

These doctoral regulations have been worded carefully to be up to date; however, errors cannot be completely excluded. The official German text available from L1 – Office of Legal Affairs and Academic Quality Management is the version that is legally binding.

**Doctoral Regulations of the Faculty of Business,
Economics, and Law at Friedrich-Alexander-Universität
Erlangen-Nürnberg (FAU) for the Doctoral Title Doktor der
Rechte (Dr. jur.) – FPromO RW –
Dated 21 January 2013**

amended by statutes of
23 July 2015
23 February 2017
18 August 2017
28 February 2020
23 December 2020

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Part I: General Provisions

Section 1 Scope

¹These Faculty Doctoral Regulations (FPromO RW) supplement the General Doctoral Regulations of FAU (**RPromO**) for the School of Law at the Faculty of Business, Economics, and Law. ²They set out the regulations which apply to awarding a doctoral degree (Doktor der Rechte) according to Section 3 (1)(3) **RPromO**.

Section 2 Doctoral Degree

Section 3 Doctoral Titles

Section 4 Bodies Responsible and Procedural Regulations

(1) ¹A Doctoral Affairs Committee is responsible for the doctoral procedure. ²It consists of the speaker of the School and three other members, who should represent the main subject areas of the School. ³The chairperson of the Doctoral Affairs Committee is the speaker of the School of Law. ⁴The other members shall be professors at the School and are elected by the Management Committee for a term of office of two years. ⁵The Doctoral Affairs Committee shall have the right to transfer individual tasks to the chairperson as well as revoke these. This shall apply in particular to the duty to take decisions regarding admissions.

(2) ¹The examining committee responsible for the oral examination (Section 12 (1)(3) **RPromO**) consists of the chairperson of the Doctoral Affairs Committee or a professor appointed as chairperson according to Section 5 (1)(1) and two further authorised doctoral degree examiners according to Section 5 (1)(1) and 5 (1)(2) appointed by the chairperson of the Doctoral Affairs Committee. ²The supervisor shall be appointed as an examiner.

(3) The tasks of the Office of Doctoral Affairs are administered by the School of Law's administration department.

Section 5 Supervisors and Reviewers

(1) ¹The following parties are authorised to examine doctoral degrees:

1. University lecturers belonging to the School of Law at the Faculty of Business, Economics, and Law at FAU (Section 2 (3)(1) BayHSchPG),
2. All other professors in law and professors on leave or retired professors from the Faculty of Business, Economics, and Law at FAU.

²Part-time university lecturers who are primary or secondary members of the School of Law and individuals with doctoral degrees who are able to continually supervise the doctoral research due to their employment at FAU or an institution associated with FAU (especially heads of junior research groups at FAU) may be appointed as supervisors on request (Section 5 (2) sentences 2 and 3 **RPromO**). ³Section 18 of the **RPromO** shall remain unaffected.

(2) ¹After the candidate has been admitted to the doctoral procedure and submitted the doctoral thesis, the chairperson of the Doctoral Affairs Committee shall appoint two reviewers who must be authorised to examine doctoral degrees according to paragraph 1. ²Generally the supervisor of the doctoral proposal is appointed as a reviewer, even if they have become a university lecturer at another university or equivalent higher education institution in the meantime. ³One reviewer must be a professor of the School

of Law.

(3) In the case of Section 6 (4) the Doctoral Affairs Committee can appoint a professor from another university as a secondary reviewer.

(4) If none of the people eligible to examine doctoral degrees according to paragraph 1 except for the supervisor are in a position to assess the thesis in the relevant subject, the chairperson of the Doctoral Affairs Committee can appoint a university lecturer eligible to examine doctoral degrees from another Faculty of Law or School of Law as a second reviewer.

(5) If the topic of the thesis goes beyond the subject of law, the chairperson of the Doctoral Affairs Committee can request an evaluation from university lecturers from another school, faculty, university or equivalent institution of higher education.

Part II: Admission to a Doctoral Degree

Section 6 Admission Requirements

(1) ¹Candidates will be admitted to a doctoral degree if they meet the requirements in Section 8 (4) **RPromO** and have a subject-related degree with a final grade which indicates that they are likely to successfully complete the requirements for the degree according to Section 2 **RPromO**; evidence of this is

1. a pass in the university part of the First State Examination in Law (Juristische Universitätsprüfung) at a university in a state of the Federal Republic of Germany with an overall grade of at least 'vollbefriedigend' according to the 'Verordnung des Bundesministers der Justiz über eine Noten- und Punkteskala für die Erste and Zweite Juristische Prüfung' in its current version and
2. a pass in the state part of the First Examination in Law (Erste Juristische Prüfung) or the Second State Examination in Law (Zweite Juristische Staatsprüfung) in a state of the Federal Republic of Germany with an overall grade of at least 'vollbefriedigend' according to the 'Verordnung des Bundesministers der Justiz über eine Noten- und Punkteskala für die Erste and Zweite Juristische Prüfung' in its current version.

²Admission with other degrees and exceptions to sentence 1 are governed in paragraphs 2 to 9.

(2) ¹Candidates shall also be admitted to a doctoral procedure if they have a degree as specified in (1) sentence 1, item 2, without meeting the requirements stipulated in (1) sentence 1, provided

1. the candidate has obtained a grade of at least 'vollbefriedigend' in one of the examinations stated in paragraph 1 (1)(1) or 1 (1)(2) and 'befriedigend' in the other and
2. the candidate has completed two seminar achievements at the School of Law, each of which has been graded at least 'gut' by members of the School who are authorised examiners of doctoral degrees pursuant to Section 5 (1) and
3. all other admission requirements have been met.

²If the seminar achievements stated in sentence 1 (2) have not been completed or have only been partially completed when the application for admission to a doctoral degree is submitted, the applicant shall be accepted subject to the proviso that they

must submit the missing course achievements before commencing the doctoral procedure. ³Candidates whose doctoral thesis is supervised by an authorised examiner of doctoral degrees according to Section 5 (1)(1) can submit confirmation that they have participated in a law seminar at the faculty to which the supervisor belongs to replace one of the seminar achievements required in sentence 1 (2). ⁴One of the seminar achievements required in sentence 1 (2) can be replaced by a written assignment completed at a foreign faculty of law which does not focus on German law and is determined by the Doctoral Affairs Committee as equivalent to the seminar achievements at the School of Law in Erlangen assessed with a minimum grade of 'gut'. ⁵Alternatively, the seminar achievements as required in sentence 1 (2) can be replaced by an academic publication. The Doctoral Affairs Committee shall decide whether the suggested publication can be classed as 'academic'. ⁵In the cases in sentences 4 and 5, the additional seminar achievement must be supervised by an examiner authorised for doctoral examinations according to Section 5 (1)(1) who is not the supervisor of the thesis.

(3) ¹Paragraphs 1 (1)(1) and 1 (1)(2) shall not apply to candidates whose thesis was accepted for supervision at another university or an equivalent higher education institution in the Federal Republic of Germany by a professor appointed to the Erlangen School of Law if the requirements for the doctoral degree Doktor der Rechte were fulfilled at the other university or equivalent higher education institution and the candidate successfully completed an academic degree programme with an examination; evidence of this issued by the other university or equivalent higher education institution shall be submitted. ²The admission requirements according to Section 8 **RPromO** shall remain unaffected.

(4) ¹Candidates who have completed a degree programme in law at a university or equivalent higher education institution in Germany or abroad with a Master's examination, a State Examination or a final examination or a similar qualification may also be admitted to a doctoral degree if, overall, the applicant's qualifications are equivalent to the requirements set forth in (1). ²This is in particular the case if

1. the candidate has completed the Master's degree programme in German and French Law offered by the School with an overall grade of 'sehr gut' (very good) or 'gut' (good) or
2. the candidate has completed the Magister degree programme offered by the School of Law (LL.M) with the grade 'sehr gut' (very good).³ Paragraph 2 shall apply accordingly.

³Paragraph 2 shall apply accordingly.

(5) Candidates who have completed a degree programme in a subject which is not predominantly focused on law at a university or equivalent higher education institution in Germany or abroad with a Master's examination, a State Examination or a final examination or a similar qualification may also be admitted to a doctoral degree if

1. the candidate has passed the State Examination or final examination with considerably above-average success;
2. the other subject of study contributes to a better understanding of the historical development, the philosophical foundation or the social importance of law; and
3. the candidate's chosen topic for their doctoral degree is connected to the subject they have studied and the supervisor confirms that it covers particularly interesting aspects of law.

(6) ¹If the First (State) Examination in Law (Erste Juristische Prüfung or Erste Juristische Staatsprüfung) was passed before 18 January 2010, paragraph 1 shall not apply. ²A pass in the State Examination in Law (Erste Juristische Prüfung, Erste Juristische Staatsprüfung or Zweite Juristische Staatsprüfung) with the grade 'vollbefriedigend' is sufficient for admission to a doctoral degree. ³A grade of 'befriedigend' in one of the above examinations is sufficient for paragraph 2 to apply.

(7) ¹The Doctoral Affairs Committee shall decide at the candidate's or chairperson's request if there is any doubt whether the candidate meets the admissions requirements for the doctoral degree. ²Section 4 (1)(5) shall remain unaffected.

Section 7 Qualifying Examination

Section 8 Admission to a Doctoral Degree

(1) In addition to the documents named in Section 8 (2)(1) **RPromO**, proof of the requirements according to Section 6 paragraphs 1 to 6 shall be submitted with the application.

(2) The Doctoral Affairs Committee shall take decisions on admission to a doctoral degree.

Part III: The Doctoral Procedure

Section 9 Initiation of the Doctoral Procedure

(1) In addition to the declarations specified in Section 9 (2)(2) **RPromO**, the following must be submitted with the application:

A written declaration in which the candidate states:

1. any past criminal or disciplinary convictions,
2. if they are aware of any pending criminal proceeding, public prosecution investigation or disciplinary action against them.

(2) The Doctoral Affairs Committee shall take the decision on the initiation of the doctoral procedure.

Section 10 Requirements for the Thesis

A cumulative thesis is not permitted.

Section 11 Evaluation, Acceptance and Refusal of the Thesis

(1) ¹The evaluations shall include a grade. ²The following grades shall apply:

summa cum laude =	an outstanding achievement (= 1)
magna cum laude =	a commendable achievement (= 2)
cum laude =	a good achievement (= 3)
satis bene =	a satisfactory achievement (= 4)
rite =	a sufficient achievement (= 5)
insufficenter =	an insufficient achievement (= 6).

(2) ¹If both evaluations have the same grade, this grade shall be confirmed by the chairperson of the Doctoral Affairs Committee. ²If the grades of the evaluation differ by one grade, the chairperson shall determine the median grade. ³If the grades of the

evaluation differ by more than one grade, the chairperson of the Doctoral Affairs Committee shall without delay appoint a third reviewer from the members of the School who are authorised to examine doctoral degrees and shall arrange for the thesis and reports to be displayed. ⁴The additional evaluation shall be submitted within three months. ⁵As soon as the additional evaluation is received, the chairperson of the Doctoral Affairs Committee shall call a meeting with the three reviewers and determine the final grade of the thesis. In the case of a tie, the chairperson shall have the deciding vote.

(3) ¹The display period pursuant to Section 11 (4) **RPromO** is two weeks. ²If the evaluation grades differ as stated in Section 11 (3)(1) **RPromO**, the display period shall last four weeks.

(4) ¹If a member of the School who is authorised to examine doctoral degrees submits a written statement that they are not in agreement with the grade accepted according to paragraph 2, the chairperson of the Doctoral Affairs Committee may appoint an additional reviewer from the members of the School who are authorised to examine doctoral degrees. ²Paragraphs 2 (4) and (5) shall apply accordingly.

(5) The chairperson of the Doctoral Affairs Committee shall notify the candidate of the final grade in writing without delay.

Section 12 Oral Examination

(1) The oral examination shall take place within six months after the final grade of the thesis has been determined.

(2) ¹The candidate shall be notified of the oral examination at least two weeks before the examination date by the chairperson of the Doctoral Affairs Committee. ²The candidate may forego the notification period in writing. ³The notification of the oral examination may be combined with notification of the final grade of the thesis according to Section 11 (5). ⁴The candidate may request the chairperson of the Doctoral Affairs Committee to reschedule the examination date if the candidate cannot attend the oral examination due to circumstances beyond their control.

(3) ¹The oral examination shall be conducted by the examining committee in a session which is open to members of the Faculty according to Section 4 (2). ²The candidate shall hold a 20-minute presentation in which the fundamental arguments of the thesis are expressed freely. ³A discussion shall follow the presentation. ⁴Professors of the Faculty may participate in the discussion. ⁵The oral examination should not last longer than 45 minutes.

(4) The fundamental arguments of the thesis shall be submitted in writing to the chairperson of the Doctoral Affairs Committee at least one week before the oral examination.

(5) The examining committee shall determine the grade for the oral examination in a non-public session with a grade according to Section 11 (1).

(6) The oral examination is considered as failed if it is assessed as 'insufficenter' by the majority of the members of the examining committee.

(7) The oral examination may be conducted in exceptional cases with the help of audiovisual telecommunication technology; Section 12a **RPromO** applies.

Section 13 Resitting the Oral Examination

Section 14 Results of the Doctoral Procedure, Notification

(1) ¹If the candidate has passed the oral examination, the examining committee determines the final grade of the doctoral degree on the examination date. ²The final grade is calculated from the arithmetic mean of the double-weighted grade of the thesis and the grade of the oral examination. ³The overall grades according to the average are:

up to 1.50		summa cum laude,
over 1.50	to 2.50	magna cum laude,
over 2.50	to 3.50	cum laude,
over 3.50	to 4.50	satis bene,
over 4.50	to 5.00	rite.

(2) ¹The chairperson of the examining committee announces the grade of the examination and the overall grade of the examination on the examination date. ²The chairperson of the examining committee records the overall grade of the doctoral degree in the examination report (Section 12 (3) **RPromO**).

Section 15 Thesis Publication and Submission of Mandatory Copies

Section 16 Completion of the Doctoral Degree

¹The doctoral degree certificate shall be issued in German. ²The Dean of the Faculty of Business, Economics, and Law shall sign the certificate on behalf of the School of Law. ³The candidate can apply for an additional certificate to be issued in Latin.

Part IV: Honorary Doctoral Degrees

Section 17 Honorary Doctoral Degree

(1) ¹The procedure for honorary doctoral degrees is initiated on a written application from at least two thirds of the professors on the Doctoral Affairs Committee. ²The application must provide a statement on the admission requirements for honorary doctoral degrees (Section 17 (1)(1) **RPromO**).

(2) ¹The Doctoral Affairs Committee shall appoint a reviewer who is a professor at the School of Law. ²The chairperson of the Doctoral Affairs Committee shall display the application and the report for one month at the administrative department of the Faculty for acceptance by the members of the Faculty authorised to examine doctoral degrees according to Section 5 (1) and inform the members that they may submit a written statement during the display period. ³Upon resolution of the Doctoral Affairs Committee, the chairperson submits the application for an honorary doctoral degree to the Faculty Council.

(3) The Faculty Council shall decide whether to grant the honorary doctoral degree based on the application, reports, statements and the resolution of the Doctoral Affairs Committee.

Part V: Cooperative Doctoral Degrees

Section 18 Cooperative Doctoral Degrees/Joint Doctoral Degrees

Part VI: Doctoral Degrees in Cooperation with Foreign Universities

Section 19 General

Section 20 Examinations Procedure at FAU

Section 21 Examinations Procedure at the Partner Institution

Section 22 Joint Doctoral Degree Certificate

Part VII: Invalidation and Revocation of Doctoral Degrees

Section 23 Invalidation of Doctoral Examinations

Section 24 Revocation of Doctoral Degrees

Part VIII: Concluding Provisions

Section 25 Legal Validity and Transitory Provisions

(1) ¹These regulations come into effect on the day after their publication. ²They shall apply to all doctoral procedures initiated after these doctoral regulations have come into effect.

(2) The doctoral regulations of the School of Law of the Faculty of Business, Economics, and Law of FAU (PromO-FBRecht) from 18 January 2010 shall no longer apply.

(3) Doctoral degrees which have already been initiated shall be governed by these doctoral regulations.

(4) Candidates may opt for the doctoral procedure to be carried out according to the existing doctoral regulations by application to the chairperson of the Doctoral Affairs Committee if the doctoral procedure has already been initiated according to paragraph 1.

(5) The fourth amendment statute shall come into effect on the day after its publication.

(6) ¹The fifth amendment statute shall come into effect on the day after its publication. ²It shall apply to all doctoral proposals for which an application for admission is submitted pursuant to Section 8 in conjunction with Section 8 **RPromO** after the fifth amendment comes into effect. ³Candidates whose doctoral procedures have already been admitted but have not yet been initiated by the date the fifth amendment comes into effect may complete the doctoral procedure according to the previously valid version of the FPromO RW from 28 February 2020 if they inform the respective Office of Doctoral Affairs in writing by 31 March 2021 at the latest.