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## **Ordinance on the Conferral of a Doctorate of Jurisprudence (Dr. iur.) at the Faculty of Law of the University of Zurich (Ordinance for obtaining a Doctoral degree)**

(dated 25 May 2009)<sup>1</sup>

The Board of the University has resolved:

### **Part 1: General Provisions**

#### **Section 1: Basic Principles**

##### *Scope of application*

§ 1. <sup>1</sup> The ordinance for obtaining a Doctoral degree governs the doctorate of the Faculty of Law of the University of Zurich.

<sup>2</sup> Special regulations resulting from agreements with other faculties remain reserved.

##### *Supplementary provisions*

§ 2. <sup>1</sup> In accordance with § 4 para. 2, the more detailed structure of the PhD programs is specified in the Doctoral program regulations issued for this purpose.

<sup>2</sup> The framework regulations for studies in the Bachelor's degree and Master's degree programs at the Faculty of Law of the University of Zurich and the Master of Law program regulations apply analogously to questions that are not covered in this ordinance for obtaining a Doctoral degree and in the Doctoral program regulations.

<sup>3</sup> The Faculty Assembly decides on questions that are not covered there either.

<sup>4</sup> The Dean decides in individual cases.

##### *Messages*

§ 3. <sup>1</sup> An annotated course catalogue (Web VVZ) for each semester is published on the website of the Faculty of Law along with important messages for the doctorate.

<sup>2</sup> Information relating to the doctorate is also sent to the Doctoral candidates via a personal UniAccess account, which is opened on matriculation. Information is considered received as soon as it can be accessed from the UniAccess mailbox.

<sup>3</sup> Students may not claim lack of knowledge of the contents of a delivered e-mail, of information sent through the official communication channels used by the Dean's Office, or of information contained in valid fact sheets.

## **Section 2: Types, Structure, and Objectives of the Doctoral Degree**

### ***Types of Doctoral degree***

§ 4. <sup>1</sup> The Faculty of Law offers the individual doctorate and PhD programs.

<sup>2</sup> For the PhD programs, it distinguishes between

- a. the PhD program of the Faculty of Law and
- b. the cross-faculty PhD programs.

### ***Structure of the Doctoral degree***

§ 5. <sup>1</sup> The individual doctorate comprises:

- a. writing a dissertation in accordance with § 18,
- b. attending at least two colloquiums in accordance with § 24 equating to at least 12 ECTS credits.

<sup>2</sup> The PhD programs comprise:

- a. writing a dissertation in accordance with § 18,
- b. modules in accordance with § 23 equating to at least 30 ECTS credits.

<sup>3</sup> Doctoral program regulations may include additional requirements for the cross-faculty PhD programs.

### ***Objectives of the Doctoral degree***

§ 6. <sup>1</sup> The dissertation is to make an independent contribution to research.

<sup>2</sup> The Faculty of Law PhD program also aims to impart the skills needed for employment in research and teaching. In doing so, teaching skills are to be imparted and encouraged in view of a possible academic career.

<sup>3</sup> The objectives of the cross-faculty PhD programs are specified in the respective Doctoral program regulations.

## **Section 3: Organization and Implementation**

### ***Individual doctorate***

§ 7. The individual doctorate is organized and implemented by the governing bodies of the faculties.

### ***Faculty of Law PhD program***

§ 8. <sup>1</sup> The Faculty of Law PhD program is organized and implemented by the governing bodies of the faculties.

<sup>2</sup> The Faculty Council uses an admissions committee for the admission process.

<sup>3</sup> A PhD committee is to be established for each PhD candidate in accordance with the provisions of the Doctoral program regulations, which will ensure that the PhD candidate receives appropriate supervision.

### ***Cross-faculty PhD program***

§ 9. <sup>1</sup> The faculties involved in a cross-faculty PhD program establish a joint governing body, of which at least one person from each of the faculties involved is a member, and which will guarantee contact between the faculties involved.

<sup>2</sup> Additional governing bodies, in particular a faculty PhD committee and a coordination office, may be created, which are responsible for planning, implementing, and coordinating the PhD program and for supervising the Faculty of Law's PhD candidates.

<sup>3</sup> The more detailed structure of the organization, the PhD program, and the official assessments to be made are specified in the respective Doctoral program regulations.

## **Part 2: Admission to the Doctorate**

### **Section 2: Admission to the Individual Doctorate**

#### ***Graduates of the University of Zurich***

§ 10. <sup>1</sup> Candidates who have obtained a Master of Law degree or a licentiate degree in law from the University of Zurich with the distinction *summa cum laude* or *magna cum laude* are entitled to admission.

<sup>2</sup> Candidates who have not achieved the distinction specified in paragraph 1 will be admitted to the doctorate if a member of the professorial staff has indicated willingness to assume supervision.

#### ***Graduates of other Swiss universities***

§ 11. Candidates who have obtained a Master of Law degree or a licentiate degree in law from another Swiss university are admitted if a member of the professorial staff has indicated willingness to assume supervision.

#### ***Graduates of foreign faculties of law***

§ 12. <sup>1</sup> Graduates who have obtained a Master of Law degree, or a degree that is recognized as being of equal value in accordance with § 41 lit. b of the Ordinance on admission to studies at the University of Zurich, from a foreign faculty of law are admitted if a member of the professorial staff has indicated willingness to assume supervision.

<sup>2</sup> Admission may be linked to conditions or restrictions.

<sup>3</sup> The Dean decides on admission.

### ***Admission for candidates with degrees in another field of study***

§ 13. <sup>1</sup> Admission is possible with a Master's degree in another field of study recognized by the University of Zurich, or a university educational background recognized as being of equal value, in individual cases. §§ 10–12 apply analogously. There is no legal entitlement to be admitted to a program.

<sup>2</sup> Admission may be linked to conditions or restrictions.

<sup>3</sup> The Dean decides on admission.

<sup>4</sup> Continuing education qualifications at the Master of Advanced Studies level and courses of equal value do not entitle candidates to admission to the doctorate. However, they may be taken into consideration in the decision on admission if the continuing education was successfully completed in the field of law.

### ***Refusal of admission***

§ 14. Candidates who were irrevocably dismissed from the Faculty of Law of the University of Zurich or another faculty of law because they failed their examinations or failed to comply with examination deadlines will not be admitted to the doctorate.

### ***Registration***

§ 15. Registration is based on the Ordinance on admission to studies at the University of Zurich.

## **Section 2: Admission to the PhD Programs**

### ***Admission***

§ 16. <sup>1</sup> The provisions for admission to the individual doctorate apply analogously. However, there is no general entitlement to be admitted to the program.

<sup>2</sup> Restrictions on admission as well as conditions and other restrictions may apply.

### ***Registration***

§ 17. <sup>1</sup> Registration is based on the Ordinance on admission to studies at the University of Zurich and requires evidence of admission to a PhD program.

<sup>2</sup> The admission process is governed by the respective Doctoral program regulations.

## **Part 3: Dissertation**

### ***Content of the dissertation***

§ 18. <sup>1</sup> The dissertation must be drafted in the form of a monograph. Commentaries are not recognized as a dissertation. In all other respects, § 6 para. 1 applies.

<sup>2</sup> In justified cases, previously published work may also be accepted as a dissertation; this is not the case for work that has already been submitted to another Swiss or foreign university for the purpose of obtaining a university degree.

### ***Language of the dissertation***

§ 19. The dissertation must be written in German. The primary supervisor may authorize it being written in French, Italian, or English, while the Faculty Assembly may authorize it being written in another language.

### ***Unethical behavior***

§ 20. <sup>1</sup> By submitting the dissertation, the PhD candidate confirms to have written the work independently. Copying text more or less verbatim from the work of other authors without citing the source (plagiarism) is prohibited. Such dissertations will be rejected as insufficient.

<sup>2</sup> Disciplinary measures on account of unethical behavior remain reserved.

### ***Supervision of the PhD candidates***

§ 21. <sup>1</sup> Professors, emeritus professors, and privatdozents of the Faculty of Law are authorized to act as primary supervisors of PhD candidates.

<sup>2</sup> If the dissertation is supervised by a privatdozent, a member of the professorial staff will always work with them as an additional supervisor.

<sup>3</sup> The principle of individual supervision applies to the individual doctorate. Additional supervisors are involved at the request of the PhD candidate and with the consent of the primary supervisor. The application must be submitted to the Dean's Office.

<sup>4</sup> If the dissertation is written as part of a PhD program, it will be supervised by at least one additional person in any case. The primary supervisor must be a member of the Faculty of Law.

### ***Doctoral agreement***

§ 22. <sup>1</sup> The supervisors, the PhD committee, and the PhD candidate reach agreement in writing for the purposes of producing a tool to aid and guide them on the objective, process, time frame, type, and scope of supervision and the other parameters of the doctorate.

<sup>2</sup> The Doctoral agreement also provides information about the choice of modules, the requirements for the official assessments to be made, and the number of ECTS credits that are awarded for them.

<sup>3</sup> The Doctoral agreement may be adjusted to changes in circumstances.

## **Part 4: PhD Study Program**

### **Section 1: Modules**

#### ***Structure***

§ 23. The PhD programs are modular in structure and comprise:

- a. modules in the form of colloquiums,
- b. additional modules.

#### ***Colloquiums***

§ 24. <sup>1</sup> The colloquiums help candidates grapple with the academic issues in their dissertations.

<sup>2</sup> Each subject group guarantees that PhD candidates who are supervised by one of their members, or somebody assigned to their subject area, can attend a colloquium at least once a year. Colloquiums are carried out by several members of the subject group jointly or by one member alone.

<sup>3</sup> The cross-faculty PhD programs may include their own colloquiums.

#### ***Additional modules***

§ 25. In particular, the additional modules consist of courses, conferences, lectures, workshops, summer schools, mentoring programs, teaching practices, practicals, and academic continuing education courses.

### **Section 2: Assessments**

#### ***Types of assessment***

§ 26. <sup>1</sup> An assessment must be made for each module.

<sup>2</sup> In particular, an assessment consists of an oral or written examination, a paper, an academic publication, a presentation, report, or transcript, provided it is an active and verifiable contribution.

<sup>3</sup> An assessment may be made jointly in exceptional circumstances if it is objectively necessary and the contribution of each individual PhD candidate is clearly discernible.

#### ***Evaluation of the assessments***

§ 27. <sup>1</sup> Passed assessments are evaluated as a “pass”, failed assessments are evaluated as a “fail”.

<sup>2</sup> The ECTS credits envisaged in the Doctoral program regulations are awarded for “pass” assessments.

<sup>3</sup> Unless agreed otherwise, the person responsible for the module is responsible for evaluating the assessments, the primary supervisor in exceptional circumstances.

#### ***Repeat examinations***

§ 28. Any repeat examinations are included in the Doctoral program regulations.

#### ***Transfer of achievements and ECTS credits***

§ 29. The transfer of achievements and ECTS credits is governed by the Doctoral program regulations.

### ***Unethical behavior***

§ 30. When an assessment is being made, if prohibited materials are brought or used, or any other dishonesty is engaged in, the relevant assessment will be considered failed. In all other respects, the provisions of § 20 apply analogously.

## **Part 5: Doctoral Degree**

### ***Application for conferral of a doctorate***

§ 31. <sup>1</sup> Submission of the application for conferral of a Doctoral degree presupposes matriculation in the relevant semester.

<sup>2</sup> If all conditions specified in the Ordinance for obtaining a Doctoral degree are met, the application for the conferral of a Doctoral degree may be submitted to the Dean's Office with the following documents:

- a. Application form,
- b. Curriculum vitae,
- c. Evidence of matriculation as a PhD candidate at the University of Zurich in accordance with the ordinance on admission to studies at the University of Zurich,
- d. Evidence of the ECTS credits acquired in accordance with the Doctoral program,
- e. Evidence that any additional requirements have been met.

<sup>3</sup> The dissertation is to be handed to the primary supervisor at the same time.

### ***Acceptance of the dissertation***

§ 32. <sup>1</sup> The dissertation is accepted by the Faculty Assembly on the basis of the expert opinion of the primary supervisor in accordance with § 21 and a second expert opinion.

<sup>2</sup> The Faculty Council usually appoints the second expert from within the faculty at the suggestion of the PhD candidate and the primary supervisor; in special cases, persons from outside the faculty may also be brought in.

<sup>3</sup> If the candidate has several supervisors on the basis of § 21, account should be taken of the additional supervisors when selecting the second expert.

<sup>4</sup> As a rule, expert opinions are normally handed to the Faculty Assembly within six months of the application for conferral of a PhD being submitted.

<sup>5</sup> If the dissertation is not accepted, it may not be submitted again.

### ***Distinctions***

§ 33. Excellent and very good dissertations will be evaluated with the following distinctions:

- a. summa cum laude (excellent),
- b. magna cum laude (very good).

### ***Deposit copies***

§ 34. <sup>1</sup> Deposit copies must be delivered to the Zentralbibliothek Zürich within two years of the dissertation being accepted. The Dean's Office may extend this deadline if the request is justified. If the deadline is breached again, approval to deliver the deposit copies must be obtained from the Dean's Office, which may be made dependent on the dissertation being updated. In justified cases, the Faculty Assembly may rule that the candidate is to be irrevocably excluded from studies.

<sup>2</sup> The Faculty Assembly enacts regulations that govern the number of deposit copies to be delivered, a possible Internet publication, and the arrangements for publication and delivery.

<sup>3</sup> The dissertation must be published with the content that was approved by the Faculty Assembly. If updates or additions to the text prove necessary after the dissertation has been accepted by the Faculty Assembly, they must be submitted to the primary supervisor for approval.

### ***Title of doctor (PhD)***

§ 35. <sup>1</sup> The Faculty of Law awards the academic degree of a doctor of law once the dissertation has been accepted. The title is abbreviated to "Dr. iur."

<sup>2</sup> The English translation "PhD" equates to the title "Dr. iur."

<sup>3</sup> Use of the title of doctor (PhD) is forbidden before the PhD certificate is issued; however, the title "Dr. iur. des." may be used.

<sup>4</sup> The PhD certificate will only be issued once the prescribed number of deposit copies have been delivered.

### ***PhD certificate***

§ 36. <sup>1</sup> The PhD certificate contains the title and any distinction awarded for the dissertation. It is embossed with the Seal of the University and signed by the Dean as well as the President of the University.

<sup>2</sup> The PhD certificate is provided in German but may be provided in another language if requested. An English translation is issued.

### ***Diploma Supplement and Academic Record***

§ 37. <sup>1</sup> For each PhD certificate, a Diploma Supplement (Diplomzusatz) in German and English with information about the course of study and an Academic Record (Zeugnis) are issued.

<sup>2</sup> The Academic Record contains the list of all modules successfully completed in the relevant course of study and the number of ECTS credits. For assessments that have not been made at the University of Zurich, details of the university where the student assessment took place are also provided.

### ***Withdrawal of the title of doctor (PhD)***

§ 38. If it emerges after the academic degree has been awarded that

- a. the admission to the doctorate was obtained by fraud or
- b. unethical behavior within the meaning of §§ 20 and 30 took place,

the degree will be revoked by the Faculty Assembly and any certificates will be collected.

## **Part 6: Legal Protection**

### ***Inspection of records***

§ 39. Following acceptance or rejection of the dissertation, candidates are entitled to inspect the records.

### ***Appeal and recourse***

§ 40. <sup>1</sup> The resolution by the Faculty Assembly regarding acceptance or rejection of the dissertation, regarding final exclusion from the Doctoral program, or regarding withdrawal of the title of doctor (PhD) as well as the decision by the admissions committee in accordance with § 8 para. 2 about admission to the Faculty of Law's Doctoral program are subject to recourse.

<sup>2</sup> All other rulings made on the basis of this Ordinance for obtaining a Doctoral degree – in particular, notification of results after each semester (Transcript of Records) – are subject to appeal to the Faculty Council. The appeal must be submitted to the Dean's Office within 30 days of receiving the ruling.

<sup>3</sup> The decision by the Faculty Council on the appeal is subject to recourse.

## **Part 7: Honorary Doctorate**

### ***Reason***

§ 41. The Faculty Assembly may award a doctorate on an honorary basis for outstanding achievements related to law or jurisprudence. The title is abbreviated to "Dr. h. c."

### ***Procedure***

§ 42. <sup>1</sup> The procedure is initiated by submitting an application for an honorary doctorate.

<sup>2</sup> The application must be submitted and justified in writing to the Dean's Office by a member of the professorial staff or a subject group.

<sup>3</sup> The Faculty Assembly shall decide on the application by secret ballot. If more than a fifth of the members of the professorial staff present vote against the honorary doctorate, the application will be rejected.

## **Part 8: Transitional and Final Provisions**

### ***Entry into force***

§ 43. <sup>1</sup> This Ordinance for obtaining a Doctoral degree is effective as of the beginning of the fall semester 2009 (1 August 2009).

<sup>2</sup> The Faculty of Law's regulations for obtaining the Doctoral degree dated 30 August 1994 will be revoked on the same date.

### ***Further study under the old regulations***

§ 44. PhD candidates who started their doctorate under the regulations for obtaining the Doctoral degree dated 30 August 1994 may earn a Doctoral degree in accordance with the old regulations until the end of the spring semester 2015.

### ***Switch to the new regulations***

§ 45. <sup>1</sup> Those who started the doctorate under the regulations for obtaining the Doctoral degree dated 30 August 1994 may transfer to the doctorate under the new regulations from the fall semester 2009, provided any requirements and conditions are met.

<sup>2</sup> Candidates may not switch back to the old regulations.

### ***Degree under the old regulations***

§ 46. <sup>3</sup> The English translation “PhD” equates to the title “Dr. iur.” acquired in accordance with the regulations for obtaining the Doctoral degree dated 30 August 1994.

<sup>1</sup>OS 64, 313.

<sup>2</sup>LS 415.31.

<sup>3</sup>Added by decision of the Board of the University on 1 December 2009 (OS 64, 728). Effective as of 1 January 2010.

<sup>4</sup>Fassung gemäss URB vom 11. Dezember 2017 (OS 73, 111; ABI 2017-12-22). In Kraft seit 1. März 2018.