

EUROPEAN COMPANY AND CASE LAW REVIEW

EDITORIAL INFORMATION AND CODE OF ETHICS

I. Aim and scope of the Review

ECCL was established in 2023, as a place for up-to-date exposition and critical evaluation of jurisprudence, as well as theoretical-practical reflection on the topics referable to European company law.

More precisely, essays on European company, bankruptcy, banking, financial and insurance law, and the most important decisions of both domestic courts and the EU Court of Justice with comments on the same subjects are published every three months.

II. Management of the Review

The Review is managed by the Editors-in-Chief, the Editorial Board, and the Managing Board.

They are supported by National Boards and a Submission Manager, with advisor and editing functions.

III. Articles' submission procedure

Submissions may be submitted by Authors to the Review and are to be sent to

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c/o Dr. Ingo Theusinger Noerr Partnerschaftsgesellschaft mbB, Rechtsanwälte
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The evaluation, review process and publication of contributions are free of charge.



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IV. Duties of the Publisher

The Publisher shall provide the Review with adequate resources as well as expert guidance (e.g., for graphic design, legal, etc.) so as to perform its role professionally and enhance the quality of the Review.

The relationship between the Editors-in-Chiefs, the organs of the Review and the Publisher must be firmly based on the principle of editorial independence of the Review.

V. Editorial Board

The Editorial Board is composed of scholars of recognized expertise from Universities of the 27 EU Member States. It has the function to ensure the prestige of the Review and to set forth its strategic goals.

VI. Editors-in-Chief and Managing Board

The Editors-in-Chief are responsible for everything published in the journal. They must therefore take all reasonable steps to ensure the quality of this material.

The Editors-in-Chief in their decisions are bound by the editorial strategies and policies of the journal as set forth by the Editorial Board. They are bound by the applicable legal provisions on defamation, copyright infringement and plagiarism.

The Managing Board takes care of the editorial activity of the Review, particularly by identifying arguments and jurisprudential decisions worth of being reported and commented. The Management Board operatively runs the Review.

VII. Publication procedures

The decision whether accepting or rejecting an article submitted for the publication in the journal belongs to the Managing Board; the Editors-in-Chief or at least a member of the Managing Board read the submitted articles for a pre-screening. The Managing Board makes its decision on either pre-acceptance or rejection of the submitted article considering the following criteria: scientific relevance, originality, clarity, and relevance of the study to the review's purpose.

Manuscripts are evaluated solely for their scholarly content, regardless of author's gender, sexual orientation, religious belief, ethnic origin, citizenship as well as scientific, academic, or political orientation.



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For the pre-accepted articles, the Managing Board or the Editors-in-Chief alone when a prompter action is required, select up to two Reviewers for the article, according to the rules and principles detailed below, and send the article, opportunely anonymized, to the selected Reviewer(s). The Managing Board takes care to ensure that the subsequent review process takes place in a timely manner, monitoring its smooth progress in an effort to increase efficiency and prevent delays.

The Managing Board, while respecting the anonymity of the Author and the Reviewer, ensures that Reviewers do not receive manuscripts in relation to which they have or may have conflict of interest arising from competition, collaboration, or other connection with the authors, companies, or entities related to the subject matter of the manuscript.

The Managing Board ensures that corrections, clarifications, retractions, and apologies are published in case it receives relevant and grounded reports regarding errors/imprecisions, plagiarism, conflict of interest. In such a case, the Editors-in-Chief in behalf of the Managing Board promptly notify the Author of the manuscript, taking any necessary action and, if appropriate, withdrawing the same article or publishing a retraction or erratum.

VIII. Peer Review procedure and duties of the Reviewers

The Review adopts a double-blind peer-review system: the Reviewers do not know who the author of the article assessed by them is, and the Authors of the submitted articles do not know who is in charge of the review.

The review process is guided by the criteria of transparency, autonomy of Reviewers and absence of conflicts of interest.

The selection of the Reviewer(s) for each article is made, when possible, considering the subject and the content of the manuscript, with a view to obtain the best possible reviews.

Reviewers are requested to accept the assignment only if they have the necessary experience and feel qualified to evaluate the manuscript assigned to them.

The process must be conducted objectively. The Reviewer's decision to accept or reject a contribution for publication is based solely on the importance, originality and clarity of the text and relevance to the interests and issues of the Review.

In providing their opinions, reviewers are given the following options: *a)* opinion in favor of the publication; *b)* opinion against the publication; *c)* opinion in favor of the publication provided that the author amends the article pursuant to the suggestions supplied by the Reviewer(s), aimed at improving the publication.



If the Reviewer's opinion is not given within the deadline agreed with the Managing Board, an alternate Reviewer is appointed.

The Reviewers send their evaluations and suggestions for changes to the Editors-in-Chief. The Editors-in-Chief transmit them via email to the Author, ensuring to preserve the anonymity of the Reviewers. If the Author decides to comply with the Reviewers' suggested changes, he/she will resubmit the revised contribution to the Editors-in-Chief, who, assisted if appropriate by the Managing Board, will consider whether to resubmit it for refereeing or initiate it for publication.

In case two Reviewers are appointed for the same article and even just one of them expresses an opinion against the publication, the article is not published.

Any text assigned for reading to the Reviewer must be considered confidential; the same applies for the members of the Managing Board.

Articles that are the result of a presentation made by the author at an international conference attended by European corporate law experts participate, duly documented, are not subject to peer review. Comments on case law judgements are not subject to peer review.

IX. Authors

Authors should ordinarily not publish contributions describing the same research in more than one journal and should not simultaneously submit the same text to more than one journal.

Authorship of the work should be properly attributed, and all those who have made significant contributions to the conception, organization, implementation, and reworking of the research underlying the article should be listed as co-authors. In the case of co-authored contributions, the Author who submits the article to the Review must declare that he or she has correctly indicated the names of all other co-authors, that he or she has obtained their approval of the final version of the article and their written consent to publication in the Review.

Authors must ensure that works are completely original and, if the work and/or words of other authors are used, that they are properly paraphrased or quoted verbatim. In any case, the work of other authors must always be clearly indicated.

Authors must disclose in a specific note at the beginning of the manuscript any financial or other types of conflicts of interest that may affect the results or interpretation of the manuscript. All sources of financial support for the project must be indicated in the same note.



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While they are under the review process with ECCL, manuscripts may not be submitted to other journals for publication, nor to edited books or collections.

By submitting a manuscript, the Author agrees that, once the work is accepted for publication, he/she forfeits all rights of economic exploitation, without limitation of space and by all methods and technologies now existing and/or in the future developed. These rights will be transferred to the Review.

X. Procedures for handling disputes arising from the Peer Review process.

Any disputes concerning the application of the above-described Peer Review process and/or the outcome of decisions concerning the preliminary assessment and/or Peer Review process will be discussed by the Editors-in-Chief or the member of the Managing Board in charge with the parties directly involved.

XI. Ways of dealing with practices contrary to scientific integrity and policies for overseeing ethical aspects of research practices.

Major practices contrary to scientific integrity include fabrication and falsification of research data and plagiarism (i.e., reproduction from previously published work without quotation marks and/or mention of the source, falsification of data).

Misconduct and violations of good research practice are to be considered violations of the Review's Code of Ethics. The Review treats them in line with the Code of Conduct for Scientific Journal Publishers developed by COPE.

Anyone who detects the existence of misconduct in research activity for which a member of the editorial bodies, an Author or Reviewer or, in any case, a person who, in any capacity, collaborates with the Review, is invited to report the factual circumstances, accompanied by appropriate feedback, to the Editors-in-Chiefs. In such a case, the Managing Board promptly notifies the Author of the manuscript, taking any necessary action and, if appropriate, withdrawing the article or publishing a retraction or erratum.

The Editorial Board oversees and guarantees the ethical aspects of research practices. The journal promotes and disseminates good research practices in compliance with the principles of solidarity, equality and non-discrimination, promotion of culture and freedom of intellectual research.



XII. Procedures to enable publicity of the subsequent debate.

The Review encourages initiatives to create, enhance, and institutionalize debate following the publication of contributions in the Review.

All editorial bodies of the Review are actively engaged in stimulating the submission of further contributions.

The publication of letters to the Review and the submission of other contributions related to a publication is guaranteed free of charge in the journal's website and, if deemed of scientific relevance and appropriate, also in the Review itself.

If a member of the editorial bodies of the Review detects – or is notified about – errors or inaccuracies or mistakes, he or she will promptly notify the Editors-in-Chief, who will contact the Author and take the necessary action; where appropriate, amendments and corrections will be published, which will be accounted for in the next issue to be issued or, in the most serious cases, the withdrawal of the publication from the online version of the Review will be ordered, and a notice of this will be offered as soon as possible in the printed version of the Review.

XIII. Procedures for the management of conflicts of interest.

A conflict of interest arises when conditions occur which, with respect to the management practices of the journal, appear likely to affect the impartiality and autonomy of those involved in various capacities in the decision-making processes of the Review, beginning with the process of evaluation of submitted manuscripts and publication.

A conflict of interest may exist when a member of the e of the Review, an Author, a member of the governing bodies, or a Reviewer has personal or financial relationships that may inappropriately influence their behavior, in terms of judgment, pressure, or evaluation. This conflict may exist even if the involved individual believes that such relationships do not influence him or her.

The Author must not have any conflicts of interest that might have influenced the results achieved, theses advocated, or interpretations proposed. The Author must also appropriately indicate the funders, if any, of the research or project from which the article is derived.

Reviewers are required not to accept for reading articles for which a conflict of interest emerges due to previous/specific collaborative or competitive relationships with the Author (per se unknown, but nevertheless identified by inference) and/or connections with Authors, entities, or institutions related to the manuscript. In case a conflict of



interest of a Reviewer emerges, the Editors-in-Chief or the Managing Board will arrange for his/her replacement.

Without prejudice to the provisions above, the Editors-in-Chief or the Managing Board, upon analysis of the documentation provided to it, may find that a conflict of interest cannot be remedied. In such a case, the Managing Board shall be authorized to take the necessary measures to protect the smooth operation of the Review, and shall communicate its determinations to those directly concerned.

XIV. Copyright and intellectual property policy.

Copyright of contributions published in the Review remains with the Authors.

Authors undertake to acquire consents and disclaimers for the possible publication of texts, data, images, graphics, included in their contributions, in compliance with current copyright law, customary disciplinary standards and any constraints related to the right of confidentiality.



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