

Article 1

1. These Guidelines and Rules apply to the degree programmes of the Faculty of Law.
2. The guidelines for writing an essay can be consulted on the website.

Article 2

The provisions in the university Format Regulations on Fraud¹, Format Regulations House Rules Examination Rooms², apply to the degree programmes of the Faculty of Law.

In addition to the abovementioned regulations, these Guidelines and Rules contain further provisions relating to the course of events during interim and final examinations.

Article 3

In addition to the Format Regulations on Fraud, the following applies to the Faculty of Law with regard to Article 3 paragraph 2b:

- b. fraud when writing theses or other papers, including
 - iv. failure to clearly indicate in the text of theses and other papers, by using quotation marks for example, that text has been copied from someone else, even if a reference to the original publication is included;
 - v. incorporating a literal translation of text written by someone else.

Article 4

In addition to the Format Regulations on Fraud, the following applies to the Faculty of Law with regard to Article 3 paragraph 2c:

- c. other fraud during examination, including
 - iv. attendance fraud in educational meetings through fraud with attendance lists;
 - v. reluctance in providing proof of identification.

Article 5

1. The Examination Board will supervise the scheduling of place and time of examinations and the timely announcement of those details.
2. The Examination Board will determine the times for registering and deregistering for examinations (also for examinations with additional provisions).
3. After enrolling in the education programme, students are in principle automatically registered for the first examination. They must register themselves for any resits.
4. Students must ensure that they have registered for the relevant examination before the deadline of the registration period which is 11:59 p.m. on the day prior to a period of five working days before the date of the examination. Students who are not registered for the relevant examination before the deadline of the registration period will not be permitted to participate in the examination.
5. The student is expected to be aware of the workgroup requirements (“werkgroepverplichting”), as described in article 8a TER (35a OER), and the associated sanctions, including (possible) exclusion from examinations and resits. Students are expected to take note of the additional regulations regarding course and examination registration as outlined in the student portal.
6. The Examination Board will supervise the invigilation of written examinations.

Article 6

The student who is not able to participate in one or more examinations must inform the testing organisation as soon as possible, but at the very latest on the day and before the scheduled start time of the examination. It is possible to deregister through Osiris until five days before the examination. The testing organisation must be contacted directly within the five-day period. Registered candidates who did not submit a notification and are absent from an examination will receive an ND (“*niet deelgenomen*” - did not participate) result.

¹See Appendix 2 of these Guidelines and Rules

²See Appendix 3 of these Guidelines and Rules

Article 7

In addition to the Format Regulations House Rules Examination Rooms, the following applies to the Faculty of Law with regard to Article 10:

3. The use of law and treaty texts is permitted, as is the use of tabs — meaning tabs to which the publisher or student have added the name of a legal text. Noting the numbers of legal articles, treaty provisions, and the names of court rulings, including underlining and highlighting, is permitted. Any other notes are considered fraud. Any underlining or highlighting that appears to be a code is considered fraud as well.
4. The use of the prescribed case law collection (“jurisprudentiebundel”) of the relevant course is permitted for examinations, unless otherwise determined by the examiner at the start of the relevant course. Tabs may be added to the prescribed case law collection. The case law collection, as well as the use of tabs, are subject to the fraud rules set forth in paragraph 3 of this provision.

Article 8

Resitting a successfully completed examination is permitted under the following conditions:

- only courses in the Master’s phase are eligible for resits;
- only one successfully completed examination may be resat;
- the more recent result will count, even if it is lower;
- the resit is only possible if a distinction is at stake, if it pertains to a final course for which the result is important for admission to a future course, or if the student has another demonstrably important reason;
- a statement from the Examination Board and a grade list must be submitted;
- the lecturer of the course for which the student desires to resit a successfully completed examination will conduct the final assessment.

Article 9

In determining the distinction for the Bachelor’s examination, the provisions relating to the distinction as included in the Rules and Guidelines from the Examination Board 2013-2014 apply to all students who started the Bachelor’s programme before 1 September 2015. In determining the distinction for the Bachelor’s examination for all students who started the Bachelor’s programme after 1 September 2015, the applicable regulations relating to conferring a distinction are included in the Education and Examination Regulations of the academic year in which they started their Bachelor’s programme. In determining the distinction for Master’s examinations, the provisions relating to the distinction as included in the Rules and Guidelines from the Examination Board 2013-2014 apply to all students who successfully completed their first Master’s course before 1 September 2015 and who were enrolled in a Master’s programme for the first time before 1 September 2016. In determining the distinction for the Master’s examination for all other students, the applicable regulations relating to conferring a distinction are included in the Education and Examination Regulations (EER). For students who successfully completed their first Master’s course after 1 September 2015 and who were first enrolled in a Master’s programme before 1 September 2015, the provisions of the EER of the 2015-2016 academic year apply. In the other cases where the EER regulations apply, the provisions of the EER of the academic year of first registration in a Master’s programme apply.

Article 10

In special cases (personal circumstances beyond one’s control) and only after a decision by the Examination Board may the students participate in an additional examination.

Article 11

These regulations, which can be referenced as “Regels en Richtlijnen van de Examencommissie” (Guidelines and Rules from the Examination Board), enter into force on 1 September 2023.

Appendix 1: Guideline for invigilation during written examinations as referred to in Article 5 paragraph 6 in the Guidelines and Rules from the Examination Board

1. The responsible division will ensure that the exam papers are delivered to the examination location in a timely fashion. For an examination that is taken on paper, the lecturer must be present at least 30 minutes before the start of the examination. For examinations that are taken digitally, the lecturer must be present at the examination location or must be available on call.
2. A student who is not registered for the examination, is not permitted to participate.
3. The invigilators will indicate the seats for one or more candidates.
4. Prior to the examination, the invigilators will indicate which reference works are permitted. The presence of unauthorized reference works is considered fraud, even if they are not used. The reference works present may be checked by either the lecturer or the invigilator.
5. Students must be able to identify themselves with a valid form of ID. A Radboud University student card is not sufficient. If the student cannot provide proof of identity, then they will not be permitted to enter the examination space.
6. Candidates are not permitted to leave the examination room for the first half hour after the start of the examination. Candidates are permitted to enter the examination room until no later than 15 minutes after the start of the examination.
7. Students are responsible for ensuring that an examination taken digitally is submitted correctly. An examination taken on paper must be submitted to the invigilator present.
8. When students hand in their examination work taken on paper, they will be given a proof of receipt signed by one of the invigilators. In doing so, the invigilators must verify the identity of the participants. If satisfactory proof of identification is lacking, a note will be left on the examination work. For examinations taken digitally, participation in the examination is confirmed by the invigilator and displayed on a participation list.
9. Invigilators will report the following to the examiners
 - a. any disciplinary measures taken;
 - b. facts and circumstances that made them suspect irregularities or fraud;
 - c. refusal to submit articles of evidence after a request by the invigilator;
 - d. verified unsuitable or insufficient proof of identification, and reluctance to provide proof of identity.

Appendix 2: Format Regulations on Fraud

Appendix 3: Format Regulations House Rules Examination Rooms

Appendix 2: Format Regulations on Fraud

Paragraph 1. Introductory provisions

Article 1. Purpose and scope of these regulations

To prevent fraud during examinations and bachelor/master examinations, as referred to in article 7.12b WHW, relating to the education and examination in the bachelor and master Law degree programmes of Radboud University (hereinafter: RU), the dean of the faculty of Law adopts the following regulations.

Article 2. Definitions

The terms that are used in these regulations – in so far as these terms are also used in the Higher Education and Research Act (*Wet op het Hoger onderwijs en Wetenschappelijk onderzoek* (hereinafter: the Act)) or the Education and Examination Regulations of the degree programme (hereinafter: the EER) – have the same meaning that is given to these terms in the Act and the EER.

Paragraph 2. Definition fraud, procedure and sanctions

Article 3. Definition of fraud

1. At Radboud Universiteit, fraud is understood to mean any act or omission by a student which, in its nature, is intended to have as an effect that proper assessment of the knowledge, understanding and skills of that student, or another student, is made fully or partially impossible.
2. Fraud is in any case understood to mean:
 - a) fraud when sitting written examinations, including
 - i. having materials available which are not permitted under the House Rules Examinations Rooms RU Regulations (*Regeling Huisregels Tentamenruimten RU*);
 - ii. copying or exchanging information;
 - iii. passing oneself off as someone else, or being represented by someone else during examinations or bachelor/master examinations;
 - b) fraud when producing theses and other papers, including
 - i. plagiarism in the sense of using or copying someone else's texts, data or ideas without complete and correct source references, plagiarism in the sense of copying the work of another student and presenting this as one's own work and other specifically academic forms of plagiarism;
 - ii. fabricating (making up) and/or falsifying (distorting) research data;
 - iii. submitting a thesis or any other paper that was written by someone else.
 - c) other fraud in the context of examinations or bachelor/master examinations, including
 - i. taking possession of assignments, answer keys and the like, prior to the time the examination or bachelor/master examination is to take place;
 - ii. changing answers to assignments in an examination or a bachelor/master examination after it has been handed in for assessment;
 - iii. providing incorrect information when applying for an exemption, extension of validity period, and the like, of an examination or a bachelor/master examination.
3. For the purpose of these regulations, an attempt to commit fraud will also be seen as fraud.

Article 4. Procedure establishing fraud

1. When fraud is suspected, the board of examiners or the examiner immediately informs the student of this suspicion. If the suspicion of fraud is established when the examination is administered, the board of examiners or the examiner will allow the student to complete the examination.
2. The board of examiners or the examiner may order the student to make any material related to the suspicion of fraud available to them.
3. For the purposes of the provisions in paragraphs 1 and 2 of the present article, examiner is also understood to mean the invigilator or any other RU member of staff.

4. The board of examiners or the examiner drafts a report of the suspicion of fraud. The report drafted by the examiner will be sent to the board of examiners without delay.
5. The board of examiners makes the report referred to in paragraph 4 available to the student without delay and then starts an investigation into the matter. The board of examiners provides the student with the opportunity to respond to the report in writing. The board of examiners hears both the examiner and the student.
6. Within four weeks following the date the report was made available to the student, the board of examiners decides whether fraud was actually committed. The board of examiners informs both the student and the examiner of their decision in writing. The four-week period may be extended by two weeks.

Article 5. Remedial action

If the board of examiners has established fraud:

- a) the board of examiners declares the relevant examination invalid, and
- b) the board of examiners includes a statement in the student's student file that it has established fraud and, if applicable, which sanctions have been imposed.

Article 6. Sanctions

1. If the board of examiners has established that fraud has been committed, the board of examiners may:
 - a) determine that the student may not sit one or more examinations during a period to be set by the board of examiners, which period amounts to a maximum of one year;
 - b) determine that no distinction will be awarded on the degree certificate;
 - c) make a recommendation to the Dean of the Honours Academy that the student should not be admitted to the honours programme of the university or the faculty or recommend that the student's participation in the honours programme of the university or the faculty should be ended.

If the board of examiners has established that *serious* fraud has been committed, the board of examiners may also

- d) make a recommendation to the executive board that the student's registration for a degree programme should be terminated with definitive effect.
2. After the board of examiners has established that serious fraud has been committed, the executive board – upon the board of examiners' recommendation – may terminate the student's registration for a programme with definitive effect.
3. The sanctions referred to in this article are imposed as from the day following the date the student is notified of the decision that sanctions are imposed.

Paragraph 3. Transitional provisions

[no transitory regulations]

Paragraph 4. Final provisions

Article 8. Decisions and legal protection

1. Decisions pursuant to these regulations may be sent to the student digitally and/or by email.
2. The student can appeal against any decision made under these regulations, within six weeks following the date on the relevant decision, by lodging a notice of appeal at the Examinations Appeals Board (*College voor Beroep van de Examens (CBE)*).

Article 9. Adoption and amendment

1. These regulations are adopted by the dean.
2. In so far as the content of these regulations relates to the duties and powers of the degree programme's board of examiners, the content must also be confirmed by that board of examiners.

Article 9. Effect

These regulations take effect on 1 September 2022. These regulations will then replace any previous regulations.

Article 10. Publication

1. The dean ensures the appropriate publication and possible amendments of these regulations.
2. For the purpose of proper and clear provision of information to students and prospect students, the dean includes these regulations as an appendix to the Education and Examination Regulations (*Onderwijs- en Examenreglement (OER)*). Accordingly, the board of examiners includes these regulations accordingly as an appendix to the rules and guidelines of the degree programme to be laid down by that board.

Thus adopted by the dean on 1 September 2022 and ratified by the board of examiners on 5 September 2022.

Appendix 3: Format Regulations House Rules Examination Rooms

Paragraph 1. Introductory provisions

Article 1. Purpose of the regulations

For the proper course of events during examinations and bachelor/master examinations relating to the education and the examination of the bachelor and master Law degree programmes that are administered in examination rooms at Radboud University (hereinafter: RU), the dean of the Faculty of Law of RU adopts the following regulations.

Article 2. Definitions

The terms that are used in these regulations – in so far as these terms are also used in the Higher Education and Research Act (*Wet op het Hoger onderwijs en Wetenschappelijk onderzoek* (hereinafter: the Act)) or the Education and Examination Regulations of the degree programme (hereinafter: the EER) – have the same meaning that is given to these terms in the Act and the EER.

Article 3. Examiners and invigilators

1. For the administration of examinations the Examination Board of the Faculty of Law has appointed one or more examiners.
2. The examiners appointed as referred to in paragraph 1 are responsible for the supervision and execution of the provisions in these regulations. On behalf of the examiner(s) appointed, one or more invigilators may be present in the examination rooms, assigned by or on behalf of the executive board.
3. When invigilators have been assigned, at least one appointed examiner is also present in the examination room or, as appropriate, available on call.

Article 4. Instructions by the executive board

1. These regulations include instructions in the sense of article 7.57h of the Act. In view of the executive board's mandating decision dated 15 May 2019, the dean is authorised to adopt these instructions on behalf of the executive board. The student is obliged to comply with the instructions laid down in these regulations.
2. A student who fails to comply with any instructions under these regulations may be denied access to the examination room by or on behalf of the examiner. Non-compliance with the instructions may also lead to a suspicion of fraud in the sense of the Regulations on Fraud (*Regeling Fraude*).

Article 5. Guidelines for examiners

These regulations include instructions in the sense of article 7.12b of the Act. The examiner is obliged to comply with the instructions laid down in these regulations.

Article 6. Instructions by examiners for students

1. The examiner may give instructions, in the context of the instructions described in these regulations, to a student in the RU examination room if a concrete situation should be cause for this. The student is obliged to comply with these instructions.
2. The student who fails to comply with the instructions referred to in paragraph 1 may be denied access to the examination room by or on behalf of the examiner. Non-compliance with the instructions may also lead to a suspicion of fraud in the sense of the Regulations on Fraud (*Regeling Fraude*).

Paragraph 2. House Rules

Article 7. Admission to the examination room and leaving it

1. With respect to entering and leaving the examination rooms, the following applies:
 - a. the examination room is accessible for the student at least 15 minutes before the examination starts;
 - b. except in the circumstances described in paragraphs c and d, the student is no longer admitted into the examination room after the examination has started;
 - c. the student who arrives too late at the examination room is given the opportunity, 15 minutes following the start of the examination, to be as yet admitted into the examination room;
 - d. the student is permitted to use the toilet during the examination;
 - e. the student is not allowed to leave the examination room within the first 30 minutes following the start of the examination.
2. In special circumstances the examiner may act contrary to the provisions in paragraph 1. If the provisions in paragraph 1 are departed from, the student will be informed of this in due time.

Article 8. Student ID

1. In the examination room the student must be able to furnish proof of identity, at any time, by producing a valid identity document.
2. The student who cannot furnish proof of identity as laid down in the first paragraph of the present article will not be admitted into the examination room or can as yet be denied access to that room.

Article 9. Start and duration of the examination

The examiner starts the examination at the time scheduled. If the examination starts at a later moment in time because of relevant circumstances, the examiner ensures that the scheduled duration of the examination can be fully used by the student.

Article 10. Materials permitted in examinations

1. When taking the examination, the student is not allowed to have materials available that serve or could serve as auxiliary materials for the examination paper, unless the use of that material has been explicitly permitted by the examiner before the start of the examination.
2. Materials for the purpose of these regulations include, amongst other things: textbooks and dictionaries, notes and lecture notes, and watches, laptops, tablets, telephones and other smart devices and/or wearables.

Article 11. Handing in examination papers

1. When the examination ends, the student is obliged to hand in the examination paper.
2. The student may also be required to hand in other examination materials, such as examination question papers and/or note paper used during the examination.

Article 12. Peace and order, furniture and fixtures in the examination room

1. Coats, satchels, bags, etc. must be put away in compliance with the examiner's instructions.
2. In order to prevent interference with the WIFI signal, any devices that are present in the examination room, such as watches, laptops, tablets, telephones and any other devices or smart devices and/or wearables, must be switched off in compliance with the examiner's instructions.
3. Without prejudice to the provisions in the previous paragraphs, the examiner ensures, both during and after completion of the examination, that any measures are taken as required for appropriate surveillance and for maintaining the necessary peace and order in the examination room.
4. Whenever an examination is administered, the examination room has at least one clock which is clearly visible for every student.
5. Eating and drinking is allowed during the examination, unless this should prevent appropriate surveillance and/or maintaining the necessary peace and order.

Paragraph 3. Transitional provisions

[no transitory regulations]

Paragraph 4. Final provisions

Article 13. Departure from rules and house rules

In special circumstances the examiner may depart from the provisions in these regulations.

Article 14. Adoption and amendment

3. These regulations are adopted and amended by the dean.
4. In so far as the content of these regulations relates to the duties and powers of the programme's board of examiners, the content must also be confirmed by that board of examiners.

Article 15. Effect

These regulations take effect on 1 September 2022. These regulations then replace any previous regulations.

Article 16. Publication

3. The dean ensures the appropriate publication of these regulations and any amendments of these regulations.
4. For the purpose of proper and clear provision of information to students and prospective students, the dean includes these regulations as an appendix to the Education and Examination Regulations (*Onderwijs- en Examenreglement (OER)*). The board of examiners includes these regulations accordingly as appendix to the rules and guidelines of the programme that are to be laid down by that board.

Thus adopted by the dean on 1 September 2022 and ratified by the board of examiners on 5 September 2022.