



Universität Hamburg

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AMTLICHE BEKANNTMACHUNG

Hg.: Die Präsidentin der Universität Hamburg
Referat Rechtsangelegenheiten in Studium und Lehre

Promotionsordnung der Fakultät für Rechtswissenschaft und der Fakultät Wirtschafts- und Sozialwissenschaften „European Doctorate in Law and Economics (EDLE)“

Vom 6. Februar 2008

Das Präsidium der Universität Hamburg hat am 2. Juli 2008 die von der Fakultät für Rechtswissenschaft am 6. Februar 2008 und von der Fakultät Wirtschafts- und Sozialwissenschaften am 20. Februar 2008 aufgrund von § 91 Absatz 2 Nummer 1 Hamburgisches Hochschulgesetz (HmbHG) vom 18. Juli 2001 (HmbGVBl. S. 171) in der Fassung vom 6. Februar 2008 (HmbGVBl. S. 63) beschlossene Neufassung der Promotionsordnung „European Doctorate in Law and Economics“ (EDLE) gemäß § 108 Absatz 1 HmbHG genehmigt.

**Regulation of the University of Hamburg
Regarding the Conferral of the Academic Title
“European Doctorate in Law and Economics” (EDLE)
in Co-operation with the Universities of
Bologna and Rotterdam**

Date: 6. February 2008

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§ 1 Doctorate Degree

(1) The law faculty and the economics and social sciences faculty at the University of Hamburg in co-operation with its partner Universities, the University of Bologna and the University of Rotterdam, confer the academic title “European Doctor in Law and Economics” – in short: “Dr. (EDLE)” – according to the rules and procedures applicable under this regulation.

(2) Upon completion of a three years period of doctoral studies the student may apply for the academic title “European Doctor in Law and Economics awarded by the University of Bologna and the University of Hamburg in co-operation with the University of Rotterdam”. Upon completion of a four years period of doctoral studies the student may apply for the academic title “European Doctor in Law and Economics awarded by the University of Hamburg, the University of Bologna and the University of Rotterdam”.

§ 2 Doctorate Procedure

(1) The doctorate procedure for the conferral of the title of “European Doctor in Law and Economics” requires a written dissertation in the field of law and economics and a defence of the dissertation in the course of a colloquium.

(2) The dissertation has to satisfy the scientific demands applicable for a dissertation at the University of Hamburg and its partner universities, i.e. it has to advance the state of research in law and economics. It has to be an independent scientific achievement. It may be part of a collective work as long as the work on part of the doctorate candidate is distinguishable and meets the criteria required for an individual dissertation.

(3) During the defence the doctoral student shall prove the academic capacity to conduct a scientific discourse.

§ 3 Admission to the Doctorate Programme

(1) The co-ordination board decides on the admission of the applicant to the European Doctorate in Law and Economics study programme and on the allocation of the applicant to one of the partner universities.

(2) The admission to the programme is open to an applicant
1. who is eligible for enrolment at the University of Hamburg and at its partner Universities, and

2. who successfully passed the First German State Examination (Erstes juristisches Staatsexamen), or received a diploma or a bachelor and master degree in economics, or a comparable university degree required by the partner universities for admission to doctoral studies, and
3. whose prospects for successfully acquiring the title “European Doctor in Law and Economics” are justified based on former education and academic achievements.

Further details are set out in guidelines specified by the Co-ordination Board. The co-ordination board shall bring the guidelines to the attention of the faculty councils (Fakultätsräte) of the law faculty and the economics and social sciences faculty at the University of Hamburg.

- (3) The application for admission shall be accompanied by
 1. a curriculum vitae including information on academic, professional qualification and other education;
 2. two references preferably by a university professor;
 3. a letter of motivation;
 4. a certificate of English proficiency.
- (4) The co-ordination board shall select possible candidates. Normally each candidate will be individually interviewed. The co-ordination board shall set up committees at the partner universities that conduct the interviews. The venue of the interviews will normally rotate annually amongst the partner universities. The interview committees shall inform the co-ordination board about the results of the interviews.
- (5) The co-ordination board stipulates an expiration date of the application period and a period for the interviews in the bylaws.

§ 4 Procedure of the Doctorate Programme

- (1) The minimum research period shall be between three and four years.
- (2) The research period shall be accompanied by courses or seminars on law and economics that will be provided by all partner universities. Students are obliged to participate in selected courses at each partner university. Successful participation of the courses or seminars will be recorded.
- (3) The doctoral student will present interim reports on the progress of the dissertation. Upon completion of the first half year a short research proposal which includes the main issues to be dealt with in the dissertation shall be submitted to the dissertation supervisor and to the co-ordinating board. Upon completion of the first year a substantial proposal including the main research issues and the prospective outcomes of the dissertation shall be submitted to

the supervisor and to the co-ordinating board. Upon completion of one and a half year and no later than upon completion of the second year the research project including its main issues, prospective outcomes and interim results shall be presented to a committee. The committee shall be set up by the co-ordination board. The co-ordination board appoints the committee that consists of members of the partner universities and can include external members.

(4) The co-ordination board will terminate the admission of the doctoral student if the interim reports do not prove that the doctorate student has the prospects for successfully acquiring the doctorate degree.

§ 5

Co-ordination Board

(1) The co-ordination board decides upon all matters that are not reserved for resolution by other organs. Requests to the co-ordination board can be directed to the co-ordination board's office for administrative affairs.

(2) The co-ordination board is composed of three directors, one of each of the partner universities. Eligible as a member of the co-ordination board is only a member of the law faculty or the economics and social sciences faculty at the University of Hamburg or the partner universities that has the right to decide upon the conferral of a doctorate title according to the regulations applicable at the law faculty at the University of Hamburg or at the partner universities.

(3) The co-ordination board director from the University of Hamburg is elected by the law faculty council (Fakultätsrat) at the University of Hamburg upon nomination by the scientific council. The law faculty council shall elect vice directors. A vice director shall be a person who is eligible as a member of the co-ordination board. Co-ordination board directors and vice directors are elected by majority vote by the members of the law faculty council who are present at the time of the vote. The partner universities elect their members according to the procedures applicable at their universities.

(4) The co-ordination board directors are elected for a period of three years. Re-election is possible.

(5) The co-ordination board will appoint a chairperson and a vice chairperson from its members. The co-ordination board stipulates bylaws. The bylaws are submitted to the law faculty council at the University of Hamburg and to the responsible organs at the partner universities. The bylaws are brought to the attention of the law faculty council at the University of Hamburg or the respective organ at the partner university. The bylaws should set up a list of matters that are reserved for decision by the board.

§ 6 Scientific Council

(1) The scientific councils at the University of Hamburg and at the partner universities represent and promote the doctorate programme. The scientific councils are responsible for making nomination proposals for the election of directors of the co-ordination board to the responsible election organ. The members of the scientific councils should stand by as supervisors, referees and oral examiners (§§ 7, 11, 14). This regulation does not exclude external members from taking such responsibilities.

(2) The scientific council at the University of Hamburg is composed by members of the law faculty and the economics and social science faculty at the University of Hamburg and can include external members. Eligible as a member of the scientific council is a person who has an academic exposure in the field of law and economics.

(3) The members of the scientific council from the University of Hamburg are elected by the deans of the law faculty and the economics and social sciences faculty at the University of Hamburg upon nomination proposals by members of the law faculty and the economics and social science faculty at the University of Hamburg.

(4) The members of the scientific council are elected for a period of three years. Re-election is possible.

§ 7 Supervision of Doctoral Students

(1) The doctoral student is free to choose as supervisor a person privileged to confer a doctorate title according to the regulations applicable at the law faculty or the economics and social sciences faculty at the University of Hamburg or at its partner universities. The student should normally choose a supervisor that is a member of the scientific council.

(2) In exceptional and justified cases the co-ordination board may call a person as supervisor who is not a member of the University of Hamburg or of the partner universities.

(3) A doctoral student who is admitted but is unable to find a supervisor may contact the co-ordination board for assistance.

veröffentlicht am 1. August 2008

§ 8

Submission of the Dissertation

(1) The dissertation shall be written in English. Exceptions may be granted by unanimous decision of the co-ordination board if exceptional circumstances require another language than English. A dissertation written in any other language than English shall be accompanied by a substantial summary in English.

(2) An already published treatise can be submitted if the publication date is not more than five years earlier.

(3) Five typewritten copies of the dissertation shall be submitted to the co-ordination board. The following documents shall be attached:

1. a short summary indicating the content of the dissertation and the relevant findings;
2. a declaration that the treatise has not been submitted to another faculty in neither its current or any other version;
3. a signed declaration that the applicant has produced the dissertation all by herself, has used only the allowed auxiliary devices and, in case of a collective work, a signed declaration that indicates the own contribution of the applicant;
4. a signed declaration whether and with which result the applicant has already otherwise submitted a dissertation or draft of a dissertation.

§ 9

Admission to the Doctorate Procedure

(1) The co-ordination board decides on applications for the admission to the doctorate procedure.

(2) The application for submission to the doctorate procedure shall be submitted to the co-ordination board. The co-ordination board shall submit the application to the responsible body at the partner universities.

(3) The doctorate procedure is normally held at that partner university where the dissertation was supervised.

§ 10

Withdrawal from the Doctorate Procedure

A candidate may withdraw from the doctorate procedure until the first evaluation report has been submitted to the partner universities by the co-ordination board. Any later withdrawal will result in a refusal of the dissertation.

§ 11

Referees for the Evaluation of the Dissertation

(1) Four referees shall evaluate the dissertation. The first two evaluation reports shall be provided to the co-ordination board within four months. The first two evaluation reports will be circulated amongst the remaining two referees. The third and fourth evaluation report will be provided within two months upon receipt of the first two evaluation reports.

(2) The referees are appointed by the co-ordination board. The supervisor should normally be one of the first two referees. The other first referee should normally be a member of one of the other partner universities or an external referee. One external referee who is neither a member of the University of Hamburg or the partner universities and who has specific expertise in the field should be appointed. At least two of the referees may neither be retired persons nor emeriti (retired professors).

(3) The evaluation report shall be in writing. It shall include an opinion of the referee and a proposal for the grade of the dissertation.

(4) The co-ordination board informs the doctoral student about the names of the referees. A referee will be rejected if there are some reasonable concerns that the referee may be prejudiced. The referee will be heard before rejection.

(5) The chairperson of the co-ordination board is responsible for ensuring a timely progress of the evaluation process.

§ 12

Evaluation of the Dissertation

(1) The referees shall evaluate the dissertation in writing and mark it according to the national regulations of the partner university to that the dissertation was submitted. At the University of Hamburg the dissertation shall be marked with one of the following grades:

summa cum laude	(outstanding);
magna cum laude	(excellent);
cum laude	(good);
rite	(satisfactory); or
non rite	(non satisfactory).

(2) The dissertation, its summary and the evaluation reports will be laid out for inspection at the faculty offices at all partner universities. The doctoral student will be informed about the grades stated in the evaluation reports and about the beginning of the inspection period. General notice about the inspection opportunity will be given on the university information board. The general

notice will not include the grades. The inspection period is two weeks. The chairperson of the co-ordination board may extend this period on good cause. Faculty members who have a right to confer a doctorate title may issue opinions within these two weeks. The applicant may reply to the opinions. The evaluation reports may be modified after having received dissenting opinions. In such a case a new inspection period shall be arranged for.

(3) The chairperson of the co-ordination board informs the doctoral student about the final evaluation result.

§ 13 Revision Period

(1) The defence committee shall grant a revision period of one year if the dissertation has been unanimously evaluated as non rite but revisable. The doctoral student may apply to the chairperson of the co-ordination board for an extension of the revision period before its expiration. An extension shall be granted only on good cause. The doctorate procedure counts as failed if the revision period expires without submission of a revised version of the dissertation, unless the expiration was due to force majeure or other circumstances that the applicant cannot be held responsible for.

(2) The defence committee decides upon whether a revision period of one year should be granted if the dissertation has been unanimously evaluated as non rite and if it has been evaluated as revisable at least according to one of the evaluation reports.

(3) A timely modified dissertation will be evaluated again according to §§ 12 et seq. No further modification possibilities may be granted.

(4) The provisions under this section do not prejudice any requirements for modifications before publication that evaluation reports may call for. Disputes will be decided by the dissertation committee.

§ 14 Defence Committee

(1) The defence committee shall examine the academic capacity of the doctorate candidate to conduct a scientific discourse in the course of a colloquium.

(2) The defence committee consists of four to seven members. Eligible as a member of the defence committee is a person privileged to confer a doctorate title under the regulations applicable at the University of Hamburg or its partner universities. The members should normally be elected from the members

of the scientific councils at the University of Hamburg and the partner universities. The members and the chairman will be appointed by the co-ordination board. In case of equal voting the chairman decides.

(3) The defence committee decides by majority vote.

§ 15

Defence Procedure

(1) The doctorate student will be admitted to the defence if the dissertation was evaluated with rite by at least one referee.

(2) The defence procedure starts with a presentation by the doctoral student of 20 minutes maximum. The presentation shall include the main research issues and results of the dissertation. Upon the presentation an academic discourse follows. The discourse will focus on the subject of the dissertation. It may extend to closely related problems and to the state of academic research in these fields.

(3) The members of the defence committee as well as the supervisor may ask questions and may comment on the representations of the doctoral student. The chairperson of the defence committee will reject any question which either contradicts the purpose of or does not relate to the subject of the defence.

(4) The defence should normally last one hour.

(5) The defence is open to public.

§ 16

Time and Place of the Defence

(1) The applicant will be called to the defence by written notice two weeks in advance. The notice states the names of the members of the defence committee.

(2) If the doctoral student is hindered to participate because of sufficient reasons, a new date will be determined within two weeks notice.

(3) If the doctoral student misses the defence the defence counts as failed unless sufficient reasons excuse the absence.

(4) The defence will be held at the place of one of the partner universities.

§ 17

Evaluation of the Defence

(1) The results of the defence will be evaluated by the defence committee and graded according to § 12 (1).

(2) The defence is passed if the applicant proved the ability to conduct a scientific discourse and if the performance has been graded at least with rite. If the defence is failed, it may be repeated once.

(3) The applicant will be informed about the results of the defence by the chairperson of the defence committee right after the defence.

§ 18

Final Result of the Doctorate Procedure

(1) Provided the defence is passed, the result of the doctorate procedure will be calculated as follows:

a) Dissertation: The defence committee decides on the final evaluation of the dissertation before the beginning of the defence procedure. The defence committee will not deviate from an unanimous evaluation by the referees (§ 12).

b) Defence: The defence committee decides on the evaluation of the defence.

c) Final result: The defence committee decides on the final result of the doctorate procedure.

i. If the dissertation and the defence are both marked with the highest possible grade according to the regulations applicable at the partner university the defence was held the final result shall be the highest mark according to the national regulations applicable at each partner university that confers a degree upon completion of the applicable period of doctorate studies.

ii. If the result of the defence differs from that of the dissertation the final result is graded according to the regulations applicable at the partner university the defence was held. The final result shall not deviate from the evaluation of the dissertation by more than one grade. The partner universities provide a certificate that indicates that the doctorate procedure was passed.

(2) The chairperson of the co-ordination board informs the applicant in writing about the final grade.

§ 19

Publication of the Dissertation

(1) The dissertation shall be published in the version which was the basis for the final evaluation. If modifications or changes are required by the evaluation reports, approvals by the first two referees and by the referee who required modifications are necessary. Partial publications shall be accepted if each published part is in itself a complete scientific work. Disputes will be decided by the defence committee.

(2) The law faculty council (Fakultätsrat) at the University of Hamburg in co-operation with the faculty council of the economics and social sciences faculty and the responsible bodies of the partner universities shall determine the number of copies of the dissertation that have to be submitted by the applicant. Relevant bodies shall be heard. The responsible bodies shall also determine to what extent printed copies may be substituted through other means of publication.

(3) The copies shall be submitted within a one year period beginning at the day of the defence. The doctoral student may apply to the chairperson of the co-ordination board for an extension of the submission period. Extensions shall be granted on good cause. If the applicant misses the deadline for submission the certificate of the doctorate degree will not be conferred and the applicant will not be allowed to hold the doctorate title. The deadline shall be extended on application if the doctoral student misses the deadline due to force majeure or circumstances she cannot be held responsible for. The application has to be filed without undue delay. Disputes will be decided by the co-ordination board.

(4) If the dissertation will be published as a book or in a scientific journal notice shall be given in that publication that the publication is a dissertation and about the mode it has been accepted by the partner universities as a dissertation.

(5) The co-ordination board agrees on a maximum number of copies that have to be sent to the partner universities.

§ 20

Conferral of the Doctorate Degree

(1) Upon timely submission of the copies of the dissertation the faculties confer the academic title of “European Doctor of Law and Economics” – in short: “Dr. (EDLE)” – subject to §§ 1, 18. Certificates signed by the deans of the faculties and sealed with the official faculty seals will be handed over or sent to the doctoral student. The certificates shall state the final result of the doc-

torate procedure subject to § 18.

(2) If the dissertation is published in a book series edited by at least one university professor or journals edited by at least one university professor, the conferral may already be granted by the partner university the dissertation was submitted to, if a legally binding publishing contract is presented, the publisher confirms in writing that the typesetting of the manuscript has been completed and prima facie evidence is presented that the conferral is urgent.

(3) The certificates indicate the dissertation title, the mark according to § 18 (3) and the day of the defence.

(4) Upon receipt of the certificate the applicant acquires the right to use the title as stipulated in the certificate. Prior use of a doctorate title, even with possible additions, is not allowed. In case the receipt of the certificate is delayed because of reasons the applicant is not responsible for, the use of the title may be granted by a letter from the responsible organs of the partner universities, provided the requirements of section 21 (1) are fulfilled.

§ 21

Revocation of the Doctorate Degree

The co-ordination board declares the doctorate procedure as failed if the doctoral student is guilty of a relevant misrepresentation. The doctoral student has a right to be heard upon application. In case the doctorate degree has already been conferred it will be revoked by the co-ordination board.

§ 22

Guidelines Regarding the Doctorate Procedure

The co-ordination board stipulates guidelines necessary for the application of this regulation. In particular it specifies details of the doctorate procedure and provides, as far as necessary, forms. The guidelines will be presented to the faculty councils of law faculty and of the economics and social sciences faculty at the University of Hamburg and to the responsible organs at the partner universities.

§ 23

Remedies

Decisions based on this regulation may be appealed by way of administrative appeal (Widerspruch) according to §§ 66, 59 (1) of the Hamburg Law relating to Universities (Hamburgisches Hochschulgesetz) and §§ 68 et seq. of the Code of Administrative Procedure (Verwaltungsgerichtsordnung).

veröffentlicht am 1. August 2008

§ 24 **Entry into Force**

This regulation enters into force on the day after its publication.

Hamburg, den 2. Juli 2008
Universität Hamburg

