

Directive of the Dean of the Faculty of Law, Masaryk University No. 3/2020

On document citations used in works submitted at the Faculty of Law, Masaryk University

(in the wording effective from 1st January 2021)

In accordance with § 28 section 1 of Act No. 111/1998 Coll. on Higher Education Institutions and on Amendments and Supplements to some other Acts (the Higher Education Act), as amended (the "Higher Education Act"), I hereby issue this Directive:

Article 1

Subject

1. This Directive regulates formal requirements on document citations used in Bachelor's, diploma, follow-up Master's and dissertation thesis (hereinafter referred to as "thesis") submitted at the Faculty of Law, Masaryk University (hereinafter referred to as "the faculty") within accredited study programmes and MPA and LL.M. programmes.
2. Provisions of this Directive apply to other written works submitted at the faculty, including works submitted within life-long learning programmes.
3. In this Directive, a bibliographic reference means a formalized information on a document used by the author in writing their work. A citation means a use of a quote or text taken from a piece of work by another author in the submitted thesis.

Article 2

Marking and placement of the bibliographical citations and references

1. A citation is marked with quotation marks and italics.
2. A bibliographic reference is marked with a numeric superscript mark in text. The bibliographic reference itself is listed in a footnote on the page where the reference is. Bibliographic reference to legislative acts, judicature and similar legal documents may be placed straight into the text.
3. Text formulated in somebody's own words (paraphrased) or a thought loan are not typographically marked in the text. They are marked with a reference pursuant to Par. 2.
4. Footnotes are numbered in ascending order consecutively in the whole document.
5. Selected form of bibliographic references is consistently used in the whole work.
6. Sources listed in bibliographic references are listed in bibliography arranged alphabetically in ascending order by the authors' names.

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V odpovědi, prosím, uvádějte naše číslo jednací.

Article 3

General provisions on bibliographic references and bibliography

1. Data is listed in the language of the cited document. Translation into Czech language or transcription into Roman characters may be attached. This data is placed in square brackets. It is necessary to list such bibliographic reference data that enables tracking the source.
2. In case a bibliographic reference to the same source is used repeatedly, a short bibliographic reference is used. In case a bibliographic reference to the same source is repeatedly used on one page, the expression "ibidem", "ibid." or "in the same place" is used for it. In addition, a specification of the cited page or other identifier of the given source may be attached.
3. For sources by three or more authors, facultatively, the name of the first author listed in the source may be denoted, followed with the abbreviation "et al." or "and others".
4. For bibliographic references to legislative acts of the Czech Republic, Par. 61 to Par. 75 of the Rules and Procedure of the Government (Annex No. 1) are used adjunctively. For bibliographic references to EU legislative acts sections 3.2.2 to 3.2.4 of the Interinstitutional Style Guide (Annex 2) are used adjunctively.
5. Citing a foreign source is done pursuant to this Directive, while if the nature of the source allows, the means of citation of the source in the country of origin is taken into account.
6. Bibliographic reference to judicature, legislative acts and scientific texts do not have to include references to collective monographs, databases or internet links. This does not apply to solely electronic sources.

Article 4

1. In case the specific data cannot be tracked, especially because it is not stated (it is often the case of journal volumes), is redundant (large number of publication locations or the publication location is not stated) or the specification of which is overly complicated, it may be omitted from the bibliographic reference.
2. Acknowledged standards of given field of law, especially in international contracts in which the Czech Republic is not one of the contracting parties, or in historical materials, archival documents etc., must be taken into account in bibliographic reference compilation.
3. In presentations, the source may be identified in text in so called 'Harvard reference' form (the author name, year of publication: page number). This does not apply to the final bibliography list. In such case, the list of bibliographic reference is a part of the presentation.
4. Bibliographic reference as a footnote starts with a capital letter and ends with a full stop.
5. Provisions of this Directive are used even if institutions providing access to the source referred to use a different form a bibliographic reference.

Article 5

Bibliographic reference to a book

1. The structure of a bibliographic reference to a book in the footnote is as follows: Author surname, author first name (initial). *Title*. Publication location (if known or if there in not a large number of them): publisher (if known), year of publication, page number.

2. The structure of a bibliographic reference to a book in the bibliographic reference list is as follows: Author surname, author first name (initial). *Title*. Publication location (if known): publisher (if known), year of publication.
3. The structure of a short bibliographic reference to a book is as follows: Author surname. *Title*, page number. Short bibliographic reference including time reference may also be used: author surname. *Title*, year of publication, page number.
4. The title of the book is italicised in the bibliographic reference, in the bibliographic reference list and in the short bibliographic reference.

Examples:

Bibliographic reference:

- Procházka, A. *Tvorba práva a jeho nalézání*. Praha: Orbis, 1937, p. 25.
- Cvrček, F., Novák, F. *Legislativa. Teoretická východiska a problémy*. Plzeň: Aleš Čeněk, 2017, p. 124.
- Kelsen, H. *Die Staatslehre des Dante Alighieri*. Wien: Franz Deuticke, 1905, p. 65.
- Montesquieu, C. L. *O duchu zákonů. I.* Praha: Oikoymenh, 2010, p. 107.

The book in the bibliographic reference list:

- Procházka, A. *Tvorba práva a jeho nalézání*. Praha: Orbis, 1937.
- Cvrček, F., Novák, F. *Legislativa. Teoretická východiska a problémy*. Plzeň: Aleš Čeněk, 2017.
- Kelsen, H. *Die Staatslehre des Dante Alighieri*. Wien: Franz Deuticke, 1905.
- Montesquieu, C. L. *O duchu zákonů. I.* Praha: Oikoymenh, 2010.

Short bibliographic reference:

- Procházka. *Tvorba práva a jeho nalézání*, p. 29.
- Cvrček, Novák. *Legislativa. Teoretická východiska a problémy*, p. 127.
- Kelsen. *Die Staatslehre des Dante Alighieri*, p. 54.
- Kelsen. *Die Staatslehre des Dante Alighieri*, 1905, p. 54.
- Montesquieu. *O duchu zákonů. I.*, p. 23.

Article 6

Bibliographic reference to a journal article

1. The structure of a bibliographic reference to a journal article in the footnote is as follows: Author surname, author first name (initial). Article title. *Journal title*. Year, volume number (if known; vol. 1), issue number (if known; iss. 1), page number.
2. The structure of a bibliographic reference to a journal article in the bibliographic reference list is as follows: Author surname, author first name (initial). Article title. *Journal title*. Year, issue number (if known; iss. 1), article page range separated by a hyphen.

3. The structure of a short bibliographic reference to a journal article is as follows: Author surname. *Article title*, page number. Short bibliographic reference including time reference may also be used: Author surname. *Article title*, year of publication, page number.
4. The title of the journal is italicised in the bibliographic reference, in the bibliographic reference list and in the short bibliographic reference.

Examples:

Bibliographic reference:

- Hapla, M. Lidská práva a základní potřeby. *Právník*. 2018, vol. 1, p. 35.
- Kosař, D., Vyhnánek, L. Ústavní identita České republiky. *Právník*. 2018, vol. 10, p. 856.
- Leong, N. Racial Capitalism. *Harvard Law Review*. 2013, vol. 8, p. 2160.

The journal article in the bibliographic reference list:

- Hapla, M. Lidská práva a základní potřeby. *Právník*. 2018, vol. 1, p. 31–49.
- Kosař, D., Vyhnánek, L. Ústavní identita České republiky. *Právník*. 2018, vol. 10, p. 854–872.
- Leong, N. Racial Capitalism. *Harvard Law Review*. 2013, vol. 8, p. 2151–2226.

Short bibliographic reference:

- Hapla. *Lidská práva a základní potřeby*, p. 36.
- Kosař, Vyhnánek. *Ústavní identita České republiky*, p. 857.
- Leong. *Racial Capitalism*, p. 2170.

Article 7

Bibliographic reference to a chapter in a book or a chapter in an edited book

1. The structure of a bibliographic reference to a chapter in a book or a chapter in an edited book is as follows: Author surname, author first name (initial). Chapter title (title of the contribution). In: Editor surname, editor first name. *Title of the book (edited book)*. Publication location: publisher, year of publication, page number.
2. The structure of a bibliographic reference to a chapter in a book or a chapter in an edited book in the bibliographic reference list is as follows: Author surname, author first name (initial). Chapter title (title of the contribution). In: Editor surname, editor first name (initial). *Title of the book (edited book)*. Publication location: publisher, year of publication, page range separated by a hyphen.
3. The structure of a short bibliographic reference to a chapter in a book or a chapter in an edited book is as follows: Author surname. *Chapter title*, page number. Short bibliographic reference including time reference may also be used: Author surname. *Chapter title (title of the contribution)*, year of publication, page number.
4. The title of the book or edited book is italicised in the bibliographic reference and in the reference to the chapter in the bibliographic reference list; the title of a chapter is italicised

in the short bibliographic reference. Editor or editors of the edited book are marked with (ed.), or (eds.).

Examples:

Bibliographic reference:

- Halpérin, J.-L. Legal Interpretation in France Under the Reign of Louis XVI: A Review of the Gazette des tribunaux. In: Morigiwa, Y., Stolleis, M., Halpérin, J.-L. *Interpretation of Law in the Age of the Enlightenment: From the rule of law the king to the rule of law*. Dordrecht: Springer, 2011, p. 21.
- Harvánek, J. František Weyr a moderní teorie práva. In: Večeřa, M., Hapla, M. (eds). *Weyrovy dny právní teorie 2016*. Brno: Masarykovy univerzita, 2016, p. 25.
- Urban, M., Drápal, J. Proč propojovat film a právo ve výuce práva na právnických fakultách? In: Kysela, J., Urban, M. (eds). *Literatura a film jako zrcadlo práva a právníků*. Praha: Leges, 2017, p. 196.

The chapter in a book or a chapter in an edited book in the bibliographic reference list:

- Halpérin, J.-L. Legal Interpretation in France Under the Reign of Louis XVI: A Review of the Gazette des tribunaux. In: Morigiwa, Y., Stolleis, M., Halpérin, J.-L. *Interpretation of Law in the Age of the Enlightenment: From the rule of law the king to the rule of law*. Dordrecht: Springer, 2011, p. 19–57.
- Harvánek, J. František Weyr a moderní teorie práva. In: Večeřa, M., Hapla, M. (eds). *Weyrovy dny právní teorie 2016*. Brno: Masarykovy univerzita, 2016, p. 23–38.
- Urban, M., Drápal, J. Proč propojovat film a právo ve výuce práva na právnických fakultách? In: Kysela, J., Urban, M. (eds). *Literatura a film jako zrcadlo práva a právníků*. Praha: Leges, 2017, p. 190–207.

Short bibliographic reference:

- Halpérin. *Legal Interpretation in France Under the Reign of Louis XVI: A Review of the Gazette des tribunaux*, p. 24.
- Harvánek. *František Weyr a moderní teorie práva*, p. 30.
- Urban, Drápal. *Proč propojovat film a právo ve výuce práva na právnických fakultách?*, p. 195.

Article 8

Bibliographic reference to a qualification thesis

1. The structure of a bibliographic reference to a qualification thesis is as follows: Author surname, author first name (initial). *Title of the qualification thesis*. Year of publication, type of thesis, university, faculty, page number. The name of the thesis supervisor is facultative.
2. The structure of a bibliographic reference to a qualification thesis in the bibliographic reference list is as follows: Author surname, author first name (initial). *Title of the qualification thesis*. Location of the thesis defence, year, type of thesis, university, faculty. The name of the thesis supervisor is facultative.
3. The structure of a short bibliographic reference to a qualification thesis is as follows: Author surname. *Title of the qualification thesis*, page number. Short bibliographic reference including time reference may also be used: Author surname. *Title of the qualification thesis*, year of publication, page number.
4. The title of the qualification thesis is italicised in the bibliographic reference, in the bibliographic reference list and in the short bibliographic reference.

Examples:

Bibliographic reference:

- Dlouhá, J. *Věcná břemena*. 2008, diploma thesis, Masaryk University, the Faculty of Law, p. 67.
- Dlouhá, J. *Věcná břemena*. 2008, diploma thesis, Masaryk University, the Faculty of Law, [supervisor Novák, Jan], p. 67.

A qualification thesis in the bibliographic reference list:

- Dlouhá, J. *Věcná břemena*. 2008, diploma thesis, Masaryk University, the Faculty of Law, 123 p.
- Dlouhá, J. *Věcná břemena*. 2008, diploma thesis, Masaryk University, the Faculty of Law, [supervisor Novák, Jan], p. 67.

Short bibliographic reference:

- Dlouhá. *Věcná břemena*, p. 54.

Article 9

Bibliographic references to electronic sources

1. The structure of a bibliographic reference to an electronic source and an electronic source in the list of bibliographic reference list is as follows: Author surname, author first name (initial), or designation of the author (if known). Title of the document [online]. *Publishing platform*. Date of publication (facultative). [date of reading]. Hyperlink in the active format without a full stop at the end.
2. The structure of a short bibliographic reference to an electronic source is as follows: Author surname, or designation of the author (if known). *Title of the document*. Short bibliographic reference including time reference may also be used: Author surname. *Title of the document*, year of publication, page number.

Examples:

Bibliographic reference to an electronic source in the bibliographic reference list:

- Publikace vydávané a prodávané fakultou [online]. *The Faculty of Law, MU*. [cit. 17. 9. 2018]. <https://www.law.muni.cz/content/cs/publikace/>.
- Balousová, M. Předběžná opatření týkající se nemovitostí v teorii a praxi [online]. *epravo.cz*. 24. 9. 2018. [cit. 27. 9. 2018]. <https://www.epravo.cz/top/clanky/predbezna-opatreni-tykajici-se-nemovitosti-v-teorii-a-praxi-108146.html>.

Short bibliographic reference:

- *Publikace vydávané a prodávané fakultou* [online].
- Balousová. *Předběžná opatření týkající se nemovitostí v teorii a praxi*.

Bibliographic references to legislative acts

Article 10

1. The structure of a bibliographic reference to a legislative act of the Czech Republic is as follows: type of legislative act, serial number of the publishing platform, year of publication of the publishing platform, abbreviation of the publishing platform, full title. In case the legislative act has been amended, a complement_in the following form is added: “as amended”.
2. The structure of a short bibliographic reference to a legislative act of the Czech Republic is as follows: type of legislative act, title or a short title of the legislative act.
3. The first usage of the legislative act in text may be followed by an introduction of an abbreviation using the formulation “hereinafter referred to as...”. The abbreviation is used from there on instead of a short bibliographic reference or a bibliographic reference to the legislative act.
4. Legislative acts are not listed in the bibliographic reference list.
5. Bibliographic references to legislative acts are as a rule used directly in text.
6. In case the author is referring to a specific amended legislative act in time, there is a complement pursuant to Par.1, the second sentence, that specifies the version used.

Article 11

1. In case of legislative acts of autonomous territorial entities, the structure of the bibliographic reference is as follows: type of legislative act, designation of the autonomous territorial entity, serial number, year of publishing. In case the legislative act has been amended, a complement_in the following form is added: “as amended”. The structure of a short bibliographic reference to a local legislative act is as follows: type of legislative act, designation of the autonomous territorial entity, title or a short title of the legislative act.
2. The structure of a bibliographic reference to international contracts is analogical to the structure of a bibliographic reference to legislative acts of the Czech Republic.
3. The structure of a bibliographic reference to legislative acts of the European Union is as follows: type of legislative act (edict), title of the authority that is the author of the legislative

act, (EU), serial number of the legislative act, year, date of enactment, title of the legislative act.

- References to legislative acts that are known under an abbreviation in given field or that are generally known may be referred to with that title or abbreviation. The list of abbreviations is placed at the beginning of the work.

Examples:

Bibliographic reference:

- Act No. 89/2012 Coll., Civil Code, as amended
- § 9 Par. 2 letter m) Act No. 99/1963 Coll., Civil Procedure Code, as amended
- Art. 3 Par. 1 of public notice of the City of Brno No. 11/2017 on quiet hours
- Council of Europe Convention No. 59/2016 on the Protection of Children against Sexual Exploitation and Sexual Abuse
- Regulation (EU) 2018/643 of the European Parliament and the Council of 18 April 2018 on rail transport statistics

Short bibliographic reference:

- Civil Code
- Public notice of the City of Brno on quiet hours
- Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse
- Regulation of the European Parliament and the Council on rail transport statistics

Bibliographic references to judgments

Article 12

1. The structure of a bibliographic reference to a judgment is as follows: type of judgment, title of the court, date of the judgment, file reference number or document reference number.
2. The structure of a short bibliographic reference to a judgment is as follows: type of judgment, title of the court, file reference number, document reference number or senate reference number.
3. Judgments are not listed in bibliographic reference list.
4. Bibliographic references to judgments may be used straight in text or as a footnote.
5. File reference number is a unique specification of a case administered at a certain court. Document reference number includes a serial number of a specific document in the given file.
6. Other data, such as identification of a judgment collection, is listed in reasoned cases.

Article 13

1. The structure of a bibliographic reference to decisions of the European Court of Human Rights is as follows: names of the parties, type of decision, the authority that made the decision in the given case, date of the decision. The structure of a short bibliographic reference to decisions of the European Court of Human Rights is used in the format that includes names of the parties. The names of the parties are italicized.
2. The structure of a bibliographic reference to decisions of the Court of Justice of the European Union is as follows: type of decision, date of decision, case reference number in the register.
3. Bibliographic reference to a decision of the court should include a specific point of the decision. The structure of a short bibliographic reference to decisions of the Court of Justice of the European Union Rights is used in the format that includes case reference number in the register.
4. Bibliographic reference to a decision of the court should include a specific point of the decision.
5. In references to decisions of the court, only established court title abbreviations are used (e.g. ESLP, SDEU).

Examples:

Bibliographic reference:

- Resolution of the Regional Court in Ostrava from 31 July 2012, ref. No. 10 Co 628/2012-44
- Resolution of the Regional Court in Ostrava from 31 July 2012, file ref. No. 10 Co 628/2012
- Judgment of the Supreme Court from 14 March 2013, file ref. No. 21 Cdo 1065/2011
- Judgment of the Supreme Administrative Court from 23 October 2018, ref. No. 9 As 339/2018 – 33
- Opinion of the Constitutional Court plenum from 25 September 2018, file ref. No. Pl. ÚS-st. 47/18
- Finding of the Constitutional Court from 9 October 2018, file ref. No. III. ÚS 309/16, clause 13
- Resolution of the Regional Court in Hradec Králové – the branch in Pardubice from 18 May 2015, ref. No. KSPA 56 INS 1535/2009-B-39
- Judgment of the Supreme Court from 30 November 2015, sen. Ref. No. 29 ICdo 47/2013
- *Delecolle against France*, judgment of the European Court of Human Rights, 25 October 2018, complaint No. 37646/13
- Judgment of the Court of Justice from 6 September 2018 in the matter C-488/16 P

Short bibliographic reference:

- Resolution of the Regional Court in Ostrava ref. No. 10 Co 628/2012-44
- Judgment of the Supreme Court file ref. No. 21 Cdo 1065/2011
- Finding of the Constitutional Court file ref. No. III. ÚS 309/16
- *Delecolle against France*, judgment of the European Court of Human Rights in the matter of
- Judgment of the Court of Justice in the matter C-488/16 P

Article 14

Bibliographic references to legislative acts and decisions of the court of other countries

1. The structure of a bibliographic reference to legislative acts of other countries are used in formats that are legitimate in the given country.
2. The structure of a bibliographic reference to decisions of the court of other countries are used in formats that are legitimate at the given court.
3. Bibliographic reference to a legislative act of another country includes identification of that country. Bibliographic reference to a decision of a foreign court includes identification of the court in the language of the court and in Czech language. Identification of the court in Czech language is in square brackets.

Article 15

Final provisions

1. Directive of the Dean No. 4/2013 from 1st August 2013 on document citations used in works submitted at the Faculty of Law, Masaryk University, is repealed.
2. I hereby authorize the vice-dean for science and research with interpretation of individual provisions of this Directive and its possible amendments.
3. I hereby authorize thesis supervisors with conduct of this Directive in case of Bachelor's, Diploma and Dissertation thesis; readers in case of advanced Master's thesis. In other type of works, this Directive will be used adequately.
4. Following an agreement with the work supervisor (supervisor, diploma thesis supervisor, study subject guarantor etc.), provisions of this Directive may be used before it comes into force. This fact must be stated in the submitted work.

Article 16

Effect

1. This Directive comes into effect on 1st January 2021.
2. Provisions pursuant to Art. 15, par. 4 shall become effective on the day of this Directive announcement.

3. This Directive replaces the version from 26 February 2020.

In Brno on 11 December 2020

Martin Škop,
m.p. dean

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