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**Full text**

Ministerial Order on University Examinations and Grading (the Examination Order).

Pursuant to section 8(1), (3) and (5) and section 34(1) of the Danish Act on Universities (the University Act) (*Universitetsloven*), see Consolidation Act no. 261 of 18 March 2015, as amended by Act no. 411 of 11 May 2016, section 22(2) of the Danish Act on Academy Profession and Professional Bachelor’s Degree Programmes (*Lov om erhvervsakademiuddannelser og professionsbacheloruddannelser*), see Consolidation Act no. 1147 of 23 October 2014, as amened by Danish Act no. 411 of 11 May 2016 and section 1 of Danish Act no. 247 of 6 April 2001 on Conducting Danish Tests and Examinations Abroad (*Lov om afholdelse af danske prøver og eksaminer i udlandet*), the following is stipulated:

**1.-(1)** This ministerial order applies to university examinations and co-examination on Bachelor’s degree programmes and Master’s degree programmes as well as professional Master’s degree programmes and other part-time degree programmes under the University Act, unless otherwise stipulated in the ministerial orders governing the specific degree programmes.

*(2)* With the exception of title II on co-examination, this ministerial order also applies to the universities’ offering of professional Bachelor’s degree programmes as full-time degree programmes, see section 7 of the University Act. The rules applying to Bachelor’s degree programmes also apply to these professional Bachelor’s degree programmes.

*(3)* The rules on registration for examinations etc. on Bachelor’s and Master’s degree programmes, see section 14, on the commencement of studies exam on the Bachelor’s degree programme, see section 16, on the first-year exam on the Bachelor’s degree programme, see sections 17-19, and on the active enrolment requirement, see section 20, do not apply to students admitted to Bachelor’s and Master’s degree programmes under the rules governing part-time degree programmes, see the Ministerial Order on Part-Time Degree Programmes at the Universities (the Part-Time Order) (*Deltidsbekendtgørelsen*).

*(4)* This ministerial order does not apply to study programmes covered by the Ministerial Order on the International Education Activities of Universities (*Bekendtgørelse om universiteternes internationale uddannelsesforløb*), unless otherwise stipulated in the Ministerial Order on the International Education Activities of Universities.

**Title I**

**Examination**

Part 1

*Objective*

**2.-(1)** The objective of the examination is to assess the extent to which the student’s qualifications comply with the academic objectives stipulated for the courses or course elements of the degree programme in the academic regulations. The final exam provides the basis for the award of diplomas, see section 31(1).

*(2)* In the academic regulations for the individual degree programme, the university lays down precise descriptions of objectives and criteria for assessing the fulfilment of such objectives for the individual courses/course elements which are concluded with an examination, see the Ministerial Order on the Grading Scale and Other Forms of Assessment of University Education (the Grading Scale Order *(Karakterbekendtgørelsen)*).

Part 2

*Forms of examination*

**3.-(1)**The degree programme must include a variety of forms of examination, which must reflect the content and working methods of the course. The form of examination must reflect the objectives of the individual course or course element, e.g. oral, written, practical and project-based exams as well as combinations of different forms of examination. In the academic regulations, the university lays down the form of examination for the course or course element.

*(2)* In the academic regulations, the university may stipulate that:

1) A course or course element may be documented fully or partly through a requirement for course participation, if so warranted by the content and working methods of the course or course element.

2) Course participation is a condition for the student taking an examination in the course or course element.

3) A requirement for submission of written papers and oral presentations during the course is a condition for the student taking an examination in the course or course element.

4) Students must perform an oral defence of a written paper prior to its assessment. In such cases, the assessment is based on an overall assessment of the written paper and the oral performance, see section 4(4).

*(3)* In the academic regulations, the university may also stipulate that the assessment of coursework in the form of written papers and oral presentations etc. must be included in the determination of the mark together with the final exam in a course or course element. It must be stated in the rules, if any, how the assessment of the written papers and oral presentations etc. should be included in the overall assessment of the course or course element. The university may stipulate that students are not allowed to participate in the final exam unless their coursework in the form of written papers and oral presentations etc., see section 13(2), has been approved. Appeals against an assessment of coursework must be submitted to the university by the student in accordance with the rules set out in part 7.

**4.-(1)** Based on academic considerations, the university stipulates in the academic regulations whether an examination must be organised as an individual exam or as a group exam. If an examination is organised as a group exam, the university also lays down the maximum number of students allowed to participate in the individual group exam and whether the student may choose an individual exam instead. An individual assessment must be made of the students’ performance and individual marks must be awarded in connection with both individual exams and group exams.

*(2)* In an oral group exam, examination of the individual student must be carried out so as to ensure that an individual assessment is made of the student’s performance. When organising an oral group exam, the university must ensure that the time allotted for the examination is adapted to the number of students participating in the examination.

*(3)* Separate marks can only be awarded or other separate assessment made for a paper written by a group of students if the contributions of the individual students are clearly indicated. The university lays down requirements for individualisation in the academic regulations.

*(4)* If a separate mark is not to be awarded or other separate assessment made for a paper written by a group of students, the paper may be included in the assessment of a subsequent oral exam.

Part 3

*Conducting examinations etc.*

**5.-(1)** Except where governed by an agreement pursuant to section 45(2), oral exams are open to the public, see, however, subsections (2)-(4).

*(2)* Clinical exams involving patients are only open to the public if the patient consents thereto.

*(3)* Under special circumstances, including circumstances relevant to the individual student, the university may grant exemptions from the rule in subsection (1). The university may also limit access to the exam rooms for space reasons, and individuals may be denied access or ordered to leave if it is considered necessary in order to guarantee the necessary peace and quiet during the examination.*(4)*

If the university conducts an individual oral exam as a follow-up to a paper written by a group of students and as a follow-up to an oral group exam, if any, the students concerned must not be present in the exam room before they are to be examined in the individual oral exam.

*(5)* Audio and video recordings during an examination are not allowed, unless such recordings are considered an integral part of the examination process. If this is the case, the recordings will be made by the university.

*(6)* Only examiners and co-examiners are allowed to be present during the discussion of the examinee’s performance at oral exams, see section 22. The university may, however, decide to allow trainee examiners to be present during the discussion of the examinee’s performance.

**6.-(1)** On degree programmes offered in Danish, examinations are conducted in Danish, see, however, subsections (2) and (3), unless part of the purpose of the examination is to document the student’s proficiency in a foreign language. However, examinations may be conducted in Swedish and Norwegian instead of Danish, unless part of the purpose of the examination is to document proficiency in Danish.

*(2)* If circumstances make it possible, the university may allow students to take an examination in a foreign language. However, this does not apply if part of the purpose of the examination is to document proficiency in Danish or another specific foreign language.

*(3)* If a course has been taught in a foreign language, examinations must be conducted in that language, unless part of the purpose of the examination is to document the student’s proficiency in another language. The university may grant exemptions from this rule.

*(4)* On degree programmes offered in English or another foreign language, examinations must be conducted in the language of instruction, unless part of the purpose of the examination is to document the student’s proficiency in another language.The university may grant exemptions from this rule.

**7.** The university may offer special examination conditions for students with physical or mental impairment and for students whose native language is not Danish, if the university deems it necessary to provide the students concerned with equal opportunities in the exam situation. Such an offer must not, however, change the standard of the examination.

**8.** The university may hold examinations as video conferences or using other appropriate technology. The university must ensure that the safety and security measures taken in connection with such examinations correspond to those normally put in place for an examination. The university appoints or approves exam supervisors who must remain with the students throughout the examination. The examiner and co-examiner may be in a different physical location than the students, but must still conduct the examination and assess the students in accordance with the appropriate rules.

**9.** The university lays down rules governing disciplinary measures in cases of cheating and disruptive behaviour during examinations.

**10.** In the academic regulations, the university may lay down rules on the use of computers in examinations.

*Examinations abroad*

**11.-(1)** The university may conduct examinations at a Danish representation or at other locations abroad, provided the reason for doing so is that the student is unable to participate in the university’s examinations in Denmark for practical or financial reasons and if the student and the exam location reach an appropriate agreement. Danish examinations conducted abroad must comply with all the other rules laid down in the ministerial order.

*(2)* The university appoints or approves exam supervisors and other persons to organise the practical aspects of conducting the examination abroad.

**12.-(1)** The university defrays the special costs associated with conducting examinations abroad.

*(2)* The Ministerial Order on Payment for the Services of Civil Servants Serving Abroad (*Bekendtgørelse om betaling for tjenestehandlinger i udenrigstjenesten*) applies to conducting examinations at Danish representations abroad.

*(3)* The university may ask the student to pay part or all of the costs incurred by the university to conduct the examination abroad. It is a condition that the student confirms in writing in advance his or her willingness to pay the costs in question. The university may make payment in advance a condition for conducting the examination.

*Number of examination attempts*

**13.-(1)** An examination which has been passed cannot be retaken, see the Grading Scale Order.

*(2)* Students are entitled to three attempts to pass an examination etc., see, however, section 16(2), third sentence, and section 17(3) as well as the Part-Time Order. Under special circumstances, the university may grant additional attempts. The question of academic aptitude must not be included when assessing whether special circumstances apply.

*(3)* Students whose course participation is to be assessed anew, see section 3(2), items 1 and 2, may demand an examination instead. However, in the academic regulations, the university may stipulate that this does not apply to the commencement of studies exam, see section 16(3). An examination cannot replace course participation involving practical exercises.

*(4)* Offers of re-examinations under section 21(3), section 36(1), item 2, or section 41(1), item 2, do not count as examination attempts pursuant to subsection (2).

*Registration for examinations etc.*

**14.-(1)** Registration for courses or course elements on Bachelor’s and Master’s degree programmes must be made in accordance with the internal rules laid down by the university, see the Ministerial Order on Bachelor’s and Master’s Degree Programmes at the Universities (the Degree Programme Order *(Uddannelsesbekendtgørelsen)*). The university must also lay down internal rules on the scheduling of and registration for the scheduled exams forming part of the degree programme (first examination attempt) and for re-examinations (second and third examination attempt), see, however, sections 17-19. The university stipulates whether the university or the student is responsible for registering for examinations, and also whether students registering for courses or course elements are automatically registered for examinations and re-examinations. The university also stipulates whether students are allowed to withdraw from examinations or re-examinations, including any time limits to be complied with, see, however, subsection (3). Students use one examination attempt, see section 13(2), if they do not withdraw their registration in due time.

*(2)* The university may lay down a requirement, see subsection (1), that students register for examinations corresponding to a certain number of ECTS credits. In addition to examinations from previous academic years, students may be required to register for examinations corresponding to a maximum of 60 ECTS credits per academic year.

*(3)* When the university has stipulated a deadline for the submission of the Master’s thesis, see the Degree Programme Order, withdrawal of registration is not possible, and students who fail to submit their thesis within the deadline stipulated have used an examination attempt, see section 13(2), unless the university has granted an exemption pursuant to subsections (5) and (6). If the student does not achieve a mark of at least 02, see the Grading Scale Order, in the assessment of the Master’s thesis, one examination attempt has been used.

*(4)* The academic regulations may stipulate a different examination or assessment form for re-examinations to the examination or assessment form used for the scheduled exam, see section 3(1) and section 22. However, this does not apply to the Bachelor’s project or the Master’s thesis.

*(5)* The university may grant exemptions from the rules, see subsections (1)-(3), if the student is an elite athlete, or under special circumstances, including impairment.

*(6)* The university may deviate from the rules laid down pursuant to subsections (1)-(3) if the student is an entrepreneur or is chair of a voluntary organisation under the Danish Youth Council (DUF), see the Degree Programme Order.

*(7)* The internal rules laid down by the university pursuant to subsections (1) and (2) must be published on the university website.

**15.** Within the framework of the Ministerial Order on Part-Time Degree Programmes at the Universities (the Part-Time Order) and the Ministerial Order on Professional Master’s Degree Programmes at Universities (Professional Master’s Degree Programme Order *(Deltidsbekendtgørelsen)*), the university lays down internal rules governing the registration and withdrawal of registration for examinations etc. for students who have been admitted to a Bachelor’s and Master’s degree programme in accordance with the rules on part-time degree programmes and for students who have been admitted to a professional Master’s degree programme and other part-time degree programmes.

*Commencement of studies exam on the Bachelor’s degree programme*

**16.-(1)** The university may decide that students enrolled on a Bachelor’s degree programme must participate in and pass a commencement of studies exam in order to continue their studies on the degree programme, see the Ministerial Order on Admission to and Enrolment on Bachelor’s Degree Programmes at Universities (*Bacheloradgangsbekendtgørelsen*). The purpose of the commencement of studies exam is to ascertain whether students have actually commenced their studies. The examination is an internal examination, see section 22(2), and is assessed as ‘Approved’ or ‘Not approved’, see the Grading Scale Order.

*(2)* The commencement of studies exam must be held no later than two months after the commencement of studies on the degree programme, and the result must be announced to the students within two weeks of the examination. Students who fail the examination have the opportunity to participate in a re-examination, which is conducted no later than three months after the commencement of studies on the degree programme. Students are allowed two attempts to pass the commencement of studies exam.

*(3)* If a commencement of studies exam is conducted on a Bachelor’s degree programme, the university lays down rules on the commencement of studies exam in the academic regulations, including on the form, content and scheduling of the examination.

*(4)* Under special circumstances, the university may grant exemptions from subsections (1) and (2).

*(5)* Part 7 does not apply to the commencement of studies exam. If the university receives a complaint about the commencement of studies exam, the university makes a decision which may be appealed to the Danish Agency for Higher Education provided that the appeal concerns legal issues, see section 48.

*First-year exam on the Bachelor’s degree programme*

**17.-(1)** In the academic regulations for each Bachelor’s degree programme, the university stipulates which examinations the student must take before the end of the first academic year after the commencement of studies (first-year exam). The student must pass the examinations included in the first-year exam by the end of the second academic year after the commencement of studies, see, however, subsection (2), in order for the student to continue his or her studies on the degree programme.

*(2)* In the academic regulations, the university may stipulate that the first-year exam must be passed by the end of the first academic year after the commencement of studies in order for the student to continue his or her studies on the degree programme.

*(3)* The provisions set out in subsections (1) and (2) apply regardless of whether or not the student has used his or her third examination attempt, see section 13(2).

**18.-(1)** For Bachelor’s degree programmes starting on 1 September, the result of the first examination attempt, see section 17, must be announced to the student before 1 August the following year. If the student fails the scheduled exam, a re-examination is held for the student within the same examination period, however, no later than in August, and the result of the re-examination must be announced to the student before the end of September. Rules on registration and withdrawal of registration for the re-examination are laid down by the university, see section 14(1).

*(2)* For Bachelor’s degree programmes starting on 1 February, the result of the first examination attempt, see section 17, must be announced to the student before 1 February the following year.

**19.** Under special circumstances, the university may grant exemptions from the deadlines and time limits stipulated in sections 17-18.

*Active enrolment requirement*

**20.-(1)** The university may lay down rules stipulating that students on the Bachelor’s degree programme and the Master’s degree programme must cumulatively or for individual academic years pass a number of examinations stated in ECTS credits (active enrolment requirement) in order to be able to continue their studies on the degree programme. Students may be required to participate in examinations totalling a maximum of 45 ECTS credits per academic year. The university must ensure that students have the opportunity to participate in three attempts, see section 13(2), at passing the exams in courses or course elements which form part of an active enrolment requirement, if any.

*(2)* Pursuant to subsection (1), the university may also stipulate that a deviation from an active enrolment requirement may be made if the student is an entrepreneur or is chair of a voluntary organisation under the Danish Youth Council (DUF). Within the framework of the Degree Programme Order, the university lays down internal rules on which students are deemed to be entrepreneurs, see the Degree Programme Order.

*(3)* The university may grant exemptions from an active enrolment requirement, see subsection (1), if the student is an elite athlete, or under special circumstances, including impairment.

*(4)* Rules laid down pursuant to subsections (1) and (2) must be published on the university website.

*Errors and irregularities during an examination*

**21.-(1)** If the university discovers errors or irregularities in connection with an examination, the university decides how the error or irregularity may be rectified, if necessary after consultation with the person(s) responsible for the examination.

*(2)* In the case of particularly serious errors or irregularities, or in the event that this appears to be the most appropriate way to remedy the error or irregularity, the university may annul the examination and arrange an extraordinary re-examination.

*(3)* In case of any significant errors or irregularities other than those mentioned in subsection (2), the university may offer students the opportunity of an extraordinary re-examination. Such offer must be made to all students whose examinations were affected by the same error or irregularity. Students who have participated in the extraordinary re-examination may choose to accept the original assessment.

Part 4

*Assessment etc.*

**22.-(1)** Examinations are either internal or external.

*(2)* Internal examinations are assessed by one or more members of the university’s teaching staff (examiners) appointed by the university from among the teaching staff at the university.

*(3)* External examinations are assessed by one or more examiners and by one or more co-examiners appointed by the Danish Agency for Higher Education, see title II on co-examination.

*(4)* External examinations must cover the important aspects of the degree programmes, including the Bachelor’s project, the Master’s thesis and the Master project. At least one third of a degree programme’s total ECTS credits (European Credit Transfer System) must be obtained at external examinations. This does not, however, apply to examinations for which credits have been transferred, see section 32.

*(5)* The lecturer teaching the course in question assesses the student’s course participation, see section 3(2), items 1 and 2.

**23.** During the evaluation process, the co-examiner and examiner must make notes about the performance and their deliberations for reference in the event of an appeal. The notes must be kept for at least one year and until any appeal procedure has been completed.

**24.-(1)** When an examination has started, an assessment must be made unless the examination is interrupted by illness that warrants a re-examination, see, however, subsections (2) and (3).

*(2)* If an examination is interrupted due to the student having been ordered to leave, no assessment is to be made, and the student has used an examination attempt, see section 13(2).

*(3)* If a written paper submitted fails to comply with requirements for individualisation, see section 4(3), or any formal requirements stipulated in the academic regulations, the university may reject the paper. Where the paper is rejected, no assessment is to be made, and the student has used an examination attempt, see section 13(2).

**25.-(1)** The assessment consists of a mark based on the 7-point marking scale or the assessment ‘Pass’ or ‘Fail’ or the assessment ‘Approved’ or ‘Not approved’, see the Grading Scale Order. Bachelor’s projects, Master’s theses and Master projects are assessed according to the 7-point marking scale. Course participation etc., see section 3(2), is assessed as ‘Pass’ or ‘Fail’ or assessed as ‘Approved’ or ‘Not approved’.

*(2)* The assessment ‘Pass’ or ‘Fail’ or the assessment ‘Approved’ or ‘Not approved’ may be used only for examinations accounting for a maximum of one third of the degree programme’s ECTS credits. This does not, however, apply to examinations for which credits have been transferred, see section 32.

**26.-(1)** When assessing Bachelor’s projects, Master’s theses, Master projects and other major written assignments, emphasis must, in addition to the academic content, also be placed on the students’ spelling and writing skills, see section 6. The academic regulations stipulate how spelling and writing skills are to be weighted in the overall assessment of the examination performance, but the academic content must always be given the highest weight, unless the course or course element is language or foreign language.

*(2)* Bachelor’s projects, Master’s theses and Master projects written in Danish must include an abstract in a foreign language. If Bachelor’s projects, Master’s theses or Master projects are written in a foreign language, other than Norwegian and Swedish, the abstract may be written in Danish. The academic regulations stipulate how the abstract is to be weighted in the overall assessment of the examination performance and the language in which the abstract may or must be written.

*(3)* The university may grant exemptions from subsection (1) for students who are able to document a relevant and specific impairment, unless the assessment of spelling and writing skills is a significant objective of the examination.

**27.-(1)** The university may stipulate rules on prize essay competitions and the conversion of prize essays.

*(2)* On specific degree programmes, the university may stipulate that a prize essay may be converted to a Master’s thesis. A prize essay which has been awarded a gold medal is converted to the mark 12.

*Announcement of assessment*

**28.-(1)** For examinations where the assessment is not announced to the student immediately afterwards, the university sets a date for the announcement of the assessment to the student.

*(2)* The date in subsection (1) must be within four weeks of the examination, see, however, section 18, and must be announced to the student at the same time as the examination date, either through posting on university notice boards or by alternative means. The month of July is not included when calculating the four-week time limit.

*(3)* Assessments of Bachelor’s projects, Master’s theses and Master projects must, however, be announced within six weeks of submission.

*(4)* Under special circumstances, the university may grant exemptions from the time limits stipulated in subsections (1)-(3). If the assessment cannot be completed by the date fixed, the university must notify the student as soon as possible, providing details of the reason and information about when the assessment will be announced.

Part 5

*Requirements for academic regulations*

**29.-(1)** The academic regulations for the individual degree programme stipulate:

1) Rules governing forms of examination, course participation and the submission of written papers, see section 3.

2) Rules governing individual exams and group exams, including rules on the maximum number of students allowed to participate in a group exam, on whether the student may choose an individual exam, see section 4(1), and on individualisation of written papers, see section 4(3).

3) Rules governing the examination language, see section 6.

4) Any rules governing special examination conditions for students, see section 7.

5) Any rules governing the use of computers in examinations, see section 10.

6) Any rules governing the form of assessment etc. used in connection with re-examinations, see section 14(4).

7) Any rules governing the commencement of studies exam on the Bachelor’s degree programme, see section 16(3).

8) Rules governing the first-year exam, including any stipulation that the first-year exam must be passed before the end of the first academic year, see section 17.

9) Rules governing which examinations are external examinations, see section 22(4).

10) Rules governing which examinations are given marks and which are assessed as ‘Pass’ or ‘Fail’ or ‘Approved’ or ‘Not approved’, see section 25.

11) Rules governing how students’ spelling and writing skills are included in the overall assessment of the examination performance, see section 26(1).

12) Rules governing how the abstract will be included in the overall assessment of the examination performance and the language in which the abstract may or must be written, see section 26(2).

13) Rules governing part-examinations, pass requirements, examination result etc., see part 3 of the Grading Scale Order.

*(2)* It must be stated in the academic regulations which internal rules the university has laid down pursuant to sections 14-15 and section 20.

*(3)* The academic regulations must clearly state that, under special circumstances, the university may grant exemptions from the rules in the academic regulations that are solely laid down by the university.

*Information to students about examination rules*

**30.** It is the responsibility of the university to provide information and guidance to the students on the examination rules applying to the individual degree programmes.

Part 6

*Diplomas etc.*

**31.-(1)** The university awards diplomas on the successful completion of its degree programmes, see subsection (2). The diploma must be sent to the graduate within two months of the announcement of the assessment of the final exam at the latest. The month of July is not included when calculating the two-month time limit.

*(2)* The diploma is in Danish, see, however, subsection (4), and must as a minimum state:

1) The graduate’s name and civil registration number (CPR) or other similar unique identification.

2) The name of the university.

3) The title graduates are entitled to use in Danish/Latin and English.

4) The prescribed period of study of the degree programme stated in ECTS credits, including any introductory language course.

5) The Bachelor’s degree programme or other degree programme on which the Master’s degree programme builds.

6) The course elements which form part of the degree programme and in which examinations have been taken or which have been documented in some other way, including the number of ECTS credits.

7) Examinations for which credits have been transferred, see section 32.

8) The examination language if the examination has been taken in a foreign language, see section 6.

9) The assessments obtained, see section 25(1), and, if appropriate, the average overall examination result, see the Grading Scale Order.

10) A qualification profile describing the degree programme.

*(3)* Graduates may request to have their diplomas issued in English.

*(4)* In addition to the diploma itself, the university also issues a Diploma Supplement in English based on the standard model developed by the European Commission, the Council of Europe and UNESCO/CEPES, which describes the main field of study, content, level and objectives of the degree programme and provides information about the university and about the status of the university and the degree programme in the Danish education system.

*(5)* The diploma must not contain information about special examination conditions, see section 7 and section 26(3).

*(6)* The certificate does not contain information about any commencement of studies exam on the Bachelor’s degree programme, see section 16.

*(7)* The diploma for a degree programme completed at multiple universities and any other educational institutions is issued by the last university to which the student was admitted and enrolled during the degree programme.

*(8)* Students who leave a degree programme without completing it may request that the university issue documentation for the parts of the degree programme which have been successfully completed, stated in ECTS credits.

*(9)* The rules laid down on diplomas in the Ministerial Order on Talent Activities for Higher Education Degree Programmes under the Ministry of Higher Education and Science (the Ministerial Order on Talent Activities *(Talentbekendtgørelsen)*) also apply to students who have participated in extra educational initiatives for talented students.

**32.** If the university approves the credit transfer of a passed course or course element from a Danish or non-Danish institution of higher education, the assessment must be credited as ‘Pass’ or ‘Approved’. If the course element in question is assessed according to the 7-point marking scale at both institutions, the mark is transferred with the credit. If a course or course element has been completed at an educational institution abroad, an enclosure to the diploma must indicate the mark awarded according to the marking scale used at that institution and must provide a description of the marking scale used.

**33.** The university keeps the information needed to issue diplomas for 30 years after the completion of the examination or test. After that, the information must be submitted to the Danish State Archives.

Part 7

*Examination appeals etc.*

**34.-(1)** Appeals about examinations or other forms of assessment forming part of the examination must be submitted to the university by the student. Appeals must be submitted in writing and include an explanation of the reasons for the appeal.

*(2)* The appeal must be submitted within two weeks of the assessment being announced. However, the calculation of the two-week time limit starts at the earliest from the date indicated for the announcement, see section 28.

*(3)* Under special circumstances, the university may grant exemptions from the time limit for submission of appeals set out in subsection (2).

**35.-(1)** Appeals may be submitted about the following:

1) Legal issues.

2) The basis for examination (questions, assignments etc.).

3) The examination process.

4) The assessment.

*(2)* If the appeal concerns the assessment or other issues relating to the assessors, the university immediately submits the appeal to the assessors, who then have two weeks to submit an opinion on the assessment etc. in the appeal. Under special circumstances, the university may decide to extend the assessors’ time limit. The month of July is not included when calculating the assessor’s time limit. The complainant must be given the opportunity to comment on the assessors’ opinion within a time limit of at least one week.

*(3)* The university makes a decision in accordance with subsection (1), see subsection (2), based on the assessors’ opinion and the complainant’s comments on the opinion.

*(4)* If the university becomes aware of errors or irregularities during an examination in connection with the processing of an appeal, the rules in section 21 apply.

**36.-(1)** In its decision, which must be in writing and reasoned, the university may decide:

1) to make an offer of a new assessment (re-assessment); however, not in oral exams;

2) to make an offer of a new examination (re-examination);

3) not to find in favour of the complainant.

*(2)* The university must notify the complainant and the assessors, see section 35(2), of the decision as soon as possible. If the decision is to offer re-assessment or re-examination, the complainant must be notified that re-assessment or re-examination may result in a lower mark.

**37.-(1)** The complainant must accept the offer for a re-assessment or re-examination within two weeks of having been notified of the university’s decision. Such re-assessment or re-examination must be held as soon as possible. If the diploma has been issued, see section 31(1), the university must revoke the diploma until the assessment has been made and must issue a new diploma, if required.

*(2)* For re-assessments or re-examinations, new examiners are appointed by the university, and co-examiners, if any, see section 61(1), item 4, are appointed by the chair of the body of external co-examiners.

*(3)* In connection with re-assessments, the assessors must be provided with the case files, including the assignment, the appeal, the original assessors’ opinion, the complainant’s comments and the university’s decision.

*(4)* In connection with re-assessments and re-examinations which may result in a lower mark, the assessors notify the university of the assessment. In connection with the re-assessment of written exams, the assessors enclose a written justification for their assessment. Assessments resulting from re-assessments and re-examinations cannot be referred to any other administrative authority, see, however, section 44(1).

*Board of appeals*

**38.-(1)** If the university has not found in favour of a complainant, see section 36(1), item 3, the complainant may refer the university’s decision regarding academic issues, see section 35(1), items 2-4, to a board of appeals set up by the university, see section 39, which board makes a decision.

*(2)* The complainant submits the appeal to the university. Appeals must be submitted in writing and include an explanation of the reasons for the appeal.

*(3)* The appeal must be submitted within two weeks of the university’s decision being announced to the complainant.

*(4)* Under special circumstances, the university may grant exemptions from the time limit in subsection (3).

**39.-(1)** The university sets up a board of appeals as soon as possible after an appeal has been submitted. Permanent boards of appeals may be established.

*(2)* The board consists of two appointed co-examiners, a member of teaching staff entitled to conduct examinations and a student from the subject area.

*(3)* The chair of the body of external co-examiners, see section 51(1), appoints the two co-examiners. The chair of the body of external co-examiners appoints one of the co-examiners as chair of the board. The chair of the body of external co-examiners may appoint him or herself as a co-examiner or as chair.

*(4)* The university appoints the member of teaching staff and the student.

*(5)* The board of appeals’ activities are covered by the Danish Public Administration Act (*Forvaltningsloven*), including the provisions on disqualification and secrecy.

**40.-(1)** For the board of appeals to form a quorum, all the members must participate in its deliberations and all relevant papers must be sent to all of the members. The deliberations may be conducted in writing, including electronically, if the board members agree to a written procedure, see, however, subsection (2). In the deliberations, it must be ensured that the complainant’s personal data are protected (confidential communication).

*(2)* If agreement is not reached by the board of appeals, deliberations culminate in a meeting at which attendance is compulsory for all members. If the deliberations end with a vote and in the event of a parity of votes, the chair has the casting vote.

*(3)* The board of appeals makes its decision in accordance with subsection (1), see subsection (2), based on the material on which the university’s decision was made and on the reasoned appeal.

*(4)* If the board of appeals becomes aware of errors or irregularities during an examination in connection with the consideration of an appeal, the board informs the university of this and submits an academic evaluation of the scope of such errors or irregularities, and the rules in section 21 apply.

**41.-(1)** In its decision, which must be set out in writing and reasoned, the board of appeals may decide:

1) to make an offer of a new assessment (re-assessment) by new assessors; however, not in oral exams;

2) to make an offer for a new examination (re-examination) by new assessors; or

3) not to find in favour of the complainant.

*(2)* Re-assessments and re-examinations are held in accordance with section 37, and the assessment cannot be referred to any other administrative authority, see, however, section 44(1).

**42.-(1)** The board of appeals’ decision is announced to the university as soon as possible and at the latest within two months of the appeal being submitted. The month of July is not included when calculating the two-month time limit.

*(2)* If the appeal cannot be processed within the time limit laid down in subsection (1), the university must notify the complainant thereof as soon as possible, providing details on the reason and information about when the appeal is expected to be processed.

**43.-(1)** The university informs the complainant of the board of appeals’ decision as soon as possible. If the decision is to offer re-assessment or re-examination, the complainant must be notified that re-assessment or re-examination may result in a lower mark.

*(2)* The board of appeals’ decision cannot be referred to any other administrative authority, see, however, section 44(1).

**44.-(1)** Appeals about decisions made pursuant to section 35(3), section 37(4) or section 40(3) may be submitted to the university if the appeal is based on legal issues.

*(2)* The appeal must be submitted to the university within two weeks of the decision being announced to the student.

*(3)* Under special circumstances, the university may grant exemptions from subsection (2).

*(4)* The university’s decision pursuant to subsection (1) may be appealed to the Danish Agency for Higher Education, see section 48.

Part 8

*Other rules*

**45.-(1)** The university must respect the students’ intellectual property rights to any results, products etc. deriving from an examination.

*(2)* If the examination process involves parties from outside the university, including companies, institutions etc., an agreement must be reached between the university, the student and the third party on the extent to which the university, the student or the third party, as per current rules governing intellectual property rights, is entitled to use the results, products etc. deriving from the examination process, including whether any information regarding the third party contained in the paper may be published.

**46.** The student may continue on the degree programme while the appeal is processed by the university under part 7.

**47.** The Danish Agency for Higher Education may grant exemptions from the rules on examinations set out in title I of this ministerial order if special circumstances apply.

*Appeals against decisions made by the university*

**48.-(1)** The university’s final decisions made under title I on examinations in this ministerial order may be referred to the Danish Agency for Higher Education by the person concerned (the complainant), provided that the appeal concerns legal issues. The time limit for submission of an appeal is two weeks from the day the decision is announced to the complainant.

*(2)* The appeal is submitted to the university, which issues an opinion. The complainant must be given the opportunity to comment on the university’s opinion within a time limit of at least one week. The university submits the appeal to the agency, enclosing the opinion and any comments made by the complainant.

**Title II**

**Co-examination**

Part 9

*Body of external co-examiners*

**49.-(1)** The Danish Agency for Higher Education appoints a nationwide body of external co-examiners (body of appointed external co-examiners).

*(2)* A body of external co-examiners is assigned to Bachelor’s and Master’s degree programmes as well as professional Master’s degree programmes and other part-time degree programmes under the University Act within the same or related academic area which one or more universities are authorised to offer. However, for Bachelor’s and Master’s degree programmes in the humanities, the natural sciences and the social sciences which consist of one central subject, see the Degree Programme Order, a body of external co-examiners may be assigned to each subject.

*(3)* Before a degree programme or a central subject is approved by the minister, see the Danish Act on Accreditation of Institutions of Higher Education (*Lov om akkreditering af videregående uddannelsesinstitutioner*), the Danish Agency for Higher Education decides which body of external co-examiners is to cover the degree programme or the central subject.

*(4)* A list of the bodies of external co-examiners is available on the Ministry of Higher Education and Science’s website.

**50.** The body of external co-examiners must be composed so as to ensure:

1) that the body covers all the courses or course elements included in the degree programmes or the central subjects and the employment areas targeted by the degree programmes;

2) that the body includes persons whose primary employment is outside of the universities in one of the employment areas targeted by the degree programmes;

3) that an equal distribution of female and male co-examiners is aimed for;

4) that co-examiners affiliated with foreign universities are included for the degree programmes or central subjects where this is relevant.

**51.-(1)** For each body of external co-examiners, a chairmanship consisting of a chair and one or more vice-chairs is elected by and from among the co-examiners, see part 10. The current chairmanship holds the elections.

*(2)* The chairmanship represents the co-examiners in the body of external co-examiners in all dealings with the universities and the Danish Agency for Higher Education.

*(3)* The new chairmanship notifies the universities’ rectors and the Danish Agency for Higher Education of the election held under subsection (1).

*(4)* When a new body of external co-examiners is appointed, see section 49(1), the duties described in subsection (1) and section 58(1) are performed by the university or by the universities jointly the first time.

**52.-(1)** In consultation with the university or the universities, the chairmanship allocates the assignments for co-examination among the co-examiners in the body of external co-examiners, see, however, section 58(4). The chairmanship allocates the assignments so as to ensure that the co-examiners are given assignments regularly and at least every other year. Where the body of external co-examiners is assigned to more than one university, the co-examiners must, as far as possible, be given assignments at more than one university during their term as co-examiners, see section 58(3). In the allocation of assignments, any special competences in respect of the co-examiner’s expertise in connection with the individual examinations must be taken into consideration.

*(2)* As part of the quality assurance of the degree programmes’ systems of assessment and examination, the chairmanship must:

1) nominate co-examiners for appointment, see section 58(1);

2) advise the universities on the form and content of the examinations, see section 61(1), item 2;

3) submit an annual report to the universities based on the co-examiners’ reports, see section 61(1), item 3;

4) participate in consultations on academic regulations and material changes made to the academic regulations with regard to the degree programmes’ systems of assessment and examination; and

5) generally be at the university’s disposal, including employer panels, in connection with the development of new forms of examination.

*(3)* The chairmanship contributes to a continuous dialogue on the development of the quality of the system of assessment and examination, including the quality of exam assignments, by holding meetings between the co-examiners in the body of external co-examiners and contact meetings between the universities, including employer panels, and the co-examiners at least every other year.

**53.-(1)** Co-examiners must not be employed or must not have been employed within the past two years at the university where they are to work as co-examiners. Members of the university’s board must not work as co-examiners at the university. Honorary professors or honorary associate professors must not work as co-examiners at the university where they are honorary professors or honorary associate professors. In so far as is possible, it must be avoided that examiners act as co-examiners for one another (mutual co-examination).

*(2)* The co-examiners’ activities are governed by the Public Administration Act, including the provisions on disqualification and secrecy.

*(3)* On recommendation from the chairmanship, the Danish Agency for Higher Education may grant exemptions from subsection (1), first sentence, under special circumstances.

**54.-(1)** In the absence of a co-examiner where it has not been possible to summon a new co-examiner, the university may appoint a person as co-examiner, provided that such person fulfils the requirements set out in section 57.

*(2)* The university notifies the chairmanship of such appointment according to subsection (1) as soon as possible.

**55.-(1)** The university sets up websites on which the members of the body of external co-examiners have access to up-to-date information on the degree programmes or central subjects of relevance to them, including this ministerial order, the Grading Scale Order and the academic regulations for the degree programme as well as other material of importance to the duties of the co-examiners.

*(2)* Before the individual co-examination assignments, the university must provide the individual co-examiners with the material required for them to perform their duties.

**56.** The universities cover the costs incidental to the activities of the chairmanship and the co-examiners, see the Ministry of Finance’s Circular on Hourly-paid Teaching (*Cirkulære om timelønnet undervisning*) and the Circular on Remuneration of Co-Examiners (*Cirkulære om censorvederlag*). Subject to prior agreement with the chairmanship, the universities provide administrative and practical assistance.

Part 10

*Co-examiners*

**57.** To be appointed as a co-examiner, a person must have:

1) a relevant research-based education at Master’s degree level;

2) comprehensive and up-to-date knowledge of the disciplines of the field, including theory and methodologies;

3) specific competences within one or more academic subfields covered by the degree programme or the central subject; and

4) up-to-date knowledge of the applications of the degree programme or the central subject, including knowledge of the situation and needs of employers.

**58.-(1)** The Danish Agency for Higher Education appoints the co-examiners on recommendation from the chairmanship.

*(2)* The chairmanship consults the universities prior to making recommendations in pursuance of the provisions in sections 50 and 57.

*(3)* Co-examiners are appointed for four years at a time, see, however, subsection (4). In each new term of appointment, one fourth of the co-examiners in the body of external co-examiners are replaced, as a minimum. During the term, supplementary co-examiners may be appointed, for example in the event that new approved degree programmes are to be allocated to the body of external co-examiners, see section 49(3).

*(4)* In exceptional cases, the chairmanship may appoint co-examiners for one-off co-examination assignments.

*(5)* Following a reasoned recommendation from the chairmanship or a university, the Danish Agency for Higher Education may terminate the appointment of a co-examiner before the end of the term, if the chairmanship or the university finds that the co-examiner’s work is not satisfactory, for example based on supervisory information from the Danish Patient Safety Authority’s authorisation register. The Danish Agency for Higher Education may suspend the appointment of a co-examiner while the agency investigates whether there is a basis for terminating the appointment.

**59.** Prospective co-examiners are found through proposals from the chairmanship, the body of external co-examiners, universities and through advertisements in trade journals, magazines etc.

**60.** Co-examiners must ensure:

1) that the content of examinations held as part of a particular degree programme complies with the objectives and other requirements stipulated for the degree programme, including in the Degree Programme Order and in the academic regulations;

2) that examinations are conducted in compliance with current rules; and

3) that students receive uniform and fair treatment, and their achievements are assessed in a reliable manner complying with the rules set out in the Grading Scale Order on marking, including the rules on marking set out in the academic regulations for the degree programme, and other rules governing the degree programme.

**61.-(1)** A co-examiner must:

1) work as a co-examiner at the external examinations held as part of the degree programme or the central subject, see section 22(3);

2) advise on the examination system, including its form and content, and whether it fulfils its purpose and is in accordance with the objectives of the degree programme or the central subject and the teaching;

3) submit a report on the examination process to the university and the chairmanship at the end of the examination period; and

4) assist in the consideration of complaints and appeals relating to examinations, see section 35(2), section 37(2) and section 39(2).

*(2)* If a co-examiner finds that the duties mentioned in section 60 have not been performed, or if a co-examiner suspects that there are material problems or defects in the university’s administration of a degree programme, the co-examiner issues a report to the university with a copy to the chairmanship.

**Title III**

**Commencement and interim provisions**

Part 11

*Commencement and interim provisions*

**62.-(1)** The Ministerial Order enters into force on 10 July 2016.

*(2)* Ministerial Order no. 670 of 19 June 2014 on University Examinations and Grading (the Examination Order) is repealed, see, however, subsection (3).

*(3)* Ministerial Order no. 670 of 19 June 2014 on University Examinations and Grading (the Examination Order) is still applicable until the university has laid down internal rules on the scheduling of and registration for examinations and re-examinations etc. in accordance with this ministerial order. The university’s internal rules must be laid down by August 2017, such that the rules take effect as of the 2017-18 academic year.

*Ministry of Higher Education and Science, 30 June 2016*

Ulla Tørnæs

/ Helle Rosenvold Anderson