

# Rules and Regulations of the Examination Board 2024 Erasmus School of Law

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## SECTION 1 – General provisions

### Article 1 – Applicability of the regulation

1. The Rules and Regulations of the Examination Board, hereinafter referred to as the R&R, will enter into force on 1 September 2024. The R&R applies to the assessments and examinations in the following study programme(s):
  - Bachelor Criminologie (CROHO code 56469)
  - Bachelor Fiscaal recht (CROHO code 56827)
  - Bachelor Rechtsgeleerdheid (CROHO code 50700)
  - Pre-master ESL Algemeen (including the 'civiel effect' (CROHO code 50700))
  - Pre-master Financieel recht (without 'civiel effect' (CROHO code 50700))
  - Pre-master Recht van de Gezondheidszorg (without 'civiel effect' (CROHO code 50700))
  - Master Aansprakelijkheid en verzekering (CROHO code 60449)
  - Master Arbeidsrecht (CROHO code 60222)
  - Master Criminologie (CROHO code 66469)
  - Master Financieel Recht (CROHO code 60086)
  - Master Fiscaal Recht (CROHO code 66827)
  - Master Ondernemingsrecht (CROHO code 60408)
  - Master Rechtsgeleerdheid (CROHO code 60084)
  - Master Recht van de Gezondheidsrecht (CROHO code 60452)
  - Togamaster (CROHO code 60450)
  - LL.M. Programme Commercial Law (CROHO code 56823)
  - Parttime master Commercieel Privaatrecht (CROHO code 75135)
  - Executive master Ethiek, Recht en Zorg (CROHO code 75149)
  - European Master in Law and Economics (CROHO code 75131)
  - International Master's in Advanced Research in Criminology (CROHO code 66469)hereinafter referred to as the study programme, and for all students enrolled in this study programme.
2. The study programmes are provided by the Erasmus School of Law, hereinafter referred to as: the faculty.
3. If this regulation and the translated version contradict each other, the Dutch text will prevail.

### Article 2 – Definitions

Unless stated otherwise, this R&R uses the same definitions of terms as in the Teaching and Examination Regulations (hereinafter: TER).

### Article 3 – Procedure of the Examination Board

In addition to the Examination Board's duties assigned by law, the following duties, assigned by mandate from the faculty board, apply:

- Provision of binding study advice;
- Admission to premasters;
- Admission to master programmes and (Post-Graduate) LL.M. programs;
- Admission to the bachelor programmes based on Colloquium Doctum.

### Article 4 – Requests

1. Requests to the Examination Board must be submitted via the digital form on the webpage of the Examination Board, accompanied by any relevant appendices.
2. For requests where certified copies of non-EUR grade lists or non-EUR diplomas are to be sent along, the original (certified) documents should be sent to the Examination Board by post or scanned at Student Information Centre ESL. Certified copies of non-EUR grade lists or non-EUR diplomas are not accepted in digital (scanned) form. All hardcopy correspondence should be directed to:
  - Student Information Centre ('Studiepunt') ESL
  - Sanders Building, room L.1.04

Attn. Secretary Examination Board Erasmus School of Law  
P.O. Box 1738  
3000 DR Rotterdam  
The Netherlands

3. The Examination Board will take a decision within 8 weeks after receiving the request and will inform the student and will inform the student about this by e-mail. If the 8-week period needs to be extended, the student will be notified accordingly.

#### **Article 5 – Appointing examiners**

1. The Examination Board appoints the following examiners in accordance with the Erasmus School of Law Examination Board's Directive on the appointment of examiners and job profiles ('Richtlijn van de Examencommissie ESL tot aanwijzing examinatoren en functieprofielen') – 30 November 2023:
  - examiner 'general'
  - examiner bachelor's thesis
  - examiner master's thesis

#### **Article 6 – Quality assurance for interim and final examinations**

1. The Examination Board establishes an assessment assurance committee ('toetsborgingscommissie') to fulfil its legal responsibilities.
2. The assessment assurance committee checks periodically ex post the quality of all examination components.
3. The Examination Board can decide, before, during, or after an examination, that the exam should be conducted differently or at a different time (repeated), in case of detected or reasonably suspected irregularities, such as:
  - large-scale and/or organised fraud that renders the examination results unreliable and where (at present) it cannot be determined which individual students are affected;
  - technical deficiencies in digital assessment that render the exam results unreliable.
4. In case irregularities occur in a fully or partially conducted exam, the Examination Board may decide that the exam is ineligible for assessment for the involved student(s) and therefore must be declared invalid, or that the assessment must be invalidated. The same applies if at any time it appears or has appeared that the examination or the organisation and procedures surrounding the examination do not meet the requirements stipulated by the assessment plan, assessment policy or other regulations.

## **SECTION 2 – Exemptions**

#### **Article 7 – Exemptions**

1. In accordance with the conditions set forth in the TER, the Examination Board may grant a student exemption from a unit of study within the program as referred to in Article 7.3 of the Higher Education and Research Act (WHW). The student must submit an application for this via the online request form on the webpage of the Examination Board, in accordance with Article 4 of the Rules and Regulations (R&R). The student must provide all relevant information in the application.
2. If necessary, the Examination Board consults the examiner of this educational unit before deciding on the request for an individual exemption.

## **SECTION 3 – Studying with a functional impairment**

#### **Article 8 – Special examination facilities**

1. Students with a functional impairment are given the opportunity to take examinations in a manner adapted as much as possible to their individual functional impairment, within the limits of what is reasonably feasibly organizationally. These facilities must not compromise the quality or the difficulty

- level of an examination. Examinations are conducted at the same time as they are normally scheduled.
2. Students 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 functional impairment and the desired special examination facilities.
  3. The student must submit a digital request for special exam facilities via Osiris-zaak as soon as possible after starting the programme, and no later than three weeks before the examinations for which facilities are requested, unless circumstances make this deadline unfeasible. The request must be accompanied by a justification and (medical) document(s) from an authorized institution or recognized (medical/mental health) practitioner, outlining the nature of the disability and addressing its effects on the student's academic situation.
  4. During the consideration of the request, the Examination Board may seek advice before making a decision.

## SECTION 4 – Interim examinations

### Article 9 – Interim examinations

1. An interim examination is an examination that deviates from the form specified in the article “Form of examinations” in the TER pertaining to the student’s programme, and/or takes place at a different time and/or location than announced (via the web pages or information channels of Erasmus School of Law and/or the syllabus of the respective component). An interim examination can only take place after the Examination Board, at the request of a student, has granted permission for it.
2. The Examination Board is not authorised to decide on requests for interim completion of partial exams, partial tests, modular examinations and partial examinations.
3. Permission to take B1 exams is not granted.
4. Interim examinations are not possible regarding the following courses of the Bachelor Law programme:
  - juridisch-Academische Vaardigheden III: bachelorwerkstuk
5. Contrary to paragraph 2, the Examination Board may grant permission to take one interim examination of part 1 of Recht en Bedrijf (after approval of the responsible Recht en Bedrijf examiner), if this could result in a passing grade for the entire component.
6. Interim examinations are not possible regarding the following courses of the Bachelor Criminologie programme:
  - onderzoeksvaardigheden I;
  - onderzoeksvaardigheden II.
7. Interim examinations are not possible regarding the following courses of the Fiscaal recht programme:
  - juridisch-Academische Vaardigheden voor fiscalisten III: Bachelorwerkstuk Fiscaal recht.
8. Interim examinations are not possible regarding the following courses of Erasmus School of Law Master’s programmes:
  - practical research assessments / partial examinations of Research & Writing Skills;
  - *werkcollege Indirecte belastingen* parts 1 and 2;
  - *capita selecta Fiscaal recht*;
  - the thesis.
9. Permission to take interim examinations will not be granted in case of inability to participate in an examination and/or when examinations overlap. In these cases, the missed examination must be taken during the next regular round or the general resit round.
10. Permission to take an interim exam can be granted once on the grounds of very special circumstances and demonstrable study delay if, within 21 weeks from the moment of submitting the request as mentioned in paragraph 13, no regular exam or resit is available. The following qualify as very special circumstances:
  - a. Top-level sports obligations;

- b. Birth of one's own child or issues related to pregnancy or childbirth;
  - c. Death of partner, (step-)children, (step-)parents or (step-)siblings.
11. If the request for an interim examination involves the last unit of study required to be eligible for the Bachelor's final examination, this can be granted only once, without prejudice to the provisions in paragraphs 1 to 10 of this article, provided the student has participated in the last examination round offered for the unit of study in question and has earned at least a non-rounded four (4.0) at that time, and there are no regular exams or resits to be held within 21 weeks, counting from the date of submission of the request.
  12. If the request for an interim examination involves the last unit of study required to be eligible for the Master's final examination, this is acknowledged once, without prejudice to the provisions in paragraphs 1 to 10 of this article, provided the student has participated in the previous two examination rounds offered for the unit of study in question 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 21 weeks, counting from the date of submission of the request as mentioned in paragraph 13.
  13. A student wishing to take an interim examination must submit a motivated request, supported by relevant documentary evidence, to the Examination Board. If this request pertains to taking the last unit of study of the bachelor's or master's final examination on an interim basis, the request may not be submitted before all other units of study (including Juridische-Academische Vaardigheden (voor fiscalisten) III, Onderzoeksvaardigheden I en II and/or the master thesis), have been successfully completed. Master's theses that involve a thesis defense must be substantively completed, or the authors of these theses must be admitted to the thesis defense at the time of submitting the request. The request for an interim examination for the last unit of study of the bachelor's or master's final examination must be submitted within two weeks after the result of the second-to-last unit of study has been announced.
  14. If the Examination Board has acknowledged the request for an interim examination, the student has (fourteen) days (unless stated otherwise) after the date of the written permission, to report to the examiner of the unit of study in question to schedule the interim examination. The examiner, in consultation with the Examination Board if necessary, determines the date, time, place and form of the interim examination.

## **SECTION 5 – Rules relating to proper conduct during examinations**

### **Article 10 – Examination Order Rules EUR**

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

## **SECTION 6 – Scope and conduct of examinations**

### **Article 11 – Announcement and description of examination content**

1. The examiner ensures that at the beginning of each block for the respective study unit, an overview of the exam material is published. If possible, this information will be published on the student-accessible information channels of the Erasmus School of Law. The examiner may exceed the prescribed study load for the specific component by up to 10%, provided they provide special reasons for doing so.
2. Changes to the initially established and published examination material must be promptly published by the examiner on the information channels of the faculty. These changes do not take effect if, upon a request from a directly involved party, the Examination Board determines that the changes proposed by the examiner lack sufficient justification. In such a ruling, the Examination Board may also provide directions to the examiner regarding the exam material that can be tested. The interested party must submit their request in writing to the Examination Board within three weeks

from the date the changes were published. The Examination Board will decide on the request as soon as possible.

3. If the study load is exceeded, any directly interested party may lodge an objection in writing to the Examination Board as soon as possible. The Examination Board will promptly decide on the objection. If the objection is upheld, the Examination Board may provide instructions to the examiner regarding the scope and degree to which the examination material may be tested.
4. The costs of the prescribed examination material must be reasonable and proportionate to the objective the study material is to serve. The examiner selects the least burdensome alternative for students.

#### **Article 12 – The manner in which an (oral) examination is conducted**

1. Each examination is conducted and assessed by an examiner appointed by the Examination Board in accordance with its policies.
2. Oral examinations can be conducted by multiple examiners. At the discretion of the examiner, either an audio recording or a written report of the proceedings during the oral examination is made and kept by the examiner for the statutory retention period. If an oral examination is conducted by a single examiner and no audio recording is made, another member of the academic staff will be present during the examination. Examinations that are conducted externally (outside of the institution), are attended, if possible, by a member of the academic staff. Audio recordings are always made of externally conducted exams and kept by the examiner for the statutory retention period.
3. An oral examination will be conducted with no more than one exam candidate at a time, except as provided in paragraph 4.
4. If an oral (partial) exam is part of the assessment of a collectively written paper or another type of collective assignment, multiple students who are the authors of that paper or participants in the group assignment may be examined simultaneously in accordance with the provisions of this article. The examination can take the form of, among others, a tutorial/group discussion. The (partial) results are archived by the secretariat of the relevant section.

### **SECTION 7 – Fraud**

#### **Article 13 – Fraud**

1. Fraud is defined as: the actions or omissions of a student that make it impossible or have made it impossible for the examiner and/or the Examination Board to form a proper judgment about the knowledge, insight and skills acquired by the student or about the knowledge, insight and skills of fellow students.
2. Students should avoid any possible appearance of fraud involving themselves during the examination and, if in doubt, report it immediately to the invigilator.
3. The following are in any case considered fraud:
  - a. acquiring knowledge of the questions, assignments or model answers of the examination prior to the examination;
  - b. impersonating someone else during the examination or allowing someone else to sit the examination in their place;
  - c. possessing information sources other than those that are explicitly allowed as per the cover page of the examination. Information sources include in any case books, syllabi, notes written on one's own paper, skin or textile, programmable calculators, mobile phones, smartphones and smartwatches capable of accessing the internet, annotated law books, law books with described tabs, underlines, or markings which could be considered as coding or other reference materials;
  - d. copying the work of fellow students during the examination or exchanging information with them or with third parties by any means, inside or outside the examination room. Allowing another person the opportunity to commit fraud is also considered fraud;
  - e. submitting a paper or thesis written by someone else, whether in exchange for payment or not, or using artificial (hereinafter: AI) in an unauthorized manner;

- f. swapping or exchanging with others the question sheets and/or answer sheets provided;
- g. making changes to already submitted examination answers during the exam review;
- h. committing plagiarism. Plagiarism is defined as copying, translating, or using synonyms to take a passage from one's own or someone else's work for an (individual or group) assignment, paper, thesis, or any other form of text or data—constituting part of an examination and/or assignment—without proper attribution through quotation marks, citation, or another clear typographical means, even if a correctly traceable bibliographic source reference is included.
- i. making one's own work available to another person, whether or not with the intention of plagiarism;
- j. by any other means, through acts or omissions, making it wholly or partially impossible to form a proper judgment about a student's knowledge, insight and skills;
- k. reusing a previously written thesis, paper, or any other form of text, written or created as part of the current or previously attended program by the student, within or outside the faculty, without prior consultation with and approval from the examiner (of the component for which the text or work is resubmitted or intended to earn credits for a second time), to resubmit in the same or another course, or to use part of a previously completed assignment, whether modified or not, in a new thesis/paper and the like, to earn credits for it again;
- l. participating in the examination without being entitled to do so.

#### Article 14 – Fraud and sanctions

1. The student who acts in violation of the provisions of or pursuant to article 13 of these regulations, or who creates an opportunity for or gives cause to actions that violate this article, is guilty of fraud.
2. When fraud is detected or seriously suspected during or in connection with an (partial) examination, the examiner or invigilator will immediately inform the student. For a written paper examination, the invigilator or examiner notes this on the work to be submitted by the student and collects any evidence of this. The student is allowed to finish the examination and submit their work.
3. The invigilator reports the detected or suspected fraud immediately after the examination by submitting a standard (fraud) reporting form at Student Administration – Team Examination Organisation. Any supporting evidence is also included. If the student has refused to hand over any evidence, this is noted on the form. Team Examination Organisation sends the report form, filled out by the invigilator, along with any evidence, to the Examination Board immediately after the examination period has ended.
4. When plagiarism is detected 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 reports this to the Examination Board, including the evidence. The student(s) will be given a maximum of one week to respond to the suspicion of fraud.
5. Depending on the seriousness of the fraud committed in the broadest sense of the word, including repeated fraud, the Examination Board may impose sanctions on the student, which will be recorded in the student's personal (digital) file. These include:
  - a. reprimand;
  - b. declaring the examination invalid or ineligible for assessment and/or declaring the assessment invalid;
  - c. exclusion from the respective examination for up to one year;
  - d. exclusion from one or more examination periods for up to one year;
  - e. a combination of the above sanctions.
6. Depending on the seriousness of the fraud committed in the broadest sense of the word, including repeated fraud, the Examination Board, after informing the dean and dean(s) of education, may propose to the Executive Board the permanent termination of the student's enrolment in the respective programme.
7. If fraud or plagiarism has been detected in a group assignment, each group member may be equally held accountable if the assignment was created under joint responsibility. Each group member bears the burden of proof to demonstrate otherwise.



8. If a written examination is not supervised, such as a paper or a thesis, the examiner must conduct a plagiarism check. If cases of suspected fraud, the examiner must conduct further investigation. If suspicions of plagiarism persist, the examiner reports to the Examination Board.
9. Before the Examination Board makes a decision, it conducts an investigation into the circumstances. This investigation may take the form of questioning by subject teachers about the content of an assignment or examination.
10. If a student is taking units of study in the context of another programme at another EUR faculty to which these R&R applies, and a sanction is imposed due to fraud, the Examination Board of the programme in which the student is enrolled is informed, and vice versa.

## SECTION 8 – The assessment and requirements for passing examinations

### Article 15 – Assessment standards

1. Exams are assessed, wherever reasonably possible, using model answers and standards.
2. The assessment method allows students to understand how their individual assessment and final grade were determined.
3. In cases where an exam is conducted by multiple examiners and the result is evaluated by different examiners, they must ensure consistency in assessment according to the same standards.

### Article 16 – Determination of the result of an examination

1. An examination will be deemed to have been successfully completed if the final grade is 6 or higher, or if an equivalent mark such as 'Exemption' or 'Satisfied' is obtained. All examinations, except those mentioned in paragraph 2 of this article, including partial exams, are rounded off to whole marks (according to registration and rounding in Osiris).
2. The following units of study may also be graded on half-point scales:
  - *onderzoekspractica* c.q. Research & Writing Skills;
  - the master's thesis;
  - the exam *Meesterproef* (RT10) in the Law & Technology master's;
  - the final result of *Juridisch-Academische Vaardigheden (voor Fiscalisten) III*;
  - *Onderzoeksvaardigheden I*;
  - *Onderzoeksvaardigheden II*.A result of 5.5 is considered a failing result for these components of the examination.
3. In addition to the first paragraph, the following alphanumeric results are assigned in the following cases:
  - the student who is registered for a unit of study, but did not participate a specific examination component will receive a NO (No show) for the examination component in question;
  - the student who is registered for a unit of study, but has not fulfilled a certain examination component, will receive a NVD (*Niet voldaan*, i.e. Not fulfilled) for the examination component in question;
  - students who have been granted an exemption by the Examination Board will receive a VR (an exemption).
4. If a student is not entitled to partake in an examination, any predetermined result for the examination in question is invalid.
5. Results of exams completed at another institution are typically recorded as VD (VolDaan / 'Completed') if permission has been granted by the Examination Board to transfer the respective component.

### Article 17 – Requirements for passing the examinations of the units of study within the programme

The examinations of the units of study of the programme (see the relevant TER) are considered passed if these examinations have been completed with a passing result, in accordance with the previous article,

with the exception of the possibility that an exemption has been granted or there is compensation according to the compensatory testing regulations in the TER.

#### **Article 18 – Assessment of the master’s thesis**

1. The thesis, as referred to in the Thesis (“scriptie”) article of the TER associated with the student’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, respectively.
2. The result is determined using the assessment protocol that is part of the ‘Minimum requirements for theses’ (thesis brochure) as mentioned in the Thesis article of the TER associated with the student’s master’s program. Within the sections, the examiners may establish additional policy rules.
3. The Examination Board must receive the final thesis; one digital copy must be uploaded via the Canvas channel Thesis uploads. The thesis is subject to a final plagiarism check by the Examination Board. This digital copy will be stored by the Examination Board for the statutory retention period of seven years and may be stored in the (public) thesis repository of the University Library.

### **SECTION 9 – The final examination**

#### **Article 19 – Determination of the result of the final examination**

1. The Examination Board objectively and expertly determines whether a student meets the conditions set by the TER of the programme regarding knowledge, insight and skills necessary for obtaining a degree.
2. After all units of study of the final examination have been completed, the head of Student Administration (“Studentenadministratie”), on behalf of the Examination Board, will determine the results of the final examination, taking into account the programme’s TER (including the relevant appendices to that regulation) as well as the R&R.
3. A student has passed the exam as referred to in the ‘composition of the examination’ (“samenstelling examen”) article of the student’s programme TER, if the student has completed all units of study with a satisfactory or compensated result, or has received an exemption for them, or has received permission from the Examination Board to include units of study.
4. Units of study that the student has passed during the period of enrollment as a certificate student may, in accordance with the provisions of the programme’s TER, be included in the student’s examination programme, provided the student has obtained permission from the Examination Board upon request.
5. The graduation date is the date determined by the Procedural regulations for awarding degrees in annex to this TER.
6. The final examination has an unlimited term of validity.

#### **Article 20 – Determination of the result of the master’s final examination in Tax law**

1. The Examination Board objectively and expertly determines whether a student meets the conditions set by these regulations with regard to knowledge, insight and skills required to obtain a degree.
2. A student has passed the master’s final examination as referred to in article ‘composition final master’s examination tax law’ of the Tax law TER, if the student has completed all units of study with a satisfactory result, or if the student has been exempted from this.
3. If the student has successfully completed all units of study as referred to in the article ‘composition final master’s examination tax law’ of the Tax law TER, or has been granted exemption, with the exception of the thesis, and the thesis supervisor has signed the standard “thesis approval” form, thus giving approval that the thesis may be defended, an application for the defense of the thesis may be submitted.

4. A student passes the master's final examination if the grade awarded to the thesis is at least a 6. The thesis result is only determined after the defense before the graduation committee. The master's Tax Law TER contains further regulations regarding the graduation committee and the defense.
5. The graduation date is the date of the thesis defense.
6. The final master's examination has an unlimited term of validity.

#### Article 21 – Certificates and declarations

1. After all components of the final examination have been passed, the head of Student Administration determines the result of the final examination on behalf of the Examination Board, taking into account:
  - a. the Teaching and Examination Regulations of the programme;
  - b. the R&R of the Examination Board for the programme.
2. As proof that the final examination has been passed, a certificate is issued by the Examination Board, after the Executive Board or the officer mandated for that purpose has declared that the procedural requirements for issuance have been met.
3. One certificate is issued per programme, even if a student completes multiple programmes, tracks, course variants or specialisations within that programme.
4. The procedure for applying for graduation and the certificate is available on the following webpage of Erasmus University Rotterdam: <https://www.eur.nl/en/education/practical-matters/graduation>.
5. The transcript that is part of the certificate lists the components which make up the final examination.
6. The Examination Board adds a diploma supplement in English to the certificate that complies with the European agreed standard format.
7. The certificate, transcript and the diploma supplement are signed by the chair of the Examination Board.
8. The certificate, the transcript and the diploma supplement are issued by Study Progress & Diploma Administration (SV&D).
9. A student who has passed more than one examination and cannot be issued a certificate may request the Examination Board to issue a declaration listing the examinations the student has passed.

#### Article 22 – Honours and (summa) cum laude Judicium

1. Students with a weighted average of all examination marks (the rounded off results, as registered in Osiris) of at least six (6.00) have successfully passed the final examination.
2. A student who enrolled in the examination programme before 1 september 2011, passes a bachelor's or master's final examination 'cum laude' or 'with distinction' if the weighted average of the marks of all components of that examination is at least eight point twenty-six (8.26).
3. A student who enrolled in the examination programme on or after 1 September 2011, passes a bachelor's or master's final examination 'cum laude' or 'with distinction' if:
  - the weighted average of the marks of all components of that examination is at least eight point five (8.50); and
  - none of the results of the units of study for that examination are lower than seven (7.00).
4. A student who enrolled in the examination programme on or after 1 September 2013, passes a bachelor's or master's final examination 'cum laude' or 'with distinction' if:
  - the weighted average of the first obtained marks of the components of that examination is at least eight point five (8.50); and
  - none of the first obtained results of the units of study for that examination are lower than seven (7.00).
5. A student who enrolled in the examination programme on or after 1 September 2019, passes a bachelor's or master's final examination 'cum laude' or 'with distinction', unless paragraph 6 of this article applies, if:
  - the weighted average of the first obtained marks of the components of that examination is at least eight point twenty-five (8.25); and

- if applicable, the master's thesis is graded at least an eight (8.00); and
  - none of the first obtained results of the units of study for that examination are lower than seven (7.00).
6. A student who enrolled in the Criminology Master's programme on or after 1 September 2021, passes the master's final examination 'cum laude' or 'with distinction' if:
- the weighted average of the first obtained marks of the components of that examination is at least eight (8.00); and
  - the master's thesis is graded at least an eight (8.00); and
  - none of the first obtained results of the units of study for that examination are lower than seven (7.00).
7. A student who enrolled in the bachelor's or master's programme on or after 1 September 2016, passes the examination 'summa cum laude' or 'with the highest distinction' if:
- the weighted average of the first obtained marks of the components of that examination is at least nine (9.00); and
  - if applicable, the master's thesis is graded at least a nine (9.00); and
  - none of the first obtained results of the units of study for that examination are lower than seven (7.00).
8. Exemptions, whether granted with retention of grade or without retention of grade, are not considered in the determination of the distinction
9. The distinction is awarded by the Examination Board. The determined distinction 'Cum Laude' or 'Summa Cum Laude' will be recorded on the certificate as referred to in the article 'Certificates and declarations' of these regulations. The Examination Board can decide not to award a distinction in case very serious objections exist.

## SECTION 10 – Transitional and final provisions

### Article 23 – Appeal

1. Appeals against decisions of the Examination Board or against decisions of an examiner may be lodged with the university's Board of Appeal for Examinations (hereinafter: CBE) or the Dispute Resolution Committee for Non-Initial Education (hereinafter: GNIO). The written decisions of the Examination Board and examiners, which are subject to appeal, shall specify whether the CBE or GNIO is competent.
2. The notice of appeal must be submitted within six weeks of the announcement of the decision to the CBE or GNIO by sending an email to: [cbe@eur.nl](mailto:cbe@eur.nl) or [gnio@eur.nl](mailto:gnio@eur.nl). The notice of appeal must include at least the student's name and address, the date, student's signature, a copy of the decision being appealed, as well as the grounds for the appeal. See the Legal Procedures website for more information: <https://www.eur.nl/en/about-eur/organisation-administration/legal-affairs/legal-procedures>.

### Article 24 – Hardship clause

The Examination Board is authorised to address significant inequities arising from the application of these regulations.

### Article 25 – Amendment

1. Amendments made to these regulations do not apply to the current academic year, unless the interests of the students are reasonably not harmed by such amendments. Furthermore, an amendment cannot adversely affect a decision made by the Examination Board concerning a student under these Regulations.
2. In the event that nationally binding measures (such as but not limited to those related to public health) impact what is stipulated in these Rules and Regulations, the Examination Board may make appropriate amendments. Amendments will be made in the spirit and intent of what has already been stipulated in this R&R.

### **Article 26 – Publication**

The chair of the Examination Board shall ensure publication of these regulations, as well as of any amendments, via the faculty's website.

The provisions of the Addendum to the Rules and Regulations of the Examination Board Erasmus School of Law 2024 (included as Appendix 1 to these regulations) apply to online examinations, unless otherwise decided by the Examination Board during the academic year.

### **Article 27 – Entry into force**

These regulations were adopted by the Examination Board of Erasmus School of Law on 31 August 2024. These regulations enter into force on 1 September 2024 and will remain into force until amended or replaced.

### **Article 28 – Citation title**

These Regulations can be quoted as the “Rules and Regulations 2024” of the Examination Board Erasmus School of Law, for the programmes mentioned in article 1.

## **Annex 1 to the Rules and Regulations from the Examination Board of Erasmus School of Law**

### **Addendum to the Regulations from the Examination Board Erasmus School of Law 2024**

#### **1. General provisions**

##### **1.1 Applicability of the addendum**

This addendum is an addition to the Rules and Regulations from the Examination Board Erasmus School of Law 2024 (hereinafter: the R&R) 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 2024. In the event of contradiction with the Regulations, this addendum shall prevail.

##### **1.2 Definitions**

*In addition to article 2 of the R&R, in this addendum the following definitions shall apply in this addendum:*

1. *Addendum TER: addendum or addenda to the Teaching and Examination Regulations of the bachelor and master programmes of Erasmus School of Law 2024.*
2. *General technical malfunction: a malfunction that, in the opinion of the Examination Board Erasmus School of Law and/or the examiner, affects a significant number of students and is not attributable to the students themselves.*
3. *Online proctoring: remote (online) surveillance by means of software and other digital tools.*

#### **2. Taking examinations**

##### **2.1 The method of conducting an examination**

*In addition to article 12 of the R&R:*

Online examinations may be conducted using online proctoring. In this process, the following data of the student is stored: name, email address, student number, screen recording of the computer screen, webcam recording of the environment including the student's face, student card or identity card, a camera recording from a mobile telephone (or tablet) placed 1,5 metres away from the workstation including the screen and the student, browser history and chat history at the time of the examination. Backups are made every 24 hours.

##### **2.2 Specific provisions regarding conduct during online proctored examinations**

*In addition to article 12 of the R&R:*

Paragraph 1 During the examination, the use of unauthorised websites and/or applications is not permitted.

Paragraph 2 The EUR website provides extensive information regarding taking an online proctored examination. See FAQ on online proctoring at [FAQ online proctoring | Erasmus University Rotterdam \(eur.nl\)](#). In case of any conflict, the provisions in this addendum prevail.

##### **2.3 Invalidation of examinations**

In the event of a general technical malfunction, suspicions of widespread fraud or unforeseen circumstances that, in the reasonable opinion of the Examination Board, severely hinders the formation of a correct assessment of the acquired knowledge, insight and skills of all or a significant number of the students, the Examination Board may declare an examination invalid in whole or in part for all students and/or may advise the examiner or the educational board, as far as necessary, to take a decision to that effect.

##### **2.4 Examinations ineligible for assessment**

The Examination Board may declare an examination invalid if it has become reasonably impossible for the Examination Board and/or the examiner to correctly assess the student's acquired knowledge, insight and skills of a student, even if this is due to circumstances other than the acts or omissions of the student. The Examination Board 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 article 13 en 14 of the R&R:*

The fraud regulations in articles 13 and 14 of the R&R are fully applicable to examinations conducted using online proctoring.

When suspicious behaviour is identified during an online examination, a report will be compiled consisting of the (recorded) images and/or the browser and chat history at the time of the examination 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 suspicion. The student will be given access to the images and any other evidence.

### **4. Final and implementing provisions**

#### **4.1 Hardship clause**

The Examination Board is authorised to compensate for significant inequities that may arise in the application of this addendum.

#### **4.2 Deviation from regulations in case of unforeseen circumstances**

The chair from the Examination Board may deviate from the R&R and any addenda in case of unforeseen circumstances.

#### **4.3 Publication**

The Examination Board shall ensure the publication of this addendum and any subsequent amendments. In any case, this addendum shall be published on the student-accessible webpages of the Erasmus School of Law. Amendments to this addendum shall be published as soon as possible via the student-accessible webpages of the Erasmus School of Law.

#### **4.4 Entry into force**

This addendum shall enter into force on 1 September 2024. Insofar as necessary, the content of the articles and of this addendum also constitutes a confirmation and/or ratification of already existing rules and/or decisions made by the Examination Board, the relevant examiner and/or the education board.

#### **4.5 Citation title**

This regulation may be cited as the 'Addendum to the Rules and Regulations 2024' of the Examination Board Erasmus School of Law.