

OFFICIAL TRANSLATION OF

**“Ordnung für das Aufbaustudium Law and Economics
vom 26. Februar 1997“
(Amtlicher Anzeiger Nr. 108, 1997))**

**THIS TRANSLATION IS FOR INFORMATION ONLY –
ONLY THE GERMAN VERSION SHALL BE LEGALLY
VALID AND ENFORCEABLE**

Regulations for the Graduate Degree Program Law and Economics

dated 26 February 1997

On 30 July 1997 after consultation with the Academic Senate at Universität Hamburg, the office of Science and Research (Behörde für Wissenschaft und Forschung) ratified the Regulations for the Graduate Degree Program Law and Economics adopted by the Department Council for Law II on 26 February 1997 in accordance with Section 137 of the Hamburg higher education act (Hamburgisches Hochschulgesetz, HmbHG) dated 2 July 1991 and last amended on 11 June 1997 (Hamburg law and ordinance gazette (Hamburgisches Gesetz und Verordnungsblatt, 1991 page 249, 1997 page 198)), as so amended.

Preamble

Upon a joint initiative, the Department of Law II from Universität Hamburg, and the faculties of law from Ghent University (Belgium) and Erasmus University Rotterdam (Holland), supported through the European Union's student mobility program ERASMUS for students, have joined together to collectively carry out with other universities the interdisciplinary graduate degree program ERASMUS Programme in Law and Economics. Participation in the ERASMUS Programme in Law and Economics and the organization of cooperative efforts shall be governed by agreements between the participating universities (Cooperation Agreement). Students who have successfully completed the ERASMUS Programme in Law and Economics shall be awarded the European Master in Law and Economics from the respective partner university where they complete their final trimester. The following Regulations shall govern the conferral of the European Master in Law and Economics to students

participating in the ERASMUS Programme in Law and Economics who complete their final trimester in Hamburg.

Section 1
Degree program and examination objectives

(1) The ERASMUS Programme in Law and Economics is a graduate degree program for jurists and economists who hold a law or economics degree from a higher education institution in the Federal Republic of Germany or elsewhere. The Degree Program is designed to give students a solid foundation in law and economics and through application facilitate their understanding of various European legal systems.

(2) In order to graduate, students must complete an examination. Candidates must demonstrate in the Degree Program that they have mastered the methods of law and economics and can independently apply them in academic work in a selected field.

(3) Examinations will be held in English.

Section 2
Conferral of the degree
European Master in Law and Economics (EMLE)

Upon successfully passing the examination, the Department of Law II at Universität Hamburg shall confer the degree European Master in Law and Economics (EMLE), provided that the final thesis was completed and graded in this department and at least two subject examinations pursuant to Section 8 herein were successfully passed in this department along with passing the other requisite examinations, which were administered in other departments or faculties.

Section 3
Coordinators and director

The appointment of coordinators for the participating departments and faculties and a director for the entire program in accordance with these Regulations shall be conducted pursuant to the provisions of the Cooperation Agreement.

Section 4
Admission to the Degree Program

(1) Individuals may be admitted to the graduate degree program Law and Economics who
1. hold

- a) a law or economics (economics or business administration) degree or another degree in which the focus was on law or economics from a higher education institution in the Federal Republic of Germany, or
 - b) a comparable degree in both type and scope to those degrees specified in a) from a higher education institution located outside the Federal Republic of Germany;
2. have the requisite proficiency of the English language for the program and examinations; and
 3. based on prior academic performance, are expected to successfully complete the ERASMUS Programme in Law and Economics.

(2) Candidates must apply at a university located in the respective candidate's country of citizenship or where he or she predominately completed his or her degree in accordance with subsection 1 no. 1 or subsection 2, respectively. A candidate may only be admitted to the graduate degree program Law and Economics in Hamburg if this person has been admitted by the director of the ERASMUS Programme in Law and Economics in accordance with the provisions of the Cooperation Agreement.

Section 5 Period and location of study

(1) The regular period of study in the ERASMUS Programme in Law and Economics is three consecutive trimesters (October to December, January to March, and April to June), each consisting of eleven weeks of instruction.

(2) Within the scope of available program options, the first and second trimesters may be completed at Universität Hamburg or in accordance with the provisions of the Cooperation Agreement at another of the participating universities. The third trimester must be completed in Hamburg. This shall not affect the conferral of the European Master in Law and Economics by another department or another faculty within the scope of the Cooperation Agreement.

(3) For at least one trimester, candidates are expected to attend another university other than the university that granted them admission. The director shall allocate students upon consulting with the respective faculties and departments concerned.

Section 6 Program scope and program subjects

(1) The Degree Program consists of at least 12 credit hours per week in the first two trimesters and at least 4 credit hours per week in the third trimester.

(2) In the first trimester, students must take required courses, which include an introduction to fundamental economic and legal instruments of law and economics as well as an introduction to tort law and economics, competition law and economics, and public law and economics. In the second trimester, required courses include an introductory course in property law and economics, one in contract law and economics, and one in the philosophical aspects of law and economics, as well as an advanced course in the economic analysis of public law and required elective courses for the introduction of the economic analysis of other areas of law. In the third trimester, advanced courses in the economic analysis of specific areas of law and introductory courses in the economic analysis of other areas of law are offered both as required and required elective courses commensurate with the University's research and teaching focus.

Section 7 Final examination

The final examination is comprised of the subject examinations and a final thesis.

Section 8 Subject examinations

(1) Candidates must successfully complete a total of ten subject examinations. Subject examinations shall be held for the required and required elective subjects set forth in Section 6. Four subject examinations are given in each of the first and second trimesters. In the second and third trimesters, up to two subjects (either required or required elective subjects) as described in Section 6 may be completed through a single subject examination.

(2) The subject examination shall be comprised of at least a three-hour written examination, and upon consultation with the examiner an additional written paper. Additionally when grading performance, a candidate's participation in class may be taken into account. The written examination shall be weighted at least 70% and participation in class no more than 10% with respect to the grade for the individual subject examination.

Section 9 Grading the subject examinations

(1) Subject examinations shall be graded by professors, postdoctoral research associates, or the corresponding members of faculties and departments that have conducted the respective courses.

(2) Subject examinations shall be graded as follows: listed in the last column are the grade descriptions pursuant to the European Community Course Credit Transfer System (ECTS).

Description of grades		ECTS
An extraordinary performance	10 points	A+
Outstanding	9 points	A
Very good	8 points	B
Good	7 points	C
Average	6 points	D
Sufficient	5 points	E
Barely sufficient	4 points	FX
Insufficient	1–3 points	F
Fail: inadequate	0 points	F

The highest grade (10 points) shall only be awarded in very exceptional cases. Intermediate half-point grades are permissible.

(3) Candidates who have received a grade of “barely sufficient” (4 or 4.5 points) for subject examinations must at least exceed the threshold set forth in Section 12 subsection 2 no. 1.

Section 10 Final thesis

(1) Candidates must write their final theses during the third trimester. The thesis must demonstrate a candidate’s aptitude for independent scholarly work in the field of law and economics.

(2) The professor, university lecturer, postdoctoral research associate, or adjunct lecturer who has agreed to supervise the work on the thesis shall determine the topic of the final thesis. This supervisor should be a faculty member at the Department of Law II at Universität Hamburg. Candidates should suggest topics for the final thesis.

(3) Candidates shall have four and a half months (1 April to 15 August) to complete the final thesis.

(4) Candidates must submit an affirmation with the thesis to the following:

1. That he or she independently wrote the thesis and did not use any other aids or resources other than those listed.
2. That the final thesis has not been used in any other program.
3. That the final thesis has not yet been published.

Section 11 Evaluation of the final thesis

The final thesis shall be evaluated by the supervisor of the work and a second reviewer. The second reviewer must be from one of the other participating universities, which must be different than the supervisor's university. The second reviewer shall be appointed by the director upon consultation with the coordinator(s) responsible for the candidate's education and training at the participating departments or faculties. The thesis shall be graded as follows: listed in the last column are the grade descriptions pursuant to the European Community Course Credit Transfer System (ECTS).

Description of grades		ECTS
An extraordinary performance	30 points	A+
Outstanding	27–29 points	A
Very good	24–26 points	B
Good	21–23 points	C
Average	18–20 points	D
Sufficient	15–17 points	E
Barely sufficient	12–14 points	FX
Insufficient	3–11 points	F
Fail: inadequate	0 points	F

The highest grade (30 points) shall only be awarded in very exceptional cases. Intermediate grades are not permissible.

(3) If both reviewers each award the final thesis at least 12 points, then the student shall have passed the thesis portion of the Degree Program. If one of the reviewers assigns less than 12 points to the thesis and the sum of points awarded by both reviewers is at least 24 points, then a procedure shall be initiated to review the grades

awarded (subsection 4). This procedure shall also be initiated if the grades awarded by both reviewers deviate by more than 5 points from each other.

(4) If a grading review procedure for the final thesis pursuant to subsection 3 herein becomes necessary, then the reviewers shall first consult with each other for the purpose of a closer harmonization of the grades. If after consulting with each other, however, the reviewers stand by their original grades for the work, which establishes the conditions for the review procedure for the grades per subsection 3, the director shall appoint a third reviewer. Two-thirds of the points collectively awarded by the three examiners shall be used in lieu of the points collectively awarded by the first two reviewers, rounding up or down to the nearest whole number as appropriate. The thesis shall be accepted if the points calculated in this manner equal at least 24.

Section 12 **Overall final grade**

(1) An overall final grade shall be calculated from the grades from the subject examinations and the final thesis. The grades for the subject examinations shall be added together with the supervisor's grade for the thesis and the second reviewer's grade for the thesis and then divided by 16 and rounded to the nearest hundredth of a decimal point. If the thesis was graded in accordance with Section 11 subsection 4 sentences 2 and 3, then the result calculated pursuant to Section 11 subsection 4 sentence 3 shall replace the two thesis grades required for the above calculation. The calculated points shall have the following corresponding grade descriptions. Listed in the last column are the grade descriptions pursuant to the European Community Course Credit Transfer System (ECTS).

Description of grades		ECTS
An extraordinary performance	9.5–10 points	A+
Outstanding	8.50–9.49 points	A
Very good	7.50–8.49 points	B
Good	6.50–7.49 points	C
Average	5.50–6.49 points	D
Sufficient	5.00–5.49 points	E
Insufficient	2.00–4.99 points	F
Fail: inadequate	0–1.99 points	F

(2) A candidate shall pass the final examination if the following conditions are fulfilled:

1. At least a total of 50 points was earned in the subject examinations.
2. Not more than one subject examination was graded with less than 4 points.

3. The final thesis pursuant to Section 11 subsections 3 or 4 was accepted.
4. The overall final grade per subsection 1 amounts to at least 5.00 points.

(3) Up to four of the ten subject examinations may be retaken one time if they are not passed (3.5 points or less). A new final thesis can be submitted once after the academic year if the original master's thesis was not accepted pursuant to Section 11 subsections 3 and 4 herein. If a new final thesis is to be submitted, then the candidate shall have four and a half months to complete it.

Section 13 Nonperformance and cheating

(1) A candidate shall be considered to have failed a subject examination and will receive 0 points if he or she does not take the examination on the date scheduled therefor, unless the candidate has a valid excuse for his or her absence.

(2) Candidates who wish to have an absence excused must substantiate the reasons asserted for their absence to the local coordinator in writing without undue delay. A medical certificate may be required if the candidate is ill. The coordinator shall decide whether an excuse that has been asserted is valid or not.

(3) In the event that the final thesis has not been submitted by the deadline, the aforementioned provisions shall apply mutatis mutandis.

(4) If a candidate attempts to influence the results of his or her examination performance by cheating, especially through the use of unauthorized aids or resources, the respective performance will receive 0 points.

(5) If it is discovered only after the examination process has been concluded that a candidate cheated on an examination, the candidate shall retroactively be declared to have failed the examination. A diploma and academic transcript that has already been awarded shall be confiscated.

(6) Decisions in accordance with the aforementioned provisions must be communicated to the candidate along with the reasons therefor. The candidate must be afforded due process and given an opportunity to be heard on the matter.

Section 14
Diploma and academic transcript

(1) Upon successfully completing the Degree Program, candidates shall be awarded a diploma conferring the degree Master in Law and Economics (EMLE). The ERASMUS Programme in Law and Economics diploma will be signed by the director, as well as the coordinators from the faculties and departments participating in the examinations of the candidate. The diploma will bear the faculty and/or department seals or alternatively the seal of the respective university. It must be composed in English and contain a description of the courses attended, the names of the universities attended, the topic of the final thesis, and the overall final grade for the degree.

(2) Furthermore, candidates shall receive an academic transcript that specifies the individual grades of each of the subject examinations and the grade for the final thesis expressed in points as well as upon a candidate's request therefor his or her class rank in the year of graduation. This document shall be executed in the same manner as the diploma.

Section 15
Effective date

These Regulations shall first apply to students commencing the graduate degree program Law and Economics in the Academic Year 1996/97.

Hamburg, 30 July 1997
Office of science and research (Behörde für Wissenschaft und Forschung)