

**Rules and Regulations
of the University of Duisburg-Essen
Governing the Levy of Tuition Fees and Higher Education Charges
(Tuition Fee Rules and Regulations)**

dated 23 June 2006

Gazette, Vol. 4, 2006 (No. 58), Page 379

**Most recently amended by the seventh amendment dated 05 October 2009
(Gazette, Vol. 7, 2009, No. 114, Page 819)**

By virtue of § 2 Para. 4 and § 22 Para. 1 Clause 1 No. 3 of the Higher Education in North-Westphalia Act (German abbreviation: HG) dated 14 March 2000 (GV-NRW¹) pg. 190) last amended by act of law on 21 March 2006 (GV-NRW pg. 119) in conjunction with § 2 Para. 1 Clause 1 of the Tuition Fees and Higher Education Charges Act (StBAG) dated 21 March 2006 (GV-NRW pg. 119) and in conjunction with the law on the levying of tuition fees and other higher education charges at the universities, universities of applied sciences and art colleges in the State of North-Westphalia (StBAG-VO) (GV-NRW pg. 157), the University of Duisburg-Essen has passed the following rules and regulations.

**§ 1¹
Tuition Fees**

(1) Students registered for a course of study leading to a professional qualification, for several such courses, or, pursuant to § 52, Para 2 HG, for a further course of study are to be charged a tuition fee of € 480 for each semester of registration or matriculation. For students enrolled exclusively in a course of studies offered in the form of a part-time program, and who accordingly study part-time, the tuition fee levied in conformance with Clause 1 shall be reduced. The reduced tuition fee shall be proportional to the ratio of the normal period of study for a corresponding full-time course of study to the normal period of study for this part-time course of study. If a student registers for a course of study with restricted admissions after having been accepted to study at the university by moving up the list of applicants (Nachrückverfahren) or by having his or her name drawn by lots (Losverfahren) – and such registration takes place after May 31 (for the summer semester) or after Nov. 30 (for the winter semester) as a result – the student in question will not have to pay a tuition fee for the current semester unless he or she is already obliged to pay a tuition fee in another course of study.

- (2) Students who have siblings registered for a course of study at the university leading to a professional qualification, or matriculated for a further course of study at the university pursuant to § 52 Para. 2 HG, are allowed to pay a reduced tuition fee – equal to the amount set out in Para 1. divided by the total number of siblings registered for courses at the university – for each semester of their registration or matriculation. This also applies to students with siblings registered at another university within the jurisdiction of the Constitution of the Federal Republic of Germany for a course of study leading to a professional qualification if and insofar as this other university also levies tuition fees or higher education charges for the course of study.
- (3) Students registered for a further course of study pursuant to § 71 Para. 2 HG are exempt from paying tuition fees if they present evidence that they are paying the tuition fee at another state college or university or state-recognised college or university in Germany. An agreement as to splitting the tuition fee can be made with the college or university concerned.
- (4) Students registered at the University will be first charged the tuition fee according to Para. 1 and Para. 2 for the summer semester of 2007.

**§ 2
General and Special Guest Student Fees /
Fees for Students at Other Universities**

- (1) Auditors or guest students [*Gasthörer*] pursuant to § 71 Para. 3 HG will be charged a general guest student fee of €100 for each semester of their matriculation.
- (2) Guest students attending a further education course pursuant to § 90 HG will be charged a special guest student fee. The exact amount of the special guest student fee is calculated for each further education course by dividing the sum of the expected costs of the further education course by the expected number of participants.

¹) Gazette of the State of North Rhine-Westphalia

- (3) Students co-registered at other universities [*Zweithörer*] pursuant to § 71 Para. 1 HG are to be charged a "second university fee" of €100 for each semester of their matriculation. This shall not apply for students enrolled at Ruhr University Bochum or the Technical University of Dortmund insofar as, and for the period of time that, corresponding provisions exist at these universities for students of the University of Duisburg-Essen.
- (4) Matriculation according to Paragraphs 1 to 3 Clause 1 is contingent on a receipt showing that the fee has been paid.

§ 2a²
Charge for an Aptitude Test

To take an Aptitude Test for the course of study in physics for schools culminating with the First State Examination for Teachers, applicants will have to pay a charge of € 40 when they submit their application. This charge will be imposed for the first time for the Aptitude Test held in 2009. For those applicants admitted to the course of study, this charge will be reimbursed at the time of registration.

§ 3³
Chargeable Services

- (1) The University of Duisburg-Essen shall levy charges for:
- a) making a copy of guest student card
 - b) the extra administration costs incurred for any late registration or re-registration effected after the due date or for any fee or charge payments made after the due date.
- (2) The University's right to levy charges on the basis of other legal requirements remains unaffected.

§ 4⁴
Service Charges

- (1) The charge levied is based on the service provided as follows:
- a) making a copy of a guest student card € 10.00
 - b) late re-registration: € 10.00
 - c) late matriculation: € 15.00
- (2) Charges are levied separately for each chargeable service.

§ 5⁵
**Basis for and Payment Date of
Tuition Fees and Higher Education Charges**

The basis for and the payment date of tuition fees and other higher education charges levied according to these rules and regulations are set out in § 7 Para. 1 and Para. 2 StBAG (Appendix 1 of these Rules and Regulations).

The University of Duisburg-Essen shall make a reimbursement for the particular semester in the event and to the extent that the applicant can demonstrate that he or she has registered, after his or her exmatriculation from the University of Duisburg-Essen, in the same semester in another university within the jurisdiction of the law of the Federal Republic of Germany and has to pay tuition fees or higher education charges at said university for the same semester in which he or she has exmatriculated at the University of Duisburg-Essen.

§ 6
Exceptions to the Obligation to Pay

Excepted from the obligation to pay according to Para. 1 are those students specified in § 8 Para. 1 and Para. 2 StBAG (Appendix 2 of these Rules and Regulations).

§ 7⁶
Waivers and exemptions

- (1) Exemptions from the obligation to pay pursuant to § 1 shall be made for the following reasons:
- a) the care and education of minor-age children pursuant to § 25 Para. 5 of the Federal Education and Training Assistance Act, but only to the maximum amount of the tuition fees pursuant to § 1 for the regular study period for the particular course of study; in the case of disabled children and children under age 12, exemption shall be granted for one and a half times the length of the regular study period;
 - b) serving as an elected representative on one of the university bodies, the Student Union, the Faculty Student Committees, the Student Administration Office, the Commission or the Advisory Council pursuant to § 6 of the Basic Regulations or the Advisory Councils pursuant to § 12, but only however to be maximum amounts specified below:
 - up to the attainment of a bachelor's degree 4 tuition fees pursuant to § 1,
 - up to the attainment of a master's degree 2 tuition fees pursuant to § 1,
 - up to the attainment of university degree after a normal study period of 8 and more semesters 6 tuition fees pursuant to § 1,
 - up to the attainment of a university degree after a normal study period of less than 8 semesters 4 tuition fees pursuant to § 1.

- c) performing duties as an Equal Opportunity Officer pursuant to § 23 Para. 1 HG, but only to the maximum amount of four tuition fees pursuant to § 1;
- d) for extra semesters beyond the regular study period up to a study period twice as long as the regular period insofar as these extra semesters are due to a disability or serious illness. Such disability or illness is to be demonstrated by the presentation of a certificate from a medical specialist.

During the regular study period, a student with a disability may be granted a reduction of the amount of the tuition fee, upon submitting an application for such a reduction, if the degree of disability is at least 50. Reductions are granted as follows:

- 50 % disability,
50 % of the amount
- 60 - 100 % disability,
100 % of the amount

The degree of disability is to be demonstrated by presenting an official Disabled Person Identity Card. The exemption is made for the term of validity of the Disabled Person Identity Card.

- e) if it is necessary, on the basis of professional requirements, to complete two courses of studies to attain the desired professional qualification, but only to the maximum amount of two tuition fees pursuant to § 1;
- f) for a semester in which the applicant has to take one (and only one) examination to complete his or her course of study. To obtain this exemption, which may be granted only once, the student must present a certificate from the Examination Office to which he or she has been assigned. An exemption shall not be granted, and a previously granted exemption shall be revoked, if the applicant registers – or is already registered – in another course of study for which tuition fees have to be paid in the semester for which the application for an exemption has been submitted;
- g) being a member of an A, B or C cadre at an Olympic Centre in the German state North Rhine-Westphalia.

- (2) Foreign students, who are not entitled to a tuition fees loan, are exempt from the obligation to pay tuition fees pursuant to § 1 if there is a special interest in educational cooperation with their country of origin. As a rule, such interest exists if the students have matriculated within the scope of a cooperation agreement with a college or university in the country of origin guaranteeing reciprocal exemption from tuition fees. This also applies within the framework of intergovernmental or transnational treaties.
- (3) Disadvantaged foreign students who have obtained their university entrance qualification abroad and are not entitled to a tuition fees loan and who were, at the time the tuition fees were introduced (summer

semester 2006), registered at a college or university in North Rhine-Westphalia, can, in individual cases, be exempted from the obligation to pay pursuant to § 1 Para. 1 for one or several semesters.; to obtain such an exemption, they must present proof they are making good progress in their studies in the form of a certificate from the Examination Committee responsible. An exemption may no longer be granted after a student has been enrolled for more than twice the regular study period. It is assumed that a student is disadvantaged, in particular, if the commitment to financially support his or her studies is limited to the maximal amount granted to students under the Federal Education and Training Assistance Act (BaföG) plus 1/6 of the tuition fee of € 500 and the applicant has no additional income. The students are required to present convincing evidence of existing commitments to financially support their studies and of the circumstance that they do not have any additional income.

- (4) Application for the tuition fees in § 1 to be waived can also be made if – due to the particular and irrefutable circumstances of the special case – imposition of the fees were to lead to undue hardship that might endanger the economic existence of the student required to pay the fee. For this decision to be taken, the strictest criteria obtain. Any plea of undue hardship must be substantiated in a credible manner.

§ 8 Duty of Disclosure

Prospective students and registered students alike are obliged to provide a declaration relating to their obligation to pay fees and to any exceptions, exemptions and waivers from this obligation. On request, they must be able to provide the appropriate documentation. The University may demand that an affidavit be presented or have an affidavit taken. Students who do not meet this obligation by the deadline set by the University shall pay the fees in compliance with these rules and regulations, provided the University made this known when setting the deadline.

§ 9 Use of the Revenues from Tuition Fees

- (1) The revenue from tuition fees levied pursuant to § 1 is deemed to be third-party funding and as such serves to improve teaching and studying conditions. In particular, the funds are to be used for the improvement of the teaching and learning infrastructure – e.g. consolidating the range of courses offered from the staffing and organisational angles and providing essential spatial and technical facilities, media support, a students' advisory service and a seminars and lecture evaluation framework – and for the improvement of administrative and technical support for all these areas. The funds may also be used to employ students in a mentor, tutor or student assistant capacity or to train students for such roles. The use of the revenues should also

follow the aim of leading to a tangible improvement in the allocation of the funds for purposes related to teaching.

- (2) A certain proportion – as a rule: at least 5% of revenues from tuition fees – shall be used for setting up a University Foundation, the proceeds from which will be used to finance various measures as defined by Para. 1 Clause 1.

§ 10

Procedures for Distributing the Revenues from Tuition Fees

- (1) The basic principles for the allocation of funds to the central university level, the decentral university level and the Foundation pursuant to § 9 Para. 2, as well as the criteria for the allocation of funds among the individual faculties, are determined by the Office of the President (Rektorat) in consultation with the Senate and the Academic Studies Committee in good time before the start of an academic year.
- (2) The basic principles for the allocation of funds within a given faculty are determined by the Dean's Office (Dekanat) in consultation with Faculty Council in good time before the start of an academic year.
- (3) Student members of the Senate or of Faculty Council are entitled to present a unanimous vote deviating from a Senate or Faculty Council resolution to the Office of the President (Rektorat) in the case of Para. 1 and to the Dean's Office (Dekanat) in the case of Para. 2, about which the Office of the President (Rektorat) and the Dean's Office (Dekanat) must confer before making their decision. On request, the vote can be jointly discussed verbally.
- (4) The funds are to be distributed by the Office of the President (Rektorat) or the Dean's Office (Dekanat) in accordance with the principles set out in Para. 1 and Para. 2.
- (5) The Office of the President (Rektorat) shall report to the Senate once a year on the allocation of the funds and the resulting measures. Furthermore, the Dean shall report on the use of funds at the decentral level to the Office of the President (Rektorat) and to Faculty Council and the Executive Board of the Foundation shall report to the Office of the President (Rektorat) pursuant to § 9 Para. 2. Student members of the Senate or Faculty Council are entitled to present a unanimous report to the Senate or Faculty Council deviating from the report of the Dean's or Office of the President (Rektorat); these two offices must confer about this report.

§ 11 ⁷

Review Committee for Quality Assurance of the Academic Structure

- (1) By means of a committee that is active by way of self-management, the University will review the quality of the academic structure. Should the Review Committee detect any serious shortcomings in the

quality of the academic structure, it will recommend measures to the University. The University then decides whether – and to what extent – any such recommendation is to be implemented. Recommendations according to Clause 2 and their implementation according to Clause 3 do not constitute rights on the part of university members. Recommendations made by the committee are to be included in the Annual Report issued by the Office of the President (Rektorat).

- (2) The Review Committee consists of
 - a) two university teachers
 - b) one member of academic staff
 - c) one person, to be proposed by the Academic Studies Committee, who is neither a member nor an associate of the University
 - d) four students
- (3) The members are to be elected, at the recommendation of the status groups, by the Senate in consultation with the Academic Studies Committee. The term of office shall be two years for members pursuant to Para 2 a), b) and c) and one year for members pursuant to Para. 2 d). The members of the committee shall elect a Chairperson from their own ranks. In the event of a tie vote, the Chairperson shall have the decisive vote.
- (4) To support the Review Committee, subcommittees answering to the Review Committee may be formed at faculty level.
- (5) The members of the Review Committee shall not be reimbursed for their work.

§ 12 ⁸

Procedure for Allotting Funds to the Faculties

- (1) To ensure that tuition fees are used in a transparent manner in conformance with the Rules and Regulations and to support the efforts of the Examination Committee to assure the quality of the teaching and learning organisation, an Advisory Council shall be set up in each faculty in conformance with § 11 Para. 4. This Council shall advise the Dean's Office on decisions concerning the use of tuition fees.
- (2) The members of the Advisory Council shall be nominated by the Executive Committees of the respective faculties upon the recommendation of the status groups and elected by a simple majority vote for a term of office of one year. Members of the Advisory Council may be re-elected.
- (3) The composition of the Advisory Council shall conform to the spirit of the regulations on the commissions in accordance with § 6 Para. 1 of the statutes of incorporation of the University. The Council shall contain at least three representatives from the group of students. Decisions of the Advisory Council may be passed with the approval of the majority of the student representatives.

- (4) The Advisory Council shall coordinate and evaluate the use of the tuition fees. In particular, it shall be responsible for making proposals to the Dean's Office concerning individual measures that should be promoted or financed by tuition fees. The Advisory Council shall report semi-annually to the Executive Committee of the faculty on its work and on the resolutions passed.
- (5) After passing resolutions concerning individual measures to be realized from tuition fees, the Advisory Council shall submit these proposals to the Dean's Office. The Dean's Office shall then decide whether or not to implement these proposals. In the event that it decides not to implement them, it shall notify the Advisory Council of this and explain its reasons."
- (6) The above shall not affect the responsibility for the management of funds within the department.

§ 13⁹
Effective Dates

These rules and regulations come into force the day after their publication in the *Gazette of the University of Duisburg-Essen – Official Bulletin*. The Administration Fees Statutes of the University of Duisburg-Essen dated 16 December 2003 and published in the *Gazette N° 27 / 2003* simultaneously ceases to be of force.

Issued by virtue of the Senate Resolution of 23 June 2006

Attention is drawn to the fact that any infringement of procedural or formal provisions of the law for the levying of tuition fees and higher education charges (i.e. the Tuition Fees and Higher Education Charges Act – StBAG), of the Higher Education Act (HG), of the statutes, or of other laws of the University can no longer be asserted against these tuition fee rules and regulations after the expiration of one year following their announcement except in the following cases:

- a) The tuition fees rules and regulations were not announced in due form.
- b) The Office of the President (Rektorat) has previously objected to the Senate Resolution.
- c) The University has been previously notified of the formal or procedural error with due mention of the legal provision so violated and of the fact leading to the error.

Duisburg and Essen, Germany, 10 July 2006

For the Founding President
of the University of Duisburg-Essen
The Chancellor
p.p.
Eva Lindenberg-Wendler

Appendix 1

Extract from the "Assurance of Financial Justice in the Higher Education Sector Act" in the version of 1 April 2006

§ 7

Basis for and Payment Date of Tuition Fees and Higher Education Charges

- (1) Students are obliged to pay the following fees and charges:
1. tuition fees on the basis of the tuition rules and regulations according to § 2 Para. 1 when applying for matriculation or re-registration
 2. the general or the special guest student fee or the second university fee pursuant to § 3 when applying for matriculation as a guest student [*Gasthörer*] or as a student from another university [*Zweithörer*]
 3. the copy-making charge pursuant to § 4 Para. 1 No. 1 when applying for provision of that official service
 4. the late registration charge pursuant to § 4 Para. 1 No. 2 when the deadline and payment due dates have passed
 5. the charge for an alteration to be made to the registration document after its issuance pursuant to § 4 Para. 1 No. 2 when applying for such alteration
 6. fees for attending a foundation programme [*Studienkolleg*] pursuant to § 5 Para. 1 Clause 1 when applying for matriculation in the college or at the point in time specified in the Act pursuant to § 19 Para. 1
 7. the supervision fee pursuant to § 5 Para. 1 Clause 1 when applying to matriculate or re-register or at the point in time specified in the Act pursuant to § 19 Para. 1
 8. the fee for the selection procedure pursuant to § 5 Para. 1 Clause 2 when applying to participate in this procedure or at the point in time specified in the Act pursuant to § 19 Para. 1.
- (2) The charges are due as and when the obligation to pay is established. If the student is not successful in his or her attempt to matriculate or register, or if exmatriculation takes place before lectures begin, a request to pay charges according to Para 1 Nos. 1, 2, 6, 7 and 8 shall be null and void. The student shall be reimbursed for any charges he or she has already paid.

Appendix 2

Extract from the "Assurance of Financial Justice in the Higher Education Sector Act" in the version of 1 April 2006

§ 8

Exceptions to the Obligation to Pay Charges / Reductions and Waivers

- (1) The following students shall be exempt from the obligation to pay fees on the basis of the tuition fees rules and regulations pursuant to § 2 Para. 1:
1. students granted leave of absence pursuant to § 65 Para. 5 Clause 2 HG (with preparations for final examinations not being deemed good cause pursuant to § 65 Para. 5 Clause 2 No. 8 HG);
 2. students completing a work placement semester or a semester abroad;
 3. students completing their subinternship [*Praktisches Jahr*] year according to the requirements for licensing as a medical doctor;
 4. students registered solely as doctoral candidates pursuant to § 97 Para. 5 HG provided they are not simultaneously registered for a course of study other than the one specified in § 97 Para. 2 Clause 2 HG
 5. students registered for a course of study solely pursuant to § 65 Para. 7 HG; or
 6. students who are matriculated solely for a course of study that is financed only by third-party funding and is not sponsored by the University. The Ministry will stipulate the courses of study as defined by Clause 1 in advance.
- (2) Provided reciprocal arrangements exist, foreign students may on application also be exempted from the obligation to pay tuition fees on the basis of the tuition fees rules and regulations pursuant to § 2 Para. 1. Said students must be registered within the framework of intergovernmental and transnational treaties or higher education agreements that guarantee exemption from fees.

To footnotes see page 7

¹ § 1 most recently amended by the seventh amendment dated 05 October 2009 (Gazette, Vol. 7, 2009, No. 114); § 1 Para 1 Clause 1 shall go into force for the fee-levying periods starting in the winter semester 2009/2010; the remaining provisions has come into force for fee-levying periods starting in the summer semester 2009

² § 2a most recently amended by the seventh amendment dated 05 October 2009 (Gazette, Vol. 7, 2009, No. 114), has come into force on 05 October 2009

³ § 3 amended by the second amendment dated 18 Juli 2008 (Gazette, Vol. 6, 2008, No. 55), has come into force on 22 July 2008

⁴ § 4 amended by the second amendment dated 18 Juli 2008 (Gazette, Vol. 6, 2008, No. 55), has come into force on 22 July 2008

⁵ § 5 amended by the second amendment dated 18 Juli 2008 (Gazette, Vol. 6, 2008, No. 55), has come into force on 22 July 2008

⁶ § 7 most recently amended by the sixth amendment dated 07 April 2009 (Gazette, Vol. 7, 2009, No. 24), has come into force for fee-levying periods starting in the summer semester 2009

⁷ § 11 amended by the third amendment dated 11 November 2008 (Gazette, Vol. 6, 2008, No. 85), has come into force on 15 November 2008

⁸ § 12 newly inserted by the fourth amendment dated 11 November 2008 (Gazette, Vol. 6, 2008, No. 85), has come into force on 15 November 2008

⁹ § 13 after adding a new § 12 by the fourth amendment dated 11 November 2008 (Gazette, Vol. 6, 2008, No. 85), has come into force on 15 November 2008