

Department of Business Law

General Syllabus for Third-cycle Studies in Business Law for the Degree of Doctor of Laws, Doctor of Philosophy, Licentiate of Laws and Licentiate of Philosophy at Lund University School of Economics and Management

The syllabus for third-cycle studies in Business Law was adopted by the Board of the School of Economics and Management on 19 October 2018. Replaces earlier syllabus with reg. no U 2016/313. See also *Regulations for third-cycle studies at the School of Economics and Management*, reg. no STYR 2018/1589.

Third-cycle studies are offered to the extent that available resources allow.

1. Description of third-cycle subject area

Business Law is a legal subject that focuses on legal regulation of commercial conditions of importance to companies and organizations. Business Law research analyzes and studies how the design and lawsuits regarding business enterprise in the broad sense look and should look at different levels of society. Among the research subject subgroups are, among other things, company law, contract law, competition law, labor law and tax law. Developments in the European Union, especially in certain subgroups, require special lighting. Business Law research at the department is largely conducted with traditional legal science methods, but often includes elements of empirical endeavors.

2. Aim of the programme and learning outcomes

The third-cycle programme in Business Law primarily involves the study of a jurisprudential subject (Doctor or Licentiate of Laws) but can also have a social sciences orientation (Doctor or Licentiate of Philosophy). The aim of the programme in Business Law at the School of Economics and Management in Lund is to provide students with specialised knowledge of the subject, thorough training in research methodology, and a good understanding of the problems that occur in research and its practical application.

On completion of the third-cycle programme, research students shall be well prepared for pursuing research and investigations, and well suited to professional activities that require thorough knowledge of the chosen subject.

Knowledge and understanding

For a Degree of Doctor, the doctoral student shall

- demonstrate broad knowledge and systematic understanding of the research field as well as advanced and up-to-date specialised knowledge in his or her artistic field, and

- demonstrate familiarity with artistic research methodology in general and the methods of the specific field of research in particular.

Competence and skills

For a Degree of Doctor, the doctoral student shall

- demonstrate creative capacity in his or her artistic field
- demonstrate the capacity for artistic analysis and synthesis as well to review and assess new and complex phenomena, issues and situations autonomously and critically
- demonstrate the ability to identify and formulate artistic issues with scholarly precision critically, autonomously and creatively, and to plan and use appropriate methods to undertake research and other qualified artistic tasks within predetermined time frames and to review and evaluate such work
- demonstrate through a documented artistic research project the ability to make a significant contribution to the formation of knowledge through his or her own research
- demonstrate the ability in both national and international contexts to present and discuss research and research findings authoritatively in speech and writing and in dialogue with the academic community and society in general
- demonstrate the ability to identify the need for further knowledge, and
- demonstrate the capacity to contribute to social development and support the learning of others both through research and education and in some other qualified professional capacity.

Judgement and approach

For a Degree of Doctor, the doctoral student shall

- demonstrate intellectual autonomy, artistic integrity and disciplinary rectitude as well as the ability to make assessments of research ethics, and
- demonstrate specialised insight into the possibilities and limitations of art, its role in society and the responsibility of the individual for how it is used.

Knowledge and understanding

For a degree of Licentiate, the research student shall:

- knowledge and understanding in the field of research including current specialist knowledge in a limited area of this field as well as specialised knowledge of research methodology in general and the methods of the specific field of research in particular.

Competence and skills

For a degree of Licentiate, the research student shall:

- demonstrate the ability to identify and formulate issues with scholarly precision critically, autonomously and creatively, and to plan and use appropriate methods to undertake a limited piece of research and other qualified tasks within predetermined time frames in order to contribute to the formation of knowledge as well as to evaluate this work
- demonstrate the ability in both national and international contexts to present and discuss research and research findings in speech and writing and in dialogue with the academic community and society in general, and
- demonstrate the skills required to participate autonomously in research and development work and to work autonomously in some other qualified capacity.

Judgement and approach

For a degree of Licentiate, the research student shall:

- demonstrate the ability to make assessments of ethical aspects of his or her own research
- demonstrate insight into the possibilities and limitations of research, its role in society and the responsibility of the individual for how it is used, and
- demonstrate the ability to identify the personal need for further knowledge and take responsibility for his or her ongoing learning.

3. Programme content3.1 General

The programme that leads to a doctoral degree comprises a total of 240 credits (four years of full-time study). The main part of the programme consists of writing a research paper (doctoral thesis), which corresponds to 210 credits. The doctoral thesis may be structured as a cohesive text (monograph thesis) or several texts that are thematically linked (compilation thesis). The course component of the programme corresponds to 30 credits.

The programme that leads to a licentiate degree comprises a total of 120 credits (two years of full-time study). The main part of the programme consists of writing a research paper (licentiate thesis), which corresponds to 105 credits. Doctoral students pursuing studies that lead to a doctoral degree also have the option of finalising a part of the programme (120 credits) by obtaining a licentiate degree. The course component of the programme corresponds to 15 credits.

A person may be employed as a doctoral student for a maximum of eight years. However, the total period of employment may not exceed the equivalent of full-time studies for four years. For studies resulting in a licentiate degree, the total period of employment may not exceed the equivalent of full-time studies for two years. Upon admission to continued third-cycle studies after obtaining a licentiate degree, the period for the licentiate studies will be deducted from the total period of employment as a doctoral student.

In addition to the thesis work, third-cycle students are to attend courses at the Department of Business Law or the Faculty of Law (see 3.2), the Research School in Jurisprudence (see 3.3) and/or complete the studies that may otherwise be stipulated in an individual study plan (see 3.4).

When it comes to gender equality and equal opportunities issues in third-cycle education, the School of Economics and Management's gender equality plan is to be taken into account.

3.2 Courses etc.

The third-cycle programme comprises courses corresponding to 30 credits for completing a doctoral degree and 15 credits for a licentiate degree.

Every year, the board of the Department of Business Law adopts a plan for the courses to be included in the programme in the following academic year. For each course, the Department Board adopts a course syllabus, reading list and examiner. All third-cycle courses on the programme are graded either Pass or Fail. Further details concerning grading are provided in the course syllabus for each course.

The board of the Department of Business Law decides whether a doctoral student can transfer credits for third- or second-cycle courses offered at other departments at Lund University or other higher education institutions. A theoretical introductory course in jurisprudence is *compulsory* and always included in the course component. For students pursuing a doctoral degree, the course corresponds to 15 credits, and for students pursuing a licentiate degree, the course corresponds to 7.5 credits. Exemptions may be granted by the board in cases where the student has acquired the equivalent knowledge in some other way. A course in research ethics (at least 3 credits) is also *compulsory* and always included in the course component. The aim of the course is for students to gain insight into and understanding of key ethical theories, principles, ethical guidelines and laws that regulate the ethical requirements involved in the research processes. This enables the student to reflect on ethical issues in relation to their own research.

All research students are to be given the opportunity to undergo introductory training in teaching and learning in higher education, and research students involved in teaching in the first- or second-cycle level must take at least two weeks of such courses. Courses in teaching and learning in higher education are primarily credited as part of the student's departmental duties (3.5).

3.3 Seminars and Research School in Jurisprudence

The Faculty of Law at Lund University is organising a research school. Third-cycle students admitted to the School of Economics and Management can, subject to an agreement with the Faculty of Law, participate in this research school. It consists of an ongoing seminar series led and structured by one or more senior researchers, and conducted in close cooperation with the supervisors. The activities at the research school are based on the research projects of the students and the methodological issues that arise in these projects. The goal of the research school is for the students to improve their ability to apply research methodology and develop their research creativity.

All third-cycle students at the Department of Business Law are to participate in a seminar-based Research School in Jurisprudence throughout their studies, and each participant must annually (for full-time students) present some of their own research as a basis for a seminar. The first seminar will take place during the student's first year of study in the form of a presentation seminar. At this stage, the research presented could be a detailed and annotated outline of their project.

Students pursuing a doctoral degree are to participate in a so-called mid-way seminar held after approximately half of the period of study has been completed. Prior to this seminar, the board of the Department of Business Law is to appoint two senior researchers to participate in the seminar, and provide written and oral feedback on the research presented. For research students pursuing a licentiate degree, one of the seminars is to be public (licentiate seminar) at which the student will defend their thesis.

Participation in the Research School in Jurisprudence is *compulsory* for students pursuing a doctoral degree or a licentiate degree, and is credited as a course on the programme worth 7.5 credits (3.75 for a licentiate of a period of two years). Exemptions may be granted by the board of the Department of Business Law in cases where the student has acquired the equivalent knowledge in some other way.

Before a student pursuing a degree of Doctor of Laws, presents his or her doctoral thesis at a public defence, the Department of Business Law together with the Research Board at the Faculty of Law are to organise an open final seminar where the doctoral student, as part of his or her studies, is to orally defend a draft of their thesis manuscript.

Following consultation with the Research Board at the Faculty of Law, the head of the Department of Business Law is to appoint a senior researcher, who is generally affiliated outside the School of Economics and Management or Faculty of Law, to participate either at the mid-way seminar or the final seminar and provide feedback on the thesis manuscript. At the mid-way seminar, this researcher is one of two senior researchers appointed by the Department Board. In consultation with the doctoral student, the supervisor is to decide at which seminar the senior researcher mainly affiliated outside the School of Economics and Management and Faculty of Law is to participate, as well as provide suggestions for suitable persons.

3.4 Individual study plan and annual consultation

An individual study plan is to be approved by the head of department, following a consultation with the student, the principal supervisor and the assistant supervisor. This is normally to take place in connection with, and no more than two months after, admission.

The individual study plan is to contain a timetable for the third-cycle studies, details on how the supervision will be organised, a description of the undertakings of the student and the Research Board during the period of study, and other information of relevance to the efficient execution of the study programme. The individual study plan is to serve as an effective and dynamic tool on the programme. The student and supervisors are jointly to document the research problems and development of the project as well as a plan for the work ahead.

The head of department is to follow up on the individual study plan and the student's thesis project once a year. At the follow-up, the student and the supervisor are to inform the head of department of the joint work and the progress of studies.

The head of department decides on the extension of employment for the student.

3.5 Teaching

The third-cycle programme leading to a doctoral degree comprises four years of full-time study. Students appointed to a doctoral studentship will normally be able to teach at a rate of 20 per cent of full time and can thus be employed as a doctoral student for five years.

The third-cycle programme leading to a licentiate degree comprises two years of full-time study. Students appointed to a doctoral studentship will normally be able to teach at a rate of 20 per cent of full-time and can thus be employed for two and a half years.

4. Supervision

Supervision on the programme is to be qualified and provided in a professional, informed and reflective manner. All supervisors are to have undergone training for supervision in third-cycle education. In connection with admission to the programme, the board of the Department of Business Law is to appoint one principal supervisor and at least one assistant supervisor for the student. The research student's wishes are to be taken into account as far as possible in the allocation of supervisors. The principal supervisor must be at the Department of Business Law or Faculty of Law, and holds the main responsibility for making sure that the student has the support and assistance they need to carry out their thesis project.

All supervisors are to be sufficiently qualified to supervise third-cycle students and have the time, knowledge, experience and commitment to provide enough support in the thesis work. Every research student has the right to regular supervision at least six times per academic year. A written plan for the supervision is to drawn up in consultation between the supervisor and the student.

Information regarding the change of supervisor is available in *Procedure for the change of supervisor at the School of Economics and Management*, reg. no STYR 2016/860.

5. Degree

5.1 Doctoral degree

Degree titles: Doctor of Laws, LLD, or Doctor of Philosophy, PhD.

For a doctoral degree, the student must have received a Pass on their academic (doctoral) thesis from the School of Economics and Management, and have passed all assessed components of the third-cycle programme. A doctoral thesis must be defended orally at a public defence. An external reviewer is appointed after consultation with the Research Board at the Faculty of Law. Other assessed components that may be included in the third-cycle programme are to be assessed in the manner determined by the head of the Department of Business Law.

The doctoral thesis will be graded Pass or Fail. The grade will be set by an examining committee appointed for each thesis. The examining committee must be composed of three or five members. The composition of the committee is decided by the dean of the School of Economics and Management, following a proposal from the head of the Department of Business Law. The head of department consults with the Research Board at the Faculty of Law regarding the proposal.

A student who has completed a licentiate degree in the subject can transfer credits from their previous studies towards a doctoral degree.

Further information regarding the thesis, public defence and the examining committee is available in *Regulations for third-cycle studies at the School of Economics and Management*, reg. no STYR 2018/1589.

5.2 Licentiate degree

Degree titles: Licentiate of Laws or Licentiate of Philosophy.

For a licentiate degree, the student must have received a Pass on their academic (licentiate) thesis from the School of Economics and Management, and have passed all assessed components of the third-cycle programme. A licentiate thesis must be defended orally at an open seminar (licentiate seminar). Other exams that may be included in the third-cycle programme are to be assessed in the manner determined by the head of the Department of Business Law.

The licentiate thesis will be graded with a Pass or Fail. The grade will be set by an examining committee appointed for each thesis. The examining committee must include three lecturers, preferably from the Department of Business Law or the Faculty of Law at Lund University. The composition of the examining committee is decided by the dean of the School of Economics and Management, following a proposal from the head of the Department of Business Law. The head of department is to consult with the Research Board at the Faculty of Law regarding the proposal.

6. Admission requirements and selection criteria

6.1 Admission requirements Doctor of Laws and Licentiate of Laws

To be admitted to the third-cycle programme, the applicant must meet the general admission requirements and the specific admission requirements laid down by the board of the Department of Business Law. The applicant must also have the general ability needed to benefit from the programme (see selection criteria, section 6.3).

For admission to the third-cycle programme, the applicant must also be appointed to a doctoral studentship or have long-term financing deemed equivalent for the duration of their studies. A doctoral student is a student appointed to a doctoral studentship for studies leading to a doctoral or licentiate degree.

An applicant meets the general admission requirements if he or she has completed at least 240 higher education credits, including at least 60 second cycle credits, or has acquired the equivalent knowledge in some other way, in Sweden or abroad.

An applicant meets the specific admission requirements if he or she has completed the law degree programme and obtained a law degree, or has completed other training or has special professional experience, provided that the training and/or professional experience is deemed to provide a level of expertise on the subject of the doctoral programme equivalent to a law degree, both in terms of knowledge of the subject and the general knowledge of law relevant to the subject of the third-cycle programme.

6.2 Admission requirements Doctor of Philosophy and Licentiate of Philosophy

To be admitted to the third-cycle programme, the applicant must meet the general admission requirements and the specific admission requirements laid down by the Board of the Department of Business Law. The applicant must also have the general ability needed to benefit from the programme (see selection criteria, section 6.3).

For admission to the third-cycle programme, the applicant must also be employed as a doctoral student or have long-term financing deemed equivalent for the duration of their studies. A doctoral student is a student appointed to a doctoral studentship for studies leading to a doctoral or licentiate degree.

An applicant meets the general admission requirements if he or she has obtained a second cycle degree, completed courses comprising a total of at least 240 credits, including at least 60 second cycle credits, or has acquired the equivalent knowledge in some other way in Sweden or abroad.

An applicant meets the specific admission requirements if he or she has completed the one-year Master's programme MEIT or the equivalent, or has completed other training or has special professional experience, provided that the training and/or professional experience is deemed to provide a level of expertise on the subject of the third-cycle programme equivalent to the above mentioned programme, both in terms of knowledge of the subject and the general knowledge of law relevant to the subject of the third-cycle programme.

6.3 Selection criteria

If the number of qualified applicants exceeds the number of available study places, a selection will be made based on the applicants' qualifications. In accordance with the provisions of the Higher Education Ordinance, the selection is to primarily be based on an assessment of the applicants' ability to benefit from the programme. In order to demonstrate this ability, the application for admission is to include a project description, a CV, a degree project or other written work as well as a proposal for an individual study plan. The project description may not exceed five pages and must be written in either English or Swedish.

The applicant's ability to benefit from the programme will primarily be assessed on the basis of the following criteria, in no particular order:

General qualifications of the applicant:

- the quality of previously written independent work, such as a degree project
- the ability to actively participate in an active research environment
- grades
- relevant work experience

Research potential of the project description:

- a clearly formulated research issue
- adequate connection between the issue and the outline of the project
- appropriate choice of method and theory

- the project's link to cutting-edge research and potential for innovative research
- linguistic clarity and formal aspects

The Department of Business Law is also free to take into account the following aspects in the selection process:

- access to a supervisor at Lund University who is capable and qualified to supervise the project
- topics or themes that are considered strategically important may be prioritised in the selection process

However, the fact that an applicant is deemed eligible for credit transfer from previous studies, e.g. courses, on the programme may not give the applicant precedence over other applicants.

In the active recruitment and selection of students for third-cycle studies, diversity and an even gender balance is always to be taken into account in accordance with Lund University's gender equality policy, equal opportunities policy and diversity plan. The underrepresented gender is to be given priority in cases of otherwise equal qualifications, unless there are special reasons to the contrary.

7. Application and admission

Applications for admission to third-cycle studies for a doctoral or licentiate degree are to be made on a special form, which can be downloaded on the website of the School of Economics and Management or obtained from the research secretariat at the department.

Those who are admitted to third-cycle studies for a licentiate degree and who, after having obtained a degree, wish to pursue continued studies leading to a doctoral degree can, in competition with other applicants, apply for admission to further third-cycle studies (two years of full-time study). Upon admission to the continued third-cycle programme after a licentiate degree, the time spent conducting licentiate studies will be deducted from the total period of employment as a doctoral student.

Any vacancies of doctoral studentships will normally be advertised. These calls for applications usually take place once a year. A specific date for the call for applications is determined by the Department of Business Law before each call for applications. Exceptions to calls for applications can be made with respect to agreements with external funding bodies.

Issues concerning admission are processed by the head of department, normally in connection with a decision on employment as a doctoral student.

The assessment of the applicant's eligibility for admission starts with a review of the formal admission requirements. Applicants who, according to the head of department, are deemed to meet these requirements will then undergo an assessment of their qualifications and abilities in general to benefit from the programme.

Before the head of department decides on admission, the matter will normally be processed by a working group appointed by the Department Board. The group is to

include the head of department, at least one board member with a doctoral degree, and a doctoral student representative. Other researchers currently working at the department may also be part of the group.

The working group may decide to invite a shortlist of applicants for an interview. Contacts between the invited applicants and suitable supervisors will be established in connection with this stage, if not before.

The working group and co-opted members will conduct personal interviews with each shortlisted applicant. The starting point of the interview will be the project description, and aims to deepen the group's knowledge of the applicant's research capacity and ability to implement the project. Once the interviews have been conducted, the committee will rank the applicants and present a justified proposal for a decision on admission of applicants to the third-cycle programme. The proposal should normally be communicated to the applicants at least two weeks before the decision on admission is made and contain information about the possibility to, within the specified time, submit an objection to the proposed admission decision to the Department of Business Law. The working group's decision will be made in accordance with the proposal unless an objection has been received from any of the applicant that warrants a different decision.