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**Abstract**

The result is, that the legislator has neglected to enact the necessary rules for protection of good scientific practice and for handling of scientific lapse and that the statute or guideline of a university for protection of good scientific practice and for handling of scientific lapse concerning scientific lapse is not able to correspondent to article 5 III 3 of the Constitution, that in spite of it every professor can proceed because of the clame for care against the principal because of proceed by the examination commission. In the case of unjust procedure the professor can lay an information because of § 164 penal code. Therefore the statute or guideline of a university has no great significance. (HRK / Abstract übernommen)