

**EDUCATION AND EXAMINATION REGULATIONS GOVERNING THE PRE-MASTER PROGRAMME LAW of the Faculty of Law, as referred to in Section 7.13 of the Dutch Higher Education and Research Act, for the academic year 2023-2024, approved and adopted by the Faculty Board of Maastricht University's Faculty of Law.**

**CHAPTER 1 – GENERAL PROVISIONS**

**Article 1: Applicability of the regulations**

These regulations apply to the teaching and examinations in the pre-master programme Law provided by the Faculty of Law with effect from academic year 2023-2024.

**Article 2: Definitions**

The following definitions apply in these regulations:

- a) WHW: The Dutch Higher Education and Research Act (Wet op het hoger onderwijs en wetenschappelijk onderzoek);
- b) student: A person registered at Maastricht University in order to attend the programme and/or take examinations of the programme;
- c) assessment component: part of the assessment of a programme component
- d) assessment: set of assessment components of a programme component
- e) final examination: The pre-master Law is concluded with the pre-master's final examination. To pass the final examination, all the programme components must be completed with a satisfactory assessment/evaluation
- f) study load: the pre-master's programme has a study load of 60 credits; each credit represents a study load of 28 hours;
- g) Board of Examiners: the Board of Examiners referred to in Section 7.12 of the WHW;
- h) Board of Admissions: the assembly of programme coordinators of the distinguished masters under the chairmanship of the Director of Studies for the masters, as referred to in Article 2.8B paragraph 2 sub a of the Faculty Regulations.
- i) Director of studies: the responsible staff member, as stated in Article 7.12(1) WHW
- j) Examiner: the person designated by the Board of Examiners in accordance with Article 6.4 of the Faculty Regulations;
- k) Faculty: the organisational unit within Maastricht University where teaching and research are conducted;
- l) Education Office: the department within the Faculty that provides administrative and organisational support for the education process;
- m) EER: Education and Examination Regulations.
- n) Dean: the Dean, as stated in Article 1.1 of the Faculty Regulations;
- o) Faculty Board: the Faculty Board, as stated in Article 2.1 of the Faculty Regulations.

The other terms have the meaning assigned to them in the WHW.

**CHAPTER 2 – OBJECTIVE OF THE PRE-MASTER**

The premaster serves the following purposes:

1.

The remediation within a reasonable period of time of a reasonable amount of deficiencies in the prior education as referred to in article 7.37e WHW in order to acquire

admissibility to the master European Law School, the master Globalisation and Law, the master International and European Tax Law, or the Forensics, Criminology and Law track in the master Forensica, Criminologie en Rechtspleging.

2.

To determine whether the student has sufficient academic ability to successfully complete a wo-master's degree. Where appropriate, the premaster may also serve to ensure that the student has been able to acquire specific prior knowledge at the wo-bachelor level.

## **CHAPTER 3 - ADMISSION**

### **Article 3: Requirements regarding prior education.**

A person is admissible to the programme if they hold:

1.

A hbo-degree or an academic bachelor's degree in terms of gaining admission to the master's European Law School, the master's Globalisation and Law, the master's Forensics, Criminology and Law (ENG track Forensica, Criminologie en Rechtspleging) or the master's International and European Tax Law.

2.

Where the preceding paragraphs refer to hbo- or wo-degrees they also refer to equivalent foreign diplomas.

### **Article 4: Language requirements**

Applicants who hold a non-Dutch diploma and meet the pre-education requirements of article 3, may only register for the programme if they have the required level of English. Applicants meet this requirement if they have completed:

- secondary education in an EU/EEA country where English was followed up to and including the final year;
- secondary education in a non-EU/EEA country where English is the national language and language of instruction in education;
- a bachelor's or master's programme of which the language of instruction is English;
- an International or European Baccalaureate, a US high school, or UK GCE A-levels;
- secondary education, or a bachelor's or master's programme where the language of instruction is not English, but the applicant is able to demonstrate sufficient proficiency in English, e.g., by English taught courses, (an) internship(s), or work experience in an English environment.

If an applicant does not meet one of the abovementioned requirements, the applicant will be recommended to submit proof of having passed one of the following language test certificates (or similar accredited certification):

- IELTS with a score of at least 6.0;
- TOEFL with a score of at least 550 (paper-based), or 80 (internet-based);
- TOEIC listening and reading (670) and speaking and writing (290);
- Cambridge [First Certificate in English (FCE) Grade B (scale 173-175), First Certificate in English (FCE) Grade C (scale 169-172)].

The application can be rejected or additional requirements can be set if there are reasonable doubts about English language proficiency.

## **CHAPTER 4 – COMPOSITION OF THE STUDY PROGRAMME**

### **Article 5: Format of the programme**

1.  
The programme is offered in a full-time setting.
2.  
The programme starts once a year in September.

### **Article 6: Language of instruction**

1.  
Education and examination is conducted in English.
2.  
Course materials may also be offered in a language other than English.
3.  
See Annex 1 for more information.

### **Article 7: Study load**

The premaster's programme has a study load of 60 credits; each credit represents a study load of 28 hours.

### **Article 8: Composition of the premaster Law**

1.  
The pre-master Law consists of a set of communal courses in period 1-4, followed by a set of courses to be taken in period 5-6 depending on the master's programme the student intends to pursue.
2.  
General courses, period 1-4:
  - Comparative Property Law (PRI3009), 6 ECTS
  - Concepts of Criminal Procedure (CRI3005), 6 ECTS
  - European Tort Law (PRI3015), 6 ECTS
  - European Union Law: Foundations (IER3006), 6 ECTS
  - European Union Law: Substantive Law (IER3003), 6 ECTS
  - Comparative Administrative Law (PUB2014) (not for students who want to pursue the master's International and European Tax Law), 6 ECTS
  - Legal Philosophy (MET3003), 6 ECTS
  - Bachelor essay, 12 ECTS
3.  
Set of courses to be taken in period 5 in terms of gaining admission to the master European Law School and the master Globalisation and Law:
  - European Company Law (PRI3007), 6 ECTS  
Set of courses to be taken in period 5 in terms of gaining admission to the master Forensics, Criminology and Law:
  - European Criminal Justice Area (LAW3012), 6 ECTS  
Set of courses to be taken in period 4-5 in terms of gaining admission to the master's International and European Tax Law:

- Concepts of Income and Business Taxation (TAX3009), 6 ECTS
- International and European Tax and Customs Law (TAX3013), 6 ECTS

Teaching takes place as conjoining teaching to the teaching of the Bachelor European Law School.

**Article 9: Further provisions regarding the final paper**

The study load corresponding to the final paper is 6 ECTS. The final paper is an individually assessed piece of work. The final paper has a size of at least 6000 words. If the number of 8500 words is exceeded, permission from the lecturer is required. The written paper is written in English. The student chooses a topic for the paper in consultation with the examiner, all in accordance with the Bachelor essay regulations (available via intranet). These regulations contain more detailed provisions on the procedure and submission dates for the Bachelor's essay in accordance with the relevant provisions in the Rules and Guidelines.

**Article 10: Final examination**

The pre-master's programme Law is concluded with the final examination. To pass the final examination, all programme components listed in article 8 must be completed with a satisfactory judgement.

**Article 11: Educational design/Teaching method**

1.  
Teaching is characterized as small-scale and intensive and may be organised in tutorial meetings, skills training, (online) lectures, knowledge clips, and/or individual guidance. The Faculty Board may permit other teaching methods.
2.  
To support the teaching referred to in paragraph 1, accompanying teaching in the form of lectures, online modules or otherwise may be offered in units of study.
3.  
There is no attendance requirement. The assessment of the programme components may be designed in such a way that attendance is actually required.

**CHAPTER 5 - ADMISSION TO COURSES AND ASSESSMENT**

**Article 12: Admission to education**

Students are entitled to participate in educational activities in accordance with the annual schedule with a regular study load for the period concerned as described in article 8.

**Article 13: Admission to assessment**

Students are entitled to participate in the assessment of the pre-master's programme in accordance with the assessment plan of the European Law School bachelor's programme.

## **CHAPTER 6 – ASSESSMENT**

### **Article 14: General provisions**

1.  
To assess whether a student has fulfilled the requirements of the programme component, the student is assessed on academic development and on achieving the learning outcomes of the programme component.
2.  
To operationalise the provisions in the previous paragraph, the assessment plan for the pre-master's programme is in accordance with the assessment plan for the bachelor's programme European Law School. The assessment plan is approved by the Director of Studies, after consultation with the Board of Examiners. The assessment plan is published on the website.
3.  
Changes in the assessment plan are made by the Director of Studies, after consultation with the Board of Examiners, in accordance with a specified procedure.
4.  
Courses of study mentioned in article 8 are offered once a year and assessments are held twice a year at times determined by the faculty. The student who fails to pass the regular assessment test will therefore have one re-sit opportunity during the resit period of the same academic year.

### **Article 15: Grades and qualifications**

1.  
Programme units are assessed with a whole grade on a 0 to 10 points scale.
2.  
The assessment of a programme component is considered satisfactory with a final grade of '6' or higher.
3.  
Notwithstanding the provisions of paragraph 1, programme components can also be assessed with the qualification 'pass' or 'fail'.
4.  
A student cannot dispense obtained grades and/or qualifications.

### **Article 16: Assessment methods**

1.  
Programme components are assessed summatively, with or without prior formative elements. A variety of assessment methods are used, distributed evenly over the courses and in alignment with the programme component. The assessment methods are included in the assessment plan. Assessment methods shall in any case consist of oral and written assessment methods.
2.  
The assessment of a programme component comprises several assessment components. The assessment plan determines how the assessment components are weighted in the

final assessment of the programme component and how the final result of the programme component is determined.

3.

Upon request to the Board of Examiners, students with a permanent disability or chronic illness will be given the opportunity to take the assessment in a manner adapted as far as reasonably possible to their individual disability or illness. If necessary, the Board of Examiners will seek expert advice before deciding.

4.

Oral assessments are conducted in public, unless the Board of Examiners or the examiner concerned has determined otherwise or the student has objected.

### **Article 17: Instructions and Guidelines**

The Board of Examiners may impose rules and give instructions regarding the assessment and determination of the results. These are reflected in the Rules and Guidelines (I&G).

## **CHAPTER 7 – ASSESSMENT RESULTS**

### **Article 18: Determination and publication**

1.

The examiner determines the result of the assessment at the latest within four weeks after the end of the examination period, and provides the Education Office with the necessary data for the purpose of announcing the result to the student. In special cases, the Board of Examiners may decide to deviate from this deadline.

2.

After conducting an oral examination, the examiners shall determine the result immediately and issue a written statement to the student. If several students take the same assessment consecutively, this period may be extended by a maximum of one week.

3.

With regard to an examination to be taken other than orally or in writing, the Board of Examiners determines in advance in what manner and within what time frame the student will obtain a written statement of the result.

### **Article 19: Period of validity**

1.

In principle, the period of validity of assessments of programme components which have been passed, is unlimited.

2.

With regard to a component for which the assessment was taken more than six years previously, the Board of Examiners may require an additional or replacement assessment to be taken if the knowledge or understanding forming the subject of the assessment is demonstrably outdated or if the skills forming the subject of the assessment are demonstrably outdated. If special circumstances as referred to in Article

7.51(2) WHW occur, the period of six years will be extended by the period during which the student receives financial support from the Financial Support Fund.

3.

Courses from other faculties or institutions introduced into the curriculum must have been completed no more than six years prior to the date of graduation, unless the student is able to demonstrate that the course concerned has not lost its validity at the faculty or institution at which it was taken. The foregoing arrangement also applies to courses introduced for the purpose of an exemption.

4.

Results obtained for an assessment component of a programme component remain valid during the academic year in question; they lose their validity from 1 September of the next academic year.

### **Article 20: Right of access and information and safekeeping obligation**

1.

A student has the right to have access to the graded assessment components and to be informed about the way in which the assessment of the programme component was conducted in accordance with the procedure as determined by the Director of Studies.

2.

The written assessments will be kept in paper or digital form for two years after the assessment result is determined.

3.

A pre-master's bachelor essay that is judged with a satisfactory result and its assessment will be kept for at least seven years.

### **Article 21: Fraud and plagiarism**

1.

Fraud, including plagiarism, means actions or omissions by a student that make it impossible in whole or in part to properly evaluate the student's knowledge, understanding and skills.

2.

Plagiarism means the presentation of ideas or words from someone else's texts without proper acknowledgement of the source.

3.

If the Board of Examiners determines that a student has committed fraud in respect of an assessment component, it can take appropriate measures.

4.

The Board of Examiners may, in serious cases of fraud, propose to Maastricht University's Executive Board that the student concerned be permanently de-registered from the programme.

5.

Without prejudice to the powers of the Board of Examiners, the Dean has the authority to report a student for forgery.

6.

The Rules and Guidelines (R&G) contain further provisions about what constitutes fraud and which sanctions the Board of Examiners may impose.

## **Artikel 22: Unsuitability (Iudicium Abeundi)**

1.

In exceptional cases and after a careful weighing of the interests involved, the Dean may ask the Executive Board to terminate or deny a student's registration for the programme if the student's conduct or statements proves them to be unsuitable to practise one or more professions for which the programme concerned is training them, or unsuitable for the practical preparation for the profession. The Board of Examiners may submit a recommendation to that effect to the Dean.

2.

If the Dean of the Faculty is asked by the Executive Board for a recommendation concerning a proposed termination or denial of registration based on the reasons stated in the first paragraph, the Dean will in turn ask the Board of Examiners for a recommendation. The recommendation to the Dean will be substantiated.

## **CHAPTER 8 – EXEMPTION**

### **Article 23: Exemption**

1.

The Board of Admissions is authorised to exempt a student from specific assessment components. In any event, exemption must be granted if a student has successfully completed assessment components which are equivalent in terms of content, study load and level at a recognised higher education institution and if a student has successfully completed the assessment components no more than six years prior to the date of the exemption, unless the student is able to demonstrate that the assessment components have not lost their validity at the faculty or institution at which they were taken.

2.

No exemption can be granted for an assessment component based on an assessment component from a master's programme.

3.

No exemption is granted for the premaster's bachelor essay.

4.

The Board of Admissions will not grant an exemption based on assessments of a programme component obtained by a student outside the programme during a period in which the student was excluded by the Board of Examiners from participation in assessment of programme components because of fraud.

## **CHAPTER 9 – STUDY ADVICE**

### **Article 24: Study counselling**

The Faculty Board is responsible for the study counselling of the students of the programme. The study advisers have access to data of the student in order to be able to give individual advice.



## **CHAPTER 10 – ADMISSION TO THE MASTER**

### **Article 25: Admissibility to the master**

1.  
Without prejudice to the provisions in paragraphs 3 and 4, the Board of Admissions grants the student admission to the master of the student's choice if at least 50 EC of the 60 EC in the pre-master's degree have been obtained.
2.  
To obtain the admission referred to in paragraph 1, the pre-master bachelor essay must be successfully completed.
3.  
To gain admission to the masters European Law School or Globalisation and Law, the pre-master bachelor essay as well as the course 'European Company Law' must be followed and successfully completed.
4.  
To gain admission to the master's International and European Tax Law, the pre-master bachelor essay as well as the courses 'Concepts of Income and Business Taxation' and 'International and European Tax and Customs Law' must be followed and successfully completed.
5.  
To gain admission to the Forensics, Criminology and Law track of the master Forensica, Criminologie en Rechtspleging the pre-master bachelor essay as well as the courses 'European Criminal Justice Area' and 'Concepts of Criminal Procedure' must be followed and successfully completed.
5.  
For the purposes of this article, an exemption granted by the Board of Admissions is considered equivalent to passing a section.

### **Article 26: No admissibility to the master**

1.  
If at the end of the academic year the student has not met the requirements as described in article 25, paragraphs 1 and 2 and - insofar as applicable - paragraph 3, 4, or 5 including any exemptions, the student has in principle failed to prove that he/she can remedy a reasonable amount of deficiencies in a reasonable period of time and the student is therefore not admissible to the requested master.
2.  
In the event the situation as described in paragraph 1 of this article is due to personal circumstances, the student may request the Board of Admissions to be allowed to remediate parts of the premaster that were not passed in the following academic year.
3. Only the following personal circumstances are eligible for consideration:
  - a. Illness of the person concerned;
  - b. Physical, sensory or other functional disabilities of the person concerned;
  - c. Pregnancy and/or childbirth of the person concerned;
  - d. Exceptional family circumstances;
  - e. Board activities as referred to in Article 2.1 (1) of the Implementing Decree of the Higher Education and Research Act;
  - f. An insufficiently feasible degree programme;

- g. Having a top-level sports status recognized at UM;
- h. Other causes which would result in unreasonable unforeseen consequences (hardship clause) where non-admissibility for the master as such will not lead to hardship.

4.

Students who can reasonably suspect to incur a study delay due to personal circumstances should report this to the study adviser. This way they can reduce any study delay related to the circumstances and, if the study adviser deems it necessary, draw up an individual study plan. The student should report this within 14 days of when the circumstances occur. Personal circumstances that have not been reported, or have not been reported in time, cannot be taken into account.

5.

The decision of the Board of Admissions regarding the student's request regarding personal circumstances shall be reasoned. If the Board of Admissions intends not to grant the appeal on personal circumstances, it shall give the student the opportunity to present their views.

6.

If a decision of the Board of Admissions results in a remedial option in the subsequent academic year, this will require re-enrollment, and payment of enrollment fees. If at the end of that subsequent academic year, the student has not obtained at least 50 EC, then the student is considered to have failed to demonstrate the ability to remediate a reasonable amount of deficiencies within a reasonable period of time.

7.

If the number of ECs obtained by a student is 40 or less, a request as referred to in paragraph 2 will only be granted if an unreasonable unforeseen consequences would otherwise arise, whereby inadmissibility as such does not generate such a situation.

### **Article 27: Right to appeal**

In decisions of the Board of Admissions or the Board of Examiners communicated to the student to which an appeal is possible, the student is informed of the possibility of filing an appeal to the Examination Appeals Board ex Article 7.61 WHW (which provision is included with these regulations) and the time limit within which this appeal must be lodged.

## **CHAPTER 11 – FINAL PROVISIONS AND IMPLEMENTING PROVISIONS**

### **Article 28: Mandate**

1.

A staff member of the Education Office may be authorised to exercise the powers of the Faculty Board and the Director of Studies as specified in these Regulations.

2.

The Board of Examiners may authorise its Chairperson and/or one or more of its other members to exercise its powers as specified in these Regulations.

### **Article 29: Amendment**

1.

The Faculty Board lays down amendments to these Regulations by means of a separate

decision after having heard the Director of Studies and the competent advisory body, i.e. Faculty Council or the relevant Programme Committee.

2.

None of the amendments made will have application to the present academic year unless it can be reasonably assumed that any such amendments will not adversely affect the students' interests.

### **Article 30: Evaluation**

The Faculty Board is responsible for conducting a regular evaluation of the programmes and will always consider, for the purposes of monitoring and, where necessary, adjusting the study load, the resultant claim on students' time.

### **Article 31: Hardship clause**

1.

The Board of Admissions and/or the Board of Examiners is authorised to depart from these Regulations in favour of the student, if application of these Regulations would result in inequitable consequences of a predominant nature. This applies to the Board of Examiners for those matters in which the Board of Examiners is authorized in accordance with the WHW. The same applies to the Director of Studies for the exercise of their competences pursuant to the Faculty Regulations.

2.

There are inequitable consequences of a predominant nature if the strict application of the Regulations leads to consequences that were not foreseen by the author of these Regulations and that are so disadvantageous for the student concerned that they could never have been intended by the author of these Regulations.

3.

Personal circumstances do not play part in determining the existence of inequitable consequences of a predominant nature.

### **Article 32: Unforeseen cases**

The Faculty Board will make a decision in cases not provided for by these Regulations.

### **Article 33: Entry into force**

These regulations will enter into effect on 1 September 2023 and expire on 1 September 2024.

Adopted by the Faculty Board on 19 April 2023.

**ANNEX(ES)  
to the 2023-2024 Education and Examination Regulations for the pre-master's  
programme Law of Maastricht University's Faculty of Law**

**ANNEX 1 – LANGUAGE OF INSTRUCTION**

(Notes on article 6)

The choice for the language of instruction of the programme is in line with the UM Code of Conduct on language in accordance with the Dutch Higher Education and Research Act (WHW) art. 7.2.

Because of the specific educational nature and profile of the European Law School Bachelor Programme, teaching and examinations are conducted in English. This guarantees the quality of education, because:

- The content of the programme has an international orientation and focus. It deals with comparative law - comparing for instance English, French, German and Dutch law, as well as US and South African Law – as well as European Law – including the law of the European Union. A lingua franca to study and compare these fields is needed. We do this in an international classroom setting. With students from over 65 different nationalities, the way in which these systems are studied and especially discussed, creates a European (and even international) environment.
- The labour market demand is internationally oriented (English speaking) alumni. European Law School graduates go on to our own Master programmes as well as master programmes at other universities (about 50/50), and end up working for European Institutions, or in companies around the European institutions, international organisations or non-governmental organisations.
- The academic community is internationally oriented and the staff is international. Staff members come from different countries as well. With over 40% of international staff, this is a truly international working environment.