

**Please note that this document is a non-binding convenience translation. Only the German version of the document entitled “Studien- und Prüfungsordnung der Universität Heidelberg für den Masterstudiengang "International Law (LL.M.)"” of 22 July 2010, published in the Rector's bulletin (Mitteilungsblatt des Rektors) of 25 August 2010, p. 1127, and last amended on 13 November 2018 (Rector's bulletin [Mitteilungsblatt des Rektors] of 14 December 2018, p. 1319 ff.), has legal validity.**

## **Heidelberg University Examination Rules and Regulations for the Master's Degree Programme “International Law (LL.M.)”**

of 22 July 2010

In accordance with §§°32 paragraph 4, 35 paragraph 3 of the State Law on Higher Education (Landeshochschulgesetz-LHG, Baden-Württemberg), last amended through article 1 of the Law on Development of University Law (Gesetz zur Weiterentwicklung des Hochschulrechts-HRWeitEG) of 13 March 2018 (GBI. [Law bulletin] of 29 March 2018, p. 85 ff.), the senate of Heidelberg University approved the following fourth charter to change the examination rules and regulations for Heidelberg University's Master's degree programme “International Law (LL.M.)” of 12 November 2005 (Mitteilungsblatt des Rektors [Rector's bulletin] of 19.11.2004, p. 763 ff.), last amended by the charter of 22 July 2010 (Rector's bulletin No. 16/2010 of 25.08.2010, p. 1127 ff.).

Approved by the Rector on 13 November 2018.

### **Preamble**

All titles in this document, be they official, job, status or functions, are used in masculine form, however they refer to men and women equally and may also be used in the corresponding feminine form.

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(1) The Master's degree programme "International Law (LL.M.)" aims to convey in-depth knowledge in areas of public international law and additional respectively relevant areas.

(2) This degree programme is offered by the Faculty of Law at Heidelberg University; the Faculty of Law at Heidelberg University offers this degree programme in collaboration with the Center for International Law at Universidad de Chile and with support from the Max Planck Institute for Comparative Public Law and International Law.

(3) At the end of the Master's programme, students can obtain a qualifying degree to enter a profession as a Master of Laws in International Law (LL.M.)

(4) The purpose of the Master's examination is to assess whether students have an overview of the interconnections within their subject, have the ability to apply in-depth academic methods and knowledge, and are able work independently in accordance with academic principles. Additionally, the students' abilities to perform the tasks described in paragraph 1 shall be examined.

(5) Admission to the academic programme is subject to separate admission regulations.

## § 2 Academic degree

Heidelberg University, represented by the Faculty of Law, awards the academic degree of "Master of Laws in International Law" (LL.M.) to candidates who have passed the Master's examination.

## § 3 Standard period of study, programme structure and range of courses offered

(1) The standard period of study for the Master's degree programme is two semesters. This includes the time required to complete the Master's thesis and to take the Master's examination. Start and finish as well as teaching periods of the Master's degree programme deviate from the standard semester dates.

(2) Successful completion of the Master's degree programme requires a total of 60 credits (CP).

(3) The Master's programme is a modular programme. Of the 60 credits, 38.5 credits will be obtained through examination components completed during the course of study, 5 credits will be awarded for passing the final oral examination, and 16.5 credits for the Master's thesis and the research stay in Heidelberg.

(4) The languages of instruction and examination in the Master's degree programme are English and Spanish.

#### § 4 Modules and credits

- (1) A module is a teaching unit, self-contained in terms of both time and content and comprised of various lectures and courses. It not only comprises the lectures and courses attended, but also the components necessary for a passing grade in the module.
- (2) The Master's thesis and final oral examination are both regarded as individual modules.
- (3) All modules are compulsory modules, i.e. they must be successfully passed by the students.
- (4) All modules have compulsory attendance.
- (5) All components within a module must be graded as "sufficient" (4.0) or higher (sub-module grades) in order to pass the complete module.
- (6) Credits are awarded for successfully completed modules, including their individual components. One credit (CP) corresponds to a workload of 30 hours.
- (7) The following modules need to be passed successfully:
  - a) Module 1: International Law (7.5 CP)
  - b) Module 2: International Trade: WTO and Intellectual Property (5 CP)
  - c) Module 3: International Trade: Regional Economic Integration (13.5 CP)
  - d) Module 4: International Investments (5 CP)
  - e) Module 5: International Commercial Arbitration (7.5 CP)
  - f) Module 6: Master's thesis and research stay in Heidelberg (16.5 CP)
  - g) Module 7: Final oral examination (5 CP).
- (8) A grade report (Transcript of Records) will be issued at the end of each semester, listing all module and sub-module examinations students have passed, including the corresponding credits and grades.

#### § 5 Examinations board

- (1) The examinations board is responsible for the organisation of examinations and tasks required by these examination rules and regulations. It consists of a minimum of two

professors. Additionally, further professors, associate professors or research associates and a representative of the scientific staff can be appointed members of the examinations board. The chairperson and the deputy must be professors. The professors must represent the majority of votes.

(2) The Faculty of Law appoints the members of the examinations board.

(3) The examinations board ensures that the examination rules and regulations are upheld. The committee also ensures that examinations can be taken within the timeframes stated in the current examination rules and regulations. The committee regularly reports to the extended faculty council regarding changes to examinations and study periods (including actual processing times for Master's theses), and the distribution of grades. Furthermore, the committee proposes changes to the curriculum and examination rules and regulations. This report is published in a suitable form.

(4) The chairperson manages the business of the examinations board, prepares and chairs its meetings and has the deciding vote in the event of a tie vote.

(5) The examinations board may confer further tasks to its chairperson, provided this does not violate applicable law. Such a decision may be revoked at any time. The examinations board must be informed on a regular basis about the execution of these tasks.

(6) The examinations board appoints examiners and observers. The board may be called upon for all questions regarding examinations. Members of the examinations board have the right to attend examinations.

(7) Members of the examinations board, examiners and observers are obliged to maintain professional confidentiality. Members who are not civil servants are sworn to secrecy by the chairperson.

(8) The candidate must be informed of negative decisions of the examinations board immediately and in writing; the reasons for the decision must be stipulated and information on the procedure for appeal must be provided.

## § 6 Examiners and observers

(1) In general, examinations which are not completed during the course of study may only be conducted by professors, associate professors, or research associates who have been granted the right to examine by the faculty council due to longstanding and successful teaching experience. Research assistants, research associates, adjunct lecturers and lecturers with special responsibilities may only be appointed to conduct examinations under exceptional circumstances, if there is not enough qualified faculty available to conduct examinations. International examiners need to have a qualification equivalent to clause 1.

(2) Observers must have taken the corresponding Master's examination or equivalent.

(3) The candidate is permitted to suggest an examiner for the Master's thesis and the final oral examination; however, this does not constitute entitlement to be examined by a particular examiner.

(4) The chair of the examinations board ensures that candidates are notified of examiners' names in due time.

## § 7 Recognition of study periods, course credits and examination results

(1) Study periods, course credits and examination results in the Master's degree programme "International Law (LL.M.)" that were obtained through a degree programme at another state or state-recognised higher education institution or college of cooperative education (Berufsakademie) in the Federal Republic of Germany, or at state or state-recognised higher education institutions abroad, will be recognised as long as the skills acquired do not differ significantly from those required for the courses and examinations to be replaced. In this assessment, it must be considered whether the majority of the periods of study, course credits and examination results obtained correspond overall to the Legum Magister programme for international students at Heidelberg University in terms of their content, scope and requirements.

(2) It is the applicant's responsibility to provide all information necessary for achievements to be recognised. It is the responsibility of the examinations board or the

committee of the department to which the board delegates the decision following paragraph 6, to prove that the requirements for recognition are not fulfilled.

(3) Where agreements and conventions between the Federal Republic of Germany and other states on the equivalence of higher education standards (equivalency agreements) favour students from other states by way of deviation from paragraph 1, the provisions of the equivalency agreements take precedence.

(4) In the recognition procedure, programmes are not compared schematically, but rather considered and assessed as a whole.

(5) If credits and examination results are recognised, the grades, in the case of comparable grading systems, must be transferred and used when calculating the overall grade in accordance with these examination rules and regulations. If grading systems are not comparable, any results will be indicated in the record as “passed”. A note indicating where credits have been recognised may be included in the diploma.

(6) Decisions in accordance with this provision are made by the examinations board. The board can delegate the decision to its chairperson and, in simple cases that do not diverge from the subject of former decision-making procedures, to the department representative or the head of the department examinations office.

(7) Upon application, knowledge and skills acquired outside of the higher education system are to be recognised for a degree programme if:

1. the requirements for university admission are fulfilled at the time of recognition,
2. the knowledge and skills to be recognised for the university degree programme are equivalent in both content and level to the course credits and examinations which they are to replace, and
3. the criteria for recognition have been verified through an accreditation procedure.

Knowledge and skills gained outside of the higher education system may not replace more than 50% of the university degree programme. These knowledge and skills must be

substantiated through conclusive original diplomas or as certified copies. A final thesis will not be recognised.

(8) Following submission of the complete documents, the notice is normally issued within a period of 6 weeks. The notice must provide information on the procedure for appeal.

## **§ 8 Unexcused absence, withdrawal, exceeding of deadlines and deception**

(1) An examination is graded as "failed" (5.0) if the candidate fails to attend the examination and is unable to provide a valid reason for his or her absence, or if the candidate withdraws after the examination has started. A written examination that was not completed within the allowed time is also graded as "failed".

(2) Reasons for withdrawal or absence according to paragraph 1 must be plausible and immediately communicated in writing to the examinations board. If the candidate, or a child for whom the candidate is generally the sole caregiver, is ill, a medical certificate must be provided. In the event of doubt, a medical certificate from a university-designated physician may be required. If the reasons stated are accepted, a new examination date will be scheduled. In this case, examination results that are already available will be taken into account.

(3) When deciding whether the candidate is responsible for exceeding a registration or examination deadline, the examinations board must respect the provisions stated in the Maternity Protection Act (Mutterschutzgesetz) and the legal provisions concerning parental leave, and allow candidates to make appropriate use of these provisions.

(4) If the candidate tries to influence the examination results through deception or by using unauthorised aids, the examination will be graded as "failed" (5.0). If a candidate disrupts the proper course of the examination, the examiner or examination supervisor may not allow them to continue the examination, in which case the examination result will be graded as "failed" (5.0). In extreme cases, the examinations board may exclude the candidate from all further examinations.

(5) With regard to paragraph 4, clauses 1 and 2, the candidate may request that the decision be validated by the examinations board within a period of two weeks. The candidate

must be informed of negative decisions immediately and in writing; the reasons for the decision must be stipulated and information on the procedure for appeal must be provided.

## **§ 9 Types of examination component completed during the course of study**

(1) Examination components completed during the course of study are:

1. written examinations
2. oral examinations

(2) Examinations as referred to in paragraph 1 are taken as an integrated part of the lecture or course. The lecturer responsible for a lecture or course determines the nature and duration of the integrated examinations and provides this information no later than at the beginning of the lecture or course.

(3) If the candidate provides a medical certificate that plausibly proves that they are not able to take examinations in the prescribed form, whether completely or partially, due to permanent or chronic health problems, the examinations board may allow them to take an equivalent examination in an alternative form.

## **§ 10 Written examination components completed during the course of study**

(1) In written examination components, candidates can prove that they are capable of dealing with a specific subject in an academic way. They apply their knowledge of academic work obtained in the course, take available resources into consideration and develop individual ideas and approaches to a solution.

(2) Written examination components usually take the form of a written research paper. The candidate must therefore assure that he/she is the author of the work and has used no sources or aids other than those indicated.

(3) Written examination components completed as written examinations take between 120 and 180 minutes.

## § 11 Oral examination components completed during the course of study

- (1) The purpose of oral examination components is to assess whether candidates are able to identify interconnections within the examination matter and relate specific problems to these interconnections. Furthermore, candidates should demonstrate that they have adequate fundamental knowledge relating to their academic programme.
- (2) An oral examination lasts between 15 and 20 minutes.

## § 12 Assessment of examination components

- (1) Grades for the individual examination components are determined by the respective examiners. The following grades must be used for assessment of examinations:

1 = very good	= an outstanding performance;
2 = good	= a performance which lies substantially above average requirements;
3 = satisfactory	= a performance which fulfils average requirements;
4 = sufficient	= a performance which, despite deficiencies, still meets the requirements;
5 = failed	= a performance which, due to considerable deficiencies, does not meet the requirements.

For more detailed assessment of examination performance, grades may be further differentiated by increasing or decreasing the individual grades by 0.3; however, the grade 0.7 and incremental grades above 4.0 may not be used.

- (2) To calculate the final module grade, all sub-module grades are equally considered in their unrounded form. If a module contains a final module examination, the final module grade is comprised of examination components completed during the course of study weighted at 30% and the grade for the final module examination weighted at 70%.
- (3) Final module grades and the overall Master's examination grade are:
- |   |              |
|---|--------------|
| for an average up to/including 1.5                    | very good    |
| for an average of between 1.6 and up to/including 2.5 | good         |
| for an average of between 2.6 and up to/including 3.5 | satisfactory |

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for an average of between 3.6 and up to/including 4.0	sufficient
for an average exceeding 4.0	failed

(4) When calculating final module grades and the overall examination grade, only the first decimal after the point is taken into account. The other decimals are dropped without rounding.

(5) In addition to the grades calculated using the German system, students who have passed the examination components will also be awarded an ECTS grade according to the following scale:

- A for the top 10 %
- B for the following 25 %
- C for the following 30 %
- D for the following 25 %
- E for the following 10 %

Depending on the number of students in the current graduating class, the grades are calculated based on the examination results of the entire graduating class, as well as the graduating classes from at least two previous years. In addition to the German grade, the inclusion of the ECTS grade for degree grades is mandatory. For individual modules, the ECTS grade may be listed when possible and necessary (e.g. when transferring to a university abroad).

## **Section II: Master's examination**

### **§ 13 Admission requirements for the Master's examination**

(1) Admission to the individual examinations for the Master's examination will only be authorised for those who:

1. hold a general higher education entrance qualification, a related subject-restricted higher education entrance qualification or a higher education entrance qualification recognised by legal regulation or by the competent government authority;
2. are enrolled at Heidelberg University for the Master's degree programme “International Law (LL.M.)”;

3. have not lost their entitlement to take the final examinations in the Master's degree programme “International Law (LL.M.)”.

(2) For admission to the Master’s thesis, students need to provide proof of successful completion of the modules stated in § 4 paragraph 7.

(3) The Master’s thesis must be submitted prior to taking the final oral examination.

#### **§ 14 Admission procedure**

(1) The application for admission to the Master’s thesis must be made in writing and addressed to the chair of the examinations board. The following must be enclosed with the application:

1. proof of fulfilment of the admission requirements stated in § 13,
2. a declaration stating whether candidates have already failed their final attempt at the Master's examination in the Master’s degree programme in International Law or whether they are currently undergoing an examination procedure.

(2) If the candidate is unable to provide such evidence, the examinations board may accept other documents as proof.

(3) The examinations board decides whether to admit the candidate on the basis of the application. Rejections must be substantiated and notified in writing along with instructions for appeal.

(4) The application for admission to the examination may only be rejected if:

1. the requirements outlined in § 13 are not fulfilled, or
2. the documents set forth in paragraph 1 are not complete, and have not been completed upon request, or
3. candidates have failed their final attempt at the Master's examination in the degree programme in International Law or have lost the entitlement to take the final examinations, or

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4. the candidate is currently undergoing examination procedures in such a degree programme.

## **§ 15 Scope and nature of the Master’s examination**

(1) The Master's examination consists of:

1. successful completion of the examinations in the modules set forth in § 4, paragraph 7,
2. the Master’s thesis and
3. the final oral examination.

(2) The components of the Master's examination must be completed in the following order:

examinations completed during the course of study (paragraph 1, number 1)

Master’s thesis (paragraph 1, number 2)

final oral examination (paragraph 1, number 3).

(3) § 9 paragraph 3 applies accordingly.

## **§ 16 Master’s thesis**

(1) The purpose of the Master’s thesis is for candidates to prove that they are able to work independently, within a given period of time and using academic methods, to address a problem from the field of International Law.

(2) Every examiner authorised according to § 6 paragraph 1 clause 1 is entitled to assign and supervise Master's theses.

(3) In accordance with § 4, the candidate must start writing their thesis or apply for allocation of a Master's thesis topic no later than ten days after passing the last course-integrated examination component. This application must be addressed to the chairperson of the examinations board. If the candidate fails to observe this deadline, the Master’s thesis will be graded as "failed" (5.0), unless the candidate is not responsible for exceeding the time limit.

(4) The topic of the Master's thesis will be determined by the supervisor. If an application for assignment of a topic is submitted, the chair of the examinations board will ensure that the candidate receives a topic for their Master's thesis in due time. The candidate is permitted to propose topics; however, this does not constitute legal entitlement to a particular topic. The topic is assigned by the chair of the examinations board. The date of assignment must be recorded.

(5) The Master's thesis must be submitted within three months after assignment. In exceptional circumstances, the examinations board may extend this deadline by up to one month. If the deadline is not met, the Master's thesis will be graded as "failed" (5.0), unless the candidate is not at fault for exceeding the deadline.

(6) The topic, task and scope of the Master's thesis must be limited in such a way that the candidate should be able to complete the thesis within the given time frame.

(7) The Master's thesis must be written in English.

#### **§ 17 Submission and assessment of the Master's thesis**

(1) Three copies of the Master's thesis must be submitted to the examinations board before the established deadline; the submission date must be recorded.

(2) When submitting the Master's thesis, the candidate has to provide a written statement, in which they state that they are the sole author of their work and that they have not used any resources and aids other than those stated. They must also state that the thesis has not been submitted in its current or a different form to another faculty or a faculty member, and that it has not been submitted as an examination component for another academic or state examination.

(3) According to § 6, paragraph 1, clause 1, the Master's thesis is assessed by two examiners, one of whom must be a professor. The first examiner should be the thesis supervisor. The second examiner is designated by the examinations board. The candidate is permitted to make a proposal. This does not, however, constitute legal entitlement to be examined by a particular examiner. The evaluation period should not exceed a period of four weeks.

- (4) Each examiner proposes an individual grade. If the assessments differ, the average is used as the final grade. Both individual grades, however, must at least be “sufficient” (4.0).
- (5) If, according to paragraph 4, one of the two grades is “insufficient”, the examinations board will appoint a third examiner. The Master’s thesis is passed if a minimum of two examiners have at least awarded the grade “sufficient” (4.0).
- (6) If the Master’s thesis does not obtain the grade “sufficient” (4.0), it will be considered as failed. The Master's thesis may be retaken once. The candidate must begin work on the retake of his or her Master’s thesis within six months of receiving notification that the initial Master’s thesis was failed. If the candidate fails to observe this deadline, the Master’s thesis will be ultimately failed, unless the candidate is not responsible for exceeding the deadline. In well-founded cases, the examinations board may extend this deadline by up to four semesters upon request. The chairperson of the examinations board ensures that the candidate receives a new topic for their Master’s thesis in due time. A second retake is not permitted for the Master’s thesis. The retake is subject to the same regulations as the first attempt at the Master’s thesis.
- (7) § 12 applies accordingly.

## § 18 Final oral examination

- (1) The final oral examination must be taken within eight weeks after submitting the Master's thesis. If this deadline is not met, the final oral examination will be graded as "failed" (5.0), unless the candidate is not at fault for the deadline being exceeded. The duration of the oral examination will be determined so that each candidate is allocated approximately 10 minutes. Four candidates will be regularly examined together.
- (2) The final oral examination will be held by one examiner and one qualified observer.
- (3) The topics examined and the results of the oral examination must be recorded in a written report to be signed by the examiners and the observers. Candidates must be notified of examination results immediately following the oral examination.

(4) Students intending to take the same examination at a later date may be allowed to observe the examination, provided that there is enough space available. The student observers may not be present for the assessment or announcement of the examination results. Upon the candidate's request, or for other valid reasons, observers may be prohibited from attending the examination.

### **§ 19 Passing the examination and overall grade**

(1) The Master's examination is passed if all examination components according to § 15 paragraph 1 have each been graded as "sufficient" (4.0) or better.

(2) When calculating the overall grade for the Master's examination in accordance with § 12 paragraph 3, the numerical values of all module grades shall be considered without rounding according to § 12 paragraph 3 and shall be weighted as follows: Modules 1 to 5 are each weighted at 8%; module 6 is weighted at 40%; and module 7 is weighted at 20%.

### **§ 20 Retaking an examination, deadlines**

(1) Failed examinations, or examinations deemed failed may be retaken once. Any unsuccessful examination attempts at other universities are to be counted towards this retake limit.

(2) Retaking an examination that has been graded as passed is not permitted.

(3) Failed oral examinations must be retaken no later than during the following semester. If the candidate fails to meet this deadline, they will lose their entitlement to take the examination, unless they are not responsible for exceeding the deadline.

(4) In the case of retaking the Master's thesis, § 17 paragraph 6 applies accordingly.

### **§ 21 Master's diploma and certificate**

(1) Within four weeks of passing the Master's examination, a diploma will be issued. The diploma lists all individual modules with their respective grades, credits, and the overall grade. The diploma will also state the topic of the Master's thesis. The diploma bears the date

on which the last examination component was completed. It must be signed by the chair of the examinations board.

(2) A "Diploma Supplement" in German and English will also be issued, containing additional information about the course content and the course of study. The content complies with the European Diploma Supplement Model.

(3) A bilingual Master's certificate in both German and English is issued with the diploma, bearing the same date as the diploma. It certifies the conferment of the academic degree "Master of Laws in International Law (LL.M.)". The Master's certificate is signed by the dean of the Faculty of Law and the chairperson of the examinations board. It bears the faculty seal.

(4) If the Master's examination is failed on the final attempt or is considered not to have been passed, the chairperson will issue a written notification, providing information on the procedure for appeal. A certificate will be issued upon request, and upon presentation of corresponding documentation and proof of a de-registration certificate, listing passed examinations and their grades, missing examinations required for obtaining the Master's degree, and a statement that, on the final attempt, the Master's examination was not passed.

### **Section III: Final provisions**

#### **§ 22 Invalidity of examinations**

(1) If a candidate has cheated on an examination and this is not discovered until after the diploma has been issued, the examinations board may accordingly correct the examination results for the affected examination components, and may declare the examination to be partially or completely failed.

(2) If the requirements for admission to the examination were not fulfilled, but without any intent on the candidate's part to deceive, and this is not discovered until after the diploma has been issued, the passed examination will be considered compensation for this shortcoming. If the candidate intentionally gained admission to the examination through deceit, the examinations board will make a decision on the matter.

(3) The candidate will be given the opportunity to provide an explanation before the decision is made.

(4) The incorrect examination certificate will be confiscated, and, where applicable, a new certificate must be issued. If the examination has been graded as "failed" due to cheating or deceit, the Master's certificate will be confiscated along with the incorrect examination certificate. In accordance with paragraph 1 and paragraph 2, clause 2, a decision may not be made more than five years after the date indicated on the examination certificate.

### § 23 Access to examination documents

Once the examination procedure has been concluded, the candidate has the right to request access to examination documents within a reasonable period of time. Requests must be submitted in writing, and within a period of up to one month after completion of the examination process. The chair of the examinations board will decide when and where such access will be granted.

### § 24 Coming into force

(1) The above changes become effective on the first day of the month following their publication in the Rector's bulletin (Mitteilungsblatt des Rektors).

(2) The study and examination rules and regulations in the version of 22 July 2010 (Rector's bulletin No. 16/20 of 25.08.2010, p. 1127 ff.) will continue to apply to students who, at the point of coming into force of this charter, are already enrolled.

Heidelberg, 13 November 2018

Prof. Dr. Dr. h.c. Bernhard Eitel

Rector

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