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**STUDY AND  
EXAMINATION REGULATIONS  
OF THE UNIVERSITY OF MANNHEIM  
FOR THE MASTER'S PROGRAM  
"MASTER OF COMPARATIVE BUSINESS LAW –  
M.C.B.L."**

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**as of 2 March 2011**

(Bulletin of the President's Office (Amtliche Bekanntmachungen des Rektorats) No. 06/2011 of 21 March 2011, pp. 11 et seqq.)

**1st amendment as at 3 June 2013**

(Bulletin of the President's Office (Amtliche Bekanntmachungen des Rektorats) No. 15/2013 of 12 June 2013, pp. 48 et seqq.)

**2nd amendment as at 6 June 2015**

(Bulletin of the President's Office (Amtliche Bekanntmachungen des Rektorats) No. 19/2015 of 16 July, pp. 29 et seqq.)

In the German language version of the Code, this sentence deals with the subject of gender-neutral language. For the English language version, this is not relevant and therefore omitted.

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**PART 1: PART 1: GENERAL PROVISIONS**

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Section 1      Scope; Tracks of Study

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(1) <sup>1</sup>These Study and Examination Regulations govern the objectives and structure of the degree course as well as the structure and procedures of examinations of the master's program "Master of Comparative Business Law – M.C.B.L.". <sup>2</sup>In the German language version of the Code, this sentence deals with the subject of gender-neutral language. For the English language version, this is not relevant and therefore omitted.

(2) <sup>1</sup>In the master's program "Master of Comparative Business Law – M.C.B.L.", students can choose between two different tracks of study. <sup>2</sup>They are labeled "Mannheim/Adelaide" and "Mannheim".

(3) <sup>1</sup>The study track shall be chosen upon application to the master's program. <sup>2</sup>Changing the track during the degree course is not possible; however, the option to apply for the other track of study remains unaffected.

(4) Unless the regulations define deviating stipulations between the tracks of study explicitly, all provisions of these Study and Examination Regulations apply to both tracks.

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Section 2      Objectives of the Degree Course

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<sup>1</sup>The degree "Master of Comparative Business Law – M.C.B.L." constitutes an additional professional qualification on the basis of a successfully completed degree in law, economics, political science, social sciences or a degree recognized as equivalent. <sup>2</sup>During the degree course, students acquire substantial legal knowledge in the areas of comparative law, European and international business law as well as the necessary subject-specific language skills for an employment abroad.

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Section 3      Examination Committee

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(1) <sup>1</sup>For the organization and conduct of examinations as well as the fulfillment of assignments stipulated in these Study and Examination Regulations, an examination committee is formed. <sup>2</sup>The committee is supported by the Student Services. <sup>3</sup>The chair manages the examination committee. <sup>4</sup>The examination committee may assign tasks to its chair, one of its members or, in agreement with the President's Office, to the Student Services of the University.

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(2) <sup>1</sup>The examination committee consists of two faculty members of the Department of Law and an academic staff member. <sup>2</sup>The committee members' term of office is four years. <sup>3</sup>They may be reappointed. <sup>4</sup>The members of the examination committee are in charge until new members are appointed according to subsection 3.

(3) The chair, who shall be a faculty member, and the other members of the examination committee are appointed by the board of the School of Law and Economics.

(4) The members of the examination committee have the right to be present during examinations in the area of their competence.

(5) The members of the examination committee are obliged to exercise discretion.

(6) <sup>1</sup>Any decisions by the committee are to be communicated immediately to the student in writing. If a decision with negative implications for a student is made, the committee shall provide him or her with a reason including the legal basis and information on rights to appeal. Students can appeal the decision within one month to the responsible Student Services office. <sup>2</sup>The University of Mannheim is the competent authority to deal with the appeal. The President's Office's member responsible for teaching decides on appeals.

(7) <sup>1</sup>The School of Law and Economics may form a joint examination committee for all or several law degrees of the department. <sup>2</sup>In this case, the joint examination committee replaces the examination committee according to subsections 1 to 6.

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Section 3a      Student Services

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<sup>1</sup>For the administration of examinations, the University of Mannheim has established Student Services, which support the examination committee in complying with its duties. <sup>2</sup>In agreement with the school, the Student Services are responsible in particular for:

1. determining and announcing registration deadlines, examination dates and rooms;
2. announcing the names of the examiners and notifying them about the examination;
3. receiving registrations for examinations and re-sit examinations from students;
4. maintaining student examination records;
5. supervising all deadlines specified in these Examination Regulations;
6. administering all examinations and, in cooperation with the responsible school, coordination of supervision for written examinations;
7. informing students about their examination results;

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8. issuing and handing out official documents, degree certificates and confirmations on coursework and examinations along with attachments and
9. receiving students' medical certificates.

**PART 2: ORGANIZATION AND STRUCTURE OF THE DEGREE  
COURSE**

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Section 4      Standard Period of Study, ECTS Credits, Workload, Maximum Period of Study

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<sup>1</sup>The standard period of study for obtaining the academic degree is 2 semesters. <sup>2</sup>During the master's program, modules corresponding to 60 ECTS credits are to be completed. <sup>3</sup>According to the European Credit Transfer and Accumulation System (ECTS), one credit corresponds to a workload of 25-30 hours. <sup>4</sup>The maximum workload comprises the hours spent in class, the hours spent on preparation and revision of classes, preparation for examinations and the hours spent on the examinations themselves and on writing at least one academic paper. <sup>5</sup>The maximum period of study is six semesters. All coursework and examinations deemed relevant for the degree completion have to be completed or taken successfully within this deadline.<sup>1</sup>

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Section 5      Structure of the Degree Course

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(2) <sup>1</sup>The degree course has a modular structure. <sup>2</sup>In order to complete the degree, the student needs to complete the master's examination comprising:

1. modules in the area of European business law and comparative law at the University of Mannheim (20 ECTS credits);
2. modules in international business law and comparative law (20 ECTS credits), which are to be completed at the University of Adelaide if students choose the "Mannheim/Adelaide" track or at the University of Mannheim if students choose the "Mannheim" track;
3. the master's thesis (20 ECTS credits).

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<sup>1</sup> In accordance with Article 2 of the 2nd Amendment as at 6 July 2015, the maximum period of study applies to all students of the master's program M.C.B.L., who have started the program of study since the fall semester 2015/2016.

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(2) <sup>1</sup>Art und Umfang der im Rahmen eines Moduls jeweils zu erfüllenden Prüfungsleistungen ergeben sich aus Anlagen 1 und 2, die Teil dieser Satzung sind, sowie den §§ 6-10. <sup>2</sup>Module examinations may consist of several examinations.

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Section 6      Compulsory, Intensive and Elective Modules at the University of Mannheim

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(1) <sup>1</sup>Students of both tracks shall take modules corresponding to 20 ECTS credits at the University of Mannheim.

<sup>2</sup>These consist of:

1. a compulsory module (8 ECTS),
2. an intensive module (6 ECTS) and
3. an elective module (6 ECTS)

(2) <sup>1</sup>In addition to subsection 1, students of the "Mannheim" track shall take modules corresponding to another 20 ECTS credits. <sup>2</sup>The modules are to be composed according to subsection 1(2).

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Section 7      Compulsory Module at the University of Mannheim

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(1) <sup>1</sup>The compulsory module comprises courses on the methodology of comparative law and the basics of European or international business law, respectively. <sup>2</sup>The four courses of the compulsory module scheduled for the fall semester in attachment 1 are to be completed by all students.

(2) Students are expected to prepare and revise the courses with the material (lecture scripts) provided throughout the course.

(3) The module examination consists of a written examination covering the contents of the courses that are part of the compulsory module. It takes place after the courses have been completed.

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Section 8      Intensive Module at the University of Mannheim

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(1) <sup>1</sup>The intensive module shall serve students to deepen their knowledge in a chosen branch of European or international business law. <sup>2</sup>Furthermore, students practice the practical implementation of their acquired knowledge in the intensive module. <sup>3</sup>Students choose two of the intensive courses listed in attachment 1.

(2) <sup>1</sup>Students are expected to prepare themselves for the intensive courses with case studies and complete assignments in small groups. <sup>2</sup>During their degree course at the University of Mannheim, students shall participate in a study trip.

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(as at Fall Semester 2014/2015)

(3) <sup>1</sup>The module examination consists of two written examinations, with which the coursework requirements of each of the two intensive courses are met. <sup>2</sup>Written examinations may be complemented with other individual examinations according to section 13 subsection 1(2) provided that the responsible lecturer determines this in agreement with the examination committee and before the beginning of the respective semester. <sup>3</sup>In this case, the grade of an intensive course may be composed of an examination according to sentence 1 (at least 75%) and another type of coursework (maximum 25%) according to section 13 subsection 1(2) and (3). <sup>4</sup>The overall grade for the intensive module is the arithmetic average of the grades of the two written examinations according to sentence 1.

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Section 9      Elective Module at the University of Mannheim

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(1) <sup>1</sup>The elective module shall serve students to test their knowledge and skills in the fields of comparative law and business law obtained in the compulsory and intensive module and to apply it to a practice-oriented branch. <sup>2</sup>Students choose two of the courses of the elective module listed in attachment 1. <sup>3</sup>Students who have completed a German state examination in law or hold an equivalent German degree in law are not eligible to take introductory courses to German law.

(2) In particular, students are expected to actively participate in courses by doing group work (case studies, mock trials etc.).

(3) The module examination consists of two oral examinations, which, as a rule, take place on the same day and are assessed with an overall grade; the overall grade is the arithmetic average of the grades of the two oral examinations.

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Section 10      Courses at the University of Adelaide

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(1) Students of the "Mannheim/Adelaide" track take courses at the University of Adelaide corresponding to 20 ECTS credits according to section 6 subsection 1 (compulsory, intensive and elective courses); students of the "Mannheim" track are not eligible to take courses at the University of Adelaide.

(2) In addition to the compulsory courses, students shall complete at least two intensive and two elective courses according to attachment 2.

(3) The content and organization of courses as well as the conduct and grading of examinations are governed by the Program Rules of the Law School of the University of Adelaide for the master's program "Master of Comparative Business Law – M.C.B.L. (Mannheim/Adelaide)".

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Section 11      Recognition of Periods of Study, Coursework and Examinations

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(1) <sup>1</sup>Coursework and examinations as well as periods of study obtained in degree courses at official or officially recognized higher education institutions in Germany or abroad as well as at public universities of cooperative education ("Berufsakademien") of the Federal Republic of Germany are recognized, provided there is no significant difference between the competences obtained and the coursework or examinations of the master's program. <sup>2</sup>Section 35 subsection 2 LHG remains unaffected. <sup>3</sup>The recognition of an examination shall be denied if it is to replace an examination which was failed with no option to re-sit or was regarded as failed with no option to resit.

(2) <sup>1</sup>For the recognition of examinations completed abroad, agreements between the Federal Republic of Germany and other countries need to be taken into account, such as agreements on equivalencies in higher education (equivalency agreements) and agreements within the framework of university partnerships and double degree programs (cooperation agreements). <sup>2</sup>Furthermore, in cases of doubt regarding the equivalency of qualifications, the Central Office for Foreign Education (Zentralstelle für ausländisches Bildungswesen - ZAB) can be consulted.

(3) <sup>1</sup>Skills and qualifications obtained outside of the higher education sector shall be recognized if

- a) the requirements for admission to a higher education institution are fulfilled at the time of recognition,
- b) the skills and qualifications to be recognized are equivalent to the coursework and examinations to be substituted in terms of content and level and
- c) the criteria for recognition were examined as part of an accreditation.

<sup>2</sup>For recognition, the applicant has to prove that the competences he or she acquired outside of the higher education sector are comparable to the coursework and examinations to be substituted in terms of content and level. <sup>3</sup>For the decision on the recognition, the form of instruction shall be considered as well. <sup>4</sup>Skills and qualifications obtained outside of the higher education sector may substitute 50 percent of the master's program at most. <sup>5</sup>The regulations for the recognition of coursework and examinations at public universities of cooperative education (Berufsakademien) in Germany remain unaffected.

(4) <sup>1</sup>The examination committee decides on the recognition upon request. <sup>2</sup>It is the student's responsibility to provide the examination committee with the necessary documents for the recognition of coursework and examinations.

(5) <sup>1</sup>If credits are recognized and the grading systems are similar, the grades shall be transferred according to these Examination Regulations and considered for calculation of the final grade. <sup>2</sup>In

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order to guarantee a consistent procedure, the examination committee can pass general regulations for the conversion of grades obtained abroad within the limits of the legal provisions. <sup>3</sup>If conversion is impossible because the grading systems differ or the coursework was not graded, the work is simply marked "passed" ("bestanden"). <sup>4</sup>In this case, the coursework or examination will not be included in the final grade. <sup>5</sup>The recognition is indicated in the degree certificate and in the Transcript of Records.

(6) In case the student takes part in an examination at the University of Mannheim even though he or she already obtained the respective qualification elsewhere, he or she automatically waives the right to have the previous qualification recognized.

(7) If complete modules or modules that are essentially similar in content have already been completed in another degree course, students are advised to avoid taking the aforementioned courses again in the master's program.

(8) <sup>1</sup>Courses at the University of Adelaide according to section 10 shall not be replaced with other courses, even if similar in content. <sup>2</sup>The intercultural competence obtained abroad as well as the thorough knowledge of a second legislation as basis for the competence in comparative law are indispensable requirements for an M.C.B.L. degree of the "Mannheim/Adelaide" track.

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## PART 3: EXAMINATION REGULATIONS

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### FIRST SEGMENT: GENERAL PROVISIONS

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#### Section 12     Examiners and Observers

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(1) <sup>1</sup>Academic staff members whose main employer is the University of Mannheim and other academic staff members according to section 44 subsection 1(1) and subsection 2(1) to (4) of the Act on Higher Education of the Land of Baden-Württemberg (LHG) are authorized to conduct examinations. <sup>2</sup>Examiners of law modules shall hold a doctoral degree in law (Dr. iur.), be eligible to hold judicial office according to section 5 subsection 1 of the German Judiciary Act (Deutsches Richtergesetz) or have similar qualifications. <sup>3</sup>As a rule, people with similar qualifications are especially those who hold the office of judge or public prosecutor beyond the scope of the German Judiciary Act, are admitted to the bar or teach law at a foreign university.

(2) Observers shall have successfully completed a master's degree or the first state examination in the subject area of the examination.

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(3) <sup>1</sup>In case of examinations covering single courses, the teacher of the respective course is the examiner; the examination committee may decide on exceptions. <sup>2</sup>As for the rest, examiners are appointed by the examination committee.

(4) <sup>1</sup>Examiners are obliged to exercise discretion. <sup>2</sup>If they are not employed in the public service, they shall be obliged to exercise discretion by the chair of the examination committee in writing.

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Section 13      Examinations

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(1) Coursework and examinations are to be completed in the form of

1. supervised written examinations
2. papers (in particular, term papers, seminar papers) or
3. oral examinations.

(2) <sup>1</sup>As a rule, written examinations and other written exercises are set and evaluated by an examiner. <sup>2</sup>The duration of written examinations is 45 minutes for each course to be covered and in total no longer than 180 minutes. <sup>3</sup>Written examinations may not be conducted as multiple-choice examinations.

(3) <sup>1</sup>The duration of oral examinations is at least 10 minutes and no longer than 20 minutes per student and course. <sup>2</sup>Oral examinations are conducted and evaluated by an examiner in the presence of an observer or by two examiners as single or group examinations with up to five participants maximum. <sup>3</sup>Oral examinations are to be minuted; the minutes shall include the names of the examiners, observers and students as well as the subjects and the result of the examination. <sup>4</sup>The minutes shall be signed by the examiner(s) and observer. <sup>5</sup>Students are to be informed of the results of the oral examinations immediately after the oral examinations. <sup>6</sup>Sentences 3 to 5 do not apply to oral seminar coursework.

(4) Type, duration and subject of the respective examination are defined in attachment 1.

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Section 14      Authorized Resources, Signed Declaration

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(1) Authorized resources for examinations are announced in an appropriate manner and in due time prior to the examination by the examination committee or the examiner in agreement with the examination committee.

(2) <sup>1</sup>Students shall include a bibliography in all their papers and submit a signed declaration with the following wording:

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*"I hereby declare that the paper presented is my own work. I have employed no other sources or means except the ones listed. I have clearly marked and acknowledged all quotations or references that have been taken from the works of others. I understand that my paper will be marked as "insufficenter (0 points)" in case my statement is untrue.*

*Moreover, I consent to my paper being electronically stored and sent in order to be checked for plagiarism."*

<sup>2</sup>If the declaration is not made, the paper may not be evaluated and graded with "insufficenter (0 points)".

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Section 15      Course and Examination Language

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All courses and examinations of the master's program are to be completed in English.

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Section 16      Disadvantage Compensation

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(1) <sup>1</sup>If students, as a result of a special condition or situation within the meaning of section 17 subsection 2, cannot take the respective examination or complete a piece of coursework, in particular due to the form of examination, they can request disadvantage compensation. Students are obliged to submit the request for disadvantage compensation in due time and in writing. In coordination with the respective examiners, the examination committee grants the appropriate disadvantage compensation in order to adhere to the principle of equal opportunities. <sup>2</sup>Handicapped students or students with a chronic illness shall submit their request for disadvantage compensation to the Commissioner and Counselor for disabled students and students with chronic illnesses. The examination committee is obliged to take the recommendation of the Commissioner and Counselor for disabled students and students with chronic illnesses into account in their decision making process.

(2) <sup>1</sup>A request as outlined in subsection 1 is to be made in due time before the coursework or examination concerned is started. Where it is the responsibility of the student to register for coursework or an examination, the request is to be submitted by the end of the registration period at the latest. <sup>2</sup>If the request is not made in due time in accordance with sentence 1, the extension shall only be granted if additional requirements according to section 32 of the Administrative Procedure Act of Baden-Württemberg (LVwVfG) are met. <sup>3</sup>If students fail to submit the request for disadvantage compensation in due time, in accordance with sentences 1 or 2, the special circumstances will not be considered for the evaluation of the respective coursework or examina-

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tion. <sup>4</sup>The possibility to withdraw or de-register from an examination or piece of coursework with a valid reason remains in effect.

(3) <sup>1</sup>It is the student's responsibility to provide sufficient proof of his or her special circumstances upon filing the request for disadvantage compensation. <sup>2</sup>If there are significant changes to the special circumstances of the student before or during the claim for disadvantage compensation, particularly any changes that would result in a lapse of entitlement, the student is obliged to inform the examination committee without delay and in writing. <sup>3</sup>The examination committee may demand a medical certificate from a physician of their choice.

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Section 17      Extension of Examination Deadlines

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(1) The examination deadlines as well as the deadlines to take examinations and complete coursework in order to complete the program shall be extended by the examination committee upon written request from a student, which is submitted in due time, if the respective student is in need of an extension due to special conditions he or she is not responsible for. The examination committee shall grant individual extensions based on case by case decisions.

(2) <sup>1</sup>In particular, this applies to students

1. with children, or
2. with a relative in need of care within the meaning of section 7 subsection 3 of the Caregiver Leave Act (PflegeZG), or
3. with a disability, or
4. students with a chronic illness

if the situation resulting from the aforementioned special conditions requires an extension of the examination deadlines. <sup>2</sup>The same applies to students who are eligible for periods of protection in accordance with the respective section 3 subsection 1, section 6 subsection 1 of the Maternity Protection Act (MuSchG).

(3) <sup>1</sup>A request in accordance with subsection 1 shall be promptly submitted as soon as the student is aware of the circumstances demanding an extension of examination deadlines. <sup>2</sup>If the request is not made in due time in accordance with sentence 1, the extension shall only be granted if additional requirements according to section 32 of the Administrative Procedure Act of Baden-Württemberg (LVwVfG) are met.

(4) <sup>1</sup>The student requesting the extension is responsible for producing adequate proof. <sup>2</sup>If there are significant changes to the personal situation of the student, particularly any changes that

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would result in a lapse of entitlement to the extension, the student is obliged to inform the examination committee without delay. <sup>3</sup>The examination committee may demand a medical certificate from a physician of their choice.

(5) <sup>1</sup>The extension of deadlines to take examinations, re-sit examinations or complete coursework shall not exceed a total of two semesters in any case. <sup>2</sup>The extension of the deadline to complete the program shall not exceed the standard period of study provided there are no legal regulations indicating otherwise.

(6) <sup>1</sup>The extension of examination deadlines, the preparation period and submission deadlines for coursework, particularly a term paper or master's thesis, are not covered by the subsections listed above. <sup>2</sup>The option of requesting disadvantage compensation in accordance with section 16 remains unaffected.

(7) When calculating the examination deadlines, section 32 subsection 6 of the Act on Higher Education of the Land of Baden-Württemberg (LHG) shall be taken into consideration.

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Section 17a Flexible Deadlines (deleted)

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Section 18 Admission to Examinations, Registration, Examination Dates

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(1) Only students who are admitted to and registered for examinations according to these Study and Examination Regulations are eligible to take examinations.

(2) <sup>1</sup>For admission to an examination, students need to be

1. enrolled at the University of Mannheim in the degree course "Master of Comparative Business Law – M.C.B.L." and
2. eligible to take the examination in the chosen track.

<sup>2</sup>The admission to examinations is to be denied if the student is no longer eligible for admission anymore or if admission to this degree course should be denied according to section 60 subsection 2 of the LHG.

(3) <sup>1</sup>The examination committee decides on the registration regulations for examinations. <sup>2</sup>It may arrange for electronic registration.

(4) <sup>1</sup>The examination committee sets examination dates. It may entrust the respective examiner or the Student Services with setting an examination date.

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Section 19      Withdrawal, Absence

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(1) <sup>1</sup>A student may withdraw from an examination he or she is registered for (withdrawal). <sup>2</sup>If the student does not show up for or terminates an examination prior to its completion, this is considered a withdrawal. <sup>3</sup>The same applies to written examinations that are not completed within the given period of time.

(2) <sup>1</sup>Withdrawal is approved upon written request if the student is unable to take the examination due to illness or another important reason and can prove this. <sup>2</sup>The request is to be submitted immediately and, in case of illness of the student or of a child the student has custody of, shall include a medical certificate that states the diagnosis and confirms the student's inability to take the examination. <sup>3</sup>The examination committee may demand the medical certificate from a physician of their choice. <sup>4</sup>It is not possible to bring forward an important reason if the student took an examination whilst being aware of an illness or due to negligent lack of knowledge of an illness. <sup>5</sup>In particular, the criteria for negligent lack of knowledge are met if symptoms of health problems were not reacted to as soon as possible. <sup>6</sup>The examination committee may entrust the responsible Student Services office of the University of Mannheim with decisions on regular cases.

(3) <sup>1</sup>If withdrawal is approved, the examination shall be deemed not taken. <sup>2</sup>Completed examinations or partial examinations remain unaffected. <sup>3</sup>If withdrawal is denied, the examination is graded with "insufficenter (0 points)".

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Section 20      Cheating, Misconduct

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(1) <sup>1</sup>If a student tries to manipulate an examination by cheating or using unauthorized resources, the student will be heard and, as a rule, the respective examination be graded with "insufficenter (0 points)". <sup>2</sup>In particular, it is also considered cheating according to sentence 1 if papers according to section 13 subsection 1(2) contain quotations or references from works of others which have not been clearly marked as such by the student.

(2) <sup>1</sup>Students who disturb the proper course of the examination may be excluded by the respective examiners or supervisors. <sup>2</sup>In this case, the respective examination is graded with "insufficenter (0 points)". <sup>3</sup>In serious cases, the examination committee may exclude the student from taking further examinations after a hearing.

(3) <sup>1</sup>Students may demand that decisions in accordance with subsection 1 and subsection 2(1) shall be reviewed by the examination committee. <sup>2</sup>The request shall be submitted in writing to the

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examination committee within one month after the student was informed about having failed or the exclusion took place. <sup>3</sup>The examination committee shall decide after all persons involved had the chance to make a statement. <sup>4</sup>If the examination committee decides in favor of the student, an already completed examination shall be evaluated again. <sup>5</sup>If this is not possible, the examination is deemed not taken. <sup>6</sup>Completed examinations or partial examinations remain unaffected.

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Section 21      Annulment of Examination Results

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(1) In case students have manipulated an examination by cheating and this fact is revealed after its evaluation, the results of the examinations may be revised retroactively or graded with "insufficenter (0 points)". In case this affects the completion of the master's examination, examinations and coursework may be assessed "nicht bestanden" (failed) and the respective credits revoked.

(2) <sup>1</sup>If the requirements to be admitted to examinations were not met without the student's intent to disguise this fact and if this fact is revealed after the student has received his or her master's degree certificate, this defect is remedied by having passed the examinations. <sup>2</sup>If students acted deliberately and cheated to gain admission, the examination may be graded with "insufficenter (0 points)" and consequently considered "failed" ("nicht bestanden").

(3) The affected student is to be heard before a decision is made.

(4) <sup>1</sup>If inaccurate certificates or degree certificates have been issued, those shall be recalled and, if necessary, new ones issued. <sup>2</sup>Along with the inaccurate degree certificate, the respective diploma shall be recalled if the master's examination has been considered "failed" ("nicht bestanden") due to cheating.

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Section 22      Breaches of Procedure

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(1) <sup>1</sup>The examination committee may remedy disturbances of the examination procedure or other breaches of procedure by virtue of office or upon request from a student by deciding on appropriate measures or orders. <sup>2</sup>In particular, the examination committee may order that coursework or examinations shall be retaken by all or by individual students or, in case the principle of equal opportunities was violated, grant an extension or impose another appropriate measure of compensation.

(2) <sup>1</sup>Any disturbances are to be reported immediately by the affected student during a written or oral examination:

1. in case of a written examination to the supervisor,

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2. in case of an oral examination to the examiner and
3. in case of any other type of examination to the responsible examiner.

<sup>2</sup>Any other kinds of breaches of procedure are to be reported by the affected student in due time as soon as the student takes note of the particular breach of procedure. <sup>3</sup>The reports according to sentences 1 and 2 shall be entered into the examination minutes. <sup>4</sup>If the disturbances of the examination procedure or any other kind of breaches of procedure relevant to the evaluation of the respective examination are not reported in due time, they are deemed insignificant.

(3) <sup>1</sup>If the examination committee did not take measures of compensation in accordance with subsection 3 for a disturbance that occurred during an examination and was reported without delay or for other breaches of procedure, or those measures were inadequate, the student shall address his or her request for the necessary measures of compensation to the examination committee in writing immediately after the examination. If the examination consisted of several parts, the request shall be made immediately after the relevant part of the examination. <sup>2</sup>The request shall not contain any conditions. <sup>3</sup>If the disturbances of the examination procedure or any other kind of breaches of procedure relevant to the evaluation of the respective examination are not reported in due time, they are deemed insignificant.

---

Section 23      Assessment of Examinations, Grading

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(1) Examinations are assessed by examiners with a grade which is further differentiated by the use of points.

(2) <sup>1</sup>For the assessment with grades and points, the following applies:

<b>Points</b>	<b>Explanation</b>	<b>Grade</b>
15 to 18 points	an excellent performance	summa cum laude
11 to 14 points	a performance exceeding the average requirements	magna cum laude
7 to 10 points	a performance corresponding to the average requirements in all respects	cum laude
4 to 6 points	a performance which, in spite of its flaws, suffices to meet average requirements	rite
0 to 3 points	a performance which does not meet the requirements due to considerable flaws	insufficenter

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<sup>2</sup>Only full grades and point scores shall be assigned. <sup>3</sup>Module grades that are calculated from at least two separate grades may be indicated with up to two decimals. <sup>4</sup>If the grade falls between two grades, the lower grade shall be assigned.

(3) <sup>1</sup>If an examination is assessed by two examiners, the grade derives from the arithmetic mean of the two point scores. <sup>2</sup>In case the arithmetic mean is not a full point score according to the table in subsection 2, the examiners assign the next lower point score if they do not agree on assigning the next higher point score. <sup>3</sup>If the examiners' assessments of written examinations deviate more than 4 points and an agreement cannot be reached, the chair of the examination committee or a third person determined by the chair decides on a grade and point score that may neither be lower than the lower score nor higher than the higher score assigned by the two examiners. <sup>4</sup>The assessment procedure shall not exceed four weeks.

(4) <sup>1</sup>The grading of examinations taken at the University of Adelaide is governed by the Program Rules of the Law School of the University of Adelaide. For the conversion of Australian to German grades, the following applies:

<b>Points</b>	<b>Grade</b>	<b>Points Australia</b>	<b>Grade Australia</b>
18 points	Summa Cum Laude	97.00-100.00	High Distinction
17 points		93.00-96.99	
16 points		89.00-92.99	
15 points		85.00-88.99	
14 points	Magna Cum Laude	82.50-84.99	Distinction
13 points		80.00-82.49	
12 points		77.50-79.99	
11 points		75.00-77.49	
10 points	Cum Laude	72.50-74.99	Credit
9 points		70.00-72.49	
8 points		67.50-69.99	
7 points		65.00-67.49	
6 points	Rite	60.00-64.99	Pass
5 points		55.00-59.99	
4 points		50.00-54.99	

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0 points	Insufficenter	00.00-49.99	Fail
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Section 24    Module Grades

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<sup>1</sup>If several examinations are to be completed in a module, the module grade derives from the grades of these examinations. <sup>2</sup>The module grade is indicated in points according to section 23 subsection 2. <sup>3</sup>Subject to section 8 subsection 3, the individual examinations are to be weighted equally. <sup>4</sup>The module grade shall not be rounded and shall be indicated with two decimals.

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Section 25    Final Grade

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(1) <sup>1</sup>The final grade derives from the examinations that, according to section 33, are part of the master's examination and weighted according to the ECTS credits assigned for the respective module. <sup>2</sup>The final grade is indicated in points. <sup>3</sup>The final grade shall not be rounded and shall be indicated with two decimals.

(2) For the designation of the final grade, the following applies:

from 15.00 to 18.00	summa cum laude
from 11.00 to 14.99	magna cum laude
from 7.00 to 10.99	cum laude
from 4.00 to 6.99	rite
from 0.00 to 3.99	insufficenter

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Section 26    Passing and Failing, Obtaining ECTS Credits

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(1) An examination is passed if it is graded at least with "rite (4 points)".

(2) By passing the final examination of a module, the student obtains the respective number of ECTS credits determined in attachment 1 or the module catalog.

(3) The master's examination (section 33) is passed if the student successfully completed all compulsory examinations according to these Study and Examination Regulations and obtained 60 ECTS credits.

(4) <sup>1</sup>The failure of an examination is final if there is no option to re-sit. <sup>2</sup>The student receives an official notification informing him or her about failing the final examination attempt.

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Section 27     Retaking Examinations

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(1) <sup>1</sup>Examinations that have been graded or considered "insufficenter (0-3 points)" may be retaken once. <sup>2</sup>The re-sit examination shall be scheduled as soon as possible. <sup>3</sup>In exceptional cases, the examination committee may allow a later re-sit examination. <sup>4</sup>Changing a course after failing the examination is only possible upon request to the examination committee; any failed attempts are taken into account for the examination to be taken in the new course.

(2) As an exception to subsection 1, the student may retake a single examination of his choice twice (joker).

(3) <sup>1</sup>The re-sit examination takes place no earlier than two weeks after the result of the first attempt is announced. <sup>2</sup>As a rule, examinations are retaken right before the beginning of the lecture period of the next semester and count for the semester in which the first attempt took place.

(4) It is not possible to retake an examination that was passed.

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**SECOND SEGMENT: MASTER'S THESIS**

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Section 28     Purpose of the Master's Thesis

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The master's thesis shall serve to prove that the student is capable to independently work on a problem in the area of European or international business law in a comparative perspective within a set period of time applying scientific methods.

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Section 29     Time for Completion, Submission, Formalities

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(1) <sup>1</sup>The period of time to complete the master's thesis is four months and begins with its registration, which shall be entered into the records. <sup>2</sup>The thesis shall be registered in the first week after finishing the courses of the first semester. <sup>3</sup>The master's thesis is to be completed during the degree course, especially during semester breaks. <sup>4</sup>The topic shall allow for the thesis to be completed within the given period of time.

(2) <sup>1</sup>In case of an ongoing impairment, the examination committee may grant an extension of the deadline of up to two months upon request. <sup>2</sup>If the impairment already exists before the registration of the thesis, the extension of the deadline shall be requested then, if not, it shall be requested as soon as the student learns about the impairment. <sup>3</sup>If, during the last two months before the deadline, the student is impaired to complete the thesis through no fault of his or her own, the examination committee may extend the deadline for the time of the impairment but no longer than two

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months; the option of requesting disadvantage compensation in accordance with section 16 remains unaffected.<sup>4</sup>In other justified cases, the examination committee may grant an extension of the deadline of up to two months upon request from the student and in agreement with the supervisor of the master's thesis.

(2a) <sup>1</sup>The examination committee may oblige the student to attend a colloquium in which he or she shall present his or her master's thesis in order to ensure its scientific nature. <sup>2</sup>Further details are determined by the examination committee and announced in an adequate manner.

(3) The master's thesis shall be written in English.

(4) <sup>1</sup>The master's thesis shall be submitted in due time in duplicate to the examination committee or to an office designated by the committee; the date of submission shall be entered into the records. <sup>2</sup>Upon submission, the signed declaration according to section 14 subsection 2 shall be enclosed. <sup>3</sup>Furthermore, an electronic version of the master's thesis shall be submitted in the file format determined by the examination committee in order to allow for the use of a software to detect plagiarism.

(5) <sup>1</sup>The examination committee determines the master's thesis' formalities and announces them in due time and form. <sup>2</sup>In particular, the committee may call for a limitation of its length.

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Section 30    Topic of the Master's Thesis, Supervision

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(1) <sup>1</sup>The student chooses a supervisor that meets the requirements of section 12 subsection 1(1) and suggests a topic for a master's thesis to him or her. <sup>2</sup>However, no right arises to be assigned the suggested topic. <sup>3</sup>Generally, the topic shall relate to the area of European or international business law. <sup>4</sup>As a rule, it relates to comparative law.

(2) <sup>1</sup>The student registers the topic with the examination committee or at an office determined by the committee. <sup>2</sup>The examination committee approves the topic of the master's thesis after consulting with the supervisor.

(3) In exceptional cases and upon request of the student, the examination committee picks the topic of the master's thesis and assigns a supervisor to the student.

---

Section 31    Main and Second Examiner, Assessment of the Master's Thesis

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<sup>1</sup>The master's thesis is to be assessed according to section 23 by two examiners, of whom at least one is a faculty member of the University of Mannheim. <sup>2</sup>The supervisor of the master's thesis shall be one of the examiners. <sup>3</sup>The second examiner is determined by the examination commit-

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tee. <sup>4</sup>At least one of the examiners shall be a university teacher. <sup>5</sup>If one of the examiners meets all these requirements, only section 12 subsection 1(1) needs to be taken into account for the selection of the second examiner.

---

Section 32     Retaking the Master's Thesis

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<sup>1</sup>If the master's thesis is graded with "insufficenter (0-3 points)", it may be redone once. <sup>2</sup>By way of derogation from section 27 subsection 2, the master's thesis may not be redone a second time. <sup>3</sup>In case the master's thesis is redone, a new topic shall be registered within six months after the first attempt was determined as failed. <sup>4</sup>If no new topic is registered within six months according to sentence 3, the student is assigned a topic by the chair of the examination committee. <sup>5</sup>By way of derogation from section 29, the period of time to complete the thesis is three months starting from the day of registration of the topic.

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**THIRD SEGMENT: OBTAINING THE MASTER'S DEGREE**

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Section 33     Master's Examination

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(1) For the master's examination, examinations corresponding to 60 ECTS credits are to be completed.

(2) In order to complete the degree, the student needs to complete the master's examination comprising

1. the examinations during the course (sections 6 to 10) and
2. the master's thesis.

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Section 34     Degree

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Once the master's examination is completed, the academic degree "Master of Comparative Business Law (M.C.B.L.)" along with a supplement indicating the track of study is conferred.

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Section 35     Degree Certificate, Diploma, Diploma Supplement

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(1) <sup>1</sup>After completing the master's examination, a degree certificate is issued containing the title of the master's thesis as well as the final grade and point score that is calculated and designated according to section 25. <sup>2</sup>In addition, the degree certificate may include further grades (e.g. single or module grades). <sup>3</sup>The certificate dates back to the day of completion of the last examination; if

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this date cannot be determined, it dates back to the last day of classes of the semester in which the last examination was completed. <sup>4</sup>The certificate is signed by the chair of the examination committee or the chair's representative.

(2) <sup>1</sup>Along with the degree certificate, the student receives a diploma certifying the conferral of the degree and bearing the date of the certificate. <sup>2</sup>The diploma is signed by the dean of the School of Law and Economics or his or her deputy and bears the seal of the university. <sup>3</sup>The diploma of graduates of the "Mannheim/Adelaide" track shall also be signed by a representative of the University of Adelaide.

(3) <sup>1</sup>Along with the certificate, the student also receives a Diploma Supplement according to the European Diploma Supplement model of the European Union, the Council of Europe and the UNESCO as well as a transcript of records in English. <sup>2</sup>The examination committee may decide that, in addition, the student receives a transcript of records in German as well.

(4) <sup>1</sup>A certificate on completing single modules or examinations may only be issued upon justified request, in particular, in case students wish to change their degree course, study at a different university or certify their progress of study. <sup>2</sup>The request shall be submitted to the office determined by the examination committee. <sup>3</sup>The certificate contains the grades of completed examinations but no final grade.

## PART 4: FINAL PROVISIONS

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### Section 36      Protection of Personal Data

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(1) Students' personal data (especially name, student ID number and address) may be collected, processed, stored and transmitted to people, authorities or companies within the European Union without the student's consent if checks for plagiarism or cheating are necessary.

(2) People, authorities or companies who received personal data according to subsection 1 may only use it for the purpose it has been transmitted for.

(3) The stored personal data according to subsection 1 is deleted after 3 years at the latest.

(4) <sup>1</sup>Upon request, students may obtain information from the University of Mannheim free of charge on

1. their stored personal data,
2. the purpose of its processing,
3. the origin of the data if documented or known and

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4. the people or institutions the data will be or was transmitted to.

<sup>2</sup>Moreover, the legal provisions on the protection of personal data in their respective valid version apply.

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Section 37     Access to Examinations and Records

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(1) <sup>1</sup>In case examination documents were not given to the students, they have the right to access their examinations and respective evaluations as well as the minutes of oral examinations after completing an examination. <sup>2</sup>As a rule, students may be granted access within one year after the announcement of the respective examination's result. <sup>3</sup>The examination committee decides on the procedure, time and place for accessing the examination papers.

(2) The records that have not been submitted to students are kept for three years.

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Section 38     Transitional Provision

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(1) These Study and Examination Regulations apply for the first time to students who start to study at the University of Mannheim in the fall semester 2011/2012.

(2) The Study and Examination Regulations for the Master of Comparative Law –M.C.L. of 12 May 2006 cease to be effective at the end of the spring semester 2014.

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Section 39     Commencement

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These Study and Examination Regulations will come into effect the day after their announcement in the Bulletin of the President's Office (Amtliche Bekanntmachungen des Rektorats).

**Article 2 of the 1st amendment of the Study and Examination Regulations of the University of Mannheim for the master's program "Master of Comparative Law – M.C.L. (Mannheim/Adelaide)" as at 3 June 2013 stipulates:**

The amendment becomes effective the day after its announcement in the Bulletin of the President's Office ("Bekanntmachungen des Rektorats") of the University of Mannheim.

It applies to all students who start their master's program "Master of Comparative Business Law –M.C.B.L." as of the fall semester 2014/2015.

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**Article 2 of the 2nd amendment of the Study and Examination Regulations of the University of Mannheim for the master's program "Master of Comparative Business Law (M.C.B.L.)" as at 6 July 2015 stipulates:**

**Scope; Commencement**

(1) The regulations in section 1 and 2 of article 1 of this amendment do not apply to students of the master's program "Master of Comparative Business Law (M.C.B.L.)" at the University of Mannheim who have started the program prior to the commencement of this amendment.

(2) The amendment becomes effective the day after its announcement in the Bulletin of the President's Office ("Bekanntmachungen des Rektorats") of the University of Mannheim.

**PLEASE NOTE:**

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**Examination Regulations for the degree program "Master of Comparative Business Law"  
(M.C.B.L.)**

(as at Fall Semester 2014/2015)

**ATTACHMENT 1**

**Courses at the University of Mannheim in the fall semester**

**1. Compulsory Module (in this module, coursework corresponding to 8 ECTS is to be completed)**

No.	Introduction to Comparative European Law	Language	ECTS
1	Comparative Law I (European Legal Traditions)	English	2
2	Introduction to European Business Law	English	2
3	European Union Law – Institutional Aspects	English	2
4	European Legal Thinking: Meet Savigny and his Peers	English	2

**2. Intensive Module (in this module, coursework corresponding to 6 ECTS is to be completed)**

No.	The Internal Market	Language	ECTS
5	European Market Freedoms	English	3
6	European Competition Law	English	3
7	European Private Law	English	3
8	Arbitration & Cross Border Litigation	English	3

**3. Elective Module (in this module, coursework corresponding to 6 ECTS is to be completed)**

No.	European Business Law	Language	ECTS
9	Principles of German Law	English	3
10	E-Commerce & Internet	English	3
11	EU Financial Markets	English	3
12	European Tax Law	English	3
13	EU Fundamental Rights	English	3

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**Examination Regulations for the degree program "Master of Comparative Business Law"  
(M.C.B.L.)**

(as at Fall Semester 2014/2015)

**Courses at the University of Mannheim in the spring semester for students of the "Mannheim" track**

**1. Compulsory Module (in this module, coursework corresponding to 8 ECTS is to be completed)**

No.	Introduction to Comparative International Law	Language	ECTS
14	Comparative Law II (The Common/Civil Law Divide)	English	2
15	Introduction to International Business Law	English	2
16	International Organizations	English	2
17	Law & Economics	English	2

**2. Intensive Module (in this module, coursework corresponding to 6 ECTS is to be completed)**

No.	The Global Market	Language	ECTS
18	International Trade Law	English	3
19	Corporate Law & Corporate Governance	English	3
20	International Sale of Goods	English	3
21	International Private Law	English	3

**3. Elective Module (in this module, coursework corresponding to 6 ECTS is to be completed)**

No.	International Business Law	Language	ECTS
22	Introduction to German Private Law (for non German students)	English	3
23	International Business Transactions	English	3
24	Intellectual Property Law	English	3
25	International Labour Law	English	3
26	Behavioral Law and Economics	English	3

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**Examination Regulations for the degree program "Master of Comparative Business Law"  
(M.C.B.L.)**

(as at Fall Semester 2014/2015)

**ATTACHMENT 2**

**Courses at the University of Adelaide in the spring semester for students of the "Mannheim/Adelaide" track**

According to section 10 subsection 3, the conduct of courses and the assessment of examinations are the sole responsibility of the partner university. The following listing is subject to changes according to the Program Rules in the respective valid version.

**1. Compulsory Module (in this module, coursework corresponding to 8 ECTS is to be completed)**

No.	Introduction to Comparative International Law	Language	ECTS
	Comparative Law	English	2
	International Economic Law	English	2
	Transnational Business & Human Rights	English	2
	Corporate Governance	English	2

**2. Intensive Module (in this module, coursework corresponding to 6 ECTS is to be completed)**

No.	The Global Market	Language	ECTS
	Corporations in the Global Age	English	3
	Comparative Corporate Rescue Law	English	3
	International Trade Law	English	3
	Private International Law	English	3

**3. Elective Module (in this module, coursework corresponding to 6 ECTS is to be completed)**

No.	International Business Law	Language	ECTS
	Principles of Australian Law (for non-Australian students)	English	3
	International Commercial Arbitration	English	3
	Intellectual Property Law	English	3
	Globalisation & the legal regulation of Work	English	3
	Perspectives on Property & Society	English	3

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