

**Exams  
at the Faculty of  
Law:  
Proceedings,  
Auxiliary  
Materials  
and Rules**

27.10.2021

**SPECIAL EDITION OF THE DOCUMENT, INTENDED IN  
PARTICULAR FOR MOBILITY STUDENTS.**

## 0. The purpose of this document

This document contains important information about the conduct of written and oral examinations at the Faculty of Law, as well as the rules that apply to them, including the authorised auxiliary materials. This document refers to traditional face-to-face examinations. If, in a particular examination session, in accordance with a decision of the Faculty Council, all or part of the examinations are to be conducted online at a distance or face-to-face but online, the regulations specifically provided for this purpose shall prevail over the present document, insofar as they contradict or exceed it

The description of the organisation of the examination sessions, the registration for these sessions and the rules concerning the results of the examinations can be found in the document "[Examens à la Faculté de droit: Informations générales](#)", also published on the [Faculty's website](#).

The information below **applies to all students**, regular and mobility students. However, for mobility students (BENEFRI, Swiss Mobility, Visiting student for complementary studies (EHEC), Swiss European Mobility Programme (SEMP), International Exchange Conventions; Double Degree Fribourg / Paris II, Master of Comparative Law (MCL)) some adjustments related to the nature of the mobility programme are necessary. Sometimes specific rules apply depending on the mobility programme. Where applicable, these adjustments and rules are indicated in the boxes.

## 1. The Legal Basis

The content of the examination blocks for the BLaw programme is regulated in Art. 2 ff. [RED](#). The equivalent for the part-time BLaw programme is regulated in Art. 4 ff. [RE-TP](#). Students in the MLaw programme should pay particular attention to Art. 9 par. 2-6 [RE-RED](#). Bilingual students should also refer to Art. 3 ff. [RE-BIL](#). MALS students should pay particular attention to Art. 5a f. [RE-MALS](#). For students in minor subjects, Art. 3 ff. of the [Règlement Droit en branche secondaire](#) applies.

The general provisions for all examinations can be found in Art. 19 ff. [RED](#) et art. 2 ff. [RE-EXA](#).

## 2. Modes of Examination

The mode of examination, written or oral, can be found in the course description in the [course programme](#). If you have any questions, please contact the teachers responsible. Important: Several examinations that were conducted orally in the online sessions of the academic year 2020/2021 will be conducted in writing according to the course descriptions.

*Swiss European Mobility Programme  
International Exchange Conventions*

Exchange students who are only present for one semester in Fribourg and who have taken annual Bachelor of Law courses will only take the exams - with some exceptions - on the subject taught during the semester in which they were present in Fribourg. If they pass the exam, half of the ECTS credits of the annual course are validated.

**When the examination of an annual course is taken on the material of a single semester, the examination is oral (except in exceptional cases).**

As soon as the timetable for regular examinations is published, the Faculty of Law's Erasmus and International Relations Office organises these examinations with the professors concerned and communicates the timetable of the examination(s) concerned to each student by e-mail.

Both written and oral examinations can be organised according to the "open book" or "closed book" principle. If the course programme does not contain any information on which principle the examination will be conducted, please contact the teachers responsible.

Examination timetables are published on a Moodle page after the registration and payment deadlines have passed and after the examination scheduling has been completed. Individual requests or postponement requests will not be considered, and there are no alternative dates. For more information, see chapter 3 of the document « [Examens à la Faculté de droit : Informations générales](#) », published on the [Faculty's website](#).

In principle, the Faculty organises examinations only face-to-face, according to the traditional model. If, based on Art. 7 [RE-EXA](#), it is decided for a given examination session that the examinations in question will be conducted fully or partly by electronic means (e.g. online distance examinations), the Faculty will communicate this decision by means of special notices, which will also be published on the [Faculty's website](#). In this case, special rules apply. They are published in an appropriate manner (e.g. on a Moodle page) and, in case of contradiction, prevail over the present rules. For MLaw block courses, Art. 16 para. 1<sup>bis</sup> [RE-EXA](#) must be observed with regard to examinations that are conducted by electronic means.

Written examinations are anonymous. For each examination session, registered students receive a **new candidate number**. Once the registration deadline has expired, you will find your personal candidate number on your MyUnifr portal under Etudes - > Exam: Mes examens. Take note of this number! You need to know it for every written exam you take.

### 3. The Conduct of Written Exams

As a rule, written examinations last 120 minutes. Additional time for language or other reasons is reserved, as well as in the case of a course taught during a year where an examination is taken only on the subject matter of one semester (e.g. "Introduction au droit" for students in minor: 60 minutes). Students whose language of maturity (according to their matriculation) does not correspond to the language of the examination, receive an additional 20 minutes (for a 120-minute examination; this means 10 minutes of additional time for a 60-minute examination). In the case of a plurilingual Matura diploma, the person concerned must, at the beginning of his/her studies, indicate which of the languages concerned is to be considered the first language. This language is now considered (and cannot be changed later) as the language of maturity in the sense of the above-mentioned rule on additional time.

No additional time is allowed for the exams in English.

Written examinations are **handwritten on paper**. Regardless of whether a written examination is subject to the "open book" or "closed book" principle, the possession and, even more so, the use of any electronic device (PC, smartphone, smartwatch, etc.) is prohibited in all cases. Any breach of this prohibition is considered as cheating in the examinations and will be sanctioned.

The written examinations take place on the day and at the time indicated in the examination schedule (see document « [Les examens à la Faculté de droit : Information générales](#) », fig. 3), in the buildings and rooms designated by the Dean's Office. These may be located at the University, in the city of Fribourg or in its surroundings. All persons wishing to take a written examination must arrive at the designated location at least 30 minutes before the start of the exam and wait to be admitted.

Be on time! People who arrive late (or even after the start of the examination) at the indicated place do not have a right to be admitted to the examination room.

Admission to the examination room is granted only to those persons who can be identified (via a valid Campus Card or other official identification) as a candidate. All items that are not allowed in the examination room (see below) must be left outside the examination room in the locker or locker room area.

**The Faculty provides the examination papers as well as the draft paper.** Please note that only the information on the examination papers themselves will be taken into account when grading the examination; draft papers or additional sheets will not be taken into account, regardless of the information they contain. Examination papers normally contain sufficient space for your answers. If necessary, write on the back of the paper, but remember to match the text to the correct question/task and clearly mark the front of the paper as containing additional information. In case of emergency, please contact a person responsible for supervising the examination.

However, the **Faculty does not provide legal texts, dictionaries or any other accessories** (e.g. earplugs or drinks).

The examination proctors distribute the (returned) examination papers on each table. Candidates are not allowed to return them **until the start of the examination has been officially declared** by a proctor.

Candidates who wish **to hand in** their examination papers before the end of their examination time may do so, provided that the handing in takes place more than 15 minutes before the end of the regular examination time (of 120 minutes). In this case, the examination papers must be handed in directly to a proctor. Please note **that once you have handed in your exam paper early, you are not allowed to rewrite the exam under any circumstances.**

**During the last 15 minutes of the prescribed examination time**, all persons must remain in their seats and wait for the prescribed examination time to end. When the regular examination time has expired, all remaining persons (who are not given additional time) must immediately stop all work on the examination and remain in their seats until the proctors have collected all examination papers that are due. They must then leave the examination room quickly and as quietly as possible.

If you need to go to the **toilet**, please raise your hand and wait until one of the proctors has given you permission. You take your exam to the front of the room, to the supervisors, and leave it there while you go to the toilet; you take it back there before returning to your seat.

What do you compulsorily need to bring to a written exam?

- Your valid Campus Card or other official identification document
- Your writing tools

What else are you **allowed to bring** to a written exam? On this point, a distinction must be made between three types of exams.

- **Exams « closed book »** for which it is **allowed to take legal texts** (classic case of closed book exams):
  - o For these exams, the legal texts used in the corresponding course can be taken to the exam room.
  - o All legal texts must comply with the [Directive annotations](#) during the entire duration of the exams. In particular, they must not contain any unauthorised handwritten annotations or additional sheets of any kind. Where applicable, in accordance with

Art. 4 para. 2 of the [Directive annotations](#), the special requirements of the teachers regarding authorised or prescribed editions of the legal texts must be observed (e.g. for a given examination, only the official edition of the legal text may be used).

- With the exception of legal texts in accordance with the “Directive Annotations” and authorised dictionaries (see below), no documents of any kind, books, etc. may be brought into the examination room. In particular, a text found on the body or clothing of the person concerned is considered a written document if it is relevant to the examination.
- **Exams « closed book »** for which it is **forbidden to bring legal texts** (special case of closed book exams according to the special instructions of the teacher in charge):
  - 
  - No documents of any kind, books, etc., may be brought to these examinations. The provisions concerning authorised dictionaries remain reserved (see below).
- With regard to **dictionaries**, the following applies to all **closed book**:
  - The Faculty does not provide any dictionaries. Whoever needs an (authorised) dictionary must bring it himself/herself.
  - Classic foreign language dictionaries of the type "foreign language - examination language / examination language - foreign language" are allowed.
  - These dictionaries are only considered authorised if they comply *mutatis mutandis* with the provisions of the [Directive annotations](#) and, therefore do not contain, amongst other things, annotations, attachments or additional sheets added personally.
  - Students have the right to consult at their desk the authorised dictionaries they have brought with them.
  - Specialised dictionaries, including legal dictionaries, are not allowed.
- **Exams « open book » :**
  - During these exams, all traditional aids (non-digital and non-electronic; see above) may be brought into the examination room, including texts of legal texts with any handwritten annotations, notes, scripts, manuals, specialised legal dictionaries, etc.
  - Please note, however, that suitcases, bags, backpacks and other containers are not allowed in the examination room, even for open book examinations, and that only the amount of paper that can be carried in a single trip (without the above-mentioned containers) may be brought in.
- Applicable to **all written examinations**: **Drinks** (with the exception of aluminium cans) and **snacks**, which can be removed from their packaging and consumed silently, may be brought in and consumed if needed.

What should you **never, under any circumstances, have with you** during a written examination (in the examination room)?

- Any electronic device (e.g., laptop, tablet, smartphone or other mobile phone, smartwatch), subject to the following:

- Pocket calculators are allowed, if, on the one hand, it is an exam in which complicated calculations are to be carried out and if, on the other hand, it is a device whose functions are strictly limited to the execution of calculations (pocket calculator in the strict sense ; e.g. Texas Instruments TI 30 eco et Casio SL 450S).
  - Programmable calculators and those with a formula or text recording function (e.g. Casio ClassPad II FX-CP400) are not allowed. Similarly, calculator functions contained in other devices (e.g. smartphones) are not allowed. Therefore, it is not allowed to take a smartphone (or similar) instead of an authorised calculator.
- **Hats, caps** (including knitted bonnets), **jackets, coats** and the like are not allowed in the examination room.
  - Similarly, **suitcases, bags, plastic bags, backpacks** and the like are forbidden in the examination room.

Any person who intentionally **or by negligence** brings with him or her into the examination room, or has in his or her possession in the examination room, auxiliary materials (in particular unauthorised or inappropriately completed legal texts or other electronic texts or devices) will be **sanctioned for examination fraud**, regardless of whether these materials are used (or attempted to be used) or not (art. 9 al. 1 lit. b [RE-EXA](#)).

**The same applies** to persons who **leave** unauthorised auxiliary materials in or around the examination room (e.g. in the toilets) and who consult or attempt to consult these auxiliary materials during the examination. Anyone who leaves auxiliary materials in the wardrobe or in the wardrobe area and does not attempt to consult them during the examination is not in breach of this rule.

The persons responsible for supervision under the direction of the Dean's Office have the authority to check all auxiliary materials brought into the examination room before, during and after the examination. In clear cases, any unauthorised aids discovered (e.g. mobile phones) are immediately confiscated by the proctor and only returned at the end of the examination or when the examination concerned has been returned. In cases of doubt (e.g. suspicion of unauthorised annotations), the object is left with the person concerned after evidence has been gathered (e.g. by photographing the object in question). In this case, after the examination, this person must hand over and leave the object with the proctor until the facts are established. To ensure this, the Campus Card or other official identification document of the person concerned will be confiscated. If the object proves to be an authorised aid, the examination is corrected regularly. If the object is found to be an unauthorised aid, the test will be cancelled and proceedings for examination fraud will be initiated in accordance with Art. 9 para. 1 lit. b [RE-EXA](#).

## 4. The Conduct of Oral Exams

Oral exams last in principle 15 minutes. The teachers in charge decide for each test whether the examination will take place with or without preparation time. If there is a preparation time, this also lasts 15 minutes.

No additional time (e.g. for language reasons) is allowed in oral examinations.

The Dean's Office determines the dates and times of individual oral examinations in the examination schedule (cf. document «[Examens à la Faculté de droit : Informations générales \(inscription, sessions, dates, résultats\)](#)», fig. 3), as well as the examination rooms, which are usually located in one of the University buildings (e.g. seminar room or personal office).

For a given exam, the time indicated in the exam schedule corresponds, for oral exams without preparation time, to the beginning of the exam, but for oral exams with preparation time to the beginning of the preparation time.

Students registered for oral examinations must be present **in front of the examination room at least 30 minutes before the time indicated** in the examination schedule.

Students taking oral examinations must identify themselves with a valid Campus Card or other official identification document. Otherwise, they will be denied access to the examination and the examination will be considered a failure.

The candidate whose turn it is (for the examination or, if applicable, for preparation time) is invited to enter the examination room by the examiner or proctor. Delays cannot be excluded and do not found any claim or objection of any kind.

Oral examinations can be conducted according to the **"open book" or "closed book"** principle (with or without legal texts). The decision is made by the teachers in charge. Students are required to consult the course programme and, if necessary, to ask the teachers in charge. If the "closed book" principle applies to an examination, the corresponding rules also apply to any preparation time.

The **rules for written examinations** apply analogously to the question of which auxiliary materials are allowed in oral examinations according to the "open book" or "closed book" principle (with or without legal texts) (see above). The same applies to unauthorised auxiliary materials and the consequences of possession or use of such materials (cf. in particular Art. 9 para. 1 lit. b and lit. c [RE-EXA](#)). However, in oral examinations, any object is not considered to be an unauthorised auxiliary material if the candidate hands it over immediately after entering the examination room or the preparation room to the person responsible for supervising the examination or to the examiner for safekeeping (e.g. a smartphone).

Oral examinations are open to the public, provided this does not interfere with the conduct of the examination (Art. 7a para. 2 [RE-EXA](#)).

In addition to the examiner(s), an assessor appointed by the Dean's Office participates in each oral examination. These are normally, but not exclusively, assistants employed by the chairs of the Faculty of Law and holding a law degree. The task of the assessors is to record the formal course of the examination (and, if applicable, the preparation) and to report any unusual events. The assessor is not responsible for recording the content of the examination.

Any recording (sound, image) of oral examinations is prohibited under Art. 7a para. 2 [RE-EXA](#).

## 5. Legal Texts Control

For all written and oral examinations conducted according to the "closed book" principle, for which the use of legal texts is not prohibited, a legal text control is carried out in accordance with Art. 10 of the [Directive annotations](#).

In principle, the code check according to Art. 10 para. 2 of the [Directive annotations](#) takes place during (not before) the examination. Other procedures apply only insofar as the responsible teachers have announced them for specific examinations.

If the control of the legal texts is carried out during the examination, this means, among other things, that each candidate is responsible for the legal texts he or she takes with him or her (Art. 10 para. 6 of the [Directive annotations](#)). The persons responsible for supervision and, if present, the teachers are

entitled to check the conformity of the legal documents in the examination room at any time and to obtain evidence (e.g. by taking photographs) before, during and after an examination. Legal texts that contravene the [Directive annotations](#), unless they are a case of bagatelle (cf. Art. 12 para. 1 and para. 2 of the [Directive annotations](#)), are considered to be unauthorised auxiliary materials within the meaning of Art. 9 para. 1 lit. b [RE-EXA](#) (cf. also para. 3 *in fine* above). Like other unauthorised auxiliary materials, these texts of law are only allowed in the wardrobe or in the wardrobe area, but not in the examination room, either on the table or elsewhere. If, during a check carried out during the examination, a text of law that contains objective evidence of a possible violation of the Directive Annotations is discovered, it remains with the person concerned after the control and possible preservation of the evidence. The person concerned may continue with the examination, but is obliged, at the end of the test, to hand over and leave the legal text with the person responsible for supervising the examination, until the facts of the case are established (cf. Art. 12 para. 3 and para. 4 of the [Directive annotations](#)). To ensure this, the Campus Card or other official identification document of the person concerned is confiscated (cf. Art. 12 para. 5 and para. 6 of the [Directive annotations](#) ; cf. also para. 7). Thereafter, if the legal text proves to be an authorised auxiliary material, the examination will be corrected regularly. If the text is not an authorised auxiliary material, the examination will be cancelled and proceedings for examination fraud will be initiated in accordance with Art. 9 para. 1 lit. [RE-EXA](#).

However, if the teachers responsible for a given examination decide, in accordance with Art. 10 para. 4 of the [Directive annotations](#), to carry out a preliminary control of the legal texts, Art. 10 paras. 3 and 5 as well as Art. 11 of the [Directive annotations](#) apply. The teachers in charge of the examination will inform the candidates in good time of the modalities of the control, in particular whether the control will take place in the period preceding the date of the examination or immediately before admission to the examination room.