

Department of Business Law

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

The syllabus was adopted by the Board of the School of Economics and Management on 30 June 2016, revised 19 October 2018 and 18 May 2022. Replaces an earlier syllabus with reg. no U 2018/594. 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 subject within law that focuses on the judicial regulation of commercial relations of significance to companies, organisations and public authorities. Research in business law analyses the legal framework and the way in which the law is applied to enterprise in the broad sense, what that looks like, and what it ought to look like at various levels of society. Subjects for research include company law, labour law, contract law, intellectual property, competition law, market law, environmental law and tax law. Legal developments within the European Union and the internationalisation of law are often of great significance.

2. Aim of the programme and learning outcomes

The third-cycle programme in Business Law aims to provide the doctoral student with in-depth knowledge of the subject, comprehensive training in research methods and good insights into the problems that arise within research and its practical application, which are to serve to facilitate autonomous research.

Knowledge and understanding

For the Degree of Doctor the doctoral student is to

- demonstrate broad knowledge and systematic understanding of the research field as well as advanced and up-to-date specialised knowledge in a limited area of this field, and
- demonstrate familiarity with research methodology in general and the methods of the specific field of research in particular.

Competence and skills

For the Degree of Doctor the doctoral student is to

- demonstrate the capacity for scholarly 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 issues with scholarly precision critically, autonomously and creatively, and to plan and use appropriate methods to undertake research and other qualified tasks within predetermined time frames and to review and evaluate such work
- demonstrate through a dissertation the ability to make a significant contribution to the formation of knowledge through their 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 the Degree of Doctor the doctoral student is to

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

3. Admission requirements

3.1. General admission requirements

An applicant meets the general admission requirements for third-cycle studies they have obtained a second-cycle degree, completed at least 240 credits, including at least 60 second-cycle credits, or have acquired equivalent knowledge in some other way, in Sweden or abroad. (Higher Education Ordinance Chapter 7 Section 39).

3.2. Specific admission requirements for the Degree of Doctor of Laws

An applicant is eligible to be admitted to the third-cycle programme in Business Law for the degree of Degree of Doctor of Laws, if they meet both the general admission requirements and the specific admission requirements. An applicant meets the specific admission requirements if they have completed a Degree of Master of Laws, Bachelor of Jurisprudence or equivalent. An applicant also meets the specific admission requirements if they hold another completed degree or have specific professional experience, provided it (a) is deemed to demonstrate competence in the subject at third-cycle level, and (b) is equivalent to the Degree of Master of Laws or Bachelor of

Jurisprudence in terms of both knowledge and general legal education relevant to the subject of the third-cycle programme.

3.3. Specific admission requirements for the Degree of Doctor of Philosophy

An applicant is eligible to be admitted to the third-cycle programme in Business Law for the Degree of Doctor of Philosophy, if they meet both the general admission requirements and the specific admission requirements. An applicant meets the specific admission requirements if they have completed a one-year second-cycle programme in jurisprudence. An applicant also meets the specific requirements if they hold another completed degree or have specific professional experience, provided it (a) is deemed to demonstrate competence in the subject at third-cycle level, and (b) is equivalent to the said second-cycle programme in terms of both knowledge and general legal education relevant to the subject of the third-cycle programme.

4. Admission and selection

4.1 Admission

The application for admission is submitted to the head of department. Admission takes place through the call for applications. Exceptions from the call for applications can be made, for example by agreement with external funding bodies. The decision to admit is taken by the head of department after being prepared in consultation with, for example, the research board in the Department of Business Law, and where necessary with the support of other researchers active within the department. In order to be admitted to third-cycle studies, the applicant is required to have a doctoral studentship or possess equivalent long-term funding for the programme.

For doctoral students who already have a doctoral studentship for the Degree of Licentiate and who wish to continue third-cycle studies that lead to the Degree of Doctor, the conditions as set out in the department's general syllabus for third-cycle studies in business law for the Degree of Licentiate of Laws and the Degree of Licentiate of Arts apply.

4.2. Selection

If the number of applicants exceeds the number of available places, a selection will take place based on an examination of the applicants' qualification. In accordance with the procedures set out in the Higher Education Ordinance, the selection is based primarily on the applicants' capacity to benefit from the programme. This assessment may be based on grades, a project proposal, a curriculum vitae, a degree project or other written work as well as a draft individual study plan.

The applicant's capacity to benefit from their studies is assessed primarily through the following criteria, in no particular order:

Applicant's general competence:

- quality of previous independent written works
- ability to actively participate in the research environment
- ability to work autonomously
- grades
- relevant work experience

The project proposal's academic potential:

- clarity in the formulation of the research problem
- appropriate choice of theory and method
- the project in relation to existing research and its potential to deliver innovative knowledge building
- linguistic comprehensibility and formalities

The fact that an applicant may be deemed eligible to count credits from previous education, such as courses, towards the programme, must not give the applicant precedence over other applicants. In the selection for third-cycle studies, diversity and an even gender distribution are always to be considered, in accordance with Lund University's gender equality policy, equal opportunities policy and diversity plan. The under-represented gender is to be given priority among equally qualified candidates, unless special reasons dictate otherwise.

5. Programme structure and content

5.1 Programme design

Third-cycle studies in business law consist of 240 credits (four years of full-time study). The main component of the programme concerns the writing of an academic thesis (doctoral thesis), which is the equivalent of 210 credits. Courses within the programme correspond to 30 credits.

An individual may have a doctoral studentship for a maximum of eight years. The total employment period may, however, not exceed the time equivalent to full-time third-cycle study for four years. In cases where a student has been granted a doctoral studentship and has departmental duties such as teaching, to a certain level (maximum 20 per cent of full time), along with an equivalent extension of the study period. On admission to continued third-cycle studies after obtaining the Degree of Licentiate, the period of licentiate study is deducted from the total period of the doctoral studentship.

5.2. Programme content

5.2.1. Courses and other components

The third-cycle programme includes courses totalling 30 credits.

The director of third-cycle studies at the Department of Business Law can decide that a doctoral student may transfer credits from second or third-cycle courses at other departments within Lund University or other higher education institutions. An introductory theory course in jurisprudence consisting of 15 credits, is *compulsory* and is always included in the course package. An exemption may be granted by the director of third-cycle studies in cases where the doctoral student has acquired equivalent knowledge by other means. A course in research ethics worth 3 credits is also *compulsory*.

Doctoral students at the Department of Business Law may study jurisprudence and business law at a seminar-based graduate school for 12 credits. Within this framework, each participant is to regularly submit an original text as the basis for a seminar.

5.2.2. *Doctoral thesis*

The thesis is to document the doctoral student's ability to address a scientific problem. The thesis is to be structured either as a single, cohesive work (a monograph) or as a compilation of articles with a summary (a compilation thesis). The third-cycle programme also includes the presentation of the thesis by the doctoral student at compulsory seminars (see 5.2.3).

5.2.3. *Seminars*

The doctoral student is to present their work in seminars. The first of them is to take place during the doctoral student's first year on the programme and is to be a research proposal seminar. For doctoral students intending to obtain the Degree of Doctor, a midway seminar is to be conducted after half the study period has passed.

Before a doctoral student submits their thesis for public defence, the Department of Business Law is to arrange an open concluding seminar in which the doctoral student, as part of their third-cycle education, is to orally defend a draft of the thesis manuscript. The thesis manuscript is to be reviewed by senior researchers. A senior researcher with their main engagement at another higher education institution is to participate in either the midway seminar or concluding seminar at the request of the head of department, and to offer comments on the thesis manuscript.

5.3. Supervision

A doctoral student is entitled to at least two supervisors, one of whom is to be declared primary supervisor. The doctoral student's wishes are to be taken into account as far as possible in the allocation of supervisors. Supervision within the programme is to be qualified and delivered in a professional, adept and reflective manner. All supervisors are to have undertaken doctoral supervisor training. The primary supervisor is to be a professor or associate professor and, as a general rule, is to be active in the Department of Business Law.

All supervisors are to possess sufficient expertise to be able to supervise the doctoral student and are to have the time, knowledge, experience and dedication needed to provide sufficient support during the thesis work. The doctoral student is entitled to continuous supervision. Along with their supervisors, the doctoral student is to draw up an individual study plan detailing the courses and elements that the programme is to include. This plan is to be updated annually. The supervisor is to ensure that the plan is fit for purpose. The head of department and the director of third-cycle studies are responsible for continuous monitoring of study plans.

The doctoral student is entitled to ask for a change of supervisor. Information regarding a change of supervisor is available in *Procedure for the change of supervisor at the School of Economics and Management*, reg. no STYR 2016/860.

6. Teaching and examination

Teaching consists of courses and seminars. Planning of the department's range of courses is undertaken annually, taking into account the resources available both in terms of staff and budget, but also with regard to the number of doctoral students, the nature of the courses, the wishes of supervisors and so on. The teaching is intended to enhance the doctoral students' ability to autonomously complete their theses. As well as organised courses, general seminars and guest lectures are also offered.

For the Degree of Doctor, the student must have passed all assessed components included in the programme and the doctoral thesis. 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.

7. Degree of Doctor of Laws or Degree of Doctor of Philosophy

Degree titles: Degree of Doctor of Laws (LL.D.) or Degree of Doctor of Philosophy, (PhD).

The business law research undertaken within the department is largely conducted using jurisprudential methods. It is not uncommon for emphasis to be placed on traditional jurisprudential methods supported by the sources of law and focus on the content of currently applicable law.

Research in business law may sometimes have a broader sociological theme. Such research may involve greater or lesser elements of qualitative or quantitative empirical approaches, or of normative sociological modelling.

The research project's specialisation and the doctoral student's choice of methodology determine whether the doctoral student is to obtain a Degree of Doctor of Laws or a Degree of Doctor of Philosophy.

When the doctoral student is admitted, or not later than the research proposal seminar, the specialisation for the respective degree should be stated. There will be an opportunity to request a reconsideration, taking into account the development of the thesis. A change of specialisation is decided upon by the head of department in consultation with the doctoral student, supervisors and the research board at the Department of Business Law.

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

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2. Aim of the programme and learning outcomes

The third-cycle programme in Business Law aims to provide the doctoral student with in-depth knowledge of the subject, comprehensive training in research methods and good insights into the problems that arise within research and its practical application, in order to facilitate autonomous research.

Knowledge and understanding

For a Degree of Licentiate the doctoral student is to

- demonstrate 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 doctoral student is to

- 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 doctoral student is to

- demonstrate the ability to make assessments of ethical aspects of their 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 their personal need for further knowledge and take responsibility for their ongoing learning.

3. Admission requirements

3.1. General admission requirements

An applicant meets the general admission requirements for third-cycle studies if they have obtained a second-cycle degree, completed at least 240 credits, including at least 60 second-cycle credits, or have acquired equivalent knowledge in some other way, in Sweden or abroad. (Higher Education Ordinance Chapter 7 Section 39).

3.2. Specific admission requirements for the Degree of Licentiate of Laws

An applicant is eligible to be admitted to the third-cycle programme in Business Law for the Degree of Licentiate of Laws if they meet both the general admission requirements and the specific admission requirements. An applicant meets the specific admission requirements if they have completed a Degree of Master of Laws, Bachelor of Jurisprudence or equivalent. An applicant also meets the specific requirements if they hold another completed degree or have specific professional experience, provided it (a) is deemed to demonstrate competence in the subject at third-cycle level, and (b) is equivalent to the Degree of Master of Laws or Bachelor of Jurisprudence in terms of both knowledge and general legal education relevant to the subject of the third-cycle programme.

3.3. Specific admission requirements for the Degree of Licentiate of Philosophy

An applicant is eligible to be admitted to the third-cycle programme in Business Law for the Degree of Licentiate of Laws if they meet both the general admission requirements and the specific admission requirements. An applicant meets the specific admission requirements if they have completed a one-year second-cycle programme in jurisprudence. An applicant also meets the specific admission requirements if they hold another completed degree or have specific professional experience, provided it (a) is deemed to demonstrate competence in the subject at third-cycle level, and (b) is equivalent to the Degree of Master of Laws in terms of both knowledge and general legal education relevant to the subject of the third-cycle programme.

4. Admission and selection

4.1 Admission

The application for admission is submitted to the head of department. Admission takes place through the call for applications. Exceptions from the call for applications can be made, for example by agreement with external funding bodies. The decision to admit is taken by the head of department after being prepared in consultation with, for example, the research board in the Department of Business Law, and where necessary with the support of other researchers active within the department. In order to be admitted to third-cycle studies, the applicant is required to have a doctoral studentship or possess equivalent long-term funding for the programme.

After obtaining a degree, a doctoral student who has a doctoral studentship for the Degree of Licentiate may request to continue their third-cycle studies to obtain the Degree of Doctor. In such cases the doctoral student is required, in competition with other applicants, to apply for admission to continued third-cycle studies (two years' full-time study). On admission to continued third-cycle studies after obtaining the Degree of Licentiate, the period of licentiate study is deducted from the total period of the doctoral studentship.

4.2. Selection

If the number of applicants exceeds the number of available places, a selection will take place based on an examination of the applicants' qualifications. In accordance with the procedures set out in the Higher Education Ordinance, the selection is based primarily on the applicants' capacity to benefit from the programme. This assessment may be based on grades, a project proposal, a curriculum vitae, a degree project or other written work as well as a draft individual study plan.

The applicant's capacity to benefit from their studies is assessed primarily through the following criteria, in no particular order:

Applicant's general competence:

- quality of previous independent written works
- ability to actively participate in the research environment
- ability to work autonomously
- grades
- relevant work experience

The project proposal's academic potential:

- clarity in the formulation of the research problem
- appropriate choice of theory and method
- the project in relation to existing research and its potential to deliver innovative knowledge building

- linguistic comprehensibility and formalities

The fact that an applicant may be deemed eligible to count credits from previous education, such as courses, towards the programme, must not give the applicant precedence over other applicants. In the selection for third-cycle studies, diversity and an even gender distribution are always to be considered, in accordance with Lund University's gender equality policy, equal opportunities policy and diversity plan. The under-represented gender is to be given priority among equally qualified candidates, unless special reasons dictate otherwise.

5. Programme structure and content

5.1 Programme design

Third-cycle studies in business law consist of 120 credits (two years of full-time study). The main component of the programme concerns the writing of an academic thesis (licentiate thesis), which is the equivalent of 105 credits. Courses within the programme correspond to 15 credits.

An individual may have a doctoral studentship for a maximum of eight years. The aggregate time of employment may not, however, exceed the equivalent of two years of full-time study in third-cycle education. In cases where a student has been granted a doctoral studentship and has departmental duties such as teaching, an extension will be granted to a certain level (maximum 20 per cent of full time) along with an equivalent extension of the study period. On admission to continued third-cycle studies after obtaining the Degree of Licentiate, the period of licentiate study is deducted from the total period of the doctoral studentship.

5.2. Programme content

5.2.1. Courses and other components

The third-cycle programme includes courses totalling 15 credits.

The director of third-cycle education studies at the Department of Business Law can decide that a doctoral student may transfer credits from second or third-cycle courses at other departments within Lund University or other higher education institutions. An introductory theory course in jurisprudence consisting of 7.5 credits, is *compulsory* and is always included in the course package. An exemption may be granted by the director of third-cycle studies in cases where the doctoral student has acquired equivalent knowledge by other means. A course in research ethics worth 3 higher education credits is also *compulsory*.

Doctoral students at the Department of Business Law may study jurisprudence and business law at a seminar-based graduate school for 4.5 credits. Within this framework, each participant is to regularly submit an original text as the basis for a seminar.

5.2.2. *Licentiate thesis*

The licentiate thesis is to document the doctoral student's ability to address an academic problem. The licentiate thesis is to be structured either as a single, cohesive work (a monograph) or as a compilation of articles with a summary.

5.2.3. *Seminars*

The doctoral student is to present their work in seminars. The first of them is to take place during the doctoral student's first year on the programme and is to be a research proposal seminar.

For doctoral students intending to obtain the Degree of Licentiate of laws, an open licentiate seminar is to be held, during which the doctoral student defends their academic paper. A senior researcher with their main engagement at another higher education institution is to oppose the manuscript as a critical reviewer.

5.3. Supervision

A doctoral student is entitled to at least two supervisors, one of whom is to be declared primary supervisor. The doctoral student's wishes are to be taken into account as far as possible in the allocation of supervisors. Supervision within the programme is to be qualified and delivered in a professional, adept and reflective manner. All supervisors are to have undertaken doctoral supervisor training. The primary supervisor is to be a professor or associate professor and, as a general rule, is to be active in the Department of Business Law.

All supervisors are to possess sufficient expertise to be able to supervise the doctoral student and are to have the time, knowledge, experience and dedication needed to provide sufficient support during the thesis work. The doctoral student is entitled to continuous supervision. Along with their supervisors, the doctoral student is to draw up an individual study plan detailing the courses and elements that the programme is to include. This plan is to be updated annually. The supervisor is to ensure that the plan is fit for purpose. The head of department and the director of third-cycle studies are responsible for continuous monitoring of study plans.

The doctoral student is entitled to ask for a change of supervisor. Information regarding a change of supervisor is available in *Procedure for the change of supervisor at the School of Economics and Management*, reg. no STYR 2016/860.

6. Teaching and examination

Teaching consists of courses and seminars. Planning of the department's range of courses is undertaken annually, taking into account the resources available both in terms of staff and budget, but also with regard to the number of doctoral students, the nature of the courses, the wishes of supervisors and so on. The teaching is intended to enhance the doctoral students' ability to autonomously complete their theses. As well as organised courses, general seminars and guest lectures are also offered.

For the Degree of Licentiate, the student must have passed all the assessed components included in the programme, and the licentiate thesis through the licentiate seminar. 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.

7. Degree of Licentiate of Laws or Degree of Licentiate of Philosophy

Degree titles: Degree of Licentiate of Laws or Degree of Licentiate of Philosophy.

The business law research undertaken within the department is largely conducted using jurisprudential methods. It is not uncommon for emphasis to be placed on traditional jurisprudential methods supported by the sources of law and focus on the content of currently applicable law.

Research in business law may sometimes have a broader sociological theme. Such research may involve greater or lesser elements of qualitative or quantitative empirical approaches, or of normative sociological modelling.

The research project's specialisation and the doctoral student's choice of methodology determine whether the doctoral student is to obtain a Degree of Licentiate of Laws or a Degree of Licentiate of Philosophy.

When the doctoral student is admitted, or not later than the research proposal seminar, the specialisation for the respective degree should be stated. There will be an opportunity to request a reconsideration, taking into account the development of the thesis. A change of specialisation is decided upon by the head of department in consultation with the doctoral student, supervisors and the research board at the Department of Business Law.