

# **Examination rules and regulations by the Board of Examiners of Leiden Law School**

## **for the Master's degree programmes in**

Law  
Notarial Law  
Fiscal Law  
Forensic Criminology  
Crime and Criminal Justice  
Child Law  
Law & Society: Governance and Global Development

**pursuant to Article 7.12b, paragraph 3, of the Dutch Higher Education and Research Act (WHW)**

supplementary to and a constituent part of the Course and Examination Regulations of the master's degree programmes of Leiden Law School and adopted by the Board of Examiners on the grounds of its exclusive authority for this purpose by virtue of Article 7.12b paragraph 3 of the Dutch Higher Education and Research Act. There is no right to be consulted or right of consent concerning the adoption of these rules and regulations.

The Board of Examiners has the right to deviate from provisions in these rules and regulations insofar as the circumstances as a result of the corona pandemic make this necessary.

### **Contents**

1. General provisions
2. Duties and procedure of the Board of Examiners
3. Appointment of examiners
4. Assessment and examinations
5. Final examinations and diplomas
6. Fraud
7. Annual reporting and data retention
8. Final provisions

## Chapter 1      **General provisions**

### **Article 1.1      Scope**

These rules apply to the examinations of the Master's degree programmes in Law, Notarial Law, Fiscal Law, Forensic Criminology, Crime and Criminal Justice, Child Law and Law & Society: Governance and Global Development of Leiden Law School, hereafter referred to as "the programme".

### **Article 1.2      Definitions**

- mid-term exam: a test which, in addition to one or more other examinations or practical assignments, forms part of the final examination of a course unit and contributes to the final grade of that examination. The relative weighting is documented in the course description in the Prospectus;
- OER: the Course and Examination Regulations as established by the Faculty Board of Leiden Law School, for the Master's programmes in Law, Notarial Law, Fiscal Law, Forensic Criminology, Crime and Criminal Justice, and Child Law;
- invigilator: person who is entrusted by or on behalf of the Faculty Board with the actual supervision of orderly proceedings during an examination, either physical or digital, using surveillance software;
- practical assignment: a practical assignment as (part of) an examination as intended in Article 7.13, second paragraph, under d of the Act, in one of the following forms:
  - writing a thesis,
  - writing a paper or draft setup,
  - carrying out a research assignment,
  - participating in an excursion,
  - doing an internship,
  - participating in another type of educational activity that is aimed towards acquiring particular skills;
- examination: an evaluation of the knowledge, understanding and skills of the student with respect to a particular component, and an assessment thereof (in accordance with Article 7.10 of the Act). The evaluation can take place in written, oral or digital form, or as a combination of these methods. An examination may consist of several constituent tests. Credits are only awarded for examinations passed.
- the Act: the Dutch Higher Education and Research Act.

Any other terms have the same meaning as defined by the Act or the *OER*.

## Chapter 2      **Duties and procedure of the Board of Examiners**

### **Article 2.1      Chair and secretary of the Board of Examiners**

- 2.1.1 The Board of Examiners has a chair and a deputy chair.
- 2.1.2 The Board of Examiners is assisted by an official secretary.
- 2.1.3 The Board of Examiners has an external member.

### **Article 2.2      Duties and authority of the Board of Examiners**

- 2.2.1 The Board of Examiners is the body that is charged with the objective and expert assessment of whether a student has met the conditions as set in the *OER* with respect to the knowledge,

insight and skills required for obtaining the degree qualification.

2.2.2 Without prejudice to the Act and the regulations based upon it, the Board of Examiners in any case has a duty:

- a) to ensure the quality of examinations;
- b) to ensure the quality of organisation and procedures relating to examinations;
- c) to determine regulations and instructions within the framework of the *OER* to assess and determine the result of examinations;
- d) to grant permission to a student to follow a curriculum composed by this student as referred to in Article 7.3h of the Act, the examination of which leads to a degree qualification;
- e) to grant exemption for taking one or more examinations on one of the grounds as listed in the *OER*;
- f) to verify the validity of the result of any successfully passed examinations and obtained exemptions, as determined in the *OER*;
- g) in special cases, to decide whether an examination must be oral, written or have some other form, in deviation from that which is specified in the *OER*;
- h) in special cases, to determine whether an examination should take place publicly or behind closed doors, in deviation from that which is specified in the *OER*;
- i) to grant exemption from the obligation to participate in practical assignments required for admission to a particular examination, possibly on the condition of having to meet alternative requirements;
- j) in individual cases, to approve the choice of course units that form part of the programme;
- k) at the student's request, and taking into consideration the specifications of the *OER*, to allow the student to be examined on one or more components of the final examination before the student in question has successfully completed the first-year examination of the particular programme;
- l) to determine, in as far as the Faculty Board has stipulated this as a condition for taking examinations or parts thereof, that there is evidence of a sufficient command of the programme language for successful participation in the programme for any student who has been granted exemption from the entry criteria as intended in Article 7.24 of the Act on the basis of a diploma obtained outside the Netherlands, or when a student has been exempted from the entry requirements for the post-propaedeutic (second year onwards) part of the programme;
- m) *not applicable*;
- n) to issue a degree certificate and a supplement as intended in Article 7.11 of the Act, as evidence that the degree examination has been passed successfully;
- o) to issue a statement that lists any successfully passed examinations in case a student has passed more than one examination, yet is not eligible to be awarded a degree certificate as referred to under (n);
- p) to take measures and impose sanctions in case a student has committed fraud;
- q) to appoint examiners.

### **Article 2.3 Procedure**

2.3.1 The Board of Examiners decides by simple majority. In the event of a tie, the chair casts the deciding vote.

2.3.2 The Board of Examiners may mandate its members, or others who qualify on the basis of their position, in writing, to carry out certain tasks. The Board of Examiners may ascribe conditions and further instructions to this mandate. Mandates are documented in a mandate register.

2.3.3 Mandated members take decisions on the basis of the relevant Rules and Regulations, the *OER*, previously established policy, and any other instructions acquired. They are accountable to the Board of Examiners for their actions.

- 2.3.4 As needed, the Board of Examiners documents further internal organisation and procedures.

## **Chapter 3 Appointment of examiners**

### **Article 3.1**

- 3.1.1 Prior to the start of each academic year, and at other times as needed, the Board of Examiners appoints examiners for setting examinations and determining the results of these examinations.
- 3.1.2 An examiner possesses the expertise pertaining to the field of study and the setting of examinations in accordance with the requirements of Article 4.2.
- 3.1.3 The Board of Examiners can appoint external examiners. The Board must ascertain that these examiners meet the specified qualitative requirements.
- 3.1.4 The Board of Examiners informs the relevant examiner of the appointment and indicates the particular examination(s) to which the appointment applies. At a student's request, the Board of Examiners provides an overview of the examiner(s) appointed for any particular course unit.
- 3.1.5 The Board of Examiners may withdraw an appointment if there are serious reasons to do so.
- 3.1.6 Examiners provide the Board of Examiners with information as requested.

## **Chapter 4 Assessment and examinations**

### **Article 4.1 Assessment methodology (cf. Art. 4.3 OER)**

- 4.1.1 The assessment method(s) for any particular course unit is (are) documented in the course description in the Prospectus. If the examination of a course unit is comprised of more than one separate assessment or practical exercise, the Prospectus will state the extent to which the separate assessments or exercises count towards the final examination grade for the course.
- 4.1.2 In special circumstances the Board of Examiners may, in consultation with the examiner, decide that the method of assessment for all students involved will be different from what was announced in the Prospectus. The examiner will announce this alternative method of assessment at least fifteen working days prior to the day of the assessment.
- 4.1.3 Assessments can take place in groups. Candidates will be assessed individually, even when a presentation, piece of research, report or other assignment is carried out as part of a group.
- 4.1.4 In special circumstances and on the request of a student, the Board of Examiners may permit him to take an exam in a different manner than that stated in the Prospectus, or than stated by a decision that deviates from the Prospectus as provided for in Article 4.1.2.

### **Article 4.2 Quality assurance of examinations**

- 4.2.1 Each examination of a course unit comprises an investigation into the knowledge, insight and skills of the student, as well as an assessment of the outcomes of that investigation.
- 4.2.2 The questions in an examination are clear and unambiguous and contain sufficient indications for the required detail of the answers.
- 4.2.3 The examination is appropriate and serves solely to establish whether a student has achieved the intended learning outcomes as determined and listed beforehand in the course description in the Prospectus.
- 4.2.4 The examination is so specific that only those students who have sufficient knowledge of the subject can answer the questions correctly. The examination corresponds to the academic level

- of the course unit.
- 4.2.5 The questions and assignments in the examination are an accurate representation of the exam materials.
  - 4.2.6 The questions and assignments in the examination only relate to the exam materials indicated in advance. It is made clear to students in advance how and on what they will be assessed.
  - 4.2.7 At least two members of teaching staff, at least one of whom is an examiner, will be involved to compose the examination.
  - 4.2.7a The exam materials include the required readings, the syllabus and any material covered during course lectures, seminars and other forms of teaching.
  - 4.2.8 The duration of each examination is such that the student can reasonably be expected to have sufficient time to answer the questions and/or complete the assignments.
  - 4.2.9 The assessment of examinations takes place on the basis of criteria that have been specified in writing beforehand. Notwithstanding the provisions in Article 4.8 of the *OER*, the examiner determines per individual course unit whether these criteria will be disclosed beforehand and if so, how.
  - 4.2.10 The Board of Examiners documents its procedures surrounding the quality assurance of examinations in a 'Handbook quality assurance of examinations at the Leiden Law School'.
  - 4.2.11 The Board of Examiners assesses the validity, reliability and suitability of the examinations through sample checks. The result of this assessment is communicated to the relevant examiner and discussed upon request. The Board of Examiners may also formally invite the examiner for a discussion.
  - 4.2.12 The Board of Examiners will also investigate the validity, reliability and suitability of an examination if evaluations or the results so warrant. The examiner is always invited for a discussion for the purpose of such an investigation. The result of the investigation is communicated to the relevant examiner and discussed further upon request.
  - 4.2.13 In the procedure and investigation referred to in 4.2.10 to 4.2.12, the Board of Examiners may request the assistance of experts.

### **Article 4.3 Access to examinations (cf. Art. 4.1 and 4.2 OER)**

- 4.3.1 The examiner must ascertain that the conditions for admission to the examination as specified in the *OER*, the present regulations and in the course description in the Prospectus, or that arise from the Act or a university regulation, have been met.
- 4.3.2 When a course unit contains a practical assignment, participation in the examination may be subject to conditions, in the sense that participation is only open to those who have successfully participated in the practical assignment. The Prospectus states whether the practical assignment is a condition of entry to (other parts of) the examination of the course unit.
- 4.3.3 To be allowed to participate in the examination of a particular course unit, the successful completion of another course unit or a particular examination, as indicated in the course description, may be required.
- 4.3.4 At the request of a student and in special circumstances, the Board of Examiners may deviate from what is determined in Articles 4.3.2 and 4.3.3. The Board of Examiners may then set alternative entry criteria for participation in an examination.
- 4.3.5 Any examination result that a student has obtained that conflicts with the provisions as outlined in the preceding articles is invalid and will not be registered in uSis.

### **Article 4.4 Examination dates (cf. Art. 4.1 OER)**

- 4.4.1 Dates of examinations are determined by the Faculty Board, following the advice of the programme committee, the education board and the study advisers, and will be announced by the Education Information Centre.
- 4.4.2 The dates as referred to in Article 4.4.1 can be deviated from in case of *force majeure*, after

receiving advice from the programme committee and taking into account the interests of the students.

- 4.4.3 Dates and times of oral exams are determined by the examiner.
- 4.4.4 Wherever reasonably possible, dates and times are set so as to avoid overlap of examinations within the master's programme(s) or specialisation(s) offered by Leiden Law School as taken by students in the same academic year.
- 4.4.5 The Board of Examiners may allow a student taking two master's programmes or specialisations at Leiden Law School, who wishes to take a written examination, not being a midterm exam, practical assignment, written assignment or digital exam (online or physical) for each of these, to take these examinations on the same date and in the same room, directly after one another, when there is a timetabling clash. In this instance, the student may not leave the room between the two examinations. When determining such timetabling clashes, the examinations for elective course units are not taken into consideration if the clash occurs during the first exam opportunity of the academic year.
- 4.4.6 A written request for a solution as intended in Article 4.4.5 must be submitted no later than twenty working days prior to the examination date. The request must be submitted in person, to the study adviser.

#### **Article 4.5 Registration for and withdrawal from examinations (cf. Art. 3.4 OER)**

- 4.5.1 An examination can only be taken when a student has registered for the examination in the manner as determined and announced by the Faculty Board and within the determined and announced timeframe. Should an examination nevertheless be taken that is not in line with these provisions, then its result will not be assessed nor be registered in uSis.<sup>1</sup>
- 4.5.2 During the period in which it is possible to register for exams, withdrawing is permitted in the same manner.
- 4.5.3 The head of the Education Information Centre is responsible for the publication of rules and procedures surrounding exam registration.

#### **Article 4.6 Conducting examinations and orderly conduct**

- 4.6.1 When conducting examinations on location that are held on location, examiners must follow the University examination protocol. In the case of remote online examinations, the University examination protocol shall apply *mutatis mutandis* in so far as the contents of the rules contained therein do not oppose this.
- 4.6.2 The examiner or examiners will ensure that sufficient invigilators are appointed to ensure that the exam proceeds correctly.
- 4.6.3 Surveillance software may be used in the case of an online examination. When surveillance software is used, students will be informed of this on the tenth working day before the examination at the latest, stating the technical conditions for taking an examination using the software  
The General Data Protection Regulation shall apply to data processing in the context of examinations that use surveillance software.
- 4.6.4 Upon the request of the invigilator or the examiner, the student must identify him/herself with an original LU-Card in combination with an original and valid form of legal identity, i.e. a passport, identity card, driver's licence or Dutch alien's passport.
- 4.6.5.1 In the case of an examination held on location, students may be admitted to the location where the examination is taking place up to a maximum of 45 minutes after the time the

---

<sup>1</sup> If and when the new registration system is operational, with effect from the second semester of the 2021-2022 academic year, article 4.5 will apply: An examination can only be taken and the result assessed if the student has registered for the examination in accordance with the procedure in the relevant registration protocol (as referred to in article 3.4 OER 2021-2022). This new provision will cancel sections 4.5.1 and 4.5.2.

examination started. Students may leave the room – once the attendance list has been finalised – at the earliest 45 minutes after the start of the examination.

- 4.6.5.2 In the case of a remote online examination, students will be admitted up to 30 minutes after the specified starting time to the (online) environment where the examination is to be taken. In the event of problems with logging in, the student should immediately contact the examiner.
- 4.6.6 In the case of a remote online examination, students must submit a ‘Declaration of integrity’ prior to the examination.
- 4.6.7 Communication equipment, including mobile phones and smart watches, must be switched off during the examination and be out of the student’s reach. Other electronic devices may not be used without the prior consent of the examiner.
- 4.6.8 The student must follow the instructions of the Board of Examiners or the examiner, as published prior to the examination, as well as any instructions given immediately before, during or immediately after the examination, by or on behalf of the Board of Examiners or the examiner.
- 4.6.9 If a student disrupts the order during an examination, they will receive a warning. If the disturbance is repeated or continued, the examiner will instruct the student to leave the room or the online examination environment. The examiner will draw up an official report of what happened, and may use the form provided for this purpose. The examiner will send this official report to the student and the Board of Examiners without delay. The examiner will also inform the student that the examination will not be corrected until after the Board of Examiners has given permission to do so.
- 4.6.10 In the event that due to a technical fault, an online examination cannot proceed or continue once it has started, the Board of Examiners will decide whether a replacement examination must be held.
- 4.6.11 Students must ensure that they have the required hardware and software and properly functioning internet connection that is required for an online examination. If a student does not have the required hardware and software or a properly functioning internet connection, he or she is responsible for the consequences this may have.
- 4.6.12 If a student experiences technical problems during an examination, they should report this immediately according to the instructions provided prior to the examination. If the student does not comply with these instructions, they will not be entitled to claim an additional or replacement examination.
- 4.6.13 The work of a student that is submitted directly to the lecturer or examiner following the report of technical problem, may be accepted for correction, provided:
  - a. shortly before or immediately after the end of the time for the examination, the student approached the lecturer;
  - b. he or she attached their work; and
  - c. it is sufficiently plausible that a technical problem had occurred.
- 4.6.14 If the examiner sees no reason to correct the student’s work, he or she will refer the student to the Board of Examiners.
- 4.6.15 Work that is accepted for correction will be checked for plagiarism.
- 4.6.16 Students who claim that a technical problem is the cause of a missing answer will be referred to the Board of Examiners.

#### **Article 4.7.1 Oral examinations (cf. Art. 4.4 OER)**

- 4.7.1.1 During an oral examination only one student will be examined at a time, unless the examiner has determined otherwise (cf. Art. 4.4 of the OER).
- 4.7.1.2 Preferably two members of teaching staff, one of whom is an authorised examiner, are present at an oral examination. If this is the case, one of the two teachers takes notes during the examination, meaning that the topics discussed are itemised, indicating whether the student demonstrates sufficient knowledge of these topics. Should only one member of teaching staff be present during an oral examination, then, in addition to the notetaking, the examination

must be recorded. The examiner must keep the notes and/or any recording on file for a period of three months following the examination. <sup>[L]</sup><sub>SEP</sub>

#### **Article 4.7.2 Thesis (cf. Art. 3.1 and Art. 3.3.2 OER)**

- 4.7.2.1 Because a master's programme – and within that each specialisation – is a complete and independent degree programme, focused on a specialised (legal) field, a student must, for every master's programme or specialisation, write a separate thesis on a topic within the particular legal field of that programme or specialisation.
- 4.7.2.2 In deviation from Article 4.7.2.1 the Board of Examiners may allow a student taking two master's programmes or specialisations to write a combined thesis of 20 ECTS credits, if the topic is suitable in the opinion of the examiners of both programmes/specialisations.
- 4.7.2.3 A request to write a combined thesis as intended in Article 4.7.2.2 must include the topic as well as correspondence from the examiners to the student showing that the topic in their opinion lends itself to the purpose of a combined thesis.
- 4.7.2.4 A combined thesis as intended in Article 4.7.2.2 is supervised by the intended examiners. They must ensure that the thesis indeed warrants 20 ECTS credits and will jointly assess and grade the thesis. The Board of Examiners may appoint a third assessor. After completion of the thesis two separate exam slips will be issued, each with the name of the course unit within that particular programme or specialisation.

#### **Article 4.7.3 Writing a thesis in English**

- 4.7.3.1 A student taking a Dutch-taught programme or specialisation may request the Board of Examiners to be allowed to write the thesis in English.
- 4.7.3.2 The Board of Examiners will only grant this permission when:
- the student has a demonstrable and serious interest in writing a thesis in English;
  - the student demonstrates to have sufficient command of the English language;
  - the thesis topic lends itself to be written in English in the opinion of the examiner; and
  - the examiner gives permission.

#### **Article 4.7.4 Supervision of a thesis outside Leiden Law School**

- 4.7.4.1 With due consideration of the provisions in Articles 4.7.2, 4.10.8 and 4.10.9, and after obtaining the Board of Examiners' permission, a student may write a master's thesis at a university abroad or at another Dutch university.
- 4.7.4.2 Prior to the student submitting a request for permission to the Board of Examiners, the thesis topic must have been approved by an examiner of the relevant Leiden master's programme or specialisation. The Board of Examiners will not grant permission when the examiner considers the supervision from outside Leiden Law School to offer insufficient guarantees with respect to the quality of the thesis.
- 4.7.4.3 When granting permission, the Board of Examiners will appoint a supervisor from within Leiden Law School to be responsible for the assessment and grading of the thesis. The assessment of the thesis will need to meet the procedural and content-related requirements as set by Leiden Law School.

#### **Article 4.7.5 'Interaction between legal systems' (ILS) within the Master of Laws**

- 4.7.5.1 A student who, alongside or after one specialisation in the Master of Laws programme, enrolls in another specialisation of the Master of Laws programme, is not entitled to an exemption for the 'ILS' course if this course is the same in both specialisations. In this case the student must take an extra optional or specialised course in place of ILS as part of the second specialisation.
- 4.7.5.2 Article 4.7.5.1 does not apply to students who started the master's programme before 1 September 2017 and in this context successfully completed the course unit 'Interaction

between legal systems - Law enforcement' or the course unit 'Interaction between legal systems - Legal decision-making'.

#### **Article 4.7.6 First and second examination attempts (cf. Art. 4.1 OER)**

- 4.7.6.1 Twice per academic year examinations are scheduled for each of the course units offered in that academic year, with the exception of the course units designated as '*Privatissimum*' and/or '*Practicum*', which are examined only once per academic year. When the examination for a course unit consists of more than one mid-term assignment/exam, the course description in the Prospectus can stipulate that retakes are not offered for all mid-terms. In this instance, the student should at a minimum be enabled to pass the course during the retake examination, by means of an examination that is representative for the course.
- 4.7.6.2 No retakes are offered for practical assignments, with the exception of the examiner having the authority to determine that in special circumstances a student is eligible to carry out a substitute retake assignment. Such a retake assignment must do justice to the learning objectives that were assessed as part of the original assignment.

#### **Article 4.8 Individual retakes ('last course regulation')**

- 4.8.1 At the request of a student who has successfully completed all but one of the course units of the master's curriculum, the Board of Examiners may grant permission for an individual retake for a previously failed examination when:
- the student has submitted the final version of the thesis, on the grounds of which the supervisor has indicated that the award of a passing grade can be expected;
  - **and** the student would have had to wait at least four months for the next available examination for the particular final course unit (whereby the period between 1 July and the middle of August is not counted);
  - **and** the student obtained a grade of 5 at least once at an earlier examination for the relevant course unit.
- 4.8.2 Such permission may be denied when the student has not, without valid reason, made use of an earlier regularly scheduled examination opportunity for the relevant course unit.
- 4.8.3 Permission will be denied in all cases when:
- the request concerns a course unit that is designated as '*Privatissimum*' or '*Practicum*';
  - the earlier obtained grade of 5 was not obtained in the current or preceding academic year;
  - when in that same academic year, the student attempted a retake after having obtained a passing grade at an earlier instance for the particular last course, or
  - when the student within six months after an individual retake submits a second request for permission for an individual retake for that same course unit.
- 4.8.4 When the student has obtained permission for an individual retake, he or she must make an appointment for the examination via the service desk for the relevant course unit within one week after obtaining the permission.
- 4.8.5 When permission is granted, but the student wishes to withdraw, the student must notify the examiner and the service desk for the relevant course unit at least 24 hours prior to the scheduled retake.
- 4.8.6 When a student acts in violation of the provisions in Article 4.8.4 or Article 4.8.5, the permission becomes invalid.

#### **Article 4.9 Facilities in the event of a functional disability**

**(cf. Article 4.3.3 and 6.6 OER)**

- 4.9.1 A student with a functional disability as referred to in the Dutch Equal Treatment Act on the grounds of a disability or a chronic illness is entitled to appropriate provisions during an examination.
- 4.9.2 The Board of Examiners decides on requests for appropriate provisions with due observance of national legislation and the [Protocol on Studying with a disability at Leiden University](#).

4.9.3 A request for an appropriate provision must be submitted to the study adviser.

**Article 4.10 Examination assessment (cf. Art. 4.6 OER)**

- 4.10.1 The examiner determines the results of the examination (i.e. the final grades) for a particular course unit. A student has successfully passed an examination if he or she achieves a grade of at least '6'. The examiner rounds off all grades between 5,50 and 5,99 to a 6 and grades between 5,01 and 5,49 to a 5.
- 4.10.2 When determining the result of the examination of a course unit, for which the grading is expressed in numbers, only whole numbers on a scale of 1 to 10 may be used, where rounding off is done in the usual mathematical manner (i.e.: X,0 to X,49999 becomes X; X,5 to X,9999 becomes X+1).
- 4.10.3 When an examination of a course unit consists of more than one exam and/or assignment, the grades for these exams or assignments (with the exception of the so-called '*tussentoets*') are rounded off to one decimal on a scale of 1 to 10 and multiplied by the weight factor as indicated in the course description in the Prospectus. The numbers thus obtained are added to become the final grade, determined in accordance with Articles 4.10.1 and 4.10.2.
- 4.10.4 If the final grade for a particular course unit is determined on the basis of a grade for one or more practical assignments and a grade for a final examination, the grade(s) obtained for the practical assignment(s) count(s) for the same percentage for the final grade after a second examination opportunity, as it/they did for the first examination opportunity when calculating the final grade, unless stipulated differently in the Prospectus.
- 4.10.5 If for a written assignment (not the thesis), a resubmission is allowed, it can be specified in the Prospectus that the final grade, in deviation from Article 4.10.2, may be capped at a grade 6, provided the student has had the choice between making use of the option to resubmit, and a retake examination.
- 4.10.6 Permission to resubmit as referred to in Article 4.10.5, is understood as the possibility to improve an unsatisfactory result for a written assignment with the help of the examiner's comments.
- 4.10.7 If a course has a bonus point system, it should be ensured as far as possible that any bonus point is awarded only after it has been established that it actually reflects an individual achievement by the student. A bonus point may not lead to an increase of the final grade by more than 0.5.
- 4.10.8 For the assessment of the thesis, the examiners follow the stipulations as set in the thesis manual that applies to that particular programme.
- 4.10.9 In deviation from Article 4.10.2, the grading of the thesis is in whole or half numbers, unless the grade is between 5 and 6.
- 4.10.10 A student who does not write down any answer will receive a mark of 1 and will be considered to have taken the exam.

**Article 4.11 Retaking examinations**

- 4.11.1 If a student, on the basis of Article 4.1.8., 4.1.11 up to and including 4.1.13 OER, has the right to retake an examination for which a passing grade was obtained but he or she has not been able to exercise this right as a result of demonstrable *force majeure*, the Board of Examiners may grant the student permission to take part in the next regular examination opportunity.
- 4.11.2 Articles 4.1.14, 4.1.15 and 4.1.16 OER apply *mutatis mutandis*.

**Article 4.12 Validity of examinations and exemptions (cf. Art. 4.7 OER)**

- 4.12.1 The validity of results of successfully passed examinations is verified by the Board of Examiners.
- 4.12.2 The validity of examination results can only be restricted when they were obtained or granted more than three years ago, and when the examined knowledge or insight is demonstrably outdated, or when the examined skills are demonstrably outdated. The period of three years

commences on the 1st of September of the academic year following that in which the examination was passed.

- 4.12.3 At a student's request the Board of Examiners may extend the validity. When deciding on such a request, the Board of Examiners takes into account special circumstances as referred to in Article 7.51, paragraph 2, of the Act. The validity of successfully passed examinations will in the case of such special circumstances as intended in Article 7.51, paragraph 2, be extended by at least the duration of any financial compensation awarded on the grounds of Article 7.5.1, paragraph 1.
- 4.12.4 Articles 4.12.1 to 4.12.3 apply *mutatis mutandis* to exemptions.

#### **Article 4.13 Right to perusal and debriefing (cf. Art. 4.8 OER)**

- 4.13.1 Article 4.8 OER applies to the right to perusal and debriefing for examinations.
- 4.13.2 The student may make a copy of his or her assessed work, provided this is done under the supervision of or on behalf of the examiner. The exercise of this right may be subject to conditions set by the examiner.
- 4.13.3 Articles 4.8 OER and Article 4.13.2 of these Rules & Regulations are equally applicable to theses.

#### **Article 4.14 Exemptions from examinations and practical assignments (cf. Art. 4.9 OER)**

- 4.14.1 A request for exemption from taking one or more examinations and/or the obligation to participate in one or more practical assignments as referred to in the OER, must be submitted to the Board of Examiners by the student in writing, and with clear arguments.
- 4.14.2 An exemption for an examination is registered in uSis as 'VR'. No numerical grade is awarded.
- 4.14.3 A student is not allowed to follow course units that form an obligatory part of his or her study programme with another study programme, without prior permission from the Board of Examiners. No exemption is granted if a course unit has been obtained from another programme without such permission.
- 4.14.4 No exemption will be granted if an unsatisfactory grade has previously been obtained for a course unit that is a compulsory component of the study program and the student has subsequently passed a comparable course unit in another study programme, unless the Board of Examiners has given prior permission.

### **Chapter 5 Final examinations and diplomas**

#### **Article 5.1 Taking the examination (cf. Art. 4.10 OER)**

The Board of Examiners may determine that the examination also includes an investigation conducted by the Board itself, as intended in Article 4.2.1 of these present regulations.

#### **Article 5.2 No compensation**

Each examination that forms part of the final exam (programme) for the degree must be successfully passed. No compensation is allowed.

#### **Article 5.3 Approval of individual exam programmes**

A motivated request for approval of an individual exam programme as referred to in Article 7.3h of the Act should be submitted to the Board of Examiners in writing.

#### **Article 5.4 Degree certificate and diploma supplement**

- 5.4.1 As evidence that the final examination was successfully completed, and once the Executive

Board has declared that all relevant procedural requirements have been met, the Board of Examiners issues a degree certificate. This certificate contains the data as described in Article 7.11, paragraph 2, of the Act.

- 5.4.2 The degree certificate is drawn up in Dutch or English and in Latin. The certificate is signed on behalf of the Board of Examiners by at least one of its members with a so-called 'wet ink' signature, using light-resistant ink. If this is desirable from the point of view of efficient organisation of the awarding of the degree certificates, and the signing cannot be done by one of the members of the Board of Examiners, this will be done by its official secretary.
- 5.4.3 The Board of Examiners adds a diploma supplement to the successfully completed degree certificate, which meets the applicable statutory requirements.
- 5.4.4 Any person who has successfully passed more than one examination, yet is not eligible to be awarded a degree certificate as referred to in Article 5.4.1, will receive upon request a statement from the Board of Examiners that lists at least those examinations that were passed successfully. Article 5.4.2, final full sentence, is equally applicable.

### **Article 5.5 Degree classification (cf. Art. 4.12 OER)**

- 5.5.1 The Board of Examiners awards the classification "passed" to the final result of the degree programme.
- 5.5.2 For full-time students, the classification is supplemented with the designation '*cum laude*' or '*summa cum laude*' in case the requirements as set in Article 4.12 of the OER are met.
- 5.5.3 Article 4.12 of the OER is equally applicable to part-time students, on the understanding that the designation '*cum laude*' or '*summa cum laude*' is awarded if master's examination was passed within two academic years.
- 5.5.4 A 'part-time student' in Article 5.5.3 is understood to mean a student who is enrolled as a part-time student during the entire programme and who has a full-time job or equivalent.

## **Chapter 6 Fraud**

### **Article 6.1 Definitions and general rules**

In this chapter the following definitions apply:

- fraud any action or omission that renders proper judgment of someone's knowledge, insight, skills, (professional) attitude or reflection entirely or partially impossible, including in any event:
- a. the possession of unauthorised communication equipment or unauthorised documentation during an examination or practical assignment;
  - b. the presence during an examination or written assignment of unauthorised notes in the permitted material;
  - c. copying all or part of someone else's answers during an examination or practical assignment;
  - d. giving information to or exchanging information with another person during an examination or practical assignment;
  - e. pretending to be another person during an examination or practical assignment;
  - f. plagiarism;
  - g. modifying the submitted examination (digitally or otherwise) at the inspection.
- Fraud also includes gaining or attempting to gain access to courses or a midterm exam, practical assignment or examination on improper grounds.

- plagiarism: Plagiarism includes, in any event:
- a. Using or copying someone else's texts, data or ideas without complete and accurate source referencing;
  - b. Not indicating clearly in the text, for example with quotation marks or a specific text format, that the text was literally taken from another author's work, even when a correct source is included;
  - c. paraphrasing the content of another person's texts without adequate source referencing;
  - d. submitting a previously submitted or similar text for assignments in other exam components
  - e. copying the work of fellow students in an attempt to pass this for one's own work;
  - f. submitting assignments that have been written (whether or not for payment) by someone else.
- irregularity: actions or omissions that do not consist of committing fraud, but that otherwise disrupt the orderly sequence of events during the examination.

### **Article 6.2 Duty to report for examiners**

The examiner must report fraud or a serious suspicion of fraud to the Board of Examiners at all times.

### **Article 6.3 Bringing appliances and (legal) texts**

- 6.3.1 When taking an examination, it is only allowed to make use of texts or other equipment if and to the extent permitted by the examiner or the Board of Examiners for that examination.
- 6.3.2 When a student is allowed to make use of a certain text when taking an examination, this text may not contain any annotations. This also applies to any tabs that the publisher may have added, or that they provided with the case law or legislative text. These tabs may only contain the information as added by the publisher.
- 6.3.3 The term 'annotations' in Article 6.3.2 does not include the following:
- underlining, shading and marking with a fluorescent marker, pencil or pen;
  - references to articles of law;
  - references to jurisprudence and other literature, provided this is explicitly allowed for a particular examination;
  - references to articles of law that were added by the publisher of the legal publication.
- 6.3.4 Articles 6.3.2 and 6.3.3 are equally applicable to a legal text a student has brought to the examination that he or she may be entitled to use.

### **Article 6.4 Disciplinary measures to be taken by the examiner in case of fraud, not including plagiarism**

- 6.4.1 If, in the opinion of the examiner, fraud, not being plagiarism, is committed during a midterm exam, practical assignment or examination, the examiner immediately informs the student. He or she states that the student may complete their work. The examiner also informs the student that the fraud will be reported to the Board of Examiners for further assessment and decision-making, and that the student's work will not be assessed until the Board of Examiners has given permission. The examiner reports the event to the Board of Examiners, with a copy to the student. The reporting can be done using the specific form provided for this purpose.
- 6.4.2 The student is obliged to hand over any material that he/she has with him/her and that may be important for the assessment of the case at the examiner's request. This material is returned to the student within a reasonable period of time after the examination.
- 6.4.3 The examiner makes the material taken available to the Examination Board. If this does not stand in the way of a careful assessment of the case, it will suffice to send photos or photocopies.

6.4.4 This provision does not apply in the event of plagiarism.

### **Article 6.5 Disciplinary measures to be taken by the examiner in case of plagiarism**

- 6.5.1 If, in the opinion of the examiner, a paper, thesis, or other written assignment submitted by a student for assessment has been plagiarised, the examiner will report this as soon as possible to the Board of Examiners, accompanied by the student's work, and if an electronic plagiarism check has taken place, the reporting thereof. The report can be made using the form provided for this purpose.
- 6.5.2 The examiner immediately informs the student of the detection of plagiarism and informs him or her that the matter has been reported to the Board of Examiners for further assessment and decision-making. The examiner also informs the student that his/her work will not be assessed until the Board of Examiners has given permission.
- 6.5.3 In the event of suspected plagiarism, the Board of Examiners can hear the examiner, the student and possibly others.

### **Article 6.6 Sanctions for fraud**

- 6.6.1 The Board of Examiners decides on the imposition of a sanction in the event of fraud.
- 6.6.2 The Board of Examiners takes a decision regarding the imposition of a sanction as soon as possible, but no later than fifteen working days after having been informed about the fraud by the examiner. Before deciding to impose a sanction, the Board of Examiners offers the student the opportunity to be heard.
- 6.6.3 The sanctions that the Board of Examiners can impose, whether or not in combination, are as follows:
- a. giving an official warning;
  - b. declaring the result of the examination or the written assignment invalid;
  - c. excluding the student from participation in the examination for which the fraud or another irregularity was established for a maximum of one year;
  - d. excluding the student from participation in one or more other examinations for a maximum of one year.
- In the event of severe fraud, the Board of Examiners may request the university's Executive Board to permanently terminate the student's enrolment in the programme.
- 6.6.4 If the student committed fraud before, the Board of Examiners will include this in its decision regarding the sanction to be imposed.
- 6.6.5 If the student is excluded from participation in one or more examinations, any examinations or components of examinations that have been successfully completed at another faculty or higher education institution during this period of exclusion can in no way be included in the exam programme of the degree.

### **Article 6.7 Entry in the electronic student file and communication to other parts of the university**

- 6.7.1 In case a disciplinary measure has been imposed, this will be recorded in the student's personal electronic file.
- 6.7.2 In case a student who has committed fraud participates in a programme provided by the Honours Academy, the relevant Board of Examiners will be notified of the fraud and the measure that has been imposed.
- 6.7.3 Before reporting to the Board of Examiners of the Honours Academy, the Board of Examiners informs the student of its intention to do so, stating the option for the student to respond to this intention within two weeks. If the Board of Examiners rules the student's view well-founded, no notification will be made to the Board of Examiners of the Honours Academy

## **Article 6.8 Severe fraud or irregularities**

- 6.8.1 In the event of a severe irregularity or fraud concerning a midterm exam or examination without it being possible to determine which individual students are involved, the Board of Examiners declares the relevant midterm exam or examination invalid for all students.
- 6.8.2 In the event of a well-founded suspicion of a severe irregularity or fraud concerning a midterm exam or examination without it being possible to determine which individual students are involved, the Board of Examiners can declare this midterm exam or examination invalid for all students.
- 6.8.3 A midterm exam or examination declared invalid pursuant to Article 6.8.1 or 6.8.2 must be retaken. To this end, a new examination date is set and communicated in the shortest possible term.

## **Chapter 7 Annual reporting and data retention**

### **Article 7.1 Annual reporting**

- 7.1.1 The Board of Examiners compiles an annual report on its activities. The Board of Examiners submits this report to the Faculty Board.
- 7.1.2 The report shall in any case contain the most important decisions of the Board of Examiners as well as a description of the manner in which the Board of Examiners has performed its duties with regard to the quality assurance of examinations as referred to in Article 4.2.

### **Article 7.2 Data retention**

- 7.2.1 The examination (including any so-called model answers) must be kept for a period of seven years. Any assignments the students completed in the context of this examination are kept for a period of two years.
- 7.2.2 A student's thesis, including the assessment forms, will be kept for a period of seven years. When both a written and an electronic version of the thesis and the completed and signed assessment forms are available, it is sufficient to keep the electronic version.
- 7.2.3 The results of examinations are public. The exam registers in which the results of examinations are listed are kept indefinitely.
- 7.2.4 The decisions of the Board of Examiners as well as the results of examinations are accurately registered.

## **Chapter 8 Final provisions**

### **Article 8.1 Special circumstances**

- 8.1.1 If in special circumstances the unabridged application of the provisions in these rules and regulation leads to evident unfairness, the Board of Examiners is authorised to decide otherwise.
- 8.1.2 In cases not covered by these rules and regulations, the Board of Examiners decides.

### **Article 8.2 Transitional provisions**

- 8.2.1 In the event of amendments after the date of entry into force of these rules and regulations, the reasonable interests of the students will be taken into account.
- 8.2.2 Requests from students received prior to the entry into force of these rules and regulations, or

prior to an amendment as referred to in Article 8.2.1 and for which a decision was not yet taken at the time of entry into force, will be subject to the rules and regulations as they read at the time of receipt of the request, unless the present rules and regulations are more favourable to the student, or the amendment is more favourable to the student.

**Article 8.3      Entry into force**

These rules and regulations enter into force on 1 September 2022.