

Master's Degree Ordinance
of the Law Faculty
of the Christian Albrechts University of Kiel
for students with non-German degree qualifications
of 16 August 1990 (NBl. MBWJK. Sch.-H. 1990, p. 331), as amended by ...
(Unofficial translation, June 2014)

Preamble

In the interests of increasing international academic exchange and imparting knowledge of the German legal system to those in other States, the Law Faculty of the Christian Albrechts University of Kiel under its auspices hereby establishes postgraduate programmes of study for students with degree qualifications from States other than Germany. The current study programme shall, within a reasonable period of time, open up the possibility of undertaking a legal postgraduate programme of study whose requirements are at an academic level that corresponds with the international standard. The programme for acquiring the LL.M. degree shall provide a precursory step towards a legal doctoral degree, which is more demanding both in terms of time and performance.

§ 1: Purpose of examination, academic degree

- 1) The aggregated examination provides evidence that the candidate can work in an independent, academic manner and deepen the candidate's knowledge in a determinate area of law, and either:
 1. shows proficient knowledge of the basic principles of German law, or
 2. shows an advanced knowledge of one specialised subject-area.
- 2) If the candidate successfully completes the examination, the Law Faculty of the Christian Albrechts University of Kiel shall award:
 1. the degree '*Magistra/Magister Legum*', abbreviation LL.M. (Kiel), for showing proficient knowledge of German law;
 2. the degree '*Magistra/Magister Legis Oeconomicae*', abbreviation LL.M.Oec. (Kiel), for showing an advanced knowledge in the area of economic law;
 3. the degree '*Magistra/Magister Legis Internationalis*', abbreviation LL.M.Int. (Kiel), for showing an advanced knowledge in the area of international law and/or comparative law; or
 4. the degree '*Magistra Legis Philosophicae*', abbreviation LL.M.Phil. (Kiel), for showing an advanced knowledge in the fundamental legal subjects.
- 3) The candidate must apply to be issued with one of the LL.M. degrees contained in § 1 (2) (2-4) before the end of the second semester. If no such application is forthcoming, the candidate will receive the LL.M. degree contained in § 1 (2) (1).

§ 2: Competency

The Dean of the Law Faculty is competent to make decisions based on the present Ordinance. The Dean can delegate this competency to other bodies.

§ 3: Length of time of the postgraduate programme of study

- 1) The postgraduate programme of study spans two semesters; this shall begin in the winter semester.
- 2) A deferral of the postgraduate programme of study due to a leave of absence is only permissible according to the stipulations in the Enrolment Ordinance of the Christian Albrechts University of Kiel (*Einschreibordnung*).

§ 4: Prerequisites for admission

- 1) Prerequisites for admission to the programme are:
 1. the successful completion at a non-German institute of higher education of a law degree equivalent to the first state examination undertaken at a German university;

or

 2. the successful completion at a non-German institute of higher education of an academic degree with elements focussing on European or international law equivalent to an academic degree (to the level of master's degree) undertaken at a German university.
- 2) Before admission to the programme, candidates shall provide evidence of having undertaken the German Language Examination for Admission to Institutes of Higher Education for non-German University Applicants (DSH 2) or an equivalent German language examination. This prerequisite does not have to be fulfilled if candidates can instead provide evidence of an advanced knowledge of the English language (TOEFL Test 550 (Paper Based Testing), TOEFL Test 80 (Internet Based Total), IELTS 6.5, or an equivalent English language examination) and there is a sufficient number of English speaking courses on offer during the corresponding year of study.

§ 5: Compulsory courses

- 1) The candidate shall produce evidence of a professor having accepted to undertake supervision of the candidate up to four weeks after lectures have started. It is possible for candidates to change supervisory professors during the programme.
- 2) The candidate must complete at least sixteen hours per week of legal courses over the two semesters in consultation with the supervisory professor. All candidates are obliged to attend an introductory course in German law, in so far as the candidate cannot produce any evidence of previous corresponding knowledge.
- 3) In order to obtain one of the LL.M. degrees contained in § 1 (2) (2-4) the candidate must complete a minimum of eight hours per week of courses in the corresponding subject area over the two semesters in consultation with the supervisory professor. In addition, the candidate must write, in consultation with the supervisory professor, an LL.M. thesis in compliance with § 7 (5) in the corresponding subject area.

- 4) In order to constitute a legal course in the sense of § 5 (2), the course must be designed for law students. Courses concerning areas of law which originate exclusively from the legal system of the State in which the candidate has previously completed an academic degree will not be recognised as a legal course in the sense of § 5 (2).

§ 6: Consideration of attainments from other programmes

Courses which have already been taken under the auspices of another programme for foreign students provided by the Law Faculty and which the candidate can provide evidence of having successfully completed in accordance with § 7 (1-4) can be taken into consideration as examination assessment. If evidence can be provided that a minimum of eight hours per week during a semester of law courses have been completed, the length of study may be shortened to one semester.

§ 7: Master's degree examination and examiners

- 1) At the end of each semester of study the candidate must provide evidence of having completed courses under the specifications laid out in § 5 (2).
- 2) The course examiner will, as a general rule, be the leader of the course. The examiner shall have the discretion to provide the examination in either written or oral form.
- 3) Written examination can be provided in the form of either a timed examination or a research essay as a contribution to a seminar (*Hausarbeit*). Timed examinations shall be conducted in a period of time not shorter than 45 minutes and not longer than 120 minutes.
- 4) An oral examination shall be conducted in a period of time not shorter than 20 minutes and not longer than 45 minutes.
- 5) In addition, the candidate must complete a written academic thesis (LL.M. thesis) with a main text body of not fewer than 80,000 and not more than 140,000 characters inclusive of spaces and footnotes. The candidate shall select the subject matter for the thesis in consultation with the supervisory professor who has previously agreed to supervise the thesis. The subject matter of the thesis may be decided upon from the end of the first semester. The thesis has to be submitted at the end of the year of study. Generally, candidates should write the thesis in German, but it may instead be written in English or French with the assent of the supervisory professor.
- 6) The LL.M. thesis shall be graded by the supervisory professor and a second examiner.

§ 8: Absence, withdrawal, cheating

- 1) An examination shall be graded as 'insufficient' (*ungenügend*) if the candidate fails, without just reasons, to attend a scheduled examination, or if the candidate withdraws from the examination without just reasons.
- 2) The reasons given for the absence or withdrawal must be presented to the examiner or the Office of the Dean in written form without undue delay and must be credible. In the case of illness the provision of a medical certificate may be demanded from the candidate. If the reasons are acceptable a new examination time shall be scheduled. If this is the case, existing examination grades shall be taken into consideration.
- 3) In the case of failure to observe the deadline for the LL.M. thesis, the same conditions as in § 8 (2) shall be applied.

- 4) If the candidate attempts to affect the outcome of an examination by cheating or using an unauthorised means of assistance, the examination shall be graded as 'insufficient' (*ungenügend*).
- 5) If an attempt at cheating is discovered after confirmation of the outcome of an examination, the examination shall be declared void. If the master's degree certificate has already been handed out this shall be retracted.
- 6) Decisions taken under § 8 shall be immediately communicated in writing to the candidate and shall give reasons. The candidate shall be granted a legal hearing before a final decision is made.

§ 9: Grading of the examinations

- 1) Examination performance is based on the following system of grades:
 - Very good (*sehr gut*) = 16 – 18 points. A particularly exceptional performance.
 - Good (*gut*) = 13 – 15 points. A significantly above-average performance.
 - Fully satisfactory (*vollbefriedigend*) = 10 – 12 points. An above-average performance.
 - Satisfactory (*befriedigend*) = 7 – 9 points. A performance which represents an average performance in every respect.
 - Sufficient (*ausreichend*) = 4 – 6 points. A performance which, despite its shortcomings, largely corresponds with average requirements.
 - Inadequate (*mangelhaft*) = 1 – 3 points. A performance with significant shortcomings which is on the whole deficient.
 - Insufficient (*ungenügend*) = 0 points. An entirely deficient performance.
- 2) If the grades of an examination do not deviate more than three points from one another, the mean point score shall be taken as the grade. In case of a larger deviation, the corresponding provisions from the Doctoral Degree Regulation shall apply.
- 3) The master's degree examination is successfully completed if the candidate achieves a grade of at least 'sufficient' (*ausreichend*) in two thirds of the minimum requirement of sixteen hours per week of courses corresponding to at least four individual examinations pursuant to § 5 (2), and the LL.M.-thesis pursuant to § 7 (5).
- 4) Retaking individual examinations is not permissible.
- 5) Sixty percent of the overall grade is calculated from the grades of the individual examinations aggregated in accordance with the number of hours per week per course during both semesters. The remaining forty percent is calculated from the grade of the LL.M. thesis. If the candidate has successfully completed individual examinations in more than the minimum requirement of sixteen hours per week during both semesters, the candidate may choose which individual examinations are to be taken into account for the calculation of the overall grade; alternatively, the overall grade may be calculated from the aggregated grades of the individual examinations and the grade of the LL.M. thesis at a proportion of 70 percent to 30 percent. The overall calculated grade is divided into the following categories:
 - 18 – 14.00 = *summa cum laude* (exceptional)
 - 13.99 – 11.50 = *magna cum laude* (very good)
 - 11.49 – 9.00 = *cum laude* (good)
 - 8.99 – 6.50 = *satis bene* (satisfactory)
 - 6.49 – 4.00 = *rite* (sufficient)
 - 3.99 – 0 = *insufficenter* (insufficient)

§ 10: Retaking the master's degree examination

If the candidate fails the master's degree examination, it can be retaken within one year. Individual examinations and a LL.M. thesis which have already been successfully completed shall be credited to the new master's degree examination.

§ 11: Transcript of records and master's degree certification

- 1) Upon successful completion of the master's degree examination the candidate shall receive an official transcript of records (*Zeugnis*). The transcript of records shall contain the overall grade attained, the focus of the studies contained in § 1 (2) (2-4), if applicable, along with the title of the LL.M. thesis and the grade attained. The candidate may obtain a copy of the transcript of records written in English on request. The candidate may obtain an itemised record of the individual examination grades on request.
- 2) At the same time, the candidate will be presented with a master's degree certificate with the date of the transcript of records. With this document the master's degree shall be bestowed upon the candidate in accordance with § 1 (2).
- 3) The master's degree certificate shall be signed by the Dean of the Law Faculty and contain the seal of the Faculty.

§ 12: Supplementary procedural provisions

The Christian Albrechts University Examination Procedural Ordinance of 6 August 1998 (NBI. MBWFK Schl.-H. 1998, p. 407) shall be applied in its respective version insofar as there is no specific provision contained in the present Ordinance.

§ 13: Programmes of international cooperation

The development of cooperative programmes of study with non-German universities with a view to obtaining a master's degree in the sense of § 1 (2) may be set out in an agreement. The Law Faculty Committee (*Konvent*) shall be informed in good time of the intention to create such an agreement. Such an agreement shall require the acceptance of the Law Faculty Committee (*Konvent*).

§ 14: Entry into force

- 1) The Ordinance enters into force the day after its publication.
- 2) For candidates that have applied to undertake a master's degree before the entry into force of the revised version of the Ordinance, the Master's Degree Ordinance of the Law Faculty of the Christian Albrechts University of Kiel for students with non-German degree qualifications of 16 August 1990 (NBI. MBWJK. Sch.-H. 1990, p. 331), as amended by the Ordinance of 19 November 2010 (NBI. MWV Schl.-H. 2010, p. 84, date of publication on the university website: 28 January 2011) remains in force. On request by the candidate at the start of the first semester of study, the revised version of the Ordinance shall be applied retroactively in its entirety.