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PREFACE TO THE EIGHTH EDITION

The idea for this book emanated from a series of courses preparing for the EQE given at the Faculty of Law of Maastricht University.

For most Exam papers, it is required to learn the necessary legal background and the substantive requirements related to the subject of the paper. Further, one must also learn how to answer the paper, i.e., how to formulate the answer to score marks.

Paper D is perhaps the toughest paper of the EQE, in particular, because it requires a time-consuming trajectory of preparation. Not only a vast amount of information has to be put into the head of a candidate, he/she should also be able to quickly find the appropriate law reference and/or explanation in the Guidelines or the Case Law in the abundance of resource material available.

The book discusses the main themes of the D paper. It describes a new and elegant methodology for answering the Legal Questions in Part D1. The methodology is put to work in some example questions. In addition, a comprehensive methodology is given for analysing and drafting a Legal Opinion following an inquiry from a client in Part D2.

The book includes advice in relation to several recurring issues as well as checklists with actions and a list of standard phrases which can be used during the exam. In an Annex, a comprehensive analysis and possible solution of Part D2 of two EQE D papers is included.

Since 2013 (excluding 2021), the average pass rate of Paper D is around 40%. A thorough preparation is necessary for having a fair chance of passing the paper. In the opinion of the author, such preparation involves learning the law as well as learning a methodology to deal with the questions in the paper.

This book has been kept compact by referring to legal texts as much as possible instead of copying them into the book. It is recommended to look up the legal provisions or read the text in a study book.

In the current edition of this book, account has been taken of the latest updates in the law and the content of the annexes has been updated. In addition the switch from a written exam to an online exam, the e-EQE is taken into account. Details of the e-EQE as presented in this book are based on the format of the EQE 2021 and 2022. The format and conditions of the online EQE may change in the coming years, for example in relation to which documents are offered in digital format only and in relation to which annotation tools will be provided for the digital documents. Regardless of the details of the actual exam format, this book provides valuable insights in how the D-exam “works”, and what you need to do to score sufficient marks.

Despite all due care taken during the compilation of the book, the author does not accept any liability for the correctness or completeness of the text. The author would appreciate receiving suggestions for improving the content of the book as well as information on mistakes.

We wish you success in preparing for and passing the e-EQE !

Etten-Leur, August 2022

Nyske Blokhuis