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Supplementary Guidelines Governing the PhD Programme of the Faculty of Law

1. Purpose

The Supplementary Guidelines Governing the PhD Programme aims to supplement *the General Rules Governing PhD and Other Doctoral Degree Programmes* and provides further guidance on the organization of the PhD programme offered by the Faculty of Law [FLL].

2. Qualifying Examination for PhD students

- 2.1 A PhD student must attend the courses in the first year of his/her PhD studies, and pass all the required courses. If a PhD student fails a course, he/she is required to retake the course in the next academic year. However, the passing of all these courses is not a prerequisite for a PhD student to commence his/her thesis writing.
- 2.2 The PhD student will be assigned a PhD Advisory Committee immediately after his/her initial registration as a PhD student. The supervisor concerned shall propose the composition of PhD Advisory Committee for approval of FLL GSC.
 - a) PhD Advisory Committee shall consist of at least 3 members, including the supervisor.
 - b) Members may be selected from other faculties of UM, or outside UM under special circumstances with justifications, such as when local expertise is not available.
- 2.3 A PhD student should pass the qualifying examination within two years after his/her initial registration as a PhD student. The PhD student must pass the qualifying examination before he/she proceeds to the thesis proposal assessment.
- 2.4 To meet the requirement of qualifying examination, a PhD student should publish at least one academic paper which has been either published in a high quality professional academic journal or has been accepted for publication by such journal. The required paper can be published or accepted for publication at any time after his/her initial registration as a PhD student, and prior to the conduct of the qualifying examination.
- 2.5 The PhD student shall present the published or accepted academic paper, or a representative paper in the case when several papers were published or accepted for publication, before the PhD Advisory Committee, and answer the questions of the committee members. The quality of the paper shall be assessed by the



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committee members based on the presentation of the paper. The result of the examination is either “pass” or “not pass”, which is based on the voting of a simple majority. In the case of failure, the PhD student may apply to retake the qualifying examination within the maximum period of his or her qualifying examination deadline as stipulated by the *General Rules Governing PhD and Other Doctoral Degree Programmes*. If the student fails the examination a second time, his/her study will be discontinued from the enrolled programme.

3. Thesis Proposal Assessment

- 3.1 A PhD student shall submit a written thesis proposal and present it to an assessment panel.
- 3.2 The thesis proposal assessment shall thoroughly examine the main elements of the doctoral thesis, such as the structure, content, difficult points, innovative elements, methodology, originality, bibliography, and the plan, in order to ensure that a workable plan has been formulated to make some significant contribution to legal scholarship.
- 3.3 A PhD student shall first submit his/her thesis proposal to his/her supervisor, and with the supervisor’s approval, the evaluation of the proposal will be carried out by an assessment panel. An announcement of the presentation meeting shall be made at least one week prior to the date of presentation in order to encourage the academic staff and PhD students to participate.
- 3.4 The assessment panel is composed of a chairperson appointed by FLL GSC and the PhD Advisory Committee members. The chairperson shall be a member of the FLL GSC who is not a member of the PhD Advisory Committee concerned.
- 3.5 Moderated by the chairperson of the assessment panel, the thesis proposal assessment meeting begins with an oral presentation of the PhD student, followed by comments and suggestions from the panel members; if necessary, the PhD student shall answer questions raised by the panel.
- 3.6 Following the oral presentation and comments, the chairperson of the assessment panel will direct a closed appraisal meeting with the panel members and the panel shall evaluate the proposal based on the following criteria:
 - a) The choice of topic and notably whether it can be considered frontier research or is important in terms of theoretical and practical significance;
 - b) The special knowledge demonstrated by the PhD student in the area of his or her studies;
 - c) The understanding of the major issues and difficult points of the selected field of study;



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- d) The clarity and logical ordering of the framework or structure of the thesis;
 - e) The level of innovation in the view and the methodology as well as the contribution to scholarship;
 - f) The ability to comply with high academic standards and practices, both technical and ethical, applicable in the field of legal studies;
 - g) The scope, adequacy, and relevance of the bibliography;
 - h) The feasibility of the overall study plan.
- 3.7 The assessment panel shall normally reach consent by deliberation. The result of the appraisal is categorized as “pass” or “not pass”. If the result of the appraisal is not pass, the assessment panel shall give the student suggestions for further study and modification, and indicate the follow-up measures for revision, which can be by way of re-presentation to the panel in due time. The PhD student who cannot achieve PhD candidacy or pass the thesis proposal assessment in the 2nd time will be discontinued from the enrolled programme.

- 3.8 A PhD student must achieve PhD candidacy within 3 years after his/her initial registration at UM by passing the qualifying examination and thesis proposal assessment.

4. Thesis Submission, Defence and Approval

- 4.1 A doctoral thesis shall reach a high level of legal scholarship by making a visible contribution to the present legal research in the relevant field of legal study. The thesis will be published with the ProQuest UMI Dissertation Publishing according to the University Library requirements.
- 4.2 Before application for oral defence, the PhD candidate shall satisfy the following requirements:
- a) To have made at least one presentation at the FLL PhD academic seminar organized by the FLL.
 - b) To have published at least one paper relevant to his/her study area in SSCI or CSSCI journals or their equivalents. For the paper published in the journals other than SSCI or CSSCI journals, whether the quality of the paper can be deemed as equivalent to the indexed journal, shall be decided by the PhD Advisory Committee before the submission of doctoral thesis for oral defence. An oral presentation shall be organized when necessary for such decision.
- 4.3 Before submission of a doctoral thesis to the PhD Advisory Committee for the approval of oral defence, the supervisor of the PhD student shall submit it for external review. Each eligible PhD supervisor shall suggest 20 professors from universities other than UM as external reviewers, the information of the nominated professor shall include the name, university and faculty, email address and research area of the professor. The database of external reviewers shall be



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built up based on the nomination of eligible PhD Supervisors from FLL and the approval of the Chair of FLL GSC.

- 4.4 The external reviewer is selected randomly from the External Reviewer Database for Doctoral Thesis. The external review will be conducted in a “double-blinded” manner, which means the identity of the reviewer remains undiscovered to the relevant PhD student and his/her supervisor, and the identity of the PhD and his/her supervisor remains undiscovered to the external reviewer.
- 4.5 The opinion of external reviewer shall be returned to the supervisor anonymously. After considering the opinion of the external reviewer, the supervisor decides whether to submit the doctoral thesis to the PhD Advisory Committee for procession of oral defence, together with the opinion of the external reviewer (anonymous). The PhD Advisory Committee members must provide brief recommendations for the student, together with a “Doctoral Thesis Submission Form” filled by the student as confirmation. In case the opinion of the external reviewer is negative, the supervisor has the right to resubmit the thesis for external review by another external reviewer randomly selected from the database.
- 4.6 The thesis defence is conducted orally. The composition of the examination panel and the procedures of oral defence and related matters shall strictly follow the Procedures for Formation of the Oral Defence Examination Committees of PhD and Other Doctoral Degree Programmes.
- 4.7 The panel shall reach its decision in a closed-door meeting by voting. The opinion of the external reviewer shall be announced at the meeting for the reference of the examination panel before the voting procedure. No panel member is allowed to abstain from voting.
- 4.8 The final decision of the examination panel shall be delivered as “pass (P)”, “conditional pass (CP)” or “fail (NP)” based on the rule of simple majority. If there are equal votes, the Chairperson has the deciding vote. The Chairperson shall ensure that justifications are provided in writing to support the decision of the panel.

5. Final Provisions / Miscellaneous

- 5.1 The present Supplementary Guidelines Governing PhD Programme of the Faculty of Law will take effect on the date of its approval by the Academic Council of FLL, and be applicable to the students who admitted from academic year 2021/2022.
- 5.2 When any provisions in the present Supplementary Guidelines Governing the PhD Programme of Faculty of Law conflict with the *General Rules Governing PhD*



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and Other Doctoral Degree Programmes or other relevant UM rules, the UM rules prevail.

5.3 The Guidelines shall be enforced and interpreted by the Chair of the FLL GSC.