

*Care was taken to ensure the text of these regulations is accurate and up-to-date; the present version may nevertheless contain errors. The official, legally binding version can be viewed in the Examinations Office, the Student Advising Office, or online at <https://www.amtliche-bekanntmachungen.uni-bayreuth.de/de/>. Please note the effective dates of the amendments.*

**Doctoral regulations**  
**for the Faculty of Law, Business & Economics**  
**at the University of Bayreuth**  
**dated 20 May 2022**  
**in the version dated 30 March 2023**

Article 13 para 1 in conjunction with Article 64 para 2 sentence 1 and Article 61 para 1 sentence 1 of the Bavarian Higher Education Act (*BayHSchG*) forms the framework for the following doctoral regulations for the Faculty of Law, Business & Economics issued by the University of Bayreuth.

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## Preamble

The Faculty of Law and Economics at the University of Bayreuth supports junior scholars and research by awarding doctorates. The faculty is committed to national and international standards of quality assurance and intends to further develop these in cooperation between university lecturers, doctoral students, faculty, and university. Doctoral research at the Faculty of Law, Business & Economics is carried out within the framework of qualified supervisory relationships, which ensure the supervision of scientific work and transparency to the outside world.

## Part I: General provisions

### § 1

#### Doctoral degrees

- (1) <sup>1</sup>The University of Bayreuth confers the academic degrees of Doktor der Rechte (Dr. jur.) and Doktor der Wirtschaftswissenschaften (Dr. rer. pol.) by way of the Faculty of Law, Business & Economics. <sup>2</sup>The doctoral degree may also be awarded jointly with a foreign university or faculty on the basis of a doctorate carried out jointly in accordance with §§ 24 ff. <sup>3</sup>The degree may be awarded either as "Doktorin" or "Doktor". <sup>4</sup>The abbreviated form remains unchanged.
- (2) <sup>1</sup>According to Art. 97 para 1 BayHIG, the doctorate serves as proof of an independent academic achievement, which must go considerably beyond the achievements required in § 5 para 1 and 2 and § 6 para 1 and 2 for acceptance for doctoral research. <sup>2</sup>The doctorate for the degree of Dr. jur. requires doctoral work with a focus on the field of law; the doctorate for the degree of Dr. rer. pol. requires doctoral work with a focus on the field of business and economics. <sup>3</sup>The doctoral work consists of an academic thesis (dissertation) written by the doctoral researcher and an oral examination (colloquium).
- (3) <sup>1</sup>The University of Bayreuth confers the academic degrees of Doktor der Rechte ehrenhalber (Dr. jur. h.c.) and Doktor der Wirtschaftswissenschaften ehrenhalber (Dr. rer. pol. h.c.) by way of the Faculty of Law, Business & Economics. <sup>2</sup>It thus honours outstanding scientific achievements or other special services of a non-material nature to the study of law and economics. <sup>3</sup>Paragraph 1 sentences 3 and 4 apply mutatis mutandis.

### § 2

#### Examination authorization and responsibilities

- (1) <sup>1</sup>Authorised examiners (Art. 85 para 1 BayHIG in conjunction with § 4 sentence 1 Hochschulprüferverordnung (HSchPrüferV)) within the meaning of the present doctoral regulations are full-time

and part-time university lecturers (Art. 19 para 1 sentences 1 and 3 BayHIG) as well as professors who have been released from their duties or are retired (Art. 19 para 1 sentence 4 BayHIG). <sup>2</sup>In general, examinations in the field of law shall be assessed by persons authorized to conduct examinations in accordance with sentence 1 from the Department of Law, and examinations in business and economics shall be assessed by persons authorized to conduct examinations in accordance with sentence 1 from the Department of Business & Economics. <sup>3</sup>In addition, § 37 applies to doctoral degrees awarded jointly with universities of applied science/HAWs, and Part IV applies in the context of binational doctorates.

- (2) <sup>1</sup>Decisions concerning the doctoral process shall be made by the dean, unless the present doctoral regulations state otherwise. <sup>2</sup>The decisions of the dean and the board of examiners may be appealed to the doctoral committee. <sup>3</sup>The right to take administrative action shall remain unaffected.
- (3) Exclusion due to personal involvement is based on Art. 51 para 2 BayHIG, taking into account Art. 20 and Art. 21 BayVwVfG.

### § 3

#### Doctoral committee

- (1) <sup>1</sup>The doctoral committee shall draw up guidelines for the concretization of the specifications and procedures in the present doctoral regulations and for quality assurance in the area of academic requirements, which shall require the approval of the faculty council. <sup>2</sup>The guidelines specifying the standards are to be published on the homepage of the faculty. <sup>3</sup>The doctoral committee shall be informed about ongoing doctoral processes, shall monitor the dean's handling of these powers, and shall report annually to the faculty council on the development of the doctoral system.
- (2) <sup>1</sup>The doctoral committee shall be chaired by the vice dean as chairperson. <sup>2</sup>The following shall also be members: two professors of law and two professors of business and economics, each as defined in Art. 19 para 1 sentence 1 No. 1 BayHIG, as well as one doctoral researcher without voting rights. <sup>3</sup>The dean may not be a member of the doctoral committee. <sup>4</sup>The members of the doctoral committee according to sentence 2 and, as substitute representatives of the voting members, one professor each of law and of business and economics shall be elected by the faculty council for a period of five years. <sup>5</sup>Re-election is admissible. <sup>6</sup>The voting members of the doctoral committee shall elect a deputy chairperson from among their number. <sup>7</sup>§ 2 para 3 applies mutatis mutandis.
- (3) <sup>1</sup>The doctoral committee will meet at least once per semester. <sup>2</sup>The doctoral committee shall constitute a quorum if all members have been duly invited and the majority of the members are present and entitled to vote. <sup>3</sup>Its decisions are made on the basis of majority vote. <sup>4</sup>Vote abstention,

secret voting, and proxy voting are prohibited.<sup>5</sup>If votes are equally divided among its members, the chair's vote shall be decisive.

- (4) <sup>1</sup>The decisions of the doctoral committee are to be communicated to the applicant in writing.  
<sup>2</sup>Notices of denial are to include a rationale and information on how to appeal.

## **Part II: The ordinary doctorate**

### **§ 4**

#### **Acceptance for doctoral research, admission requirements for the doctoral examination process and statistical requirements**

- (1) The prerequisites for acceptance for doctoral research are as follows:
1. the applicant must have concluded a supervisory agreement pursuant to § 8 para 2 with an instructor authorized to administer examinations in accordance with § 2 sentence 1; there is no entitlement to the conclusion of a supervisory agreement.
  2. the applicant must not have failed this or a similar doctoral examination on the final attempt;
  3. The applicant must not have shown himself or herself to be unworthy of holding a doctoral degree by his or her conduct.
- (2) <sup>1</sup>Acceptance for doctoral research must be applied for in writing to the dean. <sup>2</sup>The application must include the documents required to prove the requirements for acceptance specified in para 1 number 1 and § 5 or § 6 and a declaration by the applicant that he or she has not yet been accepted for a doctorate in the same subject at another university or another institute at the University of Bayreuth that awards doctoral degrees.
- (3) For applicants accepted by a newly appointed faculty member at the higher education institution to which he or she belonged prior to his or her appointment at the University of Bayreuth, the dean may declare the admission requirements of the other university applicable in whole or in part.
- (4) The application requires online registration as an applicant to the faculty.
- (5) <sup>1</sup>If the general and special requirements for acceptance are met, the dean shall approve the application for acceptance for doctoral research. <sup>2</sup>The doctorate begins upon receipt of the written confirmation of acceptance according to sentence 1 by the faculty.

- (6) <sup>1</sup>With the application for acceptance for doctoral studies, personal data of the doctoral researcher will be collected, automatically stored, and processed by the doctoral institution of the University of Bayreuth in accordance with the survey characteristics regulated in § 5 of the Higher Education Statistics Act (HStatG) dated 2 November 1990 (as amended) for the purpose of fulfilling the legal duties as well as for the purpose of legislation and planning in the higher education sector in accordance with § 1 para 1 sentences 1 and 2 of the Higher Education Statistics Act in the context of doctoral studies. <sup>2</sup>In this respect, the applicant is obligated to cooperate and to provide personal data (Art. 7 para 2 sentence 4 BayHIG). <sup>3</sup>Regular transmission or forwarding to the Bavarian State Office for Statistics is carried out with regard to the survey characteristics of HStatG as well as to the university administration for the purpose of presenting the higher education statistics. <sup>4</sup>The use and processing of personal data is subject to the requirements of Art. 7 BayHIG.
- (7) Admission to the doctoral examination process according to § 9 further requires:
1. the submission of a dissertation;
  2. that the dissertation or individual contributions to the cumulative dissertation have not already been submitted by the applicant for the award of an academic degree;
  3. that the applicant has not used or will not use commercial doctoral placement and consulting services.

## § 5

### **Special requirements for acceptance and the admission procedure for doctoral research in law**

- (1) <sup>1</sup>In order to be accepted for a doctorate in law, the applicant must have passed the Referendarexamen (first examination within the meaning of § 5 para 1 DRiG) or the Assessorexamen (second state examination within the meaning of § 5 para 1 DRiG) or an equivalent law degree in the Federal Republic of Germany with at least "fully satisfactory" or with a grade equivalent to "fully satisfactory" within the meaning of the Bavarian Judicial Training and Examination Regulations. <sup>2</sup>A law degree obtained abroad may be recognized as a prerequisite for a doctorate in accordance with sentence 1 if
1. this corresponds to an examination passed with "fully satisfactory" within the meaning of the Bavarian Judicial Training and Examination Regulations within the meaning of sentence 1 according to its type and with regard to the evaluation achieved, or if
  2. in addition, the degree of Magister Legum (LL.M.) with at least the overall grade "magna cum laude" or a comparable overall grade was earned at the University of Bayreuth or another German university.

- (2) In deviation from paragraph 1, the dean may exceptionally accept an applicant for doctoral research in law if
1. the applicant has passed an examination within the meaning of para 1
    - a) has passed with at least eight points and
    - b) has completed assessment components in two seminars which have been graded at least "good"; of these seminar components, at least one must have been completed at the Faculty of Law, Business & Economics at the University of Bayreuth with a lecturer other than the supervisor of the dissertation who is authorized to administer examinations.
- or
2. the applicant who has not passed a law examination within the meaning of para 1 or number 1
    - a) has passed an examination with a grade of "fully satisfactory" as defined by the Bavarian Judicial Training and Examination Regulations and which entitles him or her to pursue a doctorate in his or her field, and
    - b) the dissertation deals with a borderline area between his or her field and law, and
    - c) two faculty members authorized to administer examinations endorse the doctoral research and one of them supervises the dissertation.
- (3) <sup>1</sup>The dean shall decide on the question of equivalence of examinations and examination grades according to paragraphs 1 and 2, taking into account Art. 86 paragraph 1 BayHIG. <sup>2</sup>In the case of foreign examinations and examination grades, he or she shall take into account the equivalence agreements approved by the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany and the German Rectors' Conference when making his or her decision. The Central Office for Foreign Educational Credentials ("Zentralstelle für ausländisches Bildungswesen") may also be contacted.
- (4) <sup>1</sup>The following additional admission requirements apply to the submission of a cumulative dissertation (§ 7 para 2) in the doctoral examination process:
- a) The applicant must justify in writing or in text form why a cumulative dissertation instead of a monographic dissertation is suitable and necessary for the specific doctoral project.
  - b) The application must be accompanied by a statement from the supervisor explaining why an exceptional case exists that justifies a cumulative dissertation for subject-specific reasons.
  - c) The application shall be accompanied by the supervisory agreement in accordance with § 8 para 2.



<sup>2</sup>The applicant must apply for a partial decision (§ 10 para 4) in which the dean, in consultation with the doctoral committee, positively determines that the special admissibility requirements of this paragraph and of § 7 para 2 are met. <sup>3</sup>The approval of the doctoral committee shall be deemed to have been granted if it is not refused within four months of receipt of the application for a partial decision. <sup>4</sup>In the guidelines (§ 3 para 1 sentence 1), the doctoral committee shall establish requirements to ensure that the quality of the doctorate in law is maintained.

## § 6

### **Special requirements for acceptance for doctoral research in business and economics**

- (1) <sup>1</sup>For the doctorate in subjects in business and economics, the applicant is required to have passed an business/economics Diplom or master's examination at a university, a comparable master's examination at a university of applied sciences, the state examination for the higher teaching profession at Gymnasien specializing in business/economics or a comparable degree with at least the grade "good" or an equivalent assessment. <sup>2</sup>§ 5 para 3 applies mutatis mutandis.
- (2) In deviation from paragraph 1, the dean may exceptionally accept an applicant for doctoral research in business and economics if
  1. the applicant has passed an examination within the meaning of para 1
    - a) he/she passed with a grade no lower than "satisfactory" or equivalent to that grade level; and
    - b) the applicant has completed two seminars at the Faculty of Law, Business & Economics at the University of Bayreuth which have been graded at least "good"; of these components, at least one must have been completed with a lecturer other than the supervisor of the dissertation who is authorized to administer examinations.
  - or
  2. the applicant who has not passed an examination in business/economics within the meaning of para 1 or number 1,
    - a) he/she has passed an examination with a grade that is
      - not worse than "good" or corresponds to this grade level, or
      - not worse than "satisfactory" or corresponds to this grade level and the applicant has completed two seminars at the Faculty of Law, Business & Economics at the University of Bayreuth which have been graded at least "good"; of these components, at least one must have been completed with a lecturer other than the supervisor of the dissertation who is authorized to administer examinations, and

- b) the dissertation deals with a borderline area between his or her field and business/economics, and
- c) submits a supervisory agreement,
  - signed by two professors authorized to administer examinations,
  - which contains targeted requirements (e. g. through participation in suitable seminars) for the acquisition of scientific and methodological skills that meet the quality standards of a doctorate in business and economics, and
  - approved by the doctoral committee.

or

- 3. the applicant has a degree in business/economics from a university of applied sciences (or a comparable degree) with an examination grade of 1.7 or better and submits a supervisory agreement,
  - a) signed by two professors authorized to administer examinations,
  - b) which contains targeted requirements (e. g. through participation in suitable seminars) for the acquisition of scientific and methodological skills that meet the quality standards of a doctorate in business and economics, and
  - c) approved by the doctoral committee.

## § 7

### Dissertation

- (1) <sup>1</sup>The dissertation must represent an independent academic achievement and contribute to solving scholarly questions. <sup>2</sup>It should lead to new scientific knowledge.
- (2) <sup>1</sup>The independent academic achievement may consist of a monographic dissertation or a cumulative dissertation equivalent thereto. <sup>2</sup>The cumulative dissertation consists of a collection of published or unpublished individual papers in which, in addition to the scientific quality of the individual contributions, the collection is accompanied by an independent and substantial introduction and summary. <sup>3</sup>In the case of a doctorate in law, the cumulative dissertation is only possible in exceptional cases and is only equivalent to the monographic dissertation if the individual contributions are additionally placed in a larger scientific context, the connections between the individual contributions are worked out and these are interpreted, evaluated and discussed in an overarching manner.

- (3) <sup>1</sup>The dissertation shall be submitted in typescript and signed; it shall be bound or stapled and paginated and shall also contain a table of contents and an abstract setting out the problem and findings. <sup>2</sup>The literature used and any other aids are to be stated in full; passages taken verbatim or almost verbatim from the literature are to be identified.
- (4) <sup>1</sup>In the case of the cumulative dissertation, in addition to the requirements in para 3, all collected individual contributions must be submitted under a common title. <sup>2</sup>It must be stated whether the contributions are submitted for publication, accepted or already published; in these cases, the submitted, accepted or published version must also be submitted. <sup>3</sup>If the submitted individual contributions are co-authored, the doctoral researcher's contribution must be clearly distinguishable and assessable as an individual achievement; the applicant must explain what independent share he or she has in the contribution.
- (5) <sup>1</sup>The dissertation must additionally be submitted as an identical machine-readable digital file in PDF format. <sup>2</sup>The digital form shall be made available in particular for reporting (§ 11), inspection (§ 12) or for a separate review by members of the faculty authorized to administer examinations in accordance with more detailed regulations of the doctoral committee; copyright and data protection shall be observed.
- (6) <sup>1</sup>The dissertation shall be written in German or, with the consent of the supervisor, in English. <sup>2</sup>The dean may allow the applicant to submit the dissertation in another language with the consent of the supervisor. <sup>3</sup>In the case of sentence 2, a detailed summary in German is to be included.

## § 8

### Supervision and supervisory agreement

- (1) <sup>1</sup>The dissertation is to be supervised by a person authorized to administer examinations according to § 1 (doctoral relationship). <sup>2</sup>Upon request by the doctoral researcher, the doctoral committee may permit the dissertation to be additionally supervised by a person authorized to administer examinations pursuant to § 2 para 1 sentence 1 from another faculty of the university if the topic of the dissertation has significant connections to the subject area represented by this person authorized to administer examinations pursuant to § 2 para 1 sentence 1. <sup>3</sup>If the dissertation is prepared within the framework of a graduate centre or doctoral programme, supervision is governed by its regulations; the admission requirements of these regulations remain unaffected.
- (2) <sup>1</sup>The supervisor according to para 1 and the applicant record the essential key points of the doctorate at the start of supervision in a written agreement (supervisory agreement). <sup>2</sup>In the case of a cumulative dissertation, the criteria for the individual papers to be submitted are defined in particular. <sup>3</sup>The supervisor shall advise the applicant on the question of obtaining a binding partial decision in accordance with § 10 para 4. <sup>4</sup>The supervisor shall inform the doctoral committee of the establishment of the doctoral relationship and submit the supervisory agreement.

- (3) <sup>1</sup>The supervisor may terminate the supervisory relationship in particular if
1. despite sufficient supervision, it becomes apparent after a sufficiently long processing time that successful completion of the doctoral process can no longer be expected within a reasonable period of time
- or
2. the basis of trust in the supervisory relationship has been destroyed and cooperation no longer appears possible.

<sup>2</sup>Before giving notice of termination, the supervisor shall explain the reasons to the doctoral researcher and give him or her the opportunity to comment. <sup>3</sup>If the doctoral researcher objects to the termination, the doctoral committee shall decide on the validity of the termination. <sup>4</sup>The doctoral researcher may terminate the supervisory relationship at any time; withdrawal from the doctoral process (§10 para 6) shall be considered as termination. <sup>5</sup>With the termination, the supervisory relationship ends and the supervisory agreement is considered cancelled; the supervisor will inform the doctoral committee about this.

## § 9

### **Application for admission to the doctoral examination process**

<sup>1</sup>Admission to the doctoral examination process must be applied for in writing to the dean. <sup>2</sup>The application must include:

1. the confirmation of acceptance for doctoral research by way of the faculty
2. three identical bound copies of the dissertation as well as a data carrier with the digital version (§ 7 para 5);
3. a curriculum vitae of the doctoral researcher providing information in particular about his/her educational background;
4. and an official certificate of good conduct. In the case of foreign citizens, a certificate recognized as equivalent by the University of Bayreuth must be submitted. This can be an extract from the criminal record from one's home country, a certificate of good conduct, or a comparable document. If the doctoral researcher is enrolled or is a public servant, the certificate of good conduct may be waived.
5. an affirmation in lieu of an oath that the doctoral researcher has written the thesis independently and has not used any sources or aids other than those indicated by him/her (Art. 97 para 1 sentence 8 BayHIG) as well as an updated declaration that he/she has not yet submitted the thesis for the award of an academic degree and that he/she has not yet failed this or a similar doctoral examination on the final attempt,
6. the supervisory agreement;

7. a declaration by the doctoral researcher that he or she has not used and will not use any commercial doctoral services or;
8. a declaration of consent by the doctoral researcher that in the event of suspected scientific misconduct investigations may be carried out by internal university bodies of academic self-regulation.

## **§ 10**

### **Decision on acceptance for doctoral research and admission to the doctoral examination process; provisions relating to withdrawal**

- (1) Acceptance for doctoral research is to be refused if the requirements specified in § para 1 § 5 or § 6 are not fulfilled.
- (2) Admission to the doctoral examination process may be refused if
  1. no person authorized to administer examinations declares himself/herself to be competent to assess the dissertation, or
  2. the documents required under § 9 are incomplete or not available.
- (3) Admission to the doctoral examination process must be refused if
  1. acceptance for doctoral research has not been granted or
  2. the doctoral researcher has shown himself or herself to be unworthy of holding a doctoral degree by his or her conduct.
- (4) <sup>1</sup>Upon request by the applicant, the dean shall make a binding partial decision on the special acceptance requirements pursuant to § 5 or § 6. <sup>2</sup>If, in the case of § 5 para 4, no partial decision has been requested or if the request has not been granted, admission to the doctoral examination process shall be denied.
- (5) <sup>1</sup>The dean shall decide in writing on the requests of the applicant or the doctoral researcher for acceptance for doctoral research or admission to the doctoral examination process within one month of receiving them. <sup>2</sup>However, the calculation of the monthly period shall not take into account the time off from instruction. <sup>3</sup>§ 3 para 4 sentence 2 applies mutatis mutandis.
- (6) <sup>1</sup>The doctoral researcher may withdraw from the doctorate at any time, provided that no request for admission to the doctoral examination process has been submitted. <sup>2</sup>If he or she withdraws from the doctorate at a time when he or she has not yet received a negative decision on admission to the doctoral examination process, the dissertation is deemed not to have been submitted. <sup>3</sup>If the doctoral researcher withdraws his or her request for admission after he or she has received

a negative decision on the dissertation or after the oral examination has begun, the doctoral examination process is deemed to have ended without success. <sup>4</sup>The dean will issue a written decision to the doctoral researcher, stating the reasons for the decision and providing information on how to appeal the decision. <sup>5</sup>Withdrawal from the doctorate according to sentences 1 to 3 shall be made by request to the dean.

- (7) Upon request, the dean may decide to conduct a joint procedure according to §§ 24 ff. even before the dissertation is submitted.

## § 11

### Reporting on the dissertation

- (1) <sup>1</sup>After admission to the doctoral examination process, the dean shall immediately appoint two rapporteurs in accordance with § 2 to report on the dissertation from among the full-time professors (Art. 19 para 1 sentence 1 BayHIG) belonging to the faculty. <sup>2</sup>The supervisor of the thesis is usually the rapporteur; this also applies if the supervisor has been appointed to another university. <sup>3</sup>The dean may also appoint as rapporteurs persons authorized to conduct examinations from other faculties of the University of Bayreuth or other scientific higher education institutions, provided that they meet the qualification requirements specified in Art. 85 para 1 BayHIG in conjunction with § 4 sentence 1 HSchPrüferV. <sup>4</sup>The doctoral committee shall be informed immediately of the appointment of the rapporteurs.

- (2) <sup>1</sup>Each rapporteur shall submit a written review of the dissertation within a reasonable period of time, if possible within three months, and shall propose to the dean the acceptance, the return for revision or the rejection of the dissertation. <sup>2</sup>The rapporteur may also impose conditions for the improvement of the thesis, which must be fulfilled before publication in accordance with § 18 para 1. <sup>3</sup>The application for acceptance must be accompanied by a proposed grade on the following scale:

summa cum laude	= 0 =	quite outstanding performance;
magna cum laude	= 1 =	particularly commendable performance;
cum laude	= 2 =	above average performance;
satis bene	= 3 =	performance that meets average requirements in all respects;
rite	= 4 =	performance that fulfils the minimum requirements despite deficiencies;
insufficenter	= 5 =	performance suffering from significant deficiencies and no longer usable overall.

<sup>4</sup>The dean shall send a copy of the reviews to the doctoral committee.

- (3) <sup>1</sup>The dean shall appoint a third rapporteur if the two rapporteurs differ in their evaluation by more than one grade, if one of the rapporteurs proposes the rejection of the dissertation, or if one of

the rapporteurs requests the appointment of another rapporteur. <sup>2</sup>A third rapporteur shall also be appointed if the doctoral committee has specified this in its guidelines for quality assurance in the area of grading. <sup>3</sup>The doctoral committee may also appoint up to two additional rapporteurs on its own initiative up to the time the dissertation is accepted, provided it deems it necessary to ensure proper assessment.

- (4) <sup>1</sup>The dean may return the dissertation to the doctoral researcher for revision; he or she must do so if one of the rapporteurs requests the return of the dissertation for revision. <sup>2</sup>The revised dissertation must be resubmitted within one year. <sup>3</sup>The dean may, in justified exceptional cases for which the doctoral researcher is not responsible, extend the time limit by a maximum of one additional year upon request by the doctoral researcher and after hearing the supervisor. <sup>4</sup>If the dissertation is not submitted by the stated deadline, it shall be deemed rejected. <sup>5</sup>A revised dissertation shall be evaluated according to the state of facts and knowledge at the time of resubmission.
- (5) The work shall be rejected and the process terminated if both rapporteurs or one rapporteur appointed in accordance with para 3 propose the rejection of the work.
- (6) The doctoral examination process may not be repeated.

## § 12

### Access to the dissertation

- (1) <sup>1</sup>The digital version of the dissertation (§ 7 para 5) and the digital or digitized reviews will be made available digitally for two weeks for inspection by members of the faculty who are authorized to administer examinations. <sup>2</sup>The dean shall announce the beginning of the period for display and the recommendation of the rapporteurs.
- (2) Comments by members of the faculty authorized to administer examinations may be made within one month, provided that the submission of a comment has been announced in good time within the period for display pursuant to para 1, sentence 1 of this provision.

## § 13

### Decision on the acceptance of the dissertation

- (1) <sup>1</sup>The final grade of the dissertation is generally the arithmetic mean of the grades proposed by the rapporteurs. <sup>2</sup>It is determined by the dean. <sup>3</sup>If written comments are available in accordance with § 12 para 2, the doctoral committee shall make the decision; this may deviate from the arithmetic mean by half a grade level, taking into account the written comments in particular.

- (2) <sup>1</sup>The doctoral researcher shall be notified in writing of the acceptance or rejection of the dissertation. <sup>2</sup>§ 3 para 4 sentence 2 applies mutatis mutandis.
- (3) A printed dissertation copy, the digital version of the dissertation and the reviews of the rapporteurs shall be archived.

## **§ 14**

### **Board of examiners for the colloquium**

- (1) <sup>1</sup>Within a reasonable period of time after acceptance of the dissertation, a scientific colloquium (§ 12) will take place before the board of examiners. <sup>2</sup>The board of examiners consists of:
  1. a professor belonging to the faculty who is authorized to administer examinations, and who may not be the rapporteur, as chairperson;
  2. the supervisor;
  3. a lecturer authorized to administer examinations, who is usually also the rapporteur.<sup>3</sup>If additional rapporteurs have been appointed, they may participate as additional examiners.
- (2) If the supervisor is prevented from attending the colloquium, another lecturer authorized to administer examinations shall be appointed as a member of the board of examiners in his/her place; this person must be a member of the Faculty of Law, Business & Economics.
- (3) The members of the board of examiners according to para 1 numbers 1 and 3 and para 2 are appointed by the dean.
- (4) § 2 para 2 and 3 and § 3 para 3 and 4 shall apply mutatis mutandis.

## **§ 15**

### **Colloquium**

- (1) <sup>1</sup>The colloquium is a collegiate individual examination. <sup>2</sup>It starts with a presentation of the dissertation in the form of a short lecture followed by a scientific debate, which mainly refers to the basics and theses of the dissertation as well as to problems that are factually or methodologically related to the dissertation. <sup>3</sup>The scientific debate should also show whether the doctoral researcher, in the case of a doctorate in law, has mastered further areas and more recent developments of the subject area from which the dissertation is taken, and in the case of a doctorate in economics, has mastered essential problems and more recent developments of the fundamentals of his or her subject area. <sup>4</sup>The short lecture and scientific debate are open to all members of the university. <sup>5</sup>In the course of the discussion, the chair of examiners may allow questions from lecturers authorized to administer examinations.



- (2) <sup>1</sup>The chair of examiners shall set the date of the colloquium and invite the other members of the board of examiners and the doctoral researcher to the colloquium in writing or text form at least 14 days before the colloquium date. <sup>2</sup>With the invitation to the colloquium, the doctoral researcher will also be informed of the members of the board of examiners. <sup>3</sup>The doctoral researcher may waive compliance with the period of notice.
- (3) <sup>1</sup>The colloquium lasts 60, at most 90 minutes. <sup>2</sup>It is held as an in-person examination. <sup>3</sup>In justified exceptional cases, the dean may approve an electronic distance examination upon request by the chair of examiners and with the consent of the doctoral researcher; the Statutes on the Conduct of Electronic Distance Examinations in Degree Programmes at the University of Bayreuth as amended shall apply.
- (4) <sup>1</sup>A record is to be made of the course of the colloquium. <sup>2</sup>The record sheet must contain information on
1. the date of the colloquium,
  2. the names of the chairperson and the other examiners,
  3. the name of the doctoral researcher,
  4. the topic of the examination,
  5. the grades of the dissertation and the colloquium as well as the final grade of the doctorate according to § 16.
- <sup>3</sup>The record sheet is to be signed by the chairperson and the other members of the board of examiners.
- (5) <sup>1</sup>The grading of the colloquium is carried out by the board of examiners after a joint, non-public discussion between the examiners and is based on the grading scale according to § 11 para 2. <sup>2</sup>Each examiner provides one single grade. <sup>3</sup>The final grade for the colloquium is calculated by taking the arithmetic mean of the individual grades.
- (6) If the final grade in the colloquium is worse than "rite" or if two examiners assess the doctoral researcher's performance as "insufficenter", the examination is failed.
- (7) <sup>1</sup>If the colloquium is not passed, it can be repeated at the earliest after three months, at the latest after six months. <sup>2</sup>If the doctoral researcher does not apply for the repetition within this period or if the colloquium is again deemed to have been failed, the entire doctorate shall be deemed to have been failed on the final attempt.
- (8) <sup>1</sup>The colloquium is considered failed if the doctoral researcher misses the date of the colloquium without sufficient excuse or if he or she withdraws from the examination after the start of the examination without good reason. <sup>2</sup>§ 3 para 4 sentence 2 applies mutatis mutandis. <sup>3</sup>Any reasons for failing to appear are to be immediately submitted to the dean in writing, furnishing prima

facie evidence. <sup>4</sup>In the case of illness of the doctoral researcher, the dean may require the submission of a doctor's note or medical certificate. <sup>5</sup>If the dean recognizes the reasons, a new appointment shall be scheduled.

## § 16

### Overall assessment of the doctoral work

- (1) The doctoral examination is passed if the dissertation is accepted (§ 11 para 2) and the colloquium is passed (§ 15 para 5).
- (2) <sup>1</sup>The final grade of the doctorate is the sum of twice the grade of the dissertation and one time the grade of the colloquium divided by three. <sup>2</sup>The calculated total value is truncated after the first decimal place without rounding. <sup>3</sup>The following grading scale applies to the final grade:  

up to 0.5	=	summa cum laude
above 0.5 to 1.5	=	magna cum laude
above 1.5 to 2.5	=	cum laude
above 2.5 to 3.5	=	satis bene
above 3.5 to 4.0	=	rite
- (3) <sup>1</sup>The result of the decision on the final grade of the doctorate shall be announced orally to the doctoral researcher by the chair of examiners after the colloquium in camera. <sup>2</sup>The final grade, the grade of the dissertation and the colloquium shall be recorded in writing and signed by the chair of examiners.
- (4) <sup>1</sup>The dean will issue a written interim notification to the doctoral researcher about the result of the passed examination. <sup>2</sup>This interim notification does not entitle the holder to bear the doctoral title.
- (5) <sup>1</sup>If the examination is not passed, the decision will be communicated to the doctoral researcher in writing by the dean with instructions on how to appeal. <sup>2</sup>The duty to state reasons is governed by Article 39 BayVwVfG.

## § 17

### Invalidity of doctoral work and withdrawal of the doctoral degree

- (1) If it becomes apparent before the diploma is issued that the doctoral researcher has cheated in the doctoral process, the doctoral committee will declare all previously acquired qualifications invalid and discontinue the process.

- (2) <sup>1</sup>If the deception or other illegality only becomes known after the diploma has been issued, the doctoral examination can be subsequently declared failed by doctoral committee. <sup>2</sup>Withdrawal of the doctoral degree is governed by the statutory provisions (Art. 48 BayVwVfG). <sup>3</sup>The person concerned must be given the opportunity to comment before the decision is made (Art. 28 BayVwVfG). <sup>4</sup>Negative decisions are to include a rationale and information on how to appeal.
- (3) <sup>1</sup>In the case of suspected academic misconduct, the doctoral committee will only make a decision once the academic self-regulation committee has submitted its report. <sup>2</sup>If the doctoral committee has already decided in advance in special cases, the further report by the academic self-regulation committee will remain unaffected. <sup>3</sup>Waiving the doctoral degree is no longer possible once the doctoral committee or the academic self-regulation committee has begun investigating the question of scientific misconduct.
- (4) In the event of failure of the doctoral examination in accordance with para 2 sentence 1, the doctoral diploma shall be withdrawn.
- (5) In all other respects, withdrawal of the doctoral degree is governed by Art. 101 BayHIG in conjunction with the relevant provisions of BayVwVfG.

## **§ 18**

### **Deposit copies**

- (1) <sup>1</sup>After passing the colloquium, the doctoral researcher shall deliver to the dean within one year free of charge:
  1. Deposit copies
    - three printed or print-like copies of the dissertation if the dissertation is made permanently available to the public via EPub Bayreuth,
    - or
    - 15 book copies, provided that the dissertation appears as an independent publication in the book trade or as a monograph in a series of publications; if it is made permanently publicly accessible exclusively electronically under open access conditions, three book copies are sufficient;
  2. an abstract approved by the supervisor of no more than one page for the purpose of publication.

<sup>2</sup>The dean may, at the request of the doctoral researcher, extend the obligation to submit the documents by a maximum of one additional year if the dean is not responsible for the failure to meet the deadline.

- (2) <sup>1</sup>In the case of a cumulative dissertation, complete bibliographical information must be provided for all articles already accepted for publication or already published. <sup>2</sup>Insofar as the copyright acts of use required for para 1 are not already permitted by law, the doctoral researcher shall contractually ensure that the reproduction, dissemination and/or making available to the public of the collected individual contributions necessary for the fulfilment of the delivery obligation in para 1 are permitted. <sup>3</sup>If the holder of the rights to the first publications does not grant permission, or if it is unreasonable for the doctoral researcher to wait for such permission, a detailed summary of the content of the individual contribution(s) shall suffice. <sup>4</sup>In this case, the combination of the requirements specified in § para 2 and the summary of the individual contribution(s) must result in a text that is comprehensible on its own and independently marketable. <sup>5</sup>This is irrefutably presumed in the case of a corresponding certification by the first supervisor.
- (3) The front and back of the title page of the deposit copies must correspond to the design determined by the doctoral committee.
- (4) <sup>1</sup>The doctoral researcher shall submit to the dean a confirmation from the supervisor that any conditions required by a rapporteur have been fulfilled and that any other deviations from the submitted version have only been made with the consent of the supervisor. <sup>2</sup>In all other respects, the dissertation shall be published in the version in which it was evaluated on the final attempt.

## § 19

### Diploma and completion of the doctorate

- (1) If the requirements specified in § 18 are fulfilled, the Faculty of Law, Business & Economics shall issue a diploma certifying the successful completion of the doctoral examination.
- (2) <sup>1</sup>The diploma confirms successful completion of the doctorate. <sup>2</sup>The certificate contains
- the name of the university and the faculty,
  - the first and last names of the doctoral researcher, date and place of birth,
  - the degree conferred,
  - the title of the dissertation,
  - the date of the oral examination,
  - the final grade of the doctorate,
  - the name and signature of the President of the University of Bayreuth and the dean of the faculty,
  - the seal of the University of Bayreuth.

<sup>3</sup>The date of the certificate is the date of the colloquium. <sup>4</sup>In addition, an English translation and a supplementary description of the doctoral content in the form of a Diploma Supplement will be prepared.

- (3) <sup>1</sup>The diploma shall be handed over by the dean together with the English translation and the description to be prepared in accordance with para 2 sentence 4. <sup>2</sup>The awarding of the doctoral degree marks the completion of doctoral studies; it entitles the doctoral researcher to use the doctoral degree.
- (4) The dean may permit the doctoral researcher to use the doctoral degree for a limited period of time before the diploma is awarded if the doctoral researcher has fulfilled the requirements specified in § 18 but the award of the diploma is delayed or if the publication of the dissertation and the delivery of the deposit copies are sufficiently assured by a binding declaration of the publisher.

## **§ 20**

### **Access to examination documents**

<sup>1</sup>After receipt of the notification in accordance with § 16 para 4 or after unsuccessful completion of the doctoral examination process, the doctoral researcher may inspect the documents relating to the doctorate. <sup>2</sup>The request must be submitted to the dean of the Faculty of Law, Business & Economics within one month after completion of the doctoral process. <sup>3</sup>The procedure for inspection in these and other cases in which a request for access is made is governed by Art. 29 ff. BayVwVfG. <sup>4</sup>Art. 32 applies mutatis mutandis. <sup>5</sup>The time and place for granting access to the documents is determined by the dean. <sup>6</sup>Upon informal application by the doctoral researcher, the reviews pursuant to § 11 shall be made available to him or her in digital form.

## **Part III: Honorary doctorate**

### **§ 21**

#### **Request for honorary doctorate**

<sup>1</sup>The faculty may award honorary doctorates (Dr. jur. h.c., Dr. rer. pol. h.c.) for exceptional academic achievements in the subjects of law, business and economics. <sup>2</sup>The honorary doctoral process shall be initiated upon a justified written application by at least two thirds of the professors of law or business and economics within the meaning of Art. 19 para 1 sentence 1 BayHIG. <sup>3</sup>The request shall be addressed to the dean.

## **§ 22**

### **Review**

- (1) <sup>1</sup>The dean shall submit the application to the extended doctoral committee within a reasonable period of time. <sup>2</sup>All professors within the meaning of Art. 19 para 1 sentence 1 BayHIG of the Faculty of Law, Business & Economics belong to this body. <sup>3</sup>The chairperson is the dean.
- (2) The extended doctoral committee appoints two professors within the meaning of Art. 2 para 1 sentence 1 BayHIG to assess the achievements of the person to be honoured.
- (3) <sup>1</sup>The expert opinions shall be submitted to the members of the extended doctoral committee. <sup>2</sup>These may submit a written statement within one month.

## **§ 23**

### **Decision and completion of the honorary doctorate**

- (1) <sup>1</sup>The extended doctoral committee shall decide on the request for the award of the honorary doctorate. <sup>2</sup>The decision is made in the light of the request and the expert opinions and comments submitted.
- (2) <sup>1</sup>The dean of the Faculty of Law, Business & Economics and the President of the University of Bayreuth shall confer the honorary doctorate by presenting a diploma to the honoured person. <sup>2</sup>The diploma is to acknowledge the achievements of the honoured person.

## **Part IV: Doctorate in joint supervision with a foreign university/ faculty**

## **§ 24**

### **Requirements**

A doctoral process carried out jointly with a foreign university/faculty within the meaning of § 1 para 1 sentence 2 requires that

1. an agreement on cross-border joint supervision of doctoral studies has been concluded with the foreign university or faculty;
2. the partner institution is authorized to award doctorates according to its national legislation and the academic degree to be awarded by it would have to be recognized in the area of application of the Higher Education Framework Act;
3. acceptance for doctoral research and admission to the doctoral examination process took place both in accordance with §§ 4, 5 or 6 and 9 at the Faculty of Law, Business & Economics at the

University of Bayreuth and in accordance with the corresponding regulations at the partner institution;

4. The doctoral researcher receives a copy of the agreement according to number 1.

## **§ 25**

### **Doctorate in Bayreuth**

- (1) <sup>1</sup>The dissertation may be submitted to the Faculty of Law, Business & Economics at the University of Bayreuth or to the foreign university or faculty in accordance with more detailed regulations in the agreement pursuant to § 24 number 1. <sup>2</sup>A dissertation that has already been submitted to the foreign university or faculty and has been accepted or rejected there cannot be submitted again to the Faculty of Law, Business & Economics at the University of Bayreuth. <sup>3</sup>The agreement pursuant to § 24 number 1 shall ensure that a dissertation submitted to the Faculty of Law, Business & Economics at the University of Bayreuth and accepted or rejected there cannot be submitted again to the foreign university/faculty.
- (2) Dissertations submitted to the Faculty of Law, Business & Economics at the University of Bayreuth are subject to § 7.
- (3) <sup>1</sup>The doctorate shall be supervised by an authorized university lecturer of the Faculty of Law, Business & Economics at the University of Bayreuth and by an authorized university lecturer of the foreign university or faculty. <sup>2</sup>The procedure for supervision results from the agreement under the terms of § 24 number 1.
- (4) Regarding acceptance for doctoral research and admission to the doctoral examination process in the Faculty of Law, Business & Economics at the University of Bayreuth, §§ 4 and 5 or 6, 9 as well as 10 apply.

## **§ 26**

### **Reporting on the dissertation**

- (1) After admission to the doctoral examination process, the dean appoints two rapporteurs to review the dissertation. These rapporteurs are usually the lecturers of the Faculty of Law, Business & Economics at the University of Bayreuth and at the foreign university/faculty that supervised the dissertation.
- (2) If the dissertation is submitted to the Faculty of Law, Business & Economics at the University of Bayreuth, § 11 para 2 and 4 shall apply accordingly.

- (3) <sup>1</sup>If the two rapporteurs differ by more than one grade or if one of the rapporteurs proposes the rejection of the dissertation, the dean of the Faculty of Law, Business & Economics at the University of Bayreuth and the dean or the head of the partner institution shall jointly appoint another rapporteur. <sup>2</sup>In accordance with § 11 para 3, the dean of the Faculty of Law, Business & Economics at the University of Bayreuth and the dean or the head of the partner institution may jointly appoint an additional rapporteur.
- (4) If both rapporteurs or one of them and the additional rapporteur appointed in accordance with para 3 refuse to accept the review, the process shall be terminated.
- (5) §§ 12 and 13 apply mutatis mutandis.

## **§ 27**

### **Continuation of the process**

- (1) If the dissertation is accepted by the Faculty of Law, Business & Economics at the University of Bayreuth, the partner institution will be notified of this for the purpose of determining the additional examiner within the meaning of § 28 para 1.
- (2) <sup>1</sup>If the partner institution appoints the additional examiner within the meaning of § 28 para 1, either a colloquium or, if this has been agreed with the partner institution, a viva voce shall take place at the Faculty of Law, Business & Economics at the University of Bayreuth. <sup>2</sup>If there is no agreement regarding this content, the doctoral researcher may choose between a colloquium and a viva voce.

## **§ 28**

### **Colloquium**

- (1) <sup>1</sup>If the doctoral researcher opts for a colloquium (§ 27 para 2), the provisions of §§ 14 and 15 shall apply to its execution. <sup>2</sup>By way of derogation from § 14 para 1, the board of examiners is composed of the two rapporteurs and one additional member authorized to administer examinations from the Faculty of Law, Business & Economics at the University of Bayreuth and the partner institution, who are appointed by the dean of the Faculty of Law, Business & Economics at the University of Bayreuth or by the dean or the head of the partner institution.
- (2) <sup>1</sup>If a rapporteur is prevented from attending the colloquium, another lecturer from the Faculty of Law, Business & Economics at the University of Bayreuth or from the foreign university/faculty who is authorized to administer examinations shall be appointed in his/her place by the respective dean or director. <sup>2</sup>The substitute members must belong to the relevant faculty or university.



- (3) The chair is held by another university lecturer of the Faculty of Law, Business & Economics at the University of Bayreuth who is authorized to administer examinations and who has been appointed by the dean according to para 1, if the dissertation has been submitted here.
- (4) The doctoral researcher will be informed of the members of the committee with the invitation to the colloquium.
- (5) <sup>1</sup>The examination is held in the German language. <sup>2</sup>In agreement with the examination board, the examination may be conducted in whole or in part in another language.

## **§ 29**

### **Viva voce**

- (1) <sup>1</sup>If a viva voce is chosen, it shall take place before a viva voce committee whose composition corresponds to that of the examination committee pursuant to § 28. <sup>2</sup>§ 28 para 4 and 5 apply mutatis mutandis.
- (2) <sup>1</sup>The viva voce is public. <sup>2</sup>Before the viva voce, a copy of the dissertation shall be made available for inspection by the members of the Faculty of Law, Business & Economics at the University of Bayreuth. <sup>3</sup>The viva voce shall be chaired by the chairperson of the commission appointed in accordance with § 28 para 3. <sup>4</sup>Any professor of the Faculty of Law, Business & Economics at the University of Bayreuth and of the partner institution may participate in the viva voce. <sup>5</sup>A record shall be made of the conduct of the viva voce and its essential items. <sup>6</sup>The viva voce begins with a report by the doctoral researcher on the dissertation, the duration of which has been previously agreed upon with the chairperson of the committee. <sup>7</sup>The report is followed by an examination discussion that covers the fundamentals of the dissertation as well as questions that are factually or methodologically related to it. <sup>8</sup>Any professor or member of the Faculty of Law, Business & Economics at the University of Bayreuth or of the foreign university/faculty who earned a Habilitation may ask questions. <sup>9</sup>If the candidate misses the date of the viva voce without being excused, the doctorate shall be deemed to have been rejected. <sup>10</sup>Whether non-appearance is excused shall be decided by the doctoral committee (§ 3) on the basis of the reasons for non-appearance, which are to be presented in writing without delay. <sup>11</sup>§ 15 para 8 applies mutatis mutandis.
- (3) <sup>1</sup>After the viva voce, each examiner shall assess the performance with one of the grades specified in § 11 para 2. <sup>2</sup>The average is calculated from these grades.
- (4) § 15 para 5 to 8 shall apply accordingly to the grading and repetition of the viva voce.

## **§ 30**

### **Overall assessment of the doctoral work**

For the overall assessment of the doctoral work, § 16 applies accordingly in the case of a colloquium as well as in the case of a viva voce.

## **§ 31**

### **Termination of the joint doctoral process**

<sup>1</sup>If the dissertation has been rejected in accordance with § 26 para 4, or if the colloquium or the viva voce have been graded below rite, the joint doctoral examination process shall be terminated. <sup>2</sup>Repeating the joint doctoral process is not possible. <sup>3</sup>In the agreement pursuant to § 24 number 1, it shall be stipulated that the rejected dissertation may not be resubmitted to the partner institution.

## **§ 32**

### **Oral examinations at the partner institution**

- (1) If the dissertation is submitted at the partner institution, the oral examination or viva voce will also take place there.
- (2) <sup>1</sup>If the partner institution has decided positively on the acceptance of the dissertation or the progress of the process, it shall inform the Faculty of Law, Business & Economics at the University of Bayreuth of the decision. <sup>2</sup>The dean shall appoint the additional examiner within the meaning of § 28 para 1 from among the university lecturers of the Faculty of Law Economics at the University of Bayreuth who are authorized to administer examinations in accordance with the doctoral regulations there.
- (3) <sup>1</sup>If the partner institution has rejected the dissertation, the joint process is terminated. <sup>2</sup>The rejected dissertation may not be resubmitted to the Faculty of Law, Business & Economics at the University of Bayreuth.

## **§ 33**

### **Completion of the doctorate**

Dissertations submitted to the Faculty of Law, Business & Economics at the University of Bayreuth are subject to § 18.

## § 34

### Bearing academic titles

- (1) <sup>1</sup>After the execution of a joint doctoral process, a diploma certifying the award of the doctoral degree (Dr. jur. or Dr. rer. pol.) is issued. <sup>2</sup>The document expresses that the doctorate was awarded under joint supervision with the partner institution. <sup>3</sup>It shall bear the signatures and seals required by the regulations applicable to the Faculty of Law, Business & Economics at the University of Bayreuth and to the partner institution. <sup>4</sup>If, at the same time, a diploma is issued abroad, it shall be expressed in both documents by linking or otherwise that both documents constitute one joint diploma and that the person holding the doctorate is entitled to use the German doctoral title in Germany and the relevant doctoral title abroad. <sup>5</sup>Further details on the form of the diploma are governed by the agreement pursuant to § 24 number 1. <sup>6</sup>The agreement shall also explain grade equivalence. <sup>7</sup>The foreign grade equivalent to the German grade may be added in parentheses.
- (2) <sup>1</sup>After the completion of a joint doctoral process at the partner institution, a diploma of conferral of the doctoral degree (Dr. jur. or Dr. rer. pol.) will be issued by the Faculty of Law, Business & Economics at the University of Bayreuth after the diploma has been issued by the foreign university/faculty. <sup>2</sup>It is expressed that both documents constitute one joint diploma and that the person holding the doctorate is entitled to use the German doctoral degree in Germany and the doctoral degree awarded there in the foreign country. <sup>3</sup>Para 1 shall apply mutatis mutandis to the design and connection of the documents and to grade equivalence.
- (3) <sup>1</sup>In the case of a doctorate awarded at a foreign partner institution, the printing of the dissertation and the delivery of the deposit copies shall be governed by the provisions applicable to the partner institution. <sup>2</sup>The agreement according to § 24 number 1 determines how many copies of the dissertation are to be submitted to the Faculty of Law, Business & Economics at the University of Bayreuth. <sup>3</sup>The Faculty of Law, Business & Economics at the University of Bayreuth may make the delivery of the diploma to be issued by it in accordance with para 2 dependent on the delivery of these copies.

## § 35

### Invalidating the doctoral work

§ 17 shall apply accordingly when invalidating the doctoral work.

## **§ 36**

### **Withdrawal of the doctoral degree**

<sup>1</sup>Withdrawal of the doctoral degree shall be governed by the statutory provisions on the award of academic degrees and the relevant statutory provisions of BayVwVfG. <sup>2</sup>The person concerned must be given the opportunity to comment before the decision is made (Art. 28 BayVwVfG). <sup>3</sup>Negative decisions are to include a rationale and information on how to appeal.

### **Fifth Section: Cooperation with universities of applied sciences, further regulations, transitional and final provisions**

## **§ 37**

### **Cooperation with universities of applied sciences/HAWs**

- (1) <sup>1</sup>The Faculty of Law, Business & Economics at the University of Bayreuth enables the cooperative execution of doctorates with universities of applied sciences/HAWs and/or joint doctorates with Bavarian universities of applied sciences/HAWs on the basis of the agreement of the Bavarian universities of applied sciences of 19 October 2015 within the framework of the provisions of the present doctoral regulations. <sup>2</sup>Professors from universities of applied sciences/HAWs are appointed as supervisors and examiners. <sup>3</sup>In the case of doctorates with universities of applied sciences/HAWs, the dissertation is supervised equally by the participating lecturers of the university of applied sciences/HAW and the university who are authorized to administer examinations, and the supervisory agreement is concluded jointly between them and the doctoral researcher.
- (2) <sup>1</sup>Decisions regarding the admission of a professor from a university of applied sciences/HAW as the supervisor of a dissertation are made by the doctoral committee. <sup>2</sup>The appointment of a professor from a university of applied sciences/HAW as rapporteur for the dissertation and as a member of the board of examiners is made by the dean. <sup>3</sup>At least one rapporteur and the majority of the members of the board of examiners must be members of the university who are authorized to administer examinations.
- (3) In the case of doctorates awarded in cooperation with universities of applied sciences/HAWs, the university of applied sciences/HAW involved must also be stated on the diploma.

## **§ 38**

### **Consideration of protective provisions**

- (1) <sup>1</sup>The utilization of protection periods of the Maternity Protection Act shall be guaranteed. <sup>2</sup>Upon request, the claiming of parental leave in accordance with the Federal Parental Allowance and

Parental Leave Act (Bundeselterngeld- und Elternzeitgesetz), as well as periods for the care of a close relative within the meaning of § 7 para 3 of the Nursing Care Act who is in need of care within the meaning of § 14 and § 15 of the Eleventh Book of the Social Code (Sozialgesetzbuch), shall be guaranteed. <sup>3</sup>The appropriate evidence must be furnished; any changes in status are to be reported immediately.

- (2) <sup>1</sup>Upon request, periods during which the doctoral studies cannot be pursued or can only be pursued to a very limited extent for reasons for which the doctoral researcher is not responsible will not be counted towards deadlines. <sup>2</sup>Corresponding evidence must be furnished; medical certificates must be presented in the case of illness. <sup>3</sup>Any changes in status are to be reported immediately.

### **§ 39**

#### **Consideration of special needs of by people with disabilities or chronic illness and in special life circumstances**

- (1) <sup>1</sup>For the sake of ensuring equal opportunities, the particular needs of applicants/ doctoral researchers with disabilities or chronic illnesses are to be appropriately accommodated under the terms of Bavarian law (BayBGG). <sup>2</sup>In consultation with the doctoral committee, the dean shall determine, upon written request by the applicant/doctoral researcher, according to the severity of the proven examination disability or chronic illness, the form in which the examination shall be carried out or shall grant an extension of working time or other reasonable accommodations. <sup>3</sup>Proof of the examination disability or chronic illness must be furnished in the form of a medical certificate stating that, due to a long-term or permanent disability or chronic illness, the examination cannot be taken in whole or in part in the intended form. <sup>4</sup>The request must be attached to the application for acceptance as a doctoral researcher (§ 4); if the special concerns only arise after this point in time, it must be attached to the application for admission to the doctoral examination process (§ 9). <sup>5</sup>If the request is submitted later, it shall only be valid for subsequent examinations.
- (2) <sup>1</sup>Applicants/doctoral candidates in special circumstances may apply to the dean for reasonable accommodations in accordance with paragraph 1. <sup>2</sup>The dean shall decide on the existence of a special life situation and the extent of reasonable accommodations in consultation with the doctoral committee.

### **§ 40**

#### **Entry into effect and termination**

<sup>1</sup>The present regulations go into effect on 21 May 2022. <sup>2</sup>They shall replace the doctoral regulations for the Faculty of Law, Business & Economics dated 16 September 2017 (AB UBT 2017/063). \*)

\*) The set of amendments dated 30 March 2023 contains the following provisions with regard to the effective date:

These examination regulations shall take effect on 31 March 2023.