

Examination Regulations 2017-2018

§ 1 Definitions

Article 1

The following definitions apply to these Regulations:

Teaching and Examination Regulations: the regulations as described in Article 7.13.1 of the Higher Education and Research Act, most recently set by the Faculty Board.

Student: a person enrolled in the university for the purpose of taking courses and/or examinations and a final assessment for a degree programme listed in Article 1.3 of the Teaching and Examination Regulations.

The Examiner: a by the Board of Examiners appointed based on Article 7.12c of the WHW person who has the task to examine students on a subject and determine the result of that assessment.

§ 2 The Board of Examiners

Article 2 Sections

The Board of Examiners may establish separate sections to supervise the propaedeutic examinations, the Bachelor's degree examinations and the Master's degree examinations on its behalf.

Article 3 Decision-making

The Board of Examiners and its sections as arranged for in Article 2 make decisions based on majority voting.

Article 3a Day-to-day affairs

The Faculty Board appoints an official secretary who is responsible for the day-to-day affairs.

§ 2a Examiners

Article 4 The Examiners

The following persons have been, based on their qualifications and appointment at the Faculty of Law, appointed as examiners by the Board of Examiners:

- i. All professors, University Head Lecturers ('UHD's'), University Lecturers ('UD's') and Lecturers that have been appointed as such at the Faculty of Law;
- ii. PhD employees and students and postdocs that have been appointed by the Faculty and hold a Master's degree in Law of one of the Dutch Faculties of Law;
- iii. Special professors that have a chair at the Faculty of Law.
- iv. All others that have been appointed by the Board of Examiners.

The appointment can be rescinded by the Board of Examiners.

§ 3 Examinations

Article 5 Material to be examined

5.1 [Repealed]

5.2 The material to be examined consists of the material covered in the lectures as well as the written sources in so far as these have been announced in accordance with Article 5.3 and are available in accordance with Article 5.4.

- 5.3 The written and/or digital sources will be announced in Ocasys and/or on Student Portal before the start of the education period preceding the examination in question. If extraordinary circumstances necessitate an announcement at a later date than intended in the previous sentence, then the announcement on Student Portal will be made as soon as possible after the start of the education period, and no later than two weeks after.
- 5.4 The written and/or digital sources on which the material to be examined is based must be available at the start of the education period preceding the examination in question. If extraordinary circumstances prevent availability as intended in the previous sentence, then the sources may be made available after the start of the education period, but no later than two weeks after.
- 5.5 Contrary to the provisions of Article 5.3 and 5.4, during the education period it is possible:
 - a. for additional written material to be issued, although it may not be more than a tenth part in size of the maximum amount of permitted material.
 - b. that such material to be examined be decided after individual discussions between the examiner and the student.
- 5.6 The questions and assignments of the examination will be confined to the material dealt with during the lectures and the sources announced and made available within the meaning of Article 5.3, 5.4 and 5.5. If this condition is not met, the relevant questions and assignments will not be included in the assessment.
- 5.7 If the Board of Examiners considers that there are special circumstances, it may decide to depart from what is determined in the previous paragraphs and take suitable measures which protect the justifiable interests of students.

Article 6 Questions and assignments

- 6.1 The examinations will be representative of the teaching aims with regard to content and form.
- 6.2 The questions and assignments in the examination will be clear and contain sufficient indications of the detail required in the answers. The examination indicates how many points can be awarded per question.
- 6.3 Multiple-position questions in multiple-choice form are not permitted.

Article 7 The language of the examination

The examinations will be taken in Dutch unless the Teaching and Examination Regulation states that the language of instruction of a course is English. In those cases the examination will be in English.

Article 8 Type of examination and dates of examinations

- 8.1 An examination will be either written or oral. The type will be stated in the course descriptions in Ocasys. The examiner may only deviate from the type of examination after approval by the Board of Examiners though no later than the sixth week of the education period in question. In case of resit examinations no approval by the Board of Examiners is needed.
- 8.2 The examiner may decide no later than the sixth week of lectures of the block in question to examine either orally or in written form if the choice between a written or oral examination in the course description in Ocasys was dependent on the number of participants.
- 8.3 The examiner will inform students and the Student Administration and Student Affairs Office of a decision as soon as possible.
- 8.4 The dates of written examinations are determined by the Board of Examiners and announced by being published on the Student Portal. Additions or changes to what is stated on the Student Portal must be announced at least two

- months before the date of the examination in question.
- 8.5 When setting the dates referred to in Article 8.4, the greatest care will be taken to ensure that examinations of the Faculty which are programmed for the same education period of the same academic year will not coincide.
 - 8.6 The Faculty Board will be informed of the dates referred to in §4 so that they may be published in good time.
 - 8.7 Oral examinations will be taken on a day and at a time to be determined by the examiner(s).
 - 8.8 The provisions of Article 8.4-8.6 also apply as far as possible to examinations which are other than written or oral.

Article 9 Admission

The Board of Examiners or the examiner will decide whether the conditions for admission to an examination have been met.

Article 10 Compulsory enrolment for courses and written examinations

- 10.1 Enrolment for a course equals enrolment for the examination of that course.
- 10.2 Enrolment for a course is only possible in the following periods:
 - Course enrolment block 1: 21 August 2017 – 16 September 2017
 - Course enrolment block 2: 23 October 2017 – 24 November 2017
 - Course enrolment block 3: 15 January 2018 – 16 February 2018
 - Course enrolment block 4: 26 March 2018 – 27 April 2018Based on this course enrolment, the Faculty will enrol students for the examination and possible resit examination.
Enrolment is done by enrolling in Progress.
- 10.3 Students who were enrolled for a course, but failed the first examination will be automatically enrolled for the resit examination.
- 10.4 Enrolment for examinations and resit examinations without previous course enrolment is possible in week 5 of the block in which the examination or resit examination is scheduled.
 - Repair-enrolment examinations block 1: 2 October 2017 – 6 October 2017
 - Repair-enrolment (resit) examinations block 2: 11 December 2017 – 15 December 2017
 - Repair-enrolment (resit) examinations block 3: 5 March 2018 – 9 March 2018
 - Repair-enrolment (resit) examinations block 4: 14 May 2018 – 18 May 2018.

Article 11 The situation during an examination

- 11.1 The examiner will ensure that invigilators are appointed for the written examination to ensure that it proceeds without problem.
- 11.2 Students are obliged to identify themselves by their student card and valid identity papers at the request or behest of the Board of Examiners. Students also need to be able to show their proof of enrolment and table number in Progress when requested.
- 11.3 Students must obey all instructions of the Board of Examiners, examiner or invigilator that are published before the examination, as well as any instructions issued during the examination and immediately after it.
- 11.4 Immediately before or during an examination, the examiner and the invigilator(s) instated by the examiner is authorised on behalf of the examiner to:
 - a. check the enrolment papers of the students;
 - b. check the documents needed by the students before the examination;

- c. check other belongings or property of students if cheating is suspected.
- 11.5 The examiner and the invigilator(s) instated by the examiner is authorised on behalf of the examiner to deny students the right to participate in or continue an examination if they:
 - a. appear after the start of the examination without a valid excuse;
 - b. do not possess a valid enrolment document;
 - c. commit a fraudulent act;
 - d. disturb the orderly progress of the examination.
- 11.6 In the event of one of the situations listed under Article 11.5, the examination papers will be collected by the examiner or invigilator and the examination will be considered not to have been taken.
- 11.7
 - a. Students will not be permitted to start the examination more than half an hour after the official start. Students who have started the examination may not leave the hall until at least half an hour after the start.
 - b. Toilet visits are not allowed in the first and last half hour of the examination. During the rest of the examination, toilet visits are only allowed with the permission of the examiner or invigilator, who will grant this permission unless this will disrupt the order of the examination in his/her opinion.
- 11.8 During a written examination, the duration of the examination must be indicated in writing. The examiner has the right to extend the time indicated. Students who leave early may not derive any rights from the fact that a decision to extend was taken after their departure.
- 11.9 The examiner and the invigilator(s) instated by the examiner is authorised on behalf of the examiner to set rules regarding the removal of examination papers. These rules will be published on the examination form or announced during the examination.
- 11.10 Students who do not comply with the above may be banned by the examiner from taking the examination.
- 11.11 Students may appeal against a decision by the examiner to the Board of Examiners.

Article 12 The assessment

- 12.1 If the assessment of examinations is expressed in figures, this will always be in round numbers in the scale from 1 up to and including 10.
- 12.2 The assessment of 'Juridische Onderzoeksvaardigheden 1 and 2', Research seminar International Law, Research seminar European Law, 'Recht en Informatiemanagment, research master courses which are assessed by paper, and master seminars will be given in round or half numbers. The way of assessment will be made known to students at the start of the course unit in question. The assessment of the bachelor-concluding unit and Master's thesis will be given in half numbers.
- 12.3 Courses referred to in Article 12.1 and 12.2 are considered to have been passed if a grade of 5.5 or above has been achieved.
- 12.4 If the assessment of examinations is not expressed in figures, the examiner in question may choose from the following options:
 - fail/insufficient
 - has satisfied the requirements.
- 12.4a If an examiner wishes to deviate from the expression of grades as arranged for in Article 12.1 and 12.2, the examiner needs to send a substantiated request to the Board of Examiners.
- 12.5 Within three days after the results of an examination are published and they have passed, not being the seminar, students may submit a request to the

Board of Examiners to regard that examination as not taken and be allowed to participate in the next examination opportunity for that course. This regulation may be applied to a maximum of two examinations per academic year.

- 12.6 If the assessment of an examination as mentioned in Article 12.5 is considered not to be taken is changed by the examiner afterwards in a positive manner, the student can ask the examiner to send the result to the Administration, in which case his/her request to delete his/her grade will be considered as not have been send.

Article 13 Announcement of the results

At the end of each education period, the head of the Examination Administration will issue a digital overview of the examinations taken to each student on behalf of the Board of Examiners.

Article 14 Registration for and publication of results of oral examinations and papers

- 14.1 Contrary to the provisions of Articles 10 and 11, this article applies to examinations that must be taken orally or which are conducted by a paper in accordance with the course regulations.
- 14.2 If students are allowed to take an oral examination, they must make an appointment with the examiner.
- 14.3 Immediately after the oral examination, the examiner will issue a written notification of the result of the examination.
- 14.4 Students who cannot sit examinations due to illness or other urgent circumstances must inform the examiner of this immediately.
- 14.5 The foregoing paragraphs are also applicable to written exams that on the basis of a decision by the Board of Examiners are agreed to be conducted as an oral exam. The student is required to present a written confirmation of this decision by the Board of Examiners when he/she is scheduling the appointment for the oral examination.
- 14.6 If a course is being concluded by a paper, the lecturer will determine the date when the paper has to be handed in and the period in which the paper should be assessed by the lecturer. This assessment period will start at the first working day after the final hand in-date and will never be more than 20 working days.

Article 15 Fraud

- 15.1 By fraud is meant an act or omission by the student designed to partly or wholly hinder the forming of a correct assessment of his or her knowledge, insight and skills or the knowledge, insight and skills of another student.
- 15.2 The following actions are considered to be fraud, though this is not a limitative list:
- i. Having available during an examination – toilet visits included – at any other place than in a closed bag on the floor: texts, other data carriers or electronic devices; unless the use of them is explicitly allowed.
 - ii. Having available during an examination: written notes in legislations, including any codes that may be hidden in underlining or marking.
 - iii. Reusing texts in papers, thesis included, without mentioning the source.
 - iv. Presenting ideas which were developed by others as your own work.
 - v. In case of individual assignments: taking note of papers of other students that are applicable to the same assignment; in case of group

assignments: taking note of papers of others students not part of the group.

- vi. The making available of papers to other students, including uploading papers to websites which are available to others, unless it concerns an individual assignment for which the deadlines has not passed yet; in case of group assignments: the same applies when papers are made available to students that are not part of the group for the assignment.
- 15.3 If fraud is detected during an examination, the examiner can exclude the student from further participation in that examination.
- 15.4 The examiner must ensure that a report of the observed or suspected fraud is sent to the Board of Examiners immediately, with a copy to the student, within a reasonable period of time after the suspicion of fraud has been established.
- 15.5 The student may lodge an appeal against the exclusion with the Board of Examiners.
- 15.6 If a student commits fraud, the Board of Examiners can declare the obtained result of the course in question to be invalid, deprive that student of the right to participate in one or more examinations, to be determined by the Board of Examiners, during a period, also to be determined by the Board of Examiners of maximum one year. In cases of severe fraud, the Board of Examiners can suggest to the Executive Board of the University to terminate the registration for the programme in question of said student indefinitely.
- 15.7 The Board of Examiners will not make its decision before the student and the examiner have been heard, or has at least given them the opportunity to be heard.

Article 15a Papers

A paper produced for one course unit cannot be handed in for another course unit. If contrary to the previous sentence the same or to a significant extent similar paper is handed in, the result of the last course unit of the student in question can be declared invalid by the Board of Examiners.

§ 4 Examinations/Graduation

Article 16 Determining the result of an examination

Once all the parts of an examination have been taken, the result of the examination will be determined by the Board of Examiners, subjects to the provisions of Articles 12, 17 and 18.

Article 17 The propaedeutic examination

The propaedeutic exam of a bachelor programme mentioned in Article 1.2 of the Teaching and Examination Regulations is acquired when the student has passed all required courses of the propaedeutic phase of the relevant bachelor programme with a sufficient score.

Article 18 The final Bachelor's and Master's degree examinations

- 18.1 The final Bachelor's degree examination for the Bachelor's degree programmes listed in Article 1.3 of the Teaching and Examination Regulations will be considered to have been passed if the student has passed all the required elements of the Bachelor's degree examination in question.
- 18.2 The final Master's degree examination for the Master's degree programmes listed in Article 3.1 of the Teaching and Examination Regulations will be

considered to have been passed if the student has passed all the required elements of the Master's degree examination in question.

Article 19 The certificate and the list of marks

- 19.1 Students will receive a certificate issued by the Board of Examiners as proof of having passed the final examination. The certificate will be signed by at least two of the members appointed by the Board of Examiners.
- 19.2 On the diploma supplement which is part of the degree certificate of the programme the student has obtained the degree from, a list of the subjects examined will be recorded. Further, there will also be a list of other subjects included in the final assessment in which the student has been examined at his/her request, which the Board of Examiners been passed before the decision was made on the final assessment.
- 19.3 The results of the Honours programme will be recorded on the diploma supplement which is part of the degree certificate of the programme the student has obtained the degree from.

Article 19a Honours ('judicium')

- 19a.1 The Board of Examiners shall determine whether an honours distinction shall be awarded to a Bachelor's or Master's degree certificate.
- 19a.2 The following conditions apply:
 - a) The mark for the Master's thesis or final Bachelor's component must satisfy the following minimum conditions:
 - Cum laude: at least 8.0
 - Summa cum laude: at least 9.0
 - b) The weighted average (not rounded off) for all course units, excluding the component listed under a), within the examination programme approved by the Board of Examiners is
 - at least 8.0 for Cum laude
 - at least 9.0 for Summa cum laude
- 19a.3 No honours are awarded if the study workload of the exemptions in ECTS credit points is more than half the total number of ECTS for the degree programme.
- 19a.4 Honours may only be awarded if the examinations for the course units were taken only once.
- 19a.5 Honours may only be awarded if no single course unit was awarded a mark less than 7.0.
- 19a.6 No honours distinction will be awarded to students who have committed fraud as regulated in Article 15 of this Examination Regulation.
- 19a.7 If an exemption was granted for a course unit or course units which are part of the Examination programme, all conditions as arranged for in the Articles 19a.2 up to and including Article 19a.6 apply for the results based on which the exemption was granted.
- 19a.8 In certain circumstances, the Board of Examiners may depart from the provisions set out in Articles 19a.2-19a.5.
- 19a.9 The Honours programme is not part of the regular curriculum. The Honours programme results are therefore not taken into consideration when determining the distinction cum laude and summa cum laude.
- 19a.10 Students who started the degree programme before 1 September 2010 continue to fall under the honours regulations that applied to them on 31 August 2010.

§ 5 Exemptions

Article 20 Exemption from an examination or seminar

- 20.1 A request for exemption from an examination or seminar based on the provisions of or pursuant to the law must be submitted to the Board of Examiners.
- 20.2 The Board of Examiners will make its decision and state its reasons within six weeks of receipt of the request. The student will be informed of this decision without delay.
- 20.3 If the student is of the opinion that he is already exempted from one or more examinations based on or pursuant to the law, he must inform the Board of Examiners of this.
- 20.4 The Board of Examiners will not permit exemptions for courses that have been passed elsewhere during a period when the person in question was banned from examinations in this Faculty as a result of fraud.

§ 6 Storage period

Article 21 Examination storage period

- 21.1 The results of examinations will be stored by the Examination Administration for at least ten years.
- 21.2 Completed answer sheets will be stored for at least seven years.

§ 7 Derogation possibility

Article 22 Making use of a possibility to derogate

Before the Board of Examiners decides about one of the possibilities to derogate listed in either the Teaching and Examination Regulations or this regulation, the study advisor will be given the opportunity to provide extra advice and information.

§ 8 Other provisions

Article 23 Amendments to these regulations

No amendments shall be made that have an effect on the current academic year, unless the interests of students would not be harmed disproportionately.

Article 24 Date of Commencement

- 25.1 These Regulations will enter into force on 1 September 2017.
- 25.2 They may be cited as the Examination Regulations 2017-2018 of the Faculty of Law, RuG.

As decreed by the Board of Examiners of the Faculty of Law, July 2017.