

Education and Examination Regulation

Post-Graduate LL.M. Programme
Arbitration and Business Law

Effective 1 September 2017

Erasmus University Rotterdam

Erasmus School of Law
Education and Examination Regulation

Post-Graduate LL.M. Programme Arbitration and Business Law

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Chapter 1 General provisions

Article 1 Scope of the regulation

1. This regulation applies to the curriculum and cumulative assessment procedures of the Arbitration and Business Law Master's programme, hereafter referred to as the 'A&BL LL.M. programme'.
2. The A&BL LL.M. programme is provided under the purview of the Erasmus School of Law of Erasmus University Rotterdam (EUR), hereafter referred to as 'ESL'.
3. The Examination Board ESL lays down the regulations and instructions within the framework of the Education and Examination Regulation as referred to in Section 7.12b, subsection 1 of the Higher Education and Research Act. These regulations and instructions are published as Regulations from the Examination Board ESL.

Article 2 Definitions

In this regulation, the following terms are understood to mean:

- a. *WHW*: Higher Education and Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek*); 8 October 1992; Bulletin of Acts and Decrees 1992/593; later amended;
- b. *A&BL Committee of Appeals*: the Examination Appeals Board of A&BL;
- c. *Bachelor's programme*: the Bachelor's degree course as referred to in the WHW;
- d. *block*: a Master's block equals 10 or 15 ECTS credits. There are five blocks in an academic year;
- e. *CAE*: Cambridge Certificate Advanced English;
- f. *CPE*: Cambridge Certificate of Proficiency English;
- g. *cumulative assessment*: the entire body of interim examinations as referred to in Section 7.10, second subsection of the WHW;
- h. *dean*: administrator of ESL;
- i. *Examination Board*: the board as referred to in Article 7.12 of the WHW;
- j. *exam candidate*: individual who is to sit an interim examination or the cumulative assessment;
- k. *examiner*: individual who, pursuant to Section 7.12, third subsection of the WHW, is authorised to administer the interim examination of a unit of study;
- l. *examinee*: individual who has sat an interim examination or the cumulative assessment;
- m. *extra-credit assignment*: optional assignment completed individually or in a group, the satisfactory assessment of which gives the students the right to special entitlements for a specific interim examination;
- n. *GNIO*: the EUR Disputes body for non-initial courses;
- o. *IELTS*: International English Language Testing System;
- p. *interim examination*: the assessment of the examinee's knowledge, insight and skills and the results of the assessment as referred to in Section 7.10, first subsection of the WHW;
- q. *LawWeb*: the Study Information Network of ESL;
- r. *mark*: the result as registered in Osiris.
- s. *Master's programme*: the Master's degree course as referred to in the WHW;
- t. *OER*: the Education and Examination Regulation as referred to in Article 7.13 of the WHW;
- u. *regular student*: individual who is enrolled at the EUR and, consequently, who enjoys all the associated rights, as referred to in Section 7.34 of the WHW;
- v. *Regulations from the Examination Board*: the regulations as referred to in Article 7.12b of the WHW;
- w. *thesis*: a unit of study as referred to in Section 7.3 of the WHW;
- x. *credit* or *European Credit Transfer System (ECTS) credit*: unit used to indicate the amount of time a student dedicates to study as referred to in Section 7.4 of the WHW; one ECTS credit is equal to 28 hours of study and determined as follows:
 - one hour of lecture or seminar participation corresponds to one hour

- the study and review of six printed pages of text of average difficulty corresponds to one hour
- y. *examination content*: the content of all forms of education and literature. The content of all forms of education is also understood to include any subject matter covered using audiovisual equipment and the faculty course channels. Literature is understood to mean: (parts of) books, articles, handouts and case law;
- z. *TOEFL*: Test of English as a Foreign Language;
- aa. *unit*: a unit of study of the programme as referred to in Section 7.3 of the WHW.

Article 3 Language of instruction and of interim examinations

1. Classes are given and interim examinations administered in English.
2. If the specific nature, organisation or quality of education should so require, the first paragraph may be departed from in accordance with a code of conduct adopted by the Board of Governors.
3. To complete the curriculum and sit the interim examinations of the Master's programme referred to in the previous paragraph, students must have sufficient command of the English language. Students satisfy this requirement if:
 - a. They have a pre-university education diploma from a school in the Netherlands or the Caribbean region of the Kingdom. The subject English must have played a role in assessing the student's eligibility for the diploma.
 - b. They are in possession of at least one of the following:
 - an International Baccalaureate;
 - a European Baccalaureate; or
 - proof of having acquired secondary education for a period of two and a half years from an English medium institution from one of the following countries: United Kingdom, Ireland, United States, Canada, Australia or New-Zealand.
 - c. They have taken one of the following language proficiency examinations:
 - TOEFL (with a minimum score of 575 for the written test or a minimum score of 232 for the computer-based test and a minimum of 94 points for the internet based test); or
 - IELTS (with a minimum total score of 7.0, per section at least a minimum score of 6,5); or
 - Cambridge Certificate Advanced English (CAE); or
 - Cambridge Certificate or Proficiency English (CPE).

Article 4 Aim of the Post-graduate LL.M. programme

The A&BL LL.M. programme is designed to offer students with the appropriate Bachelor's qualification the opportunity to extend their theoretical and substantive knowledge of the field of business law and to further develop their academic and professional legal skills.

Article 5# Full-time/Part-time

The course of study can be taken either as a full-time programme or a part-time one. The full-time programme is a one-year course, while the part-time programme is a 2-year course.

Article 6# Post-graduate LL.M. programme cumulative assessment

Students who have successfully completed 60 ECTS credits have completed the A&BL LL.M. programme cumulative assessment.

Chapter 2 Admission to the Post-graduate LL.M. programme

Article 7 Admission to the Post-graduate LL.M. programme Arbitration and Business Law

1. Students must have a law degree that gives access to the judicial profession.
2. Exam candidates who do not have a certificate as indicated in paragraph 1 of this article are not eligible to the Post-graduate LL.M programme.
3. Only the exam candidate registered for the Master's programme may participate in the course and is entitled to take the examinations.
4. The dean is responsible for admissions to the A&BL LL.M. programme.
5. Intake in the programme is only possible on 1 September of each academic year.

Chapter 3 Post-graduate LL.M. programme cumulative assessment

Article 8 Post-graduate LL.M. programme Arbitration and Business Law

1. The Post-graduate LL.M. programme comprises the following units:
 - Conflict of Laws and International Litigation (RR73; 10 ECTS)
 - Fundamentals of Arbitration Law Research Skills Lab (RR81; 5 ECTS)
 - International Corporate Law (RR71; 5 ECTS)
 - Contract Drafting (RR64; 5 ECTS)
 - International and Comparative Arbitration Law (RR82; 5 ECTS)
 - Arbitration Skills (RR83; 5 ECTS)
 - Carriage of Goods (RB05; 5 ECTS)
 - International Business Law (RR62; 10 ECTS)
 - Dissertation (RS119;10 ECTS)
2. Each year, the dean can establish additional requirements for the Post-graduate LL.M. programme, including a list of available elective units. These requirements are published on ESL's website.

Article 9 Final qualifications

- Specific competence in the fields of Business and International Commercial Arbitration law theory and practice;
- Increased knowledge about the international and comparative dimensions of the international regulatory environment for businesses;
- Enhanced familiarity with the methodologies of business law research and the capacity to critically and creatively assess the results of this research and apply these results in their own research;
- The capacity to work within teams where expertise in the various fields of Business Law (i.e. Business Transactions and Corporate law) is represented;
- A practice oriented approach to problem solving (i.e. an approach under which uncertainties regarding theories and black-letter law are translated into solutions to cope with business risks);
- In-depth knowledge of the theoretical and practical aspects of the methodologies and international instruments employed in the resolution of issues and (alternative) disputes relating to international commercial practice;
- Ability to draft pleadings for arbitrational cases;
- Ability to understanding procedural and substantive rules of International Arbitration;
- Ability to communicate effectively among involved parties in International Commercial Arbitration;
- Ability to understanding the commonly accepted usages of International Arbitration terms and practices.

Article 10 Thesis

1. All exam candidates have to write a thesis, representing at least 10 ECTS credits.
2. It is not allowed to write a combined thesis.
3. The final version of the thesis should be submitted to the Examination Board ESL, including an electronic version uploaded via the LawWeb website and a printed copy. The printed copy and the electronic version of the thesis will be kept by the Examination Board ESL.
4. Additional requirements for the thesis and its preparation will be established by the dean and published on ESL's website. In addition, the 'Minimum Requirements for Theses' is available from the Study Information Center ESL.
5. The thesis and the assessment thereof (in either paper or electronic form) will be saved for seven years after the assessment.

Chapter 4 Education

Article 11 Co-ordination of classes and interim examinations

The course co-ordinators of the units programmed in the same block are responsible for co-ordinating classes and interim examinations in those units and they report to the dean.

Article 12 Obligation to attend and to perform

For a valid participation in an examination or an interim examination, the examiner in question can set specific conditions per unit.

Chapter 5 Student support and internal regulations

Article 13# Student support

1. The dean ensures that the students enrolled in the programme receive support with regard to being informed of possible learning tracks both within and outside of the programme.
2. Student support comprises:
 - Group and one-to-one consulting sessions on possible learning tracks both within and outside of the programme, partly with a view to career opportunities on completing the Master's programme;
 - Group and one-to-one consulting sessions on study skills, how to organize your study and options for follow-up programmes;
 - Offering referrals and help in relation to difficulties students experience during their course.

Article 14 Internal rules governing attendance of lectures and seminars

1. To allow lectures and seminars to proceed as smoothly as possible, ESL has established internal rules governing participation in the educational activities offered. These internal rules are published on ESL's website.
2. Students have to be present in the lecture hall or the seminar room prior to the start of activities. After the teaching session has commenced, the students can be denied access to the lecture hall or seminar room. They will have to wait until a break to enter the lecture hall/seminar room.
3. It is not permitted to use mobile telephones in classrooms or lecture halls unless permission has been granted by the lecturer to use the mobile telephone for educational purposes.
4. Registration for participation in seminars can be done via ESL's website. Students may only take part in the seminars for which they are registered. Students who have registered for a seminar via ESL's website and have failed to report a valid reason for being absent two consecutive times or three times in total may be de-registered by the administrative office of the capacity group involved or by the lecturer.

Chapter 6 Interim examination: subject matter and content

Article 15# Requirements placed on interim examination content

1. Interim examination questions and assignments may not exceed the scope of the interim examination content announced in accordance with Article 3 of the Regulations from the Examination Board ESL 2017.
2. The questions and assignments referred to in the previous paragraph should address more than half of the interim examination content. If necessary, an indication will be made of how detailed the exam candidates' responses have to be.
3. If an interim examination comprises a combination of open and multiple choice questions, the multiple choice section may account for no more than 60% of the mark unless otherwise decided by the Dean.
4. Questions and assignments based on interim examination content offered solely via lectures may account for no more than 25% of the interim examination.
5. The exam papers list the number of points to be earned per question or sub-question and the number of points required to earn a satisfactory mark.
6. The duration of the interim examination is designed to give the exam candidate a reasonable opportunity to respond to the questions and complete the assignments.
7. The examiner provides a practice interim examination and the associated model answers before the end of the block.

Article 16 Type of interim examinations

1. The interim examination of each unit of the Bachelor's or Master's cumulative assessment or a combination of mid-term examination may be administered in:
 - writing, for example open questions, multiple choice questions or an assignment;
 - verbally;
 - a combination of both.
2. If a combination of examination types is used, the examiner may decide that each element of the examination has to be completed satisfactorily.
3. If a paper is part of the test, the result thereof will be repealed if the subject is not satisfactorily completed in the academic year in question.

Article 17 Studying with a disability

1. Students with a handicap, chronic disease or disability will be given the opportunity to sit an interim examination that has been modified where possible to suit the disability, in accordance with Article 4 of the Rules of the examination board 2017.
2. To this end, students must submit a request to the Examination Board ESL.

Article 18# Extra-credit assignment regulation

1. As a means of preparing for interim examinations, the examiner may offer exam candidates the opportunity to complete extra-credit assignments, both individually and in groups. The examiner may establish additional requirements with regard to attending, actively participating in and preparing meetings held as part of the extra-credit assignment/assignments.
2. The credit granted to exam candidates for extra-credit assignments receiving a satisfactory assessment from the examiner include:
 - a. a factor of one (1) or two (2) points multiplied by the mark awarded for the extra-credit assignment/assignments and divided by ten (10) will be added to the mark received for the interim examination;
 - b. exemption from a number of interim examination questions; these questions are deemed correctly answered;
 - c. exemption from part of the interim examination content, possibly in combination with

- d. an exemption from a number of interim examination questions;
 - d. several additional interim examination questions assessed according to the same standards;
 - e. use of a weighting coefficient, announced in advance by the lecturer, with the mark earned to determine the final mark (unless this is lower than the mark received for the interim examination).
3. Any credits earned are valid throughout the academic year in which they were earned, unless the Examination Board ESL determines a longer term of validity.
 4. In so far as the nature of the extra-credit assignment does not dictate otherwise, Articles 15 and 16 of the Regulations from the Examination Board ESL 2017 apply by analogy.

Article 19 Exclusion of an examination resit after a satisfactory result

Pursuant to the conditions in appendix 1, 2 or 3 of the ESL 2017 Examining Board Regulations, an examination resit is not permitted if a satisfactory result has been obtained for an examination. Notwithstanding the preceding condition, if a resit for an examination takes place, the best result obtained will be considered valid.

Article 20# Resits

1. For each unit of the Master's cumulative assessment, at least two opportunities to sit the relevant interim examination will be offered each year. The second opportunity constitutes the general resit.
2. An interim examination may consist of two or more mid-term exams.

Article 21 Registering for interim examinations and cumulative assessments

1. Only students who register for written interim examinations on time may take part in said examinations.
2. Registration for all written interim examinations is possible during the registration period via Osiris Student. Information about the registration period will be provided by the faculty via the study guide, among others. Students who cannot register via Osiris Student should contact the Erasmus Student Service centre (ESSC).
3. After the expiry of the regular registration period, it will still be possible to register with the ESSC up to the penultimate week day prior to the interim examination. The fee for late registration is € 20.00 per interim examination. Preferably, students should show proof of payment when they report to take their interim examinations, so that they can show this to the invigilator, if their names do not appear on the list of participants due to late registration.
4. If a student nevertheless takes part while being in violation of any of the foregoing clauses of this article, the result will be invalid.

Chapter 7 Interim examination results

Article 22# Interim examination assessment

1. If an interim examination is administered and assessed by more than one examiner, the examiners will jointly ensure that the assessment is conducted using the same standards.
2. The examiner will ensure that a response key is made available as quickly as possible after the conclusion of an interim examination comprised partially or exclusively of multiple-choice questions.
3. The Examining Board drafts regulations concerning the manner in which examination results are registered.

Article 23# Follow-up meeting

1. After the assessment of a thesis or dissertation or of a written interim examination, the exam candidate will be given the opportunity to inspect his or her assessed work and the questions and assignments of the respective interim examination. The examiner shall provide an explanation of the contents of the interim examination and the assessment criteria applied in the form of a response indication. Inspection and explanation can take place in the manner (individually, collectively, orally, digitally or written) chosen by the examiner. The place and time of the inspection and explanation shall be determined – with due observance of the second paragraph – by the examiner and if possible announced in the study guide of the examined component, but at the latest on the date of the interim examination. In the event of a written interim examination, the place and time of the inspection and explanation will, if possible, be stated on the application form. The programme director can impose further rules with regard to the form and manner of the inspection.
2. The inspection and explanation will take place within ten working days after the announcement of the results of the respective interim examination. This period does not apply to the resit interim examinations which take place in the general examination resits of June/July. The inspection and explanation of these resit interim examinations shall take place within due time, but at the latest five working days before the commencement of the new academic year.
3. In the event of a collective follow-up meeting, the student will be obliged to register in advance for the follow-up meeting. Other procedural rules will be placed by the examiner on internet pages accessible to the students.
4. An exam candidate who has sat the exam and has not appeared at an organised collective or individual inspection and explanation can only obtain on request a copy or digital scan of the assessed examination paper without any specific explanations. See above under paragraph 7 of this article.
5. If the exam candidate suspects obvious mistakes or apparent errors in the determination of the result, the exam candidate can make this known in a manner indicated by the examiner. Examples of obvious mistakes or apparent errors are the absence of an assessment of one or more questions or sub-questions of an interim examination or the wrong addition of the scores given in the assessment of the questions or sub-questions. A disagreement about (the application of) the response indication, for instance the scores given to one or more questions or sub-questions, will not be discussed by the examiner. The examiner will review the result officially, which will take place – if possible – within ten working days after the examiner has established the obvious mistake or the apparent error, but in principle at the latest before the end of the academic year in which the respective interim examination was taken. If a review leads to a change in a mark already published in Osiris, the examiner will inform the exam candidate of this by email. There is no possibility to appeal to GNIO for the result determined by the examiner. Neither is there an opportunity to request the Examination Board to form an independent opinion of the result determined. Notwithstanding the provisions in Section 8:4 subsection 3 under b of the Dutch General Administrative Law Act (*Algemene Wet Bestuursrecht*: 'Awb'), within six weeks after

registration of the mark in Osiris the exam candidate can only appeal to GNIO about the way in which the final result has been formed.

6. Immediately after an oral interim examination, there will be a review involving the examiner/examiners and the exam candidate. The provisions set out in the previous paragraphs of this article also apply, insofar as is applicable, to oral interim examinations.
7. The exam candidate can obtain a photocopy or digital scan of the assessed paper no later than 10 working days before the expiry of the appeal period, against payment in advance of €1 administration costs. This amount can be increased by the dean in order to cover an increase in administration costs. The student can obtain the photocopy from the relevant secretariat no later than on the third working day following the request. The digital scan will be sent by the secretariat to the (student) email address of the student within the same period.
8. The questions, answer sheets, response indication and the assessed paper of written tests will be retained (in paper or digital form) for two years after the assessment.

Article 24# Announcement and registration of interim examination results

1. The examinee is informed of the results of an oral interim examination on the day on which the interim examination in question is administered.
2. Barring any unforeseen circumstances, the examinee will be informed – either verbally or in writing – of the mark assigned to a thesis or assignment within four weeks of the date on which the thesis or assignment was submitted to the examiner.
3. The examinee will be informed of the results of a written interim examination as quickly as possible, but no later than the 15th working day after the date on which the interim examination in question is administered.
4. The results of an interim examination will be submitted to the Department for Exam Administration no later than four weeks after the date on which the interim examination was administered. This department sees to the registration of interim examination results.
5. Unless an evident administrative error has been made, the results of an exam candidate as recorded by the Department for Exam Administration ESL cannot be revised downward. The results referred to in the previous paragraphs are announced online via the Osiris website.
6. Examinees may at any time request from the Department for Exam Administration a certificate listing the results of one or more interim examinations.

Article 25# Term of validity of successfully completed interim examinations

1. The period of validity of an interim examination passed, or compensated result, can be restricted if the examined knowledge, understanding and skills are demonstrably obsolete.
2. Six years after having obtained the result, the obsolescence of examined knowledge, understanding and skills of an interim examination passed, or compensated result, can be tested by the Examination Board ESL.
3. After consultation about the programme, the Examination Board can declare the period of validity of a component that was obtained more than six years ago as having lapsed if at its discretion the examined knowledge, understanding and the skills of the component have become obsolete and as long as the examination has not been passed.
4. The provisions in paragraphs 1, 2 and 3 apply likewise to an exemption granted and to components passed elsewhere, calculated from the date on which the interim examination or examination had originally been passed.
5. At the request of the exam candidate the Examination Board can extend the period of validity of the passed component that in its opinion has become obsolete. The results of the practical tests and modular examinations will lapse if within the respective academic year the component has not been completed with a sufficient mark or a compensated result.

Chapter 8 Final assessment results

Article 26 Determination of final assessment results

1. After all elements of the final assessment as referred to in the Article 8 of these regulations have been administered, the results of the final assessment will be determined by or on behalf of the Examination Board ESL. The Department for Exam Administration ESL verifies compliance with all final assessment requirements as referred to in the article Final assessment elements of these regulations.
2. Contrary to the provisions of the first paragraph, prior to determining the final assessment results, the Examination Board ESL itself may test the exam candidate's knowledge of one or more elements of the programme, if and in so far as the results of the interim examinations provide reason for doing so.
3. The date of graduation will be the date that follows from the 'Procedural regulations for awarding degrees following final assessments' in Annex 1.
4. The head of Student Administration determines more detailed regulations for registering for the final assessment. These more detailed regulations require the approval of the Examination Board ESL and will be duly publicised in good time.
5. The final assessment has an unlimited term of validity.

Chapter 9 Examination Board

Article 27 Composition of the Examination Board of the Erasmus School of Law

1. The dean appoints the members of the Examination Board ESL from among the staff of ESL. The dean appoints one member as chairperson. The term of office of each member is three years. Retiring members are eligible for immediate reappointment.
2. Prior to appointing the members, the dean will consult the members of the Examination Board ESL.
3. The Examination Board ESL consists of at least six members, including the chairperson and at least one external member.
4. The dean sees to it that the Bachelor/Master of Laws programme, the Bachelor/Master of Tax Laws programme and the Bachelor/Master of Criminology/Science programme of ESL are sufficiently represented in the Examination Board ESL.
5. The dean safeguards the Examination Board ESL's independent and expert performance.
6. The Examination Board ESL secretary (non-member) is designated by the dean. The secretary has an advisory vote during Examination Board ESL meetings.
7. The Examination Board ESL may invite non-members to attend meetings. These individuals have an advisory vote during Examination Board ESL meetings. The dean may also attend Examination Board ESL meetings. The dean, too, has an advisory vote.

Article 28 Tasks and Authority

1. The Examination Board ESL establishes the guidelines and instructions for assessing and determining the results of interim examinations and exams.
2. The Examination Board ESL is responsible for safeguarding the quality of the interim examinations and exams, without prejudice to the examiners' tasks and authority. On request, the examiners will present the Examination Board ESL with information about the interim examinations and exams.
3. The Examination Board ESL appoints examiners to hold examinations and determine the results thereof.
4. The "Full ESL examination policy" document states how the Examination Board ESL safeguards the quality of its examinations and how it appoints examiners.
5. The Examination Board ESL draws up annual reports of its activities and provides them to the dean and the faculty council.
6. The Examination Board ESL is responsible for all other statutory tasks and authorities.

Article 29 Requests and decisions

1. Without prejudice to the provisions of the OER with respect to the terms for submitting requests and the required accompanying documents, each request related to the OER has to be submitted in writing as quickly as possible and be substantiated as fully as possible.
2. All correspondence should be directed to:
Examination Board Erasmus School of Law
Attn. Secretary, Sanders Building 2-23
PO Box 1738
3000 DR Rotterdam
The Netherlands
3. Requests to the Examination Board that do not require any enclosures may also be submitted electronically. These requests may be submitted via the digital form on the webpage of the Examination ESL.
4. If an exam candidate submits a request or complaint involving an examiner who is also a member of the Examination Board ESL, this examiner will not take part in handling the request.
5. Without prejudice to the provisions of this regulation regarding the terms within which the

Examination Board ESL has to make a decision on certain requests, the Examination Board ESL will decide within 8 weeks of the date of receipt of the request. Every decision by the Examination Board ESL will be made in writing and substantiated.

6. The Examination Board ESL decides by a simple majority of votes.
7. The Examination Board ESL may authorize one or more members or the secretary of the board to carry out one or more of its duties, unless this is contrary to the rule on which this authority relies. This member or these members or the secretary will provide regular updates on this during meetings of the Examination Board ESL.

Article 30 Appeals protocol

1. All written decisions of the Examination Board ESL and of the examiners will include a standard statement indicating the possibility of lodging an appeal to GNIO and the term within which this should be done. The exam candidate whose rights with regard to the provisions of the OER are directly affected by a decision of or refusal to take a decision by the Examination Board ESL or an examiner may lodge an appeal with GNIO via secretariaat-jz@abd.eur.nl within six weeks of the announcement of the decision or refusal to take a decision.
2. The appeal may be lodged because a decision contradicts written or unwritten law.

Chapter 10 Transitional provisions

Article 31 Transitional arrangements

The provisions of the '2013 Transitional Arrangements for LL.M. Arbitration & Business Law programme', appended to this OER, apply to exam candidates who began the A&BL LL.M. programme before 1 September 2013.

Chapter 11 Final and implementation provisions

Article 32 Hardship clause

The Examination Board ESL is authorised to compensate for any serious instances of unfairness arising from the application of the OER.

Article 33 Amendments

1. Amendments to Articles **1-4, 7-12, 14, 16-17, 19, 21 and 26-38** will be adopted by separate decision by the dean.
2. Amendments to Articles **5-6, 13, 15, 18, 20 and 23-25** will be adopted by the dean after receiving approval from the Faculty Council. These articles are indicated with a '#’.
3. Amendments to Articles in the Regulations from the Examination Board ESL will be adopted by the Examination Board ESL.
4. The programme committee advises on amendments as referred to in paragraphs 1 and 2 of this article.
5. The dean or the Examination Board ESL will only adopt applicable amendments during the current academic year if the interests of the students are not unreasonably impinged.

Article 34 Experimentation article

The Dean is entitled to implement pilot projects in order to investigate possibilities to improve education. It will thus be allowed to deviate from the articles as described in Article 33 paragraph 1 and 2 of this regulation. Every pilot project will be evaluated and findings will be presented to the Faculty Council.

Article 35 Deviation from the regulation for unforeseen circumstances

The dean may deviate from this regulation in situations involving unforeseen circumstances.

Article 36 Publication

The dean sees to the publication of the OER and of any amendments. The OER will in any event be published on the Erasmus School of Law’s website. Amendments to the OER will be published and announced as quickly as possible via the Erasmus School of Law’s website.

Article 37 Entry into force

This regulation takes effect on 1 September 2017.

Article 38 Official title

This regulation can be quoted as the ‘2017 A&BL LL.M. Programme OER’.

*Adopted on 24 August 2017
by the Dean of Erasmus School of Law
of Erasmus University Rotterdam*

Appendix 1 to the 2017 A&BL LL.M. Programme OER

Procedural regulations for awarding degrees following final assessments

Article 1 Scope

These regulations apply to the final assessment of the Bachelor's or Master's programme, listed in the CROHO Central Register of Higher Education Programmes that does not comprise a test to be conducted by the Examination Board ESL or specially designated examiners.

Article 2 Conditions for awarding degrees

The conditions for awarding the exam candidate a degree are that the exam candidate:

- a. has achieved the programme's required study results; and
- b. is duly registered during the programme and on the date of the final assessment.

Article 3 Application for the final assessment by the exam candidate

1. The exam candidate applies for the final assessment to the programme's Department for Exam Administration, submitting proof that they meet the conditions of Article 2.
2. The date on which the Department for Exam Administration receives the exam candidate's application will be the date of the final assessment.

Article 4 Determination of final assessment by Department for Exam Administration

1. Under a mandate from the Examination Board ESL, the Department for Exam Administration may determine that the final assessment has been administered, after ascertaining that the exam candidate meets the conditions of Article 2.
2. If the Department for Exam Administration concludes that the exam candidate meets condition a. but does not meet condition b., it has the following options:
 - (a) if the study result has not been registered under the programme's examination syllabus, the Department for Exam Administration may still do so with the Examination Board ESL's consent;
 - (b) if the exam candidate is not duly registered, the Department for Exam Administration may request the exam candidate to still do so.
3. The date on which the Department for Exam Administration concludes that the exam candidate meets the conditions of Article 2 will be the date of the final assessment.

Article 5 Awarding degrees and certificate

1. If the Department for Exam Administration has applied for the final assessment, the Department for Exam Administration will inform the exam candidate in writing of the degree and certificate to be awarded. The exam candidate can respond to any factual inaccuracies within ten working days and request that the certificate be awarded at a later date yet to be scheduled. Once the response time has lapsed, the Board of Governors will award the degree.
2. If the exam candidate has applied for the final assessment, the Board of Governors will award the degree after it has been ascertained that the exam candidate meets the conditions of Article 2. The certificate may be awarded at a later date at the exam candidate's request.
3. The Department for Exam Administration registers the final assessment and informs the *Dienst Uitvoering Onderwijs* government agency.
4. The exam candidate can collect the certificate and diploma in person from their programme's Department for Exam Administration desk or, if applicable, receive them at a special session of the Examination Board ESL. The general graduation ceremony for the Master of Laws programme is only open to exam candidates of the Dutch-language variants of the Master of Laws programme.

Article 6 Mandate

1. The Board of Governors will mandate the head of Student Administration to take decisions pursuant to these procedural regulations.
2. Where exam candidates of the Erasmus MC are concerned, the Board of Governors will mandate the head of Student Administration of the Erasmus MC to take decisions pursuant to these regulations.
3. The Board of Governors may give general and individual instructions in relation to fulfilling the mandate.

Article 7 Effective date

1. These regulations will take effect as of 1 September 2011, with the exception of Article 4.
2. The head of Student Administration will determine for each programme when Article 4 will take effect.

Appendix 2 to the 2017 A&BL LL.M. Programme OER

2013 Transitional Arrangements for LL.M. Arbitration & Business Law program

Considering that the Post-Graduate LL.M. Business, Corporate & Maritime Law (“BCML”) is being discontinued as of academic year 2013-2014 and is replaced by the Post Graduate LL.M. Arbitration & Business Law (‘A&BL LL.M. programme’);

Considering that one part-time student and one full-time student have not yet graduated and that they may fulfil all the BCML programme requirements under the A&BL LL.M. programme (i.e., the dissertation or courses offered both under BCML and A&BL);

For the reasons above, the Dean of Erasmus School of Law has decided as follows:

Students not having fulfilled the requirements of the BCML programme on August 31, 2013, are authorized until June 30, 2015 to finish the BCML programme and receive a BCML degree provided the BCML programme requirements still to be fulfilled consist of the dissertation and/or courses also offered under the A&BL LL.M. programme.