

## 國立陽明交通大學科技法律研究所外籍研究生修業規章

### Degree Regulations for Foreign Graduate Students for Institute of Technology Law, National Yang Ming Chiao Tung University

108年11月13日院務暨所務會議修訂通過  
108年11月30日院課程暨所課程會議修訂通過  
108年12月9日108學年度第3次校課程委員會審議通過  
110年12月8日110學年度第4次院長、第3次所務暨第3次課程聯席會議修訂通過

#### 第一條 (法源)

本規章依據國立陽明交通大學(以下簡稱「本校」)碩士學位及博士學位授予作業規章訂定之。

#### Article 1 (Source of Law)

These regulations are set based on the regulations of the Master's and Doctor of Philosophy (PhD) degrees of National Yang Ming Chiao Tung University (hereinafter referred to as "the university").

#### 第二條 (入學資格)

依據國立陽明交通大學外國學生入學規定經科技法律研究所(以下簡稱「本所」)錄取者，得進入本所攻讀法學碩士或法學博士。

#### Article 2 (Entry Qualification)

Students are matriculated to study for a Master of Law or Doctor of Law at the Institute of Technology Law (hereinafter referred to as "the institute") if the students are admitted to the university according to the institute's admission requirements.

#### 第三條 (畢業要求與修業年限)

本所外籍研究生(以下簡稱「研究生」)於畢業前必須達到以下要求：

一、碩士班研究生修畢二十八學分；博士班研究生修畢二十學分。

二、滿足所有必修及選修之規定。

三、論文考試合格。博士學位考試前，必須至少一篇發表或接受刊登於本所認可之國際英文學術期刊。

本所碩士班之修業年限為二至四年；本所博士班之修業年限為二至七年。

### Article 3 (Graduation Requirements and Year Limit to Graduate)

Foreign graduate students (hereinafter referred to as “graduate students”) of the institute must fulfill the following requirements before graduation:

- (1) Master’s students are required to obtain 28 course credits; PhD students are required to obtain 20 course credits.
- (2) All regulations for compulsory and elective courses are met.
- (3) Pass the dissertation examination. For PhD students, prior to the examination, publication of at least one English-written article in international English-language journals approved by the Institute.

The year limit for the master’s degree program is two to four years; the year limit for the PhD degree program is two to seven years.

### 第四條 (修課規定)

本所外籍研究生修課規定如下：

必選課程共六學分，由指導教授指定，必須全部修畢，並計入畢業學分。

碩士生必修「碩士論文研究」一學分；博士生必修「博士論文研究」四學分，其學分計入畢業學分。

「碩士論文研究」、「博士論文研究」最後一次應於排定專討報告之學期一併選修。

### Article 4 (Regulations for Course Credits)

Regulations for course credits for graduate students are as follows:

The compulsory courses, consist of six credits, are designated by the advising professor. All of the credits must be completed and calculated as graduate credits.

Master's students are required to take one credit of “Master's Dissertation Research”; PhD students are required to take four credits of “PhD Dissertation Research.” The aforementioned credits will be calculated as graduate credits.

The last credit of "Master's Dissertation Research" or "PhD Dissertation Research" should be selected to coincide with the semester for which the seminar report is scheduled.

#### 第五條 (論文指導教授)

本所研究生至遲應於入學後第四學期開學第一週內選定指導教授。

逾期未敦請指導教授者，由所務會議決定其指導教授。

前項選請應由研究生檢具指導教授之「指導同意書」向本所提出申請，經所長核定後生效。

論文指導教授以本所專任、合聘、約聘或兼任之助理教授以上教師，外校專任之助理教授以上教師，或相當等級之專業人士為限。

論文指導教授以本所專任老師擔任為原則。選請非本所教師擔任論文指導教授時，須以書面附詳細理由向所務會議申請核可。

非本所專任或合聘以外教師擔任指導教授，需延請本所專任教師擔任第一指導教授。

研究生於就讀期間，如擬更換論文指導教授，應以書面文件向本所提出申請後提送所務會議核備，終止指導於通知原指導教授後生效，無須經原指導教授同意。

指導教授欲終止指導關係，應以書面文件向本所提出申請後送所務會議審核，審查結果由本所通知研究生。終止指導關係後，本所得協助研究生另覓指導教授。

研究生申請更換指導教授時，在原指導教授提供原始構想或概念及受指導下所獲得之研究成果，須經原指導教授同意，始得作為學位論文。

論文指導教授之更換以一次為限。

#### Article 5 (Dissertation Advising Professor)

Graduate students have to decide on an advising professor within the first week of the fourth semester after enrollment at the latest.

If the advising professor has not been decided before the time limit, the advising professor for the graduate student will be assigned during the institute's general meeting.

The graduate student must complete the "Advising Consent Form" and submit it to the institute to apply for the aforementioned decision. The decision shall be effective upon approval by the institute director.

The selected dissertation advising professor must be a full-time, co-employed, contracted, or adjunct assistant professor or above appointed by the institute, or an assistant professor or above of the other university, or a professional of a comparable level.

The dissertation advising professor shall be selected from the list of full-time professors of the institute first. If the selected dissertation advising professor is outside of the list, an application form containing detailed reasons for the exception shall be submitted in writing to the institute for approval in the general meeting.

If the advising professor is not the full-time or co-employed professor appointed by the institute, another professor must be selected from the aforementioned list to serve as the first advising professor.

During the period of study, if a graduate student intends to change their dissertation advising professor, he/she should submit the application form to the institute in writing. The termination of guidance will be effective after approval from the institute's general meeting; it is not necessary to secure the consent of the original advising professor.

If the advising professor intends to terminate the guiding relationship, the professor should submit the application to the institute in writing for review. The graduate student will be notified of the results of the review by the institute. If the guiding relationship is terminated, the institute will assist in finding another advising professor for the graduate student.

If a graduate student changes his/her advising professor, the original idea or concept and the research results obtained under the guidance of the original advising professor shall not be used as the dissertation topic unless approved by the original advising professor.

Each graduate student may only change the advising professor once.

#### 第六條（博士生資格考）

博士生應於入學三年內(不含休學)決定博士論文題目，組成博士論文委員會，通過資格考試。博士論文委員會由指導教授與另外二位教師組成，其中至少一位為本所專任教師，經所務會議同意後成立。

資格考以下列方式之一為之：

由博士論文委員會指定考試科目、參考資料及考試日期，以筆試及口試方式進行之。

發表論文於國內外經本所所務會議通過認可之學術性刊物達兩篇以上者，且其中至少一篇與博士論文題目有關者，視同資格考試及格。

前項刊物表另以規章定之。

博士生須於入學日起第六學期(不含休學)結束前通過資格考試，否則由本所發文通知該生轉請本校教務處予以退學。但有正當重大理由不能如期通過者，得檢附有關證明向所務會議申請延期。

#### Article 6 (PhD Student Qualification Examination)

PhD students should decide on the topic for their PhD dissertation within three years of enrollment (excluding suspension from the university). PhD students are also required to form a PhD dissertation committee and pass the qualification examination. The PhD dissertation committee should consist of the advising professor and two other professors; at least one of the other professors on the committee shall be a full-time professor of the institute. The dissertation committee will be established after consent is granted at the institute general meeting.

The qualification examination may be completed in one of the following ways:

- (1) The dissertation committee will specify the examination subjects, reference materials, and examination dates. The examination shall be conducted in written and oral form.
- (2) Graduate students who have published more than two papers in domestic or international academic journals that are recognized by the institute are deemed to pass the qualification examination provided at least one of the publications is related to the topic of the PhD dissertation.

The list of recognized academic journals will be decided based on another regulation.

PhD students must pass the qualification examination before the end of sixth semester from the date of enrollment (excluding suspension from the university). Otherwise, the institute will notify the university Office of Academic Affairs to terminate the student's enrollment. However, if there is a legitimate reason for the delay, the student can submit the relevant certificate to the institute to apply for an extension.

#### 第七條 (學位考試之申請)

本所研究生滿足修課與學分要求，博士生並具備博士候選人資格，得申請學位考試。

研究生應於學位考試一個月前提出口試本。

研究生應於學位考試前在本所舉行之研究生論文研討會中公開發表論文初稿或口試本。

#### Article 7 (Application for Degree Examination)

Graduate students can apply for the degree examination if: the master's student has fulfilled the requirements for courses and credits or the PhD student is qualified as a PhD candidate.

Graduate students should provide the oral test manuscript one month before the degree examination.

Graduate students should publish their dissertation draft or oral test manuscript in the graduate student dissertation seminar held by the institute before the degree examination.

#### 第八條 (學位考試)

學位考試由學位考試委員會以公開論文口試方式進行；其考試期限依照本校規定。

前項碩士學位委員會置委員三至五人，博士學位委員會置委員五至九人，經所務會議通過後，報請校長聘請之；其中三分之一以上應為校外委員。

學位考試委員會之召集人，由所長於指導教授以外之委員中指定一位擔任之。

學位考試成績以出席口試委員無記名評定分數平均決定之；七十分為及格，一百分為滿分。碩士學位考試有二分之一以上出席委員，博士學位考試有三分之一以上出席委員評定不及格者，以不及格論。

學位考試成績達兩次不及格者，應報請學校予以退學。

學位論文有抄襲或舞弊情事，經學位考試委員會審查確定者，以不及格論。如已授予學位者，應撤銷其學位，並追繳已發予之學位證書。

同一論文已取得他校或他種學位者，以抄襲論。

本所研究生無法在規定時限內完成學業取得學位，應報請學校予以退學。

本所研究生學位論文應符合「國立交通大學學位論文格式規範」。

#### Article 8 (Degree Examination)

The degree examination is conducted by the degree examination committee in the form of an open oral dissertation examination; the examination period is in accordance with the regulations of the university.

The committee for the aforementioned degree examination shall consist of three to five members for the master's degree and five to nine members for the PhD degree. Once the committee member list has been approved during the institute's general meeting, the university principal will be in charge of hiring the members. More than one-third of the committee members should be hired from outside the university.

The convener of the degree examination committee (other than the advising professor) shall be designated by the head of the institute.

The final score of the degree examination will be determined using the average of the scores given by all of the committee members that attend the oral examination anonymously. The passing score for the degree examination will be 70 out of 100 points. But when half or more members in a master's degree oral defense, or one third or more in a doctoral oral defense fails the candidate, then the examination should be deemed a failure.

Graduate students who fail to pass the degree examination twice will be reported to the university for withdrawal.

If there is plagiarism or fraud in the dissertation as determined by the degree examination committee, the graduate student will be disqualified for the degree. If a degree has been granted, the degree should be revoked, and the degree certificate issued must be recovered.

Plagiarism will be considered if the same paper has been used to obtain a degree at another university.

Graduate students who are not able to complete their degree in the required time limit should report to the university for withdrawal.

Graduate students dissertation should be in accordance with the "National Chiao Tung University Dissertation Format Specification."

#### 第九條 (本規章之施行)

本修業規章由所務會議訂定，經學院課程委員會及校課程委員會審查，再送教務會議核備後實施，修訂時亦同。

本修業規章適用於訂定前已於本所就讀之外籍研究生。

#### Article 9 (Implementation of the Regulations)

These regulations will be set at the institute's general meeting and will be reviewed by the college and the university level curriculum committee. These regulations will be implemented upon review and approval by the Academic Affairs Meeting. The same applies to future revisions.

These regulations also apply to existing foreign postgraduates enrolling in the department before it was adopted.