

**Model Regulations  
Governing Doctoral Proceedings at the  
University of Duisburg-Essen  
dated  
17 February 2012**

(Gazette, Volume 10, 2012, Page 121/No. 20)

revised by means of Art. I of the first change regulation, dated 15 March 2013  
(Gazette, Vol. 11, 2013, Page 463/No. 51)

At its session held on 13 Jan. 2012, the Senate of the University of Duisburg-Essen has approved the following Model Regulations Governing Doctoral Proceedings, which regulations are published herewith.

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**Preamble**

These Model Regulations take account of the general legal framework and the ideas of the Rector's Office on how uniform quality standards can be achieved for the doctoral degrees to be conferred. The faculties may deviate from these Model Regulations when drawing up their own Regulations Governing Doctoral Proceedings (for example, to take account of conditions specific to the individual faculties).

**§ 1**

**Right to Conduct Doctoral Proceedings and Confer Doctoral Degrees**

(1) The faculties of the University of Duisburg-Essen have the right to conduct doctoral proceedings. Such proceedings shall be conducted by the faculty to which the dissertation has been assigned by virtue of its contents and in which the subject of the dissertation is represented in teaching and research. On the basis of these Regulations, the Faculty of XX confers the doctoral degree Dr. xx (Doctor of XX).

(2) The faculties can also confer the above-named doctoral degree in the form of an honorary degree (§ 13).

**§ 2**

**Doctoral Proceedings**

(1) By means of the doctoral proceedings, the qualification to carry out independent scholarly work above and beyond the goal of the general courses of study is demonstrated pursuant to § 58 Para. 1 of the Law on Universities in North-Rhine Westphalia (HG NW).

(2) The qualification is determined on the basis of an impressive piece of scholarly work (dissertation) and an oral examination (doctoral defence).

(3) The publication of partial scholarly results during the preparation of the dissertation is expressly welcomed.

(4) The doctoral proceedings consist of: (a) admission to the doctoral proceedings, (b) admission to the doctoral examination, (c) the doctoral examination proceedings and (d) the examination.

**§ 3<sup>1</sup>**

**Entitlement to Participate in Doctoral Proceedings**

(1) The following are entitled to participate in doctoral proceedings: university teachers, associate professors who are members of the University of Duisburg-Essen, members of the University of Duisburg-Essen who possess a "Dr. habil" degree, and other members of the University of Duisburg-Essen, insofar as the latter were entitled to participate in doctoral proceedings during their time as members of the University of Duisburg-Essen, and had made definite arrangements for supervision of these proceedings. This entitlement shall remain in effect, even if a member of one of the above groups leaves the University, for doctoral candidates who were already admitted to the doctoral proceedings at the time of said person's departure. Retired university teachers and university teachers who have been relieved of their responsibilities are entitled to accept doctoral candidates for supervision and to participate in doctoral proceedings, if they retired or were relieved of their duties less than three years previously or if they are still actively engaged in research in the faculty. Decisions on exceptions to these rules shall be made by the Doctoral Committee. The Committee shall allow persons from outside the University, in particular professors from outside the University, to participate in doctoral proceedings in individual cases. The provisions of § 65 Para. 1 Clause 2 of the Law on Universities (HG) must be observed in this context

(2) During doctoral proceedings carried out in cooperation with technical universities pursuant to § 67 Para. 6 of the Law on Universities (HG), the university teachers of the technical university involved shall also be entitled to participate in the doctoral proceedings.

**§ 4**

**Doctoral Committee**

(1) Each faculty shall, by means of an election in the Faculty Council, set up at least one Doctoral Committee with a term of office of two years. University teachers and members of academic staff shall be represented on the Committee in the ratio of 3:1. In place of a member of academic staff, a postgraduate student enrolled in a doctoral program may be elected pursuant to § 67 Para. 2 Clause 2 of the Law on Universities (HG). The Chairperson of the Doctoral Committee must be a university teacher working full time at the University of Duisburg-Essen. The Chairperson must possess the qualifications stipulated in § 36 Para.1 Item 4 of the Law on Universities (HG) with respect to additional scholarly achievements. Members of the Committee may be re-elected.

(2) To constitute a quorum, more than half of the members of the Committee must be present. Resolutions shall be passed by a majority vote of the members attending a meeting. In the event of a tie vote, the vote cast by the Chairperson shall be decisive.

(3) Within the scope of its conduct of the doctoral proceedings, the Doctoral Committee shall have the following duties:

- a) determining whether the candidate has to complete preparatory courses of study before the initiation of doctoral proceedings and, if necessary, confirming the necessity for, and extent of, such studies in order to enrol the candidate pursuant to the enrolment regulations currently in effect or whether he or she has to complete a research program as part of a doctoral programme pursuant to § 67 Para. 2 Clause 2 of the Law on Universities (HG)
- b) determining the equivalence of foreign degrees and examinations (if necessary with assistance from the Central Office for Educational Systems of the Standing Conference of Ministers of Education and Cultural Affairs of the Federal Republic of Germany)
- c) entering the name of the doctoral candidate in the List of Doctoral Candidates in the faculty and removing the names of candidates from this list pursuant to the separate provisions made by the faculty for this purpose
- d) confirming the appointment of the doctoral supervisor and the provisional topic of the dissertation
- e) concluding an agreement – to be signed by the dean of the faculty and the other parties to the agreement – concerning the provisions made with respect to the rights and obligations of the faculty, the doctoral supervisor and the doctoral candidate. This agreement shall contain provisions, in particular, for the appointment of an additional university teacher to provide support to the doctoral candidate pursuant to § 6 Para. 4 of these Regulations, the establishment of benchmarks marking stages in the completion of the doctorate, interim evaluations of the progress being made on the dissertation, and the approach to be taken to resolve conflicts (Model Annex 1)
- f) processing objections and requests to leave the program
- g) applying to have a doctoral degree revoked or to have the doctoral dissertation and the dissertation defence declared null and void
- h) submitting a written report to the Faculty Council annually on the development of the length and quality of the doctoral proceedings underway in the faculty. At the minimum this report shall include the length of the doctoral proceedings, the time needed to prepare opinions and the final marks given.

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<sup>1</sup> § 3 revised by means of the first change regulation, dated 15 March 2013 (*Gazette*, Vol. 11, 2013 Page 463/ No. 51), effective as of 21 March 2013

**§ 5<sup>2</sup>**  
**Requirements for Admission to  
Doctoral Proceedings**

(1) To be admitted to doctoral proceedings, an applicant must demonstrate completion of at least one of the following:

- a) a course of study at a suitable university with a standard period of study of at least 8 semesters leading to the conferring of a degree other than a bachelor's
- b) a course of study, in which the candidate has attained the grade of "excellent", at a suitable university with a standard period of study of at least 6 semesters followed by a suitable course of study preparing for the doctoral proceedings within the framework of an integrated master's and doctoral programme corresponding to the academic modules of the faculty's master's degree programme. The student must have attained a total of 270 CP in the bachelor's program and the studies preparing for the doctoral proceedings. He or she must also have attained an average grade of at least "good" in the modules of the preparatory program. Specific provisions shall be drawn up for the Examination Regulations applicable to the integrated master's and doctoral programme offered by the faculty pursuant to Para. 4.
- c) a master's degree programme as defined by § 61 Para. 2 Clause 2 of the Law on Universities (HG), i.e. an additional degree program leading to a professional qualification with a standard period of study of at least two semesters.

(2) Admission to the doctoral proceedings in accordance with Para. 1, Subparagraphs a) and c), is contingent, in addition, on the demonstration of a qualified degree or additional academic credits. A degree is deemed qualified if both the overall mark and the mark for the degree thesis are at least "good". Justified exceptions to this rule shall be decided upon by the Doctoral Committee. Unequal treatment of applicants for admission to doctoral programs from technical universities, as opposed to applicants from traditional universities, is not permitted.

(3) The names of doctoral candidates who still have to complete preparatory studies shall be entered provisionally in the List of Doctoral Candidates; the supervision agreement concluded by the faculty shall apply.

(4) If the doctoral proceedings are carried out in a doctoral programme pursuant to § 67 Para. 2 in conjunction with § 60 Para. 1 Clause 1 of the Law on Universities (HG), the standard period of study and the contents of the studies preparing candidates for the doctoral proceedings shall be derived from the Examination Regulations on which the particular doctoral program is based.

(5) A course of study is deemed suitable if it contains certain contents to be defined by the faculty in which the dissertation is to be written. The faculty can draw up a list of suitable courses of study.

(6) The doctoral proceedings, including the doctoral examination, may be carried out jointly by the UDE and foreign academic institutions under the following:

1. The applicant satisfies the criteria for admission to such proceedings pursuant to these regulations.
2. The foreign academic institution is entitled to conduct doctoral proceedings in accordance with the national legal provisions in its own country.
3. The degree conferred by said institution would be recognized in the area of validity of the HG.

Doctoral proceedings at the UDE may be carried out jointly with other German academic institutions. The conducting of such joint doctoral proceedings is to be agreed contractually for the general or the individual case. The contractual provisions shall apply in addition to the provisions of the Regulations Governing Doctoral Proceedings. The formulation of these provisions shall take account of the requirements and procedures for ensuring the equivalence of the provisions in the Regulations Governing Doctoral Proceedings.

In light of the requirements and procedures for (7) Studies preparing for the doctoral proceedings pursuant to Para. 1 Subpara. b can be conducted jointly by the UDE and technical universities. Para. 6 Pages 3-5 shall apply accordingly. Details of these studies and the joint supervision of the proceedings shall be subject to the Regulations Governing the Doctoral Proceedings or the agreements reached pursuant to Para. 6 Pages 3-5.

**§ 6<sup>3</sup>**  
**Admission to Doctoral Proceedings**

(1) An application for admission to doctoral proceedings shall be submitted as early as possible. Persons entitled to be admitted pursuant to § 5 shall be enrolled as doctoral candidates. Said application is to be submitted in writing to the Chairman of the Doctoral Committee.

(2) The following shall be attached to the application:

- a) a Curriculum Vitae devoting special attention to the applicant's education
- b) evidence that the applicant satisfies the requirements for admission pursuant to § 5
- c) a certified copy of the certificate entitling the applicant to enrol in an undergraduate course of study
- d) a statement concerning the provisional subject matter of the planned dissertation
- e) a statement by the applicant concerning any previous unsuccessful attempts to attain a doctoral degree
- f) a statement by the applicant that the doctoral proceedings were not initiated via the commercial procurement of a doctoral supervisor or any other form of assistance provided by third parties, either gratis or for a fee, which is prohibited by the laws on examinations and not in keeping with good scholarly practice. A Model Statement is attached as an Annex.

<sup>2</sup> § 5 as revised and amended by the first change regulation, dated 15 March 2013 (*Gazette*, Vol. 11, 2013, Page 463/No. 51), effective as of 21 March 2013.

<sup>3</sup> § 6 Para. 1 revised via the first change regulation, dated 15 March 2013 (*Gazette*, Vol. 11, 2013, Page 463/No. 51), effective as of 21 March 2013.

g) a statement by the foreseen supervisor attesting to his or her willingness to supervise the preparation of the dissertation and to continue this supervision even if he or she leaves the University (unless there are important reasons precluding such a continuation).

(3) On the basis of the application and the documents submitted, the Doctoral Committee shall reach a decision concerning the admission of the applicant to the doctoral proceedings and the initiation of the doctoral proceedings.

Admission shall be denied under any of the following circumstances:

- a) The application does not fall within the jurisdiction of the faculty.
- b) The applicant has not met the requirements pursuant to § 5.
- c) The applicant has failed to submit all the required documents listed in Para. 2.

Admission may be denied, moreover, if the applicant has already made an unsuccessful attempt to attain a doctoral degree in previous doctoral proceedings.

(4) In accordance with the provisions on the rights and obligations of the faculty, the supervisor and the doctoral candidate, the Doctoral Committee shall appoint an additional person from the group of university teachers to provide support during the doctoral proceedings.

(5) The candidate shall be notified in writing of the decision to accept or reject his or her application for admission. If the event of rejection, this notice shall include the reasons and instructions on legal remedies.

(6) When an applicant is admitted to the doctoral proceedings, his or her name shall be entered in the List of Doctoral Candidates in the faculty.

#### § 6a<sup>4</sup> Qualifying Phase

(1) A scholarly qualification and a supplementary qualification going beyond any single field of study are integral parts of the doctoral proceedings.

(2) During the qualifying phase, the prospective doctoral candidate is to attain academic credits equal to at least 18 credit points (CP) related to the ability to carry out scholarly work independently. The necessary credit points can be obtained by:

- o attending courses to obtain qualifications going beyond any single field of study
- o completing modules of the master's degree programmes offered by the faculties specifically as preparation for the doctoral proceedings (e.g. 2 class hours per week for one semester ≈ 3 CP)
- o teaching classes or heading study groups
- o presenting one's own paper at conferences (e.g. 2 CP)
- o other comparable academic credits.

(3) General provisions concerning the credit points are to be set down in an Annex to the Regulations Governing the Doctoral Proceedings. The doctoral supervisor shall make suggestions to the Doctoral Committee regarding the initial and ongoing definition of the credits to be earned. The initial and ongoing definition of the credits shall be documented in the Doctoral Agreement.

#### § 7<sup>5</sup> Admission to Doctoral Examination

(1) A written application for admission to the Doctoral Examination shall be submitted to the Chairperson of the Doctoral Committee.

(2) The following shall be attached to this application:

- a) xxx printed copies of the dissertation and one copy in electronic form. The dissertation may be written in German or English at the discretion of the doctoral candidate. The Doctoral Committee shall decide on justified exceptions to this rule.
- b) a brief summary of the dissertation in German and English. The Doctoral Committee shall decide on justified exceptions to this rule.
- c) *in cases where a dissertation is prepared as a group project: 1) a written report (drawn up by the doctoral candidate in German) describing the work flow in the collaboration and the intentions of the other members of the group regarding the use of their individual contributions; 2) a written statement by each member of the group consenting to the use of his or her contribution in the doctoral proceedings*
- d) a statement by the doctoral candidate that he or she has written the submitted dissertation himself or herself or (in the case of a group project) statements by the doctoral candidate that only the persons named have participated in the preparation of the dissertation
- e) if the doctoral candidate has previously entered into doctoral proceedings in the subject in question or another subject, a statement as to whether such proceedings were definitively unsuccessful
- f) a statement by the doctoral candidate that he or she has used only the materials listed when preparing the dissertation and has clearly identified all direct or indirect quotations from these materials
- g) a statement by the doctoral candidate that he or she has not submitted this dissertation during any other doctoral proceedings
- h) evidence of the credits earned during the Qualifying Phase pursuant to § 6a

(3) On the basis of the application and the materials submitted, the Doctoral Committee shall decide whether to admit the candidate to the doctoral examination. Admission shall be denied in any of the following cases:

- a) The candidate has failed to submit all the documents specified in Para. 2.

<sup>4</sup> § 6a inserted for the first time by means of the first change regulation, dated 15 March 2013 (*Gazette*, Vol. 11, 2013, Page. 463/No. 51), effective as of 21 March 2013.

<sup>5</sup> § 7 Para. 2, amended by the first change regulation, dated 15 March 2013 (*Gazette*, Vol. 11, 2013 Page 463/No. 51), effective as of 21 March 2013.

- b) A previous attempt made by the doctoral candidate to obtain a doctorate in the subject in question has been definitively unsuccessful.

Admission may be denied if a previous attempt made by the doctoral candidate to obtain a doctorate in another subject has been definitively unsuccessful.

If the Committee decides to admit the candidate, it shall appoint an Examination Committee.

- (4) The doctoral candidate shall receive written notification of the acceptance or rejection of his or her application for admission to the examination. If the application has been rejected, the notice shall be accompanied by the reasons for the rejection and instructions on legal remedies.

- (5) The doctoral proceedings shall be completed by means of the doctoral examination in accordance with Special Examination Regulations if the doctoral proceedings are carried out in a doctoral programme in accordance with § 67 Para. 2 in conjunction with § 60 Para. 1 Clause 1 of the Law on Universities (HG).

#### § 8<sup>6</sup>

##### Conducting of the Doctoral Proceedings

- (1) The doctoral proceedings shall be initiated by means of a decision of the Doctoral Committee in accordance with § 6 Para. 3.

(2) Immediately after deciding on the admission of a candidate to the doctoral examination pursuant to § 7, the Doctoral Committee shall appoint the members of the Examination Committee, which shall consist of a chairperson and in general two examiners (including one external examiner if possible). In exceptional cases, an additional examiner may be appointed – from an external research institution, for example – to the Examination Committee. The Chairperson of the Examination Committee must belong to the faculty of the University of Duisburg-Essen in which the doctoral proceedings are being conducted. One of the examiners must also come from this faculty; § 3 Para. 1 Clause 2 shall apply here.

(3) The majority of the members of the Examination Committee must belong to the group of university teachers. The doctoral candidate may propose a member. All members of the Committee must possess the doctoral degree to be awarded or a corresponding doctoral degree. In the case of doctoral proceedings involving more than one subject, the majority of the members must possess the doctoral degree to be awarded or a corresponded doctoral degree.

(4) On the basis of the opinions submitted on the dissertation, the Examination Committee shall conduct the dissertation defence (*viva voce*) and subsequently set down the overall mark.

(5) The special requirements of disabled doctoral candidates must be taken into account to assure that members of this group are afforded equal opportunities.

(6) Doctoral candidates shall have recourse to the provisions of protective social legislation in accordance with §§ 3, 4, 6 and 8 of the Law for the Protection of Employed Mothers (Maternity Protection Law – MuSchG) in the version contained in the announcement of 20 June 2002 (German Civil Code I, page 2318) and in accordance with the time periods set down in the Law on Parenting Benefits and Parental Leave (Law on Federal Parenting Benefits and Parental Leave – BEEG) dated 5 December 2006 (German Civil Code I, page 2748) in the version applicable in the particular case.

(7) A candidate shall be considered to have definitively failed his or her doctorate if he or she withdraws from the doctoral proceedings without a sound reason. A written statement justifying the reasons for the withdrawal must be submitted to the Doctoral Committee. § 6 Para. 5 shall apply here in an analogue manner.

#### § 9

##### Dissertation

(1) The dissertation must represent an independent research achievement and enlarge the scope of scholarly knowledge. Prior publication of the dissertation or of parts therefore shall not constitute an obstacle to meeting these requirements. At least two, but no more than three, examiners shall be asked to evaluate the dissertation; these opinions shall be prepared independently of each other.

(2) *The faculties shall specify whether, and if so in what form, a dissertation may be submitted in cumulative form. The provisions for implementing this shall be subject to the Regulations on Doctoral Proceedings of the faculty. § 7 Para. 2 Subpara. a) shall apply accordingly.*

(3) The opinions shall be received by the Doctoral Committee no later than two months after the initiation of the doctoral examination proceedings. The date of receipt shall be recorded in all cases. Should an examiner fail to submit his or her opinion by this deadline, an extension of one month shall be granted. If the opinion has not been received by the end of this period, a new examiner shall be appointed. The opinions must include a proposed mark pursuant to § 11. If at least one examiner has proposed the mark “summa cum laude”, at least one opinion must have been submitted by an external examiner. If necessary, a third opinion, prepared by an external examiner, must be obtained. In the event that only two opinions have been obtained and one proposes the mark “insufficient”, or if the marks proposed by different examiners differ by more than one grade point, the Doctoral Committee must order an additional opinion or appoint an additional examiner. If at least two examiners propose the mark “insufficient”, the candidate shall be considered to have failed his or her doctorate at the end of the period of time during which the dissertation is available for inspection; in this case no additional procedural steps are necessary. The Chairperson of the Examination Committee shall send the doctoral candidate a written notification stating the reasons for the failing mark and including instructions on legal remedies.

(4) After receiving all the opinions, the Examination Committee shall notify the doctoral candidate of the results.

<sup>6</sup> § 8 Para. 2 as changed by the first change regulation, dated 15 March 2013 (Gazette, Vol. 11, 2013, Page 463/No. 51), effective as of 21 March 2013.

(5) After the opinions have been received, the documents for the doctoral proceedings will be available for inspection by the doctoral candidate, and by the persons entitled to participate in the doctoral proceedings pursuant to § 3, for a period of two weeks. The doctoral candidate and all the university teachers shall be notified of the dates of this inspection period. The Chairman of the Doctoral Committee shall ensure that the right to inspect the documents is exercised to an appropriate extent. Any comments on the documents must be submitted to the Examination Committee in writing no later than one week after the end of the inspection period.

(6) The Examination Committee shall reach a decision without delay on the acceptance or rejection of the dissertation on the basis of the opinions and comments. Should the dissertation be rejected, the Doctoral Committee shall send the doctoral candidate a written notification including the reasons for the rejection and instructions on legal remedies.

#### § 10 Dissertation Defence (*Viva Voce*)

(1) The dissertation defence will be held without delay after the expiry of the period allowed for comments. The doctoral candidate shall be notified of the date of the dissertation defence at least two weeks in advance by the Chairperson of the Doctoral Committee.

(2) The dissertation defence shall commence with an introductory lecture. In this lecture, which will generally last for 30 minutes, the doctoral candidate should present the results of his or her dissertation and the significance of these results for the field in which the dissertation was written. At the request of the doctoral candidate and with the consent of the Examination Committee, the dissertation defence may be conducted in English. It should serve the purpose of demonstrating the ability of the doctoral candidate to discuss scholarly problems orally. The dissertation defence should start with the dissertation and then, widening its scope, reach into adjacent areas of the field and the most recent research. It should take the form of an examination by one's peers and last for 60 to 90 minutes.

(3) The dissertation defence and the evaluation of the dissertation defence shall be conducted by the members of the Examination Committee. With the consent of the doctoral candidate, the Chairperson can also allow questions by other persons entitled to participate in the dissertation defence.

(4) The introductory lecture shall be open to all members of the University. The following are entitled to attend the subsequent examination by peers: the university teachers in the faculty, the members of the Doctoral Committee, members of academic staff with a Ph.D. title, doctoral candidates entered in the List of Doctoral Candidates in the faculty (unless the doctoral candidate being examined object to their attendance). A limit may be placed on the number of people allowed to attend the doctoral defence.

(5) A transcript shall be prepared of the main elements of the dissertation defence, which shall be evaluated pursuant to § 11.

(6) A doctoral candidate who fails to appear on the date of the examination, or terminates the examination without a sound reason, shall be considered to have failed his or her doctorate. If the doctoral candidate can demonstrate good reasons for such absence or termination, a new examination date shall be set. The Doctoral Committee shall be responsible for making decisions in such cases.

(7) A doctoral defence which has received a mark of "unsatisfactory" may be repeated once. The repeat examination must take place within one year. If a candidate fails to pass the repeat examination, he or she shall have definitively failed his or her doctorate.

#### § 11 Evaluation of Dissertation and Dissertation Defence

(1) The following overall marks may be given to doctoral candidates for their dissertation and dissertation defence:

- with highest honour (*summa cum laude*)
- with great honour (*magna cum laude*)
- with honour (*cum laude*)
- satisfactory (*rite*)
- unsatisfactory (*non rite*).

(2) After taking account of the opinions prepared on the dissertation, the comments received, and the dissertation defence, the Examination Committee shall award the overall mark. When giving this mark, it should place special importance on the written opinions submitted on the dissertation. A transcript shall be drawn up showing how the overall mark was reached.

(3) The Chairperson of the Examination Committee shall notify the doctoral candidate of the results directly after the dissertation defence and issue a provisional examination report (Model Annex 2). Within the next two weeks, the Chairperson of the Doctoral Committee shall send the doctoral candidate a written notification including instructions on legal remedies.

#### § 12 Publication of the Dissertation and Conclusion of the Doctoral Proceedings

(1) Once the Examination Committee, after evaluating the dissertation and dissertation defence, has decided that the doctoral candidate has passed his or her doctorate, the dissertation must be made available in a suitable manner to a scholarly public in the version accepted by the Examination Committee. Prior to publication the Chairperson of the Examination Committee shall verify that the doctoral candidate has met all requirements for revision of his or her dissertation. The doctoral candidate can satisfy this requirement by providing one of the following at his or her expense:

- a) 40 copies (publication by the author without distribution by the book trade)
- b) 3 copies (publication in a scholarly journal or series of publications or as a monograph distributed by the book trade)

- c) 3 copies (distribution of the dissertation by a commercial publisher with a demonstrated printing of at least 150 copies)
- d) 4 bound copies and an electronic version of the dissertation in a data format and on a data medium compatible with the formats and media used by the university library.

In the cases a) and d) above the doctoral candidate shall simultaneously transfer to the university library the right to produce additional copies of his or her dissertation and to make them available in data networks. Any questions related to patents or other protected intellectual property rights shall be resolved by mutual agreement between the author and the university library. The publication must contain a note stating that it represents a dissertation submitted by a doctoral candidate to the appropriate faculty of the University of Duisburg-Essen for the purpose of attaining a doctoral title as well as the date of the oral examination and the name of the examiners who prepared opinions on the dissertation.

(2) As a rule publication of the dissertation shall take place within one year. Justified exceptions to this rule shall be decided upon by the Doctoral Committee.

(3) After the doctoral candidate has satisfied all the requirements specified by the Regulations Governing Doctoral Proceedings, he or she shall be issued a doctoral degree certificate signed by the Dean and the Rector and including the name of the doctoral degree, the title of the dissertation, the overall mark, the name of the faculty (if necessary), the names of the examiners and the date of the oral examination. It is not permitted to use a doctoral title before the doctoral degree certificate is issued.

### § 13

#### Honorary Doctoral Degrees

(1) Honorary doctoral degrees may be conferred on exceptional individuals in recognition of their outstanding scholarly or artistic achievements and/or non-material contributions to the advancement of scholarship. The individual to be so honoured may not be a member of the University of Duisburg-Essen but should have ties of a scholarly or artistic nature to the University.

(2) An honorary doctoral degree may be awarded upon the application of a member of the faculty. The Faculty Council shall convene an Examination Committee pursuant to § 8. This committee shall as a rule obtain two external opinions and elaborate a proposal for the Doctoral Committee. The Doctoral Committee shall prepare a report for the Faculty Council.

(3) A resolution to award an honorary doctoral degree shall be passed by a three-quarter majority of all university teachers in the faculty.

(4) The honorary doctoral degree shall be awarded, with the approval of the Senate, in accordance with the currently valid version of the Basic Regulations of the

University of Duisburg-Essen, by presenting the person to be honoured with a document signed by the Dean and Rector and citing the person's outstanding achievements.

### § 14

#### Fraudulent Misrepresentation, Revocation and Administrative Offences

(1) If it becomes apparent, before the issuance of the doctoral degree certificate, that the doctoral candidate has been guilty of plagiarism or other forms of fraudulent misrepresentation during the initiation of the doctoral proceedings or during the proceedings themselves, the Doctoral Committee can declare the doctoral proceedings to be null and void. To determine whether such fraudulent misrepresentation has taken place, the Doctoral Committee can use suitable software or other electronic tools.

(2) The doctoral degree can be revoked if it becomes apparent, after the issuance of the doctoral degree certificate, that the degree was obtained by means of fraudulent misrepresentation or other forms of scholarly misconduct, or that the doctoral candidate has falsely created the impression of satisfying a major requirement for the attainment of the doctoral degree. The decision to revoke a doctoral degree shall be taken by the Faculty Council, extended to encompass all university teachers, acting on the recommendation of the Doctoral Committee. Para. 1 Clause 2 shall apply accordingly.

(3) The basic principles established for good scholarly practice at the University of Duisburg-Essen are to be observed here.

(4) Any person who deliberately attempts to commit fraudulent misrepresentation pursuant to § 7 Para. 2 Item d) or f), shall be guilty of an administrative offence. An administrative offence can be subject to a fine of up to 50,000 euros. The University Registrar (*Kanzler*) is the administrative body responsible for prosecuting and punishing such administrative offences.

### § 15

#### Instructions on Legal Remedies

Negative decisions made within the framework of doctoral proceedings are to be delivered to the doctoral candidate in the form of a written notification including the reasons for the decision and instructions on legal remedies.

Objections to decisions of the Examination Committee must be lodged within one month of the announcement of the decision. The Doctoral Committee shall rule on such objections after hearing the Examination Committee and the doctoral candidate. In the case of objections to decisions of the Examination Committee regarding the performance of the doctoral candidate in the doctoral dissertation or the doctoral defence, the Doctoral Committee shall be bound by the opinion formulated by the Examination Committee in response to such objections. Objections to decisions of the Doctoral Committee shall be ruled on by the Faculty Council after hearing the Chairperson of the Doctoral Committee and the doctoral candidate.

**§ 16**

**Coming into Force, Interim Provisions**

(1) The Regulations Governing Doctoral Proceedings shall come into force on the day after they are published in the *Gazette (Verköndungsblatt)* of the University of Duisburg-Essen.

(2) Doctoral candidates who have submitted their applications for admission to the doctoral proceedings before these Regulations Governing Doctoral Proceedings came into force can attain their doctorate under the Regulations Governing Doctoral Proceedings previously applicable to them. Doctoral candidates who have been admitted to the doctoral proceedings but have not yet submitted an application for admission to the examination can decide, by no later than xx.xx.xx, whether their doctoral proceedings are to be conducted according to the provisions previously in force or to the new Regulations Governing Doctoral Proceedings. After this time the new Regulations Governing Doctoral Proceedings, and only these Regulations, shall apply.

When the new Regulations Governing Doctoral Proceedings come into force, the Regulations Governing Doctoral Proceedings previously in effect shall simultaneously become null and void. This shall have no effect on the validity of § 16 Para. 2.

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These Model Regulations Governing Doctoral Proceedings went into force one day after they were published in the *Gazette – Official Bulletin* of the University of Duisburg-Essen. Simultaneously, the Model Regulations Governing Doctoral Proceedings of the University of Duisburg-Essen dated 21 July 2007 became null and void.

Published on the basis of a resolution passed by the Senate on 13 January 2012.

Duisburg and Essen, 17 February 2012

For the Rector  
of the University of Duisburg-Essen  
The Registrar  
p.p.  
Eva Lindenberg-Wendler



## **Annex 1: Supervision Agreement**

### **Supervision Agreement between the doctoral candidate, the doctoral supervisor and the University**

The University of Duisburg-Essen feels an obligation to establish a partnership with its doctoral candidates in which each party is expected to act conscientiously to carry out its respective responsibility for the success of the scholarly work. The expectations placed in the doctoral candidates, and the resulting obligations, are set down in this Supervision Agreement. The University and the university teachers shall meet their obligations and live up to their responsibilities to the fullest extent.

The objectives of this Supervision Agreement are to ensure that the relations between the above parties are characterized by professionalism and to establish rules for avoiding and resolving conflicts. Together with a structured organization of the doctoral proceedings, the Agreement will make it possible to attain a doctoral degree within three years.

#### **Rights of the doctoral candidate**

The doctoral candidate can expect to receive scholarly, personal and subject-related support in his or her doctoral project. The University shall grant the doctoral candidate appropriate access to the necessary equipment and will help him or her gain access to sources and materials at other locations if necessary.

The doctoral candidate can expect that the subject of the dissertation will be defined in cooperation with the doctoral supervisor at the beginning of the doctoral proceedings. Milestones, expected time frames and expectations of the supervisor and the doctoral candidate shall be defined and set down at this time.

The doctoral candidate has a right to an annual progress meeting with his or her doctoral supervisor. This meeting shall provide the doctoral candidate with orientation on the progress of the doctoral project so far, his or her prospects for completing the doctorate successfully, and further action to be taken. If the dissertation topic has to be changed, this shall be agreed upon. A short transcript shall be made of this meeting.

If a doctoral candidate perceives difficulties or problems, it is in the interest of all parties involved to resolve these as quickly as possible. Obstacles should be removed by informal action whenever possible. Should the problems prove to be insoluble, the doctoral candidate is entitled to lodge a formal complaint. For this purpose the faculties shall create the institution of an additional supervisor or ombudsman for all doctoral candidates. The latter individual, as a person not involved in the subject matter of the doctorate, should be able to help to resolve conflicts and ensure the progress of the scholarly work. Conflicts that do not yield to mediation shall be resolved by the Doctoral Committee. The doctoral candidate is entitled to be kept continually informed on the handling of his or her complaint.

The doctoral candidate can expect that his or her supervisor will be available to an appropriate degree for scholarly discussion of the research work. He or she can also expect the supervisor to help him or her make contacts in the academic community.

The doctoral candidate can expect the University to assist him or her to develop the skills required to carry out independent scholarly work. The faculty shall offer suitable courses and training programs for this purpose.

The University is obliged to help the doctoral candidate gain his or her bearings regarding his or her future career.

The doctoral candidate can expect to receive assistance from his or her supervisor when applying for scholarships or similar grants. The supervisor shall also assist the doctoral candidate by calling his or her attention to possibilities for obtaining financial support and sponsoring, e.g. scholarships, projects, grants, academic prizes, etc.

The doctoral candidate has the right to expect that all persons involved in the doctoral proceedings will make efforts to ensure that the evaluation and examination procedures are carried out speedily.

The doctoral candidate can expect the faculty to make provisions to ensure that he or she will be able to complete his or her doctorate even if his or her supervisor can, or unavoidable reasons such as moving to a different location, illness, death, etc., no longer comply with his or her obligations.

#### **Rights of the University and the doctoral supervisor**

The University and the supervisor can expect the doctoral candidate to be committed to his or her research project. When carrying out the research project, the doctoral candidate shall thus be expected to show the necessary commitment and invest the amount of work agreed upon.

The University expects the doctoral candidate to use equipment, facilities and other resources efficiently and responsibly.

The doctoral supervisor can expect the doctoral candidate to keep him or her informed on the progress of the dissertation. In particular, the supervisor can expect that any difficulties and problems encountered during this work will be reported to him or her without delay.

The supervisor can expect the doctoral candidate to take an active part in presenting scholarly results at conferences, meetings, etc. and in publications.

The supervisor can expect the doctoral candidate to follow the guidelines for good academic practice published by the German Research Foundation (DFG). In particular, the doctoral candidate must do his or her part to comply with the rules on documentation.

The supervisor can expect the doctoral candidate to play an active role in a working group or in a team headed by a professor in the faculty.

The University strives for economic utilization of scholarly results. For this reason agreements concerning confidentiality, non-disclosure and intellectual property shall be observed by all parties. The utilization of results in the form of patents, utility models, trademarks, etc. shall be carried out by the University. Such utilization may not constitute an inappropriate impediment to the doctoral proceedings or to the publication of scholarly results.

### **General rules**

The University has the legal responsibility to safeguard the safety and health of all persons working at the University. To comply with this responsibility, it shall take action to ensure that the work environment conforms to health and safety regulations. Every doctoral candidate is obliged to work safely and meticulously and to promote observance of these regulations.

The University strives to create an environment for studying and research that is free of discrimination. It shall therefore not tolerate any discrimination by reason of gender, nationality, race, sexual orientation or physical disability. The efforts of all members of the University are required in order to reach this goal. The University shall establish formal rules for dealing with complaints of discrimination or harassment.

The University expects that all its members and all doctoral candidates shall treat each other with fairness and respect.

Annex 2: Provisional Examination Results

The Dean  
of the Faculty of xxx  
at the University of Duisburg-Essen

UNIVERSITÄT  
DUISBURG  
ESSEN

## Certificate

Mr./Ms. xxx

Born on xx.xx.xxxx in xxx

has passed the oral examination held in the form of a dissertation defence

on xx.xx.xxxx

after the Faculty has, on xx.yy.zzzz, accepted the dissertation the doctoral candidate has submitted with the title:

**"xxx"**

The doctoral candidate named above has been awarded the following overall mark on his or her doctorate:

**"xxxxxx"**

In accordance with § 12 of the Regulations Governing Doctoral Proceedings, the doctoral proceedings cannot be brought to their conclusion, via the issuance of the doctoral degree certificate, until after the dissertation has been published. The doctoral title may not be used until the doctoral degree certificate has been issued.

Duisburg and Essen, Germany, xx.xx.xxxx

The Dean  
of the Faculty of xxx  
p.p.  
Chairperson of the Examination Committee  
Prof. Dr. XY

**Annex 3: Model Statement regarding "Commercial Consulting on Doctoral Proceedings (§ 6 Para. 2 Subpara. f)**

I hereby state that I have not received the opportunity to take part in the present doctoral proceedings via commercial channels. In particular, I have not engaged the services of any organization which will, for a fee, recruit supervisors for the process of preparing doctoral dissertations. Nor have I engaged the services of any such organization to carry out, either totally or in part, the tasks which I am obliged to perform as part of the examination requirements. I have received assistance, and will in the future receive assistance, from third parties only to an extent which is commensurate with good scholarly practice and permitted by the laws on examinations.

I am aware that making any false declarations in this statement can cause me to be excluded from the doctoral proceedings or, at a later date, result in termination of the proceedings or revocation of an already awarded doctoral title.