



**TILBURG LAW SCHOOL**

**TEACHING AND EXAMINATION REGULATIONS  
OF THE RESEARCH MASTER IN LAW**

***ACADEMIC YEAR 2017-2018***

## SECTION 1: GENERAL PROVISIONS

### **Article 1.1 – Applicability of the regulations**

These regulations apply to instruction in and examinations of the Research Master's program in Law, hereinafter referred to as: the program. The program is offered by Tilburg Law School, hereinafter referred to as: the Law School.

### **Article 1.2 – Definitions**

1. In these regulations, the following definitions apply:
  - a. the HERA: the Higher Education and Research Act (HERA; Wet op het hoger onderwijs en wetenschappelijk onderzoek 2002);
  - b. student: a person enrolled at the university to receive instruction and/or take interim examinations and examinations in a program;
  - c. course: a unit of study of the program, as defined in the HERA;
  - d. examination: the Master's examination of the program;
  - e. examiner: the member of personnel appointed by the Examination Board who is charged with instruction of the relevant program unit or an expert from outside the organization appointed by the Examination Board;
  - f. ECTS: European Credits in conformity with the European Credit Transfer System;
  - g. programs: the Law School's Master's degree programs;
  - h. interim examination: test of the student's knowledge, insight, and skills in the domain of a particular course, including the assessment of its results;
  - i. test: a partial appraisal of the knowledge, insight and skills of the student in a part of a particular course and the assessment of the results of that appraisal;
  - j. semester: segment of the academic year, starting approximately on 1 September and terminating approximately on 31 January, or starting approximately on 1 February and terminating approximately on 31 August;
  - k. academic year: two consecutive semesters;
  - l. Director of Studies: program director (opleidingsdirecteur) as referred to in the HERA
  - m. selection committee: a committee consisting of the Director of Studies and an alumnus charged with the selection of students for admission to the program;
  - n. the Education Forum: the program boards as defined in the HERA.
2. Any other terms have the meaning as defined in the HERA.

### **Article 1.3 – Aims and final attainment levels of the program**

The aims of the programs are that the student

- a. learns to conduct independent and critical academic legal research;
  - exploring the principles at the basis of the academic study of the law and developing the ability to reflect on them;
  - formulating research questions in a way that enables answering them through academic legal research in the relevant area of law.
- b. masters the methods of academic legal research;
  - following the methodological discussions within legal science;
  - making a well-founded choice from among the various research methods available to answer a research question;
  - independently and accurately completing a research project with a clearly defined research question, building on existing knowledge and insights;
- c. develops social and intellectual skills to be able to function in academic legal research groups, both nationally and internationally;
  - being able to participate in national and international academic debate as conducted within journals and at conferences;
  - being able to persuasively present academic research both orally and in writing;
  - being able to conduct a full-fledged and independent subproject within a large, joint research program.
- d. becomes thoroughly familiar with an area of the law of his/her own choice;

- having an overview of important subjects in the various areas of the law and thorough knowledge of the most important issues in one particular area of the law;
- having in-depth knowledge of the chosen area of the law and being able to contribute to this area as a result of familiarity with the newest theories, interpretations, and methods;
- showing originality and creativity in treating an area of the law.

#### **Article 1.4 – Academic training**

1. A program must comprise sufficient elements to serve the student's academic training, especially in terms of independent academic thought, action, and communication.
2. The Examination Board determines a framework to test the above.

## SECTION 2: THE DESIGN OF THE PROGRAM

### **Article 2.1 – The form of the program**

The Research Master in Law is a full-time program.

#### **Article 2.1.1- Language of the program**

The program is being taught in English, apart from some domain course that could be in Dutch.

### **Article 2.2 – The duration of the program**

The duration of the program is two years.

### **Article 2.3 – Starting date**

The program starts on 1 September of every academic year.

### **Article 2.4 – Study load**

1. The study load of a course is expressed in ECTS (European Credits). One ECTS equals a study load of 28 hours.
2. The study load of the program is 120 ECTS;
3. The study load of a course is in principle 6 ECTS. Courses with a different study load have a study load that is a multiple of 3 ECTS.
4. The examiner explains to students how the study load for each course was calculated.
5. In calculating study load, the following rules must be observed:
  - a. 4% of study load is factored in as overhead expenses;
  - b. students are expected to spend one hour on studying 8 pages of literature;
  - c. students are expected to spend one hour on studying a judicial decision;
  - d. in addition to study load as referred to under b and c, students are expected to spend one hour on preparing for a one-hour lecture and two hours on preparing for a one-hour seminar;

### **Article 2.5 – the program**

1. The program consists of the following courses with study loads as specified:
  - a. Methods of Legal Research (6 ECTS);
  - b. Judicial Lawmaking (6 ECTS);
  - c. Principles of Law (6 ECTS);
  - d. Comparative Law (6 ECTS);
  - e. Interdisciplinary Study of Law (6 ECTS);
  - f. Individual Research Training (6 ECTS);
  - g. Joint Research Training I (6 ECTS);
  - h. Joint Research Training II (6 ECTS);
  - i. Empirical Legal Research (6 ECTS);
  - j. Law & Economics (Research Master) (6 ECTS);
  - k. Methods of Regulation (6 ECTS);
  - l. Five domain courses (30 ECTS), to be chosen from a group of 12 optional courses ;
  - m. Research Master Thesis (24 ects).

2. The student selects the five domain course in consultation with the Director of Studies from the preferred field of Law. The Examination Board will decide when the student and the Director of Studies cannot come to an agreement,

**Article 2.5.1 – the program courses.** Program valid till academic year 2015-2016.

1. The program of the Research master in Law consists for students who have started before 1 September 2014 of the following courses with study loads as specified:
  - n. Methods of Legal Research (6 ECTS);
  - o. Judicial Lawmaking (6 ECTS);
  - p. Principles of Law (6 ECTS);
  - q. Comparative Law (6 ECTS);
  - r. Interdisciplinary Study of Law (6 ECTS);
  - s. A choice of two from the following theme courses (6 ECTS each):
    - i. Perspectives on Civil Law, Courts and Conflict Resolution;
    - ii. ICT and Law;
    - iii. Fundamental Research on Fiscal and Private Law Aspects of Company Law
    - iv. Law and Economics.
    - v. Dutch Criminal Law in a European Context;
    - vi. Beyond State-Centric Law and Legal Doctrine;
    - vii. Victimology and Criminal Justice;
    - viii. Dialogues in Public Law;
  - t. Eight domain courses (a total of 48 ECTS);
  - u. Individual research training (6 ECTS);
  - v. Joint research training (6 ECTS);
  - w. Master's thesis (18 ECTS).
2. In consultation with the program council, students choose eight domain courses from the area of law of their choice. If a student and the program council cannot agree, the Examination Board decides.

**Artikel 2.5a – Internships**

If an internship is not already included in these regulations as part of a program, it can only be stated on the list of marks as an extracurricular component. In that case, only the study load of the internships abroad will be stated.

**Article 2.6 – End of the program**

The program finishes with the Master's examination.

**Article 2.7 – Additional rules pertaining to the organization of teaching**

Under the supervision of the Examination Board, the examiner has the authority to draw up additional rules for the organization of the teaching and interim examination of a course. These rules must be published on Blackboard and stated in the syllabus before the start of teaching of the course concerned.

**SECTION 2.7a: QUALITY ASSURANCE**

**Article 2.7a**

1. Once every two years, each Master's degree program is evaluated by means of an online student questionnaire and a semi-structured interview organized by the Program Director. This is known as the Master's panel discussion.
2. The Program Director is provided with the results obtained from the online student questionnaire before initiating the Master's panel discussion.
3. The Program Director invites the students from his or her program to take part in the Master's panel discussion, and afterwards compiles a report of the discussion.

4. Following their approval by the Executive Committee Education, the reports of the Master's panel discussions and the results obtained from the online student questionnaire are submitted to the Program Committee for its advice.
5. The Program Director is invited to attend the discussion of these documents by the Program Committee.
6. Should the results obtained from the online student questionnaire, the Master's panel discussion, and/or the discussion thereof by the Program Committee give cause so to do, the Vice-Dean for Education may conclude agreements with the Program Director concerning improvements to the program or its organization.
7. By way of derogation from clause 1 above, the Vice-Dean for Education may decide to evaluate a program annually instead of once every two years.

#### **Article 2.7b**

1. Each year, the Program Director compiles an Annual Program Report.
2. Following its approval by the Executive Committee Education, this report is submitted to the Program Committee for its advice.
3. The Program Director is invited to attend the discussion of this report by the Program Committee.

#### **Article 2.7c**

Assessment policy is determined by the Examination Board, having heard the advice of the Faculty Board. As well as guidelines for examiners and information concerning the manner in which the Examination Board assures the quality of assessment, this policy includes an assessment plan for each program. That plan is revised annually.

### SECTION 3: ADMISSION

#### **Article 3.1 – Confirmation of Admission (Bewijs van Toelating)**

1. In order to be admitted to the program, a Confirmation of Admission is required.
2. The Confirmation of Admission is valid for the academic year following the academic year in which the application was filed.
3. The Confirmation of Admission is supplied by the Examination Board. The Examination Board will be advised by the selection committee.

#### **Article 3.1 a – Late registration**

In accordance with Article 2.4 of the Registration and Tuition Fee Regulations, students who wish to register one or more months later than the start of the academic year or the program to be taken need the approval of the Executive Board. As part of the decision-making procedure, the Executive Board asks Tilburg Law School, in this case the Examination Board, for a written statement that there are no objections on educational grounds. If Tilburg Law School, in this case the Examination Board, thinks that the student can no longer be fitted into the current program, this must be substantiated in writing. Objection and appeal can be lodged against a negative decision.

#### **Article 3.2 – Categories of eligible candidates**

Several categories of candidates may apply for admission to the program.

- Candidates who have completed or almost completed one of the Law School's Bachelor's programs;
- Candidates holding a Bachelor's degree in a law program from a different university in the Netherlands;
- Other candidates holding degrees in university programs, including:
  - \* those holding a Bachelor's degree of a non-legal university program.
  - \* those holding a Master's or doctorandus degree;
  - \* those holding a foreign university degree;

### **Article 3.3 – Candidates from Tilburg Law School**

Candidates who obtained their Bachelor's degree at the Law School or who will complete their Bachelor's program before the start of the Research Master's program can submit a request for admission to the Examination Board.

### **Article 3.4 – Candidates with a Bachelor's degree from a law program at a different university in the Netherlands**

Candidates who have a Bachelor's degree from a law program at a different university in the Netherlands or who will complete their Bachelor's program before the start of the Research Master's program can submit a request for admission to the Examination Board.

### **Article 3.5 – Other candidates**

1. Before the admission of all other candidates, the Examination Board will decide, on a case-by-case basis and after advice from the selection committee, whether and on what conditions the Confirmation of Admission can be provided.
2. The conditions are aimed to ensure that students who are admitted possess sufficient knowledge, insight, and skills to successfully complete the program within two years.

### **Article 3.6 – Admission assessment**

1. A candidate wishing to be admitted to the program must submit a request in writing to that effect to the Examination Board before 1 July.
2. The following documents must be attached to a request for admission:
  - a photocopy of the degree certificate of the preparatory program, if completed;
  - a list of the grades obtained in a previous program;
  - a curriculum vitae;
  - at least one paper (maximum: three) written by the student as part of the preparatory program;
  - any references (maximum: two) from experienced researchers.
3. At the request of the Examination Board, the selection committee makes an assessment of the candidate's knowledge, insight, and skills with a view to admission.
4. Not later than four weeks after the Examination Board has received the request, the Examination Board decides whether a candidate will be invited for a selection interview.
5. Not later than 30 June and after advice from the selection committee, the Examination Board decides whether the candidate is eligible for a Confirmation of Admission.
6. The following criteria will be used when assessing a request for admission:
  - a. the student's ranking among peers, whereby an average mark of 7.5 or higher (on a scale of 10) for the courses of the second and third Bachelor's years will be considered an important indicator;
  - b. the assessment of the student's two best papers;
  - c. the quality of the letter in which the student states his personal motivation, interest and objectives;
  - d. the selection interview;
  - e. references from two instructors with broad research experience.
7. Repealed.
8. The written statement concerning admission points out to the candidate the possibility of appeal with the Examination Appeals Board.

## **SECTION 4: INTERIM EXAMINATIONS AND EXAMINATIONS**

### **Article 4.1 – Frequency of interim examinations**

1. Interim examinations are held at the end of the semester in which the course concerned was taught.
2. There will be a second opportunity to take an interim examination in the fifth week after the date on which the interim examination was held, at the latest.

#### **Article 4.2 – Written interim examinations**

1. A written interim examination is also an interim examination involving the writing of one or more assignments or writing a paper or a report, or an interim examination involving both written and oral components.
2. A group paper may count as a written interim examination if and to the extent that the individual student's achievement can be assessed.
3. Students with a functional disorder will be given the opportunity to take interim examinations in a way that makes allowance for their individual handicap as much as possible. If necessary, the Examination Board seeks expert advice before making a decision.

#### **Article 4.3 – Oral interim examinations**

1. An oral interim examination is administered to not more than one student at a time, unless the Examination Board has decided otherwise.
2. An oral interim examination is public, unless the Examination Board or the examiner concerned has decided otherwise in a special case or if the student has raised objections.

#### **Article 4.4 – Exemption**

1. Having heard the advice of the examiner concerned, the Examination Board can grant exemptions from a course interim examination if the student meets the following conditions with regard to the course in question:
  - a. the student has passed the interim examination of a comparable course in terms of content and study load as part of a different university program or in a degree program in the Netherlands that is comparable to a university program;
  - b. the student can show he possesses sufficient knowledge and skills on the basis of work or professional experience.
2. Exemptions can be granted up to a maximum of 12 ECTS per student (60 ECTS per student for students who have started the program before September 1, 2014).
3. If a student is registered for several Law School programs or for the Fiscal Economics program or, having completed one or more of these Master's programs, if he registers for another Law School program, he can request exemption up to a maximum of 12 ECTS for each program. This exemption is granted on the basis of the courses that he has completed in another program, provided that he chooses one Master's program that he will complete or has completed successfully.

#### **Article 4.5 – Substitute course**

At the student's request and having heard the relevant examiner, the Examination Board may grant permission to substitute a course of the program by a course of a program of a different faculty or school or a different university, provided that the substitute course is comparable to the original course of the program in terms of content, study load, and level.

#### **Article 4.6 – Request for exemption, request for permission to substitute a course**

1. A request to be exempted from taking an interim examination or examination or a request to be allowed to substitute a course of the program with a course of the program of a different university must be made to the Examination Board in writing and stating reasons.
2. The Examination Board makes a decision within one month upon receipt of the request.
3. The Examination Board can set additional requirements with regard to an exemption or permission to substitute a course.
4. The Board will provide reasons in cases where it decides to wholly or partly reject a request.
5. The person who submitted the request will be notified in writing within one week after the Examination Board has made its decision.

#### **Article 4.7 – Admission to an interim examination**

The examiner can impose further conditions on admission to an interim examination, provided these are announced at the beginning of the course.

#### **Article 4.8 – Interim examination dates**

1. The dates of written interim examinations are announced by the examiner at the start of the course at the very latest.
2. Oral interim examinations are held on a date fixed by the relevant examiner, if possible in consultation with the examinee.
3. The second opportunity to take the interim examination will not take place within five calendar days of the announcement of the result of the first opportunity. This term begins the day after the announcement of the results.
4. Any changes in the dates referred to in the preceding paragraphs will be made in the event of *force majeure* only.

#### **Article 4.9 – Determining and publishing interim examination results**

1. The examiner determines the result immediately after an oral interim examination and gives the student a written statement to that effect.
2. The examiner determines the result of a written interim examination within fifteen working days after the day on which it was administered or the paper should have been handed in, and simultaneously gives the Student Administration the necessary data for the publication of the results.
3. If the interim examination consists of a method of examination other than a written or oral examination, the examiner decides beforehand in what way and by what deadline the student will receive a written statement concerning the result.
4. If an interim examination is administered by means of tests, the same deadlines apply as mentioned in the preceding paragraphs.
5. In the months of July and August, the Education Forum can indicate an uninterrupted period of a maximum of three weeks of which the days will not be counted as working days.

#### **Article 4.10 – The rights of inspection and discussion**

1. Not later than on the sixteenth working day after the interim examination and in any case before the next interim examination opportunity, the student is given the opportunity to inspect his interim examination work. Inspection takes place at a time and place to be determined by the examiner. The examiner announces the time and place of the inspection at the interim examination or makes an appointment for inspection with the students concerned. At the inspection, the student can peruse the questions and assignments of the interim examination concerned and the norms on the basis of which assessment took place. In addition, at his request, the student will be given a photocopy of his work at cost price, unless the interim examination was multiple-choice.
2. If, during inspection, it appears that a student requires further explanation from the examiner, the student can immediately make an appointment for an individual discussion. This discussion must take place before the interim examination opportunity.
3. The Examination Board can draw up additional rules concerning inspection and discussion.

#### **Article 4.11 – Setting the publication date for interim examination results**

With a view to the deadlines in the preceding provisions, the date on which the official results were made electronically available, or written statements were sent, as the case may be, will count as the date of publication of the interim examination results.

#### **Article 4.12 – Validity period**

1. In principle, the validity period of courses passed is unlimited; however the Examination Board reserves the right to impose additional requirements before the Master's examination can be taken if an interim examination has been passed more than five years ago and there has been a substantial change to the course in terms of content.
2. For students who started a Master's program at Tilburg Law School before 1 September 2011, the deadline referred to in paragraph 1 is eight years.
3. For the validity period of an exemption for a course, paragraphs 1 and 2 apply *mutatis mutandis*.



#### **Article 4.13 – The Master’s thesis**

1. The requirements concerning the Master’s thesis and the way in which supervision and assessment take place are set out in the Master’s Thesis Regulations.
2. By submitting their thesis, students give permission in the broadest sense of the word for it to be checked for plagiarism using a plagiarism detection system chosen by the institution and as referred to in Article 11 of the Master’s Thesis Regulations.
3. This also includes permission for the thesis to be taken up in the repository of Tilburg University and the databases of the plagiarism detection systems contracted or to be contracted by TiU and/or other education institutions in the Netherlands for the purpose of checking other works for plagiarism in the future.
4. The foregoing does not affect the student’s right to choose not to make the work publicly accessible for any other purpose than a plagiarism check as referred to in Article 11 of the Master’s Thesis Regulations.

#### **Article 4.14 – Last chance**

A student who has successfully completed all but one interim examinations that count towards the examination, or has been exempted from taking them, who has participated in that last interim examination twice and whose Master’s thesis has been approved is entitled to one extra opportunity to take the interim examination for the course in question. The examiner decides whether this extra interim examination opportunity will be oral or written. A student is not entitled to an additional interim examination opportunity in the period from two months before until one month after a regular interim examination.

#### **Article 4.15 –Master's examination**

1. As soon as the Master's thesis has been approved and the student has presented sufficient proof of the interim examinations passed, he can take the Master's examination.
2. The Master's examination consists of a brief lecture for non-experts, in which the student explains the results of the study he has conducted for his Master's thesis to a lay audience, and of an assessment by the examiner(s) of the student’s knowledge of his Master's thesis and one or more courses or aspects of his study program.
3. If a student was admitted to the program on the basis of Article 3.3, paragraph 2, rather than by passing a Bachelor's examination, the examination result can only be determined when the student has meanwhile passed the Bachelor's examination in question.
4. In all other cases in which a student’s admission to the program was not based on his passing a Bachelor’s examination, the examination result can only be determined if a student provides the Confirmation of Admission to the relevant Master’s program, supplied by the Examination Board.

#### **Article 4.16 – Hardship clause**

If the interim examination and examination provisions in Section 4 cause unreasonable delay in an individual case, the Examination Board can make a special arrangement.

#### **Article 4.17 – Degree**

1. The student who has passed the examination is entitled to use either the title of Master of Laws (LL.M) or of meester in de rechten (mr.).
2. Repealed.
3. The degree or degrees conferred is stated on the degree certificate.

### SECTION 5: APPEALS

#### **Article 5.1 – Appeals**

A student can appeal to the university’s Examination Appeals Board against a decision by the Examination Board or by an examiner and against decisions concerning:

- admission to a pre-Master’s program;
- admission to the study program;
- determination of the number of credits obtained;
- the granting and scope of an exemption;
- admission to the examination;
- the result of an interim examination;
- other decisions referred to in Article 7.61 of the HERA.

The student should make such an appeal to the Examination Appeals Board within six weeks of the announcement of the decision.

## SECTION 6: STUDENT COUNSELLING

### **Article 6.1 – Study progress administration**

1. The Student Administration records students’ individual grades.
2. The Student Administration coordinates the accessibility of study progress data on the Internet as well as the relevant information.

### **Article 6.2 – Student counselling**

1. In the framework of the admission procedure, Tilburg Law School makes an arrangement with the student about the individual composition of the program in which he will enroll.
2. Tilburg Law School ensures that – with a view to the program’s attainment targets – adequate counseling is available to the student for the duration of the program.

### **Article 6.3 – Study progress interview**

Towards the end of the second semester of the first year, the student will be invited for a study progress interview. A report will be made of this interview.

## SECTION 6B: CONCLUDING PROVISIONS

### **Article 6B.1 – Hardship clause**

1. In the event of clearly unfair situations, the Examination Board is authorized to make exceptions to the Teaching and Examination Regulations in individual cases in favor of the student.
2. The Examination Board will decide on any cases not provided for in the Teaching and Examination Regulations.

### **Article 6B.2 – Changes**

1. Changes to these Regulations will be adopted by special order by the Law School Board, having heard the Program Committees and – if necessary – in agreement with the Law School Council.
2. A change to these Regulations will not affect the current academic year unless it will not reasonably harm students’ interests.
3. Furthermore, a change cannot have a detrimental effect on any other decision taken by the Examination Board on the basis of these Regulations in respect of a student.

### **Article 6B.3 – Publication**

1. The Law School Board will ensure an appropriate publication of these Regulations, of the Rules and Regulations adopted by the Examination Board and of changes to these documents.
2. Every interested person can obtain a copy of the documents referred to in the first paragraph from the Tilburg Law School Office.

**Article 6B.4 – Effective date**

These Regulations will become effective on 1 September 2017.

Adopted by order of the Law School Board in agreement with the Law School Council on 23 June 2017.