

Regulation of Third Cycle Studies

leading to a PhD in Law

(version in force as from March, 26th, 2015)

Article 1

Purpose

1 – The Faculty of Law of Universidade Nova de Lisboa (FDUNL) offers a cycle of studies leading to a PhD in Law, hereinafter referred to as the "Programme".

2 – The existence of this Programme does not preclude other forms of access to a PhD prescribed by law.

Article 2

Management

The programme will be managed by the 3rd cycle co-ordinator, assisted by one or two other professors to be appointed by the Scientific Board at the proposal of the 3rd cycle co-ordinator.

Article 3

Panel of Scientific Advisors

The Management Board may choose a maximum of 12 persons to serve on the Programme's Panel of Scientific Advisors. The members of this panel, whose role is to advise the Management Board on matters that the latter decides to submit to all or some members of the Panel, shall be selected from the national and international community, amongst holders of a PhD or equivalent degree or of an especially relevant scientific or professional curriculum.

Article 4

Applications

1 – The Programme is open to:

- a) Holders of a master's or equivalent degree;
- b) Holders of an especially relevant academic, scientific or professional curriculum recognised by the Scientific Board as attesting a capacity equivalent to that of holders of a master's degree.

2 – The Scientific Board shall determine the maximum number of students admitted each year of the Programme.

Article 5

Selection of candidates

1 – Selection of candidates is the responsibility of a Selection Committee appointed by the Management Board.

3 – The selection criteria shall be objective, based solely on the merit and quality of the candidates, and must be detailed in the announcement of the call for candidatures. The decisions of the Selection Committee shall be reasoned and subject to a prior hearing of the candidates.

Article 6

Number of credits

1 – The Programme corresponds to obtaining 240 ECTS assigned to the courses units that form part of the doctoral programme (98 ECTS) and to the doctoral thesis (142 ECTS).

2 – Additional credits will be awarded in a supplement to the diploma to students who successfully complete one or more course units offered by Universidade Nova de Lisboa's Doctoral School.

Article 7

Phases

The program includes:

- a) Completion of a doctoral course;
- b) Writing an original dissertation especially produced for the purpose of obtaining a PhD in Law.

Article 8

Anti-plagiarism statement

In all written work to be appraised, including the dissertation, students shall declare that they alone are the authors of the document presented and that any use of contributions or texts of others is duly stated.

Article 9

First phase

1 – The Programme's first phase, lasting three semesters, is directed at advanced education in Legal Sciences, Contextual Sciences of Law and Legal Research Methodology.

2 – Approval in each annual and half-yearly subject gives entitlement to 20 ECTS and 10 ECTS respectively.

3 – Students must attend at least 75% of the seminars in each subject in which they enrol and the SPEEDs (Permanent Seminar on the State and the Study of Law) that take place during the first phase of the Programme.

4 – The provisions as to the duration of the first phase and as to the minimum

number of subjects per semester shall not prejudice application to part-time students of the respective regulation.

5 – The provisions as to the duration of the first phase and as to the minimum number of subjects per semester may undergo such adjustments as may be seen to be necessary to accommodate students who begin to attend the Programme in the second semester of an academic year (spring semester).

Article 10

Subjects of the first semester of the first phase

1 - In the first semester of the first phase of the Programme each student must enrol in subjects corresponding to at least 30 ECTS.

2 – Students must attend the following semester subjects:

- Jurisprudence;
- Law and Society.

3 – Also compulsory is attendance of one of the following annual subjects:

- European Law;
- International Law;
- Criminal Law;
- Private Law;
- Law of Civil Procedure;
- Public Law.

Article 11

Subjects of the second semester of the first phase

1 – In the second semester of the first phase of the Programme each student must enrol in subjects corresponding to at least 30 ECTS.

2 – Also compulsory, in addition to the annual attendance of the chosen subject, is attendance of the semester course in Analysis of the Law Methodologies and of one of the following semester subjects:

- Comparative Private Law;
- Comparative Public Law.

Article 12

Mechanism of the first two semesters of the first phase

1 – All subjects are lectured in the form of research-oriented seminars.

2 – Joint lecturing by two or more lecturers is permitted.

3 – Presentation of a written work is mandatory in the annual subjects.

4 – In each subject a grade will be assigned on a scale of zero to twenty.

5 – The subjects will be lectured in Portuguese or English, depending on the

language skills of the lecturers and students.

6 – Students may repeat subjects in the academic year next following their first registration.

Article 13

Individual guidance and programming

1 – At the beginning of the third semester of the first phase, the Scientific Board, at a request of the doctoral student addressed to the Chairperson of the Scientific Board, with a copy to the co-ordinator of the 3rd cycle, will decide as to:

a) the designation of a supervisor or co-supervisors for the doctoral student in the preparation of the doctoral dissertation, mandatory as from that semester; special grounds must be provided for a request for co-supervision;

b) The scientific domain of the dissertation, in accordance with the list approved by Order 4109/97, published in *Diário da República*, 2nd series, n. 162, of July 16, 1997, and the chosen research area;

c) The individual programming of the research, including the selection of universities or institutes at which it is to be conducted.

2 – The programming of each doctoral student shall include one or more contacts with foreign research centres of recognised prestige, appropriate to the area of specialisation and approved by the mentor lecturer.

Article 14

Third semester of the first phase

1 – During the third semester of the first phase the doctoral student shall:

a) Attend the subject of Legal Research Methodology;

b) Present a paper at the Permanent Seminar on the State and the Study of the Law (SPEED);

c) Present and publicly discuss a project of the PhD dissertation.

2 – Approval in Legal Research Methodology corresponds to 8 ECTS. The presentation of a paper at SPEED and the presentation and discussion of the project correspond to 10 and 20 ECTS, respectively.

3 – The students' performance at Legal Research Methodology, the presentation of the paper at SPEED and the presentation and discussion of the project will not be assigned a grade, but simply an indication of pass / fail.

4 – Given the importance of providing guidance to the students as they prepare the request referred to in Article 13 within the subject of Legal Research Methodology, the Scientific Board may determine that attendance of this subject should begin during the second semester of the first phase of the Programme.

Article 15

Transition to the second phase

- 1 – To move on to the second phase, it is necessary to obtain:
 - a) A pass in Legal Research Methodology;
 - b) A pass in every other subject with an average grade of 16 marks;
 - c) The total of the credits corresponding to the presentation of a paper at SPEED and the presentation and discussion of the project of the PhD dissertation.
- 2 – Provided they have passed in all subjects of the 1st and 2nd semesters of the first phase, students who have not moved on to the second phase of the PhD are awarded a diploma certifying such a pass.

Article 16

Second phase

- 1 – The second phase of the Programme, which shall not exceed five semesters, is designed especially for the continuation of the preparatory research for the doctoral dissertation and its drafting.
- 2 – The object of the dissertation must be a topic related with subjects in which the candidate has obtained a minimum average grade of 16 marks.
- 3 – The dissertation must be submitted in a font and spacing that facilitate their reading and must not exceed the limit of 800,000 characters, including spaces and notes. The number of characters must be expressly stated in the dissertation.
- 4 – FDUNL will issue a Style Guide to be used in the preparation of the dissertation, as well as in other written work to be presented this Programme.
- 5 - The dissertation shall be written in Portuguese and/or English. Writing the dissertation in other languages requires the prior consent of the Scientific Board.

Article 17

Mechanism of the second phase

- 1 – During the course, especially in the second phase, the doctoral student may be invited by the Faculty to collaborate in its scientific and pedagogical activities.
- 2 – To the extent that its human and financial resources so permit, the Faculty shall provide the doctoral student with the means necessary for the PhD Programme to be concluded with high quality and within the period prescribed above for the purpose.
- 3 – The supervisor must engage in monitoring the work of doctoral student, presenting an annual report to the Scientific Board on the work of the doctoral student and the development of the guidance.
- 4 – Whenever the supervisor considers that the activities of the doctoral student suggest, with a high degree of probability, that the PhD will not be concluded within the period or will be concluded with significant delay, the supervisor shall propose to the Scientific Board: (i) his/her transition to the part-time student system; or (ii) his/her

exclusion from the Programme.

5 – In the event of determination of exclusion from the Programme the Scientific Board may offer the doctoral student the opportunity to pursue his/her research in a freelance regime, benefiting from monitoring by the supervisor and other resources of the Faculty, under terms to be set by the Management Board.

Article 18

Public defence of the dissertation

1 – Public defence of the doctoral thesis cannot take longer than 150 minutes, including:

- a) An optional presentation by the candidate, with a maximum duration of 10 minutes;
- b) Two argumentation periods with a maximum duration of 30 minutes each and two answers of identical maximum duration;
- c) The possibility of the remaining members of the jury asking questions, the same time being given to the candidate, this final part not to exceed 20 minutes.

2 – After the end of the discussion, the jury meets and decides by majority, through nominal, reasoned vote, whether the dissertation passes or fails.

3 – The final grades awarded by the PhD jury in the event of approval of the applicant are as follows: "Pass", "Pass with Distinction" or "Pass with Distinction and Honour".

Article 19

Curricular changes

In each academic year, the Scientific Board may reduce the list of elective subjects or add others that fulfil the general objectives of the Programme.

Article 20

Code of Good Practice

The Faculty follows the guidelines set out in the document entitled *Good Practice in PhD Education at Universidade Nova de Lisboa*, approved by the Doctoral School of Universidade Nova de Lisboa.

Article 21

Entry into force

This Regulation, adopted by the Scientific Board on 04.02.2015, shall enter into force on the day next following its publication on the FDUNL web page.