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**Doctorate Rules and Regulations
of the Department of Law
of Freie Universität Berlin**

Preamble

The expanded faculty council of the Department of Law of Freie Universität Berlin has, based on Section 14, para. 1, sub-para. 2 of the partial basic regulation of October 27, 1998 (FU Regulation 24/1998) in conjunction with Section 70, para. 5 of the Provision on Admission to Universities in the State of Berlin (Berliner Hochschulgesetz - BerlHG) dated February 13, 2003 (GVBl. p.81), most recently amended by the law of July 6, 2006 (GVBl. p. 713) on February 14, 2007, issued the following doctorate regulation of the Department of Law of Freie Universität Berlin*:

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I. DOCTORAL DEGREES

**§ 1
Doctoral Degrees**

¹ The faculty council of the Department of Law of Freie Universität Berlin confers the degree "Doctor of law" (doctor iuris: abbreviated Dr. jur.) and the degree "Honorary Doctor of Law" (doctor juris honoris causa: abbreviated Dr. jur. h. c.). The possibility of conferment of doctoral degrees within the context of the international university cooperation pursuant to Section 26 is not affected.

II. DOCTORATE FOR A DOCTOR OF LAW

**§ 2
Doctoral Work**

(1) The doctorate confirms the applicant's ability for in-depth jurisprudential work.

(2) ¹The doctorate is awarded on the basis of a dissertation (Sections 8 - 16) and an oral exam (Sections 17 to 20). ² Both must have been graded with at least "rite (sufficient)".

**§ 3
Assessment**

(1) The doctoral work shall be graded with one of the following grades:

Summa cum laude (outstanding) 1

Magna cum laude (very good) 2

Cum laude (good) 3

Rite (sufficient) 4

Insufficenter (insufficient) 5

(2) To the extent individual grades are used to calculate a final grade, the final grade shall be calculated up to two decimal places without being rounded up or down.

(3) The calculated results correspond to the following grades:

1.00 - 1.50 = summa cum laude (outstanding) 1

1.51 - 2.50 = magna cum laude (very good) 2

2.51 - 3.50 = cum laude (good) 3

3.51 - 4.00 = rite (sufficient) 4

**§ 4
Doctorate Admission Requirements**

(1) The candidate can only be admitted to the doctorate, if he or she fulfills the admission requirements listed under 2, 3, or 4, submits a proper admission application (Section 5) and there is no particular reason to reject the application as per Section 6.

(2) ¹Applicants that completed their studies in the Federal Republic of Germany must

1. Have passed the first or second legal state examination in accordance with the German Law on Judges (DRiG) in the version valid until June 30, 2003 or the first legal state examination pursuant to DRiG in the version valid from July 1, 2003 with "above average [vollbefriedigend]"

or

2. have passed the first or second legal state examination in accordance with the German Law on Judges (DRiG) in the version valid until June 30, 2003 or the first legal state examination pursuant to DRiG in the version valid from July 1, 2003 with "satisfactory".

²In this event, admission is also subject to

a) The presentation of a certificate on a seminar from the Department of Law of Freie Universität Berlin or the Law Department of an associated university that was passed with the grade "good" or higher

or

b) the degree of a Legum Magister or Magistra with at least the grade "magna cum laude".

(3) ¹Applicants that have completed their studies in the Federal Republic of Germany also fulfill the admission requirements if they have obtained a jurisprudential university degree pursuant to Section 34 BerlHG with a final grade „above average“ or better and have passed at least two final exams each in the fields of study Civil Law, Criminal Law, and Public Law, and one term paper in one of the listed fields of study pursuant to Section 13, para. 1 of the Rules and Regulations of the Department of Law of Freie Universität Berlin for the intermediate examination and the concentration area examination of the university in the legal study program with the aspired degree of the first legal state examination (examination regulations) dated May 21, 2003 (FU Communication 40/2003).

²Applicants attempting to prove their respective qualification in terms of Section 35, para. 3, sub-para 1 BerlHG can, as an exception, be exempt from the requirements listed in sentence 1.

(4) Applicants that have completed their studies in another country must

1. Have passed a jurisprudential examination with "above average [vollbefriedigend]" that is equivalent to the examination listed in para. 1, sub-para. 1, and

a) Have obtained two graded course assessments in the German Civil Law, Criminal Law, or Public Law at a university

or

b) Have obtained the degree of Legum Magister or Magistra from the Department of Law of Freie Universität Berlin with at least the grade "magna cum laude", or

2. Have passed a jurisprudential examination with "satisfactory" that is equivalent to the examination listed in para. 2, sub-para. 2, and

a) Have obtained two graded course assessments from a university in German Civil Law, Criminal Law, or Public Law, one of which must be a seminar certificate with the grade "good" or higher

or

b) Have obtained the degree of Magistra or Magister legume from the Department of Law of Freie Universität Berlin with at least the grade "magna cum laude", or

3. Have obtained a non-jurisprudential university degree with equal success and passed at least two final examinations in the areas of study Civil Law, Criminal Law, and Public Law

and one term paper in one of the listed areas of study as per Section 13, para. 1 of the Rules and Regulations of the Department of Law of Freie Universität Berlin for the intermediate examination and the concentration area examination of the university in the legal study program with the aspired degree of the first legal state examination (examination regulations) dated May 21, 2003 (FU Communication 40/2003).

(5) ¹The doctoral committee shall make the decisions on the equivalency and the exemption from examinations and exam grades in terms of para. 2, sub-para. 3 and para. 3. ²In the event of doubt, the committee shall obtain information from the Central Office for Foreign Education Systems [*Zentralstelle für ausländisches Bildungswesen*]. ³The committee can already make a decision before the submission of an admission application (Section 5).

(6) Admission will be refused, if

1. The applicant was already awarded a Dr. jur. or related doctoral degree, or has obtained a foreign university degree that is recognized as equivalent in the Federal Republic of Germany

or

2. The circumstances under which an academic degree can be revoked are given (Section 31).

(7) ¹Usually, a dissertation project is supervised by a professor from the Department of Law. ²If a supervisor leaves Freie Universität Berlin, the supervisor shall be entitled to complete the supervision of a commenced dissertation and to remain a member of the doctoral commission.

(8) ¹Should a candidate apply for admission to the final doctoral phase without naming a supervisor, the doctoral commission shall, together with the applicant, try to find a professor from the Department, who is qualified to supervise the dissertation project. ²If it is not possible to find a professor from the department, who would be willing to supervise the project, the candidate can only be admitted to the department's doctoral procedure, if the dissertation's supervision is assured. ³If warranted, external supervisors are allowed subject to Section 11.

§ 5 Admission Application

(1) ¹The applicant shall submit the application for admission to the doctorate to the dean in writing. ²Concurrently, he or she may

apply for acceptance of a dissertation in another language (Section 8, para. 2) and/or the initiation of the examination procedure (Section 9).

(2) The application must also include:

1. Proof that the requirements listed in Section 4, para. 2 have been fulfilled,
2. His or her assurance that he or she has not already been awarded a Dr. jur. or a related doctoral degree, or has obtained a foreign university degree that is recognized as equivalent in the Federal Republic of Germany,
3. A certificate of good conduct not older than three months pursuant to Section 30, para. 1 and 5, and Section 31 of the BZRG (National Central Registry) in its respectively valid version.
4. His or her assurance that he or she shall inform the department immediately, if, at a later point, he or she no longer fulfills the admission requirements.

(3) The application shall be deemed as not filed, if the doctoral candidate withdraws it by submitting a written statement to that affect to the dean before the dissertation is laid open (Section 14).

§ 6 Decision on the Admission

(1) The dean shall verify that all necessary documents have been submitted and shall, if necessary, request additional documents.

(2) If the requirements (Sections 4, 5) have been fulfilled, the dean shall admit the applicant to the doctorate.

(3) Should the dean believe that the requirements (Sections 4, 5) have not been fulfilled, or if the dean, another member of the doctoral committee, or a professor from the department not be sure that they have been fulfilled, the doctoral committee shall decide.

(4) The dean shall inform the applicant on the decision in writing within two weeks.

§ 7 Registration as Doctoral Candidate

(1) Doctoral candidates who are not already members of Freie Universität Berlin because they work for the university or are enrolled in a study program must register or enroll as a doctoral candidate at the Freie Universität Berlin.

(2) ¹If the candidate does not register within the time period provided in the notice of admission to the final doctoral phase and/or the grace period, the admission to the final doctoral phase shall expire. ²This does not, however, preclude a new application for admission to the doctoral procedure.

§ 8 Dissertation

(1) ¹The dissertation is a jurisprudential paper that is based on independent research, confirms the candidate's ability to do in-depth jurisprudential work and must usually be completed within four years (normal doctoral period). ²It must relate to a subject area that is represented by at least one professor from the department. ³Should a doctoral candidate exceed the normal doctorate period, he or she must present a statement from the doctoral committee to the university administration indicating the status of the dissertation and the amount of time the candidate probably still requires. ⁴If the statement is not submitted within three months of the doctoral candidate having been asked to do so for reasons the doctoral candidate is responsible for, the admission to the doctoral program expires.

(2) ¹As an exception and if approved by two professors that teach the subject area the dissertation deals with, the doctoral committee may approve the submission of a dissertation in another language that must be accompanied by a summary in German. ²The doctoral committee can require doctoral candidates to submit a German translation at the same time or at a later date. ³The doctoral candidate shall bear the costs. ⁴When in doubt, the German translation shall be authoritative.

(3) The dissertation may not

1. Have been published prior to its submission without the approval of the doctoral committee or be published before the conclusion of the procedure and
2. Have been submitted within the context of another procedure to obtain a university degree in terms of Section 34 BerlHG and/or a similar degree or be submitted before the conclusion of the procedure. ²This does not apply to the resubmission of a dissertation in terms of Section 9, para. 5.

(4) Prior to finalizing the dissertation, the doctoral candidates should have the opportunity to discuss the results and the methods that were used within the context of seminars, colloquia, or conferences.

§ 9 Initiation of the Examination Procedure

(1) The doctoral candidate shall submit an application for the initiation of the examination procedure to the dean in writing.

(2) In this application, the doctoral candidate shall assure that

1. He or she authored the dissertation independently and that he or she has not used any other sources or aids than those listed by him or her
2. He or she continues to fulfill the admission requirements (Section 4, para. 1) and that he or she would immediately inform the department of any changes.

(3) The application should be accompanied by

1. At least three typed copies of the dissertation,
2. A resume,
3. A list of all scientific papers he or she has published,
4. A certificate of good conduct not older than three months pursuant to Section 30, para. 1 and 5, and Section 31 BZRG in the respectively valid version.

(4) Section 6 applies accordingly for the admission to the exam.

(5) ¹The application as per para. 1 shall be deemed as not filed, if the doctoral candidate withdraws it by submitting a written statement to that affect to the dean before it is laid open (Section 14). ²The doctoral candidate may withdraw the application referring to the jurisprudential paper the first application is based on (Section 8, para. 1, sub-para. 1) only one time.

§ 10 Reviewer Appointment

(1) ¹The dissertation shall be reviewed by two professors from the department. ²Sections 11 and 12 shall not be affected. ³One of the reviewers must be a full-time professor.

(2) The doctoral committee shall appoint the reviewer immediately after the doctoral candidate has been admitted to the examination (Section 9 in connection with Section 6). If the dissertation was supervised by a professor from the department, the doctoral committee shall normally appoint that professor as the reviewer.

**§ 11
Other Reviewer**

Notwithstanding Section 10, para. 1, sub-para. 1, the doctoral committee may also appoint a professor as a second reviewer, if the characteristics of the dissertation's topic seem to necessitate such a step.

**§ 12
External Reviewers**

(1) Notwithstanding Section 10, para. 1, sub-para. 1, and subject to that professor's approval, the doctoral commission may also appoint a professor as a reviewer

1. Who is no longer a member of that department and who had agreed to supervise dissertation prior to leaving the department or
2. Who is a member of the Institute for Macro-Economics and Business Law of the Department for Economics and Management of Technische Universität Berlin or
3. Who is a member of another department of this university or another university.

(2) At least one reviewer must, however, be a member of this department.

**§ 13
Dissertation Assessment**

(1) ¹Each of the two reviewers shall receive one copy of the dissertation. ²Generally, the reviewers shall draft their opinions within four months. ³If this time limit is exceeded, the doctoral committee shall decide on how to proceed.

(2) Each reviewer shall grade the dissertation by using the grading system listed in Section 3, para. 1, or shall recommend to the committee of examiners that the dissertation be returned to the doctoral candidate for revision purposes by clearly stating the deficiencies to be corrected.

(3) The opinions must be treated confidentially.

**§ 14
Exhibition of the Dissertation and the Opinions**

(1) Immediately upon receipt of the last opinion, the dean shall exhibit the dissertation along with the opinions in the dean's office for one month.

(2) The dean shall inform the doctoral candidate, the department's women's representative, the members of the faculty council, and all professors of the department prior to the beginning of the period during which the dissertation and the opinions are to be laid open in a timely fashion.

(3) The women's representative, the members of the faculty council, and all members of the department that have a doctorate are entitled to review the dissertation and the opinions, and to submit written comments to the dean until one week after the end of the period during which the dissertation must be laid open.

(4) If there are important reasons, the dean may extend the time period during which the dissertation must be laid open (para. 1) or the time period during which comments may be submitted (para. 3) by up to one month.

**§ 15
Committee of Examiners**

(1) At the latest after the opinions have been received, the doctoral committee shall form the doctoral commission for subsequent proceedings.

(2) The doctoral commission shall assess the dissertation (Sections 16 and 20, para 1.), shall conduct the oral exam (Sections 17 - 19, and 20 para. 2), and shall grade the oral exam and establish the final grade (Section 20, para. 2).

(3) ¹The doctoral commission shall decide on the grades in closed meetings by way of open ballot, without abstention, and by simple majority. ²If there is a tie, the vote of the chair shall be the deciding vote.

**§ 16
Decision on the Acceptance of the Dissertation**

(1) ¹At the end of the period during which the dissertation has to be laid open (Section 14), the doctoral commission shall decide (Sections 15 and 28) on the acceptance of the dissertation on the basis of the opinions (Section 13) and under consideration of the written comments in terms of Section 14. ²The acceptance of the dissertation may be decided upon the suggestion of the chair in a 14 day circular memorandum procedure, if a meeting of the commission is not requested by one of its members; Section 15, para. 3 applies accordingly to the circular memorandum procedure.

(2) ¹The doctoral commission can return a dissertation that was not accepted pursuant to para. 1 to a doctoral candidate one time for revision purposes, if one of the reviewers makes a respective suggestion. ²It may in collaboration provide the doctoral candidate with the reviewer with a revision deadline.

(3) If the dissertation is not accepted, the examination shall, subject to para. 2, be deemed as not passed, and the doctoral procedure shall be terminated without an oral exam.

§ 17

Subject Matter and Content of the Oral Exam

(1) ¹The oral exam consists of a jurisprudential presentation to be held by the doctoral candidate and a subsequent exchange. ²Its purpose is to prove the doctoral candidate's ability to verbally explain and discuss jurisprudential problems. ³It shall take approximately sixty minutes. ⁴It is to be held in German; if requested by the doctoral candidate, the doctoral committee may, jointly with the doctoral commission, approve exceptions (Sections 15 and 28).

(2) ¹The oral exam begins with the presentation. ²The presentation should take no longer than twenty minutes. ³The topic of the presentation that cannot have been taken from the dissertation, can be suggested by the doctoral candidate, and decided upon (Section 18) by the doctoral commission (Sections 15 and 28).

(3) ¹Immediately following the presentation, a scientific exchange about the presentation takes place. ²It may also touch on topics related to the presentation topic. ³The exchange should take approx. forty minutes.

(4) The presentation and the scientific exchange are open to the university, provided the doctoral candidate does not object.

§ 18

Determination of the Presentation Topic

(1) The chair of the examination board (Sections 15 and 28) shall require the doctoral candidate immediately after the commission has come to a decision on the acceptance of the dissertation (Section 15, para. 2 and 1) to submit a written proposal regarding the presentation topic (Section 17, para. 2) and to provide explanations for that choice.

(2) ¹The chair of the commission shall inform its members on the doctoral candidate's proposal. ²The examination board shall decide on the proposal within two weeks, if necessary, by way of a circular memorandum. ³Should the examination board not approve the proposal, it shall request the doctoral candidate to suggest another topic. ⁴The doctoral candidate shall be apprised of all decisions of the examination board immediately in writing.

§ 19

Invitation to the Oral Exam

(1) ¹Immediately after the presentation topic has been decided upon (Section 18), the chair of the examination board (Sections 15 and 28) shall invite the doctoral candidate to the oral exam in writing. ²The invitation shall list the topic and the committee of examiners.

(2) ¹The minimum notice period shall be two weeks. ²The doctoral candidate may waive compliance with the minimum notice period.

(3) The doctorate is not passed, if the doctoral candidate misses the oral exam for reasons he or she is responsible for.

§ 20

Decision on the Doctorate

(1) The committee of examiners (Sections 15 and 28) decides prior to the oral exam on the grade for the dissertation. This is based on the opinions (Section 13) and the written comments (Section 14, para. 3) submitted by persons entitled to weigh in on the doctoral procedure.

(2) ¹Immediately following the end of the oral exam, the committee of examiners shall decide on the result and the final grade of the doctorate pursuant to Section 3. ²The grade of the dissertation shall constitute 70%, and the grade of the oral exam 30% of the final grade.

(3) The committee shall verbally inform the doctoral candidate of the result of the exam and the grades for the individual components immediately after their deliberations.

(4) ¹If the oral exam is graded as "insufficient", the doctoral candidate may retake the oral exam once. ²The second exam should take place within one year, but at the earliest six months after the date of the first oral exam. ³Should the doctoral candidate miss the second oral exam for reasons he is responsible for (Section 19, para. 3) or should this exam be graded as "Insufficienter", the doctorate shall be considered as irrevocably failed.

§ 21

Dissertation Publication

(1) ¹If the doctoral candidate passes the doctorate, he or she shall have the dissertation printed at his or her own expense. ²§ 23 shall not be affected.

(2) ¹The printed version must, subject to Sentences 2 and 3, be identical with the dissertation that was assessed. ²Any conditions imposed by the doctoral committee regarding the printing

must be taken into consideration. ³Other deviations including abridgments, are only allowed if they do not change the scientific substance of the paper, and must be approved by the dean.

(3) The printed copies must denote the paper as a dissertation of the Department of Law of Freie Universität Berlin and also list the date of the oral exam and, subject to a decision of the doctoral committee to the contrary, the names of the reviewers.

§ 22 Required Copies

(1) The doctoral candidate shall submit 150 printed copies of the dissertation (Section 21) to the department (required copies) within one year after the oral exam.

(2) ¹If the doctoral candidate wants to have the dissertation published by a publishing house, and if the publication by the publishing house guarantees a respective dissemination of the paper as per para. 1, the dean can exempt the doctoral candidate from his or her submission duty as per para 1. ²In this case, the doctoral candidate shall provide the department with 10 copies of the dissertation (Section 21) printed by the publishing house within two years after the date of the oral exam.

(3) Upon request from the doctoral candidate, the dean can also extend the deadlines described in paragraph 1 and 2 for important reasons.

§ 23 Electronic Version of the Dissertation

(1) Instead of having the dissertation printed (Section 21 and 22), the doctoral candidate may, after having successfully passed the doctorate, opt for an electronic version of his or her dissertation.

(2) ¹With regard to data format and the type and number of data carriers, the guidelines of the university libraries of Freie Universität Berlin apply. ²Prior to becoming effective, the doctoral candidate must also discuss the data format and the type and number of data carriers with the university library.

(3) The doctoral candidate shall submit forty, in the event of an agreement with a publishing house (Section 22, para. 2) ten printed copies of the dissertation and the electronic version (pursuant to paragraphs 1 and 2) within one year after the oral exam.

(4) Section 21, para. 2 and 3 apply to printed and electronic copies of the dissertation (para. 1 and 2) accordingly.

(5) Section 25 shall not be affected.

§ 24 Doctoral Certificate

(1) ¹The department shall confer the doctoral degree pursuant to Section 1 by handing out the doctoral certificate. ²The dean shall hand the certificate to the doctoral candidate within four week upon compliance with the submission provisions (Sections 21, 22, and 23).

(2) The handed-out doctoral certificate entitles the doctor to use the doctoral degree (Section 1).

(3) The certificate must include

1. The names of Freie Universität Berlin and the Department of Law,
2. The name of the doctor,
3. The doctoral degree (Section 1),
4. The title of the dissertation,
5. The date of the doctorate (date of the oral exam),
6. The grade of the dissertation (Sections 15, para. 2, 20 para. 1), the grade of the oral exam (Section 20, para. 2, first half-sentence), and the final grade of the examination (Section 20, para 2, second half-sentence) in Latin and German.
7. The function description, the name and signature of the dean and/or the chair of the committee of examiners,
8. The seal of Freie Universität Berlin.

§ 25 Preliminary Use of the Doctoral Degree

(1) ¹If the doctoral candidate pursuant to Section 22, para. 2, sub-para. 1, and Section 23, para. 4 is exempt from the submission requirements as per Section 22, para. 1 and if he or she presents a publishing contract that was signed by both parties, the dean shall, upon request, grant him or her the permission to temporarily use the degree of a doctor of law. ²This permission relating to the temporary use is limited to a maximum of two years. ³It expires if the submission requirements as per Section 22, para. 2, sub-para. 2 are not fulfilled within the time limits provided.

(2) If the publication as per Section 21, para. 2, sub-para. 2 was subject to conditions, the permission as per para. 1 can only be issued, if the conditions have been satisfied.

III. JOINT DOCTORATE WITH FOREIGN EDUCATIONAL INSTITUTIONS

§ 26 Joint Doctorate with Foreign Educational Institutions

(1) The final doctoral phase can be carried out jointly with foreign universities or similar educational institutions, if:

a) The applicant fulfills the prerequisites for admission to the doctoral procedure at the Department of Law of Freie Universität Berlin

and

b) The foreign university or equivalent educational institution has the right to grant doctorates in accordance with its national legal regulations, and the respective degree to be awarded would have to be recognized as a doctoral degree within the area of application of the Framework Act for Higher Education.

(2) The departments, faculties, or equivalent institutions must enter into an agreement stipulating how the joint doctoral procedure should, on a case by case basis and generally, be carried out. These agreements apply in addition to the provisions of these rules and regulations. The equivalency with the respectively applicable provisions of these rules and regulations must be guaranteed with regard to requirements and procedures.

IV. BOARDS

§ 27 Doctoral Committee

¹The faculty council shall appoint a doctoral committee.

²This doctoral committee includes, due to his or her function, the dean and the vice deans. ³The faculty council shall furthermore appoint one academic staff member and one doctoral candidate as well as their substitutes. ⁴Members without a doctorate shall have an advisory function.

§ 28 Committee of examiners

¹The committee of examiners consists of four full-time professors or three full-time professors and one part-time professor, one academic staff member with a doctorate and

one doctoral candidate. ²The reviewers can be members of the committee of examiners. ³Instead of the academic staff member with a doctorate, also an academic staff member without a doctorate can be a member of the commission. ⁴Commission members without a doctorate have an advisory function. ⁵The most senior full-time professor of the department in the commission shall be the chair, if the dean or a vice dean is not attending.

V. DOCTORATE FOR AN HONORARY DOCTOR OF LAW

§ 29 Doctoral Work

(1) The faculty council can award the degree "Honorary Doctor of Law" (doctor juris honoris cause: abbreviated Dr. jur. h.c.) for outstanding scientific work that are of great importance for the law or jurisprudence (Section 1).

(2) Sections 10 - 13 (except for Section 13, para 1, sub-para 1 and para 2) apply accordingly to the assessment of the work of the person to be honored.

§ 30 Conferment

(1) The faculty council confers the degree "Honorary Doctor of Law" (doctor juris honoris cause: abbreviated Dr. jur. h. c.) (Section 1) by presenting the honorary doctoral certificate.

(2) The conferment and honoring of the work of the person honored on the certificate (para. 2, sub-para. 4) require the approval of two-thirds of the voting members of the expanded faculty council (Section 70, para. 5 BerlHG).

(3) ¹The dean shall present the certificate to the honoree within the context of a public meeting of the expanded faculty council (Section 70, para. 5 BerlHG). ²The presented certificate entitles the honoree to use the degree „Honorary Doctor of Law“ (abbreviated Dr. jur. h. c.) (Section 1).

(4) The certificate must include

1. The names of Freie Universität Berlin and the Department of Law,
2. The name of the honoree,
3. The doctoral degree (Section 1),

4. The acclaim of the honoree's work
5. The date of the doctorate and the date the certificate was presented,
6. The function description, and the name and signature of the dean,
7. The seal of Freie Universität Berlin.

VI. GENERAL REGULATIONS

§ 31 Non-Compliance with Doctorate Requirements

(3) If it is learned before the certificate is presented that

1. the doctoral candidate
 - a) Is not worthy of a doctoral degree, or
 - b) Has been untruthful with regard to important requirements for the conferment of the doctoral degree

or

2. The fulfillment of essential requirements for the conferment of the doctoral degree had erroneously been assumed without the situation described under 1 being the case,

the doctoral certificate shall, subject to a decision to the contrary by the doctoral committee, not be presented and in the case of a doctoral procedure as per Sections 2 - 24, the entire examination be declared as not passed.

§ 32 Revocation of the Doctoral Degree

The revocation of the doctoral degree is governed by Section 24, para. 7 and 8 BerlHG.

§ 33 General Process Regulations

The provisions of the Regulations on the Procedures of the Administration of Berlin dated December 8, 1876 (GVBl. p. 2735, 2898) additionally apply.

§ 34 Legal Effectiveness, Expiration, and Interim Regulations

(1) These doctorate rules and regulations shall become effective one day after their publication in the Communications (official register of Freie Universität Berlin). Concurrently, the doctorate rules and regulations dated February 14, 2001 (FU Communication 02/2002), amended on April 23, 2003 (FU Communication 46/2003) shall become invalid.

(2) The doctorate rules and regulations dated February 14, 2001 (FU Communication 02/2002), amended on April 23, 2003 (FU Communication 46/2003) shall continue to be effective

1. For procedures that had already been initiated at the time these doctorate rules and regulations became effective;
2. For doctoral candidates that were working on a dissertation at the time these doctorate rules and regulations became effective, if they submit a respective request within 6 months after they became effective and the examination procedure (Section 9) shall take place within three years after they became effective.

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