the desired university.

(8) If compliance with the requirements for admission pursuant to Section 7 (1) has been substantiated and the documents and explanations pursuant to Section 7 (5) have been filed, the Doctorate Committee will admit the applicant and accept him or her as a doctoral candidate, if this has not already been done pursuant to Section 5 (1). The application for admission will be rejected if there are grounds for refusal pursuant to Section 7 (2), or it is to be expected that the applicant will be unable to provide proof that he or she is capable of independent, in-depth scholarly work in the doctoral project. The Doctorate Committee will inform the University office responsible for the registration of doctoral students about the admission of applicants. The status of doctoral student or

PhD student will be lost when the student is awarded the doctorate, definitively fails the doctoral exam, or withdraws the application.

(9) The Department of Business Administration, Economics and Law offers the opportunity to participate in doctoral studies. This doctoral programme is governed by separate regulations. Applicants who take part in the doctoral studies programme can submit a proposal for a doctoral thesis (working title), with an abstract of their research plan, instead of the detailed description mentioned in (4) (b). Applicants should agree upon the topic of the thesis and the abstract with their supervisors and enclose a Supervision Agreement. In this case, the applicant will be admitted to the doctoral programme subject to revocation. If the applicant does not submit the detailed description within a period of six months, which, for good cause, can be extended once for a further six months, admission to the doctoral programme will be revoked.

(10) After admission to the doctorate pursuant to Section 8, doctoral candidates must register as doctoral students. Proof of this must be submitted to the Doctorate Committee without delay.

Section 8 Thesis

(1) The thesis must demonstrate the ability of the author to carry out in-depth and independent scholarly work and contribute to the advancement of legal studies.

(2) The thesis should be written in German or English. Writing in another language requires the approval of the Doctorate Committee and the prior consent of the supervisor.

Section 9 Initiation of the doctoral degree procedure

(1) The doctoral candidate must apply to the Doctorate Committee for the initiation of the doctoral degree procedure. As a rule, the application must be submitted, at the earliest, one year after, and within five years of, admission to the doctorate. If the application for the initiation of the doctoral degree procedure is not submitted on time, the application for the doctoral programme will be deemed to have been withdrawn. The chair of the Doctorate Committee will notify the doctoral candidate, the supervisor of the thesis and the leadership of the School.

(2) The application for the initiation of the doctoral degree procedure must be accompanied by the following documents:

- a) at least one copy of the thesis for each member of the Examination Committee, as well as a copy for the files of the Doctorate Committee,
- b) proof pursuant to Section 7 (10) of enrolment as a doctoral candidate,
- c) if applicable, a proposal for a member pursuant to Section 4 (2) Sentence 4,

- d) a declaration of compliance with the University's code for good scientific practice and an affidavit pursuant to Section 9 (3) Sentence 3 in conjunction with Section 7 (4) Sentence 2 of the NHG (Lower Saxony University Act) that the applicant has prepared the thesis 'independently and without unauthorized external help and without the use of aids other than those specified, and has duly attributed all thoughts directly or indirectly taken from other sources',
- e) a declaration that no commercial placement or consulting services (PhD counselling) were used in connection with the doctoral project.
- (3) The Doctorate Committee will initiate the doctoral degree procedure by appointing the Examination Committee according to Section 4 (2), and the assessors for the evaluation of the thesis according to Section 6, bearing in mind the suggestions and the declaration of the doctoral candidate. The chair will immediately inform the doctoral candidate about the decision and the composition of the Examination Committee.

Section 10 Assessment of the thesis

(1) As a rule, the assessors will submit written reports within two months of opening the doctoral degree procedure and will either recommend acceptance of the thesis and continuation of the procedure, revision or rejection of the thesis to the Doctorate Committee. In the first case, they will also propose one of the following marks:

<i>ausgezeichnet</i>	= high distinction (= 0)
<i>sehr gut</i>	= with distinction (= 1)
<i>gut</i>	= credit (= 2)
<i>genügend</i>	= pass (= 3)

(2) If an assessor has recommended a revision of the thesis, the Doctorate Committee will decide by a simple majority, after consulting the doctoral student, whether the thesis is to be returned for revision or whether the procedure shall continue without alterations. The return of the thesis for revision is only possible once. The chair of the Doctorate Committee shall inform the doctoral student of the recommendations for revision, stating the reasons for making them, and appoint at least one further assessor. A reasonable time limit shall be set for the revision. After the thesis has been revised, the additional assessor or assessors shall report on the fulfilment of the revision requirements within one month of the submission of the revised thesis. The other assessors will comment on the revised version and the proposed mark.

(3) Pursuant to Section 1 (2) Sentence 6, the chair of the Doctorate Committee shall inform the professors of the School, the members of the Doctorate Committee and the assessors that the assessment reports and comments have been received. At the same time, the thesis, the assessment reports and comments will be made available in the office of the Dean of the School for a period of two weeks for confidential inspection and the submission of special expert opinions. During the semester break, the inspection period will be extended to four weeks.

(4) The thesis will be deemed to have been accepted if all the assessors have recommended the acceptance of the thesis and the chair of the Doctorate Committee has received no special assessment reports pursuant to (3) by the third working day after the end of the inspection period. If the thesis has not been recommended for acceptance by all assessors, (2) applies accordingly. Subsequently, the Doctorate Committee will decide definitively on the acceptance or rejection of the thesis.

(5) If the thesis was returned for revision or if a special assessment report pursuant to (3) was submitted, the Doctorate Committee will decide whether and to what extent the return of the thesis for revision and the special assessments should be reflected in the grading process.

(6) The chair of the Doctorate Committee will immediately inform the doctoral candidate whether the thesis has been accepted and will at the same time make the documents available to him or her, especially the reports that form the basis for the assessment. The doctoral candidate is to be informed that the Examination Committee may set conditions for the publication of the thesis in accordance with Section 11 (4).

(7) If the thesis has definitively failed to be accepted, the candidate will have failed the doctorate and the procedure will come to an end. A copy of the rejected work is to be filed with all the documents forming the basis of the decision.

Section 11 Thesis defence (disputation)

(1) After the thesis has been accepted, the Doctorate Committee will appoint the Examination Committee in accordance with Section 4. The chair of the Examination Committee will organize the thesis defence and inform the doctoral candidate of the composition of the Examination Committee. The thesis defence should take place within four weeks of acceptance of the thesis.

(2) The chair of the Examination Committee will invite the doctoral candidate and the members of the Examination Committee to a thesis defence and publicly announce the event in the School.

(3) The thesis defence will consist of a 30-minute lecture open to all University members, which presents and explains the aims, methods and results of the thesis. This is followed by a discussion of about 60 to 75 minutes on the aims, methods and results of the thesis. This is led by the chair of the Examination Committee. During the lecture and the discussion, interested listeners can be admitted.

(4) Immediately following the thesis defence, the Examination Committee will decide in closed session whether the candidate has passed the oral exam. If so, the Examination Committee will determine the overall grade of the oral examination. It will result from the arithmetic mean of the individual grades as follows:

from 0 to less than 0.5	= <i>ausgezeichnet</i>	= high distinction
from 0.5 to less than 1.5	= <i>sehr gut</i>	= with distinction
from 1.5 to less than 2.5	= <i>gut</i>	= credit
from 2.5 to 3	= <i>genügend</i>	= pass

The Examination Committee may set conditions for modification of the thesis prior to publication. The chair of the Examination Committee will subsequently inform the doctoral candidate of the outcome of the thesis defence.

(5) At the same time, doctoral students who have failed the oral exam will be told that they can request a one-time resit. This request must be sent in writing within two weeks to the chair of the Doctorate Committee. The oral examination can be repeated after four weeks at the earliest and must be repeated before the end of one year at the latest.

(6) If the doctoral candidate fails to attend the thesis defence and provides no excuse, he or she will be deemed to have failed the examination. If the student was absent for a good reason, a new event will be organized according to (1). The Examination Committee will decide on acceptance of the excuse.

(7) The chair of the Examination Committee shall take minutes of the oral examination, in which the essential items and results of the examination, including marks and conditions, must be recorded.

Section 12 Assessment of the doctoral student's performance

(1) Following the defence, the Examination Committee will determine the overall grade for the candidate's performance. The overall score is expressed by the following grades: *rite*, *cum laude*, *magna cum laude* and *summa cum laude*. The overall score is derived from the arithmetic mean of the mark for the thesis, which counts twice, and the arithmetic mean of the individual marks for the thesis defence, which counts once. The grade *summa cum laude* is awarded for the overall performance if the average mark awarded for both the thesis and the thesis defence is *ausgezeichnet* (less than 0.5). The grade *magna cum laude* is given if the overall mark is less than 1.5. The grade *cum laude* is for an overall grade between 1.5 and less than 2.5, and the grade *rite* is for an overall grade between 2.5 and 3.0.

(2) The chair of the Doctorate Committee will inform the doctoral candidate of the assessment of the thesis and the thesis defence as well as the overall grade.

Section 13 Publication of the thesis

(1) Within one year of a successful thesis defence, the doctoral candidate must make the thesis accessible to the scholarly public in an appropriate manner through copying and distribution. The thesis will be made accessible to the scholarly public in an appropriate manner if the doctoral student prints four copies of the thesis free of charge on non-ageing, wood- and acid-free paper and provides them, durably bound, to the Library and Information System of the University of Oldenburg. These items shall include a title page, the front and back of which should comply with the model in Annex 2. Furthermore, dissemination should be ensured by:

- a) the delivery of another 60 copies of the thesis,
- b) or evidence of dissemination via the book trade by a commercial publisher with a minimum circulation of 150 copies; on the back of the title page, the publication must be identified as a thesis, stating the place where the thesis was defended,
- c) or by submitting an electronic version whose data format and data carrier are to be agreed with the Library and Information System of the University of Oldenburg, and a short summary in German and English of no more than 1000 characters approved by the first assessor, and a declaration that the content and form of the printed and electronic versions are the same.

In the case of (a) or (c), the doctoral student of the University of Oldenburg has the right to produce and distribute further copies of the thesis in order to fulfil the statutory duties of university libraries, and to disseminate the thesis in print and electronically. The intellectual property rights of the author remain unaffected.

- (2) The definitive text for publication must be submitted to the chair of the Doctorate Committee. He or she will grant permission for the publication of the thesis if the requirements of (1) have been fulfilled, after the conditions set by the Examination Committee in accordance with Section 11 (4) have been met. Deviations from the assessed thesis can be approved by the Doctorate Committee.

Upon a reasoned request, the chair of the Doctorate Committee may extend the deadline for publication (see (1)).

Section 14 **Completion of the doctorate**

(1) After the requirements of Section 13 have been fulfilled, the School will award the degree Doctor of Laws (Dr iur.). The doctorate is completed by the leadership of the School issuing the doctoral degree certificate. Before that has been done, the doctoral candidate does not have the right to bear the title associated with the doctoral degree.

(2) The doctoral certificate will be issued in accordance with the model in Annex 3. Upon request, it will also be delivered in an English translation according to the model in Annex 4. In the case of a bi-national doctorate, a certificate shall be issued in accordance with Annex 5 and in a translation in the relevant language; in French according to Annex 6. The doctoral certificate shall bear the date of the day of the oral examination (thesis defence), but will only be issued after fulfilment of the obligation to publish in accordance with Section 13.

Section 15 **Unsuccessful termination of the doctoral degree procedure**

(1) The doctoral degree procedure is terminated unsuccessfully if the thesis was definitively rejected or the thesis defence was definitively unsuccessful. The chair of the Doctorate Committee will inform the doctoral candidate of the result in writing.

(2) A repeated application for acceptance (Section 5) or admission (Section 7) is only allowed once and not before a year has passed. This also applies if the first unsuccessful attempt to obtain a doctorate was made at another scientific university. A rejected thesis may not be submitted again for the purpose of obtaining a doctorate in the same or a slightly modified form. In the case of a renewed application for acceptance or admission to the doctorate, the earlier failed attempt must always be mentioned. The date of the first application, the scientific university and the school or department at which the thesis was submitted, as well as the topic of the thesis, must be stated.

Section 16 **Withdrawal of the doctoral application**

An application for admission to the doctorate can be withdrawn as long as the thesis has not been submitted for assessment by the doctoral student. Afterwards, a withdrawal is only possible for important personal reasons unrelated to the doctoral degree procedure. The Doctorate Committee will decide on such a request. If an application for a resit is not filed within one year, the doctoral degree procedure will be closed.

Section 17 **Invalidity of the doctoral work**

(1) If it is found, before the award of the doctoral certificate, that the doctoral candidate has used fraud, threats or bribes in the course of his or her doctoral studies, regarding fulfilment of the prerequisites for admission to the doctoral programme or in the initiation of the doctoral degree procedure, or if information has been provided that is incorrect or incomplete, or that requirements for the doctorate were erroneously believed to have been met, the Doctorate Committee may, after hearing the person concerned, declare the doctoral work invalid.

(2) If the circumstances as described in (1) become known only after the doctoral certificate has been issued, (1) shall apply accordingly, and the Faculty Council shall decide on a proposal made by the Doctorate Committee on whether the award of the doctoral degree is to be revoked or withdrawn. Sections 48 and 49 VwVfG (the Administrative Procedures Act) remain unaffected and also apply. The award of the university degree may also be revoked if the holder has seriously violated the dignity conferred by the degree. For example, this may apply in the case of a final conviction for a criminal offence, or if the holder has misused the claim of scholarly rigour conferred by the university degree.

(3) If the requirements for admission to the doctorate (Section 7) or the initiation of the doctoral degree procedure (Section 9) are found not to have been met, but there was no deception on the part of the doctoral candidate, and this fact becomes known only after the doctoral certificate has been issued, then this defect will be considered to have been repaired by the successful completion of the

doctorate.

(4) The person concerned is to be given the opportunity to discuss the matter with the Doctorate Committee before a decision is taken.

(5) The incorrect doctoral certificate must be withdrawn and, if appropriate, replaced by a corrected certificate.

Section 18 **Right to view documents concerning the doctorate, retention period**

(1) Upon completion of the doctoral degree procedure, the doctoral candidate will, upon request, be granted access to the file of doctoral documents. The request must be submitted no later than three months after completion of the doctoral degree procedure. Section 32 of the Administrative Procedures Act (VwVfG) applies accordingly. Section 29 of the VwVfG remains unaffected.

(2) The doctoral documents are to be kept for 50 years. Even after this point in time, it must be ensured that registers can be used to provide information about the result of the respective doctoral degree procedure.

Section 19 **Appeals**

(1) Negative decisions that are made in accordance with these Doctoral Degree Regulations must be substantiated in writing. Information on legal remedies must be provided. They are to be published in accordance with Section 41 of the Administrative Procedures Act (VwVfG).

(2) Appeals against examination decisions based on the evaluation of a student's work can be submitted in writing or orally for the record within one month after receipt of the notification, pursuant to Section 68 et seqq. of the VwGO (Administrative Court Act), to the chair of the Doctorate Committee. In all other cases, legal action can be taken. The appeal should be substantiated within one month after the filing.

(3) As the appeal authority, the Doctorate Committee will rule on the appeal. It is responsible for carrying out the appeal procedure. No costs are charged for appeal procedures.

(4) If the appeal concerns a decision of the Examination Committee, the chair of the Doctorate Committee shall forward the appeal to the Examination Committee for review. If the statement of grounds for appeal concerns the decision of an assessor, the chair of the Doctorate Committee will direct the appeal to the assessor in question. The result of the review is to be forwarded to the Doctorate Committee.

(5) If the Examination Committee or the assessor alters his or her decision as requested by the appeal, the Doctorate Committee will have dealt with the appeal. Otherwise, the Doctorate Committee will examine in full the examination decision, paying particular to the following:

- a) whether the examination procedure was carried out properly,
- b) whether the assessment was based on incorrect information,
- c) whether the examination failed to observe generally accepted assessment principles,

- d) whether a reasonable and logically justified solution presented by the candidate was deemed wrong,
- e) and whether the examiner was guided by extraneous considerations.
- (6) The Doctorate Committee can appoint ex officio an assessor for the appeal procedure. At the request of the appellant, an assessor must be appointed. The assessor must have the qualification described in Section 6 (2) Sentence 2.
- (7) If the Doctorate Committee finds a mistake or deficiency as defined in (5) Sentence 2, but does not deal with the appeal already at this stage of the procedure, the student's work will be reassessed by examiners who were not previously involved in the examination, or the thesis defence will be repeated.
- (8) The appeal must be definitively dealt with within three months of the filing. If the appeal is rejected, reasons must be provided for the rejection, and the appellant must be notified of possible legal remedies.
- (9) The appeal procedure may not lead to a lowering of the examination grade.

Section 20 Honorary doctorate

- (1) In recognition of outstanding personal scholarly achievements, characterized by research that has contributed significantly to the development of a field of study related to the School, the School may, in the fields for which it is responsible, award the degree of Honorary Doctor of Laws (Dr iur. h. c.) as a rare distinction.
- (2) The application for an honorary doctorate must be submitted by at least three members of the School's professors' group. The application must set out the scholarly achievements and must include the professional and academic CV and a list of the publications of the person to be honoured.
- (3) The application is discussed by an Honours Committee, which is appointed by the Faculty Council. The Dean has the chair. At least three other members of the Committee must be professors, according to Section 6 (2) Sentence 2. The Committee will draw up a report on the personality and scholarly achievements of the person to be honoured. At least two external scholarly opinions must be obtained.
- (4) In the Faculty Council meeting preceding the tabling of the resolution, the Dean will announce that a decision is needed on an application for an honorary doctorate. At the same time, he or she will point out that the application, the expert opinions and the report of the Honours Committee are available in the Dean's office for confidential inspection by members of the Faculty Council and professors of the School, as defined in Section 6 (2) Sentence 2.
- (5) The Faculty Council will conduct two readings. For the first, all professors of the School as defined in Section 6 (2) Sentence 2, are invited as advisers. Following the second reading, the Faculty Council will decide on the honorary doctorate in a secret ballot. An 80% majority of the members of the Faculty Council who are eligible to vote is required for the application to be accepted.
- (6) After the application is accepted, the School's Dean will perform the honorary doctorate ceremony by issuing a certificate as in Annex 7. The Dean will issue invitations to a celebratory ceremony and choose the speaker of the eulogy.
- (7) The honorary doctorate is to be communicated to the German universities and to the Lower Saxony Ministry of Science and Culture.

- (8) The applicant must be informed of a negative decision.
- (9) The conferment of the degree Dr iur. h. c. can be withdrawn. Section 17 applies accordingly.

Section 21
Entry into force

These Regulations shall enter into force after their approval by the Presidential Board on the day following their publication in the Official Note of the University of Oldenburg. At the same time, the previous Doctoral Degree Regulations of the School of Business and Law of 25/2/2010, Law (Dr iur.) (Official Note 1/2010, p. 2), last amended by the announcement of 13/4/2016 (Official Note 1/2016, p. 27), will expire.

Section 22
Transitional provisions

Doctoral candidates who submit their application for the initiation of the doctoral degree procedure in accordance with Section 9 within one year after the entry into force of these Regulations or have already submitted it before the entry into force, may request that the previously valid Doctoral Degree Regulations of the School of Business and Law of 25/2/2010, Law (Dr iur.) (Official Note 1/2010, p. 2), last amended by the announcement of 13/4/2016 (Official Note 1/2016, p. 27) be applied.

Annex 1

Re: Section 5 (1)

**Supervision Agreement for the doctorate
in School II - Department of Business Administration, Economics and Law**

For the doctoral project, the doctoral candidate and the supervisor hereby conclude an agreement which is to guarantee the scholarly support required for the success of the doctoral project:

Mr/Ms _____ (Doctoral student)

Address _____

Email address _____

and

Mr/Ms _____ (Supervisor)

_____ Address _____

_____ Email address _____

1. School II – Department of Business Administration, Economics and Law:

Field of study of the doctorate: _____

If applicable, name of doctoral programme or graduate school:

2. Intended topic of the thesis (working title):

Start of the doctoral project (month/year): _____

3. At the beginning, the doctoral student will produce a timeline for the project, which will be regularly updated and discussed with the supervisor. The student will report regularly, but at least once a year, to the supervisor on the preparation, development and implementation of the doctoral project (progress report) and present preparatory work or parts of the thesis in the colloquia or similar events named in the following.

4. Scholarly support is provided in particular by regular individual discussions as well as regular participation in events for doctoral programmes and/or doctoral student colloquia. The supervisor will monitor the quality of the work on the thesis and with help and advice will advance the independent scholarly development of the doctoral candidate. To the extent required, he or she will comment orally or in writing on the contributions delivered during the agreed meetings.

5. The doctoral student will make changes to the topic of the thesis only after having agreed these with the supervisor and will communicate these, as well any change of address, to the Doctorate Committee.

6. All scholarly work is to be based on the principles of good scientific practice as formulated in the guidelines of the Deutsche Forschungsgemeinschaft (German Research Community) and the corresponding regulations of the University of Oldenburg. The supervisor of the doctoral candidate will be available to answer any questions of his or her doctoral student. The doctoral student will undertake to comply with these regulations.

7. After careful consideration, the supervisor can dissolve the supervision relationship for professional or personal reasons. This decision and the reasons for it must be communicated to the doctoral candidate and the chair of the Doctorate Committee immediately. In the case of serious problems in the supervisory relationship, the doctoral candidate can contact the Doctorate Committee with a request for mediation or a different supervisor. Everything else is regulated by Section 5 of the Doctoral Degree Regulations on Dr rer. pol./Dr iur.

Place, date

Doctoral student

Place, date

Supervisor

Seen:

Place, date

Chair of the Doctorate Committee
for Business Administration, Economic and Law

Annex 2

Re: Section 13 (2)

Model for the title page of the thesis

Front page:

.....*
(Thesis title)

The University of Oldenburg - School of* has approved this thesis as partial fulfilment of the requirements for the degree of

.....*
(Indication of degree) (abbreviation)

The author is

Ms/Mr **
(First name, surname)

born on* in*

Overleaf:

Supervisor:*

Co-assessor(s):

.....*

Date of thesis defence:*

.....*
* Please insert what is needed and delete what does not apply

Annex 3

Re: Section 14 (2)

The School of
of the University of Oldenburg hereby
confers on

Ms/Mr**
born on* in*

the degree of

Doctor of Laws (Dr iur.)

after he/she * has demonstrated his/her* scholarly skills in a thesis with the topic
as well as in a thesis defence, and has been awarded the grade

.....*1)

Oldenburg,* (day, month, year)

Dean of the School:

.....*

Chair of the School's Doctorate Committee:

.....*

* Please insert what is needed and delete what does not apply

¹⁾ Grades: *ausgezeichnet* (summa cum laude, high distinction), *sehr gut* (magna cum laude, with distinction), *gut* (cum laude, credit), *genügend* (rite, pass)

Annex 4

Re: Section 14 (2) Sentence 2

...
(English name of School)
of the
Carl von Ossietzky Universität Oldenburg (Germany)

hereby confers on
Mr/Ms**
born on* in*

having presented his/her* doctoral thesis entitled*
.....
and having passed the oral examination

the Degree of*
Doctor of Laws (Dr. iur.)

Overall grade¹⁾*.....

Oldenburg, * ... (Monat, Tag, Jahr)

Dean of the School of
Computing Science, Business
Administration, Economics and Law

Chair of the Doctoral Committee

.....

(Seal)

* Please insert what is needed, delete what does not apply and sign where appropriate

¹⁾ Grades: summa cum laude (high distinction), magna cum laude (distinction), cum laude (credit),
rite (pass)

Annex 5

Re: Section 14 (2)

The School of
of the University of Oldenburg (Germany) and

.....

jointly confer on

Ms/Mr**

born on* in*

the degree of

Doctor of Laws (Dr iur.)

She/He* has by successfully completing a doctoral thesis on the subject
in an official doctoral degree procedure supervised jointly by the two faculties, and by
conducting a successful doctoral defence, demonstrated his/her* scholarly ability and
received the overall grade:*¹⁾

Seal of the University of Oldenburg
Seal of the cooperation partner organization

Oldenburg,* (day, month, year)

Dean of the School
.....*

Chair of the Doctorate Committee
.....*

Place, date
.....*

Dean/
President of the
School/Faculty/University*
.....*

Place, date
.....*

¹Ms/Mr* has the right to bear the doctoral degree either in the German or the foreign form.
The names of the two universities that have supervised the doctorate can be added in brackets.

This doctoral degree does not require further State approval for use in Germany. This certificate is
valid only in connection with the doctoral certificate of the (foreign) ministry of education, no. ...*
dated ...*.

* Please insert what is needed, delete what does not apply and sign where appropriate

¹⁾ Grades: *ausgezeichnet* (summa cum laude, high distinction), *sehr gut* (magna cum laude, with distinction), *gut* (cum laude, credit), *genügend* (rite, pass)

¹ This addition is required only for a joint doctorate with a French university.

Annex 6

Re: Section 14 (2)

Diplôme de doctorat obtenu le cadre d'une cotutelle de thèse entre une université ou école française
et une université allemande

L'université ou l'école
(nom de l'établissement français)

et

La Faculté des Sciences Economiques et de Droit
de Carl von Ossietzky University of Oldenburg

délivrent conjointement

à M./Mlle/Mme ...

né (e) le à

le grade de docteur
dr. iur. (Droit)

Il / elle a fait la preuve de sa compétence scientifique en obtenant la mention .. pour sa thèse

.....

préparée en cotutelle, conformément à la réglementation, par convention entre les deux
établissements, ainsi que pour la soutenance du (date) dans les disciplines des sciences
Economiques et obtenu la note totale (note appréciation).

Fait à le

Le président de
(nom de l'université française)
ou Le Directeur de

de doyen de la faculté
des Sciences Economiques
et de Droit de l'Université de
la Universität d' Oldenburg

Signature, sceau de
l'établissement français:

.....

Signature, sceau de Carl von
Ossietzky University d' Oldenburg

.....

Le/la titulaire de ce diplôme est autorisé(e) à porter le grade de docteur sans autre disposition réglementaire en République Fédérale d'Allemagne, soit dans sa forme allemande, soit dans sa forme française. Les noms des deux établissements partenaires dans la mise en oeuvre de la cotutelle de thèse pouvant figurer entre parenthèses. Toutefois ce diplôme n'est valide qu'en liaison avec le diplôme de docteur délivré par l'Etat français.

Annex 7

Re: Section 20 (6)

The School of
of the University of Oldenburg hereby confers on

On Ms/Mr **

born on* in*

in recognition of outstanding personal scholarly achievements, characterized by research work that
has made a fundamental contribution to the development of the subject area*
of the School*

the degree of

**Honorary Doctor of Laws
(Dr iur. h. c.)**

Oldenburg,* (day, month, year)

Dean *

* Please insert what is needed, delete what does not apply and sign where appropriate

Please note: This is an unofficial translation provided for your convenience only and does not have any legal binding effects! Only the German version is legally binding!