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Regulations Governing PhD Proceedings

at the Medical Faculty of the

University of Duisburg-Essen

dated September 27, 2016

On the basis of Sect. 2 Para. 4 and Sect. 67 Para. 3 of the Higher Education Act of North-Rhine Westphalia ("Higher Education Act") dated Sept 16, 2014 (State Gazette "GV. NRW." p. 547), last amended by act of parliament dated Jun 14, 2016 (State Gazette "GV. NRW." p. 310), the University of Duisburg-Essen has approved the Regulations Governing PhD Proceedings published hereunder:

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Sect. 1**Right to Conduct Doctoral Proceedings and Confer Doctoral Degrees**

(1) The faculties of the University of Duisburg-Essen shall have the right to confer doctoral degrees. The doctoral proceedings shall be conducted by the faculty within whose research and teaching activities the subject matter of the dissertation falls. The Medical Faculty shall confer the academic degree of "Doctor of Philosophy (PhD)" in accordance with the provisions of these Regulations to such persons as have successfully completed a PhD Programme offered by the Faculty of Medicine. Persons in possession of the degree conferred under Sentence 2 above may either use such title at the end of their names or apply the abbreviated form "Dr." before their names and without the use of any further prefixes.

(2) The programmes in which the PhD may be acquired and the detailed requirements made of the conducting of such PhD Programmes shall be as per Annex 4 hereto.

(3) A conferment certificate shall be issued in German and English.

(4) The Medical Faculty may also confer the doctoral degrees Dr. med. (Doctor of Medicine) and Dr. med. dent. (Doctor of Dentistry) and Dr. rer. medic.. Arrangements for the conferment of such doctoral degrees shall be as set out in their own Regulations Governing Doctoral Proceedings.

Sect. 2**Doctoral Proceedings**

(1) The doctoral proceedings shall provide evidence of ability to carry out independent academic work above and beyond the general goal of courses of study pursuant to Sect. 58 Para. 1 of the NRW Higher Education Act.

(2) Ability shall be established on the basis of a noteworthy piece of academic work (dissertation) and a dissertation defence (*viva voce*), hereinafter jointly referred to as "PhD Examination".

(3) The publication of partial academic results during the course of preparing the dissertation is expressly welcomed.

(4) The PhD Programme shall consist of

- (a) the PhD Course
- (b) the PhD Examination

Sect. 3**Entitlement to Participate in a PhD Programme**

(1) The following shall be entitled to participate in a PhD Programme: full-time and part-time university professors, supernumerary professors, junior professors who are members of the University of Duisburg-Essen, members of the University of Duisburg-Essen in possession of a "Dr. habil" degree and other persons associated with the University of Duisburg-Essen where such persons were entitled to participate during their time as members of the University of Duisburg-Essen. Where a member of one of the above groups leaves the University, such entitlement shall also remain in force and effect in respect of doctoral candidates who are already admitted to the PhD Programme at the time of said person's departure. Retired university teachers and university teachers who have been

relieved of their responsibilities shall be entitled to accept doctoral candidates for supervision and to participate in doctoral proceedings where they have retired or were relieved of their duties less than three years previously or where they are still actively engaged in research in the faculty. Exceptions to these rules shall be decided by the Doctoral Committee. The Doctoral Committee may grant other persons, in particular outside professors, permission to participate in PhD Programmes on a case-by-case basis. The provisions of Sect. 65 Para. 1 Sentence 2 of the Higher Education Act must be observed in such instances.

(2) In the case of PhD Examinations carried out in collaboration with universities of applied sciences pursuant to Sect. 67 Para. 6 of Higher Education Act, the university teachers of the relevant university of applied sciences shall also be entitled to participate in PhD Examinations. Details shall be as set out in the collaboration agreement.

(3) The PhD Examination may be conducted in collaboration with foreign educational establishments where

1. the applicant meets the requirements for admission to the PhD Programme in accordance with these Regulations,
2. the foreign educational establishment has the right to award doctorates under its national legislation,
3. the degree to be conferred by it would be recognised within the scope of the Higher Education Act.

(3) The PhD Examination may be conducted in collaboration with other German educational and research establishments. The conducting of the joint PhD Examination shall be covered by a contractual agreement in general terms or for a specific instance. The contractual arrangements shall apply in addition to the provisions of the Regulations Governing PhD Proceedings. The provisions of the Regulations Governing PhD Proceedings must be observed when agreeing requirements and procedures for ensuring equivalency.

(4) Courses of study as per Sect. 4 Para. 4 Item c preparing candidates for the PhD Programme may be conducted jointly with universities of applied sciences. Para. 3 Sentences 3 to 5 shall apply *mutatis mutandis*. The Regulations Governing PhD Proceedings or agreement as per Para. 3 Sentences 3 to 5 shall govern further details of such courses of study and joint supervision thereof

Sect. 4**Doctoral Committee**

(1) The faculty shall form a Doctoral Committee by means of an election held in the Faculty Council. The term of office shall correspond to that of the Faculty Council. The Doctoral Committee shall be comprised of 6 university teachers and 2 habilitated academic members of staff. Of the university teachers involved, there must be at least one pre-clinical specialist, at least one medical theoretician and at least one clinical specialist. The Chairperson and Deputy Chairperson of the Doctoral Committee must each be a university teacher in full-time employment at the University of Duisburg-Essen. The Chairperson must be in possession of a qualification pursuant to Sect. 3 Para. 1 Item 4 of the Higher Education Act (additional academic achievements). Re-election shall be permitted.

(2) The Chairperson shall conduct the business of the Doctoral Committee and chair its meetings. Minutes of each meeting of the Committee shall be drawn up, setting out the matters discussed and the outcome of discussions held.

(3) The Doctoral Committee shall be quorate where the Chairperson or his/her deputy and a total of more than half of the members are present. Resolutions shall be passed by a majority vote of members in attendance. In the event of a tie, the vote cast by the Chairperson shall be decisive.

(4) The Doctoral Committee shall have the following duties as part of its process management responsibilities:

- a) reviewing applicant admission requirements as per Sect. 5.
- b) reviewing applicant admission requirements as per Sect. 8,
- c) determining whether the applicant has to complete courses of study preparing him/her for the PhD Programme and, if necessary, confirming the necessity for, and extent of, such courses of study in order to enrol the applicant pursuant to applicable enrolment regulations or whether a research programme has to be completed as part of a doctoral programme pursuant to Sect. 67 Para. 2 Sentence 2 of the Higher Education Act,
- d) determining the equivalence of foreign examinations, involving the Central Office for Foreign Education Systems of the Standing Conference of German Ministers of Education & Cultural Affairs where necessary,
- e) entering the name of the doctoral candidate onto 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,
- f) confirming the appointment of the doctoral supervisor for the doctoral candidate,
- g) confirming the provisional topic of the dissertation,
- h) concluding an agreement – to be signed by the Doctoral Committee Chairperson 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. The agreement shall contain provisions, in particular, concerning supervision of the doctoral work by an additional university teacher pursuant to Sect. 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 in resolving conflicts (template as per Annex 1 hereto),
- i) nomination of the supervising university teacher,
- j) monitoring of timely conduct of the process,
- k) appointment of the Examination Board and assessors,
- l) processing of objections and requests to leave the programme,
- m) decisions in all exceptional cases and cases of doubt which are either not regulated or not clearly regulated by the Regulations Governing Doctoral Proceedings, or where doubts are raised concerning proper procedure,
- n) application to have a doctoral degree revoked or to have doctoral work declared null and void,
- o) submitting an annual report to the Faculty Council on the current duration and quality of the PhD Examination in the faculty. As a minimum, such report shall include the length of the PhD Examination, the time needed to prepare assessment reports and the final marks given.

Sect. 5

Requirements for Admission to the PhD Programme

- (1) An individual may be admitted to the PhD Programme where such individual
 - a) provides evidence of having obtained a final qualification following a relevant university course of study which is of relevance to the proposed topic and involves a standard period of study of a minimum of ten semesters and leads to the conferring of a degree other than a bachelor's degree or
 - b) has obtained a final qualification following a relevant university course of study involving a standard period of study of a minimum of six semesters in which the candidate has attained the grade "Excellent" followed by suitable courses of study preparing him/her for the PhD Programme, e.g. as part of an integrated master's and doctoral programme; content and scope of the preparatory courses of study for the PhD Programme shall be specified by the Doctoral Committee on a case-by-case basis. The candidate must have attained a sum total of at least 300 Credit Points in the bachelor's programme and the preparatory studies for the PhD Programme. The average grade in the modules of the preparatory course of study must be no less than "Good". Or
 - c) a final qualification following a master's programme pursuant to Sect. 61 Para. 2 Sentence 2 of the Higher Education Act, i.e. an additional degree programme leading to a professional qualification with a standard period of study of at least two semesters; the bachelor's and master's degree courses must comprise a total of no less than 300 ECTS credits
- (2) Physicians and dentists additionally seeking a PhD must have passed the Medical State Examination licensing them to act as physicians or the Dentistry Examination licensing them to act as dentists with a minimum grade of "Good".
- (3) Admission to the PhD Programme of applicants under Para. 1 Items a) and c) above shall also be dependent upon presentation of evidence of an adequate final qualification. Documentary evidence of additional courses or coursework may also be required. A final qualification shall be deemed adequate where both the overall grade of the final qualification and the grade given to the final dissertation are not less than "Good". Justified exceptions to these rules shall be decided by the Doctoral Committee.

Unequal treatment of applicants with degrees from universities of applied sciences, as opposed to applicants from traditional universities, for admission to the PhD Programme shall not be permitted.

(4) Where preparatory studies for the PhD Programme have to be completed, inclusion in the List of Doctoral Candidates shall be provisional, and the faculty's supervision agreement shall apply.

(5) A course of study shall be deemed relevant where it contains certain subject contents to be defined by the faculty in which the dissertation is to be written. The faculty shall compile a list of eligible courses of study (see Implementation Rules pertaining to the PhD Programmes, Annex 4 hereto). Other primarily scientific courses may be accepted, as decided by the Doctoral Committee on a case-by-case basis.

(6) Further rules concerning admission requirements for individual PhD Programmes are set out in Annex 4 hereto.

Sect. 6

Procedure for Admission to the PhD Programme

(1) The application for admission to the PhD Programme must be sent to the Doctoral Committee Chairperson using the form entitled "Application for Admission to PhD Programme".

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

- a) a Curriculum Vitae devoting special attention to the applicant's education,
- b) documentary evidence of compliance with the admission requirements set out in Sect. 5,
- c) a certified copy of the certificate entitling the applicant to enrol on an undergraduate course of study,
- d) a statement compiled as per the Implementation Rules and signed by the intended supervisor(s) concerning the provisional subject matter of the planned dissertation,
- e) a statement addressing the question of whether the applicant has made any previous unsuccessful attempts to obtain a doctorate,
- f) a statement by the applicant to the effect that participation in the PhD Programme is not being initiated by means of 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 under examination laws and not in keeping with good academic practice. A model statement is included in Annex 2 hereto.
- g) a statement by the intended supervisor attesting to his/her willingness to supervise the dissertation and continue such supervision even in the event of his/her departure, unless special reasons preclude such continuation.

(2) A PhD Committee shall be formed with the task of preparing a recommendation for the Doctoral Committee concerning admission of an applicant to the PhD Programme. The composition of the PhD Committee shall be governed by the respective Implementation Rules for the PhD Programme (Annex 4 hereto).

(3) On the basis of the application the documents submitted and the recommendation of the PhD Committee, the Doctoral Committee shall make a decision concerning admission of the applicant to the PhD Programme as a doctoral candidate.

Admission shall be denied where

- a) the faculty has no jurisdiction (i.e. the subject matter does not fall within the field of medicine or medical studies),
- b) the requirements of Sect. 5 are not met,
- c) the documents referred to in Paragraph 2 above are incomplete,
- d) the proposed supervisor or a majority of the members of the Doctoral Committee can be deemed non-impartial within the meaning of Sections 20 and 21 of the North-Rhine Westphalian Administrative Procedures Act.

Admission may be denied where the applicant has already made an unsuccessful attempt to obtain a doctoral degree in earlier doctoral proceedings. Admission may also be denied where the faculty does not have sufficient academic expertise available in the proposed subject area.

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

(5) The applicant shall be notified in writing of the decision to accept or reject his/her application for admission. In the event of rejection, such notice shall include a statement of reasons and advice concerning the appeals procedure. Where admission is granted, the Doctoral Committee shall also issue the applicant with corresponding certification for enrolment as a doctoral student.

(6) Where admission is granted, the applicant's name shall be entered onto the List of Doctoral Candidates in the faculty. The dissertation should be submitted three years following entry onto the List of Doctoral Candidates. Where such period is to be exceeded, the Doctoral Committee must be given notice of such delay together with a statement of reasons.

Sect. 7
Scope & Content of the PhD Course

(1) As part of the PhD Course, no less than 18 credit points (CPs) of achievement must be attained in relation to aptitude for conducting academic work independently. For details of scope and content of the PhD Course, please refer to the Implementation Rules for the individual PhD Programmes (Annex 4 hereto). The Implementation Rules for the respective PhD Programmes may require documentary evidence of more than 18 CPs to be provided. The Implementation Rules for the various PhD Programmes must follow the structure below:

- Specialist compulsory core modules
- Specialist elective modules
- General academic key qualifications (elective)
- Active participation in academic events (elective).

Attendance at the Medical Faculty's "Studying for a Medical PhD" launch event and at one "Good Scientific Practice" event and one "Making Academic Quotations" event is compulsory for all doctoral students at the Medical Faculty.

(2) General rules concerning credit points:

- 18 CPs correspond to \approx 12 SCHs. This gives a total of 135 hrs of attendance time.
- 1 CP corresponds to \approx 7.5 hours.

(3) PhD candidates shall compile their personal curricula of specialist elective modules in consultation with their supervisors and as per the Implementation Rules for the individual PhD Programmes (Annex 4 hereto).

(4) Regular, successful attendance of a module shall be certified at the end of the event series by the person in charge of the event series. The certificate shall be issued using the relevant PhD Programme template (see Annex 4 hereto). Regular attendance shall be taken to mean having participated in no less than 85% of the hours of an event series. Successful attendance/participation shall be ascertained by means of an appropriate review to be undertaken by the person in charge of the event series.

(5) Where a candidate has been prevented from attending events for reasons beyond his/her control, the person in charge of the event series shall decide whether the absence may be made good in some other manner and, where necessary, shall specify the nature and scope of work to be performed.

(6) Conducting the PhD Course shall be the responsibility of a PhD Committee. Further details are set out in the Implementation Rules as per Annex 4 hereto.

Sect. 8
Admission to the PhD Examination

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

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

- a) Three printed copies of the dissertation and one copy in electronic form. The dissertation may be written in German or in English, as the doctoral candidate prefers; justified exceptions shall be decided by the Doctoral Committee,
- b) a brief summary of the dissertation in German and in English. Justified exceptions shall be decided by the Doctoral Committee,
- c) in the case of compilation dissertations pursuant to Sect. 10 Para. 2, a written statement by the supervisor complete with a detailed description of the contribution made by the doctorate candidate in the publications upon which the doctoral thesis is based plus a declaration of consent by all co-authors to the publications being used as part of the doctoral proceedings,
- d) a statement by the doctoral candidate to the effect that he/she has written the submitted dissertation unaided,
- e) a statement by the doctoral candidate as to whether previous doctoral proceedings in the subject concerned or in another subject have been definitively unsuccessful (see Annex 3 hereto),
- f) a statement by the doctoral candidate to the effect that in preparing the dissertation he/she has used only such resources as have been listed, and that he/she has identified as such all passages which have been reproduced verbatim or in substance (see Annex 3 hereto),
- g) a statement by the doctoral candidate to the effect that he/she has not submitted this dissertation as part of any other doctoral proceedings (see Annex 3 hereto),
- h) a criminal record certificate or certificate to the effect that no criminal records exist,
- i) documentary evidence of PhD Course achievements attained as per Sect. 7 (see Annex 4 hereto).

(3) The Doctoral Committee shall decide on the basis of the application and the materials submitted whether the candidate is to be admitted to the examination. Admission shall be denied where

- a) the documents referred to in Paragraph 2 above are incomplete,
- b) where previous doctoral proceedings undertaken by the doctoral candidate in the subject concerned have been definitively unsuccessful.

Admission may be denied where previous doctoral proceedings undertaken by the doctoral candidate in another subject have been definitively unsuccessful.

Where the candidate is admitted, the Examination Board shall be appointed by the Doctoral Committee.

(4) The doctoral candidate shall be notified in writing of the decision to accept or reject his/her application for admission. In the event of a rejection, such notice shall include a statement of reasons and advice concerning the appeals procedure.

(5) A right of withdrawal shall exist in the absence of a negative assessment report. The dissertation may not be repeated on the same subject matter.

Sect. 9 Conducting of the PhD Examination

(1) Doctoral proceedings shall be initiated by means of a resolution by the Doctoral Committee pursuant to Sect. 8 Para. 3.

(2) Immediately after resolving to admit a candidate to the PhD Examination pursuant to Sect. 8, the Doctoral Committee shall appoint the members of the Examination Board which shall consist of one chairperson and, generally, two assessors. As a rule, the supervisor shall be the primary assessor. The second assessor must be independent, i.e. he/she should be selected so that he/she does not come from the department in which the supervisor is engaged, is not involved in the creation of the thesis and is not a co-author of the publication resulting from the thesis. In exceptional cases it shall be possible to appoint an additional assessor; he/she should be an external person and likewise meet the independence criteria set out in Sentence 4 above. The third assessor shall also be a member of the Examination Board. The chairperson must be a member of the Medical Faculty of the University of Duisburg-Essen. This shall also apply to any of the assessors, taking due account of Sect. 3 Para. 1 Sentence 2 above.

(3) Members of the Examination Board must meet the requirements of Sect. 3 Para. 1 above. In the case of multidisciplinary doctoral proceedings, the majority of members must be members of the Medical Faculty.

(4) The Examination Board shall decide to accept or reject the dissertation based upon the assessment reports and opinions, shall accept the dissertation defence and, finally, determine the overall grade to be awarded.

(5) On the basis of the assessment reports and opinions from the faculty, the Doctoral Committee may return the dissertation to the candidate for revision. The proposed changes must be stated in writing. A reasonable period of time shall be specified for the revisions. Where the candidate avails him or herself of the opportunity to revise his/her work, the dissertation shall be evaluated again by the Examination Board. The granting of any further opportunity to revise the dissertation shall be prohibited. Where the candidate has failed to comply with the revision deadline for the dissertation without just cause, the proceedings shall be deemed to have been failed.

(6) Account must be taken of the special needs of a disabled or chronically ill doctoral candidate in availing him or herself of his/her equal opportunities.

(7) Doctoral candidates shall have recourse to the provisions of protective social legislation in accordance with Sections 3, 4, 6 and 8 of the Maternity & Working Mothers Protection Act dated June 20, 2002 (German Federal Gazette I, p. 2318) as amended from time to time, and also to parental leave in accordance with the time periods set out in the Child Benefit & Parental Leave Act dated December 5, 2006 (Federal Gazette I, p.2748) as amended from time to time.

(8) The PhD Examination shall be deemed to have been definitively unsuccessful where the doctoral candidate withdraws without just cause following admission to the PhD Examination. The reasons must be substantiated credibly in a letter to the Doctoral Committee. Sect. 8 Para. 4 shall apply *mutatis mutandis*.

Sect. 10 Dissertation

(1) The dissertation must be an independent work of research and enhance the level of scholarly knowledge. Prior publication of the dissertation or of parts thereof shall not constitute an obstacle to meeting such criteria. At least two, albeit no more than four, assessment reports shall be obtained on the dissertation; such reports shall be prepared independently of each other.

(2) The dissertation may also be submitted in compilation form where the doctoral candidate is able to present three or more scientific or academic publications (original papers), of at least two of which the doctoral candidate must be the primary author, and

- a) the publications have been published or accepted for publication as original works in an internationally recognized, peer-reviewed journal listed in *Medline* or *Web of Science*,
- b) a written statement by the supervisor complete with a detailed description of the contribution made by the doctorate candidate to such works, and
- c) where the publications are no more than three years old.

Where the dissertation is submitted in compilation form, it must also be bound and have attached to it an abstract comprising no more than 10 pages. The compilation dissertation shall be prefaced by an introduction to the dissertation topic and shall end with an afterword containing a final discussion. Details are set out in the Implementation Rules (Annex 4 hereto).

Sect. 8 Para. 2 Item a) shall apply *mutatis mutandis*.

(3) The assessment reports should be available no later than one month after the opening of the PhD Examination by the Doctoral Committee. Receipt of each report must be officially recorded. Where the deadline is exceeded, an additional period of one month shall be granted, whereupon the Doctoral Committee may appoint a new assessor. The assessment reports must contain a proposed grade pursuant to Sect. 12. Where at least one assessment report contains the proposed grade "*summa cum laude*", a third assessment report must be obtained; at least one of the three assessors must then be external.

The doctoral committee must also appoint another assessor where, in the case of only two assessment reports being obtained, one assessment report proposes the grade “*insufficenter*” or the grades proposed are more than one grade apart. In special cases, the Doctoral Committee may obtain a fourth assessment report. The assessors referred to in Sentences 5 to 7 shall not be members of the Examination Board. Where the grade “*insufficenter*” is proposed by at least two assessors, the doctorate shall not be deemed to have been passed; no further steps in the processes are to be performed. The Chairperson of the Doctoral Committee shall send the applicant written notification of this, including information on the appeals procedure.

(4) The verdicts of the assessment reports will be notified to the doctoral candidate upon request once all assessment reports have been received.

(5) Following receipt of the assessment reports, the documents for the doctoral proceedings shall be displayed for inspection by doctoral candidates pursuant to Sect. 3 in the Dean’s Office for a period of two weeks. Every university teacher shall be notified of the inspection period. The Chairperson of the Doctoral Committee shall ensure that use made of the right to inspection shall be appropriate in its extent. Any comments must be presented to the Doctoral Committee Chairperson in writing no later than one week following the end of the inspection period.

(6) The Examination Board shall decide immediately whether to accept or reject the dissertation based upon the assessment reports and opinions. In case of a rejection, the Doctoral Committee shall issue the doctoral candidate with an official notice containing the reasons for rejection and enclosing information on the appeals procedure.

Sect. 11 Dissertation Defence (*viva voce*)

(1) The dissertation defence shall be held immediately after the end of the period allowed for submission of comments. The doctoral candidate shall be notified of the date and time by the Chairperson of the Doctoral Committee no later than two weeks ahead of time.

(2) The dissertation defence shall commence with an introductory talk. In this introductory talk (15 - 20 mins), the doctoral candidate should set out the results of his/her work and their significance within the relevant field. At the request of the doctoral candidate and with the consent of the Examination Board, the dissertation defence may be conducted in English. The dissertation defence should serve to demonstrate the ability of the doctoral candidate to discuss scientific/academic issues verbally. The dissertation defence should start with the dissertation and then broaden out into adjacent areas of the subject matter and include the latest state of research. The defence shall take the form of a peer review and generally last 45 - 60 minutes.

(3) The evaluation shall be conducted by the members of the Examination Board. During a dissertation defence, the Chairperson of the Examination Board may also allow questions from other persons who are entitled to attend. The consultation and announcement of the examination results to the doctoral candidate shall be closed to the public.

(4) University teachers within the faculty and members of the Doctoral Committee shall be eligible to attend the dissertation defence and subsequent peer review. Academic and scientific staff who hold doctorates and doctoral candidates within the faculty who have been accepted onto the List of Doctoral Candidates shall also be eligible to attend where no objection is raised by the doctoral candidate conducting the defence. The number of people in the audience may be restricted.

(5) Minutes of the dissertation defence shall be prepared, containing the key elements of the defence. The dissertation defence shall be evaluated in accordance with Sect. 12.

(6) Where the doctoral candidate fails to attend the examination appointment without just cause, or where he/she breaks it off without just cause, the proceedings shall be deemed to have been failed. Where just cause exists, a new appointment shall be convened. The corresponding judgement shall be made by the Doctoral Committee; where unjust cause is deemed to have been the case, the doctoral candidate shall be de-registered from the roll of students.

(7) A dissertation defence given the grade “unsatisfactory” may be repeated once. The repeat defence must take place within one year. Where the repeat defence is not passed, the doctorate attempt shall be deemed definitively unsuccessful.

Sect. 12 Evaluation of the PhD Examination

(1) The PhD Examination may be accorded the following overall marks:

- With merit (*summa cum laude*)
- Excellent (*magna cum laude*)
- Good (*cum laude*)
- Satisfactory (*rite*)
- Unsatisfactory (*insufficenter*).

(2) The Examination Board shall award the overall grade taking account of the assessments prepared on the dissertation, the comments received and the dissertation defence. The minutes must reflect the way in which the grade has been arrived at.

(3) The Chairperson of the Examination Board shall notify the doctoral candidate of the outcome directly after the dissertation defence. The Chairperson of the Doctoral Committee shall send the applicant official written notification within two weeks together with information concerning the appeals procedure.

Sect. 13**Publication & Conclusion of Proceedings**

(1) Once the Examination Board has deemed the doctoral candidate to have passed the doctorate, the version of the dissertation accepted by the Examination Board must be made available to the scientific and academic public in a suitable manner. Prior to publication, the Chairperson of the Examination Board shall verify that the doctoral candidate has met all requirements for editorial revision of the dissertation. Publication shall be undertaken by submitting, free of charge:

7 bound copies and one electronic copy of the dissertation in a file format and on a data storage medium as stipulated in the Implementation Rules.

In making the submission to the university library, the doctoral candidate simultaneously confers the right to produce further copies of his or her dissertation, to disseminate such copies or make them available on 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. Publication must include a note to the effect that it is a dissertation submitted by a doctoral candidate to the Medical Faculty of the University of Duisburg-Essen for the purpose of attaining a doctoral title; it must also include the date of the dissertation defence and the names of the assessors.

(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) Once the doctoral candidate has satisfied all the obligations specified by the Regulations Governing Doctoral Proceedings, he or she shall be presented – generally at the Medical Faculty's next doctoral degree ceremony – with a doctoral degree certificate in German and English duly signed by the Dean. It shall contain the name of the doctoral degree, the title of the dissertation, the overall grade and the name of the faculty and shall be dated as per the date of the dissertation defence. Use of the doctoral title before being presented with the PhD certificate is prohibited.

Sect. 14**Fraudulent Misrepresentation, Revocation & Administrative Offences**

(1) Should it become apparent, prior to presentation of the PhD certificate, that the doctoral candidate has been guilty of fraudulent misrepresentation (a category which also includes plagiarism) upon commencement of the PhD Examination or during the PhD Examination, the Doctoral Committee shall declare the doctoral proceedings to be null and void. In determining whether such fraudulent misrepresentation has taken place, the Doctoral Committee may avail itself of suitable software or other electronic resources.

(2) The doctoral degree shall be revoked where it becomes apparent, following presentation of the PhD certificate, that the PhD has been obtained by means of fraudulent misrepresentation or other forms of scholarly misconduct, or where material prerequisites for the award of the doctoral degree have been falsely assumed to have been met.

The decision shall be taken by the Faculty Council, duly enlarged to include all university teachers, acting on the recommendation of the Doctoral Committee. Para. 1 Sentence 2 shall apply *mutatis mutandis*.

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

(4) Any person deliberately attempting to commit fraudulent misrepresentation pursuant to Sect. 8 Para. 2 Item d) or f) shall be guilty of an administrative offence. The administrative offence may be punishable by a fine of up to 50,000 euros. The university registrar (*Kanzler*) shall be the administrative authority responsible for prosecuting and punishing administrative offences.

Sect. 15**Appeals Procedures**

Negative decisions made as part of the PhD Examination shall be delivered to the doctoral candidate in the form of a written notification including a statement of reasons for the decision and information concerning rights of appeal.

Appeals concerning Examination Board decisions must be lodged within one month of the announcement of such decisions and shall be ruled upon by the Doctoral Committee after hearing the views of the Examination Board and the doctoral candidate. In the case of appeals concerning decisions of the Examination Board regarding the written achievements or the doctoral defence, the Doctoral Committee shall be bound by the opinion formulated by the Examination Board concerning such appeals. Appeals concerning decisions of the Doctoral Committee shall be ruled upon by the Faculty Council after hearing the views of the Chairperson of the Doctoral Committee and the doctoral candidate.

Sect. 16**Entry into Force & Effect**

These Regulations shall enter into force and effect upon on the day after they are published in the Proclamation Journal (*Verköndungsblatt*) of the University of Duisburg-Essen.

Prepared on the basis of the resolution of the Faculty Council of the Medical Faculty dated June 2, 2016.

Duisburg and Essen, September 27, 2016

On behalf of the Vice-Chancellor
of the University of Duisburg-Essen
The Registrar
Dr Rainer Ambrosy

Annex 1: Supervision Agreement**Supervision Agreement between the doctoral candidate, doctoral supervisor and 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 in performing its respective responsibility for the success of the academic work. The expectations made of the doctoral candidates by the University and the obligations resulting therefrom are set out in this Supervision Agreement. The University and its university teachers shall meet their obligations and live up to their responsibilities to the fullest extent.

The aim of this Supervision Agreement is to ensure professional interaction between the parties and establish rules for avoiding and resolving conflict. Together with a structured organisation of the doctoral proceedings, this Agreement is intended to enable a doctoral degree to be attained within three years.

Rights of the doctoral candidate:

The doctoral candidate may expect to receive academic, personal and objective support in his or her doctoral work. The University shall grant the doctoral candidate appropriate access to the necessary resources and shall assist him or her in gaining access to sources and resources in other locations as required.

The doctoral candidate may expect the subject of the dissertation to be defined in collaboration with the doctoral supervisor upon commencement of the doctoral proceedings. Milestones, expected time frames and expectations of the supervisor and the doctoral candidate shall be specified and set out at this time.

The doctoral candidate shall have 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 to date, his or her prospects for completing the doctorate successfully and further actions to be taken. Where the dissertation topic has to be modified, this shall be agreed upon. Concise minutes of this meeting shall be prepared.

Where a doctoral candidate perceives difficulties or problems, it shall be in the interest of all parties concerned to resolve these as quickly as possible. Such obstacles should be removed by informal action whenever possible. Where the problems prove insoluble, the doctoral candidate shall be entitled to lodge a formal complaint. To such end the faculties shall create the institution of an additional supervisor for all doctoral candidates. As an individual not involved in the subject matter, the additional supervisor is intended to be of assistance in resolving conflicts and ensuring the progress of the academic work. Conflicts which do not yield to mediation shall be resolved by the Doctoral Committee which shall be at pains to identify a new supervisor as required. The doctoral candidate shall be entitled to be kept continually informed on the handling of his or her complaint.

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

The doctoral candidate may expect the University to assist him or her in developing the skills required to carry out independent academic work. The faculty shall offer suitable courses and training programmes for this purpose.

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

The doctoral candidate may 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 opportunities for obtaining financial support and sponsoring, e.g. scholarships, projects, grants, academic prizes, etc.

The doctoral candidate shall have the right to expect that all persons involved in the doctoral proceedings shall be at pains to ensure that the evaluation and examination procedures are carried out with all due speed.

The doctoral candidate may expect the faculty to make provision to ensure that he or she shall be able to complete his or her doctorate even if his or her supervisor can no longer meet his or her obligations for unavoidable reasons (departure, illness, death, etc.).

Rights of the University and the doctoral supervisor:

The University and the supervisor may expect the doctoral candidate to be committed to his or her research project. In carrying out the research project, the doctoral candidate shall thus be expected to demonstrate the necessary commitment and invest the agreed amount of effort.

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

The doctoral supervisor may expect the doctoral candidate to keep him or her informed of the progress of the dissertation. In particular, the supervisor may expect to be notified without delay of any difficulties or problems encountered.

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

The supervisor may 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 play his or her part in complying with the rules concerning documentation.

The supervisor may 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 to achieve financial or economic exploitation of academic findings. To this end, agreements concerning confidentiality, non-disclosure and intellectual property rights shall be observed by all parties. Exploitation in the form of patents, utility models, trademarks, etc. shall be conducted via the University. Such exploitation may not result in any inappropriate impediment to the doctoral proceedings or to academic publication.

General rules:

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

The University shall strive 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 attain 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: Model Statement “Commercial Consulting on Doctoral Proceedings” (Sect. 6 Para. 2 Item f)

I hereby make the following statement:

I have not obtained the opportunity to take part in these doctoral proceedings via commercial channels. In particular, I have not engaged the services of any organisation which will, for a fee, seek out supervisors for the process of preparing doctoral dissertations or carry out, in whole or in part, the tasks which I am obliged to perform as part of the examination requirements. Assistance from third parties has been obtained, and shall in the future be obtained, only to such extent as be commensurate with good scholarly practice and be permitted under examination laws.

I am aware that the making of false declarations in the foregoing statement may result in my being excluded from the PhD proceedings and/or may subsequently result in termination of proceedings or revocation of the doctoral title.

Annex 3: Statement (Sect. 8 Para. 2 Items e to g)

I hereby make the following **statement**:

I hereby warrant that I have not used any sources or resources other than those indicated in the paper and that I have marked as such all passages which have been reproduced verbatim or in substance.

I further warrant that I have not undertaken any failed attempt to acquire a doctorate in medicine, medical studies or dentistry. I further warrant that I have not yet acquired elsewhere the doctorate being hereby applied for and that I have not submitted as part of any other proceedings the dissertation so presented.

I am aware that the making of false declarations in the foregoing statement may result in my being excluded from the PhD proceedings or may subsequently result in revocation of the doctoral title.

Annex 4: Implementation Provisions for the Medical Faculty PhD Programmes

Implementation Rules for the respective PhD Programmes are published at
<https://www.uni-due.de/med/de/organisation/download.shtml>.

