

**Extract from the Minimum Requirements for Master Theses of
Erasmus School of Law
2016-2017**

Commercial & Company Law

General

Erasmus Law School has adopted minimum requirements for theses and thesis supervision. This document is an extract and English translation of these minimum requirements as far as relevant to foreign students of the English language LLM-programme:

- Commercial & Company Law

In matters of interpretation the original Dutch version of the “Minimumeisen scripties” as established by Erasmus law School shall prevail over this document. The abovementioned LLM-programme requires a thesis representing 10 ECTS. A thesis is an individual piece of work. A *collaborative* report on the participation in a pleading competition, a written pleading or the like do not qualify as a thesis. In exceptional circumstances, a thesis written by two people may be allowed. Prior permission is required from the examination board, which may set specific conditions. The subject matter of theses for the Commercial & Company Law LLM-programme must lie within the field of Commercial & Company Law. The coordinator of the Commercial & Company Law LLM-programme shall approve the subject matter of the thesis in advance. Students of the Master Commercial & Company Law **are only allowed** to start writing their thesis, after they have passed the Research & Writing Skills Module (RB-39).

Assessment protocol

Theses written for the LLM-programme in Commercial & Company Law will be assessed by two examiners, the thesis supervisor and the second reader. Students will sign an authenticity statement, a copy of which is to be found on the channel Thesis Master Commercial & Company Law. Failing a signed authenticity statement, the mark awarded for the thesis cannot be registered by the exam administration. Theses are assessed in accordance with the following criteria:

- 1) Problem statement
 - One or more unambiguous problem statements form the basis of the thesis research
 - These problem statements are set out in the ‘Introduction’ to the thesis.
- 2) Logical structure and consistency

- The aim of the thesis research is to provide one or more answers to the questions formulated in the problem statements.
- The thesis is structured in such a way that the answers to the questions posed are highlighted as clearly and as comprehensibly as possible.
- This is done using consistent layout criteria.
- The structure of the argument is lucid. (Which positions are taken? Which arguments are used to that end? How are the arguments connected to one another?)

Wording

- The writing is grammatically correct and stylistically acceptable.
- Core concepts are defined clearly and unambiguously and are used consistently in that sense throughout the thesis.

Composition

- The thesis contains an 'Introduction' and a 'Conclusion'.
- The central part of the thesis is divided into chapters, sections and paragraphs.
- The division into chapters, sections and paragraphs follows the lines of the criteria for the logical structure given above (see 2).
- Both the thesis and its constituent parts are given a title that covers the content of the work.

For guidance for point 1 till 4 see:

- Ian Curry-Sumner and others, *Research Skills* (1st edn, Ars Aequi Libri 2010).

Acknowledgement of sources

- Sources used are set out in the thesis as comprehensively and accurately as possible. This includes the exact sources of quotations or excerpts.
Students are required to make use of the Oxford Standard for the Citation of Legal Authorities. *OSCOLA 2010, Oxford Standard for the Citation of Legal Authorities* (4th edn, Faculty of Law University of Oxford 2010)
<www.law.ox.ac.uk/published/OSCOLA_4th_edn.pdf> accessed 8th September 2016.
- It should be easy for the reader of the thesis to ascertain whether the findings presented derive from the literature consulted or whether they are the author's own assumptions and opinions.
- Where possible, indirect quotations are avoided.
- Students access electronic sources where necessary or relevant.
- The thesis shall include a bibliography.

Form and size

Students are expected to have basic computer use skills both in regard to word-processing (acceptable format, no spelling errors etc.) and conducting research through sources and databases available on the internet. The thesis shall be submitted electronically and in hard copy (see also item 14 of 'other requirements').

A thesis representing 10 ECTS comprises **minimum** 12,000 words (**minimum** 30 pages). This excludes the footnotes, the title page, the table of contents and the bibliography. **Footnotes may only be full source references, and may not contain elaborations on the main text.**¹

Citing sources in footnotes

Reference to sources used is given in footnotes. Footnotes are not appropriate for supplementing or explaining your argument. If data used in the text are derived from the literature, jurisprudence, or other sources, reference to these must be made in the footnote. It is important that the source references are accurate, complete, and consistent. Students are required to make use of the Oxford Standard for the Citation of Legal Authorities (Oscola), 4th edition (see Section 2.4 above under required reading materials).

Full reference must be given in the footnotes. If repeated reference is made to the same source in a written assignment or a mini-thesis, the use of footnotes that refer back to an item or the use of the word 'idem' (the same author) should be avoided. State the same source and avoid references like 'ibidem' (at the same location) and 'l.c.' (loco citato, at the cited place). If such references are used, the reader is forced to search for the place where the source was first mentioned. Obviously, this is not desirable. Therefore, use full and complete referencing. All footnotes should be numbered subsequently, even if they refer to the same source. Always state the page number.

When and how to cite?

Usually, a student will use his/her own words, but sometimes it is sensible to quote a passage from somebody else (author or judge). As a rule, this is only necessary and permitted if something essential were to be lost through reproduction in your own words (e.g. a consideration from a supreme court decision that is often very precisely formulated and has a certain authority in that formulation). A piece of work that is more or less composed of a sequence of quotations will not be accepted as your own argument. The thesis is not a thesaurus of citations.

If decided to quote, one must do so *exactly and literally*. Quotations must always be placed between quotation marks, and the exact location needs to be stated in the footnote

¹ NB: Theses that exceed the minimum amount of words extensively may be disqualified.

reference, including the number of the page on which it was found. If a student wishes to omit a part of the original text from the quotation, this must be indicated as follows (...). Copying material without source references is plagiarism, and is considered a cardinal sin in scholarly work.

Other requirements for thesis production and supervision

For each of the LLM-programmes a thesis coordinator has been appointed who manages a repository of thesis subjects and who coordinates between the students and the thesis supervisors.

The student chooses his or her own subject. Preferably the subject is one of the students own design and not one taken from the list of subjects published on Sin-online.

Submission of Note 1: the student shall have to submit two different topics, with a small introduction into the topics explaining what it is that he/she wishes to write about. Furthermore a preliminary list of literature must be added and a problem statement on both topics must be formulated. Deadline for submitting note 1 is **28th of October 2016**.

The coordinator shall select and approach a thesis supervisor and inform the student on or before **23rd December 2016**. **Once a supervisor has been allocated to the student, he/she can no longer change the topic.**

Submission of Note 2: When one of the topics is approved by the thesis coordinator, the student shall have to submit Note 2. Deadline for submitting note 2 is: **27th of January 2017**. Note will need to include:

- a small introduction
- one or more preliminary problem statements
- a preliminary division into chapters
- a preliminary list of literature to be consulted
- a preliminary schedule including an estimated timeframe (number of hours) per section (or step) and an outline of dates on which each section is to be completed.

Please make sure to upload note 2 via “my uploads” and send it to your supervisor via “my papers”.

The supervisor comments orally or in writing under normal circumstances on these preliminary items within a fortnight. He or she ensures that the amount of literature to be consulted is in fair proportion to the envisaged number of credits. In the event of serious criticism of the preliminary items referred to under 5, the supervisor invites the student to discuss the matter.

Once the supervisor has approved the preliminary items referred to under 5, this is laid down in a thesis agreement. The agreement is drawn up in triplicate – one copy is for the supervisor, one for the student and one for the examination board. The agreement has to be submitted before 17:00 hours on **17th February 2017** at the private law secretariat at T19-13.

The student has to submit the first substantive chapter (not his/her introduction) on **24th February 2017** both by My Uploads on the thesis channel and send to his/her supervisor by My Papers.

After the supervisor has approved the items referred to under 5, the student conducts a further study of the literature. Students will need to present their progress of the thesis during two meetings together with some fellow students. The meetings will take place between February-May. The supervisor will give feedback on the information presented by the student. The student will make a meeting memo in which the student mentions the feedback that is given by the supervisor. The supervisor will inform the student whether the view of the student is correct.

The student initiates meetings with the supervisor to discuss the results of this study. Generally one meeting is held to discuss the first chapter after the student has submitted it, and one meeting is held to discuss the concept version of the whole thesis (point 11). **More than these two meetings are possible only in special circumstances.**

The supervisor ascertains whether the sections handed in are consistent with the problem statement or statements previously adopted. Please note that the supervisor is not always able to respond quickly, a response may take a few weeks, especially during and after the exam periods.

When the thesis is in its final stages, at least one meeting is held between the student and the supervisor.

Once it is ready, the thesis is submitted to the supervisor. The deadline for handing in the thesis is **2nd June 2017 (17:00 hours)**. The thesis must be submitted in digital form via “my papers”.

Only if the thesis is handed in ahead of the deadline of **2nd June 2017** may the supervisor allow the student to hand in an improved version of the thesis, but not later than the deadline of **2nd of June 2017**. Please note that the supervisor needs time to comment on your work. Therefore, in order to receive feedback, your completed concept version of your master thesis needs to be submitted on or before **Friday the 5th May 2017**. You will **not** receive any feedback if you submit your concept version after this deadline. You will receive feedback on your concept version on **Friday 19th May 2017**.

If a student fails to submit his/her thesis on **2nd of June 2017** the student must be aware that the student will **not** be able to contact his/her supervisor again until **1 September 2017**.

The supervisor and the second assessor will decide on or before **16th of June 2017** whether the student is admitted to the defense. If the student is not admitted to the defense, he/she will receive comments on how to improve the thesis during the summer. Please know that the student will not be able to contact his/her supervisor again until **1 September 2017**.

The student must also upload the final version of the thesis via the Thesis Uploads Channel on **2nd June 2017**. The thesis is presented in a single Word document.

In addition, **three paper copies** of the thesis are submitted on **the 2nd of June 2017 (before 17:00 hours)**. You can hand in all three copies at the private law secretariat at T19-13. Two copies are for the supervisor and the second assessor, the other one is submitted to the Dutch law examination board, c/o administrative office, room M6-06 directly after the defense. This last copy has been signed and marked by the supervisor and the second assessor as a final copy. On submission, the pink carbon copy of the examination certificate, with the mark and the signature of the supervisor and the second assessor, as well as the signed authenticity statement are handed in. The supervisor sends the original (blue) copy of the examination certificate to the examination office.

You should also upload your thesis on the channel of the exam committee **two days prior to your actual thesis defence:**

- 1 Choose for example "26 2017 Definitieve versie van masterscriptie" 26 2017 being the week in which you are attempting the upload.

The mark for the thesis is invalid if the examination board is not in possession of the thesis (an electronic version and a copy of the paper version).

The defense most likely takes place in the last week of June/first week of July 2017.

Immediately after the defense the supervisor and the second assessor will determine the mark of the thesis using the "Assessment Sheet Master Thesis ESL".

The coordinator acts as mediator if there are any problems between the student and the supervisor.

Papers written previously during one of the courses may not be resubmitted, unless they are clearly extended to represent a further in-depth or broader study, in consultation with the supervisor.

4. Time table

Block 1 Week 36-44	Block 2 Week 45-52	Block 3 Week 1-7	Block 4 Week 8-14	Block 5 Week 16-25	Block 6 (Re-sit exams)
<u>Week 43:</u> 28 October 2016 Submitting Note 1	<u>Week 51:</u> 23 December 2016 Announcing Supervisor	<u>Week 4:</u> 27 January 2017 Submitting Note 2	<u>Week 7:</u> 17 February 2017 Thesis agreement + authenticity statement <u>Week 8:</u> 24 February 2017 Submit the first substantive chapter	<u>Week 18:</u> 5 May 2017 Hand in concept version <u>Week 20:</u> 19 May 2017 final feedback <u>Week 22:</u> 2 June 2017 Final Draft Thesis	<u>Week 24:</u> 16 June 2017 Admission Defence <u>Week 26/27:</u> Thesis Defence

- **28 October 2016:** Deadline submitting Note 1:
You will have to submit two different topics (from different area's of law), by uploading your proposal in 'My Papers'. You will have to submit your proposals on the minimum of one and maximum of three A4 –sheets. The coordinator will then contact a potential thesis supervisor.
- **23 December 2016:** The coordinator will announce your supervisor.
You will have to make an appointment with your supervisor yourself via 'My Papers', after submitting Note 2 on 27 January 2017.
- **27 January 2017:** Deadline for submitting Note 2 and making an appointment with your supervisor for the signing of your thesis agreement and authenticity statement. The thesis agreement includes:
 - a small introduction
 - one or more preliminary problem statements
 - a preliminary division into chapters
 - a preliminary list of literature to be consulted

- a preliminary schedule including an estimated timeframe (number of hours) per section (or step) and an outline of dates on which each section is to be completed.
- **17 February 2017:** Deadline for submitting the thesis agreement (two times) signed by your supervisor. A signed agreement means that approval has been obtained from the thesis supervisor on the problem statement and division in chapters. The signed thesis agreement can be submitted at the private law secretariat at T19-13.
 - **24 February 2017:** Submit: the first substantive chapter (not your introduction).
 - **5 May 2017:** Handing in completed concept version of master thesis in order to receive feedback from your supervisor.
 - **19 May 2017:** You will receive feedback from your thesis supervisor.
 - **2 June 2017** Deadline for handing in thesis to 1st and 2nd reader (on 3 June is 0.5 less!).
 - **16 June 2017:** Decision by 1st and 2nd reader whether student is admitted to the defense of his thesis.
 - **Week 26/27:** Dates reserved for defense of thesis before 1st and 2nd reader.²
 - **End of August 2017:** Graduation ceremony

5. Thesis coordinator

The thesis coordinator appointed for the LL.M.-programme Commercial & Company Law is Mrs. C. Polderman LL.M., e-mail polderman@law.eur.nl

² N.B.: The mentioned defense dates are provisional; the definitive dates will be posted on the Thesis Channel.

Assessment sheet Master thesis ESL

Name student : _____

Master programme : _____

Supervisor : _____

Second reader : _____

Titel thesis : _____

Result : _____

Insufficient
Poor
Sufficient
Well done
Excellent

Subject/problem statement

Relevance	<input type="checkbox"/>				
Clarity	<input type="checkbox"/>				
Originality	<input type="checkbox"/>				

Remarks:

Structure

Logical, step-by-step answering of problem statement	<input type="checkbox"/>				
Correct and logical division in chapters, sections and paragraphs	<input type="checkbox"/>				
Proper use of headings	<input type="checkbox"/>				

Remarks:

Content

Professional knowledge	<input type="checkbox"/>				
Depth	<input type="checkbox"/>				
Own opinion	<input type="checkbox"/>				

Remarks:

Argumentation	Insufficient	Poor	Sufficient	Well done	Excellent
Substantiation of views	<input type="checkbox"/>				
Persuasion	<input type="checkbox"/>				

Remarks:

Formulating

Correctness (spelling, grammar, vocabulary)	<input type="checkbox"/>				
Comprehensibility/stylistic acceptability (clarity, precision)	<input type="checkbox"/>				

Remarks:

Sources

Use of relevant sources	<input type="checkbox"/>				
Accurate and correct citations	<input type="checkbox"/>				
Adequate bibliography and list of case law	<input type="checkbox"/>				

Remarks:

Layout

Overall text presentation/design

.....
Remarks:

Formation

Insuffici
Poor
Sufficie
Well
Excellen

Independent work

Compliance agreements

Duration thesis

Remarks:

Defense

Quality presentation

Response to questions

Remarks

Other remarks

.....
.....
.....
.....
.....

.....
.....
.....

Thesis supervisor

Name :

Date :

Signature :