



FACULTY OF LAW EXAMINATIONS REGULATIONS (Rules and Guidelines of the Faculty of Law Examinations Board) 2016 – 2017 (adapted version, 8 September 2016)

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1. General

Article 1.1 – Applicability of the Regulations

These Regulations apply to all examination components as part of the Bachelor's and Master's programmes at the Faculty of Law (FdR) at the University of Amsterdam (hereinafter: the programmes).

Article 1.2 – General

The definitions of terms given in the Teaching and Examination Regulations (OER) for the relevant programme shall also apply to these Regulations. The other terms have the meanings ascribed to them by law.

2. The Examinations Board

Article 2.1 – Examinations Board Members

The Examinations Board shall consist at least of a chairperson and two members, of which one is an external member. The chairperson shall be charged with running the day-to-day affairs of the Examinations Board.

Article 2.2 – Duties of the Examinations Board

The duties of the Examinations Board are determined by law, and include:

- making objective and expert determinations of whether students have fulfilled the criteria laid down in the Teaching and Examination Regulations in respect of the knowledge, insight and skills needed to obtain a degree;
- safeguarding the quality of end-of-term and final examinations and soliciting support to do so from the Assessment Committee;
- laying down guidelines and instructions for the assessment and marking of end-of-term and final examinations in line with the Teaching and Examination Regulations (OER);

- granting exemptions from taking one or more examinations;
- implementing measures in the event of fraud;
- appointing examiners to administer end-of-term examinations and to determine the results;
- issuing diplomas (together with the diploma supplement), as proof that students have successfully completed the final exam;
- granting students permission to follow a tailored curriculum with a final exam leading to the award of a degree;
- issuing statements listing all successfully completed end-of-term examinations to students who have passed more than one end-of-term exam but do not qualify for a diploma; and
- drawing up an annual report of its activities.

Article 2.3 – Examinations Board Procedures

1. As a rule, the Examinations board shall meet at least four times per academic year, or whenever the chairperson deems it necessary. These meetings are closed to the public.
2. The dean may appoint an official secretary to the Examinations Board.
3. In the event of a request or complaint involving a member of the Examinations Board, the matter will be discussed in that member's absence.
4. The Examinations Board shall only handle requests or complaints that are submitted with a cover letter substantiating the request or describing the complaint.
5. The Examinations Board shall issue a decision within six weeks of having received the petition.

Article 2.4 – Assessment Committee

1. The Examinations Board has an Assessment Committee.
2. It is the task of the Assessment Committee to evaluate the assessments administered by the faculty. The coordinator of the module whose assessments are being evaluated must provide the Assessment Committee with the assessment file and all other information necessary for the evaluation. The evaluation will be discussed with the examiner prior to being officially adopted by the Assessment Committee.
3. The Assessment Committee reports to the Examinations Board, which shall evaluate the reports issued and notify the chairperson of the department that organises the module of the results, along with any improvement recommendations (as necessary).
4. The Assessment Committee shall consist of at least three members, including an assessment expert. The chairperson of the Assessment Committee shall be a member of the Examinations Board.

3. Examiners

Article 3.1 – Appointment of Examiners

1. The Examinations Board appoints examiners to administer examinations and determine the results.
2. The Examinations Board may appoint experts external to the institution as examiners.
3. The Examinations Board may appoint an examiner from within or external to the faculty to replace an examiner already appointed, if:
 - a. the appointed examiner(s) is/are reluctant to act as such;

- b. the relationship between the examiner(s) and the student has deteriorated to such an extent that the student can no longer reasonably be expected to complete the exam in the presence of the examiner(s);
 - c. other significant compelling circumstances dictate as such.
4. If the examiner refuses to carry out a decision by the Examination Appeals Board stipulating the review of an examination result, or if the examiner does not deem him/herself able to carry out the decision, the Examinations Board may decide to appoint another examiner (from within or outside the faculty) to carry out the decision.

Article 3.2 – Provision of Information

Examiners shall provide the Examinations Board with information upon request.

4. Examinations

Article 4.1 – Exam dates and times

1. Written examinations shall be administered on dates and at times set upon commencement of the relevant course of study, and announced via the UvA timetable website.
2. Oral or individual written end-of-term examinations shall be administered at a time determined by the examiner(s), if possible in consultation with the student.
3. When setting examination dates and times, conflicts will be avoided among compulsory subjects for students with a normal study load.

Article 4.2 – Quality Assurance

1. The Examinations Board monitors the quality of end-of-term and final examinations.
2. In its examination quality control activities, the Examinations Board shall keep to the 'Assessment Policy Framework' (*Kader Toetsbeleid*) as published on the UvA website.
3. Correct assessment (i.e. the accurate evaluation of a student's knowledge, understanding and skills) must be safeguarded by examiners at all times and under all circumstances.

Article 4.3 – Maintaining order during end-of-term examinations

1. Examiners are responsible for appointing invigilators for written end-of-term examinations, who must ensure that the exam is administered according to the regulations established by the examiner.
2. Persons who are not examiners may be appointed as invigilators provided that at least one examiner is either present at the exam location or is contactable by telephone.
3. At the examiner's request, students are obliged to present valid proof of enrolment (student ID card) including a representative photograph **and** a valid driver's licence, passport or other document allowing verification of the student's identity.
4. If a student cannot produce valid proof of ID, or if the invigilator has doubts regarding the student's identity, the invigilator must witness the student signing beside his/her name on the list of examinees or other document designated for this purpose. As soon as possible after the examination, the student must present valid proof of ID to the examiner or to another person designated by him/her. The student's exam will not be assessed until his/her identity has been verified.
5. Students must bring the following items with them: a blue or black pen, a pencil (HB), and an eraser.

6. When taking their seat in the examinations hall, all students must follow the instructions issued by the invigilator.
7. Students who fail to follow all instructions published by the Examinations Board and/or examiner or invigilator prior to commencement of the examination, as well as any instructions issued during or immediately following the relevant examination component, risk having their examination declared invalid.
8. Students must be present at the start of the examination. Examiners may decide to admit latecomers up to 30 minutes after the start of the examination. Latecomers are not permitted to continue to work on the examination once the examination has officially ended.
9. Students may not leave the examination venue during the first 30 minutes of the exam.
10. Students who have registered for an exam and are present in the examination venue once the examination has commenced shall always be awarded a grade.
11. Once any examinee has left the room, no more latecomers will be admitted to the exam.
12. Students wishing to use the toilet must follow the invigilators' instructions.
13. While taking an exam, students are prohibited from having any materials with them that are not permitted by the examiner(s).
14. In law books and case law books, only the following are permitted:
 - references to sections of laws;
 - markings and underlining;
 - tabs, either blank or stating the name of the law.These elements may be checked prior to or during the exam.
15. Students who have a mobile telephone or other electronic equipment with them during the exam are liable under Article 5 of these regulations concerning fraud and plagiarism.
16. If any special circumstances arise prior to, during or after the examination, the invigilators shall draw up a report describing the circumstances.
17. Invigilators' conduct must not unduly disturb students during the examination.

Article 4.4 – Oral examinations

1. Oral examinations will be conducted in the presence of a second lecturer, unless prescribed otherwise by the Examinations Board.
2. Oral examinations will only be administered to one student at a time, unless the examiner and the student agree otherwise.
3. Once the examination has commenced, the student must be awarded a grade.
4. A report of the examination will be drawn up.
5. Cancellation for an oral exam must be submitted to the examiner in writing or by e-mail at least two working days prior to the scheduled examination date, and a copy sent to the supporting secretarial service. If a student fails to cancel on time, he/she will be deemed to have taken part in the exam and will be awarded a grade of '1'.
6. Students who fail to attend an oral exam administered as an examination opportunity under the 'last-component' conditions in Article 3.3 of the programme OERs, and who fail to cancel on time, shall not be permitted to take the examinations for that component again for a period of at least six months.

Article 4.5 – Failure to attend oral skills assessments or practicals/practice courts

1. Cancellation for an oral skills exam must be submitted to the examiner in writing or by e-mail at least two working days prior to the scheduled examination date, and a copy sent to the supporting secretarial service. If a student fails to cancel on time, he/she will be

deemed to have taken part in the oral skills exam and will be awarded a grade of '1' or 'unsatisfactory' (NAV). Students will also be banned from retaking the oral skills exam at the next available opportunity to do so.

2. Cancellation for practicals and/or practice courts must be submitted to the examiner in writing or by e-mail at least two working days prior to the scheduled practical or court session date, and a copy sent to the supporting secretarial service. Students who fail to attend the practical or practice court session and who do not cancel on time will be excluded from taking further classes or examinations in the relevant module.
3. Students who fail to attend an exam or practical as described in paragraphs 1 and 2 above that are administered as an examination opportunity under the 'last-component' conditions in Article 3.3 of the Bachelor's and Master's OERs, and who fail to cancel on time, shall not be permitted to sit the examinations or take part in the practical for that component again for a period of at least six months.

Article 4.6 – Assessment

1. 'Examination' is taken to mean any examination per programme course component of the knowledge, insight and skills of the student, which results in a satisfactory approval.
2. Written end-of-term examinations are assessed on the basis of standards that are determined and recorded in advance, which may be adjusted pursuant to the correction if necessary.
3. In the event that more than one examiner is involved in the assessment of an end-of-term exam, the Examinations Board will ensure that all examiners use the same standards for the assessment, and will appoint an examiner with ultimate responsibility if necessary.
4. The assessment method must be such that students can understand how their end-of-term result was determined.
5. Marks above 6.0 may be issued in 0.5 increments. Marks shall be rounded as follows:
 1. No half-marks will be issued under 6.0:
n.00 up to n.49 = n.0
n.50 up to n.99 = n + 1.0
 2. Half-marks, 6 and up:
n.00 up to n.24 = n.0
n.25 up to n.74 = n.5
n.75 up to n.99 = n + 1.0
 3. Whole marks, 6 and up:
n.00 up to n.49 = n.0
n.50 up to n.99 = n + 1.0
6. For practical assignments involving contributions by multiple students, the Examinations Board will apply the following guidelines:
 - a. Agreements regarding the distribution of tasks to be performed by the students will be set out in writing by the examiner(s) prior to their commencement, such that the work of individual students can be identified; and
 - b. Students will be assessed individually based on their own work.
7. Assessment of bachelor's theses will take place in accordance with the provisions in the Bachelor's thesis handbook.
8. Assessment of Master's theses will take place in accordance with the provisions in the Master's thesis handbook.
9. Examinations may be retaken. The most recent result shall always apply.

Article 4.7 – Bonus regulations

1. Formative assessments which are difficult or impossible to check for fraud may not be awarded a bonus mark that contributes to determining the final course mark.
2. The bonus variant 'exemption from a test component' is only permissible if whatever was achieved and the test component relate to the same educational objective and the same cognitive level.
3. Any bonus mark awarded as part of a course may only lead to the final course mark being raised if the student in question has received a pass for the summative assessment, which is a mark of at least 5.5.
4. A bonus mark may only be awarded for achievements related to the course content.
5. Transitional arrangement: bonus schemes published or communicated to students by examiners before these regulations take effect, will continue to apply.

Article 4.8 – Group assessment

1. Group assessment is only allowed if this is in keeping with the educational objectives of the course component.
2. The final mark for a course component must be based for at least 55% on an individual test.
3. A course component may only be awarded a pass if the individual test received a pass.
4. If group assessment is used, individual student performance must be demonstrable.
5. Peer ranking, assessment by students, may only be used in an advisory sense or for rounding off a final mark.
6. Transitional arrangement: group assessment schemes published or communicated to students by examiners before these regulations take effect, will continue to apply.

5. Fraud and plagiarism

Article 5.1 – Definitions

1. Fraud and plagiarism are defined as any act or omission on the part of the student which makes an accurate assessment of his/her knowledge, insight and skills partially or wholly impossible.
2. Fraud is taken to include in any event:
 - a. being in possession during an examination of any aids (pre-programmed calculator, mobile telephone, books, outlines, notes, etc.) of which the use is not expressly permitted;
 - b. attempting during an examination to read what another candidate is writing, or exchanging information inside or outside the examination room;
 - c. assuming the identity of another person during an examination;
 - d. allowing someone else to assume one's identity during an examination;
 - e. obtaining possession of the questions in the examination paper prior to the scheduled date or time of the examination concerned;
 - f. fabricating and/or falsifying survey or interview answers or research data.
3. Plagiarism is taken to include in any event:
 - a. making use of or reproducing another person's texts, data or ideas without complete and correct source references;
 - b. presenting the structure or central body of ideas taken from third-party sources as

- one's own work or ideas, even if a reference to other authors is included;
- c. failing to clearly indicate in the text – for instance by means of quotation marks or a particular layout – that literal or near-literal quotations have been included in the work, even if a correct reference to the sources has been included;
 - d. paraphrasing the contents of another person's texts without sufficient reference to the sources;
 - e. reproducing another person's audio, visual or test materials, software or program codes without reference to the sources, and in doing so passing these off as one's own work;
 - f. submitting a text that has previously been submitted, or is similar to a text that has previously been submitted, in the context of assignments for other courses;
 - g. reproducing the work of fellow students and passing it off as one's own;
 - h. submitting papers obtained from a commercial agency or written (whether or not for payment) by another person.
4. 'Examinations Board' is taken to mean the Examinations Board of the degree programme responsible for the course concerned.
 5. 'Examination' is taken to mean any examination per course component of the knowledge, insight and skills of the student, which results in an assessment.

Article 5.2 – Complicity

1. Sanctions may be imposed on both the perpetrator and the co-perpetrator of fraud and plagiarism.
2. If the work of a fellow student is reproduced with the consent and/or cooperation of the fellow student, the latter is a co-perpetrator of plagiarism.
3. If one of the authors of a joint essay commits plagiarism, the other authors are co-perpetrators of plagiarism if they could have known or should have known that the other author committed plagiarism.

Article 5.3 – Detection of plagiarism

Electronic detection software may be used to detect plagiarism in texts. In submitting a text, a student implicitly consents to the text being entered in the database of such a detection program.

Article 5.4 – Procedure

1. If a case of fraud and/or plagiarism is detected, the examiner shall immediately inform the student and, at the same time, notify the Examinations Board in writing, with submission of the texts and findings.
2. The Examinations Board shall give the student the opportunity to be heard within a period of two weeks.
3. The Examinations Board shall determine whether fraud or plagiarism has been committed and shall notify the student in writing of its decision and sanctions in accordance with Article 4 in conjunction with Article 5 within a period of four weeks, stating the possibility of appeal with the Examinations Appeals Board.
4. If plagiarism is detected or suspected in a specific essay, the Examinations Board may decide to investigate essays previously submitted by the same student(s) for plagiarism. The student is obliged to cooperate with any such investigation and may be required to provide digital

versions of previous papers.

5. Sanctions imposed shall be recorded in the student's records.

Article 5.5 – Sanction

The Examinations Board will determine any sanction.

6. *Cum laude* (distinction)

Article 6.1 – Cum Laude (Bachelor's)

1. A Bachelor's exam will be awarded with a '*cum laude*' distinction if the weighted average of all marks is equal to 8.00 or higher, and no mark under 7.00 was issued for any component. This calculation will disregard the results of any components that are not expressed in figures.
2. Exemptions will not be considered when awarding the '*cum laude*' distinction, and the distinction will not be awarded if the student's study programme includes more than 42 ECTS' worth of exemptions.
3. Each examination component may only have been taken once.
4. The duration of the study programme may last no longer than 'nominal plus one year'.
5. The Bachelor's thesis must have received a mark of 8.00 or more.
6. The calculation as described in paragraph 1 above shall only include the components of the examination programme.
7. These Regulations pertain to enrolments in new/existing programmes as of 1 September 2015. The 2014-2015 Examinations Regulations shall apply to enrolments prior to 1 September 2015.

Article 6.2 – Cum Laude (Master's)

1. A Bachelor's exam will be awarded with a '*cum laude*' distinction if the weighted average of all marks is equal to 8.00 or higher, and no mark under 7.00 was issued for any component. This calculation will disregard components whose results are not expressed in figures, on the understanding that the combined study load of the components included in the calculation must total 48 ECTS or more.
2. Exemptions will not be considered when awarding the '*cum laude*' distinction, and the distinction will not be awarded if the student's study programme includes more than 12 ECTS' worth of exemptions.
3. Examinations may only have been taken once.
4. The duration of the study programme may last no longer than 'nominal plus one year'.
5. The Master's thesis must have received a mark of 8.00 or more.
6. The calculation as described in paragraph 1 above shall only include the components of the examination programme.
7. These Regulations pertain to enrolments in new/existing programmes as of 1 September 2015. The 2014-2015 Examinations Regulations shall apply to enrolments prior to 1 September 2015.

7. Exemptions

Article 7 – Exemptions

1. Requests to be exempt from taking examinations must be submitted to the Examinations Board no later than 8 weeks prior to commencement of teaching in the relevant component, using the designated form on the faculty website.
2. Requests must be accompanied by certified proof that the component has been completed elsewhere, including a description thereof from the course guide from the year in which the component was completed. The Examinations Board may request additional information.

8. Retention periods

Article 8 – Retention Periods

1. Exam questions and student answers, including essays and other written materials for which any mark (or partial mark) was awarded and the reports of completed oral examinations, will be kept in storage for at least two years following finalisation of the exam results.
2. Bachelor's theses/final assignments and Master's theses will be stored for at least seven years.
3. Lists of marks and diploma supplements will be stored indefinitely.

9. Annual report

Article 9 – Annual Report

By 1 November each year, the Examinations Board shall draw up a report outlining its activities from the previous academic year, and submit the report to the dean. The annual report is a public document.

10. Hardship clause

Article 10 – Hardship clause

In cases where the provisions of these Regulations have an unreasonable and unfair effect on a student, the Examinations Board may make an exception thereto.

11. Appeals procedure

Article 11 – Appeals Procedure

If a student does not agree with a decision by an examiner or the Examinations Board, he/she has six weeks in which to submit an appeal against the decision to the Examination Appeals Board. The procedure for doing so can be found on the UvA website.



12. Amendments and effective date

Any amendments to these Regulations during the current academic year may only be effected if the interests of students will not be unfairly compromised as a result.

These Regulations shall take effect on 1 September 2016.

Adopted by the Examinations Board for Bachelor's and Master's programmes at the Faculty of Law, University of Amsterdam on 29 August 2016.