

# ECFR AUTHOR GUIDELINES

The European Company and Financial Law Review (ECFR) aims to promote academic discussion which crosses national boundaries, mainly in the field of Company Law and Corporate Finance. This also includes related issues in adjoining areas, such as Banking Regulation and Insolvency Law. With this in mind, we kindly ask our authors to make a special effort to acquaint themselves with the academic discussion on their particular topic in countries other than their home state. Only this way we are able to offer our readers the highest level of intellectual and legal analysis, and to achieve an ongoing transnational discourse.

## I. Submission

The ECFR publishes original articles that have successfully passed the internal peer review process. The process usually takes 6-8 weeks. The articles will be printed in English and may not be offered for publication elsewhere at the same time. Manuscripts will only be accepted on the condition that they have not previously been published or submitted for publication elsewhere. Notice has to be given in advance if the article has already been published in a language other than English.

In order to facilitate rapid editorial processing, authors are requested to observe the following information when preparing their articles for submission. The editorial staff reserves the right to reject contributions because of non-compliance with these guidelines. Apart from them, there is no separate document template for authors available.

Manuscripts are requested in English as Word documents by e-mail to [ecfr@jura.uni-wuerzburg.de](mailto:ecfr@jura.uni-wuerzburg.de).

## II. Formatting

The articles usually comprise about **15–20 manuscript pages**. One page contains approx. 3000 characters, including spaces and footnotes. The article should contain an **abstract**, *i.e.* a short summary of about 150–250 words, above the main text. This abstract will also be publicly accessible on the ECFR website. The **title** of the article should capitalise all words except articles, prepositions and conjunctions (title case). The first word of the title is always capitalised. For the **page headers**, a short title is required if the title is longer than 50 characters.

Every article requires a **table of contents** that precedes the text. The **structure** follows either the scheme: A., I., 1., a), (1), (a) or a numeric system such as 1., 1.1, 1.1.1. etc. Please avoid mixed styles.

**Text formatting** should be simple (no bold or letterspaced, no underlining). *Italics* may be used for emphasis. **Headings** and **subheadings** follow title case and are *italicised*. **References** within the text should be limited to clearly defined subdivisions (see *supra* ... or see *infra* ...). Please make sure that references to footnotes are correct, in particular after revisions.

**Foreign-language terms** are *italicised*, in the main text as well as in footnotes. The same applies to **names**.

**Literal quotations** should be limited to a minimum. They are indicated by quotation marks, even when extending over several lines (“...”).

**Abbreviations** should be avoided in the main text. In general, they should conform to established standards of the English language or must be introduced on first use.

**Footnotes** are automatically numbered. They are indicated by superscript numbers after the punctuation mark, unless referring to a single expression only. **General information about the author** of the article submitted to the ECFR (such as affiliation) should be given in a special asterisk footnote (\*), preceding the first numbered footnote.

The **spelling and grammar** should follow a current edition of the *Oxford English Dictionary* or equivalents.

### III. Citation in Footnotes

In the absence of internationally uniform citation rules, any kind of literature shall be cited in footnotes in the manner described as follows. **A bibliography is not to be added.**

Citations have to refer to the **exact page** of the statement cited (for example: p. 123). In case of several relevant pages, **all relevant pages** shall be cited (p. 123–125). Optionally, instead of naming all pages, it is possible to refer to the following page(s) with the addition *et seq.* (one page) and *et seqq.* (multiple pages). The same applies to **margin numbers** (mn. 12) or **paragraphs** (para. 14).

The **author names** are set in *italics* and contain the full name **in the first citation** (for example: *Ernst Rabel*). Editors' names are set in regular type and followed by (ed.), e.g. Peter Hommelhoff (ed.). If a source has multiple authors/editors, they are separated by a slash without whitespace (*Henry Hansmann/Reinier Kraakman*).

Separate between **different sources** by semicolon. All footnotes are completed by **full stops** at the end of each footnote.

The first occurrence of a **literature source** must contain all bibliographic information necessary to locate the source. The main title of each source shall be given in its entirety. If the cited source is not the first edition, the edition shall be given with ordinal number (2nd ed.). Different editions are regarded as separate sources. The year of publication shall be given for all sources.

For the sake of clarity, we expect that sources that are quoted several times (**subsequent citations**) will be cited in abbreviated form after the first occurrence: In general, the surname of the *author(s)* and the footnote of the first citation shall be given, for example *Manne* (fn. 3), p. 5. In case of ambiguity, a short title shall be given in addition to the author's surname, separated by comma. In case of **more than three authors** the first two should be mentioned and the remaining names replaced by the addition *et al.* (for **editors** not in italics: et al.).

For articles in **journals**, the titles, including subtitles, are put in quotation marks ("..."). The name of the journal must be given in full at first appearance. For ambiguous subsequent citations, an abbreviation of the journal title is used. Journals with consecutive page numbering for every year shall be cited by year only. Journals with consecutive page numbers within a volume or an issue shall be cited by the respective number and the year given in (brackets). The pages of an article are given without a "p." placed in front, with the first page of the article followed by a comma and the cited page(s). If the entire article is referenced, only its first page is given.

For the citation of **collective works** and articles therein, see the examples below (IV.2.).

**Internet addresses** (not set as active hyperlinks) can be cited if the document is only available online and freely accessible. Such references must always contain the date of last access.

**Working papers** may be cited only if the content is not otherwise published in an academic journal.

The citation of **statutes and court decisions** generally follows the practice in the respective country of origin. In any case, the date of the decision shall be given. Statutes and courts shall be named in the original language. On first occurrence, an English translation is provided in (brackets). On second occurrence, the citation of court decisions is provided with full information, but abbreviations may be used. Statutes may be abbreviated when the abbreviation has been introduced on first occurrence.

For the citation of **EU courts**, see the examples below (IV.4.).

**EU legislative acts** are referenced with their subject matter on first occurrence (e.g. Directive (EU) 2017/1132 relating to certain aspects of company law). Subsequent references may be abbreviated, for example: Art. 1 Directive (EU) 2017/1132 or Art. 1 Company Law Directive (EU) 2017/1132. The legislative body and reference to the Official Journal can be omitted.

**Official (government) documents** shall be cited as in their country of origin; if possible, an English translation shall be given, e.g. Bundesgesetzblatt (Federal Law Gazette).

#### IV. Citation Examples

To clarify the above, examples of proper use of the outlined citation style are given in the table below. The table shows the **first occurrence of a cited source in the left column** and **subsequent citations in the right one**. The lower part of the right column applies in case of ambiguity.

##### 1. Monographs

<i>John H. Baker</i> , An Introduction to English Legal History, 4th ed., 2005, p. 419–421.	<i>Baker</i> (fn. 1), p. 419–421.
	when ambiguous: <i>Baker</i> , Legal History (fn. 1), p. 419–421.
<i>Frank H. Easterbrook/Daniel R. Fischel</i> , The Economic Structure of Corporate Law, 1996, p. 40 et seq.	<i>Easterbrook/Fischel</i> (fn. 2), p. 40 et seq.
	when ambiguous: <i>Easterbrook/Fischel</i> , Corporate Law (fn. 2), p. 40 et seq.
<i>Vanessa Finch</i> , Corporate Insolvency Law, 3rd ed., 2017, p. 34 et seqq.	<i>Finch</i> (fn. 3), p. 34 et seqq.
	when ambiguous: <i>Finch</i> , Corporate Insolvency Law (fn. 3), p. 34 et seqq.

##### 2. Commentaries and Collective Works (Conference Volumes/Festschriften)

<i>Rüdiger Veil</i> , Capital Maintenance. The regime of the Capital Directive versus Alternative Systems, in: Marcus Lutter (ed.), Legal Capital in Europe, 2006, p. 75, 77.	<i>Veil</i> (fn. 4), p. 77.
	when ambiguous: <i>Veil</i> , Capital Maintenance (fn. 4), p. 77.
<i>Klaus Hopt</i> , Comparative Company Law, in: Mathias Reimann/Reinhard Zimmermann (ed.), Comparative Law, 2006, p. 1161, 1164 et seqq.	<i>Hopt</i> (fn. 5), p. 1164 et seqq.
	when ambiguous: <i>Hopt</i> , in: Reimann/Zimmermann (ed.), Comparative Law (fn. 5), p. 1164 et seqq.
<i>Luca Enriques/Gerard Hertig/Reinier Kraakman/Edward Rock</i> , Corporate Law and Securities Markets, in: Reinier Kraakman/John Armour/Paul Davies/Luca Enriques/Henry Hansmann/Gerard Hertig/Klaus Hopt/Hideki Kanda/Mariana Pargendler/Wolf-Georg Ringe/Edward Rock (ed.), The Anatomy of Corporate Law, 3rd ed., 2017, p. 243, 245.	<i>Enriques/Hertig et al.</i> (fn. 6), p. 245.
	when ambiguous: <i>Enriques/Hertig et al.</i> , in: Kraakman/Armour et al. (ed.), Anatomy (fn. 6), p. 245.
<i>Tim Drygala</i> , in: Marcus Lutter (ed.), Umwandlungsgesetz, 5th ed., 2014, § 9 mn. 12.	<i>Drygala</i> (fn. 7), § 9 mn. 12.
	when ambiguous: <i>Drygala</i> , in: Lutter (ed.), UmwG (fn. 7), § 9 mn. 12.
<i>Giuseppe B. Portale</i> , Die Spaltung im italienischen Aktienrecht: Fälle und Fragestellungen, in: Uwe H. Schneider/Peter Hommelhoff/Karsten Schmidt/Wolfram Timm/Barbara Grunewald/Tim Drygala (ed.), Festschrift für Marcus Lutter zum 70. Geburtstag. Deutsches und europäisches Gesellschafts-, Konzern- und Kapitalmarktrecht, 2000, p. 587, 605.	<i>Portale</i> (fn. 8), p. 605.
	when ambiguous: <i>Portale</i> , in: Schneider/Hommelhoff et al. (ed.), Festschrift für Marcus Lutter (fn. 8), p. 605.

### 3. Journal Articles

<u>For journals with consecutive page numbering within a year:</u>	
<i>Michel Storck</i> , “Corporate Governance à la Française – Current Trends”, <i>European Company and Financial Law Review</i> 2006, 36, 50	<i>Storck</i> (fn. 9), 228.
	when ambiguous: <i>Storck</i> , <i>ECFR</i> 2006, 36 (fn. 9), 50.
<i>Herbert Wiedemann</i> , “Die Personengesellschaft – Vertrag oder Organisation?”, <i>Zeitschrift für Unternehmens- und Gesellschaftsrecht</i> 1996, 286, 292, 296	<i>Wiedemann</i> (fn. 10), 292, 296.
	when ambiguous: <i>Wiedemann</i> , <i>ZGR</i> 1996, 286 (fn. 10), 292, 293.
<u>For journals with consecutive page numbering within a volume or within an issue:</u>	
<i>Melvin A. Eisenberg</i> , “The Divergence of Standards of Conduct and Standards of Review in Corporate Law”, <i>Fordham Law Review</i> 63 (1993), 437, 439	<i>Eisenberg</i> (fn. 11), 439.
	when ambiguous: <i>Eisenberg</i> , <i>Fordham L. Rev.</i> 63 (1993), 437 (fn. 11), 439.
<i>Rafael García Villaverde</i> , “Créditos participativos”, <i>Revista de Derecho de Sociedades</i> 9 (1997), 13, 17.	<i>García Villaverde</i> (fn. 12), 17.
	when ambiguous: <i>García Villaverde</i> , <i>RdS</i> 9 (1997), 13 (fn. 12), 17.

### 4. Court Decisions

<u>EU (Court of Justice):</u> ECJ, 12 July 2005, <i>Schempp</i> , C-403/03, ECLI:EU:C:2005:446, para. 19.	
<u>EU (General Court):</u> EGC, 4 March 2015, <i>United Kingdom v ECB</i> , T-496/11, ECLI:EU:T:2015:133, para. 31.	
<u>EU (Opinion of Advocate General):</u> AG Kokott, 4 May 2017, <i>Polbud</i> , C-106/16, ECLI:EU:C:2017:351, para. 42.	
<u>France:</u> Cour de cassation (Court of Cassation), chambre civile 3, 18 March 2009, n° 07-21260, Bulletin civile 2009, III, n°64.	Cass. civ. 3, 18 March 2009, n° 07-21260, Bull.civ. 2009, III, n°64 (fn. 12).
<u>Germany:</u> Bundesgerichtshof (Federal Supreme Court), 26 March 2009 – I ZR 153/06, Entscheidungen des Bundesgerichtshofes in Zivilsachen 180, 344, para. 1.	BGH, 26 March 2009 – I ZR 153/06, BGHZ 180, 344 (fn. 13), para. 1.
<u>Italy:</u> Corte Suprema di Cassazione (Supreme Court of Cassation), 17 September 1997, n. 9260, Il Foro Italiano 1998, I, 1217, 1219 et seq.	Cass. 17 September 1997, n. 9260, Foro it. 1998, I, 1217 (fn. 14), 1219 et seq.
<u>UK:</u> <i>Boulting v Association of Cinematograph, Television and Allied Technicians</i> , 27 November 1962, [1963] 2 QB 606, 608 (Court of Appeal).	<i>Boulting v Association of Cinematograph, Television and Allied Technicians</i> , 27 November 1962, [1963] 2 QB 606 (fn. 15), 608 (CA).