

Regulations from the Examination Board Erasmus School of Law

effective 1 September 2023

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*These regulations are a translation of:
"Regels van de examencommissie Erasmus School of Law 2023"*

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Chapter 1 General provisions

Article 1 Scope of the regulation

These regulations of the Examination Board Erasmus School of Law (hereinafter: Examination Board) apply within the framework of the Teaching and Examination Regulations (“Onderwijs- en examenregeling” or “OER”; hereinafter: TER) of the programmes of Erasmus School of Law to the teaching and the examinations of the programmes of Erasmus School of Law:

- the Bachelor’s programmes Criminologie, Fiscaal recht and Rechtsgeleerdheid;
- the Master’s programmes (and their premasters) Aansprakelijkheid en verzekering, Arbeidsrecht, Criminologie, Financieel recht, Fiscaal recht, Ondernemingsrecht, Rechtsgeleerdheid(Master of Laws), Recht van de gezondheidszorg, Togamaster, LL.M. Programme Commercial Law, parttime master Commercieel Privaatrecht, executive master Ethiek, Recht en Zorg, European Master in Law and Economics and International Master’s in Advanced Research in Criminology,

hereinafter referred to as: the programme. The programme is provided within Erasmus School of Law of Erasmus University Rotterdam (hereinafter: EUR).

Article 2 Definitions

In this regulation, the following terms are understood to mean:

- a. *bachelor’s programme*: the bachelor’s programme as referred to in the Act;
- b. *block*: a bachelor block has 4, 5, 6, 7, 10, 15 or 21 EC. An academic year in the bachelor consists of eight or nine blocks. A master block has 5, 10 or 15 EC. An academic year in de master consists of five blocks;
- c. *emergency*: an unintended and unexpected event, possibly disrupting operations on the EUR campus;
- d. *Canvas*: a compilation of web pages and information channels of Erasmus School of Law;
- e. *CBE (“College van Beroep voor de Examens van de EUR”)*: EUR’s Board of Appeals for Examinations, as referred to in Article 7.60 of the Act;
- f. *certificate programme*: participation in components of the standard curriculum by person other than students, whose objective is to sit for an examination during these components and subsequently to obtain a certificate for this;
- g. *mark*: the result as recorded in Osiris;
- h. *dean*: administrator of Erasmus School of Law;
- i. *final or cumulative assessment* (hereinafter: final assessment): the entire body of examinations as referred to in Article 7.10, second paragraph of the Act;
- j. *Examination Board*: the board as referred to in Article 7.12 of the Act;
- k. *exam candidate*: individual who is to sit an examination or the final assessment;
- l. *examiner*: individual who, pursuant to Article 7.12, third paragraph of the WHW, is authorised to administer the examination of a unit of study;
- m. *examinee*: individual who has sat an examination or the final assessment;
- n. *GNIO (“het Geschillencollege niet-initiële opleidingen van de EUR”)*: the EUR Disputes body for non-initial courses;
- o. *Master’s programme*: the Master’s degree course as referred to in the Act;
- p. *MyEUR*: collection of webpages and information channels of EUR;
- q. *unit*: a unit of study of the programme as referred to in Article 7.3 of the Act;
- r. *Teaching and Examination Regulations (“Onderwijs- en examenregeling”)* (hereinafter: TER): regulations as referred to in Article 7.13 of the Act;
- s. *premaster*: courses as referred to in the programme intake arrangement of several Master’s programmes;
- t. *Regulations from the Examination Board*: the regulations as referred to in Article 7.12b of the Act;
- u. *thesis*: a unit of study as referred to in Section 7.3 of the Act;

- v. *student*: individual who is enrolled at the EUR and, consequently, who enjoys all the associated rights, as referred to in Article 7.34 of the Act;
- w. *academic year*; the period starting on 1 September and ending on 31 August of the following year;
- x. *credit*: the unit of time to be devoted by students to their studies as referred to in Article 7.4 of the Act. One EC credit, hereinafter referred to as 'EC(s)'¹ in these Regulations, is equal to 28 hours of study and is determined as follows:
 - 1. one contact hour of education provided is equivalent to 1 hour;
 - 2. during the first year of the bachelor's programme, perusal of five pages of literature with a medium level of difficulty in the original book version counts as 1 hour. During the second and third years of the bachelor programme and throughout the Master's programme, perusal of six pages of literature with a medium level of difficulty in the original book version counts as 1 hour.
- y. *examination*: the assessment of the examinee's knowledge, insight and skills and the results of the assessment as referred to in Article 7.10, first paragraph of the Act;
- z. *examination content*: the content of all forms of education and literature. The content of all forms of education is also understood to include any subject matter covered using audiovisual equipment and the faculty course channels. Literature is understood to mean: (parts of) books, articles (in journals), syllabuses, handouts and case law.
- aa. *Friday-afternoon programme*: educational programme on Friday afternoon offered to certain groups of Bachelor's students.
- bb. *working day*: day, not being a Saturday, a Sunday, a national holiday, a collective day off or an educational free week.
- cc. *the Act* ("Wet op het hoger onderwijs en wetenschappelijk onderzoek"): Higher Education and Research Act (); 8 October 1992; Bulletin of Acts and Decrees 1992/593; later amended;
- dd. *invigilator*: the person who, during the administration of examinations, both online and in person, among other things checks the identity of students, maintains order during written examinations and may give instructions to that effect, checks for (suspicious) behavior (with or without detection equipment) and reports if a suspicion of fraud has arisen or an examination may be otherwise unfit for assessment. These persons may include, for example, employees of the EUR or, in the case of an online examination conducted using proctoring, employees of the software provider.

¹ EC is the abbreviation of *European Credit Transfer System*.

Chapter 2 Examination: subject matter and content

Article 3 Announcement and description of examination content

1. The examiner sees to it that the content of the examination of the unit in question is published at the start of each block. If possible, this information will be published online on Erasmus School of Law's information channels. In the publication, the examiner will outline how the study load, referred to in Article 2 sub x, of the unit in question, will be divided over the various sections of the examination content. The examiner may exceed the prescribed study load for the unit in question by no more than 10%, provided that he or she gives well-founded reasons for doing so.
2. With the exception of the content of lectures, tutorials, practicals and teaching groups, the examiner may only include subject matter of the relevant unit of assessment that was available from the start of the unit.
3. Regarding succeeding units, students are deemed to be familiar with the knowledge of preceding units.
4. The examiner will immediately publish changes to the examination content already established and announced via the School of Law's information channels. The changes will cease to apply if, in response to a request from a directly interested party, the Examination Board determines that the changes proposed by the examiner are insufficiently substantiated. In rendering its decision, the Examination Board may also make recommendations regarding the content that may be included in the examination. The interested party should submit his/her written request to the Examination Board within three weeks after the changes have been published. The Examination Board will render a decision on the request as quickly as possible.
5. If the study load is exceeded or parts of the prescribed examination content are not available, any directly interested party may lodge an objection in writing to the Examination Board as quickly as possible. The Examination Board will render a decision with regarding the objection as quickly as possible. If the objection is deemed substantiated, the Examination Board may make recommendations regarding the scope and degree to which the examination content may be included in the examination.
6. The costs for the examination materials must not be unreasonable and should be in proportion to the objective the study material is to serve. The examiner will select the least expensive alternative for the students.

Chapter 3 Sitting examinations

Article 4 Special examination facilities

1. Exam candidates with a handicap, chronic disease or disability are given the opportunity to complete the examinations in a manner that is in keeping with their individual disability wherever possible, but limited by what is, within reason, possible for the organisation. Examinations preferably take place at the same time or during the same period as regular examinations. Any modifications made may not affect the quality or the degree of difficulty of an examination.
2. Examinees wishing to make use of special examination facilities shall, before submitting their request to the Examination Board, make an appointment with one of the study advisors of Erasmus School of Law to discuss the disability and the desired special examination facilities. The substantiated request should be accompanied by a (medical) statement from a medical expert and/or recognised and authorised (medical/"GGZ") practitioner which, if possible, discusses the effects of the disability on the study situation and, if possible, proposes concrete facilities that could improve the examination results. With regard to dyslexia declarations, the EUR Protocol for checking dyslexia declarations applies. The request should be submitted to the Examination Board as soon as possible after the start of the programme and at least three weeks before the week in which the examination for which the facilities are requested will take place. When considering the request, the Examination Board may seek advice before deciding.
3. If necessary, the Examination Board will seek expert advice before coming to a decision.
4. The following website provides more information on the additional facilities and rights for students with a functional limitation: <https://www.eur.nl/en/education/practical-matters/advice-counselling/studying-functional-impairment>

Article 5 Publication of time and place of examinations

1. The date, time and location of each written examination, with the exception of those scheduled in accordance with the provisions of Article 8 (Interim examinations), will be announced no later than the start of the academic year.
2. The announcement referred to in the previous paragraph will be made on the School of Law's information channels. The examination rounds and dates are listed on the School of Law's website. Any additions and/or changes to the examination schedule are announced on the School of Law's website. On the day the examination is administered, the locations of the examination rooms in the building are posted on signs or displayed on monitors.
3. The dates and times referred to in the first paragraph are scheduled in such a way as to prevent double scheduling.
4. The dates and times of written mid-term examinations and the periods in which oral examinations are administered, are announced well in time, in any case at the beginning of the block, on the School of Law's website.
5. The dates and times referred to in the fourth paragraph are scheduled in such a way as to prevent double scheduling.
6. The examiner determines the date and time of oral examinations.

Article 6 Conditions for sitting examinations

1. For valid participation, the exam candidates must be authorised to sit the examination. Subject to the provisions of Article Order in which examinations are held in the TER pertaining to the exam candidate's programme and the Chapter Binding recommendation on continuation of studies in the TER pertaining to the exam candidate's programme, an exam candidate is entitled to sit examinations if he or she:
 - is registered as a student for the unit of study of which he/she is taking a preliminary examination in, is part of the curriculum as referred to in the Article programme final assessment/composition of the bachelorexamination from the TER of the unit in question; or
 - is registered as a non-degree seeking student, an exchange student or an Erasmus College student for the unit of study in which the preliminary examination is being taken; and
 - if necessary, has registered for the examination in a timely and proper manner.
2. Exam candidates who have earned four unsatisfactory marks for the same unit should first meet with the study adviser to discuss the progress of their study before registering to resit the examination for the unit in question.

Article 7 Registering for examinations and final assessments

1. Only students who register (if obligatory) for written examinations on time are entitled to have the results of said examinations registered. An exception will be made for students who have received written permission from the Examination Board or the education administration to be added to the list of participants later.
2. Registration (if obligatory) for written examinations is possible during the registration period via Osiris Student; registration for modular or mid-term examinations is possible via MyEUR. Information about the registration period will be provided by the faculty via the study guide, among others. In principle, the registration period is open from 26 working days up to and including five working days prior to the examination. Students who cannot register via Osiris Student should contact the Front Office USC (ESSC).
3. After the expiry of the regular registration period, it will still be possible to register with the Front Office USC up to two working days prior to the examination. Administration costs can be charged for this. Preferably, students should show proof of payment when they report to take their examinations, so that they can show this to the invigilator, if their names do not appear on the list of participants due to late registration.
4. If a student nevertheless takes part while being in violation of any of the foregoing clauses of this article, the result will be invalid, unless the Examination Board decides otherwise.
5. Examiners who are automatically registered for regular examinations cannot, in principle, deregister. They should, however, register for a resit examination by means of the procedure as described in the previous paragraphs of this article, unless otherwise stated in the syllabus mentioned in the syllabus.

Article 8 Interim examinations¹

1. In the event of exceptional circumstances, the Examination Board may acknowledge an exam candidate's request to sit a written examination in a manner other than those stipulated in Article (Type of (interim) examinations/exams) in the TER pertaining to the exam candidate's programme or at a time or location other than stipulated in Article 5 (Publication of time and place of examinations) of these regulations. The Examination Board is not authorised to acknowledge requests for interim examinations for practical tests and modular examinations.
2. As a rule, no interim first-year bachelor's examinations are permitted.
3. Interim examinations are not possible regarding the following units of the Bachelor Rechtsgeleerdheid (Laws) programme:
 - Juridisch-Academische Vaardigheden III: Bachelorwerkstuk;
 - part 2 of Recht en Bedrijf. Only one partial interim examination of part 1 of Recht en Bedrijf is permitted, provided the permission of the responsible examiner of this course is obtained and the interim examination may result in a sufficient result for the complete unit.
4. Interim examinations are not possible regarding the following units of the Bachelor Criminologie (Criminology) programme:
 - Onderzoeksvaardigheden I; and
 - Onderzoeksvaardigheden II.
5. Interim examinations are not possible regarding the following units of the Bachelor Fiscaal recht (Tax Law) programme:
 - Juridisch-Academische Vaardigheden voor fiscalisten III: Bachelorwerkstuk Fiscaal recht.
6. Interim examinations are not possible regarding the following units of Erasmus School of Law Master's programmes:
 - Onderzoekspractica/Research & Writing Skills;
 - Werkcollege Indirecte belastingen;
 - Capita selecta Fiscaal recht; and
 - the thesis.
7. As a rule, no interim examinations are permitted if an exam candidate is unable to take part in examinations during regular examination rounds during the first to fourth block. If an exam candidate is unable to take part in these regular examinations, the missed examination must be taken during the general resit round.
8. Permission to take an interim exam may be granted once-only on the grounds of very special circumstances and demonstrable study delay if there are no regular exams or resits within 17 weeks, counting from the date of submitting the request as stated in paragraph 10.
The following qualify as very special circumstances:
 - a. Professional sport obligations;
 - b. Birth of own child or pregnancy/maternity issues;
 - c. Death of partner, (step-)children, (step-)parents, (step-)brothers or (step-)sisters.
9. If the request for an interim examination referred to in paragraph 1 involves the last interim examination/unit of study required to be eligible for the Bachelor's final assessment, this is acknowledged once-only, without prejudice to the provisions in paragraphs 1 to 6 of this article, provided the exam candidate sat the interim examination in the previous examination round and earned at least a four (4) and there are no regular exams or resits to be held within 17 weeks from the date on which the request is submitted.
If the request for an interim examination referred to in paragraph 1 involves the last interim examination/unit of study required to be eligible for the Master's final assessment, this is acknowledged once-only, without prejudice to the provisions in paragraphs 1 to 6 of this article, provided the exam candidate sat the interim examination in the two previous examination rounds and earned at least a four (4) for one of these previous examinations and there are no regular exams or resits to be held within 17 weeks from the date on which the request is

¹ Formerly referred to as 'rescheduled interim examination'.

- submitted.
10. Motivated requests on these grounds should be submitted with the Examination Board and accompanied by relevant written evidence. If the request for an interim examination referred to in paragraph 1 involves the last interim examination required to be eligible for the Bachelor's or Master's final assessment, the request may not be submitted before all other units of study (including Juridisch-Academische Vaardigheden (voor fiscalisten) III, Onderzoeksvaardigheden I and II and/or the master thesis) have been successfully completed. The thesis of Master's programmes where a thesis defense is part of the examination/graduation procedure, should be completed materially/the writers should be admitted to the thesis defense on the submission date of the request.
 11. If the Examination Board has acknowledged the request referred to paragraph 1, the exam candidate has 14 (fourteen) days (unless stated otherwise) after the date of the written consent to report to the examiner of the unit in question to schedule the interim examination to be sat. The examiner involved will – possibly in consultation with the Examination Board – schedule the interim examination and determine the form of interim examination.

Article 9 The manner in which an examination is conducted

1. Each examination will be administered and assessed by an examiner appointed by the Examination Board.
2. Oral examinations can be administered by two or more examiners. In case an oral examination is administered by a single examiner who does not make an audio-recording of the proceedings of the examination, another member of the academic staff will be present during the examination. At choice of the examiner, either an audio-recording or a written report will be made of the proceedings of the oral examination, to be archived by the examiner for the legal retention period. examinations that are administered outside of the university, are, if possible, attended by another member of the academic staff and their proceedings shall always be recorded on audio file, to be archived by the examiner for the legal retention period.
3. An oral examination will be administered to no more than one exam candidate at a time, with the exception of the provisions of paragraph 4.
4. If part of the assessment of a (written) group assignment of any kind, an oral (sub)examination can be administered to several exam candidates at the same time in accordance with the provisions in this article, provided they were all involved in the (written) group assignment. The examination may take place in the form of a tutorial/group discussion. The (sub-)results shall be archived by the secretary of the section involved.
5. Oral examinations are public, unless the Examination Board or the examiner decides otherwise or the exam candidate objects to this.

Article 10 General provisions governing the orderly administration of written examinations

The Order Rules for Examinations EUR (“Orderegels Tentamens EUR”), which include rules regarding fraud (with online proctoring), are an integral part of these rules and can be found on the EUR website: <https://www.eur.nl/en/education/practical-matters/examinations>.

Article 11 Entering and leaving the examination room where a written examination is being administered

In case a student experiences a technical malfunction of the laptop of computer which the student is working on before of during an examination, the student will receive another laptop or will be allowed to continue working on another computer as soon as possible, based on availability. The time lost may be added by the examination organisation (“tentamenorganisatie”) to this student's current examination time.

Article 12 Specific provisions about order during written examinations

Sources allowed in an examination should be made known by explicitly mentioning them on the cover sheet. Students are not allowed to include their own notes with or on these sources. Annotated law books or other reference works are not permitted: these may only bear underlining or other markings (not amounting to coding) and blank (non-written) or publisher-preprinted (and supplied with the volume) tabs. Preprinted tabs should only be attached to the relevant page on which the referred regulation is located.

Article 12a Cancellation of examinations in the event of an emergency

A weather alarm issued by KNMI (Code Red or Orange) does not count as an emergency as referred to in this article. If an examination cannot be held on campus due to, for example, the situation of such a weather alarm issued for the Rijnmond region, (health) measures by the government or large-scale disruption of public transport, the Faculty Board may take the decision for the specific examination whether this examination will be cancelled or conducted online by means of online proctoring, in which case the Addendum to the Regulations of the Examination Board Erasmus School of Law 2023 (Appendix 1 to these Rules) shall apply.

Chapter 4 Examination results

Article 13 Determination of examination results

1. An examination will be deemed to have been successfully completed if the candidate obtains a rounded off mark of 6 (six) or higher or has been awarded an equivalent mark such as 'Exemption' or 'Satisfied'.
2. The courses "Onderzoekspracticum"/*Research & Writing Skills*, the master thesis and the final grade of Juridisch-Academische Vaardigheden (voor fiscalisten) III, Onderzoeksvaardigheden I en Onderzoeksvaardigheden II can also be marked on the basis of half marks. A mark of 5.5 (five point five) will not rank as a pass-mark for these elements of the examination.
3. With due observance of the conditions mentioned in the TER, the Examination Board can grant a student an exemption from a unit of study upon request, filed in accordance with article 20 (Requests and decisions) of these regulations.

Article 14 Assessment of the thesis

1. The thesis as referred to in Article Thesis in the TER pertaining to the exam candidate's Master's programme is assessed by at least two examiners who determine the mark independently of each other. In the event of a combined thesis as part of the 'mr. drs.'- Programme or the Double degree Recht en Bedrijfskunde, one of the two examiners must be from Erasmus School of Law and the other from Erasmus School of Economics or Rotterdam School of Management of EUR.
2. The assessment protocol included in the 'Minimum Requirements for Theses' ("scriptiebrochure") as referred to in the Article Thesis in the TER that pertains to the exam candidate's Master's programme will be used to determine the mark. The examiners may establish additional department-specific policy rules.
3. The Examination Board should have a copy of the final thesis; one digital copy received as an upload via the Canvas *Thesis uploads* channel. The thesis is subject to a final plagiarism check by the Examination Board. This digital copy will be retained by the Examination Board for the legal conservation period of seven years and can be saved in the public thesis repository of the University Library.

Chapter 5 Fraud regulations

Article 15 Fraud and misconduct; prohibitions

Fraud is understood to mean the actions or inactions of a student whereby it is (or has become) impossible for the examiner and/or the Examination Board to form a proper judgement about the examinees acquired knowledge, insights and skills, or about the knowledge, insights and skills of fellow examinees.

The following shall in any manner be considered as fraud:

- a. possessing the questions or assignments of the examination to be sat in advance of the examination's scheduled date and time;
- b. posing as someone else during the examination or having someone sit the examination in their place;
- c. having and/or consulting books, syllabi, notes or other (electronic) information sources not explicitly permitted pursuant to Article 12 (Specific provisions about order during examinations) during the examination, including programmable and non-programmable calculators, cellphones, smartphones, tablets, iPods and similar storage media, with or without internet- or Wi-fi-connecting possibilities. These sources must be switched off and remain switched off. It is prohibited to take them to the toilet. In cases of fraud with information sources, the evidence must be handed in to the invigilator, who will complete a fraud form;
- d. copying from other exam candidates or exchanging information with them or third parties in any way whatsoever during the examination, both inside and outside the examination room. Aiding or abetting another person to commit fraud passively or otherwise, is also considered fraud;
- e. changing or exchanging exam papers and/or response forms provided to them with others;
- f. bringing about changes in already submitted examination papers during the later review;
- g. plagiarism; this is understood to mean the inclusion in a written assignment, thesis or other educationally constructed text of any passage (i.e. more than several words verbatim or in translation) without indicating this in a sufficient and/or correct way by means of quotation marks or other typographic means, even if a reliable bibliographic entry is included. Aiding and abetting another person to commit plagiarism also amounts to fraud;
- h. acting in a deceptive or other manner preventing – whether fully or partially – an accurate assessment of the knowledge, insight and skills of oneself or of fellow students;
- i. submitting work, a paper or thesis written by another person, whether or not for payment, or including unauthorised use of artificial intelligence (hereinafter: AI);

Examinees are also prohibited from:

- j. sitting examinations without being eligible to do so;
- k. a written product can only be assessed once. As such, it is not permitted to re-use a dissertation, paper or any other piece of text already written as part of a unit at Erasmus School of Law or elsewhere, without further consultation with and approval from the examiner (of the module for which the text is being resubmitted) for the same or another subject or to use a part of a previously written assignment, in a revised form or not, without consultation with and approval from this examiner, for a dissertation/paper, etc. in order to be assessed again. In addition to the general obligation to cite references clearly, students have particular obligation to always be completely transparent about re-using their own work, and have an explicit duty of accountability in this matter.

Article 16 Fraud and misconduct; sanctions

1. Exam candidates who violate the provisions of the Rules of Order for Written Examinations (“Orderegels Tentamens”) of EUR and/or articles 10, 11, 12, 15 of these regulations and/or provoke or facilitate violations of these Rules of Order and/or this article, are guilty of fraud.
2. If an instance of fraud is observed or highly suspected during the examination, the examiner or invigilator will immediately inform the exam candidate involved of this, note this on the work to be submitted by the exam candidate and also collect any evidence of this. The exam candidate will be allowed to finish the examination and submit the answers.
3. The invigilator reports the established or suspected fraud immediately after the examination by means of a standard reporting form at Student Administration – Team Examination Organisation. Any supporting documents are included as well. If the student has refused to hand over any evidence, this is noted on the form. Team Examination Organisation sends the report form completed by the invigilator or examiner with any supporting documents within two weeks, if possible, to the Examination Board.
4. If plagiarism is established or seriously suspected after submission of a (group) assignment, paper or thesis (for instance through the use of a plagiarism scanning tool), the examiner immediately informs the student and/or the Examination Board (if possible, within one week after the plagiarism has been established or seriously suspected) about this in writing. The student has a maximum of one week to contact the examiner and/or the Examination Board to respond to the charge/the suspicion.
5. Before the Examination Board takes a decision, it will investigate the facts, including all available evidence as well as any response from the student.
6. Depending on the seriousness of the fraud committed and/or disorder in the broadest sense of the word, including repeated instances of fraud, the Examination Board may impose sanctions on the exam candidate, including at least the following:
 - a. reprimand;
 - b. declaring all, part or specific passage(s) of the examination paper or (group) assignment invalid;
 - c. exclusion from the examination - in full or in part - in question, for a maximum of one year;
 - d. exclusion from one or more examinations, at the discretion of the Examination Board;
 - e. exclusion from submitting the thesis for a maximum period of one year, or production of a new thesis;
 - f. proposal to the Executive Board (“College van Bestuur”) of the EUR of definitive termination of enrolment in the relevant programme, after coordination with the dean and educational dean(s);
 - g. a combination of the above sanctions.The Public Prosecution Service may be informed in the event of an infringement of Article 15 of this regulation.
7. If fraud or plagiarism is established in group work, this will, in principle, be attributed to each of the group members equally. The burden of proving the contrary rests on every group member.
8. The Examination Board chairperson or his mandatory informs the exam candidate of the sanction(s) imposed.
9. Sanctions in response to cheating imposed by the Examination Board of another programme or faculty may also apply to the bachelor’s or Master’s programme governed by these regulations. The sanctions apply for the same period (to a maximum of one year), for the same examination round/rounds and for the same or comparable units, including the thesis.

Chapter 6 Final assessment results

Article 17 Determining the results of the final assessment

1. The Examination Board determines in an objective and expert manner whether an exam candidate meets the conditions regarding knowledge, insight and skills that this Regulation stipulates to qualify for a degree.
2. After all elements of the final assessment have been completed, the head of Student Administration ("Studentenadministratie"), on behalf of the Examination Board, will determine the results of the final assessment, with due observance of the TER pertaining to the programme (including the relevant appendices) and the Regulations form the Examination Board and the provisions in annex 1 of this Regulation.
3. Exam candidates who complete all elements with a satisfactory result or one that can be compensated, or who have been granted an exemption, pass the final assessment as referred to in the Article Final Assessment Elements in the TER.
4. Elements of the final assessment that the exam candidate has passed in the period during which the exam candidate is registered as participant in certificate education, can be included in the exam candidate's examination programme, subject to the Article Exemptions in the OER pertaining to the exam candidate's programme.
5. The date of graduation will be the date that follows from the Procedural regulations for awarding degrees following final assessments in annex 1 to these Regulations.
6. The final assessment has an unlimited term of validity.

Article 17a Determination of the final assessment results of the Master's degree in Tax Law

1. The Examination Board determines in an objective and expert manner whether an exam candidate meets the conditions regarding knowledge, insight and skills that this regulation stipulates to qualify for a degree.
2. Exam candidates who complete all elements with a satisfactory result or who have been granted an exemption pass final assessment of the Master's degree in Fiscaal recht (Tax Law) as referred to in the Article 9 of the TER.
3. If the exam candidate has successfully completed all elements as referred to in Article 9 OER masteropleiding Fiscaal recht, or has been granted an exemption, with the exception of the thesis, and the thesis supervisor has signed the standard form "thesis approval", thus giving approval that the thesis may be defended, an application to defend the thesis may be submitted. Exam candidates who gain a mark of at least six for the thesis are deemed to have passed the final assessment. The mark for the thesis is not awarded until the thesis has been defended before the Graduation Board as referred to in the TER masteropleiding Fiscaal recht. The date of graduation will be the date on which the thesis is defended.
4. The final assessment has an unlimited term of validity.

Article 18 Judicia

1. Exam candidates with a weighted average of all examination marks (the rounded off results, as registered in Osiris) of at least six (6.00) will successfully pass the final assessment.
2. Exam candidates entering the examination programme before 1 September 2011 with a weighted average of all examination marks of at least eight point twenty six (8.26) will successfully pass the final assessment 'Cum Laude' or 'with honours'.
3. Exam candidates entering the examination programme on or after 1 September 2011 with a weighted average of all examination marks of at least eight and a half (8.50) and with no marks lower than seven (7.00) for any examinations will successfully pass the final assessment 'Cum Laude' or 'with honours'.
4. Exam candidates entering the examination programme on or after 1 September 2013 with a weighted average of all first completed examination marks of at least eight and a half (8.50) and

with no marks lower than seven (7.00) for any first completed examinations will successfully pass the final assessment 'Cum Laude' or 'with honours'.

5. Exam candidates entering the examination programme on or after 1 September 2019 with a weighted average of all first completed examination marks of at least eight and twenty five hundredth (8.25), a mark of at least eight (8.00) for the master thesis and with no marks lower than seven (7.00) for any first completed examinations, will successfully pass the final assessment 'Cum Laude' or 'with honours', unless paragraph 6 is applicable.
6. Exam candidates entering the examination programme of the Master programme in Criminology on or after 1 September 2021 with a weighted average of all first completed examination marks of at least eight (8.00), a mark of at least eight (8.00) for the master thesis and with no marks lower than seven (7.00) for any first completed examinations, will successfully pass the final assessment 'Cum Laude' or 'with honours'.
7. Exam candidates entering the examination programme on or after 1 September 2016 with a weighted average of all first completed examination marks of at least nine (9.00), a mark of at least nine (9.00) for the master thesis and with no marks lower than seven (7.00) for any first completed examinations, will successfully pass the final assessment 'Summa Cum Laude' or 'with the highest honours'.
8. Exemptions, both those granted with retention of mark and those granted without retention of mark, will not be considered in the determination of the distinction.
9. The distinction will be awarded by the Examination Board. The determined distinction 'Cum Laude' or 'Summa Cum Laude' will be recorded on the certificate as referred to in Article 19 (The diploma) of these Regulations. The Examination Board can decide not to award a distinction in case very serious objections exist.

Article 19 The diploma

1. The Examination Board will issue a diploma as proof that the final assessment has been passed, after the institution's administration has declared that the pertinent procedural requirements have been met. The diploma will be signed by the Examination Board chair-person, vice-chairperson or secretary. For every completed programme, one diploma will be issued.
2. The diploma will be accompanied by a separate list of marks (one for every completed programme specialisation) indicating the units included in the final assessment. In addition, the list of marks will also include units that were not included in the final assessment, but for which an assessment was administered on the student's request, provided they were successfully completed, the Examination Board has approved the inclusion and, if applicable, the associated competences. The list of marks will be signed by the Examination Board chairperson, vice-chairperson or secretary.
3. The Examination Board adds a certificate to the diploma in accordance with the agreed European standard format.
4. On behalf of the Examination Board, the Team Study Progress and Diploma awards the diploma, the list of marks and the certificate to the exam candidate in person, unless the latter opts to receive the diploma at a special session of the Examination Board. Only exam candidates of the Dutch LL.M. programme specialisations of the LL.M. programme Rechtsgeleerdheid have access to the general graduation ceremony of the LL.M. programme Rechtsgeleerdheid.

Chapter 7 The Examination Board

Article 20 Requests and decisions

1. Without prejudice to the provisions of this Regulation with respect to the terms for submitting requests and the required accompanying documents, each request related to this Regulation has to be submitted in writing as quickly as possible and be substantiated as fully as possible.
2. By preference, requests to the Examination Board are submitted digitally, via the digital form on the webpage of the Examination Board.
3. All hardcopy correspondence, including certified copies of (non-EUR) lists of grades, should be directed to:
Studiepunt Erasmus School of Law
Sanders Building room L.104
Attn. Secretary Examination Board Erasmus School of Law
P.O. Box 1738
3000 DR Rotterdam
The Netherlands
4. If an exam candidate submits a request or complaint involving an examiner who is also a member of the Examination Board, this examiner will not take part in handling the request or complaint.
5. Without prejudice to the provisions of this Regulation regarding the terms within which the Examination Board has to make a decision on certain requests, the Examination Board will decide within eight weeks of the date of receipt of the request. Every decision by the Examination Board will be made in writing and substantiated.
6. The Examination Board decides by a simple majority of votes.
7. The Examination Board may authorize one or more members or the secretary of the board to carry out one or more of its duties, unless this is contrary to the rule on which this authority relies. This member or these members or the secretary will provide regular updates on this during meetings of the Examination Board.

Article 21 Appeals protocol

1. All written decisions of the Examination Board and of the examiners will include a standard statement indicating the possibility of lodging an appeal to the CBE or the GNIO and the term within which this should be done. The exam candidate whose own rights with regard to the provisions of this Regulation are directly affected by a decision, or refusal to take a decision, by the Examination Board or an examiner may lodge an appeal with CBE or GNIO within six weeks of the announcement of the decision or refusal to take a decision.
2. Appeals can be filed online via the EUR Legal protection Facility/Legal Protection: <https://www.eur.nl/en/about-eur/organisation-administration/legal-affairs/legal-protection> or legal.protection@eur.nl.
3. The appeal may be lodged because a decision contradicts written or unwritten law.
4. For that purpose, the Examination Board – requested by CBE or GNIO – will initiate consultations with the parties involved after receiving the request to determine whether the disagreement can be settled amicably. If the Examination Board (vice)chairperson or member himself/herself is involved in the dispute, his/her responsibilities in trying to reach an amicable settlement are assumed by another (vice)chairperson or member of the Examination Board.
5. The Examination Board ensures that consultations for an amicable settlement proceed smoothly. Within three weeks after receiving the invitation referred to in paragraph 4 of this article, the Examination Board will inform CBE or GNIO of the outcome of the consultations. If the consultations do not lead to an amicable settlement, the Examination Board will ensure that a statement of defense is submitted to the CBE, within the term indicated in the second sentence of this paragraph.

Chapter 8 Final and implementation provisions

Article 22 Hardship clause

The Examination Board is authorised to compensate for any serious inequities arising from the application of these Regulations.

Article 23 Publication

The Examination Board sees to the publication of these rules and any later amendments. These rules will in any event be published on the faculty's internet pages accessible to students and a copy is available at the Study Information Point ("Studiepunt"). Amendments to the rules will be published as quickly as possible via the faculty's internet pages accessible to students. Amendments will not be carried through during an academic year, unless these are, within reason, not damaging to the interests of students.

Online examinations are subject to the Addendum to the Regulations from the Examination Board Erasmus School of Law 2023 ("Addendum op de Regels van de examencommissie Erasmus School of Law 2023"), unless the Examination Board decides otherwise during the academic year.

Article 24 Entry into force

These Regulations take effect on 1 September 2023 and are valid until amended or replaced.

Article 25 Official title

These Regulations can be quoted as the 'Regulations from the Examination Board Erasmus School of Law 2023'.

Article 26 Discrepancies in translation¹

If any discrepancies, textual and/or in content, should occur between this English text and the Dutch version of these Regulations, the Dutch version will take precedence.



*Adopted by decision on 31 August 2023 by the
Chair of the Examination Board Erasmus School of Law
of Erasmus University Rotterdam*

¹This is an additional article to the Dutch version of the Regulations.

Annex 1 to the Regulations from the Examination Board of Erasmus School of Law 2023

Addendum to the Regulations from the Examination Board Erasmus School of Law 2023

1. General provisions

1.1 Applicability of the addendum

This addendum is an addition to the Regulations from the Examination Board Erasmus School of Law 2023 (hereinafter: the Regulations) and is applicable to the education and examinations of the programmes of Erasmus School of Law and to all students taking part in that education and those examinations (including the entry tests). Where indicated, this addendum replaces the provisions from the Regulations as established on 31 August 2023. In the event of contradiction with the Regulations, this addendum applies.

1.2 Definitions

In addition to Article 2 of the Regulations, in this addendum the following terms are understood to mean:

1. *Addendum TER:* addendum or addenda to the Education and Examination Regulations of the bachelor and master programmes of Erasmus School of Law 2023.
2. *General technical malfunction:* a malfunction that, in the opinion of the Examination Board ESL and/or the examiner, affects a significant number of exam candidates and is not due to the exam candidates themselves.
3. *Online proctoring:* remote (online) surveillance by means of software and other digital tools.

2. Sitting examinations

2.1 Registering for examinations and final assessments

In addition to Article 7 of the Regulations:

Paragraph 6 In the Bachelor's phase, participation in resits administered online is not possible without timely registration for the resits. In the Master's phase, participation in regular examinations and resits that are administered online is not possible without timely registration for these examinations. For more information, check: <https://www.eur.nl/en/education/practical-matters/examinations>)

2.2 The manner in which an examination is conducted

In addition to Article 9 of the Regulations:

Paragraph 6 Online examinations can be administered with the help of online proctoring. The following data of the exam candidate are hereby stored: the name, email address, student number, screenshot of the computer screen, webcam recording of the environment including the examinee's face, student card or identity card, a recording by the camera of a mobile telephone or tablet (placed on a distance of 1,5 metres from the working environment) of this environment including the computer screen and the exam candidate, browser history and chat history during the examination. In principle, recordings, browser history and chat history will be deleted six weeks after the publication of the mark, unless the Examination Board ESL needs to have access to the relevant data for a longer period of time with reference to the performance of its duties. Backups are made every 24 hours.

2.3 Specific provisions about order during online interim examinations

In addition to Article 12 of the Regulations:

Paragraph 1 No unauthorised websites and/or applications may be used during the examination.

Paragraph 2 Extensive information about taking online proctored interim examinations can be found on the EUR website. The FAQ online proctoring can be found via <https://www.eur.nl/en/about-eur/vision/community-learning-and-innovation/faq-online-proctoring>. In the event of contradiction, this addendum applies.

2.4 Cancellation of examinations

In addition to Article 12a of the Regulations:

This addition has been dropped.

2.5 Invalidation of examinations

In the event of a general technical malfunction, a suspicion of large scale fraud or an unforeseen circumstance that, in the reasonable opinion of the Examination Board ESL, seriously impedes a correct assessment of the acquired knowledge, insight and skills of all or a significant number of the exam candidates, the Examination Board ESL may declare an examination fully or partially invalid for all exam candidates and/or may advise the examiner or the educational board, as far as necessary, to take a decision to that effect.

2.6 Unassessable examinations

The Examination Board may declare an examination of an exam candidate invalid if it has become reasonably impossible for the Examination Board and/or the examiner to correctly assess the acquired knowledge, insight and skills of an exam candidate, even if this is due to circumstances other than the acts or omissions of the exam candidate. The Examination Board ESL may also advise the examiner and/or the educational board, insofar necessary, not to assess the examination concerned or to declare the examination concerned invalid.

3. Fraud

3.1 Fraud and misconduct: prohibitions and sanctions

In addition to Articles 15 and 16 of the Regulations:

The fraud Regulations in Articles 15 and 16 of the Regulations are fully applicable to examinations which are administered online and with the help of Online proctoring.

If suspicious conduct is identified during an online interim examination, a report consisting of the (recorded) images and/or the browser and chat history at the time of the examination will be compiled and submitted to the Examination Board. If the Examination Board suspects fraud, this will be communicated to the student in writing. The student will be given a maximum of one week to respond to the charge. The student will gain insight into the images and any other evidence.

4. Final and implementation provisions

a. Hardship clause

The Examination Board is authorised to compensate for any serious inequities arising from the application of this addendum.

b. Deviation in the event of unforeseen circumstances

The Examination Board chairperson can deviate from the Regulations and addenda in the event of unforeseen circumstances.

c. Publication

The Examination Board sees to the publication of this addendum and any later amendments. This addendum will in any event be published on the faculty's internet pages accessible to students.

Amendments to this addendum will be published as quickly as possible via the faculty's internet pages accessible to students.

d. Entry into force

This addendum takes effect on 1 September 2023. Insofar necessary, the content of this addendum also constitutes a confirmation or enforcement of the already applicable rules and/or decisions made by the Examination Board, the examiner concerned and/or the educational board.

e. Official title

These Regulations can be quoted as 'Addendum to the Regulations from Examination Board Erasmus School of Law 2023'.

A handwritten signature in blue ink, consisting of a large, stylized 'S' followed by several loops and a final flourish.

*Adopted by decision on 31 August 2023 by the
Chair of Examination Board Erasmus School of Law
of Erasmus University Rotterdam.*