

CURRICULUM

FOR THE DOCTORAL PROGRAM IN BUSINESS LAW

AT WU WIRTSCHAFTSUNIVERSITÄT WIEN
(VIENNA UNIVERSITY OF ECONOMICS AND BUSINESS)

On June 24, 2009, the Senate of WU Vienna University of Economics and Business approved the following resolution of the Committee for Academic Programs dated June 18, 2009 on the curriculum for the Doctoral Program in Business Law, pursuant to the federal law for the organization of universities, the 2002 University Act (*Universitätsgesetz 2002*), as published in the Federal Law Gazette BGBl. I No. 120/2002 as amended.

§ 1 Objectives

Building on the Master Program in Business Law and on other master or diploma (Magister) programs in the legal sciences offered at other universities, the Doctoral Program in Business Law provides a specialized, academically-oriented education with a particular focus on the writing of a doctoral thesis in business law.

The doctoral program is intended to further develop students' ability to undertake independent scientific work, and promote the training and career promotion of junior academic staff (§ 51(2) line 12 of the Universities Act 2002).

To this end, the Doctoral Program in Business Law provides the professional qualifications for

- academic staff at universities
- graduates of the Master Program in Business Law who wish to improve and advance their theoretical and academic profile and gain qualifications for top management positions with important strategic responsibilities

After completing the Doctoral Program in Business Law, graduates will be able to

- comprehend and analyze legal issues comprehensively, particularly legal issues pertaining to business and economics, using appropriate methods;
- make academic contributions independently and present them appropriately to a given target group;
- understand current papers in the legal sciences and discuss them critically;
- critically question the subject's methodological requirements and theoretical foundations, thus using the knowledge gained to contribute to the further development of the field;
- work in teams and participate actively in problem solving processes;
- continually develop personal skills and competence in the sense of life-long learning within the scientific community.

§ 2 Admission requirements

The prerequisite for admission to the doctoral program is the successful completion of a diploma

(Magister) or master program in a legal field, a relevant program at a university of applied sciences pursuant to § 5(3) of the law governing universities of applied science, the Fachhochschule Studies Act (*Fachhochschul-Studiengesetz*,) as amended, or of another equivalent program at a recognized post-secondary educational institution in Austria or abroad.

§ 3 Classification, Duration and Structure

- (1) The Doctoral Program in Business Law is a degree program in law studies within the meaning of § 54(1) of the 2002 University Act.
- (2) Requirements for graduation from the six-semester program include the preparation of a research proposal (§ 7) and a doctoral thesis (§ 5), attendance of courses (§ 6) and the successful completion of a *defensio dissertationis* (§ 8).

§ 4 Types of Examinations

The types of examinations named in this Curriculum are defined in the Exam Regulations of WU Vienna University of Economics and Business. This Curriculum, together with the Exam Regulations, forms a curriculum pursuant to § 25(1) line 10 of the Universities Act 2002.

§ 5 Doctoral Thesis

- (1) A doctoral thesis shall be written during the course of the doctoral program (§ 82 (1) Universities Act 2002).
- (2) In his/her doctoral thesis, a student is to demonstrate that he/she has acquired the ability to deal with scientific problems independently, over and above the standards of a master or diploma thesis (§ 51 (2) line 13 Universities Act 2002).
- (3) The doctoral thesis topic shall be related to legal issues in an economic or business context, and shall be written in one of the following subjects:
 - a) Civil law including civil procedural law
 - b) Austrian and European public law
 - c) Tax law
 - d) Labor and social law
 - e) Criminal law
 - f) European law
 - g) International law
- (4) The student is entitled to propose a topic him/herself or to select a topic from a number of suggestions made by the available supervisors (§ 59 (1) line 6 Universities Act 2002). § 34 of the Bylaws of WU Vienna University of Economics and Business apply.
- (5) Every positively evaluated doctoral thesis shall be made available to all the university's senior faculty for viewing and commenting. When announcing the *defensio dissertationis* (§ 8 (5)), the Vice-Rector for Academic Programs and Student Affairs shall announce the date and time that the work will be available for viewing, the topic of the thesis, and the names of the candidate and his/her supervisor. The work will be available for viewing and commenting for a period of two weeks, beginning with the announcement of the date and the *defensio dissertationis*.
- (6) Publication of the doctoral thesis over and above the publication pursuant to § 86 (1) of the Universities Act 2002 is desirable.

§ 6 Courses

- (1) The doctoral program consists of the following courses, each worth two weekly credit hours and six ECTS credits:
 - a) two doctoral seminars in the doctoral thesis subject pursuant to § 5 (3);
 - b) one doctoral seminar in one of the further subjects included in § 5 (3);
 - c) one doctoral seminar in legal methodology;
 - d) one doctoral seminar in a subject offered at WU Vienna University of Economics and Business and which was not chosen under letters a to c.
- (2) Doctoral seminars pursuant to (1) are courses with continuous assessment of student performance (*prüfungsimmmanent*).
- (3) Doctoral candidates shall announce their chosen subjects pursuant to (1) in writing at the same time the topic and supervisor (§ 5(4)) are announced. Changes can be made until the doctoral thesis has been submitted.
- (4) At least one doctoral seminar worth two weekly credit hours in each of the subjects named in § 5 (3) shall be offered per academic year. At least one doctoral seminar worth two weekly credit hours in legal methodology as per (1) letter c shall also be offered per academic year.
- (5) Whenever possible, doctoral seminars should be offered at times that enable working students to attend.

§ 7 Research Proposal

- (1) During the course of the doctoral program, candidates shall prepare a research proposal (worth six ECTS credits). The research proposal counts as a subject examination. The research proposal should present the topic, the research question, and the basic methodology to be employed in the thesis. The Vice-Rector for Academic Programs and Student Affairs shall publish the research proposal on the intranet of WU Vienna University of Business and Economics, where it shall remain for a period of one month. In the event of a change of supervisor and/or examiner, an amended research proposal shall be published.
- (2) After expiration of the one-month period, the research proposal shall be submitted by the Vice-Rector for Academic Programs and Student Affairs to the members of the Doctoral Committee (§ 9) for evaluation.
- (3) The research proposal shall be officially approved (“mit Erfolg teilgenommen”, successfully completed) when it has been given a positive grade by at least three members of the Doctoral Committee, otherwise it shall be rejected (“ohne Erfolg teilgenommen”, failed).
- (4) Each member of the Doctoral Committee shall include constructive suggestions for the positive development of the doctoral thesis with his/her evaluation, and in the event of a negative evaluation, suggestions regarding the improvements required in order to obtain a positive evaluation.
- (5) The research proposal must be officially approved before the doctoral thesis can be submitted.

§ 8 Defensio Dissertationis

- (1) The doctoral thesis shall be defended in a subject examination (*Fachprüfung*) known as the *defensio dissertationis* (worth six ECTS credits).
- (2) The prerequisites for admission to the *defensio dissertationis* pursuant to (1) are the positive evaluation of the doctoral thesis pursuant to § 5 and the research proposal pursuant to § 7, and the successful completion of the courses pursuant to § 6.
- (3) The *defensio dissertationis* shall be held as an oral examination before the Doctoral Committee (§ 9).
- (4) During the *defensio dissertationis*, the candidate shall demonstrate his/her academic abilities and his/her basic knowledge of the field and its most important issues.
- (5) The Doctoral Committee (§ 9) shall evaluate the *defensio dissertationis*. In the event that more than one member of the Doctoral Committee submits a negative evaluation, then the *defensio dissertationis* is given a negative grade.

§ 9 Doctoral Committee

- (1) The evaluation of the research proposal (§ 7) and the *defensio dissertationis* (§ 8) shall be conducted by a Doctoral Committee composed of four members. The composition of the Doctoral Committee is described in (2).
- (2) The Doctoral Committee is composed of four members: the two examiners (in the case of the research proposal, the intended examiners), and two members of the habilitated faculty and/or qualified professors nominated by the Department Chair of the department to which the topic of the dissertation is allocated. The Committee is appointed by the Vice-Rector for Academic Programs and Student Affairs.
- (3) The composition of the Doctoral Committee shall be reviewed when the doctoral thesis is submitted, and can be changed at that time after reviewing grounds presented by an examiner or by the doctoral candidate.

§ 10 Completion of the Doctoral Program

After successful completion of all required courses, the research proposal, the *defensio dissertationis* and the doctoral thesis, the doctoral candidate shall be issued a certificate confirming that he/she has successfully completed the Doctoral Program in Business Law.

§ 11 Academic Degree

Female graduates of the doctoral program will be awarded the academic degree "*Doktorin der Rechtswissenschaften*", male graduates of the doctoral program will be awarded the academic degree "*Doktor der Rechtswissenschaften*", abbreviated as "*Dr.iur.*".

§ 12 Internationalization Efforts

- (1) To further internationalize the Doctoral Program in Business Law, courses may also be taken at recognized international universities, provided these courses are equivalent to the doctoral

seminars offered at WU Vienna University of Economics and Business. § 78 of the Universities Act 2002 applies.

- (2) Furthermore, international university professors can be appointed as supervisors and/or members of the Doctoral Committee, in accordance with § 34 of the By-Laws of WU Vienna University of Economics and Business.
- (3) Doctoral seminars and/or the examination pursuant to § 8 can also be offered in English. § 59 (1) line 7 of the Universities Act 2002 applies to the doctoral thesis (§ 5).

§ 13 Entry into Force

- (1) This Curriculum will enter into force on October 1, 2009.
- (2) This Curriculum shall replace the curriculum for the Doctoral Program in Business Law pursuant to the resolutions of the Committee for Academic Programs dated June 6, 2005, November 17, 2005 and April 26, 2007, and approved by the Senate of WU Vienna University of Economics and Business on June 8, 2005, November 23, 2005 and May 2, 2007.
- (3) Degree students who, at the time of entry into force of this Curriculum, have already begun their doctoral studies in Business Law at the Vienna University of Economics and Business (under the versions resolved by the Committee for Academic Programs on June 6, 2005, November 17, 2005 and April 26, 2007, and approved by the Senate of WU Vienna University of Economics and Business on June 8, 2005, November 23, 2005 and May 2, 2007), shall be entitled to complete their studies by September 30, 2013 according to the curriculum valid on September 30, 2009. If a student fails to complete his/her studies within that period, the student will be subject to the new curriculum for the remainder of his/her studies. In addition, the students are entitled to voluntarily transfer to the new curriculum at any time.

