

## ANNEX 1

### "Law & Social Change: The Challenges of Transnational Regulation" International PhD Programme

#### BY-LAWS

##### Definitions

- "Founding Institutions": Institutions that took the initiative to establish the Joint Doctoral Programme;
- "Institutions in Partnership": Founding Institutions and all other Institutions that have been admitted to join the Programme;
- "Coordinating Institution": University of Roma Tre
- "Home Institution": The Institution where doctoral students undertake their main education and research activities and to which their principal supervisor belongs;
- "Host Institution": The Institution where doctoral students participate in additional education and research activities according to the Individual Training Agreement;
- "Joint Doctoral Programme" (JDP): International PhD Programme established by the Founding Institution;
- "Joint Teaching Committee" (JTC): Board of professors and researchers responsible for ensuring the quality of the programme, as well as for defining the educational and research path of each individual PhD student;
- "Individual Training Agreement": learning agreement stipulated for each student at the beginning of the first year of each cycle of the PhD Programme.

##### Article 1 - Aims and characters of the programme

1.1. "Law & Social Change: The Challenges of Transnational Regulation" is a joint doctoral programme sponsored and chaired by the Institutions in Partnership and coordinated by the University of Roma Tre.

Founding Institutions are: University of Roma Tre (coordinator); University de Lyon 2; University of Vilnius; University College Dublin; University of Luxembourg; Birkbeck, University of London. Other Institutions may be admitted to the Partnership on condition of reciprocity and with the consent of Founding Institutions.

1.2. The JDP is intended for highly qualified candidates from all nations, and aims to train young researchers at a high academic level.

Participation in the JDP requires a full-time commitment; however, in some cases the Joint Teaching Committee may authorize students to work, assuming this does not conflict with the research training commitments foreseen by the doctoral programme.

The research expertise developed by the Institutions in Partnership and the international aspect of the programme are assured through the mobility of their PhD students and academic staff, in particular within the Institutions joining the JDP.

1.3. The compulsory mobility component for each doctoral candidate will be set out in an Individual Training Agreement stipulated for each student at the beginning of the first year of each cycle, specifying the minimum period that the student must spend at the Host Institution for education and research activities in order to achieve the PhD qualification from Institutions in Partnership.

1.4. Each cycle of the JDP has a duration of three (3) academic years.

## **Article 2 - Language**

The language of communication of the JDP will be English. Teaching activities will take place in English, or in single occasions in French.

## **Article 3 - Institutional bodies and management structure**

The JDP shall have the following structure:

- **Programme Coordinator.** The role of Programme Coordinator shall be exercised by a tenured Full Professor or, in the absence of such, a tenured Associate Professor, elected by the Joint Teaching Committee from among its members. In accordance with Italian Ministerial Decree 45/2013, the Programme Coordinator shall be from UR3. The mandate lasts three years and can be renewed only once. The Programme Coordinator shall convene and preside over the Joint Teaching Committee and ensure that the resulting deliberations are implemented. The Programme Coordinator will be responsible for the organisation and coordination of the day-to-day running of the JDP, as well as the operations necessary to implement the programme.
- **Vice-Coordinator.** The Vice-Coordinator shall be appointed by the Programme Coordinator, preferably from among the members of the Joint Teaching Committee belonging to the Partner Institutions others than UR3. The Vice-Coordinator position lasts for the same period as the Programme Coordinator position. The Vice-Coordinator will be the point of contact between UR3 and partner institutions for any matters related to the running of the JDP. Specially, the Vice-Coordinator will: a) Oversee communication between the Institutions in Partnership; b) Support the administrative offices of the Institutions in Partnership to ensure the programme runs smoothly; c) Perform all actions in agreement with the Programme Coordinator.
- **Joint Teaching Committee.** The Joint Teaching Committee of the JDP will be responsible for ensuring the quality of the programme, as well as for defining the educational and research path of each individual PhD student.

The JDP's Joint Teaching Committee will be composed of professors and researchers jointly nominated by the Institutions in Partnership. The Joint Teaching Committee must include at least 16 members, of which not less than 12 must be Full or Associate Professors. Joint Teaching Committee members are required to have proven results from international research in the programme's disciplinary fields during the five years prior to the date of its accreditation in line with international rankings. UR3 members must

belong to the macro-sectors relevant to the programme's educational objectives, ensuring the requirement of Art. 4 (1) (a) of the Italian Ministerial Decree 45/2013 is fulfilled. Furthermore, in conformity with the Ministerial Decree 45/2013, at least 50% of the JTC members must belong to UR3.

The Joint Teaching Committee will be responsible for planning and running the JDP and will meet regularly, which may be through videoconferencing, in order to check that the planned activities are being implemented correctly and to undertake any remedial measures, if required. Specifically, the Joint Teaching Committee will:

- a) Determine with each PhD student two Supervisors according to Article 7; all this information will be reported in the Individual Training Agreement to be approved by the Committee and signed by the Programme Coordinator, Supervisors and the PhD student at the beginning of the programme;
- b) Decide if the candidate's performance is adequate to continue with the programme and scholarship;
- c) Organise appropriate workshops, seminars and other educational activities;
- d) Authorise students to work, if requested, unless it compromises their participation in the overall activities of the Programme;
- e) Authorise students to recover any periods of suspension from the Programme;
- f) Authorise students to be admitted to the following years of the Programme and the final dissertation defence examination;
- g) Appoint the members of the Joint Entrance Examination Panels for the evaluation and admission of candidates to the JDP;
- h) Appoint the members of the Joint Examination Panels for the final examination of PhD students enrolled in the JDP;
- i) Monitor the quality of the programme through evaluation forms to be completed by the students;
- j) Prepare a detailed report on the quality trends of the Programme, including financial aspects, at the end of each cycle and transmit it to the relevant academic bodies of the Partner Institutions (if required).

#### **Article 4 – Admission to the JDP and selection procedure**

4.1 Each Institution shall organize the selection of its own financed students applying to the JDP according to the prevailing selection and scholarship awarding systems in their country and University.

However, applicants must satisfy the general entrance requirements for admission to doctoral programmes; specifically, they must hold a second-level university degree that gives access to PhD programmes in the country of the institution that awarded it.

No registration fee shall be charged for the selection process.

#### *4.2 Selection of candidates at UR3*

At UR3 admission to the JDP will be based on a selection process open to the public. The selection procedure will be an assessment of candidates' knowledge and qualifications (study results), as well

as of the scientific potential of candidates' research project (aptitude for academic research). It will consist of an evaluation of applicants' educational qualifications plus an oral interview, which may also be conducted by videoconferencing.

All information related to the application and admission procedures for the JDP will be governed by a Call for Applications issued by UR3 as soon as the Ministerial approval of the program is notified and posted on UR3 and EURAXESS websites. The selection will take place in June/July of each year and the official merit ranking will be published on the UR3 website not later than the following September.

The selection procedure will consist of two stages: 1) evaluation of candidates' qualifications and 2) oral interview.

At the first stage, applicants will be evaluated by the Joint Entrance Examination Panel on the basis of the documents submitted with their application, listed in details in Art. 4.4.

Once the first stage is concluded, all candidates will be given an appointment for the oral interview, which can be conducted in presence or by videoconferencing through SKYPE or similar programme (candidates who intend take the oral interview by Skype must provide a Skype contact on their application form).

After the second stage, the mark obtained by the candidate for the evaluation of qualifications will be added to the oral interview result in order to establish the final merit ranking.

The final ranking will be published on UR3 website and the PhD Secretariat will notify the successful applicants.

The selection procedure will be conducted by a Joint Entrance Examination Panel and its members will be chosen by the Joint Teaching Committee from among its own members. As a general rule, the Panel will be made up of three members, at least two of them belonging to UR3.

#### *4.3 Selection of candidates at Partner Institutions*

At Partner Institutions the admission of candidates to the JDP will be carried out according to the prevailing selection and scholarship awarding systems in the respective country and University. It is ensured, however that the selection process is open to the public. If the absence of specific local provisions, the selection procedure will be an assessment of candidates' knowledge and qualifications (study results), as well as of the scientific potential of candidates' research project (aptitude for academic research). The selection procedure will be conducted by a Joint Entrance Examination Panel and its members will be chosen by the Joint Teaching Committee from among its own members.

#### 4.4 All applications for the JDP should include:

- Application form (available on the web site of the institution that announces the Call);
- Bachelor's degree certificate with the final grade and exact name of the degree, supported by a certificate with a full list of the exams taken, grades awarded and the academic grading scale (academic transcript / transcript of records);
- Master's degree certificate with the final grade and exact name of the degree, supported by a certificate with a full list of the exams taken, grades awarded and the academic grading scale (academic transcript / transcript of records);
- CV including professional and academic history;
- Publications, if any;
- Diploma Supplement (if applicable, it will not be subjected to evaluation);

- Original research project written in English, of maximum 14,000 characters, spaces included, bibliography included, related to the doctoral dissertation that the applicant wishes to carry out during the JDP;
- 2 Letters of reference

Official documents attached to the application must be in English, or alternatively in one of the languages of the Partner Institutions' countries.

For documents in a different language, candidates must attach the original and a certified translation in English.

### **Article 5 – Enrolment in the JDP programme**

5.1 The candidates selected by the JDP should apply for enrolment at the Institution that opened the position, following the respective administrative procedure and the instructions provided by the PhD Office.

5.2. The JDP starts on November 1<sup>st</sup> of each year and by this date all students selected by UR3 or Partner Institutions must be enrolled in the programme. For this purpose, as soon as each Institution has selected its own funded students, it shall provide the Partner Institutions with their data. After the enrolment, the list of all students enrolled in the JDP will be sent to the Italian Ministry of Education, University and Research.

### **Article 6 – Enrolment Fees**

JDP students will pay enrolment fees, if provided by law, to the Institution in which they are enrolled. At UR3 no enrolment fee will be charged.

### **Article 7 – Educational activities planned for the JDP**

7.1 At the beginning of the JDP, the Joint Teaching Committee will assign the PhD student to a research group, and two academic tutors (Supervisors) will be assigned to the student. One of the supervisors must belong to the PhD student's Home institution, which is where they will participate in the majority of their education and research activities. He/she can be a member of the Joint Teaching Committee. The other supervisor belongs to one of the Partner Institutions. The supervisors will follow the student's academic progress and guide them during their research and the drafting of the final dissertation.

As specified in Article 1, a specific academic and mobility plan (**Individual Training Agreement**) reporting the name of the student's supervisors and the mobility between the Home and Host Institutions will be stipulated for each PhD student at the beginning of their programme.

7.2 The academic programme should aim at providing students with a high level of specific academic expertise, both disciplinary and inter-disciplinary, aimed at enabling them to develop a research project on a specific topic that must result in the writing of a dissertation that contributes to the advancement of knowledge or methodologies in the chosen field of the study.

7.3 At the end of each academic year, the research activity developed by the PhD student under the guidance of their supervisors is subjected to review by the Joint Teaching Committee which, with reasoned judgment, will deliberate on whether to admit the student to the following year of the

programme. A positively evaluated and approved progress report is a necessary prerequisite for the activation of the online re-enrolment for the following academic year.

Furthermore the Joint Teaching Committee is responsible for the admission of the PhD students to the discussion of their final dissertation at the end of their 3<sup>rd</sup> year of attendance, for the academic, organisational and educational aspects of the programme and, by its internal rules, defines the plan of activities scheduled throughout the three years of the programme, the number of hours/credits of compulsory attendance, as well as the assessment modalities and methods, at least once per year.

## **Article 8 – Preparation of the dissertation and final examination**

8.1 The defence of the dissertation will take place at either UR3 or at Partner Institutions.

As a general rule, PhD students with UR3 as their Home Institution, will defend their dissertation at UR3 while PhD students with Partner Institutions as their Home Institution, will defend their dissertation at the Home Institution. The place of defence is determined in the Individual Training Agreement.

8.2 The dissertation should be written in English, although it may be written in another language with the approval of the Joint Teaching Committee. In any case, the dissertation must contain an abstract written in English. A summary of the activities developed by the student during the three years of the programme, including any related publications, must be attached to the dissertation.

### *8.3 Requirements to be fulfilled by JDP students.*

According to Italian rules, in order for JDP students to be admitted to the final examination and receive the PhD degree from UR3, their dissertation is subject to prior evaluation by at least two highly qualified referees external to the Joint Teaching Committee and the Partner Institutions.

The referees appointed by the Joint Teaching Committee will submit their analysis and opinion to the Joint Teaching Committee and will propose either that the candidate is admitted to defend the dissertation or that he or she must postpone the examination for up to six months if significant additions or corrections are necessary.

Once that period has passed, the dissertation will in any case be admitted to the final examination, accompanied by a new written opinion by the same referees in the light of the corrections or additions made.

Furthermore, JDP students who are admitted to take the final exam must upload their dissertation on the University Catalogue (IRIS) at least 2 weeks prior to the defence date. The dissertation will be made public within 30 days after the defence, except in cases of embargo for theses containing information protected as trade secrets and/or by publication rights. Failure to upload the dissertation on the University Catalogue will result in not being admitted to the dissertation defence examination.

At Partner Institutions, JDP students follow the procedure for the admission to the doctoral examination that is in place regardless of the venue for the defence that is set.

### *8.4 Final examination at UR3*

At UR3, the final examination must take place by the month of April of the solar year following the end of the JDP, except in cases of postponement (up to 6 months maximum) if required by the external referees.

The final examination in order to be awarded PhD title requires that the candidates publicly defend their dissertation in front of the Final Examination Panel.

The Final Examination Panel shall be comprised of four members who are tenured university professor/researchers (not necessarily PhD degree holders), specifically qualified in the research fields relevant those of the JDP included the student's supervisors. Two members should neither be involved in the JDP nor be members of the Joint Teaching Committee. The panel may additionally include up to two experts from public or private institutions.

The Final Examination Panel will be nominated by the Joint Teaching Committee taking into account the rules on the matter in force at the Partner University. At the end of the defence, the dissertation will either be approved or rejected, with an official written justification. After the examination UR3 will notify Partner Institutions with the result of the public defence and the report filled in by the Final Examination Panel during the examination will be sent to the Partner Institution.

#### *8.5 Final examination at Partner Institutions*

The Final Examination Panel will be nominated by the Joint Teaching Committee taking into account rules on the matter in force at the Partner University and will be approved by the faculty board of the Institution involved. The Final Examination Panel has preferably an international character and shall, among others, consist of members from Partners Institutions. At the end of the defence, the dissertation will either be approved or rejected, with an official written justification. After the examination the Partner Institution will notify all other Institutions with the result of the viva voce defence and the report filled in by the Final Examination Panel during the examination will be sent to each Institution.

### **Article 9 – Granting of the title**

9.1 The successful completion of the programme will lead to a single qualification, namely a PhD degree from each Partner Institution (subject to possible derogations and special conditions detailed in the Individual Training Agreement).

To candidates who meet the conditions of the programme and successfully defend their dissertation, UR3, as Coordinating Institution, will award the degree of "Dottore di Ricerca in Law & Social Change: The Challenges of Transnational Regulation " and Partner Institutions will award the degree of "Doctor of Law & Social Change: The Challenges of Transnational Regulation" (or equivalent title). Each certificate will mention both titles and will bear the logos of Partners Institutions. The diploma and its content will be jointly edited.

Partner Institutions may organise a final ceremony in which the title is formally bestowed upon the PhD graduate.

### **Article 10 – Responsibilities**

**10.1 Coordinating Institution:** The Coordinating Institution is responsible for submitting the JDP for accreditation in accordance with Italian Ministerial Decree no. 45 of 8<sup>th</sup> February 2013, as well as monitoring its development in order to ensure the accreditation is maintained.

Upon request, the Coordinating Institution will provide all the necessary reports regarding the development and academic, administrative and financial management of the JDP to the Partner Institution and its national or local authorities, as required.

Each year the Coordinating Institution will implement a new cycle of the JDP following national regulations.

**10.2 All Institutions in Partnership (including the Coordinating Institution):** The Institutions in Partnership shall perform and complete the activities foreseen by the JDP as specified according to

this Regulation and the national and local regulations. Each Institution shall perform the required work in such a way that no act or omission may in any way constitute, cause or contribute to any violation or failure on the part of the Institution or any other parties with respect to the legal regulations for PhD programmes in the respective countries.

Each Institution must organise and implement the JDP activities, and namely:

- a) Provide courses and supervision as indicated in, and required by, the JDP By-Laws;
- b) Provide PhD students with the necessary information and help to obtain the documents required by national immigration policies;
- c) Communicate regularly with all PhD students to inform them of the activities offered during their period of study at the university;
- d) Report any serious problems concerning disreputable PhD student behaviour to the Joint Teaching Committee and Programme Coordinator of the JDP.

When PhD students are hosted at their university, the Host Institution must be sure all students are in compliance with national immigration laws.

10.3 The Coordinating Institution will provide the adequate insurance for each PhD student.

## **Art. 11 – JDP student obligations and rights**

11.1 Students participating in the JDP must observe the rules of their Host Institution and will be required to respect the institutional obligations established in their **Individual Training Agreement**.

During students' mobility, they will be granted full access to the Host Institution's facilities such as libraries, laboratories and the language centre.

The policy on health insurance is governed by the rules of each University and will be specified in the Individual Training Agreement.

The protection of the dissertation subject matter and the publication, protection and use of the results obtained by the students' research at the Institutions in Partnership shall be subject to the applicable local and national laws.

11.2 In the case of maternity, paternity or certified illness, PhD students may make a request to the Joint Teaching Committee to suspend their attendance of the programme and any scholarship benefits, in order to be resumed later. The suspension period may not last more than one year. In the case of an extended, unjustified absence from the programme, or a serious breach of the rules governing the JDP, or a justified unsuccessful evaluation of the student's activities within the programme, the Joint Teaching Committee may suggest the following measures to the Rector, depending on the seriousness of the offence:

- a) a one-month suspension of attendance at courses and receiving any scholarship funds;
- b) one to three months suspension of attendance at courses and receiving any scholarship funds;
- c) exclusion from the programme and revocation of any scholarship.