

# ORDER REGULATIONS FOR EUR BUILDINGS, GROUNDS AND FACILITIES 2024

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## Contents

Chapter 1 – Definitions.....	3
Article 1.1 – Definitions.....	3
Chapter 2 – General rules.....	4
Article 2.1 – General rules .....	4
Article 2.2 – Presenting proof of identity .....	4
Article 2.3 – Reporting on behalf of EUR .....	5
Chapter 3 – Measures against a Student under the Dutch Higher Education and Research Act	5
Article 3.1 – Taking Measures .....	5
Article 3.2 – Measures of the Administrator .....	5
Article 3.3 – Measures of the Board.....	5
Article 3.4 – Written Warning for a Measure to be imposed with final effect.....	6
Article 3.5 – Presenting views.....	6
Article 3.6 – Extension of the term of a Measure .....	6
Article 3.7 – End of temporary Measures.....	6
Chapter 4 – Measures in respect of an Officer, a Participant or a Third Party .....	6
Article 4.1 – Enforcement by the Board, the Administrator and the Director of Real Estate & Facilities .....	6
Article 4.2 – Measures.....	6
Article 4.3 – Extension.....	7
Article 4.4 – Announcement procedure.....	7
Article 4.5 – End of temporary Measures.....	7
Chapter 5 – Mandate and authority .....	7
Article 5.1 – Mandate and authority .....	7
Chapter 6 – Legal protection.....	8
Article 6.1 – Legal protection of Students .....	8
Article 6.2 – Legal protection of Participants, Third Parties and Officers.....	8
Chapter 7 – Final provisions .....	8
Article 7.1 – Interpretation .....	8
Article 7.2 – Administration of the Regulations .....	8
Article 7.3 – Translation.....	8
Article 7.4 – Publication.....	8
Article 7.5 – Entry into force .....	8
Article 7.6 – Official title .....	8
Article 7.7 – Applicable law.....	8
Article 7.8 – Withdrawal.....	8

## Chapter 1 – Definitions

### Article 1.1 – Definitions

For the purposes of these Regulations, the terms below are defined as follows:

- *Written Warning*: Written warning from or on behalf of the Board that precedes the imposition of a final measure by the Board. The Written Warning in any event covers the rules, guidelines or instructions that were infringed and, where possible, the final Measures that can be imposed if the infringement is repeated;
- *Awb*: Dutch General Administrative Law Act (*Algemene wet bestuursrecht*);
- *BBR-EUR*: Management and Administration Regulations Erasmus University Rotterdam;
- *Identification*: Prove your identity with an identification permit, like a passport, identitycard, driving licence or with a different document, like a digital studentpass.
- *Administrator*: a person who, on the instructions, on behalf or under the responsibility of the Board (in terms of administrative law) and EUR (in terms of private law) is charged with the performance of administrative tasks;
- *Interested Party*: a person whose interest is directly affected by a decision, as referred to in [Article 1:2\(1\) of the Dutch General Administrative Law Act](#);
- *Integral Security Policy Officer*: Officer whose job it is to ensure integrall security within EUR;
- *Decision*: a Written ruling of a Management Body constituting a legal act under public law, as referred to in [Article 1:3 of the Dutch General Administrative Law Act](#);
- *Management Body*: a body of a legal entity established pursuant to public law, or a person or board vested with some public authority, as referred to in [Article 1:1 of the Dutch General Administrative Law Act](#)
- *Security Guard*: designation of the person charged with security tasks within EUR.
- *BW*: Dutch Civil Code (*Burgerlijk Wetboek*);
- *Executive Board*: the Executive Board of Erasmus University Rotterdam, Management Body;
- *Participant*: a person following a study programme, training programme or course at EUR that is not covered by [Article 7.3](#) and [Article 7.3a of the Dutch Higher Education and Research Act](#);
- *Any Persons*: Participant, Third Party, Officer or Student who is present in an EUR Building or on the Grounds of EUR or who makes use of an EUR Facility;
- *Third Party*: a person, not being a Participant, Student or Officer, who is present in an EUR Building or on the Grounds of EUR or who makes use of an EUR Facility;
- *Director of Real Estate & Facilities (RE&F)*: Officer working as head of the Real Estate & Facilities unit (abbreviated to RE&F);
- *EUR*: a legal entity established pursuant to public law named: Erasmus University Rotterdam;
- *Officer*: member of the Staff or person working for EUR on some other grounds (on assignment and the like), in a defined or undefined post (SAP-HR);
- *Building*: every building accessible to people, partially or fully enclosed by walls, covered or otherwise. The Building is owned by EUR, is used by EUR or is located on Grounds of EUR;

- *Conduct*: the way a person behaves and expresses themselves;
- *Measure*: action against Any Person who has infringed Article 2.1 of these Regulations;
- *Mandate*: power to take decisions in the name of a Management Body, as referred to in [Article 10:1 of the Dutch General Administrative Law Act](#);
- *Order*: the smooth running of affairs in accordance with [Article 7.57h of the Dutch Higher Education and Research Act](#) and other rules and regulations of EUR;
- *Staff*: persons who have an employment contract with EUR or are seconded elsewhere on assignment;
- *Regulations*: Order Regulations for EUR Buildings, Grounds and Facilities;
- *Written/in Writing*: laid down in writing on paper or 'by electronic means' as referred to in [Section 227a, Book 6 of the Netherlands Civil Code \(BW\)](#)
- *Student*: an individual who is enrolled at EUR for an initial study programme offered by EUR and, in that capacity, makes use of the teaching and examination facilities at EUR. This includes external candidates and prospective students;
- *Grounds*: each piece of land owned by EUR, that is in use by EUR or on which a Building is located;
- *Authority*: power granted by a principal to another, the attorney-in-fact, to perform legal acts in their name as referred to in [Section 60 of Book 3](#) of the Dutch Civil Code;
- *Facility*: a facility of EUR including in any event an Internet and ICT facility (communication, computer and network facility) provided by EUR;
- *Warning*: Written notice that a temporary measure will be taken if the infringement continues to occur, see also *Written Warning*.
- *WHW*: Dutch Higher Education and Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek*).

## Chapter 2 – General rules

### Article 2.1 – General rules

1. All Persons must act in compliance with statutory obligations and in accordance with the unwritten rules of generally accepted conduct.
2. All Persons must comply with the rules, guidelines and instructions of the Board in relation to the Buildings, Grounds or Facilities.
3. All Persons must respect the rights of EUR and of others.
4. All Persons must follow the instructions given by the Security Guard and the Director of RE&F in relation to the Buildings, Grounds and Facilities.

### Article 2.2 – Presenting proof of identity

1. All Persons must be able to identify themselves at the request of the Security Guard.
2. The Security Guard is authorised to deny access to anyone who does not comply with a request for identification or to demand that person to leave the EUR Building/Grounds
3. Officers and Third Parties are obliged to visibly wear an employee pass or guest pass in the areas designated for this purpose by the Executive Board. Students and Participants are expected to enter these zones only when invited by an Officer.

### Article 2.3 – Reporting on behalf of EUR

In the event of suspicion of a criminal offence, the Board, the Administrator, the Integral Security Policy Officer and the Director of Real Estate & Facilities may report this to the competent authorities on behalf of EUR.

## Chapter 3 – Measures against a Student under the Dutch Higher Education and Research Act

### Article 3.1 – Taking Measures

1. The Board or the Administrator may take Measures in respect of a Student who infringes Article 2.1 of these Regulations.
2. Measures may also be taken in the event of Conduct that occurs outside the Buildings and Grounds and which could affect order and/or safety within the Buildings and Grounds and during the use of facilities.

### Article 3.2 – Measures of the Administrator

1. With respect to a Student who infringes Article 2.1 of these Regulations, the Administrator may:
  - a. warn a Student that a temporary Measure will follow in case of repeated infringement of Article 2.1 of these Regulations;
  - b. temporarily deny access to all or part of the Buildings and Grounds;
  - c. temporarily deny use of Facilities.
  - d. impose a combination of (b), (c) or (d).
2. A temporary Measure as referred to in the preceding paragraph may be imposed by the Administrator for no more than twenty working days.
3. With respect to a Student who infringes Article 2.1 of these Regulations and causes serious nuisance, the Administrator may send a Written Warning to the effect that the Board will be requested to impose a final Measure in case of repeated infringement of Article 2.1 of these Regulations.

### Article 3.3 – Measures of the Board

1. The Board may take temporary Measures against a Student who infringes Article 2.1 of these Regulations, including:
  - a. denial of access to one or more Buildings and Grounds;
  - b. limiting use of Facilities;
  - c. termination of enrolment at the institution;
  - d. a combination of (a), (b) and (c).
2. A temporary Measure may not last longer than a period of one calendar year.
3. With respect to a Student who infringes Article 2.1 of these Regulations and causes serious nuisance, the Administrator may:
  - a. issue the Student with a Written Warning to the effect that a final Measure may follow if the infringement is repeated;
  - b. deny access to one or more Buildings and Grounds with final effect;
  - c. deny use of Facilities with final effect;
  - d. terminate enrolment for one or more study programmes at the institution;
  - e. impose a combination of (b), (c) and (d).
4. If the Board decides to terminate enrolment, as referred to in paragraph 1(c), the Board will terminate enrolment with effect from the following month, as referred to in Article 7.42(3) of the Dutch Higher Education and Research Act, for a maximum period of one calendar year.

**Article 3.4 – Written Warning for a Measure to be imposed with final effect**

1. A final Measure will be imposed only if the infringement of the provisions continues after the Student has been warned to cease infringing Article 2.1 of these Regulations.
2. Where possible, the nature of the Measures will be stated in the Written Warning.

**Article 3.5 – Presenting views**

A Measure will not be imposed until the Student against whom the Measure is directed has been given the opportunity to present their view, unless urgency dictates otherwise.

**Article 3.6 – Extension of the term of a Measure**

1. The Board may extend a temporary Measure against a Student provided the total term remains below the maximum of one calendar year.
2. The Administrator may extend a temporary Measure once only, by no more than twenty working days.

**Article 3.7 – End of temporary Measures**

1. Measures imposed for a specific term lapse by operation of law when the term has expired.
2. The Board or the Administrator may impose further conditions on the termination or limitation of the Measure.
3. If the Board or the Administrator takes the view that the conditions referred to in the previous paragraph have not been met, the original Measure will be reinstated.

**Chapter 4 – Measures in respect of an Officer, a Participant or a Third Party****Article 4.1 – Enforcement by the Board, the Administrator and the Director of Real Estate & Facilities**

1. The Board may impose both temporary and final Measures on an Officer, a Participant or a Third Party who infringes Article 2.1 of these Regulations.
2. The Administrator may impose a temporary Measure on a Participant or a Third Party who infringes Article 2.1 of these Regulations.
3. The Director of Real Estate & Facilities may impose a temporary Measure on a Third Party who infringes Article 2.1 of these Regulations.
4. A measure may be imposed on Staff members in addition to the invocation of contractual obligations and/or obligations under employment law or the imposition of measures under employment law.<sup>1</sup>
5. On imposing the Measure, the Board may impose further conditions.

**Article 4.2 – Measures**

1. The Board, the Administrator or the Director of Real Estate & Facilities may impose a temporary Measure in respect of a Third Party who infringes Article 2.1 of these Regulations, including:
  - a. denial of access to one or more Buildings and Grounds;
  - b. limiting use of Facilities;
  - c. a combination of (a) and (b).
2. The Board or the Administrator may impose a temporary Measure in respect of a Participant who infringes Article 2.1 of these Regulations, including:
  - a. denial of access to one or more Buildings and Grounds;
  - b. limiting use of Facilities;
  - c. termination of the Participant's enrolment
  - d. a combination of (a), (b) and (c).

<sup>1</sup> The rights and obligations under employment law arising from, *inter alia*, the Dutch Civil Code, the Collective Labour Agreement of Dutch Universities, any other collective schemes and the individual employment contracts apply in relation to the Staff employed by EUR.

3. The Board may impose a temporary Measure in respect of an Officer who infringes Article 2.1 of these Regulations, including:
  - d. denial of access to one or more Buildings and Grounds;
  - e. limiting use of Facilities;
  - f. a combination of (a) and (b).
4. The maximum term of a temporary Measure or Measures imposed by the Board is one calendar year.
5. The maximum term of a temporary Measure imposed by an Administrator is twenty working days.
6. The maximum term of a temporary Measure imposed by the Director of Real Estate & Facilities is three months.
7. With respect to a Participant or a Third Party who infringes Article 2.1 of these Regulations, the Board may:
  - a. deny access to one or more Buildings or Grounds with final effect;
  - b. deny use of Facilities with final effect;
  - c. terminate the enrolment of the Participant with final effect;
  - d. impose a combination of (a), (b) and (c).
8. With respect to an Officer who infringes Article 2.1 of these Regulations, the Board may:
  - a. deny access to one or more Buildings or Grounds with final effect;
  - b. deny use of Facilities with final effect;
  - c. impose a combination of (a) and (b).

#### Article 4.3 – Extension

1. The Board may extend temporary Measures in respect of a Third Party or a Participant indefinitely.
2. The Administrator may extend a temporary Measure once only, by no more than twenty working days.
3. The Director of Real Estate and Facilities (RE&F) may extend a temporary Measure indefinitely by successive periods of no more than two months.

#### Article 4.4 – Announcement procedure

1. The Measure will be announced in Writing, unless urgency dictates otherwise. A Measure imposed verbally will be put in Writing and announced as soon as possible.
2. If the Board, the Administrator or the Director of RE&F imposes a Measure, they and the IntegralSecurity Team will be notified by means of a copy of the decision.

#### Article 4.5 – End of temporary Measures

1. Measures imposed for a specific term lapse by operation of law when the term has expired.
2. The Board or the Administrator may impose further conditions on the termination or limitation of the Measure.
3. If the Board or the Administrator takes the view that the conditions referred to in the previous paragraph have not been met, the original Measure will be reinstated.

## Chapter 5 – Mandate and authority

### Article 5.1 – Mandate and authority

The powers granted to the Manager and / or Director RE&F in this Regulation are mandated or authorized by the Executive Board. They are exercised in accordance with Title 10.1 of the Dutch General Administrative Law Act or Section 60 of Book 3 of the Dutch Civil Code.

## Chapter 6 – Legal protection

### Article 6.1 – Legal protection of Students

1. Under the Dutch Higher Education and Research Act and the Dutch General Administrative Law Act, a Student may lodge a notice of objection with the Student Objection Advisory Committee against a Decision containing a Written Warning or a Measure.
2. An objection or an appeal will not suspend the effect of a Decision.

### Article 6.2 – Legal protection of Participants, Third Parties and Officers

1. Under the Dutch Civil Code, a Participant, a Third Party or an Officer may seek the lifting of a Measure before the competent civil court.
2. Legal proceedings will not suspend the effect of the Measure.

## Chapter 7 – Final provisions

### Article 7.1 – Interpretation

1. In cases relating to the matters regulated in these Regulations for which these Regulations make no provision or if these Regulations allow for more than one interpretation, the Executive Board will make a decision in accordance with the principles of reasonableness and fairness.
2. The Board may take a decision differing from the provisions of or pursuant to these Regulations.

### Article 7.2 – Administration of the Regulations

These Regulations are administered by: Professional Services, Real Estate & Facilities.

### Article 7.3 – Translation

If these Regulations are translated and a conflict emerges between the translation and the Dutch version, the Dutch version will prevail.

### Article 7.4 – Publication

The Executive Board will place these Regulations on the EUR website.

### Article 7.5 – Entry into force

These Regulations will enter into force on: 15 March 2024.

### Article 7.6 – Official title

1. These Regulations are referred to as: Order Regulations for EUR Buildings, Grounds and Facilities 2024.
2. These Regulations are abbreviated to: EUR Order Regulations 2024

### Article 7.7 – Applicable law

These Regulations are governed exclusively by Dutch law.

### Article 7.8 – Withdrawal

Previous versions of the Order Regulations for EUR Buildings, Grounds and Facilities will be withdrawn when these Regulations enter into force.