



**UNIVERSITÀ
DI TRENTO**

***INTERNAL REGULATIONS OF THE PhD PROGRAMME IN
COMPARATIVE AND EUROPEAN LEGAL STUDIES***

Approved by the Law Faculty Board on 30th October 2019

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Art. 1 – The PhD Programme

1. The PhD Programme in "Comparative and European Legal Studies" (hereinafter "PhD Programme") offers various programme pathways (hereinafter referred to as "curricula"), aimed at training researchers who have a full awareness of the historical, economic, social and supranational contexts in which contemporary legal sciences exist and operate.
2. The PhD Programme is divided into five curricula which include various disciplinary areas as shown in Annex 1, which forms an integral part of the present Regulations.
3. The administrative seat of the PhD Programme is the Faculty of Law Department of the University of Trento (hereinafter the "Faculty"), whose premises and equipment are used in agreement with the Faculty. For administrative purposes, the bodies of the PhD Programme operate through its Secretariat which is based within the Faculty Secretariat.

Art. 2 – Aims

1. The PhD Programme aims to offer PhD students the knowledge and resources necessary to address, through a rigorous method, research problems in the legal field, using comparative law methodologies and with specific attention paid to the European, international and global aspects of law. The aim is to guarantee an interdisciplinary environment in which PhD students can apply their skills in the development of original arguments and thus participate in the national and international academic debate.

Art. 3 – Bodies of the PhD Programme

1. The bodies of the PhD Programme are: the Academic Board; the Executive Committee; the Coordinator.
2. The Board appoints a delegate from among its members to represent each curriculum activated within the PhD Programme.

Art. 4 – Academic Board

1. The Academic Board (hereinafter referred to as the "Board") is composed of at least sixteen members, including full professors, associate professors and researchers (assistant professors) from the Faculty. The Dean of the Faculty is an ex officio member of the Board.
The Board is integrated by, experts from other research institutes from a minimum of one sixth to a maximum of half of the total number of members. At least half of these experts must come from institutions in other States.
Adhesions of new members must be approved by the Board. Applications for participation on the Board must be sent to the Coordinator, accompanied by a curriculum vitae, a list of publications (with an indication of the five considered most significant by the candidate) and a declaration of membership/non-membership of Administrative Boards in other Universities and, in the case of university professors and researcher (assistant professors) belonging to another university, also by the authorization issued by that university.
2. The Board carries out the tasks provided by the University Regulations for Doctoral Programmes (hereinafter also called the "University Regulations"), and by the present Regulations.
3. The Board is convened by the Coordinator, who chairs it, or at the request of at least one third of its members. The convocation will be sent at least seven days before the Board meeting with the methods deemed most suitable to ensure its reception, including by email. When urgent, this deadline may be reduced to three days. The agenda is normally sent together with the convocation.
4. For the meeting to be considered valid the majority of the members must be present, once the justified absent members have been subtracted. Decisions are approved with a vote in favour by the majority of the present members. In case of a tie, the Coordinator's vote prevails.
5. The minutes of the Board meetings are taken by the Coordinator and by the Secretary of the meeting, that is, by the professor with least academic seniority among those present.
6. If the Board must deliberate urgently, or within a specific deadline, and it is not possible to gather the members in physical session in time, the Coordinator may convene an online session in which each participating member transmits his or her opinion and vote on a specific matter by email. Decisions taken electronically will be ratified at the first regular meeting of the Board.

Art. 5 – Executive Committee

1. The Executive Committee (hereinafter referred to as the "Committee") is established by the Board and is

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composed by the Coordinator, the Vice-Coordinator and the five curriculum delegates referred to in article 3 paragraph 2.

2. In addition to the tasks established by the University Regulations, the Committee:
 - a) prepares proposals regarding the academic and teaching organization of the PhD Programme;
 - b) assists the Coordinator in drafting the annual report pursuant to art. 15, fifth paragraph, lett. e) and art. 17, paragraph 1 of the University Regulations;
 - c) proposes agreements with other universities and with other public and private institutions;
 - d) organizes the admission tests for the PhD Programme and the exams to obtain the final doctoral degree;
 - e) for reasons of proven necessity and urgency, may adopt deliberations, under its own provision, on matters which fall under the competence of the Board, with the exception of the powers referred to in art. 14, paragraph 8, lett. b, c, f, k, l, m of the University Regulations, which belong exclusively to the Board. These decisions must be submitted to the Board for ratification at the next possible meeting of the Board.
3. For the procedures of the Committee and for the minutes of the sessions, the discipline provided for the Academic Board will be applied.
4. If the Committee must deliberate urgently, or within a specific deadline, and it is not possible to gather the members in physical session in time, the Coordinator may convene an online session, during which each participating member transmits his or her opinion and vote by email on a specific resolution. Decisions taken electronically will be ratified at the first possible meeting of the Committee.

Art. 6 – Coordinator and Vice-Coordinator

1. The Coordinator is elected by the Academic Board from among full and associate professors who are employed full-time at the University of Trento, and who are members of the Academic Board.
 2. The Coordinator designates a Vice-Coordinator from among the full and associate professors of University of Trento and who are members of the Academic Board.
- The Vice-Coordinator replaces the Coordinator in the case of his/her absence or impediment.

Art. 7 – Tutor

1. Each PhD student is assigned one or two tutors who have the task of facilitating the student's integration in the PhD Programme, of looking after their scientific path, of assisting them in choosing the location or locations in which to spend their period of study abroad, and of guiding them in the preparation of their thesis and all the other obligations required by the present Regulations.
2. The tutor is chosen, after ascertaining their availability, and with the consent of the PhD student, from among the faculty professors and researchers (assistant professors) with at least three years' seniority, including from those who do not belong to the Faculty, who have published relevant scientific publications in the last five years in a field which is pertinent to the PhD Programme.
3. Exceptionally, a scholar who is not a full professor or researcher (assistant professor) but who has relevant publications in the specific area of research of the PhD student may be appointed as tutor, under the same conditions.
4. When a tutor who is not a member of the Faculty is appointed, a second tutor will be nominated from among the members of the Board.
5. The tutor formulates his/her opinion on the final doctoral thesis written by the PhD student for admission to the final exam.
6. The tutors perform their tasks in agreement with the Coordinator.

Art. 8 – Programme modules and activities

1. The first year of the PhD Programme includes a minimum of 60 hours of scientific lectures which are common to all curricula.
2. Each PhD student can replace attendance on the scientific lectures referred to in paragraph 1 with participation in conferences or internal or external Faculty study seminars, up to a maximum of 15 hours.
3. In the second and third year of the course, organization of teaching activities is entrusted, under the supervision of the Coordinator, to the delegates of the single curricula.
4. In the second year, each PhD student must participate in seminars and lectures for a total of 40 hours, of which at least 15 are organized by the PhD Programme. To achieve the minimum attendance requirement pursuant to the following art. 14 paragraph 3 (36 hours), PhD students are required to participate in

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educational activities, which may also be external to the Doctorate Programme, subject to the understanding that the 15 hours of lectures organized by the PhD Programme may be replaced up to a maximum limit of 5 hours.

5. In the third year, each PhD student must participate in seminars and lectures for a total of 20 hours, of which at least 15 are organized by the PhD Programme. To reach the minimum attendance requirement pursuant to the following art. 15 paragraph 1 (18 hours), PhD students are required to participate in educational activities, which may also be external to the PhD Programme, subject to the understanding that the 15 hours of lessons organized by the PhD Programme may be replaced up to a maximum limit of 5 hours.
6. The academic calendar of all three years is formulated by the Executive Committee and approved by the Academic Board. If necessary, the calendar may be modified and/or integrated during the year by the Coordinator upon proposal of the delegates of the respective curricula. The updated version of the calendar will be published in a timely manner on the PhD Programme website by the Secretariat, and the Coordinator will refer the information to the Board at the first available meeting.
7. To obtain accreditation for participation in activities external to the PhD Programme, PhD candidates must obtain authorization from their tutor and sent it to the PhD Secretariat, together with a certificate of participation to the event, within 15 days of the event, under penalty of non-accreditation.
8. Lectures, which generally takes the form of seminars, may also be offered in English, German, French or Spanish.

Art. 9 – Attendance and absences

1. Participation in the scientific activities through which the legal education of the PhD Programme is provided is mandatory.
2. Without prejudice to the minimum attendance requirements, any absences due to illness or other causes of *force majeure* may be justified by the Coordinator upon motivated request, provided that they do not compromise participation in the PhD Programme.
3. Absences due to study periods abroad which have been approved by the Coordinator or by the Board do not require exoneration.

Art. 10 – Periods abroad and internships

1. From the second year onwards, PhD students are required to spend one or more research periods at foreign institutions.
2. The overall period of study abroad, to be carried out between the second and third year, must be at least six months, not necessarily continuously. The duration of each individual period must not be less than one month, unless this requirement is expressly waived by the Coordinator.
3. This research period may be carried out at one of the institutions listed in the *Manifesto of Studies*, or also at other suitable institutions depending on the purposes and subject of the research.
4. Authorization of the PhD student's proposal for the location of the studies and the research activity to be carried out abroad, subject to approval by the tutor, is issued by the Board for periods longer than six months, and by the Coordinator for periods of six months or less.
5. The periods spent abroad must always be communicated in advance to the PhD Secretariat.
6. The Board may grant exemptions from this obligation to PhD students who do not have a scholarship, or for other specific reasons.
7. The other educational activities may consist of periods of work at European or international institutions, embassies or other diplomatic organizations, or other private or public entities that carry out activities related to the subject of research of the PhD student; these activities require the same approval as in the previous paragraph 4.
8. For all other course activities, reference should be made to the University Regulations.

Art. 11 – Manifesto of Studies

1. The Academic Board annually approves the *Manifesto of Studies*, which indicates:
 - a. the name of the Coordinator, the members of the Executive Committee and the Academic Board;
 - b. teaching activities and the relative calendar;
 - c. foreign research institutes willing to accept PhD students and the modalities in which academic activities abroad should be carried on and attended;
 - d. the facilities available for PhD student research.
2. The updated version of the calendar of teaching activities is published in a timely manner on the PhD

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Programme website by the Secretariat, and the Coordinator reports this information to the Board.

Art. 12 – Admission procedure

1. Access to the PhD Programme takes place through a selection procedure, based on both a written and an oral examination, which can be carried out in either Italian or English.
2. The candidate indicates on the application form which specialization curriculum he or she intends to apply for and in which language he or she wishes to take the examination. If additional scholarships related to the study of a specific research topic are activated, the candidate must also indicate any interest in applying for these, making reference to the specific terms and methods indicated in the public call.
3. For the purposes of the written test, the Commission formulates three essay titles drawn from the disciplinary areas of each curriculum and randomly extracts a topic. Within the chosen curriculum, the candidate may elaborate one of the extracted titles.
4. In assessing the written examination, the Commission will take into account the adherence of the proof to the title, the descriptive completeness, the rigor of the arguments and the language, the ability to summarize and the clarity of explanation, the care to the profiles of comparative law.
5. In the oral exam the Commission will proceed to a discussion of the written paper, to ascertain the candidate's aptitude for research, and a general verification of the candidate's knowledge of the chosen research subjects. The oral exam will also ascertain the candidate's knowledge of the English language, with particular reference to the skills required for academic communication. If neither the written nor the oral examination have been carried out in Italian, the exam will include an evaluation of the candidate's knowledge of Italian.

Art. 13 – Activities compatible with the PhD Programme

1. PhD students may carry out, as an integral part of the educational programme and subject to the authorization of the Board and approval by the tutor:
 - a. tutoring for students of bachelor and master's level degree courses;
 - b. teaching activities up to a maximum limit, for the first three years of the course, of 40 hours per year.
2. If compatible with the commitments required by the PhD Programme, the Board can require PhD students availability to perform the activities referred to in paragraph 1 which involve a commitment of more than 40 hours.
3. Legal practice is compatible with participation in the PhD Programme up to a maximum limit of 20 hours per week.
4. Undertaking of other activities compatible with the PhD must be authorized by the Board, subject to approval by the tutor.

Art. 14 – Admission to the second and third years

1. To be admitted to the second year, each PhD student must obtain a total of 60 credits during the first year:
 - 30 credits for attending educational activities amounting to no less than 90% of compulsory lessons;
 - 30 credit subject to approval by the Board, for two written essays, one in Italian and one in a foreign language (English, German, French or Spanish). The Board will deliberate accordingly to the advice of a special commission appointed by the same Board. The Commission may invite PhD candidates to an interview.
2. The written essay must focus on subjects discussed in the educational activities in which the PhD students participated during the first year, one of which must be related to their curriculum, the other to a different one. If the PhD students intend to write an essay on a subject dealt with in a seminar other than those organized by the PhD Programme, the event must be an accredited seminar pursuant to the previous art. 8. In this case, the PhD students must, however, obtain express prior authorization from the Coordinator. The essays which must not exceed 80,000 characters (spaces and footnotes included), must be delivered by 15th September to the PhD Secretariat.
3. To be admitted to the **third year**, each PhD student must obtain a total of 60 credits during the second year:
 - 20 credits for attending educational activities both internal or external the Faculty, amounting to not less than 90% of the compulsory lessons of the second year, on the basis of a report presented by mid-September by the PhD student and previously approved by the curriculum delegate;
 - 20 credits for having obtained a positive evaluation in an interview to be held in front of a commission appointed by the Board, which will focus on the progress of the research. To this end,

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the candidate must send the provisional outline of the thesis together with the evaluation of the tutor to the Secretariat of the PhD Programme by mid-September.

- 20 credits for the organization and discussion within the PhD Programme of a seminar on a subject relevant to the student's PhD thesis.
4. Admission to the second and third year is approved by the Board once acquisition of the necessary credits on the basis of the criteria determined in the previous paragraphs has been verified.

Art. 15 – Admission to the final exam and conferment of the qualification

1. To be admitted to the **final exam**, each PhD student must obtain a total of 40 credits during the third year:
 - 10 credits for attending educational activities both internal and external to the Faculty, amounting to not less than 90% of the compulsory lessons of the third year on the basis of a report presented by mid-September by the PhD student and previously approved by the curriculum delegate;
 - 30 credits for the elaboration of the PhD final thesis approved by the tutor with a motivated opinion.A further 20 credits are awarded following a final successful dissertation of the PhD thesis.
2. The Academic Board, having acquired the motivated opinion of the tutor on the admission of the PhD student to the final dissertation, and having verified the acquisition of the necessary credits, will also express an opinion on the admission itself. In the event that the PhD student has achieved insufficient results, the Academic Board may decide not to admit the PhD student to the final dissertation and exclude him or her from the PhD Programme. In the event that the PhD student has obtained results of a sufficient academic value, the Academic Board will identify two or more assessors (hereinafter also referred to as *referees*) to be chosen from among professors and researchers (assistant professors) of high scientific profile, belonging to Italian or foreign entities, external to the University of Trento and to any other subjects which contribute to the PhD Programme.
3. The Secretariat of the PhD Programme will send a copy of the Thesis to the referees together with an evaluation on the activities carried out by the PhD student during the three-year period.
4. The referees express an analytical written evaluation on the thesis and propose admission to a public dissertation. If significant corrections or additions are necessary, the referees may propose a postponement of the dissertation for a period not exceeding six months.
5. The Board designates the Commissions for the final exam to be proposed to the Rector, composed by three members chosen among professors and researchers (assistant professors) of Italian or foreign entities, specifically qualified in the subjects which form the objects the thesis. Each Commission may be integrated by a maximum of two highly qualified experts, including foreign ones, belonging to public and private entities and organizations. In relation to each full member, the Board identifies an alternate member.
6. The conferral of the PhD title in "Comparative and European legal studies" is accompanied by the indication of the curriculum to which the PhD student belongs.

Art. 16 – Services available to PhD students

1. For the duration of the PhD Programme, students have access to a study room equipped with PCs, printers and fixed and wireless internet connection and may also have access to a room for seminar meetings.
2. PhD students can freely access the library facilities provided by the University Library using their University credentials.
3. For the entire duration of the course, PhD students may access the service provided by the CLA (University Language Center) to improve their knowledge of foreign languages.
4. To access the PhD student room, PhD students should contact the Secretariat of the PhD Programme (dottorato.sgce@unitn.it).
5. PhD students are required to use materials, equipment and facilities of the Faculty of Law Department appropriately, solely for institutional purposes and only for the duration of the PhD Programme.

Art. 17 – Rights and duties of PhD students

1. The rights and duties of PhD students are those established by the University Regulations and by the present Regulations.
2. These provisions are applicable, insofar as they are compatible, also to foreign PhD students who undertake research and study periods at the PhD Programme, within the framework of international agreements for the activation of co-supervised thesis programmes.

Art. 18 – Modification of the internal Regulations of the PhD Programme

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1. Modifications to the internal Regulations of the PhD Programme, approved pursuant to art. 8, paragraph 4, of the University Regulations, come into force 15 days from the date of their publication on the PhD website which must be expressly stated.

Art. 19 – Governing rules

1. The present Regulations integrate, to the extent expressly stated, all provisions of the current national legislation and by the University Regulations on PhD Programmes, which are, in any case, fully and directly applied.

Art. 20 – Gendered language

1. Any use in the present Regulations of the male gender to refer to subjects, positions and legal states has been used for the sake of simplicity of the text and should be understood as referring to both genders.

Annex 1

The PhD Programme is divided into five curricula which include different disciplinary areas.

- 1) Curriculum in "Private, comparative and commercial law", comprising four subject areas:
 - Private law
 - Comparative private law
 - Economic analysis of law
 - Commercial law
- 2) Curriculum in "Administrative, Constitutional and International Law", comprising three disciplinary areas:
 - Administrative law
 - Constitutional law
 - International law
- 3) Curriculum in "Criminal law and procedure and philosophy of law", comprising three disciplinary areas:
 - Criminal law
 - Criminal procedural law
 - Philosophy of law
- 4) Curriculum in "Substantive and procedural labour law", comprising two disciplinary areas:
 - Labour law
 - Civil procedural law
- 5) Curriculum in "History of Roman law and European legal thought", comprising two subject areas:
 - Roman law
 - History of European legal thought