

# UNIVERSITI TUNKU ABDUL RAHMAN

## RULE XX

### STUDENT CODE OF CONDUCT

IN exercise of the powers conferred by Part IV of the Constitution of Universiti Tunku Abdul Rahman, the President, on the advice of the Senate, makes the following Rule :-

#### 1. Short Title & Commencement

This Rule may be cited as **the Student Code of Conduct** Rule and shall come into force as from the date of incorporation of the University.

#### 2. Student Code Of Conduct

It is hereby established a Student Code of Conduct applicable to all students of the University. The Student Code of Conduct shall read as follows :-

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## PART I – PRELIMINARY

Students of Universiti Tunku Abdul Rahman (University) are expected to uphold the University philosophy, regulations and requirements by maintaining a high standard of conduct. This Student Code of Conduct covers all students of the University.

### 1. University Vision

To be a global university of educational excellence with transformative societal impact.

Amended on  
2 July 2013

### 2. University Mission

We are committed to achieving the Vision through:

- **Universal values** in our beliefs
- **Tenacity** in overcoming challenges
- **Agility** in facing new frontiers
- **Responsibility** in pursuit of excellence

Amended on  
2 July 2013

### 3. Student Declaration

Upon admission to the University, all students accept the following declaration:-

I pledge my loyalty to King and Country.

I pledge to uphold the Principles of the Rukunegara.

I pledge my loyalty to the University and accept my position as a student of the University, subject to University discipline.

I promise to comply with University regulations and requirements and that at all times.

I will behave honourably and endeavour to safeguard and uphold the good name of the University.

### 4. Interpretation

In this Student Code of Conduct, unless the context otherwise requires:-

**“authorised person”** means any person duly authorised to act on behalf of the University;

**“Campus”** means the area or areas, together with all buildings or other structures thereon, which belong to or are in the possession of or used, whether permanently or otherwise, by the University;

**"cheating"** includes copying or plagiarizing;

**"disciplinary offence"** means a disciplinary offence under this Student Code of Conduct;

**"disciplinary proceeding"** means a disciplinary proceeding under this Student Code of Conduct;

**"drug"** means any drug or substance which is currently included in the First Schedule to the Dangerous Drugs Act, 1952;

**"examinations"** includes any manner or method of assessment or evaluation which results in a mark or a grade for a specific course or part thereof;

**"gaming"** means the playing of any game of chance, or skill, or of mixed chance and skill, for money or money's worth, and includes any wagering, any betting or any lottery;

**"liquor"** means any liquor of any alcoholic strength;

**"motor vehicle"** means every description of vehicle propelled by means of mechanism contained within itself and constructed or adapted so as to be capable of being used on roads, and includes any vehicle drawn by a motor vehicle whether or not part of the vehicle so drawn is superimposed on the drawing motor vehicle;

**"parking"** means the bringing of a vehicle to a stationary position and causing it to wait for any purpose other than of immediately taking up or setting down persons, goods or luggage;

**"poison"** means any substance specified by name in the first column of the Poison List to the Poisons Ordinance, 1952 and includes any preparation, solution, compound, mixture or natural substance containing such substance;

**"President"** means the President of the University;

**"staff"** means any employee of the University;

**"student"** includes any registered student regardless of level or mode of study at the University;

**"student disciplinary authority"** means any person or authority delegated by the University with disciplinary functions, powers or duties;

**“traffic direction”** means any order, direction or instruction given by an authorized person to any person using a road or a vehicle within the Campus;

**“traffic sign”** includes any signal, warning sign post, direction post, sign, mark or device erected or provided on or near a road for the information, guidance or direction of persons using the road;

**“University”** means University Tunku Abdul Rahman and includes any person or body of persons authorised to act on behalf of the University;

**“vehicle”** means a structure capable of moving or being moved or used for the conveyance of any person or thing and which maintains contact with the ground when in motion.

## **PART II - GENERAL DISCIPLINE**

### **5. General Prohibitions**

(1) *deleted*

(2) *deleted*

Amended on  
2 July 2013

(3) *deleted*

(4) *deleted*

(5) A student may become a member of any society, organization, body or group of persons, whether in or outside Malaysia, including any political party.

Amended on  
2 July 2013

(6) A student shall not:

a) become a member of any unlawful society, organization, body or group of persons, whether in or outside Malaysia;

Amended on  
2 July 2013

b) become a member of any society, organization, body or group of persons, not being a political party, which the Registrar General determines and specifies in writing to the President to be unsuitable to the interests and well-being of the students or the University;

c) be involved in political party activities within the Campus.

(7) A student and any society, organization, body or group of students of the University which is established by, under or in accordance with the constitution, shall not express or do anything which may reasonably be construed as expressing support for or sympathy with or opposition to:

Amended on  
2 July 2013

- a) any unlawful society, organization, body or group of persons, whether in or outside Malaysia; or
  - b) any society, organization, body or group of persons which the Registrar General determines and specifies in writing to the President to be unsuitable to the interests and well-being of the students or the University.
- (8) Notwithstanding subsection (7), a student shall not be prevented from:
- (a) making a statement on an academic matter which relates to a subject on which he is engaged in study or research; or
  - (b) expressing himself on the subject referred to in paragraph (a) at a seminar, symposium or similar occasion that is not organized or sponsored by any unlawful society, organization, body or group of persons, whether in or outside Malaysia, or any society, organization, body or group of persons determined by the Registrar General under paragraph (7)(b) to be unsuitable to the interests and well-being of the students or the University.

Amended on  
2 July 2013

## **6. General prohibitions governing student conduct**

- (1) A student shall not conduct himself, whether within or outside the Campus, in any manner which is detrimental or prejudicial to the interests, well-being or good name of the University, or to the interests, well-being or good name of any of the students, staff, officers, or employees of the University, or to public order, safety or security, or to morality, decency or discipline.
- (2) A student shall not violate any provision of any written law, whether within or outside the Campus.
- (3) A student shall not disrupt or in any manner interfere with, or cause to be disrupted or in any manner interfere with, any teaching, study, research, administrative work, or any activity carried out by or under the direction of or with the permission of the University, or do any act which may cause such disruption or interference.
- (4) A student shall not prevent, obstruct, or interfere with, or cause to be prevented, obstructed or interfered with, any officer or staff of the University or any person acting under the direction or permission of such officer or staff, from carrying out his work, duty or function, or do any act which may cause such prevention, obstruction or interference.

- (5) A student shall not prevent, or obstruct, or cause to be prevented or obstructed, any student from attending any lecture, tutorial, class or examination, or from engaging in any legitimate activity, or to do any act which may cause such prevention or obstruction.
- (6) A student shall not organise, incite or participate in the boycott of any examination, lecture, tutorial, class, or other legitimate activity carried out by or under the direction or with the permission of the University.
- (7) A student shall not damage in any manner or cause to be damaged in any manner any property of the University, or indulge in any act which may cause such damage.
- (8) A student shall not tamper, interfere with, move, or in any manner deal with, any substance, object, article or property whatsoever, or knowingly indulge in any act or cause any act to be carried out in the Campus, so as to cause or be likely to cause any obstruction, interference, inconvenience, annoyance, loss or damage to any person.
- (9) A student shall not contravene or fail to comply with any instruction or requirement by the University lecturers and staff, in respect of the use of the Library, Science Laboratories, Computer Laboratories, Workshops, and other facilities therein.
- (10) A student shall not smoke on the Campus.

## **7. Attire and appearance**

A student shall be decently or appropriately attired in the manner as specified by the University when in Campus whether or not while at a lecture, tutorial, examination, class, workshop or when carrying out, undertaking, attending to or being involved in any activity outside the Campus.

## **8. Student Card**

- (1) The University shall issue to every student thereof an identification card to be called the Student Card which shall bear the photograph of the student and be in such form and contain such particulars as may be determined by the University.
- (2) A student must display on his person his own Student Card at all times on the Campus.

- (3) A student shall carry his Student Card on his person in such manner on such occasions and at such times as may, from time to time, be directed by the University.
- (4) Students are subject to disciplinary action for the misuse of any Student Card. This includes altering, defacing it in any way or loaning it to another person.

## **9. Attendance at lectures**

Where a student is required to attend any lecture, tutorial, class or other instruction relating to his course of study, he shall not absent himself therefrom without the prior permission of the Dean of Faculty/Institute, as the case may be, unless the circumstances do not permit such prior permission to be obtained and there is reasonable cause or excuse for the absence, in which case the student shall, as soon as possible thereafter, satisfy the Dean of Faculty/Institute, as the case may be, with regard to the absence and obtain approval in respect thereof.

Amended on  
12 Oct 2010

## **10. Examination**

- (1) Where a student's course of study entails his appearance for an examination and he is not otherwise debarred from appearing for such examination, he shall not fail to appear for such examination without the prior permission in writing of the Dean of Faculty/Institute, unless the circumstances do not permit such prior permission to be obtained and there is reasonable cause or excuse for the non-appearance, in which case the student shall, as soon as possible thereafter in writing, satisfy the Dean with regard to the absence and obtain approval in writing in respect thereof.
- (2) All students must adhere to the University examination rules and regulations as contained in the "Rules & Regulations of University Examinations" or any other regulations or instructions as may be issued from time to time.
- (3) A student shall not take any book, paper, document or picture, except those authorised by the examiner, into or out of an examination room, or receive any book, paper, document or picture from any other person while in the examination room, except that a student may, while he is in the examination room, receive from the invigilator such books, papers, documents, pictures or other things as may be authorised by the Dean of Faculty/Institute on the recommendation of the examiners or Board of Examiners.

Amended on  
12 Oct 2010

Amended on  
12 Oct 2010

- (4) A student shall not communicate with any other student during an examination by any means whatsoever.
- (5) A student shall not cheat or attempt to cheat or conduct himself in a manner which can be construed as cheating or attempting to cheat in an examination while the examination is being conducted.

**11. Organising, etc. of assemblies**

- (1) No student, and no organisation, body or group of students shall, without the prior written permission of the University, hold, organise, convene or call or cause to be held, organised, convened or called, or be in any manner involved in holding, organising, convening or calling, or in causing to be held, organised, convened or called, or in doing any act towards holding, organising, convening, or calling, any assembly of more than five persons in any part of the Campus or on any land or in any building belonging to or under the possession or control of the University or used for the purposes of the University.
- (2) In granting the permission referred to in subsection (1) above, the University may impose such restrictions, terms or conditions in relation to the proposed assembly as the University may deem necessary or expedient.
- (3) No student shall knowingly attend or participate in an assembly held in contravention of subsections (1) or (2).

**12. Making, using, displaying, owning, etc. of banners, placards, etc.**

No student, society, club or group of students shall:-

- (a) make or cause to be made or carry out any act towards making or causing to be made;
- (b) fly, exhibit, display or in any manner make use of, or cause to be flown, exhibited, displayed or in any manner made use of; or
- (c) own or have in his or its possession, custody or control any flag, banner, placard, poster, emblem or other devices which are conducive to the promotion of indiscipline, disorder, disobedience or contravention of these Rules.

**13. Publication, etc. of documents**

- (1) No student and no organisation, body or group of students, shall publish, distribute or circulate any document within or outside the Campus; Provided that the University may permit in writing, the publication, distribution or circulation of a particular document for such purposes and subject to such restrictions, terms or conditions as the University as aforesaid may deem necessary or expedient to impose in granting such permission.
- (2) The permission required under this rule shall be in addition to any licence, permit or any other form of authorisation, which may be required under any other written law.

**14. Student's activities outside the Campus**

No student and no organisation, body or group of students, shall organise, carry out or participate in any activity outside the Campus, except with the prior written permission of the University and in due compliance with any restriction, term or condition which the University may deem necessary or expedient to impose; Provided that nothing in this rule shall be deemed to restrain an individual student from any activity of a purely personal or private character.

**15. Students engaging in occupation, etc.**

No student shall, within or outside the Campus, engage in any occupation, employment, business, trade or other activity, whether full-time or part-time, which conflicts with his vocation or position as a student or in the opinion of the University is deemed undesirable.

**16. Representations relating to the University, etc.**

No student and no organisation, body or group of students, shall make in relation to any matter pertaining to the University or to the staff or students thereof in their capacity as such, or to himself in his capacity as a student thereof, any representation or other communication, whether orally or in writing or in any other manner, to any public officer or to the press or to the public in the course of any lecture, speech or public statement or in the course of any broadcast by sound or vision.

**17. Students' objection to entry, exclusion, etc. of persons from the Campus**

No student and no organisation, body or group of students, shall make any objection orally or in writing or in any other manner to the entry into, or the presence in, or the

exclusion from, or the expulsion from, the Campus of any person, body or group of persons.

**18. Gaming in the Campus**

No student and no organisation, body or group of students, shall organise, operate, manage, run or assist in organising, operating, managing or running, or participate in any gaming activities within the Campus.

**19. Consuming, liquor, etc. and behaving in a disorderly manner**

- (1) No student shall, within the Campus, consume or have in his possession, custody or control, any liquor.
- (2) Any student who behaves in a disorderly manner under the influence of liquor, within the Campus, shall be guilty of a disciplinary offence.

**20. Obscene articles or materials**

- (1) No student shall, within the Campus, have in his possession or under his custody or control, any obscene or pornographic article or material.
- (2) No student, and no organisation, body or group of students, shall distribute, circulate or exhibit, or cause to be distributed, circulated or exhibited or be in any manner concerned with the distribution, circulation or exhibition of, any obscene or pornographic article or material within the Campus; a student shall be deemed to distribute, circulate or exhibit an obscene or pornographic article or material, regardless of whether such distribution, circulation or exhibition is to only one person or to more than one person and regardless of whether or not such circulation, distribution or exhibition is for payment or for any other consideration.
- (3) No student shall voluntarily view or hear any obscene or pornographic article or material within the Campus.

**21. Drugs and poisons**

- (1) No student shall have in his possession or under his custody or control, any drug or poison.
- (2) No student shall have in his possession or under his custody or control any utensil, instrument, apparatus or other articles which in the opinion of the

disciplinary authority, is designed or intended to be used for consuming any drug or poison orally, or by smoking or inhaling, or by introduction into the body by injection or in any other manner whatsoever.

- (3) No student shall give, supply, provide or offer or propose to give, supply, provide or offer any drug or poison to any person.
- (4) No student shall consume orally, or smoke or inhale, or introduce into his body by injection or in any other manner whatsoever, any drug or poison.
- (5) Nothing in this rule shall be deemed to prevent a student from undergoing any treatment by or under the prescription of a medical practitioner registered under the Medical Act, 1971.
- (6) Any student who is found under the influence of any drug or poison shall be guilty of a disciplinary offence.
- (7) Any student suspected of substance abuse may be required to undergo a urine test.
- (8) Disciplinary action shall be taken against any student if the student fails to undergo the urine test as stated in subsection (7) above.

**22. Entry into prohibited parts of the Campus or buildings**

A student shall not enter any part of the Campus which is prohibited to students generally or, in particular, to the student or class of students concerned.

**23. Power of the University to issue a dress code for students**

The University may issue such directions, in writing, as the University deems necessary in relation to the manner of dressing of students on the Campus.

**24. Criminal offence**

- (1) Where a student of the University is charged with a criminal offence he shall immediately thereupon be suspended from being a student of the University and shall not, during the period of the criminal proceedings, remain in or enter any Campus of the University.
- (2) Where a court finds that a charge of a criminal offence is proved against a student of the University, the student shall, immediately thereupon, cease to be a student of the University, and shall not remain in or enter any Campus of the University.

- (3) A student of the University who is detained, or is subjected to any order imposing restrictions on him, under any written law relating to preventive detention or internal security, shall immediately thereupon, cease to be a student of the University and shall not remain in or enter any Campus of the University.

## **25. Misbehaviour**

### **25.1 Disrespect to any staff member and student**

A student shall show proper respect to the University staff and other student(s) at all times. No ragging will be permitted. Derogatory comments, acts, chants or actions of a sexual, religious or ethnic nature will not be tolerated or condoned.

### **25.2 At sporting events**

Players and supporters are required to show exemplary sportsmanship. The University does not condone derogatory comments, chants or actions. Throwing paper or other objects onto the court or playing field or between spectators is not allowed.

### **25.3 Social behaviour**

A student is required to display mature and responsible behaviour in social interaction. Any form of public display of intimacy or indecent behaviour is not permitted.

### **25.4 Harassment**

Any act of harassment i.e., physical, psychological, verbal or sexual that threatens a person or persons is considered a serious offence and will not be tolerated or condoned.

### **25.5 Falsifying University documents or records**

Making, possessing, or using any falsified, torn or defaced University document or record; altering any University document or record, University vehicle sticker etc. is an offence.

### **25.6 Theft**

A student shall not steal or attempt to steal any property of the University or that of any other person(s).

### **25.7 Fighting**

Disciplinary action will be taken against any student fighting on the Campus.

### **25.8 Assault**

A student shall not assault any University staff or any other person(s) on the Campus or elsewhere.

### **25.9 False Reporting**

A student shall not lodge any false report or make any false statements to any relevant authority.

### **25.10 Arson**

A student shall not set or attempt to set fire to any University property or property in the University.

## **26. Restriction on use of text of lecture, etc.**

- (1) Subject to subsection (2) below, a student shall not make use of the text of any lecture or instruction imparted to him in the University except for the purpose of pursuing his course of study; in particular, he shall not reproduce in any manner the whole or any part of such text for the purpose of publication, distribution or circulation, whether or not for payment.
- (2) Nothing in this rule shall be deemed to restrict the discretion of the University to permit a student, or an organisation, body or group of students, to make copies of the text of any such lecture or instruction under the control and direction of the President, or of such Dean of Faculty/Institute, as the President may authorise, and in giving such permission the President may impose such terms and conditions as he deems necessary or expedient.

Amended on  
12 Oct 2010

## **27. Cleanliness within the Campus**

A student shall not do anything which may be prejudicial to the cleanliness and neatness within the University, or of any lecture theatre, road, grounds or of any other part of the Campus, or of any other building or structure within the Campus.

**28. Making of annoying or disturbing noise**

A student shall not make any sound or noise, or cause any sound or noise to be produced, by any means or in any manner, where such noise or sound causes or is likely to cause annoyance or disturbance to any person within the Campus.

**29. Living or sleeping in the Campus**

No student shall use or cause to be used any part of the Campus or any part of any building within the Campus as living or sleeping quarters, except the quarters provided for him by the University.

**30. Disobedience**

Where a student fails to comply with or contravenes any legitimate instruction, direction or requirement given or made by any officer or staff of the University authorised to give or make same in the Campus, he shall be guilty of a disciplinary offence.

**31. Student societies or clubs**

**31.1 Key(s)**

A student shall not possess any key(s) to the University or office unless that specific key has been officially issued to him. No duplication may be made of any key(s) issued by the University.

**31.2 Entertainment**

A student should abstain from any form of entertainment that would compromise his position or the reputation of the University.

**31.3 Movies, slides or documentaries**

Any movie, slide or documentary to be screened in the University requires prior written approval from the University.

**31.4 Music and song**

Any music and song for use in any University function requires prior written approval from the University.

**31.5 Misappropriation of funds**

Student society or club funds shall be used for the purposes and activities in accordance with their constitution. All members of the society or club must manage their society funds properly. Proper accounts must be kept for audit purposes.

### **PART III - ROAD TRAFFIC DISCIPLINE**

#### **32. Written authorisation for students keeping, possessing or owning motor vehicles on the Campus**

- (1) A student intending to keep, have in his possession or own any motor vehicle in the Campus shall, in the first instance, apply for and obtain from the University a written authorisation in respect thereof; the application and the written authorisation shall be in such form as the University may, subject to subsection (2) below determine.
- (2) Application for such permission shall be made by the student in writing specifying the description of the motor vehicle and shall be accompanied by the current motor vehicle registration card and other documents which may be required by the University from time to time, and a valid driving licence in the name of the applicant.
- (3) The written authorisation of the University shall be given in such form as may be directed and shall at all times be displayed conspicuously on the motor vehicle.
- (4) Such written authorisation shall be renewed periodically and the provisions of subsections (1) and (2) above shall apply *mutatis mutandis* to an application for such renewal.
- (5) The University may refuse to grant authorisation under this rule or revoke any authorisation granted under this rule if the University is satisfied that it would not be in the interest of the University for the student to hold such authorisation.

#### **33. Speed limit**

No student shall drive a motor vehicle in the Campus at a speed in excess of that indicated by the traffic sign.

**34. Driving in the Campus**

No student shall drive a motor vehicle on any place other than on that part of the road which is used as a carriageway for the passage of motor vehicles; in particular, no motor vehicle shall be driven by a student on the pavement, side-table, grass verge, footpath or other place, whether alongside the carriageway or otherwise, which is not ordinarily intended or specifically provided for the passage of motor vehicles.

**35. Obstructive parking**

No student shall park any vehicle at any place or in any manner so as to cause danger, obstruction or inconvenience to any other person or vehicle.

**36. Allotted parking bays**

Where a parking bay is allotted for a particular motor vehicle no student shall park a different motor vehicle in such a parking bay.

**37. Pillion-riding**

- (1) A student driving a two-wheeled motorcycle shall not carry more than one person on such a motorcycle.
- (2) No student shall carry a person on a two-wheeled motorcycle unless such a person is sitting astride the motorcycle behind the driver on a properly designed seat securely fixed to the motorcycle.
- (3) A student shall not allow himself to be carried on a two-wheeled motorcycle driven by any person, whether or not a student, is in contravention of subsections (1) and (2).

**38. Traffic directions and signs**

A student shall comply with all traffic directions and traffic signs.

**39. Driving licence and identification card**

Any student who is driving or is in charge or control of a vehicle shall carry with him a valid driving licence issued to him under the Road Transport Act 1987 and his identification card and shall produce same for inspection by an authorised person whenever required to do so.

**40. Obstruction to traffic flow**

A student shall not conduct himself in any manner, or do any act, which obstructs or interferes with the smooth and orderly movement of traffic within the Campus.

**41. Application of Road Transport Act 1987**

- (1) The provisions of the Road Transport Act 1987 and all subsidiary legislation made thereunder shall apply to students within the Campus as if the roads within the Campus are public roads within Malaysia and the offences under the said Act and the subsidiary legislation made thereunder are disciplinary offences in relation to students and punishable as such, and every student shall, accordingly, comply with such provisions within the Campus.
- (2) Nothing in subsection (1) shall derogate from the liability within the Campus of any student or other person for any offence under the Road Transport Act 1987 or any subsidiary legislation made thereunder.

**PART IV - DISCIPLINARY PROCEDURE**

**42. Attendance before disciplinary authority**

- (1) Where it appears to a disciplinary authority that a student has committed a disciplinary offence, the authority shall in writing, require the student to appear before it at such disciplinary proceeding, on such a date and such a time as it may specify.
- (2) Pending the initiation of the disciplinary proceeding, if the Committee believes that :-
  - (a) there is cogent and reliable information which supports the allegations of misconduct; and
  - (b) the continued presence of the student in the University campus poses a threat to the Complainant or any individual, property or University function,

the Committee may suspend the student concerned for an interim period prior to resolution of the disciplinary proceedings provided that the suspension shall be lifted –

- (i) immediately upon resolution of the proceeding or withdrawal of the charges relating thereto; or

- (ii) when the Committee determines that the reasons for imposing the interim suspension no longer exists.

**43. Person who may be present at a disciplinary proceeding**

No person shall be present at a disciplinary proceeding except:

- (a) the student disciplinary authority and its staff;
- (b) the student against whom the disciplinary proceeding is taken;
- (c) a witness while he is giving evidence, or when required by the disciplinary authority; and
- (d) such other person as the disciplinary authority may for any special reason authorise to be present.

**44. Consequence of failure to appear before disciplinary authority**

Where a student fails to appear before the disciplinary authority in accordance with the requirement under Section 42 :-

- (a) he shall immediately thereupon be suspended from being a student of the University and shall not thereafter remain in or enter the Campus; such a suspension shall continue until the student offers to appear before the disciplinary authority and does, in fact, appear before the disciplinary authority on the date and at the time which the disciplinary authority may specify after the student has offered to appear before the disciplinary authority; or
- (b) the disciplinary authority shall examine the witness or any document or other article whatsoever in support of the case against the student and shall pronounce its decision in the case.

**45. Facts of disciplinary offence to be explained and plea taken**

At the disciplinary proceedings, the disciplinary authority shall explain to the student the facts of the disciplinary offence alleged to have been committed by the student and call upon him to plead thereto.

**46. Plea of "guilty" and consequential procedures**

If the student pleads guilty, the disciplinary authority shall explain to him the facts of the case; if he admits these facts, the disciplinary authority shall pronounce him guilty of the offence.

**47. Plea of "not guilty" and consequential procedures**

If the student does not plead guilty to the offence or fails or refuses to plead or does not admit the facts of the case, the disciplinary authority shall examine any witness or any document or thing in support of the case against the student; the student shall be invited to question such a witness and inspect such document or article, and the authority may re-examine such a witness.

**48. Student's evidence**

After the evidence referred to in Section 47 has been admitted, the student shall be invited to give his evidence, call any witness or produce any document or other article whatsoever in his defence; the disciplinary authority may question the student or any of his witnesses and inspect any such document or article, and the student may reexamine any of the witnesses.

**49. Power of disciplinary authority to question or recall witness**

The disciplinary authority may question or recall any witness at any time before it has pronounced its decision.

**50. Custody & disposal of documentary evidence**

- (1) The disciplinary authority may order any document or other article whatsoever produced before it in the course of any disciplinary proceedings, to be kept in its custody or in the custody of such person, as it may specify, pending the conclusion of the disciplinary proceedings.
- (2) The disciplinary authority shall, upon the conclusion of the disciplinary proceeding before it, make such order as it deems fit for the disposal of any document, or other article whatsoever produced before it in the course of the disciplinary proceeding, and may direct that such order shall take effect either immediately, or at such time as it may specify.
- (3) The power of the disciplinary authority under subsection (2) above shall include the power to order the destruction of any such document or article, or the forfeiture thereof to the University.

**51. Notes of Proceedings**

- (1) The disciplinary authority shall make or cause to be made, written notes of the proceeding, such notes shall be verified and kept in the custody of the President, or any such person authorized to in writing by the President.

- (2) Where a student has been found guilty of a disciplinary offence and where required, the President, or any such person authorized to in writing by a President, may send a report of the disciplinary proceeding to the Minister of Higher Education, and in the case of a scholarship student, to the scholarship sponsoring or scholarship-granting authority or body.
- (3) The scholarship-sponsoring or scholarship-granting authority or body or the parent or guardian of the student, as the case may be, shall be entitled to a certified copy of the notes of the proceeding upon payment of a fee determined by the President, which shall not, in any case, exceed ONE HUNDRED RINGGIT MALAYSIA.
- (4) A certified copy of the notes of the disciplinary proceeding made under, in respect of any particular case, shall be supplied by the President to the Minister of Higher Education, if the Minister of Higher Education requires the same.

## **52. Register**

The President, or any such person authorized to in writing by the President, shall maintain a register of all disciplinary proceedings taken under these Regulations; such register shall record the name of the student, the particulars of the disciplinary offence, the process and decision of the proceeding, and such other information or particulars as the President may direct.

## **53. Decision of the disciplinary authority**

After hearing the witnesses and examining the documents or other articles produced before it, the disciplinary authority shall pronounce its decision in the case. If a student is guilty of the disciplinary offence, the authority shall impose on the student one of the punishments specified in Sections 55 or 56 or any appropriate combination of two or more such punishments.

## **54. Appeal Procedure**

- (1) Where a student is aggrieved by the decision of the disciplinary authority, he may appeal in writing to the President.
- (2) The notice of appeal may be lodged with the President within seven working days from the date of the letter from the University.
- (3) The notice of appeal shall set out clearly the grounds for appeal.

- (4) The decision of the President shall be final.

## **PART V - PENALTIES/PUNISHMENT**

Where a student is found guilty of a disciplinary offence the disciplinary authority may make any one or any appropriate combination of two or more of the following penalties pertaining to breach of examinations rules and regulations or misconduct.

### **55. Breach of Examination Rules & Regulations**

- (a) order that the student has failed in the examination of any unit or the whole of the examination concerned;
- (b) suspend the student from any University classes or examination for such period as the disciplinary authority may decide;
- (c) order that the student has failed the whole of the examination concerned and that the student be required to leave the course(s) and refuse re-admission to any course of study in the University; or
- (d) any other penalty/punishment as deemed fit by the Examination Disciplinary Committee.

Amended  
on 7 Oct  
2008

### **56. Misconduct**

- (a) Fine;
- (b) Letter of reprimand;
- (c) Inform the parent or guardian of the punishment;
- (d) Compulsory counselling session(s);
- (e) Withdrawal of privileges i.e. entering library, driving in the Campus etc;
- (f) Restitution, compensation for loss, damages, or injury to the appropriate party in the form of service, money or material replacement;
- (g) Suspension from the University for a specified period of time or until certain conditions are met;
- (h) Dismissal and be refused re-admission to any course of study offered by the University.

## **PART VI - GENERAL**

### **57. Disciplinary Action to be independent of judicial proceedings**

When any student is accused in court of a disciplinary offence, whether the incident occurred within or outside the Campus, the University has the right to take disciplinary action pursuant to these Regulations against the student, even through no court proceeding against the student has been initiated, and make any decisions independent of any court decision made against the student.

### **58. Liability of Office-bearers**

- (1) Where any disciplinary offence has been committed under these Regulations, whether or not any student has been found guilty in respect thereof, and such disciplinary offence has been committed or is purported to have been committed in the name, or on behalf of any organization, body or group of students of the University which is established by, under or in accordance with the constitution, or any other organization, body or group of students of the University, every office – bearer of such organization, body or group, and every student managing or assisting in the management of such organization, body or group at the time of the commission of such disciplinary offence, shall be deemed to be guilty of such disciplinary offence and shall be liable to punishment therefore, unless he establishes to the satisfaction of the appropriate disciplinary authority that the disciplinary offence was committed without his knowledge, and that he had exercised all due diligence to prevent the commission of such disciplinary offence.
- (2) Any office–bearer of, or any student managing or assisting in the management of any organization, body or group as referred to in subsection (1) shall be liable to be proceeded against under this Regulation, notwithstanding that he may not have taken part in the commission of the disciplinary offence.
- (3) In any disciplinary proceeding under this Regulation of an office–bearer of, or any student managing or assisting in the management of any organization, body or group as referred to in subsection (1), any document found in the possession of any office–bearer, of any student managing or assisting in the management of such organization, body or group, or in the possession of a member of such organization, body or group shall be prima facie evidence of the contents thereof for the purpose of proving that something has been done, or is purported to have been done by or on behalf of such organization body or group.

## **59. Presumptions**

In any disciplinary proceeding against a student :-

- (a) it shall not be necessary to prove that an organization, body or group of students possesses a name, or that it has been constituted, or is usually known under a particular name;
- (b) Where any books, accounts, writings, lists of members, seals, banners or insignia of, or relating to, or purporting to relate to, any organization, body or group of persons are found in the possession, custody or under the control of any student is a member of such organization, body or group, and such organization, body or group shall be presumed, until the contrary is proved, to be in existence at the time such books, accounts, writings, lists of members, seals, banners or insignia are so found; and
- (c) where any books, accounts, writings, lists of members, seals, banners or insignia of, or relating to any organization, body or group of persons are found in the possession, custody or under the control of any student, it shall be presumed, until the contrary is proved, that such student assists in the management of such organization, body or group.

## **60. Strict Liability Offences**

In cases where the act in question is a strict liability offence, it shall not be necessary to prove the intention (mens rea) to commit such an offence and it shall suffice that the fact occurred and that such circumstances prevailed at the material time in question.

## **61. Disciplinary Procedures**

Unless otherwise expressly excluded or alternative procedures have been already provided for herein or by the Laws of the University, the **Disciplinary Procedures** laid down in the Schedule hereto shall apply to regulate disciplinary actions taken pursuant to this Rule.

## **62. Amendment & Repeal**

The University has the discretion to such amendments as it deems fit to the **Student Code of Conduct** Rule.

**RULE XX**  
**STUDENT CODE OF CONDUCT**  
**SCHEDULE**  
**DISCIPLINARY PROCEDURES**

**1. Definitions**

In this Schedule, unless it is expressly provided otherwise :-

- (1) "Complainant" means any individual who initiates the referral procedures set forth herein.
- (2) "Investigator" means a full time employee of the University who is appointed to investigate or gather information relevant to the complaint. The investigator shall possess a minimum of a Bachelor's degree.
- (3) "Work day" means a normal University business day, not including Saturday and Sunday, a holiday observed by the University or any day when the University is closed.
- (4) "Vice President" means the Vice President responsible for Student Affairs in the University.
- (5) "Committee" means the Student Disciplinary Committee established by the University pursuant to the **Student Discipline** Rule.
- (6) Words importing denoting the singular shall include the plural and words denoting the masculine gender shall include the feminine and neuter genders and vice versa.

**2. General**

- (1) These disciplinary procedures shall serve as guidelines in enforcing this Rule. These procedures are applicable to all UTAR students or student body charged by the Committee with a violation of the provisions of this Rule or the Laws of the University.
- (2) These disciplinary procedures do not apply to Examination Disciplinary matters which shall be enforced by the Examination Disciplinary Committee of the University.

- (3) Student records that are generated during the investigation, information gathering or decision-making process associated with these procedures are confidential.

### **3. Initiation of Charges**

- (1) Disciplinary charges are initiated by the Complainant submitting a written referral to the Department of Student Affairs or Faculty/Institute Dean concerned.
- (2) The written referral must state sufficient and relevant facts, including specific name(s), date(s), locations and descriptions of the alleged act(s) of misconduct. The referral must be signed by the Complainant.

Amended on  
12 Oct 2010

### **4. Investigations**

Within three work days from receipt of the written referral, the Vice President shall appoint two Investigators who are impartial to the case to investigate or gather information relevant to the case. Normally, the report and evidence gathered by the investigators shall then be submitted within seven Work days of the receipt of written referral unless the complexity of the case justifies the provision of a longer duration for reporting.

### **5. Framing of Charges**

The Committee shall meet within five Work days from receipt of the Investigators' report and based upon that report and other evidence available, decide on whether the student should be charged and, if so, the nature of the charges. The Committee shall in writing require the student to appear before it at such disciplinary proceeding, on such a date and such a time as it may specify [normally a notice of not less than 7 days be given so to ensure due preparation by the student to present his defence or reply to the charges].

### **6. Interim Suspension**

- (1) At any time following the submission of the written referral from the Complainant, if the Committee believes that :-
- (a) there is cogent and reliable information which supports the allegations of misconduct; and

(b) the continued presence of the student in the University campus poses a threat to the Complainant or any individual, property or University function,

the Committee may suspend the student concerned for an interim period prior to resolution of the disciplinary proceedings provided that the suspension shall be lifted –

(i) immediately upon resolution of the proceeding or withdrawal of the charges relating thereto; or

(ii) when the Committee determines that the reasons for imposing the interim suspension no longer exists.

(2) The notice to suspend a student for an interim period shall be in writing and will become effective immediately as of the date of the written decision.

## **7. Disciplinary Hearing**

(1) The Disciplinary Hearing shall be in accordance with the provisions of Part IV of this Rule.

(2) The Committee shall be the student disciplinary authority in the Disciplinary Hearing.

(3) The Disciplinary Hearing shall take place at such time and venue specified by the Committee but no later than 20 Work days after submission of the written referral unless circumstances surrounding the case justifies the provision of a longer duration.

## **8. Penalties/Punishment**

(1) Where a student is found guilty of a disciplinary offence, the Senate may, upon the recommendation of the Committee, impose any one or more of the penalties/punishments as provided in Part V of this Rule.

(2) The student concerned shall be informed in writing of the decision of the Committee within 3 Work days from the decision of the Disciplinary Hearing.

## **9. Right of Appeal**

The student found guilty of a disciplinary offence shall be notified of his right to appeal in accordance with the provisions of Section 54 of this Rule.