



Universität Hamburg

DER FORSCHUNG | DER LEHRE | DER BILDUNG

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## AMTLICHE BEKANNTMACHUNG

Hg.: Der Präsident der Universität Hamburg  
Referat 31 – Qualität und Recht

### European Doctorate in Law & Economics Doctoral Degree Regulations

20 April, 2016

On 9 June, 2016 in accordance with § 108 (1) of Hamburg's Higher Education Act (Hamburgisches Hochschulgesetz—(HmbHG)) dated 18 July, 2001, as amended June 19, 2015, the University of Hamburg's University Management ratified the Doctoral Degree Regulations that were passed by the Faculty of Law's Faculty Council on 20 April, 2016, the Faculty of Business Administration's (Hamburg Business School) Faculty Council on 20 April, 2016 and the School of Business, Economics and Social Science's Faculty Council on 20 April, 2016 in accordance with § 91 (2) Nr. 1 HmbHG.

## Preamble

The European Doctorate in Law & Economics is an international three-year structured doctoral programme offered by the University of Bologna, the University of Haifa, the University of Hamburg and the Erasmus University of Rotterdam. The cooperation is built on the “Cooperation Agreement: European Doctorate in Law & Economics” signed by President Univ.-Prof. Dr. Dieter Lenzen for the University of Hamburg, as well as by the responsible bodies of the cooperating universities. The “Cooperation Agreement: European Doctorate in Law & Economics” entered into force on 1 May, 2016.

### §1 Doctoral Degree, Requirements to complete the Doctoral Programme

(1) The University of Hamburg’s Faculty of Law, the Faculty of Business Administration’s (Hamburg Business School) and the University of Hamburg’s School of Business, Economics and Social Sciences will confer the academic degree “Doctor iuris” (abbreviated: Dr. iur.) or the academic degree “Doctor rerum politicarum” (abbreviated: Dr. rer. pol.) to graduates of the European Doctorate in Law & Economics (abbreviated: EDLE) according to the prescribed course of study set forth in the following provisions. The EDLE Coordination Board will decide whether a Dr. iur. or a Dr. rer. pol. will be conferred taking into account the focus of the dissertation and the educational background of the candidate. At the request of the graduate, the School will confer the academic degree as a Ph.D. in lieu of Dr. iur. or Dr. rer. pol.

(2) A doctoral degree is evidence of the capacity for autonomous in-depth research through independent and individual research activities.

(3) The doctoral programme consists of:

- a written doctoral thesis (dissertation) or multiple individual papers or related essays (a cumulative thesis), as well as
- its oral defence (disputation), conducted in English, and
- successful completion of the mandatory course schedule of the EDLE.

(4) A degree pursuant to subsection 1 above may only be conferred once.

### §2 Committee for Doctoral Studies

(1) In order to implement the doctoral programme, the EDLE Coordination Board shall be instituted to act as an examination board within the meaning of § 63 (1) of Hamburg’s Higher Education Act (HmbHG). In accordance with the Cooperation Agreement, the EDLE Coordination Board is composed of four directors, one from each partner university. A person is eligible to become a director only if they have the right to decide upon the conferral of a doctorate degree according to the regulations applicable at the partner universities. In accordance with § 90 (6) Nr. 8 HmbHG the EDLE Hamburg Director must be nominated by the EDLE Scientific Council and appointed by the University of Hamburg’s Faculty of Law Deanery, the University of Hamburg’s Faculty of Business Administration (Hamburg Business School) Deanery and the University of Hamburg’s School of Business, Economics and Social Sciences Faculty Deanery. In accordance with § 2 (1) S. 3, eligible as the EDLE Hamburg Director is only a person, who is an eligible thesis supervisor pursuant to § 7 (2).

(2) According to §5 “Cooperation Agreement: European Doctorate in Law & Economics”, the chairman of the EDLE Coordination Board is appointed by its members for a period of three years. Re-election is possible.

(3) The EDLE Coordination Board shall decide on the admission of applicants and their dissertation proposals for the doctoral programme. The EDLE Coordination Board is responsible for advising applicants.

(4) The EDLE Coordination Board may delegate the authority to make decisions in a specific case as well as specific powers generally to the Board’s Chairperson, or to any sub- committees. The EDLE Coordination Board may revoke such delegation of authority at any time.

(5) The EDLE Coordination Board may adopt rules for the implementation of these Doctoral Degree Regulations.

(6) The EDLE Coordination Board represented by the EDLE Hamburg Director shall upon request report to the Faculty of Law’s Faculty Council, the Faculty of Business Administration’s (Hamburg Business School) Faculty Council and the Faculty Council of the School of Business, Economics and Social Sciences, as well as to the EDLE Scientific Council once a semester about its decisions.

### **§ 3 EDLE Scientific Council**

(1) The EDLE Scientific Council is responsible for the quality assurance of the EDLE programme and is entitled to nominate candidates for the EDLE Coordination Board. The EDLE Scientific Council is composed of 20 members. Each partner university shall assign a maximum of five members. A person is eligible for membership if they have had an academic exposure in the field of law and economics.

(2) The EDLE Scientific Council at the University of Hamburg is composed of members of the Faculty of Law, the Faculty of Business Administration (Hamburg Business School) and the School of Business, Economics and Social Sciences and may include external members. The members of the EDLE Scientific Council Hamburg are appointed by the deans of the University of Hamburg’s Faculty of Law, Faculty of Business Administration (Hamburg Business School) and School of Business, Economics and Social Sciences upon nomination proposals by members of the University of Hamburg’s Faculty of Law, Faculty of Business Administration (Hamburg Business School) and School of Business, Economics and Social Sciences. The members of the EDLE Scientific Council Hamburg are appointed for a period of three years. Re-appointment is possible.

### **§ 4 Admission Requirements**

(1) An application for admission to the doctoral programme must be made to the EDLE Coordination Board before commencing any attendant work on the dissertation topic. The Committee shall decide upon any exceptions. Generally, the conditions for admission to the doctoral programme are the following: eligible is an applicant

a) who received a master degree in law or economics, or a comparable university de-

gree (second cycle qualification) required by the partner universities for the admission to doctoral studies and

b) whose prospects for successfully acquiring a doctoral degree in the field of law and economics are justified based on former education and academic achievements. In general, the University of Hamburg requires a Master's exam encompassing a total of at least 300 credit points (ECTS) including the points earned in an undergraduate program, or a Magister exam from a university programme, or a Diploma exam from a university programme, or the first bar examination within the meaning of the German Judiciary Act (Deutsches Richtergesetz).

(2) If the applicant has a degree other than those specified in subsection (1) above, then he or she may be admitted to the doctoral programme, if he or she has acquired the qualifications that would permit a course of study in a doctoral programme. The EDLE Coordination Board may require that such applicants submit an additional certificate of course completion within a specified period of time in order to meet standard university requirements in accordance with the respective university degree described in subsection (1) or to supplement the skills and knowledge demonstrated by the applicant, which are necessary for the desired doctorate. The EDLE Coordination Board shall decide about equivalency of performance and grades. The Committee may consult a competent member of the EDLE Faculty for a subject-specific opinion.

(3) The language of the EDLE programme is English. The ability to pursue research in English is a mandatory requirement. If the doctoral programme is to be completed in another language pursuant to section 8 (2) or section 13 (1), then the EDLE Coordination Board shall establish appropriate guidelines and requirements for proof.

## § 5 Admission Procedure

(1) Applications for admission to the doctoral studies programme must be submitted to the EDLE Coordination Board together with the following documents:

- a) a curriculum vitae including information on both academic and professional qualifications and other education;
- b) two references, preferably written by university professors;
- c) a letter of motivation with a research proposal; see subsection (2).

The EDLE Coordination Board shall select possible candidates. In general each candidate should be individually interviewed. The 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 board about the results of the interviews.

(2) A description of the research question and its justification in light of the current state of available research, goals, and methods of scholarly work as well as a detailed study plan and time schedule for the proposed dissertation ("Exposé") must be submitted together with the application for admission.

- (3) An application for admission to a doctoral degree programme shall be rejected, if:
- a) the dissertation topic cannot be supervised competently by a member of the EDLE Faculty,
  - b) a doctoral programme has already been prematurely terminated because of fraud or fraud attempts, a doctorate has been rescinded ex post because of fraud, or a

- candidate has attempted to make materially untruthful assertions during the ongoing admissions process or has otherwise acted deceitfully,
- c) commercial services have been engaged to assist in obtaining a doctorate.

## **§ 6 Enrolment as Doctoral Student**

(1) Doctoral students of the EDLE must matriculate at one of the four partner universities offering the EDLE programme.

(2) Each EDLE PhD student will be matriculated at the University of Hamburg. This does not apply to students that have been admitted to the programme before these regulations entered into force.

## **§ 7 Dissertation Project Supervision and Guidance, Standard Completion Time**

(1) Once a doctoral candidate has been admitted to the doctoral programme, the EDLE is then responsible for the supervision and later evaluation of the dissertation project by at least two persons (Supervisory Commission). One of the supervisors must be a full-time professor. If the doctoral candidate's supervisors are not members of the Faculty of Law, the Business School or the School of Business, Economics and Social Sciences of the University of Hamburg, especially if their home university is one of the partner universities of the doctoral programme, an additional local supervision must be conducted by a member of the Faculty of Law, the Faculty of Business Administration (Hamburg Business School) or the School of Business, Economics and Social Sciences of the University of Hamburg who meets the requirements set forth in § 7 (2).

(2) Dissertation supervisors may be those members of EDLE who are

- professors,
- faculty members, who hold the *venia legendi*, or members of an EDLE participating institution with the right to supervise doctoral candidates, or
- externally-funded junior research group leaders for whom the University of Hamburg or another EDLE participating institution is the hosting institution and who have been awarded per contract in accord with the hosting institution the right to supervise doctoral candidates.

The supervisor has an ongoing obligation to supervise the dissertation and may not delegate this duty to anyone else. The EDLE Coordination Board shall appoint the supervisor upon the applicant's proposal or with the applicant's consent.

(3) In justified exceptional cases, the EDLE Coordination Board may also appoint professors as supervisors who are not members of the EDLE Faculty. In such a case, the EDLE Coordination Board must identify at least one EDLE Faculty full-time professor as an additional member of the Supervisory Commission. External supervisors whose primary work and activities are conducted outside of the city of Bologna, the Free and Hanseatic City of Hamburg or the city of Rotterdam must ensure that they are able to provide proper supervision and guidance and warrant that personal contact with the doctoral candidate is guaranteed.

(4) The dissertation topic may be freely chosen; however, the choice must be made in conjunction with the supervisor and the EDLE Coordination Board. The EDLE Coordination Board shall conclude an EDLE Doctoral Candidate agreement with the doctoral student, wherein the outline of the programme, especially with regard to the mandatory mobility and the course structure, mutual rights and obligations, and a study plan or academic itinerary based on the standard completion time shall be established. The mutual rights and obligations shall include, inter alia, an obligatory and periodic consultation regarding the progress of the doctoral project, periodic feedback about the doctoral candidate's performance and potential. If the supervisor changes, then admission to the doctoral programme shall terminate when, as a consequence of the change, the admission prerequisites are no longer valid.

(5) While working on the dissertation, doctoral candidates should be given the opportunity to present their in-progress research work within a suitable framework.

(6) Normally, the dissertation should be submitted within three years and the programme completed within four years (standard completion time). In special cases, the EDLE Coordination Board shall fix other appropriate periods.

(7) The research period shall be accompanied by courses and seminars on law and economics that will be provided by the partner universities. Students are obliged to participate in selected courses at each partner university. Successful participation of the courses or seminars will be recorded. The doctoral student will present interim reports on the progress of the dissertation. Upon completion of the first half year, a brief research proposal which includes the main issues to be dealt with in the dissertation shall be submitted to the dissertation supervisor and to the 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 board. Upon completion of one and a half years 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 within a seminar.

(8) The EDLE Coordination Board will decide whether a candidates' performance continuously meets the requirements of in-depth doctoral research and of successful programme completion. If the performance is not satisfactory, the EDLE Coordination Board may refuse to grant the candidate's continuation of the programme.

(9) Should a supervisor or doctoral candidate be disposed to terminate the supervisory relationship for an important reason during the course of work, then both shall be obligated to promptly inform the Chairperson of the EDLE Coordination Board furnishing the reasons therefor.

(10) If a supervisor's association with EDLE is terminated, then he or she shall maintain the right for five years thereafter to finish any supervisory work attendant with an ongoing dissertation and sit on the Examination Commission with voting rights. This time limitation shall not apply to former University of Hamburg full-time professors or individuals from an EDLE participating institution whose teaching and examination qualifications continue to apply.

## **§ 8 Dissertation**

(1) The aptitude for independent and in-depth scholarly work must be demonstrated

by the written doctoral thesis, which is aimed at constituting an advancement of scholarship.

(2) A doctoral thesis composed in English or in another research language consented unanimously to by the EDLE Coordination Board may be submitted as:

- a) A work, which is a complete and detailed exposition of research efforts and results (monograph). This work may have already been published previously wholly or partially.
- b) A work that consists of published and / or unpublished pieces, which in their totality represent an equivalent achievement of a dissertation pursuant to subsection (2)a) (cumulative dissertation). In addition to the designated information set forth in sections (5), (6) and (7) herein, a cumulative thesis must have a collective title and consist of an introduction and synthetic essay, which comprehensively interprets, evaluates and discusses the individual papers and related essays included in the cumulative work.

(3) When written doctoral theses pursuant to subsection (2) are produced in collaboration with other scholars, the doctoral candidate's contribution must be clearly definable and assessable. The doctoral candidate must indicate in detail his or her contribution to the conception, realization and documentation. At least one paper needs to be individually authored.

(4) Doctoral candidates must cite all resources and aids, and affirm in an affidavit that the thesis was independently written and that no other resources were used except for those specified. The thesis may not have already been accepted in a previous doctoral programme or assessed as insufficient. In cases of doubt, works from previous doctoral programmes are to be submitted for comparison.

(5) The doctoral candidate shall submit a publication list together with the dissertation in those cases where there have been prior publications of the dissertation or portions thereof pursuant to subsection (2)a) or (2)b), wherein it must be ascertainable which publications of the dissertation have already occurred and which works or portions of work from the dissertation have been submitted for publication or have gone to press. This also includes such publications in which the doctoral candidate has used portions of the work in joint authorship that have been released to the public. The list of prior publications must contain the respective complete bibliographical support. The list must be accompanied by the doctoral candidate's written assurance that this list of prior publications is complete and contains all parts of the dissertation that have already been or will be publicized, have already been or will be submitted for publication, or have already gone or will go to press.

(6) The dissertation must have a title page with the name of the author, its designation as a dissertation submitted to the EDLE—and the year of submission besides a cover page with spaces provided for the names of the assessors. The dissertation must have a short summary of results attached as an appendix in English notwithstanding if the dissertation is written in another research language pursuant to § 8 (2). If the dissertation is written in a language other than English, then the dissertation must also contain a summary composed in this other language.

(7) Four bound and printed copies of the dissertation are to be submitted to the EDLE Coordination Board in addition to an electronic copy sent via E-Mail to the EDLE Doctoral Studies Office, which must be composed in a common word processing programme (as a rule as a .doc file). A written assurance must accompany the printed copy that

the text therein is identical to the electronic copy. Each assessor shall receive a printed copy. One printed copy and the electronic copy shall remain at the EDLE Doctoral Studies Office and be appropriately archived.

### **§ 9 Examination Procedure**

(1) Pursuant to the Cooperation Agreement European Doctorate in Law & Economics the defence may be held at one of the partner universities. The place of defence is determined by the EDLE Coordination Board in consent with the doctoral candidate.

(2) Regardless where the defence is held, the doctorate examination procedure in accordance with § 1 subsection (3) consists of the written dissertation, the oral defence and the successful termination of the EDLE course programme.

(3) The Examination Commission or the equivalent body shall contain members from the partner universities, who are eligible to confer a doctorate degree according to the regulation applicable at their home universities. At least one member of the EDLE Faculty Hamburg should be a member to the Examination Commission or the equivalent body at the partner university.

(4) The examination procedure will be governed by the local regulations that apply at the partner university where the defence is held. The sections §§ 9, 10, 11, 12, 13, will apply if the defence takes place at the University of Hamburg.

### **§ 10 Examination Commission**

(1) The EDLE Coordination Board shall establish an Examination Commission for each doctoral candidate upon the submission of his or her dissertation or the supervisor's confirmation that the submission will be made in the near future. The Examination Commission shall appoint a Chairperson and a Vice-Chairperson from the members of the Examination Commission, each of whom must be members of the EDLE Faculty.

(2) The Examination Commission shall consist of at least three qualified persons entitled to conduct examinations in the doctoral proceedings, of which two must be professors or EDLE members, who hold the *venia legendi* and, whose primary job responsibility is being professors. One of these professors must be a professor from the Faculty of Law, the Faculty of Business Administration (Hamburg Business School) or the School of Business, Economics and Social Sciences of the University of Hamburg. Section § 7 (2) and (3) shall correspondingly apply for examination qualifications. Generally, the supervisor should be appointed as a member of the Examination Commission. At least one member must be identified as an expert in the field covered by the dissertation. The Examination Commission shall not have more than one professor among its members who has been released from service or retired.

(3) The EDLE Coordination Board shall replace members of the Examination Commission who must be excused for compelling reasons or who will otherwise be impaired for a longer period of time taking in to account the provisions contained in subsection (2).

(4) The Examination Commission's duties shall include:



- a) an evaluation of the dissertation on the basis of the available assessments and any opinions pursuant to section § 11 (3),
- b) conducting and evaluating the oral defence (disputation), c) assigning a final grade pursuant to section § 14.

(5) Examination Commission meetings shall not be open to the public.

(6) Examination Commission decisions shall be taken upon a simple majority vote of those members entitled to vote. All Examination Commission members must participate in all votes pertaining to grading of performance. Votes shall not be cast by secret ballot and no abstentions are permissible.

### **§ 11 Evaluation of Dissertation**

(1) The EDLE Coordination Board shall appoint assessors to evaluate the dissertation simultaneously with the creation of the Examination Commission pursuant to section § 10 (1) and (2) in consent with the EDLE Scientific Council.

(2) Generally, the dissertation project supervisor or a member of the Examination Commission is to be appointed as an assessor for the dissertation. The EDLE Coordination Board shall appoint an additional assessor. At least one assessor must be a professor as their main occupation. At least one assessor must be an expert in the field covered by the dissertation. If material methodological and substantive aspects of the dissertation include another discipline, which is primarily covered by another faculty or school, then the additional assessing professor shall be appointed from this faculty. Section § 7 (3) shall not be affected.

(3) Assessments must be composed independently and shall be submitted within twelve weeks subsequent to a request therefor. Any reason for untimely submissions must be explained to the EDLE Coordination Board in writing. Members of the EDLE Coordination Board and the Examination Commission must treat the assessments confidentially. The assessments must acknowledge the significance of the dissertation and its results within a larger context and indicate any shortcomings. In the overall evaluation each assessor must recommend either approval according to a grade specified in section § 12 or rejection. If the requisite evaluations cannot be clearly extracted from the assessment, then it will be returned for revision. In such case, the assessor is to be given a 4-week extension period.

(4) If the evaluations deviate by more than one full grade from each other or if one assessor grades the dissertation as “fail” and recommends rejection while the other assessor recommends approval, the EDLE Coordination Board shall then appoint an additional assessor, who, being apprised of the first two assessments, shall submit an additional assessment of the dissertation within 10 weeks.

(5) After the assessment process has been completed, the dissertation together with the assessments shall be deposited for review with the EDLE Doctoral Studies Office at the Institute of Law & Economics for two weeks. All EDLE members who are entitled to supervise a dissertation pursuant to section § 7 (2) and (3) may review the dissertation and proposed grades and submit a written opinion that is to be added to the doctoral

file. The EDLE Coordination Board shall inform this group of persons about the availability of the dissertation in an appropriate manner. Furthermore, members of the EDLE Coordination Board and the respective Examination Commission shall also be entitled to review the dissertation during this review period. The EDLE Coordination Board may appoint an external assessor in the event an opinion is submitted during the review period.

### **§ 12 Decision about Approval of the Dissertation and Scheduling the Oral Defence**

(1) After the review period has expired, the Examination Commission shall decide about the approval or rejection of the dissertation, the admission of the doctoral candidate to the oral defence (disputation), and the dissertation grade. The Commission shall use the following grading scale without averages:

- with distinction (*summa cum laude*, 0.7–0.81) for
  - a) work that has resulted in significant scholarly insight, which contains new and original research or studying methods that were independently developed and executed by the doctoral candidate, or
  - b) empirical or experimental work containing new valuable scholarly insight, which was achieved upon the basis of an independently developed experimental design and independently developed research methods, and exhibits a high degree of originality, or
  - c) other work that has led to new valuable scholarly insight because of the analytical issue. This was made possible because of a new and original approach or a complex theoretical model, which was developed and cogently presented by the doctoral candidate.
- very good (*magna cum laude*, 0.82–1) for
  - a) sophisticated observational studies that have resulted in new scholarly insights, which were essentially planned and executed independently by the doctoral candidate, or
  - b) empirical, experimental, or methodologically complex work that has led to new scholarly insights whilst implementing new methods or methods modified by the doctoral candidate during the course of the essential independent planning and execution of the work, or
  - c) other work, which is based on a comprehensive scrutiny of literature or a critical analysis of available information and views, has led to an independently developed and persuasively well-founded new academic finding or opinion by the doctoral candidate;
- good (*cum laude*, 1.1–2) for
  - a) independently conducted observational studies containing a clear thesis, which resulted in new scholarly insight, or
  - b) empirical or experimental work using various established and complex methods, whereby the execution of the experiments / research, work plan and structuring of the task was independently completed by the doctoral candidate, or
  - c) other work, containing a prescribed academic problem, whereby the doctoral candidate is able to demonstrate a considerable degree of individual initiative in developing a scholarly solution;

- sufficient (rite, 2.1–3) for
  - a) independently conducted observational studies containing a narrow thesis (e.g. “retrospective studies”), which is fundamentally sound work at a normal level and does not contain any significantly new insights or particularly original issues and approaches, or
  - b) empirical or experimental and for the most part reconstructive work using established methods, or
  - c) other work, which is predominantly of discourse character and upon a prescribed academic problem demonstrates a discernible degree of individual initiative on the part of the doctoral candidate in the development of the scholarly solution.
- fail (not sufficient; non rite).

(2) To the extent that both assessors grade the dissertation as a fail or in the event of diverging assessments, in which one has resulted in a “failing” grade, and the third assessment, which is obtained pursuant to section § 11 (4), also results in a “failing” grade, the EDLE Coordination Board shall inform the doctoral candidate about this result in writing. The written assessments are to be included with the notification. The doctoral candidate shall also be informed that he or she has the option to revise the dissertation based on the critical comments made in the assessments. The doctoral candidate shall have four weeks in which to submit a declaration about whether he or she shall undertake revisions. If the doctoral candidate does undertake revisions, then the dissertation must normally be submitted to EDLE Coordination Board no later than 12 months after notification about the possibility for revision in accordance with section § 12 (2), sentence 1. The EDLE Coordination Board shall inform the doctoral candidate about this date in writing. In the event of a revision, the Examination Commission and the assessors shall be the same as in the first evaluation. In justified rare cases the EDLE Coordination Board may appoint another Examination Commission and/or assessors. This notwithstanding, the provisions of sections §§ 10, 11 shall apply.

(3) If the doctoral candidate does not indicate in due time his or her interest in revising the dissertation, or if the revision is not properly and seasonably submitted, or should the revised dissertation concordantly be graded as a fail, or in the event of diverging assessments where one assessment evaluates the work as “fail” and the third assessment, which is obtained pursuant to section § 11 (4), likewise results in a “failing” grade, shall the dissertation be conclusively rejected.

(4) In the event of a conclusive rejection of the dissertation, the Examination Commission shall, without scheduling an oral defence (disputation), declare that the doctoral programme has not been successfully completed and set forth the reasons for the decision. The Chairperson of the EDLE Coordination Board shall inform the doctoral candidate in writing about the rejection and set forth the reasons for the Examination Commission’s decision together with information about available legal remedies.

(5) If the dissertation is approved, the Examination Commission shall inform the doctoral candidate of its decision together with the time scheduled for the oral defence (disputation). The disputation shall be held within two months of receipt of the last assessment. The Chairperson for the EDLE Coordination Board shall decide about justified exceptions upon petition. Such exceptions shall particularly include general dates scheduled by EDLE for conducting multiple disputations. The Chairperson of the EDLE Coordination Board shall issue the invitation to the oral defence. Invitations must be

given upon two weeks' advance notice; notice may be waived. Upon notification of the oral defence appointment, the dissertation assessments are to be made available to the examinee.

(6) If the doctoral candidate is unable to attend the scheduled appointment for an important reason, then a new date is to be scheduled in accordance with notice requirements. If the doctoral candidate does not attend the oral defence and does not provide an excuse, he or she will fail the oral defence. The doctoral candidate shall be informed of this fact in writing setting forth the reasons therefor and information about available legal remedies. Should the doctoral candidate declare his or her intention to forego the oral defence, then he or she will be deemed to have failed the doctoral programme. The Chairperson of the EDLE Coordination Board shall inform the doctoral candidate of this in writing setting forth the reasons therefor and information about available legal remedies.

### **§ 13 Oral Defence (Disputation)**

(1) The purpose of the oral defence is for the doctoral candidate to demonstrate his or her aptitude for oral recitation and discussion of scholarly problems. The disputation is conducted in English. The EDLE Coordination Board shall decide on conducting the oral defence in another academic language upon petition by the doctoral candidate. It must be warranted that all members of the Examination Commission are proficient in the examination language. The disputation is open to the public, unless objected to by the doctoral candidate. The Chairperson can exclude the public to the extent that this is necessary for the proper conduct of the oral defence; members of the EDLE Coordination Board and the Dean's Office are not considered members of the public for this purpose. In exceptional cases the Examination Commission Chairperson can allow other university members, the doctoral candidate's relatives or other persons nominated by the candidate to attend the disputation as audience, provided that the doctoral candidate does not object. Members of the Examination Commission must participate in the oral defence.

(2) The disputation shall commence with a maximum 20-minute recitation, in which the doctoral candidate shall present and elucidate the important results of the dissertation and their significance within a broader subject-related context, which must be submitted in a two-page maximum summary outline. Subsequently, the doctoral candidate shall defend the dissertation. Additionally, the doctoral candidate may address the content of the assessments. Further, the candidate shall answer questions from members of the Examination Commission. Questions may refer to the classification of the problems from the dissertation in a larger scholarly context. The discussion shall last about 30 minutes.

(3) The Examination Commission Chairperson shall coordinate the scholarly discussion and shall decide on the priority and, if necessary, the permissibility of the questions.

(4) The Examination Commission members shall appoint one member of the Commission to act as secretary. The secretary shall keep the minutes of the disputation. A transcript of the minutes shall be placed in the doctoral degree file. Minutes shall contain the following information:

- Day/Time/Location of the Oral Defence
- Attendance list for the members of the Examination Commission

- The dissertation grade
- Bullet point information about the topics discussed
- The grade for the oral defence (disputation)
- The final grade pursuant to section § 14
- Unusual or particular events

The secretary and the Examination Commission Chairperson must sign the transcript of the minutes.

### **§ 14 Decision about the Oral Defence and Doctorate**

(1) Immediately following the oral defence, the Examination Commission shall retire into a closed session in order to grade the oral defence applying the grading standards set forth in section § 12 (1). Thereafter, the Examination Commission shall assign a final grade using the grading standards set forth in section § 12 (1). In calculating the final grade the dissertation grade shall be weighted three-quarters and the disputation grade one-quarter. The final grade for the doctorate shall be based on the following weighted average scale rounded to the tenth of a decimal point:

- “with distinction” (summa cum laude; 0.7–0.81),
- “very good” (magna cum laude; 0.82–1.0),
- “good” (cum laude; 1.1–2.0),
- “sufficient” (rite; 2.1–3.0).

The grade “with distinction” (summa cum laude) may only be issued as an overall final grade if the dissertation and the oral defence (disputation) both received this grade.

(2) The Examination Commission shall inform the doctoral candidate about the individual grades for the dissertation and oral defence as well as the final overall grade.

(3) After the Examination Commission has assigned the final grade, the doctoral candidate shall receive an interim diploma containing the title of the dissertation, the individual grades for the dissertation and disputation as well as the overall final grade. This interim diploma does not authorize use of the doctor title.

(4) If the doctoral candidate failed the oral defence, then he or she shall be informed of this decision by the EDLE Coordination Board Chairperson within two weeks in writing setting forth the reasons therefor. The disputation may be repeated no earlier than one month and no later than six months thereafter.

(5) If the candidate fails the second oral defence attempt, the Examination Commission shall declare that the candidate has failed the doctoral programme (not sufficient; non rite) and set forth their reasons. Within two weeks the Chairperson of the EDLE Coordination Board will inform the doctoral candidate about the decision in writing together with information regarding legal remedies.

### **§ 15 Publication and Submission Obligations**

(1) The dissertation must be published within two years of the completion of the doctoral programme. If the dissertation cannot be published within the time fixed therefor, the Chairperson of the EDLE Coordination Board may grant an extension of time upon a well- grounded petition.

(2) Exceptions from the publication obligation pursuant to section § 15 (1) may be granted by the EDLE Coordination Board upon written well-grounded application of the candidate, if parts of the cumulative dissertation are already published, and the rights of re-publishing or distributing the work are not solely owned by the candidate. Instead the candidate shall in addition to the introduction and synthetic essay pursuant to section § 8 (2b)) submit two copies of each publication that is part of the dissertation.

(3) The EDLE Coordination Board in accordance with the Hamburg State and University Library requirements shall decide how many printed or reproduced copies of the dissertation must be submitted by the doctoral candidate. The Committee shall also determine in what form printed copies may be substituted with other information media.

### **§ 16 Diploma**

(1) A diploma conferring the doctorate will be issued in the English language. The diploma shall contain information pertaining to the field of study, title of the dissertation submitted, and the date the oral defence was successfully completed.

(2) If the defence takes place at the University of Hamburg or at the University of Bologna, the doctoral degree will be jointly awarded by the University of Hamburg and the University of Bologna in cooperation with the Erasmus University Rotterdam. If the defence takes place at the Erasmus University of Rotterdam the candidate will obtain a joint doctoral degree from the Universities of Bologna and Hamburg, and a doctoral degree from the Erasmus University Rotterdam.

(3) The diploma will not be awarded to the applicant if, before being conferred, it becomes apparent that conditions have been met, which warrant divestiture of the doctorate. The applicant shall be informed about this decision in writing specifying the reasons therefor and information about legal remedies.

(4) As soon as notification has been received that the obligation to publish pursuant to section § 15 has been fulfilled, the EDLE Coordination Board shall promptly grant the candidate permission to immediately use the academic title. The EDLE Coordination Board may also grant permission to use the academic title in advance if the candidate furnishes proof that a contract has been concluded with a publishing company for the publication of the dissertation that specifies a definable publication date. If the dissertation is not published within the additional time limit set in the specific case by the EDLE Coordination Board, of which notification must also be made to the doctoral candidate, then the right to use the academic title shall be revoked.

### **§ 17 Appeal and Procedural Review**

The applicant is entitled to appeal decisions in accordance with these Doctoral Degree Regulations. If an application for reconsideration is denied relief by the Examination Commission, the matter shall be remitted to the Appeals Committee (§ 66 of Hamburg's Higher Education Act [HmbHG]).

### **§ 18 Procedures in Cases of Dishonesty and Divestiture of the Doctoral Degree**

(1) If the doctoral candidate intentionally perpetrated a fraud during the course of the doctoral degree programme, then after the person affected has been afforded an opportunity to be heard at a hearing, the EDLE Coordination Board may hold that the candidate has failed the doctoral degree programme.

(2) If the doctoral degree has already been conferred when such deception becomes known, the EDLE Coordination Board may subsequently divest the graduate of his or her title and rescind the doctorate after the person affected has been afforded an opportunity to be heard at a hearing. Such a divestiture shall be executed especially in those cases where the deceit affects those portions of the doctoral thesis, which were materially significant for the evaluation of the dissertation, oral defence (disputation), or overall final grade.

(3) This notwithstanding, legal provisions shall apply in cases of doctoral degree divestiture.

### **§ 19 Dismissal, Withdrawal, Readmission to the Doctoral Programme**

(1) If more than eight years have passed since admission into the doctoral programme, the EDLE Coordination Board may dismiss the student after affording the doctoral candidate an opportunity to be heard at a hearing and upon the supervisor's prior written consent and comment. Reasons for dismissal must be set forth in the administrative notice of decision (Einstellungsbescheid). The administrative notice of decision regarding dismissal must be made in writing by the Chairperson of the EDLE Coordination Board. This will not bar any reapplication for admission to the doctoral degree programme.

(2) The doctoral candidate may voluntarily withdraw from the programme at any time before the first assessment is received. All procedural steps that have been completed up until the withdrawal shall no longer be considered part of the doctoral process.

### **§ 20 Legal Effect and Interim Regulations**

These Doctoral Degree Regulations shall become effective the day after their publication.

Hamburg, 9 June, 2016  
**Universität Hamburg**