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Doctoral regulations
for the Faculty of Law, Business and Economics
at the University of Bayreuth
dated 15 September 2017

On the basis of article 13 para. 1 sentence 2 in conjunction with article 64 para. 1 sentence 5 of the Bavarian Higher Education Act (BayHSchG), the University of Bayreuth adopts the following doctoral regulations for the Faculty of Law, Business and Economics:

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Preamble

The Faculty of Law, Business and Economics at the University of Bayreuth supports research and early-career scholars by conducting doctoral processes: the faculty considers itself committed to national and international standards for quality assurance and aims to further expand this by collaboration of and cooperation with university instructors, doctoral students, the faculty and university. A doctorate at the Faculty of Law, Business and Economics is carried out within the framework of qualified supervisory relationships which ensure the support of the academic work and external transparency.

Section I:

General Regulations

§ 1 Doctoral degrees

- (1) ¹The University of Bayreuth, through the Faculty of Law, Business and Economics, awards the academic degree *Doktor der Rechte* (Dr. jur.) and a *Doktor der Wirtschaftswissenschaft* (Dr. rer. pol.). ²The doctoral degree may also be awarded in cooperation with a foreign university or faculty on the basis of a doctoral process implemented in accordance with § 23 ff. ³The degree can be awarded either as *Doktor* or *Doktorin*. ⁴The abbreviated form remains unchanged.
- (2) ¹Pursuant to Art. 64 para. 1 of the Bavarian Higher Education Act (BayHSchG), the doctorate serves as proof of an independent academic achievement which must considerably exceed the examination achievements required for acceptance to the doctorate in §§ 5 para. 1 and 2 and 6 para. 1 and 2. ²The Dr. jur. programme requires doctoral work with a focus on the field of law, and the Dr. rer.pol. programme requires doctoral work with a focus on economics. ³The doctoral thesis consists of an academic work written by the applicant (dissertation) and an oral examination (colloquium).
- (3) ¹In accordance with §§ 20 ff, the University of Bayreuth awards the degree of *Doktor der Rechte ehrenhalber* (Dr. jur. h.c.) and the degree of *Doktor der Wirtschaftswissenschaft ehrenhalber* (Dr. rer. pol. h.c.) through the Faculty of Law, Business and Economics. ²It thus recognizes outstanding scientific achievement or other special achievements of an intangible nature related to law and economics. ³Paragraph 1 sentences 3 and 4 apply *mutatis mutandis*.

§ 2

Examination authorisation and responsibilities

- (1) ¹Authorised examiners according to these doctoral regulations are the university instructors in the sense of article 2 para. 3 sentence 1 BayHSchPG as well as professors relieved of duty and retired professors. ²Examination achievements in the area of law are generally assessed by university instructors of law, examination achievements in the field of economics are generally assessed by university instructors of economics.
- (2) ¹The Dean is responsible for the decisions pertaining to the doctoral process, unless otherwise stated in these doctoral regulations. ²Appeals against decisions of the Dean and the board of examiners can be submitted to the doctoral committee. ³Administrative court action remains unaffected.
- (3) Concerning exclusion due to personal involvement, article 41 para. 2 BayHSchG applies.

§ 3

The doctoral committee

- (1) ¹The doctoral committee establishes guidelines for quality assurance in the area of scientific requirements and grading. ²It will be informed of ongoing doctoral processes, supervises powers exercised by the Dean and reports annually to the Faculty Council on the development of the doctoral system.
- (2) ¹The doctoral committee is directed by the Vice Dean as chairman. ²The committee also consists of two professors of law, two professors of economics, as well as a non-voting doctoral candidate. ³The Dean may not be a member of the doctoral committee. ⁴The members of the doctoral committee according to sentence 2 and, as substitute representatives for each voting member, a professor of law and a professor of economics, are elected for a period of five years by the faculty. ⁵Re-election is permissible. ⁶The voting members of the doctoral committee elect a vice chairman from the members of the committee.
- (3) The doctoral committee convenes at least once a semester. ²The doctoral committee has a quorum if all members have been duly invited and the majority of members are present and entitled to vote. ³They act by a majority of the votes cast. ⁴Abstaining from voting, secret voting and transferring of voting rights are not permitted. ⁵In the case of a tie vote, the chairman has the casting vote.
- (4) ¹The decisions of the doctoral committee are to be communicated to the candidates in writing. ²Decisions adversely affecting the candidate are to include a rationale along with information on their right to appeal.

Section II:

The ordinary doctorate

§ 4

Admission to a doctorate, requirements for admission to the doctoral examination process, statistical requirements

- (1) Admission to a doctorate presupposes:
 1. That the applicant has concluded a supervision agreement under the terms of § 7 sentence 3 with an instructor authorised to administer examinations in accordance with § 2 sentence 1; there is no entitlement to a supervision agreement.
 2. That the candidate has not definitively failed this or an equivalent doctoral examination.
 3. That the candidate has not proved himself/herself unworthy of bearing a doctoral title due to his/her conduct.
- (2)
 - 1The application for acceptance of a doctorate must be submitted in writing to the Dean.
 - 2The application must be accompanied by the documents required to prove the acceptance requirements specified in para. 1 no. 1 and § 5 and § 6 are met and a declaration by the applicant that he or she has not already been accepted for doctoral studies at another university or another doctoral institute of the University of Bayreuth in the same subject.
- (3) For applicants who have been accepted by a newly appointed faculty member at the university to which they belonged before their appointment to the University of Bayreuth, the Dean may declare the admission requirements of the other university to be fully or partially applicable.
- (4) The application is accompanied by an online registration as an applicant at the faculty.
- (5) The doctorate begins when the faculty receives written confirmation of acceptance of the doctorate.
- (6)
 - 1With the application for acceptance to a doctorate, the doctoral institute of the University of Bayreuth will collect personal data from the doctoral candidate in accordance with the survey features regulated in § 5 of the HStatG in order to implement the survey obligations of the university regulated in the University Statistics Act (HStatG) in the currently valid version, data which is automatically stored and processed for the fulfilment of legal tasks and for the purposes of legislation and planning in the higher education sector in accordance with § 1 (1) 1 and 2 of the Higher Education Statistics Act

(Hochschulstatistikgesetz). ²In this respect, the applicant is obligated to cooperate and to provide personal data (Art. 10 para. 2 sentence 3 BayHSchG). ³Regular transmission or dissemination to the Bavarian State Statistical Office is based on the survey characteristics of the Higher Education Statistics Act of 2 November 1990 and the university administration for the purpose of presenting higher education statistics. ⁴The use and processing of personal data is subject to the requirements of Art. 10 BayHSchG.

- (7) Additional requirements for admission to the doctoral examination process under the terms of § 8 are as follows:
1. submission of a dissertation
 2. that the dissertation has not yet been submitted towards an academic degree
 3. that the applicant has not and will not make use of any commercial doctoral consultants or agents.
- (8) The provisions of paras. 2, 4 - 6 and § 8 sentence 2 no. 1 apply only to applicants accepted after the commencement of the present regulations.

§ 5

Special requirements for admission to the doctorate in law

- (1) ¹For the doctorate in law, the candidate is additionally required to have taken the state examination (first examination within the sense of § 5 para. 1 Law on Judges (DRiG)) or the assessor examination (second state examination within the sense of § 5 para. 1 DRiG) or an equivalent university law degree in the Federal Republic of Germany with at least "fully satisfactory" or a grade that corresponds to the rating "fully satisfactory" within the sense of the Bavarian legal education and examination regulations. ²A university degree in law from abroad can be recognized as a doctoral requirement according to sentence 1 if
1. according to its type, and with regard to the grade achieved, it corresponds to an examination passed with "fully satisfactory" within the sense of the Bavarian legal education and examination regulations as given in sentence 1 or if
 2. the degree of Master of Law (LL.M.) was attained with a minimum overall grade of "magna cum laude" or a comparable overall grade at the University of Bayreuth or another German university.
- (2) Notwithstanding para. 1, as an exception, the Dean can allow a candidate to undertake a law doctorate if
1. the candidate has passed an examination within the sense of para. 1
 - a) with at least 8 points and
 - b) has done work in two seminars, which have been graded as "good"; out of

these seminar achievements, at least one must have been completed at the Faculty of Law, Business and Economics of the University of Bayreuth for an instructor authorised to examine other than the supervisor of the dissertation.

or

2. the candidate who has no law degree within the sense of para. 1 or no. 1
 - a) has done an exam, the grading of which corresponds to "fully satisfactory" within the sense of the Bavarian legal education and examination regulations and that entitles him/her to do a doctorate in his subject, and
 - b) the dissertation deals with a boundary area between his/her subject and the subject law, and
 - c) two instructors of the faculty authorised to administer examinations support the doctorate and one of them takes on the supervision of the dissertation.
- (3) ¹Regarding the question of equivalence of examinations and examination grades according to paras. 1 and 2, the Dean decides, in compliance with article 63 para. 1 BayHSchG. ²In foreign examination and examination grades he should take into consideration the decisions of equivalency agreements approved by the Standing Conference of the Ministers of Education and Cultural Affairs and the German Rectors' Conference. ³In addition, advice from the Central Office for Foreign Education can be sought.

§ 6

Special requirements for admission to the economics doctorate

- (1) ¹For the doctorate in economics, the candidate is additionally required to have passed a master's examination in economics at a university, a comparable master's examination at a university of applied sciences, the state examination for teaching at secondary schools (*Gymnasien*) with a specialisation in economics, or has a comparable degree with a grade of at least "good" or an equivalent assessment from a higher education institution. ²§ 5 para. 3 applies accordingly.
- (2) Notwithstanding para. 1, as an exception, the Dean can admit a candidate to an economics doctorate if
 1. the candidate has passed an examination within the sense of para. 1
 - a) with a grade that is not below "satisfactory" or is equivalent to this grade level, and
 - b) has done work in two seminars at the Faculty of Law, Business and Economics of the University of Bayreuth, which were graded as "good"; out of these seminar achievements, at least one must have been completed for an instructor authorised to administer examinations other than the supervisor of the dissertation.

or

2. the candidate who cannot evidence any economics examination within the sense of para. 1 or no. 1,
 - a) has passed an examination with a grade that
 - is not below "good" or a grade level corresponding to this, or
 - not lower than "satisfactory" or a grade level corresponding to this, and the candidate has done work in two seminars of the Faculty of Law, Business and Economics at the University of Bayreuth, which were graded with at least "good"; out of these seminar achievements, at least one must have been completed for an instructor authorised to examine other than the supervisor of the dissertation.
 - b) the dissertation deals with a boundary area between his/her subject and economics, and
 - c) a supervision agreement exists,
 - which was signed by two professors authorised to examine,
 - the targeted requirements (e.g. by participating in appropriate seminars) containing the aim of acquiring scientific and methodological competencies, which meet the quality standards of an economics doctorate suffice and
 - which was approved by the doctoral committee.

or

3. the candidate has earned a *Diplom* degree in economics at a university of applied sciences (or a corresponding examination) with an examination grade of 1,7 or better and a supervision agreement exists,
 - a) which was signed by two professors authorised to examine,
 - b) the targeted requirements (e.g. by participating in appropriate seminars) containing the aim of acquiring scientific and methodological competencies that meet the quality standards of an economics doctorate suffice and
 - c) which was approved by the doctoral committee.

§ 7

Supervision, supervision agreement, dissertation

- (1) ¹The dissertation must be the candidate's own independent scientific achievement and contribute to the solution of scientific issues. ²It should lead to new scientific knowledge. ³The work will be supervised by a person authorised to examine (doctoral relationship).
- (2) ¹Those authorised to supervise dissertations (establishment of the doctoral relationship) are professors, professors relieved of duty, retired professors, "extraordinarius" professors, and *Privatdozenten* of the Faculty of Law, Business and Economics. ²The doctoral committee may permit, at the request of the doctoral candidate, that the

dissertation will be supervised by a university instructor from another faculty of the university or a university instructor of another university, if the topic of the dissertation has a significant relevance to the specific field represented by the respective university instructor. ³If the dissertation is prepared as part of a graduate school or a doctoral programme, the supervision is governed by its regulations; the admission requirements of the present regulations remain unaffected by this.

- (3) ¹The supervisor of the dissertation and the candidate record the key points of the supervision conditions at the beginning of the supervision in a written agreement (supervision agreement); guidelines for the content of these are drawn up by the doctoral committee. ²The supervisor advises the candidate on the issue of obtaining a binding interim decision according to § 9 para. 4. ³The supervisor informs the doctoral committee on the establishment of the doctoral relationship and passes on the supervision agreement.
- (4) ¹The dissertation must be submitted in typescript; it must be bound or stapled and paginated and also contain a table of contents and a summary which provides information on the problem and results. ²The literature used as well as other resources are to be fully specified; all passages taken either verbatim or in adapted form from publications are to be indicated as such. ³The dissertation must also be provided in electronic form to make it accessible for a separate review to faculty members authorised to examine in accordance with detailed rules of the doctoral committee. ⁴The review must respect copyright and data privacy.
- (5) ¹The dissertation must be written in German, or, with the approval of the supervisor, in English. ²The Dean can permit the candidate to submit it in a language other than German. ³In the case of sentence 2 a detailed summary in German is to be included.

§ 8

Application for admission to a doctorate

¹The admission to a doctoral process is to be applied for in writing to the Dean. ²The application must include:

1. confirmation of acceptance to the doctorate provided by the faculty;
2. three identical copies of the dissertation;
3. a curriculum vitae of the candidate which provides information in particular about the educational background;
4. an official certificate of good conduct. In the case of foreigners, evidence that is

recognised as equivalent by the University of Bayreuth must be submitted. This can be an extract from the criminal record of the home country, a certificate of good conduct or a comparable document. This can be waived for members of the University of Bayreuth. A statement of the candidate as to whether investigation or criminal proceedings for a crime or deliberate offence by him/her are pending or if he/she has been convicted or served a prison sentence for such an offence;

5. an affidavit from the candidate that he/she has undertaken the work independently and has used no sources and aids other than those stated (article 64 para. 1 sentence 6 BayHSchG); a statement that he/she has not already submitted the dissertation to obtain an academic degree; a statement that he/she has not already definitively failed this or a similar doctoral examination;
6. the supervision agreement;
7. a statement by the candidate that he/she has not made, nor will make use of any commercial doctoral consultants or agents;
8. the electronic version of the dissertation according to § 7 para. 4 sentence 3 and a declaration of consent from the candidate that the electronic version of the dissertation may be subjected to a separate review while respecting his/her copyright and data privacy;
9. a declaration of consent from the candidate that in the event of suspected scientific misconduct, investigations can take place by the internal university bodies of scientific self-regulation.

§ 9

Decision on admission to a doctorate and the doctoral examination process, cancellation policy

- (1) Admission is not granted if the admission requirements in § 4 paragraphs 1, 5 or 6 are not fulfilled.
- (2) Admission to the doctoral examination process can be denied if
 1. no instructor authorised to examine has agreed to be responsible for the assessment of the dissertation or
 2. the documents required in § 8 are not available or are incomplete.

- (3) Admission to the doctoral examination process must be denied if
1. admission to the doctorate has not been granted or
 2. the candidate has proven himself/herself unworthy of bearing the doctoral title due to his/her conduct.
- (4) At the request of the applicant, the Dean must make a binding partial decision on the special acceptance requirements in accordance with § 5 or § 6.
- (5) ¹The Dean should decide in writing on the candidate's application for admission to a doctorate or to the doctoral examination process within one month of receiving it. ²In calculating this period of one month, the teaching-free time is not included. ³§ 3 para. 4 sentence 2 applies accordingly.
- (6) ¹The doctoral candidate may withdraw from the doctorate at any time if no application for admission to the doctoral examination process has yet been submitted. ²If he or she withdraws from the doctoral examination before receiving a negative decision on admission to the doctoral examination process, the dissertation is deemed not to have been submitted. ³If the doctoral candidate withdraws the application for admission after he or she has received a negative decision on the dissertation or after he or she has started the oral examination, the doctoral examination process is deemed to have ended without success. ⁴The Dean of the doctoral student shall issue a written decision on this matter, which must be substantiated and accompanied by instructions on the candidate's right to appeal. ⁵Resignation from the doctorate in accordance with sentences 1 to 3 is to be made by request to the Dean.
- (7) On request, the Dean, can already take the decision to carry out a joint process in accordance with §§ 23 ff. before submission of the dissertation.

§ 10

Reporting on the dissertation

- (1) ¹Following the admission, the Dean appoints two commentators to report on the dissertation out of which one must be an active "Ordinarius" professor of the faculty. ²The supervisor of the work is usually a commentator; this also applies if the supervisor has, in the meantime, been appointed to another university. ³The Dean can appoint, as second or additional commentators, examiners from other faculties of the University of Bayreuth or other scientific higher education institutions as long as they meet the qualification requirements specified in Art. 62 para. 1 BayHSchG in conjunction with § 4 HSchPrüferV. ⁴The doctoral committee is informed of the appointment of commentators.
- (2) ¹Each commentator submits a written report on the dissertation within a reasonable time, if possible, within three months, and proposes the acceptance, return for improvement or rejection of the dissertation to the Dean. ²The commentator can also impose

requirements, to improve the work, that must be met before publication in accordance with § 17 para. 1. ³The admission request is to be connected with a grade proposal according to the following scale:

summa cum laude	= 0 =	an achievement of outstanding excellence
magna cum laude	= 1 =	an especially commendable achievement;
cum laude	= 2 =	an achievement above average;
satis bene	= 3 =	an achievement that meets average requirements
rite	= 4 =	a performance that meets average requirements despite its shortcomings;
insufficiens	= 5 =	an achievement with considerable shortcomings, as a whole unusable.

⁴The Dean passes on a copy of the report to the doctoral committee.

- (3) ¹The Dean appoints a third commentator when the two commentators differ in their proposed grades by more than one grade, or when the one commentator proposes rejecting the dissertation or one commentator requests the appointment of a further commentator. ²A third commentator is also appointed if the doctoral committee has required this in its guidelines for quality assurance in the area of grading. ³The doctoral committee itself, up until the acceptance of the dissertation, can also appoint up to two further assessors if it deems it necessary to ensure a proper assessment.
- (4) ¹The Dean can return the dissertation to the candidate to improve it; he must do so if one of the commentators calls for the return of the work for improvement. ²The reworked dissertation is to be submitted within one year. ³The Dean may extend the deadline, in exceptional cases where the candidate is able to prove that he/she was not responsible, at the request of the applicant and after consulting the supervisor, by a maximum of one year. ⁴If the dissertation is not submitted on time, it shall be deemed rejected. ⁵A reworked dissertation must be assessed according to the circumstances and knowledge at the time of resubmission.
- (5) The work is rejected and the process is terminated when both commentators or one appointed in accordance with paragraph 3 propose the rejection of the work.
- (6) The doctoral examination process cannot be repeated.

§ 11

Inspection of the dissertation

- (1) ¹The dissertation and the reports are available over the course of two weeks in the Office of the Dean for inspection for faculty members authorised to examine. ²The Dean announces the beginning of the display period and the proposal of the commentators.
- (2) Opinions of faculty members authorised to examine can be submitted within one month, as long as notice has been given of the submission of the opinion within the display period according to para. 1 sentence 1 of this regulation.

§ 12

Decision on the acceptance of the dissertation

- (1) ¹The overall grade of the dissertation is calculated from the arithmetic mean of the grades proposed by the commentators. ²It is determined by the Dean. ³When written comments according to § 11 para. 2 have been submitted, the doctoral committee decides; this may – in particular taking into account the written comments – differ by half a grade level from the arithmetic mean.
- (2) The acceptance or rejection of the dissertation is to be communicated to the candidate in writing. § 3 para. 4 sentence 2 applies accordingly.
- (3) A printed copy of the dissertation and the electronic version of the dissertation as well as the reports of the commentators are to be archived.

§ 13

Board of examiners for the colloquium

- (1) ¹After a reasonable period after acceptance of the dissertation, a scientific colloquium takes place in front of the board of examiners. ²The board of examiners consists of:
 1. a professor of the faculty authorised to examine as chairman;
 2. the supervisor;
 3. an instructor authorised to examine who is also usually a commentator.³If other commentators were appointed, they can participate as additional examiners.
- (2) If the supervisor is prevented from taking part in the colloquium, another instructor authorised to examine is appointed as a member of the board of examiners; they must belong to the Faculty of Law, Business and Economics.
- (3) The members of the board of examiners according to para. 1 nos. 1, 3 and para. 2 are appointed by the Dean.
- (4) § 2 para. 2 and 3 and § 3 para. 3 and 4 apply accordingly.

§ 14

Colloquium

- (1) ¹The colloquium is a collegial individual examination. ²It begins with a presentation of the dissertation in the form of a short presentation followed by scientific debate, which is focused primarily on the fundamentals and theories of the dissertation as well as problems that are factually or methodically associated with the dissertation. ³The scientific debate should additionally show whether the applicant, in the case of a doctorate in law, has a good command of further areas and recent developments in the subject area from which the dissertation is taken, in the case of an economics doctorate, essential problems and recent developments in the fundamentals of his/her subject area.

⁴The short presentation and scientific debate are open to all members of the university.
⁵During the debate, the chair of examiners may permit questions from instructors authorised to examine.

- (2) ¹The chair of examiners determines the date of the colloquium and invites the other members of the board of examiners and the candidate in writing or by email to the colloquium, at least 14 days beforehand. ²When issuing the invitation to the colloquium the candidate will be informed of the composition of the board of examiners. ³The candidate may waive compliance within the notice period.
- (3) The colloquium will last 60, but not more than 90 minutes.
- (4) ¹Minutes regarding the course of the colloquium are to be taken. ²The minutes must contain information on
1. the date of the colloquium,
 2. the names of the chairman and the other examiners,
 3. the name of the candidate,
 4. the subject of the examination,
 5. the grades of the individual examinations achievements and the overall grade of the colloquium.
- ³The minutes are to be signed by the chairman and the other members of the board of examiners.
- (5) ¹The grading of the colloquium is done by the board of examiners with common debate of the examiners and is based on the grading scale in accordance with § 10 para. 2.
²Each examiner awards a single grade. ³The overall grade of the colloquium is calculated from the arithmetic mean of the individual grades.
- (6) If the overall grade in the colloquium is lower than "rite" or if two examiners grade the performance of the candidate as "insufficenter", the examination is failed.
- (7) ¹If the colloquium is failed, it can be repeated after three months at the earliest, and within half a year at the latest. ²If the candidate does not apply for a repetition within that period, or if the colloquium is again graded as failed, the whole doctorate is classed as definitively failed.
- (8) ¹The colloquium is classed as failed if the candidate does not appear on the date of the colloquium without good reason or if he withdraws from the examination after it has begun without good reason. ²§ 3 para. 4 sentence 2 applies accordingly. ³The reasons for a withdrawal or absence must be communicated to the Dean in writing without delay and must be plausible. ⁴If the candidate became ill, the Dean may require the submission of a doctor's note or a medical certificate. ⁵If the Dean accepts the reasons, a new date will be set.

§ 15

Overall assessment of the doctoral achievement

- (1) The doctoral examination is passed if the dissertation has been accepted (§ 10 para. 2) and the colloquium passed (§ 14 para. 5).
- (2) ¹The overall grade of the doctorate is calculated from the sum, of the colloquium grade plus twice the dissertation grade, divided by 3. ²For the overall grade, the following grading scheme applies:

up to 0,5	= summa cum laude
from 0,50 to 1,5	= magna cum laude,
from 1,5 to 2,5	= cum laude,
from 2,5 to 3,5	= satis bene
from 3,5 to 4,0	= rite
- (3) ¹The result of the decision on the overall grade of the doctorate is to be communicated orally to the candidate following the colloquium in camera by the chair of examiners. ²The overall grade, the grade of the dissertation and the colloquium are to be recorded in writing and signed by the chair of examiners.
- (4) ¹The Dean issues the candidate a written provisional certificate regarding the result of passing the exam. ²This provisional certificate does not entitle one to bear the title of doctor.
- (5) ¹If the examination is failed, the applicant will be informed of the decision in writing by the Dean with information on his/her right to appeal. ²For the obligation to state reasons, article 39 BayVwVfG applies.

§ 16

Invalidity of the doctoral work and withdrawing the doctoral degree

- (1) If, prior to the issuing of the certificate, it becomes known that the candidate has cheated in the doctoral process, the doctoral committee declares all previously acquired rights to be invalid and ends the process.
- (2) ¹If the cheating only comes to light after the issuing of the diploma, the doctoral committee can retroactively declare the doctoral examination to be failed. ²The revocation of a doctoral degree is subject to the legal regulations (article 48 Bavarian Administrative Procedures Act - BayVwVfG - in the currently applicable version). ³The person concerned must be given an opportunity to comment before a decision is taken (article 28 BayVwVfG). ⁴An adverse decision is to be justified and accompanied with information on the right to appeal.

- (3) ¹Upon suspicion of scientific misconduct, the doctoral committee takes a decision only after the Committee for Academic Self-Regulation has submitted its report. ²In special cases, if the doctoral committee has already decided in advance, further consideration is not affected by the Committee for Academic Self-Regulation. ³A renouncement of the doctoral degree is no longer possible if the doctoral committee or the Committee for Academic Self-Regulation has already started an investigation regarding the question of scientific misconduct.
- (4) In the case of failure of the doctoral examination in accordance with para. 2 sentence 1, the doctoral diploma is to be revoked.
- (5) Moreover, the revoking of the doctoral degree occurs according to article 69 BayHSchG in conjunction with the relevant regulations of BayVwVfG.

§ 17

Deposit copies

- (1) ¹After passing the colloquium the candidate has to deliver the following free of charge to the Dean within a year:
1. Deposit copies
 - 60 printed or print-similar duplicated copies of the dissertation, or
 - 15 copies, provided that the dissertation appears as a separate publication in bookstores or as a monograph in a series, or will be published via the University Library in electronic form on the internet.
 2. A summary (abstract) of no more than one page approved by the supervisor for the purposes of publication.
- ²The Dean may extend the delivery deadline at the request of the applicant by a maximum of one year if the applicant is not responsible for exceeding the deadline.
- (2) The front and back of the title page of the deposit copies must comply with the design conditions laid down by the faculty.
- (3) ¹The candidate has to submit a confirmation of the supervisor to the Dean that possible requirements demanded by the commentator have been met and any deviations from the submitted version have only been made with the approval of the supervisor. ²Moreover, the version of the dissertation which was finally graded is to be published.

§ 18

Diploma and completion of the doctorate

- (1) If the conditions specified in § 17 have been fulfilled, the Faculty of Law, Business and Economics issues a diploma regarding the passing of the doctoral examination.
- (2) ¹The diploma confirms the successful doctorate. ³The diploma includes
- the name of the university and the faculty,
 - the first and last names of the doctoral candidate, date and place of birth,
 - the academic degree awarded,
 - the title of the dissertation,
 - the date of the oral examination,
 - the overall grade of the doctorate,
 - the name and signature of the President of the University of Bayreuth and the Dean of the Faculty,
 - the seal of the University of Bayreuth.
- ³The date of the diploma is the date of the colloquium. ⁴In addition, an English translation and a supplementary description of the contents of the doctorate in the sense of a diploma supplement will be prepared.
- (3) ¹The diploma shall be handed over by the Dean together with the English translation and the description to be drawn up in accordance with paragraph 2. ²With the issuing of the diploma the doctorate has been completed; the candidate has thus received the right to bear the doctoral title.
- (4) The Dean may allow the candidate to bear a doctor title for a limited period before the issuing of the diploma if the candidate has fulfilled the conditions specified in § 17, and if the issuing of the diploma is delayed or if the publication of the dissertation and the delivery of the deposit copies is adequately ensured by a binding declaration of the publisher.

§ 19

Right to inspect

¹The doctoral candidate may inspect the dissertation documents after receipt of the decision in accordance with § 15, paragraph 4 or after the unsuccessful completion of the doctoral examination process. ²The application must be submitted to the Dean of the Faculty of Law, Business and Economics within one month of completion of the doctoral process. ³The inspection procedure in these and other cases in which an inspection request is made is governed by Art. 29 ff. BayVwVfG. ⁴Art. 32 BayVwVfG shall apply *mutatis mutandis*. ⁵The Dean shall determine the place and time of inspection.

Section III:
Honorary Doctorate

§ 20
Application for an honorary doctorate

¹The honorary doctoral process is initiated on the substantiated request of at least two-thirds of the full ("Ordinarius") professors of law or economics. ²The request is to be sent to the Dean.

§ 21
Assessment

- (1) ¹The Dean must submit the request to the extended doctoral committee within a reasonable period. ²This includes all university instructors of the Faculty of Law, Business and Economics. ³The chairman is the Dean.
- (2) The extended doctoral committee appoints two professors to assess the achievement of the person to be honoured.
- (3) ¹The assessments are to be submitted to the members of the extended doctoral committee. ²They may give a written opinion within one month.

§ 22
Decision and award of the honorary doctorate

- (1) ¹The extended doctoral committee decides on the application to grant an honorary doctorate. ²The decision is made by evaluating the application and the assessments and the opinions submitted.
- (2) ¹The Dean of the Faculty of Law, Business and Economics and the President award the honorary doctoral degree by presenting a diploma to the individual being honoured. ²In the diploma, the scientific achievement of the honoured person is to be commended.

Section IV:

Doctorate under joint supervision with a foreign university/faculty

§ 23

Requirements

A doctoral process together with a foreign university/faculty within the sense of § 1 para. 1 sentence 2 presupposes that

1. an agreement on the cross-border joint supervision of the doctorate was made with the foreign university or faculty;
2. admission to a doctorate and to the doctoral examination process were both granted in accordance with §§ 4, 5 or 6 and 8 of the Faculty of Law, Business and Economics at the University of Bayreuth and in accordance with the corresponding regulations at the partner institution;
3. the candidate receives a copy of the agreement according to sentence 1 no. 1.

§ 24

Doctorate in Bayreuth

- (1) ¹The dissertation may, according to details in the rules of the agreement according to § 23 para. 1 no. 1, be submitted to the Faculty of Law, Business and Economics at the University of Bayreuth or to the foreign university or faculty. ²A dissertation that has already been submitted to the foreign university or faculty and accepted or rejected there, cannot again be submitted to the Faculty of Law, Business and Economics at the University of Bayreuth. ³The agreement according to § 23 no. 1 ensures that a dissertation that has been submitted to and accepted or rejected by the Faculty of Law, Business and Economics at the University of Bayreuth cannot again be submitted to the foreign university/faculty.
- (2) For the dissertation submitted to the Faculty of Law, Business and Economics at the University Bayreuth, § 7 applies.
- (3) ¹The doctoral process is supervised by one instructor authorised to examine from the Faculty of Law, Business and Economics at the University of Bayreuth and one of the foreign university or faculty respectively. ²Supervision is carried out according to the agreement in accordance with § 23 no. 1.
- (4) For admission to a doctorate and to the doctoral examination process at the Faculty of Law, Business and Economics at the University of Bayreuth, §§ 4 and 5 or 6, 8 and 9 apply.

§ 25
Reporting on the dissertation

- (1) Following the admission to a doctoral examination process, the Dean appoints two commentators to report on the dissertation which are usually the university instructor of the Faculty of Law, Business and Economics at the University of Bayreuth and the instructor from the foreign university/faculty who supervised the work.
- (2) If the dissertation is submitted to the Faculty of Law, Business and Economics at the University of Bayreuth, article § 10 paras. 2 and 4 apply accordingly.
- (3) 1If the two commentators differ by more than one grade from each other or one of the commentators proposes rejecting the dissertation, the Dean of the Faculty of Law, Business and Economics at the University of Bayreuth and the Dean or head of the foreign university/faculty appoint another commentator. 2According to § 10 para. 3, the Dean of the Faculty of Law, Business and Economics at the University of Bayreuth and the Dean or head of the foreign university/faculty can jointly appoint a further commentator.
- (4) If both commentators or one and the additional commentator, according to para. 3, reject the acceptance, the process is thus ended.
- (5) §§ 11 and 12 apply accordingly.

§ 26
Continuation of the process

- (1) If the dissertation is approved by the Faculty of Law, Business and Economics at the University of Bayreuth, this is communicated to the foreign university/faculty for the appointment of the other examiner within the sense of § 27 para. 1.
- (2) 1If the foreign university/faculty appoints the additional examiner within the sense of § 27 para. 1, either a colloquium or, if it has been agreed with the foreign university/faculty, a disputation takes places at the Faculty of Law, Business and Economics at the University of Bayreuth. 2If there is no agreement to this effect, the candidate may choose between a colloquium and a disputation.

§ 27
Colloquium

- (1) 1If the candidate chooses a colloquium (§ 26 para. 2), the stipulations in §§ 13 and 14 apply for the implementation. 2Notwithstanding § 13 para. 1, the examination board consists of the two commentators and one other member authorised to examine of the Faculty of Law, Business and Economics at the University of Bayreuth and the foreign

university/faculty respectively, who is appointed by the Dean of the Faculty of Law, Business and Economics at the University of Bayreuth or by the Dean or head of the partner institution.

- (2) ¹If a commentator is unable to attend the colloquium, another instructor authorised to examine belonging to the Faculty of Law, Business and Economics at the University of Bayreuth or to the foreign university/faculty is appointed by the respective Dean or head.
²The substitute members must belong to the faculty or university.
- (3) It is chaired by the additional instructor authorised to examine of the Law and Economics Faculty of the University of Bayreuth appointed by the Dean according to para. 1 if the dissertation has been submitted here.
- (4) The composition of the commission is communicated to the candidate with the invitation to the colloquium.
- (5) ¹The examination is held in German. ²In agreement with the examination board, the examination may be wholly or partly carried out in another language.

§ 28 **Disputation**

- (1) ¹If a disputation is selected, this takes place in front of a disputation committee whose composition corresponds to the examination committee according to § 27. ²§ 27 para. 4 and 5 apply accordingly.
- (2) ¹The disputation is public. ²Before the disputation, a copy of the dissertation is to be made available for inspection to members of the Faculty of Law, Business and Economics at the University of Bayreuth. ³The disputation is led by the designated chairman of the commission according to § 27 para. 3. ⁴All university instructors of the Faculty of Law, Business and Economics at the University of Bayreuth and the partner institution may take part in the disputation. ⁵Minutes will be taken of the essential items of the course of the disputation. ⁶The disputation begins with a report from the candidate regarding his dissertation, the duration of which has been previously set by the chairman of the commission. ⁷An oral examination follows the report, which covers the basics of the dissertation as well as questions that are subject or methodically relevant. ⁸All participating professors as well as all members of the Faculty of Law, Business and Economics at the University of Bayreuth and the foreign university/faculty who have completed a *Habilitation* are authorised to pose questions. ⁹The doctorate is deemed rejected if the candidate fails to turn up for the appointment without a valid excuse. ¹⁰The doctoral committee decides (§ 3) on whether such failure is excused, on the basis of the excuse, which is to be in writing and submitted without delay. ¹¹§ 14 para. 8 applies accordingly.

- (3) ¹After the disputation each examiner assesses the performance with one of the grades described in § 10 para. 2. ²From these grades, the average is calculated.
- (4) § 14 para. 5 to 8 apply accordingly for the grades and repetition of the disputation.

§ 29

Overall assessment of the doctoral achievement

For the overall assessment of the doctoral achievement, § 15 applies in the case of a colloquium as in the case of a disputation accordingly.

§ 30

Termination of the joint doctoral process

¹If the dissertation is rejected in accordance with § 25 para. 4 or the colloquium or disputation has been rated lower than rite, the joint doctoral process is thus ended. ²A renewed joint doctoral process is excluded. ³In the agreement in accordance with § 23 para. 1 no. 1, it is to be specified that the rejected dissertation may not be resubmitted to the partner institution.

§ 31

Oral examinations at the partner institution

- (1) If the dissertation is submitted to the partner institution, the oral examination or the disputation is held there.
- (2) ¹If there has been a positive decision of the partner institution concerning the acceptance of the dissertation or the continuation of the process, they will communicate this decision to the Faculty of Law, Business and Economics at the University of Bayreuth. ²The Dean appoints the additional examiner, within the sense of § 27 para. 1, in accordance with the local doctoral regulations, from among the university instructors authorised to examine and belonging to the Faculty of Law, Business and Economics at the University of Bayreuth.
- (3) ¹If the partner institution rejects the dissertation, the joint process is ended. ²The rejected dissertation may not be resubmitted to the Faculty of Law, Business and Economics at the University of Bayreuth.

§ 32

Completion of the doctorate

§ 17 applies accordingly when a dissertation is submitted to the Faculty of Law, Business and Economics at the University of Bayreuth.

§ 33

Bearing the academic title

- (1) ¹After the implementation of a joint doctoral process a diploma of the award of the doctoral degree (Dr. jur. or Dr. rer. pol.) is presented. ²The document expresses that the doctorate was carried out in joint supervision with the partner institution. ³It bears the signatures and seals that are necessary according to the relevant stipulations of the Faculty of Law, Business and Economics at the University of Bayreuth and the partner institution. ⁴If at the same time a diploma is issued abroad, it should be apparent in both diplomas, either by combination, or otherwise expressed, that both documents represent a joint diploma and the graduate is entitled to bear the German title in Germany, and the corresponding doctoral title abroad. ⁵Further details about the layout of the diploma are regulated by the agreement according to § 23 para. 1 sentence 1 no. 1. ⁶The grade equivalency is also to be based on this agreement. ⁷The equivalent foreign grade can be placed in parentheses next to the German grade.
- (2) ¹After the implementation of a joint doctoral process with the partner institution, following the issue of the diploma by the partner institution, a diploma awarding the doctoral title (Dr. jur. or Dr. rer. pol.) from the Faculty of Law, Business and Economics at the University of Bayreuth is issued. ²It should be apparent that both diplomas represent a joint diploma and that the graduate is entitled to bear the German doctoral title in Germany, and the corresponding doctoral title abroad. ³For the design and connection of the diplomas as well as the grade equivalency, paragraph 1 applies accordingly.
- (3) ¹In the case of a doctorate at the foreign institution, the printing of the dissertation and the delivery of deposit copies are governed by the stipulations of the foreign institution. ²The agreement according to § 23 para. 1 no. 1 specifies how many copies of the dissertation must be forwarded to the Faculty of Law, Business and Economics at the University of Bayreuth. ³The Faculty of Law, Business and Economics at the University of Bayreuth, can make the issuing of its diploma in accordance with para. 2 conditional on the delivery of these copies.

§ 34

Invalidity of the doctoral work

In the case of invalidity of the doctoral work, § 16 applies accordingly.

§ 35

Revocation of a doctoral degree

¹The revocation of a doctoral degree is governed by the statutory stipulations on the use of scientific titles and the relevant statutory laws of the BayVwVfG. ²The person concerned must be given an opportunity to comment before the decision is taken (article 28 BayVwVfG). ³An adverse decision is to be justified and accompanied with information on the right to appeal.

Section V:

Cooperation with universities of applied sciences, other regulations, transitional and final rules

§ 36

Cooperation with universities of applied sciences/HAWs

- (1) ¹The Faculty of Law, Business and Economics enables the cooperative implementation of doctoral projects with universities of applied sciences/HAWs and joint doctorates with Bavarian universities of applied sciences/HAWs on the basis of the agreement between the Bavarian universities of applied sciences of 19 October 2015 within the framework of the regulations of the present doctoral regulations. ²Professors from universities of applied sciences/HAWs are appointed as supervisors and examiners. ³In the case of doctorates with universities of applied sciences/HAWs, the doctoral process is supervised on an equal footing by the instructors from the university of applied sciences/HAW and the university involved who are authorised to administer examinations, and the supervision agreement is concluded with them together with the applicant accordingly.
- (2) ¹The decision on the admission of a professor from a university of applied sciences/HAW as a supervisor of a dissertation is made by the doctoral committee. ²The appointment of a professor from a university of applied sciences as commentator for reporting on the dissertation or as a member of the board of examiners is made by the Dean. ³At least one of the commentators and the majority of the members of the board of examiners must be members of the university and authorised to examine.
- (3) In case of doctorates with universities of applied sciences/HAWs, the diploma will also bear the participating university of applied sciences/HAW.

§ 37

Consideration of special life situations

- (1) ¹On request, the use of protection periods in the application of dates and deadlines must be ensured. The following sections of laws are relevant: §§ 3, 4, 6 and 8 of the law on the protection of working mothers (Maternity Protection Act) (MuSchG) from 20 June 2002 (Federal Law Gazette I p. 2318) in the currently applicable version, the legal periods of parental leave (Federal Parent Money and Parent Time Law – BEEG) from 5 December 2006 (Federal Law Gazette I S. 2748) in the current applicable version as well as the periods for the care of close relatives in the sense of § 7 para. 3 of the law regarding care time (Home Care Leave Act – PflegeZG) from 28 May 2008 (Federal Law Gazette I pp. 874, 896) in the current applicable version, the person in need of care is

described in §§ 14, 15 of the eleventh book of social code (SGB XI) of 26 May 1994 (Federal law Gazette I, p 1014, 1015) in the current applicable version. ²The relevant documents are to be presented; changes in the conditions are to be notified immediately.

- (2) ¹In the calculation of periods, intervals, during which the doctoral project cannot, or only to a very limited extent, be worked on, for reasons beyond the candidate's control (in particular illness), will not count. ²The relevant documents are to be presented; in particular medical certificates are to be submitted. ³Changes in condition are to be reported immediately.

§ 38

Consideration of the special needs of disabled persons

¹In order to safeguard their equal opportunities, due regard is to be given to the special situation of disabled candidates. ²The doctoral committee shall, upon written request of the candidate, according to the severity of the proven disability, decide in what form a disabled candidate shall undertake their examination or grant a working time extension up to one-half of the normal working time. ³Proof of disability with regard to examination is to be submitted by the candidates in the form of a medical certificate which indicates that he/she is unable, because of a prolonged or permanent disability, to take the examination wholly or partially in the normal form. ⁴The application must accompany the application for admission to a doctorate. ⁵If the application is submitted later, it only applies for future examinations.

§ 39

Coming into effect, transitional arrangements

¹These doctoral regulations will enter into force on 16 September 2017. ²At the same time, the Doctoral Regulations for the Faculty of Law, Business and Economics dated 10 February 2012, as last amended by the Statutes of 5 August 2013, shall cease to apply. ³Supervision agreements which do not meet the requirements of these doctoral regulations (doctorates in cooperation or in association with universities of applied sciences/HAWs) must be adapted.

Issued on the basis of the resolution of the Senate of the University of Bayreuth dated 24 May 2017 and the approval of the President of the University of Bayreuth on 14 September 2017
Ref No. A 3520 - AL I.

Bayreuth, 15 September 2017
[university seal]

University of Bayreuth, President
[signature illegible]
Professor Dr. Stefan Leible

These regulations were laid down at the university on 15 September 2017.
They were announced on 15 September 2017 by bulletin at the university.
The announcement date is 15 September 2017.