

General Study Plan for Postgraduate Education at the Faculty of Law in Uppsala

This Study Plan covers postgraduate (third-cycle) study programmes leading to the Doctor of Laws degree and Licentiate of Laws degree in *Jurisprudence, Private Law, European Law, Fiscal Law, Public International Law, Business Law, Administrative Law, Private International Law, Constitutional Law, Medical Law, Environmental Law, Public Law, Civil and Criminal Procedural Law, Legal History and Criminal Law.*

The Study Plan was adopted by the Board of the Faculty of Law on 10 May 2016 in accordance with provisions on third-cycle (postgraduate) studies in Chapters 5, 6, 7 and 12 of the Higher Education Ordinance (SFS 1993:100) and the Degree Regulations appended to the Ordinance; in *Regulations on Admission to Third-cycle Studies at Uppsala University* (AFUU, 14 December 2012, UFV 2012/2057); and in *Guidelines for Third-cycle Studies at Uppsala University* (RFUU, 21 December 2010, UFV 2009/1993). The Study Plan was amended on 26 February and again on 31 August 2018.

1. Scope

The third-cycle study programme for the Doctor of Laws degree comprises 240 higher education (HE) credits, while that for the Licentiate of Laws degree confers 120 HE credits.

Students who were originally admitted to follow a study programme leading to a licentiate degree may, following a new approved application, continue their studies to complete a doctoral degree. Doctoral students who originally planned to conclude their studies with a doctoral degree can choose to end their studies with a licentiate degree. Part of a third-cycle study programme designed to culminate in a doctorate can, at Uppsala University, culminate in a licentiate if the programme comprises at least 120 HE credits.

Written justification of the student's admission to study for a licentiate must be inserted into the individual study plan.

2. Purpose of study programme

The overarching objective of the third-cycle study programme is for the new PhD graduate or licentiate to be well prepared for a successful career within or outside higher education. The

relevant requirements include having in-depth subject knowledge in the research area, the capacity to think independently and critically, skills in scholarly methods and work procedures, the ability to identify interesting and researchable questions, teaching skills and good self-expression in speech and writing, the capacity to work in an international context and an ample ability to understand and address issues of research ethics, and laws and regulations relevant to these issues, such as the Swedish Act concerning the Ethical Review of Research Involving Humans (Swedish Code of Statutes 2003:460).

The Degree Ordinance contains detailed objectives for doctoral and licentiate degrees.

3. Eligibility

To be admitted to a third-cycle study programme, the applicant is required to meet both general and specific eligibility requirements and, in addition, to possess the ability needed to benefit from the study programme (Chapter 7, Section 35 of the Higher Education Ordinance).

3.1 General eligibility requirements

General eligibility requirements are laid down in Chapter 7, Section 39 of the Higher Education Ordinance, as follows.

Generally eligible for third-cycle courses and study programmes is a person who has:

1. been awarded a second-cycle qualification
2. satisfied the requirements for courses comprising at least 240 HE credits, of which at least 60 were awarded in the second cycle, or
3. otherwise acquired broadly equivalent knowledge in Sweden or abroad.

The HEI may permit an exemption from the general eligibility requirements for an individual applicant, if there are special grounds.

3.2 Specific eligibility requirements

Specific eligibility requirements for third-cycle courses and study programmes are laid down in Chapter 7, Section 40 of the Higher Education Ordinance and Section 2 of *Regulations on Admission to Third-cycle Studies at Uppsala University*. At the Faculty of Law, applicants are regarded as eligible if they have:

1. *either*, in Sweden, gained a Bachelor or Master of Laws degree, or completed the Law Programme
2. *or*, in Sweden or abroad, acquired knowledge corresponding to what people with the above qualifications may be expected to possess. Evaluation of whether the applicant's knowledge is sufficient, special consideration must be given to what is required for successful completion of the specific subject in the study programme.

Applicants must possess satisfactory knowledge of the Swedish or English language.

If there are special grounds, the Research Committee may exempt individual applicants from the specific eligibility requirements. In this assessment, special consideration must be given to what is required for the successful completion of the study programme for the specific subject.

4. Financing of studies

The following regulations on financing of studies are contained in Chapter 7, Section 36 of the Higher Education Ordinance.

A higher education institution (HEI) may admit to third-cycle courses and study programmes only applicants who have been appointed to doctoral studentships or awarded doctoral grants. The HEI may, however, admit applicants who have some other form of funding for their studies if it considers that the funding can be secured throughout the study period, and that the applicants can devote enough time to the programme to complete it within four years for a licentiate degree (or licentiate in the fine, applied and performing arts) or eight years for a doctorate (or doctorate in the fine, applied and performing arts).

Uppsala University endeavours primarily to use doctoral studentships, i.e. salaried positions funded by Faculty grants or with external funding, to finance studies for third-cycle students. If special reasons exist, the Research Committee may decide to admit doctoral students with other forms of funding, such as research fellowships.

Applicants with external funding may be admitted, irrespective of whether they are appointed to salaried positions or not, only if the funding can be secured throughout the study period. The study financing must also cover the Faculty's costs of premises, supervision, library resources etc. Funding intended to cover the doctoral student's living costs should be at a level corresponding as closely as possible to salary for a doctoral student at the department. In exceptional cases, the Research Committee may decide to admit doctoral students in other circumstances. The study financing must correspond at least to the level of after-tax income that may be obtained through study grants. The same quality criteria must be applied when doctoral students with external funding are admitted as when doctoral students with Faculty funding are admitted.

The obligation to provide funding for the doctoral student and the obligation to make other resources available for completion of the student's project during the study period must, as far as possible, be regulated in a contract between the funder and the department or other document binding on the funder.

If a doctoral student previously admitted with other funding takes up a salaried position, a deduction from the study period must be made so that the net study period of two or four years' full-time study is retained. Only in the circumstances specified in Chapter 5, Section 7 of the Higher Education Ordinance may the funding be provided for a net study period exceeding four years.

5. Content of the education

Studies in third-cycle education comprise a thesis project and compulsory courses and seminars.

5.1 Thesis project

The thesis project confers 180 HE credits for the Doctor of Laws degree and 90 HE credits for the Licentiate of Laws degree.

Two forms of thesis are allowed. One is a single, coherent scholarly work (monograph thesis). The other is an introductory summary (chapter) with a number of academic articles (compilation thesis) that, overall, may be deemed to meet the requirements for a monograph thesis. If two or more people have written the thesis or parts thereof in collaboration, the doctoral student's contributions must be distinguishable.

5.2 Half-time review

The Faculty of Law's rules of administrative procedure (file ref. JUR 2013/1414) contain provisions on the half-time review, due after the first two years.

5.3 Compulsory courses and seminar activities

The *Doctor of Laws* degree requires 60 HE credits' worth of course and seminar work. The course requirement includes an introductory course (15 HE credits), two supplementary courses (totalling 15 HE credits), a literature course in the research subject (15 HE credits) and subject seminars (15 HE credits).

The *Licentiate of Laws* degree requires 30 HE credits' worth of course and seminar work. The course requirement includes an introductory course (15 HE credits), a literature course in the research subject (7.5 HE credits) and subject seminars (7.5 HE credits).

5.3.1 Introductory course, 15 HE credits

The course is designed to give the doctoral student a useful introduction to theory of science, specialising in how it can be applied to legal theory and methodology. The course is intended not only to convey insight into how academic questions are discussed and practised in today's academic world but also to provide the methodological skills typically used in legal science (jurisprudence). It is also intended to provide an introduction to laws and regulations relevant to

issues of research ethics in jurisprudence research. The introductory course must use course books covering both theory of science and legal theory and methodology. The study plan must stipulate attendance requirements, forms of examination, which components are compulsory and who conducts the examination for the course.

5.3.2 General supplementary courses, 2 x 7.5 HE credits

These courses, relating to general theoretical or methodological problems, must be provided annually if necessary. The study plan for a supplementary course must stipulate attendance requirements, forms of examination, which components are compulsory and who conducts the examination for the course.

5.3.3 Literature course in the research subject, 15 and 7.5 HE credits respectively

The literature course is intended to provide a general introduction to the research subject. The course books must be at an academic level and thus elucidate the implementation of various research tasks. A study plan defines the learning objectives, forms of examination and reporting routines for the course.

5.3.4 Subject seminars, 15 and 7.5 HE credits respectively

The purpose of the course comprising subject seminars is to provide in-depth subject knowledge and training in legal method and argumentation, and also generally serve as a support for the thesis project. This course is normally provided within the framework of the regular subject seminars.

Within the scope of the course comprising subject seminars, students for the Doctor of Laws degree must present draft thesis manuscripts or other writings relevant to the study programme on at least two occasions. Students working for the Licentiate of Laws degree must present such writings on at least one occasion. The presentation may, for example, take the form of:

- an *initial seminar* during the first year of the study period
- a *half-time seminar* in conjunction with the submission or approval of writings for the half-time review (halfway through the doctoral student's study period, i.e. after two years) and/or
- a *final seminar* during the latter part (after approximately 80%) of the study period, when most of the thesis has been completed.

Writings may also be presented at seminars other than the regular subject seminars.

A study plan lays down the learning objectives, forms of examination and reporting routines for the course.

5.3.5 Transfer of credit and alternative courses

Credit for a course attended at another HEI with content equivalent to the *introductory course* may be transferred. The Research Committee decides about credit transfers.

As an alternative to the *general supplementary courses*, the doctoral student may pursue other courses. Such courses must deal with general theoretical or methodological issues and provide knowledge and skills of value for doctoral students' thesis work. Examples are courses in scientific method, or other courses specifically connected with students' thesis subjects, provided at other HEIs in Sweden or abroad. An application to pursue an alternative supplementary course must be made to the Research Committee, preferably before the course is held.

The Research Committee decides in individual cases whether a course can be approved as an alternative to the general supplementary courses, and also whether to approve the transfer of credit for the course. For a course to be considered a viable alternative, there should be a fixed timetable, a list of course books and some form of examination. Courses that are exclusively at a basic, undergraduate (first-cycle) level cannot be approved as alternative supplementary courses unless there are compelling reasons for this.

If special reasons exist, half the HE credits for the *subject seminars* (7.5 HE credits) may be replaced by an expanded literature course. A decision to approve replacement of the subject seminars by an expanded literature course in this manner is made by the Research Committee.

5.3.6 Exemption

A doctoral student who, for particular reasons, is unable to follow courses or seminars to a satisfactory extent may be granted exemption. This exemption may be subject to certain conditions. Exemption is granted by the Research Committee.

5.3.7 Relation to previous study plans

Doctoral students are obliged to complete the compulsory course requirements only in accordance with the regulations in the General Study Plan in force when the students were admitted.

6. Supervision

Supervision in third-cycle courses and study programmes is regulated in Chapter 6, Section 28 of the Higher Education Ordinance:

At least two supervisors must be appointed for each doctoral student. One of them is nominated as the principal supervisor. Doctoral students are entitled to supervision during their studies unless the Vice-Chancellor has decided otherwise pursuant to Section 30.

A doctoral student who so requests is allowed to change supervisor.

For each doctoral student, the Faculty Board must appoint at least two supervisors: one to bear primary responsibility for the person's studies, including the thesis project, and a deputy supervisor. One of the supervisors must be employed or an adjunct at Uppsala University. The principal supervisor must have qualifications corresponding at least to the level of docent (associate professor). At least one of the supervisors must have attended supervisor training (point 8 in *Guidelines for Third-cycle Studies at Uppsala University* [RFUU]).

The supervisors and the doctoral student must be in touch frequently throughout the study period. The supervisors' detailed commitments must be defined in the individual study plan. These commitments include:

- providing advice and guidance regarding research methods and the terms and conditions of research, including qualitative requirements, available material and issues of research ethics, along with laws and regulations relevant to the same
- in consultation with the doctoral student, deciding on the thesis subject, taking into account the need for the studies to comprise 240 HE credits, or 120 HE credits for a licentiate degree
- in consultation with the doctoral student, on an ongoing basis, planning the thesis work and forms of supervision and analysing deviations from previous plans
- encouraging and providing contacts with Swedish and foreign researchers and institutions and working to ensure that the doctoral student has the opportunity to undertake study visits and trips
- being available to review manuscripts and otherwise for discussions and consultations
- making sure the doctoral student is fully aware of how far the thesis work is progressing in an approved manner, and — especially in the latter part of the study programme —
- making sure the doctoral student clearly understands how far the research presentation is of the quality required for approval.

7. Individual study plan

Chapter 6, Section 29 of the Higher Education Ordinance contains the following provisions regarding the individual study plan.

For every doctoral student, an individual study plan must be drawn up. This plan must contain the undertakings made by the HEI and the doctoral student and a timetable for the doctoral student's study programme. The plan is adopted after consultation with the doctoral student and his or her supervisors.

The individual study plan must be reviewed regularly and, following consultation with

the doctoral student and supervisors concerned, amended by the HEI where necessary. The study period may be extended only if there are special reasons for this. Such reasons may be leave of absence due to ill-health, leave for service in the Armed Forces, leave for an elected position in a trade union or student organisation, or parental leave.

Guidelines for Third-cycle Studies at Uppsala University (RFUU) provides detailed instructions on what the individual study plan must contain. The plan must be followed up and revised at least once a year. It must be signed by the doctoral student, the supervisors and the head of department, and be approved by the Research Committee. Both the supervisors and the doctoral student are obliged to report any deviation from the individual study plan. If any particular difficulties are foreseeable, more frequent follow-ups and alternative ways of following up the student's progress should be considered.

8. Disputation and licentiate seminar

Regulations for the doctoral disputation (public defence of a doctoral thesis) are found in Chapter 6, Sections 33–35 of the Higher Education Ordinance and supplemented by *Regulations on Admission to Third-cycle Studies at Uppsala University* (AFUU).

Chapter 6, Section 33, in its account of the degree requirements for a doctorate (or doctorate in the fine, applied and performing arts), makes it clear that one requirement for these degrees is an approved doctoral thesis.

The doctoral thesis must be presented and defended orally at a public disputation. A faculty examiner or external reviewer (*opponent*) is appointed for this presentation.

Chapter 6, Section 34 states there must be at least one person involved in the appraisal of a doctoral thesis who does not work at the HEI that is to award the doctorate concerned.

Chapter 6, Section 35 states that the HEI may issue regulations on the grading system to be used and on public disputations and appraisal in other respects.

8.1 Doctoral degree

For a doctoral degree, the doctoral student must have (a) had an academic (doctoral) thesis approved by the Faculty of Law and (b) passed the examinations that may be included in the study programme. A doctoral thesis must be defended orally at a public disputation. The oral examination is led by an 'opponent' (faculty examiner or external reviewer) specially appointed for the occasion. The disputation is chaired by the student's principal supervisor or the Research Committee's appointee.

The grade for a doctoral thesis must be decided by an examining committee that is specially appointed to appraise each individual thesis. An examining committee must consist of three or five members, one of whom must be associated with the Faculty of Law in Uppsala. Unless there are special reasons for the contrary, the majority of the members appointed must be individuals with no permanent association with the University's Faculty of Law. A person who has been a supervisor for the doctoral student may not be a member of the committee, but the Vice-Chancellor may grant an exemption if there are compelling reasons for doing so. The composition of the examining committee is decided by the Research Committee.

A person who has completed a licentiate degree in the subject may be credited for these previous studies within the requirements for a doctoral degree.

Detailed instructions regarding the forms of the disputation, notification of the disputation date and the examining committee's deliberations are found in *Guidelines for Third-cycle Studies at Uppsala University* (RFUU).

8.2 Licentiate degree

For a licentiate degree, the third-cycle student must have (a) had an academic thesis approved by the Faculty of Law and (b) passed the examinations that may be included in the study programme.

A licentiate thesis must be defended at a public seminar. The examination is led by an opponent specially appointed for the occasion. The seminar must be held during the semester (in term time). The licentiate thesis must be made accessible to the public at least three weeks before the seminar. Exceptions regarding the period of accessibility and presentation at a date outside the semester (not in term time) are decided upon by the Dean.

Grading of a licentiate thesis is carried out by a three-member examining committee. The opponent and the examining committee are appointed by the Research Committee. The supervisor may belong to the examining committee. The licentiate thesis is given either a pass or a fail grade. In the grading, both the content and the student's defence of the thesis must be taken into consideration.