

**TUITION AND EXAMINATION REGULATION**  
**OF THE ACADEMIC PROGRAMMES**  
**FOR THE STUDY OF LAW**

**FACULTY OF LAW**

**RADBOUD UNIVERSITY NIJMEGEN**

**2020-2021**

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## CHAPTER 1. GENERAL PROVISIONS

### PARAGRAPH 1.1 THE PROGRAMMES

#### Article 1 (1)<sup>1</sup>

This regulation describes and sets down the tuition and examination programme of the academic programmes belonging to the study of law in the Faculty of Law, Radboud University.

This English translation is a compilation of the relevant paragraphs of the Faculty of Law Tuition and Examination Regulation (OER) in Dutch: Onderwijs- en Examenregeling Rechtsgeleerdheid, 2020-2021.

#### Article 2 (3)

1. The faculty offers the following Master's programmes consisting of a total of 60 EC per programme:
  - a. the programme in Dutch Law;
  - b. the programme in International and European Law;
  - c. the programme in Notarial Law;
  - d. the programme in European Law (phasing out);
  - e. the programme in Tax Law;
  - f. the post initial programme in Tax Law;
2. The masters programme comprises a course with a duration of one academic year.
3. The academic year consists of two semesters of thirteen weeks with a one week phase-out and twelve weeks with a one week phase-out.
4. A final examination is part of the Master's programme.

#### Article 3 (7)

Graduates successfully completing the Master's course in International and European Law possess the following abilities:

- a. The graduate has a thorough, deepened and broadened knowledge of and insight into international and/or European Law. The deepened knowledge concerns the basic principles, the structure and the key elements of the field.  
Furthermore, the graduate has specialised in at least two fields of study in international and/or EU Law. The graduate has both deepened and broadened his/her knowledge.  
*Key: thorough knowledge, in both breadth and depth, of international and/or European law.*
- b. The graduate can deal in practice with complex legal matters of international and/or European Law, give a clear analysis of the legal context and resolve the issues at stake. He/she can state the approaches to resolution and develop them along specialist lines.  
*Key: analysis and resolution of complex matters of international and/or European law.*
- c. The graduate can form an opinion on matters within the area of study, having regard to general academic elements of international and/or European law as well as its societal (ethical) aspects.  
*Key: forming opinions within a legal and societal context.*
- d. In professional practice, the graduate can enter into both written and oral persuasive discourse with his peers, both academic and actual practitioners. He/she can formulate issues of international and/or European Law clearly and understandably in verbal communication with clients. He/she is also able to inform clients adequately in writing. The graduate is able to perform the activities mentioned above in the English language.  
*Key: verbal and written interaction with colleagues and laypersons.*
- e. The graduate is able to formulate a scholarly research question (problem statement) in the area of international and/or European Law. He/she is able to respond to research

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<sup>1</sup> Numbers between brackets refer to the articles in the Dutch tuition and examination regulations

and legal questions by analysing the history and systematic aspects of and legal opinions on international and/or European treaties and legislation. He/she is able to state and evaluate the significance of such responses on the basis of a practical appreciation of the law.

*Key: academic research.*

- f. The graduate is able to make a well-motivated career choice.  
The graduate is able to pursue a permanent legal career progression, in both the professional and academic areas.

*Key: further development (in legal profession) after completion of the Master's programme*

#### Article 4 (10)

The academic Master's programme in International and European Law is taught full-time only.

### **PARAGRAPH 1.2 ADMISSION TO THE PROGRAMME**

#### Article 5 (20)

- a. Students eligible for admission to the English taught Master's programme in International and European Law have gained an academic Bachelor's degree in legal studies from a law faculty with which a collaborative agreement on student exchange has been signed. Upon admission the students must comply with the special admission conditions set down in article 32 (164).
- b. Students eligible for admission to the English taught Master's programme in International and European Law have acquired Bachelor's-level knowledge, insight and skills in the field of legal studies at another law faculty or on the level of an academic Bachelor's degree, e.g. Liberal Arts (major in Law), International Relations or equivalent fields of study, in combination with sufficient knowledge and insight into the field of law. After consulting the specialist for European Law, the Examination Board will decide upon admission to the Master's programme. Upon admission the students must comply with the special admission conditions set down in article 32 (164).
- c. Students eligible for admission to the English taught Master's programme in International and European Law have successfully completed the Bachelor's programme in Law or European Law School at Radboud University. Students who have completed Law, European Law School or equivalent at another faculty of Law at a research university in the Netherlands are also eligible for admission. The Examination Board, having consulted the professor of the chair for European Law, will decide upon admission. Upon admission the students must comply with the special admission conditions set down in article 32 (164).
- d. All other cases shall be decided upon by the Examination Board, after consulting the professor of the chair European Law.

### **PARAGRAPH 1.3 TUITION**

#### Article 6 (27, par. 3)

The entire Master's programme in International and European Law is taught in English.

#### Article 7 (28)

1. Tuition in the form of lectures, tutorials, moot court sittings, or in any other form is only given if it has its basis in this regulation, except in exceptional cases and with the consent of the Faculty Board.
2. The Faculty Board is responsible for determining the timetable of the lectures, tutorials, moot court sittings and for the allocation of rooms reserved for tuition.

#### Article 8 (29)

1. Tuition is given in the form chosen by the responsible lecturer.
2. The lecturers ensure that tuition in and studies for the course for which they are responsible do not exceed the allocated credits set out in this regulation.
3. The lecturers encourage mutual co-ordination in respect of the content and order of the parts of the study programme in the courses for which they are responsible.
4. If tuition comprises tutorials, every student has the right to participate in this interactive form of tuition during one academic year.
5. The Faculty Board is responsible for the timely announcement of the form of tuition of the courses of the academic programmes.

#### Article 9 (30)

1. Guest lectures and presentations are not substituted for lectures or tutorials under the tuition programme, unless they fit in with the tuition programme.
2. Invitations to guest lecturers shall only be extended with the consent of the Faculty Board.
3. In the case more than 25% of the tuition will be in the configuration of lectures and tutorials of guest lecturers, the consent of the vice dean of education is obligatory in advance.

#### Article 9a (30a)

1. In the master programmes (incl. International and European Law) an apprenticeship is an option.
2. The guidelines for apprenticeships, as adopted by the faculty board, apply
3. The approval of the apprenticeship paper accounts for 7 EC.
4. An apprenticeship and the approved paper can be used as an optional course.
5. An apprenticeship can be used only once as an optional course during the enrolment or enrolments in this faculty.

#### Article 9b (30b)

1. The courses will be monitored in writing by participating students and possibly the lecturers, preferably using a standardised questionnaire.
2. The first-year courses and the B2 and B3 courses will be monitored every other year.
3. The Master's courses will be monitored on the basis of a continuous schedule.
4. Courses involving (large) adjustments in staffing, design and content will be monitored immediately after initial completion.
5. The monitoring results will be made available to the responsible lecturer, the Programme Committee and the Faculty Board. The Programme Committee will advise the Faculty Board regarding the results and will make proposals where necessary.
6. The results of course evaluations will be published in the Digital Learning Environment of the course involved, provided the confidentiality of the data is guaranteed.

### **PARAGRAPH 1.4 FINAL EXAMINATIONS AND EXAMS**

#### Article 10 (31)

1. There is an Examination Board for the regular programmes of the Faculty of Law and an Examination Board for the post-initial programmes of the Faculty of Law.
2. The Faculty Board appoints the chairperson and the other members of the Examination Board from the members of the academic staff who are responsible for teaching.
3. The Examination Board may draw from among its members to set up sub-committees for the programmes. The Faculty Board appoints the chairperson of a sub-committee.
4. The chairperson of the Examination Board is responsible for the day-to-day business of the Examination Board. He/she may grant a mandate to the chairperson of a sub-committee.

5. The Faculty Board appoints a secretary to the Examination Board and the sub-committees. The secretary has an advisory vote at the meetings of the Examination Board and the sub-committees.

#### Article 11 (32)<sup>2</sup>

1. The Examination Board is responsible for holding final examinations and exams.
2. The Examination Board is responsible for determining the examination schedule and for the allocation of rooms where final examinations and exams will be held.
3. The Examination Board sees to it that the examination schedule is determined for an entire academic year if possible, but for a period of one-half of an academic year at least.
4. Determination of the examination schedule also establishes when, where and how registration for the various examinations takes place.
5. The student registers for interim examinations using OSIRIS.
6. The registration for the interim examination ends at 11.59 pm on the day prior to the five working day period before the day of the interim examination, which means that there are always five whole working days between the interim exam and the registration deadline. The day of the interim examination will always be excluded from the five working days period.
7. For determining the five working days the student has to take into account the collective holidays, as determined by the University Board. The student to consider the effect of these days on the registration deadline, which will end earlier. The collective holidays will be published on the Faculty of Law website.
8. The registration for oral exams is not limited to the five working days registration date as mentioned in par 6. The method of registration will be communicated by the section in due time.
9. The Examination Board is responsible for the supervision of written examinations.
10. The Examination Board lays down further guidelines for appointing the examiners charged with assessing the thesis, as described in article 15 (39).
11. The Examination Board takes care of safeguarding the quality of exams and final examinations, without prejudice to the task and competence of the examiners. When asked, the examiners inform the Examination Board about exams and final examinations.

#### Article 12 (33)

1. The Examination Board appoints the examiners for the final examinations and exams.
2. Only the professors and associate professors may be appointed as examiners for final examinations. Should the occasion arise, the Faculty Board may appoint a (university) lecturer as examiner.
3. Professors, associate professors, university lecturers and lecturers responsible for the tuition of the relevant courses may be appointed as examiners of exams (not being final examinations). If an expert external to the faculty acts as examiner, the professor involved must countersign.
4. The Examination Board may give examiners instructions with regard to the assessment of exams and the determination of the result of the exam.

#### Article 13 (34)

1. The examiner provides a model of an exam, in due time.

#### Article 13a (35a)

1. Admission to examinations of Bachelor's programme courses which are based on work groups is conditional on attendance of these work groups.
2. Participation in the work groups referred to in paragraph 1 requires attendance.
3. Insufficient attendance, which also includes inadequate preparation for the work groups, will result in the student not being admitted to the examination and resit for that course.

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<sup>2</sup> Article 32, paragraph 6 has been modified as of 1 September 2014.

4. The Examination Board may grant exemptions from following work group courses on special grounds.
5. The Faculty Board may establish further regulations regarding the application of this Article.
6. The Faculty Board may decide that the requirement of following work group education shall not apply.

#### Article 14 (36)<sup>3</sup>

1. The determination of whether the requirements for admission to final examinations or exams are met is carried out by the Examination Board, or by an examiner appointed by the Examination Board.
2. An exam is passed if a grade 6 or higher has been awarded.
3. The result of the exam is expressed in full and half grades. The result of an exam will not be expressed by the grade 5.5.
4. In this respect the following rounding rules apply:
  - a. from x,00 to x,25 are rounded to x,0 ;
  - b. from x,25 to x,5 are rounded to x,5 ;
  - c. from x,75 to x are rounded to x+1
5. Contrary to paragraph 4, grades 4,75 to 5,50 will be rounded to 5,0 and 5,50 to 6,25 to 6,0.
6. In rounding the numerals after the second decimal will not be taken into account.
7. The paragraphs 2 to 6 are not applicable for partial interim exams.
8. The result of a partial interim exam is rounded to two decimal places. An insufficient result for a partial interim exam is eligible for a resit, unless stated otherwise in advance by the examiner.

#### Article 15 (39)

1. The Master's examination has been passed if the exam for all the courses forming part of the Master's programme have been passed, the Master's thesis has been approved and the Master's thesis has been defended.
2. The Master's thesis has a (minimum) study load of 14 EC for Notarial Law, 16 EC for Tax Law and 18 EC for Dutch Law and International and European Law. The study load is based on an average of 1200 words of pure content per EC (considering a bandwidth of a minimum of 1000 words and a maximum of 1400 words).
3. Double Master's theses have a (minimum) study load as laid down in (art. 156 par. 4 and 5, 215 par. 4, 271 par. 5, 218 par. 5, 219 par. 8 and 9 and finally 220 par. 4). The study load is based on an average of 1200 words of pure content per EC (considering a bandwidth of a minimum of 1000 words and a maximum of 1400 words).
4. The pure content as referred to in paragraph 2 consists of the introduction text up to the conclusion (incl.), but excludes the preface, annotations, and the literature and jurisprudence/case-law list.
5. The academic Master's degree will not be granted when more than 50% of the Master's programme consists of exemptions.

#### Article 16 (40)

1. Final examinations and exam are taken in the language of tuition in the sense of Article 6.
2. In departure from paragraph 1 and with the consent of the Examination Board, another language may be used.

#### Article 17 (41)

1. In accordance with this regulation, final examinations and exams are held in writing or orally.
2. Oral exams and final examinations are in principle held in public and consist of an individual test, whereby not more than one person is examined at the same time.
3. Oral final examinations and exams are in principle conducted by two examiners.

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<sup>3</sup> Article 14 has been modified as of 1 September 2014

#### Article 18 (42)

1. Exams for the courses of the Master's programme are taken either in writing or orally.
2. The Faculty Board is responsible for the timely announcement of the form of examination of the courses.

#### Article 19 (43)

The Faculty Board Exams can limit the validity of passed exams, without prejudice to the competence of the Examination Board to extend the validity in individual cases. The validity of a passed exam may only be limited in case of proven ageing of knowledge, insight and competences. The validity of passed exams cannot be limited in case of special circumstances as laid down in art. 7.51 of the Higher Education Act (WHW). The Faculty Board determines specified rules for the effectuation of this paragraph.

#### Article 19a (43b)

1. With due observance of the provisions of this Article, the Examination Board is the body that determines whether and which distinction will be awarded.
  - a. A "cum laude" distinction is awarded if the weighted average result of the final assessment of the components referred to in paragraph 2 is 8.0 or higher.
  - b. A "summa cum laude" distinction is awarded if the weighted average result of the final assessment of the components referred to in paragraph 2 is 9.0 or higher.
2. The weighted ratio will be calculated on the basis of the parts of the examination programme, are awarded for grades on a scale of 1 to 10, excluding the extracurricular parts.
3. The weighted factor that is attached to each of the components passed for the calculation of the weighted average result is based on the study load of parts mentioned in par. 2.
4. A distinction will not be awarded if more than 10% of the study load of the exam programme has been sat more than once and if an interim examination of one or more components has been sat more than once.
5. A distinction will not be awarded if the Examination Board has established fraud.

#### Article 20 (44)

1. If, in the view of the Examination Board, special circumstances make it very difficult for a candidate to comply with the provisions regarding the way final examinations and exams are held, the Examination Board may permit special measures to be adopted with regard to the said candidate.
2. The Examination Board and the examiners shall ensure that students with a handicap are afforded the opportunity to take final examinations and exams in an appropriate fashion, taking the handicap into consideration.

#### Article 21 (45)

1. The Examination Board draws up the form of diplomas for final examinations passed.
2. The Examination Board draws up the form of certificates for exams passed.
3. The Examination Board may lay down rules for the issue of certificates and testimonials.
4. The Faculty Board keeps an examination register of the final examinations and exams and such parts thereof as have been passed.
5. The diplomas are drawn up in the English language.
6. The Faculty Board determines the English designation of the courses in the Bachelor's and Master's programmes.

#### Article 22 (46)

1. After an oral exam has been taken, the examiner concerned issues signed evidence showing the result.
2. After a written exam has been taken, the examiner concerned issues signed evidence of participation. Evidence of participation of a written exam in digital form will be issued by the invigilator and published on a participation list.
3. The result of written exams is announced as provided under Article 25.



4. In departure from paragraph 1, the examiner is allowed to determine the result of an oral exam not later than five working days after the day the examination of the student concerned took place.

#### Article 23 (47)

1. As proof that a final examination has been passed, the Examination Board issues a diploma. The diploma is signed by one member of the Examination Board and one examiner.
2. Only professors and associate professors are competent to sign the diploma. The diploma of the Bachelor's and Master's examinations states the programme that has been followed and the competences attached to the examination.
3. The diploma states the parts belonging to the examination. Also stated are the courses additional to the examination in which the examinee has been examined at his/her request, before the result of the final examination has been decided, if the examination of this additional course has been passed.
4. The student will be given the opportunity to propose the extracurricular parts to be added to the diploma supplement.
5. Passed exams that are not part of the formal examination programme will be added to the diploma supplement after approval by the Examination Board.

#### Article 23a (47b)

The graduate who wishes to inspect the judgment of the Master's thesis and its discussion, has the right to inspection of the assessment report drawn up by the Examination board, within four weeks after the date of the final examination.

#### Article 24 (48)

Persons who have passed more than one interim exam and who cannot be awarded a diploma, will at their request receive a statement from the Examination Board, stating which exams have been passed.

#### Article 25 (49)

1. The result of written exams is made public within fifteen working days after the day the examination took place.
2. The Examination Board determines in each year of study per exam whether the this publication term will be shortened or extended.
3. As soon as possible, but within 14 days after publication and in time for the resit, the Exam will be discussed and commented. For this purpose the examiner will hand out the assessed exams and gives insight in the assessment. The teacher provides the exams that were not held digitally in paper form.
4. Time and place of the discussion will be published on the exam form or at the moment of publication of results.

#### Article 25a (49a)

The Faculty Board provides for regulations regarding the retention of records, such as exams and other graded output, written by students (see Appendix).

#### Article 25b (49b)

1. Fraud within the meaning of this regulation is understood to include every act and omission on the part of a student that renders it wholly or partially impossible to form any correct judgement of the student's knowledge, insight and skills. This includes helping a student or other students, rendering it impossible to form any correct judgement of the student's or students knowledge, insight and skills.
2. If the examiner, the invigilator, a Radboud University employee or member of the Examination Board suspects fraud, he/she will immediately report this to the Examination Board.

#### Article 26 (50)

1. Appeal against decisions of the Examination Board or of examiners can be lodged with the

- Board of Appeal for Examinations.
2. The student's attention is drawn to the possibility of appeal to the Board of Appeal for Examinations on the final examination and exam questions, as well as on the form on which the result is published.

## **PARAGRAPH 1.5 STUDY PROGRESS AND TUTORING**

### Article 27 (51)

The Faculty Board provides for the registration of study results in such a fashion that, at least once every academic year, each student can be given an overview of the results achieved in connection with the tuition and examination programme of the course.

### Article 28 (52)

The Faculty Board provides for the tutoring of students who are enrolled in the programmes, also for the purpose of orienting them to study options within and outside the programme.

## **CHAPTER 2. THE MASTER'S PROGRAMME IN INTERNATIONAL AND EUROPEAN LAW**

### **PARAGRAPH 2.1 GENERAL**

#### Article 29 (161)

1. The faculty offers a Master's programme in International and European Law for a total study load of 60 EC.
2. No 'civil effect' is attached to the Master's programme in International and European Law.
3. In departure from paragraph 2 above, a civil effect is attached to the Master's programme in European Law if the graduate has completed the Bachelor's programme in Law or European Law School and the Master's programme in International and European Law.
4. Students can only graduate in two or more specialisations under the condition that they pass at least two extra interim exams for each extra specialisation. A separate thesis must be written per specialisation.
5. First enrollment in the Master's programme of European Law (old style) is possible until February 1. 2019. Re-registration is possible only until September 1. 2020. Enrollments end September 1. 2021.
6. First enrollment in the Master's programme of International and European Law (old style) is possible until February 1. 2019. Re-registration is possible only until September 1. 2020. Enrollments end September 1. 2021.

#### Article 30 (162)

1. The exams in the courses of the Master's programme in International and European Law are taken either in writing or orally.
2. If students have reasonable grounds for not having been able to participate in one of the examinations mentioned in paragraph 1, they may submit a reasoned request to the study advisor for an extra examination opportunity.
3. An extra examination in the sense of paragraph 2 is held orally as a rule.

#### Article 31 (163)

1. The Master's examination in International and European Law has been passed if:
  - a. the exams for all the courses forming part of the Master's programme have been passed;
  - b. the Master's thesis has been approved;

- c. the Master's thesis has been defended, resulting in a grade which is at least 'sufficient'.
2. Persons who have passed the final examination will be granted the title 'Master of laws' and will be awarded a certificate.
3. The Faculty Board determines when and how the certificate is awarded.

## **PARAGRAPH 2.2 THE MASTER'S PROGRAMME IN INTERNATIONAL AND EUROPEAN LAW**

### Article 32 (164)

1. For admission to the English language Master's programme in International and European Law, in addition to the general admission requirements set out in Article 5, the following special admission requirements apply:
  - a. a completed degree in Law or equivalent, proven and demonstrable knowledge of International and/or European Law, and a motivation letter, to be evaluated by the Examination Board;
  - b. written proof of an adequate knowledge of the English language, to be evaluated by the Examination Board.
  - c. students, who are native English speakers get an exemption from the language testimony as described in art 32. These include inhabitants of Australia, Canada (exempted: Quebec), Ireland, New Zealand, Singapore, UK, USA and South Africa.
  - d. students who have successfully completed a Bachelor's in Law at an EU/EER university and have completed 90 EC of English taught courses in Law don't have to prove their language skills through the aforementioned English language testimony.
  - e. finally the aforementioned proof is not necessary when the Bachelor's exam in European Law School at Radboud University was completed successfully or an equivalent programme to European Law School, containing sufficient English taught courses. This is to be assessed and decided upon by the Examination Board.
2. All other cases are decided upon by the Examination Board.

### Article 33 (165)

1. The English language Master's programme in International and European Law consists of the following four specialisations:
  - a. International and European Law Advanced specialisation;
  - b. Human Rights and Migration specialisation;
  - c. Business Law specialisation;
  - d. European Law and Global Affairs specialisation.
2. In specialisations par. 1 a. and b. each programme incorporates three compulsory courses in International and/or European Law. Specialisation par. 1 c. contains one compulsory subject in international and European Law.
- 2a. Students that have obtained the Bachelor's diploma European Law School, or have completed a programme equivalent to ELS at a Dutch Law faculty shall follow an elective compulsory course in specialisations a, b instead of Advanced Notions of International and European Law, in addition to the elective compulsories in par. 4. In specialisation c. they shall follow the European Competition Law course. In specialisation d. they shall follow Protection of Human Rights in International Law, European Immigration Law or Comparative Refugee Law.
3. The specialisation par. 1 d. consist of compulsory courses exclusively.
4. The programmes of specialisations a. to c. contain elective compulsory courses, each of 7 EC, of which the student must follow at least one.
5. The programmes of specialisations a. to c. contain optional courses, of 7 EC each.
6. The Faculty Board determines the list of compulsory, elective compulsory and optional courses.
7. For students who were admitted on the conditions of article 5 sub c article 74 also applies. (regarding the study stay abroad).

8. The curriculum for every specialisation includes writing an academic thesis with a study load of 18 EC on the topic of one of the chosen subjects/courses of the Master's programme in European Law. The topic of the thesis must be related to international and/or European Law. The student must pass the chosen subject.
9. In order to be able to graduate in two specialisations, the student has to finish the compulsory courses of both specialisations successfully and the amount of EC of optional courses as is stated in the examination program per specialisation. Courses cannot be used for both specialisations, which means that courses from one specialisation cannot be used as an exemption for identical courses in the other specialisation. The student has write two thesis of 18 EC each, in two different courses, with one course belonging to the one specialisation and the other course to the other specialisation. Or, with permission of the examination board, the student writes one double thesis of 26 EC in which subjects belonging to both specialisation are addressed adequately.
10. For students, who were admitted on the conditions of article 5 sub c, an apprenticeship as mentioned in art. 30a is allowed. The faculty rules for apprenticeships apply.

Article 33a (167a-d)

Phased out

**MORE INFORMATION ON THE MASTER'S PROGRAMME IN EUROPEAN LAW CAN BE FOUND IN THE APPENDIX OF THE TUITION AND EXAMINATION PROGRAMME.**

### **CHAPTER 3. EXEMPTIONS AND PRIOR KNOWLEDGE REQUIREMENTS**

Article 34 (205, par. 6)

After having heard the professor responsible for the course concerned, on the basis of final or exams passed in the course of the higher education or on the basis of knowledge or skills acquired outside higher education, the Examination Board may grant exemption from sitting one or more exams.

Article 35 (206)

1. A substantiated request for exemption from an exam is submitted to the chairperson of the Examination Board.
2. The Examination Board shall announce its decision, with reasons, within one month after receipt of the request. The applicant shall be notified of the decision forthwith.
3. After participating in an exam, it is no longer possible to ask for an exemption for the exam concerned.

### **CHAPTER 4. SPECIAL PROVISIONS FOR WRITTEN WORK RELATED TO ACKNOWLEDGEMENTS AND REFERENCES TO SOURCES**

Article 36 (240)

1.
  - a. Master's theses, essays and other written papers, especially in relation to borrowing from the work of others, must satisfy the provisions of the Copyright Act 1912 and the norms that apply pursuant to the academic custom for proper publication.
  - b. Every reproduction from other work must be recognisable, justified and verifiable with respect to both content and origin.
  - c. With the exception of the provision in paragraph 3, section d of this article, the rules for borrowing and reference to sources apply, regardless of whether the borrowing occurs with or without the consent or knowledge of the author of the

- work reproduced.
- d. Papers, or drafts thereof, submitted to the supervising lecturer may at any stage be tested electronically or otherwise in respect of borrowing from the work of others and reference to sources.
2. Borrowing from the work of another person – of text, image or otherwise – should always be rendered recognisable through the use of punctuation, typography or other indications which show unambiguously that which has been reproduced.
  3. When borrowing from the work of others:
    - a. writers must respect the integrity of the work that has been reproduced;
    - b. the reproduction must be in reasonable proportion to the work that has been reproduced as well as to the work in which the reproduction occurs;
    - c. the reproduction must be justified by the purpose for which and the context within which it occurs;
    - d. writers must take account of the limitations imposed by the Copyright Act 1912 with regard to quotations from unpublished work.
  4. Reproduced work must be verifiable as regards both content and origin.
    - a. With regard to each reproduction, writers must refer to the author of the work and to the source, unless this is in fairness impossible, in which case the source only must be mentioned.
    - b. When borrowing from ephemeral sources – such as texts on internet, insofar as these may no longer be available with the passage of time – or from sources that are not readily accessible, the student must document the source with an electronic or paper copy to enable verification of content and origin, retaining it for the lecturer. Should this be problematic, the lecturer must be consulted in advance.
  5. When borrowing occurs in the form of a substantial reproduction of intrinsic elements of the work of another person, including data, opinions, conclusions and/or structure, the above rules apply as far as possible, unless the borrowing involves generally known or customary elements and/or the reproduction is quantitatively or qualitatively negligible in nature.

#### Article 37 (241)

1. Where it has been determined that a student has not properly observed the rules concerning borrowing of material and reference to sources, this must be taken into account when the paper is graded.
2. The professor responsible may impose the obligation to write a new paper on a subject to be determined.
3. The additional sanction may be imposed that the paper will only be graded after expiry of a term of 6 months.

#### Article 38 (242)

1. Gross negligence means that a student has neglected to observe the rules related to borrowing and reference to sources in respect of qualitatively or quantitatively substantial parts of the paper.
2. Gross negligence concerning the rules with respect to borrowing and reference to sources constitutes fraud.
3. Gross negligence is always reported by the lecturer concerned to the Examination Board and to the professor responsible.
4. The Examination Board records those cases in which it has established gross negligence.
5. In the case of gross negligence the Examination Board may, in addition to the sanctions set down in the previous article, impose measures on the student, for a period of no longer than 1 year, to be determined by the Examination Board, so that he/she shall be deprived of the right to take one or more designated exams or final examinations at the Law Faculty.

#### Article 39 (243)

1. In the Master's phase a special duty of care with regard to the observance of the rules concerning borrowing and reference to sources applies to students and lecturers.
2. With regard to the Master's thesis gross negligence is always assumed:
  - in the case of 3 or more literal reproductions without reference to sources;
  - in the case of fewer than 3 literal reproductions without reference to sources, if these (together) amount to more than 12 lines of text equivalent 12 point Times New Roman.

This applies without prejudice to the possibility that less severe infringements may be regarded as gross negligence if such is justified in the given circumstances.

3. When doubts arise as to the existence of gross negligence in the case of irregularities with regard to a Master's thesis or another paper in the Master's phase the lecturer concerned consults the Examination Board.
4. When gross negligence in the sense of Article 39, paragraph 1 has been established with regard to a graduation thesis, any consent to graduate already granted is nullified. The lecturer immediately informs the student, the professor responsible, the Examination Board and the Examination Office
5. When gross negligence with regard to the Master's thesis is established immediately before or during the defence of the thesis, paragraph 4 applies. The defence is not continued and the diploma is not awarded, notwithstanding further sanctions.

## **CHAPTER 5. FINAL PROVISIONS**

#### Article 40 (248)

1. The Faculty Board decides on all cases not covered by this regulation.
2. If the formation of the faculty or other urgent reasons of university or faculty interest so compel, the Faculty Board may determine that this regulation can be departed from with regard to:
  - a. the number of lectures and tutorials;
  - b. the number of essays;
  - c. the designation of the courses; and
  - d. the list of (optional) courses.
3. The Faculty Board has the power to change the numbering of articles and paragraphs of articles and to make editorial changes.
4. For information on the content of the subjects, the Tuition and Examination Regulation (OER) refers to the prospectus.

#### Article 41 (249)

This regulation may be referred to as the Faculty of Law Tuition and Examination Regulation (OER).

**Appendix Faculty of Law Tuition and Examination Regulation. (as of September 1, 2020)**

List of Master's subjects for the Master's programme in European Law

**1. International and European Law Advanced Specialisation**

*Compulsory subjects (3):*

- |  |      |
|--|------|
| a. Public International Law  | 7 EC |
| b. Advanced Notions of Int. and European Law 6 EC<br>incl. workshop Writing Legal Papers 1 EC* | 7 EC |
| c. EU External Relations Law   | 7 EC |

*Elective compulsory subjects (1 to 3) :*

- |   |      |
|---|------|
| d. Judicial Protection in the EU  | 7 EC |
| e. EU Competition Law   | 7 EC |
| f. European Internal Market Law   | 7 EC |
| g. European Law Moot Court Competition or<br>International Moot Court Competition | 7 EC |

*Optional subjects:*

- |   |      |
|---|------|
| h. International and Comparative Copyright law      | 7 EC |
| i. International/European Tax Law                   | 7 EC |
| j. European Employment Law                          | 7 EC |
| k. European Immigration Law                         | 7 EC |
| l. European Commercial Law                          | 7 EC |
| m. European Financial Law                           | 7 EC |
| n. International Arbitration                        | 7 EC |
| o. International Individual Criminal Responsibility | 7 EC |
| p. Key concepts in the philosophy of Law            | 7 EC |
| q. Law and Society                                  | 7 EC |
| r. European Public Procurement Law                  | 7 EC |
| s. European Insolvency Law**                        | 7 EC |
| t. Work in the 21 <sup>st</sup> century             | 7 EC |

At a maximum of 21 EC, based on the examination board's permission: subjects, appropriate for the specialisation, which have been successfully completed at a university (abroad) with which the faculty has a collaborative agreement

Master's thesis 18 EC

**2. Human Rights and Migration Law Specialisation**

*Compulsory subjects (4):*

- |  |      |
|--|------|
| a. Protection of Human Rights in International Law   | 7 EC |
| b. Advanced Notions of Int. and European Law 6 EC<br>incl. workshop Writing Legal Papers 1 EC* | 7 EC |
| c. European Immigration Law  | 7 EC |

*Elective compulsory subjects (1 to 3):*

- |   |         |
|---|---------|
| d. EU External Relations Law            | 7 EC    |
| e. Public International Law Advanced    | 7 EC    |
| f. European and Comparative Refugee law | 7 EC    |
| g. Judicial Protection in the EU        | 7 EC    |
| h. European Law Moot Court Competition  | 7 EC or |

International Moot Court Competition 7 EC

*Optional subjects :*

- i. European Employment Law 7 EC
- j. European Internal Market Law 7 EC
- k. International Arbitration 7 EC
- l. International Individual Criminal Responsibility 7 EC
- m. Comparative Constitutional law 7 EC
- n. Key concepts in the philosophy of Law 7 EC
- o. Law and Society 7 EC

At a maximum of 21 EC, based on the examination board's permission: subjects, appropriate for the specialisation, which have been successfully completed at a university (abroad) with which the faculty has a collaborative agreement

Master's thesis 18 EC

**3. Business Law Specialisation**

*Compulsory subjects (1):*

- a. Advanced Notions of Int. and European Law 6 EC 7 EC  
incl. workshop Writing Legal Papers 1 EC\*

*Elective compulsory subjects (1 or 2 ):*

- b. European Competition Law 7 EC
- c. European and Comparative Company Law 7 EC

*Optional subjects:*

- d. Principles of Finance and Secured Transactions 7 EC
- e. European Internal Market Law 7 EC
- f. European Commercial Law 7 EC
- g. European Financial Law 7 EC
- h. International Arbitration 7 EC
- i. International and Comparative Copyright law 7 EC
- j. European Employment Law 7 EC
- k. European Public Procurement Law 7 EC
- l. Private International Law 7 EC
- m. European Insolvency Law\*\* 7 EC
- n. European Competition Law 7 EC
- o. European Law Moot Court Competition or  
International Moot Court Competition 7 EC
- p. Work in the 21st century 7 EC

At a maximum of 21 EC, based on the examination board's permission: subjects, appropriate for the specialisation, which have been successfully completed at a university (abroad) with which the faculty has a collaborative agreement

Master's thesis 18 EC

**4. European Law and Global Affairs specialisation<sup>4</sup>**

- a. Advanced Notions of Int. and European Law 6 EC incl. workshop

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<sup>4</sup> This specialisation starts Sept. 1. 2017



Writing Legal Papers 1 EC*	7 EC
b. EU External Relations Law	7 EC
c. Public International Law Advanced	7 EC
d. Cooperation and conflict in the 21 <sup>st</sup> century	7 EC
e. Comparative Constitutional Law	7 EC
f. Changes in World Politics: the Rise of the BRIC Countries	7 EC
Master's thesis	18 EC

\* Both parts (6+1 EC) are assessed and have to be completed in a successful manner in order to be able to finish the Master's programme.

\*\*The course European Insolvency Law is accessible for students of the specialisations 1 (IELA) and 3 (Business Law). The course is accessible for the students of the academic years 2019-2020 and earlier.

## **Appendix Retention of Records Regulations, 2012**

*With regard to the Higher Education and Research Act [Wet op het Hoger Onderwijs en Wetenschappelijk Onderzoek, the Public Records Act [Archiefwet], the rules regarding the protection of personal data, and Article 25a (49a) of the Tuition and Examination Regulation [Onderwijs en Examenregeling: OER], the Faculty Board has adopted the following regulation.*

### **Article I:**

Personal data relevant to education shall not be retained for longer than is necessary to realise the purposes for which they are collected and processed.

The work products prepared by students during their education shall remain available for internal and external quality assurance, including visitation, accreditation and inspections.

### **Article II:**

The retention period is defined as the period commencing at the moment the document is offered to an examiner for assessment up to the moment when the document is destroyed.

A document is defined as every written or digital carrier of personal data that forms part of a student's assessment conducted by an examiner during the exercise of his/her teaching responsibilities.

### **Article III:**

The retention period for the documents named below shall be as follows.

For the Bachelor's courses:

- Written mid-term examinations shall be retained for a period of two years after the examination results have been finalised.
- Essays, Rota and other written work products shall be retained for a period of two years after the mark for the essay, Rota obligation or practical exercise has been finalised.
- The Bachelor's thesis shall be retained for a period of seven years after the Bachelor's title has been conferred.

For the Master's courses:

- Written mid-term examinations shall be retained for a period of two years after the examination results have been finalised.
- Papers, written copies of presentations, minor written papers, internship reports and other written work products shall be retained for a period of two years after the mark for the examination associated with the practical exercise has been finalised.
- The Master's dissertation shall be retained for a period of seven years after the Master's title has been conferred.

### **Article IV:**

The Faculty Board shall decide on any and all cases as are not covered by the present regulation.

### **Article V:**

The present regulation shall be referred to as the Retention of Records Regulations, 2012. The Retention Regulations adopted by the Faculty Board on 11 September 2002 are herewith rescinded.

## **Appendix Radboud University House rules regarding Exams.**

Please refer to the rules on the website:

<https://www.ru.nl/currentstudents/during-your-studies/regulations/exam-regulations/>

These rules were adopted by the Executive Board of Radboud University, followed by the adoption on October 14, 2020 by the dean of the Faculty of Law.