



UNIVERSITIES AND UNIVERSITY  
COLLEGES ACT 1971

UNIVERSITI MALAYSIA PERLIS  
(DISCIPLINE OF STUDENTS)  
RULES 2009

# UNIVERSITIES AND UNIVERSITY COLLEGES ACT 1971

## UNIVERSITI MALAYSIA PERLIS (DISCIPLINE OF STUDENTS) RULES 2009

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# UNIVERSITIES AND UNIVERSITY COLLEGES ACT 1971

## UNIVERSITI MALAYSIA PERLIS (DISCIPLINE OF STUDENTS) RULES 2009

IN exercise of the powers conferred by section 16C of the Universities and University Colleges Act 1971 [*Act 30*], the Board of Directors of Universiti Malaysia Perlis makes the following rules:

### PART I PRELIMINARY

#### **Citation**

1. These rules may be cited as the **Universiti Malaysia Perlis (Discipline of Students) Rules 2009**.

#### **Interpretation**

2. In these Rules, unless the context otherwise requires -

“hostel” means any accommodation, by whatever name called, provided by the University for the residence of students;

“disciplinary room” means a room allocated for the purpose of the conduct of disciplinary proceeding generally or for the purpose of a particular disciplinary proceeding;

“drug” means any drug or substance which is for the time being comprised in the First Schedule to the Dangerous Drugs Act 1952 [*Act 234*];

“gaming” means the playing of any game of chance, or of mixed chance and skill, for money or money’s worth, and includes any wagering, any betting or any lottery;

“staff” means any employee of the University;

“Campus” means the Campus of the University including all the hostels, institutions and buildings of the University;

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

“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;

“disciplinary offence” means an offence under these Rules;

“parking” means the bringing of a vehicle or motor vehicle to a stationary position and causing it to wait for any purpose other than that of immediately taking up or setting down persons, goods or luggages;

“liquor” means any liquor of any alcoholic strength;

“Vice-Chancellor” means the Vice-Chancellor of the University, and includes any person or body of persons who is or are authorized by the Vice-Chancellor to act on his behalf;

“authorized person” means any person or body of persons duly authorized to act on behalf of the University;

“student” includes any post graduate student, part-time student, student under the distance learning or off campus programme, diploma student, matriculation student, non-graduating student of the University and those doing full-time or part-time courses at the University;

“resident student” means a student residing in a hostel;

“*Pengetua*” means the principal officer in charge of a hostel;

“examination” includes any manner or method of assessment which results in a mark or a grade for a specific course or part of the specific course;

“disciplinary authority” means the Vice-Chancellor or, where applicable, any Deputy Vice-Chancellor, any member of the staff, any officer or any employee of the University, or any committee of members of the staff, officers or employees of the University delegated by the Vice-Chancellor with disciplinary functions, powers or duties under subsection 16B(3) of the Act;

“disciplinary proceeding” means a disciplinary proceeding under these Rules; and

“poison” means any substance specified by name in the first column of the Poison List to the Poison Act 1952 [Act 366] and includes any preparation, solution, compound, mixture or natural substance containing such substance.

“University” means the Universiti Malaysia Perlis.

## PART II GENERAL DISCIPLINE

### **General prohibitions**

3. A student shall not—

(a) conduct himself, whether within the Campus or outside the Campus, in any manner which is detrimental or prejudicial—

(i) to the interest, well-being or good name of the University, any of the students, staff, officers or employees of the University; or

(ii) to public order, safety or security, morality, decency or discipline;

(b) violate any provision of any written law, whether within or outside the Campus;

(c) disrupt or in any manner interfere with, or cause to be disrupted or in any manner interfered 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;

- (d) prevent, obstruct or interfere with, or cause to be prevented, obstructed or interfered with, any officer or employee of the University or any person acting under the direction or permission of such officer or employee, from carrying out his work, duty or function;
- (e) prevent or obstruct, or cause to be prevented or obstructed, any student from attending any lecture, tutorial or class, or from engaging in any legitimate activity;
- (f) organize, 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;
- (g) damage, tamper or interfere with, or without lawful permission, move or in any manner deal with, any substance, object, article or property in the University;
- (h) do any act or cause any act to be done in the Campus, so as to cause or be likely to cause any obstruction, inconvenience, annoyance, loss or damage to any person in the University;
- (i) contravene any instruction or requirement of the University Librarian or other library employees in respect of the use of the library, its books and other facilities in the library;
- (j) contravene any instruction or requirement of an authorized person in respect of the use of any laboratory, laboratory equipment, apparatus or substance, and other facilities in the laboratory.

#### **Attendance at lectures**

4. (1) 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 the Faculty, or the Head of the School, Centre, Academy or Institute, as the case may be.

(2) Where the circumstances do not permit such prior permission to be obtained, the student shall, as soon as possible after it, satisfy the Dean or the Head, as the case may be, with regard to his absence and obtain approval for his absence.

### **Restriction on use of text of lecture**

5. (1) Subject to subrule (2), a student shall not—

- (a) 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; and
- (b) in particular, reproduce, in any manner, the whole or any part of such text for the purpose of publication, distribution or circulation, whether for payment or not.

(2) Nothing in this rule shall be deemed to restrict the discretion of the Vice-Chancellor to issue guidelines allowing a student, or an organization, body or group of students, to make copies of the text of any such lecture or instruction under the control and direction of the Vice-Chancellor, or the Dean of the Faculty, or the Head of the School, Centre, Academy or Institute, as the Vice-Chancellor may authorize, and the Vice-Chancellor may impose in the guidelines such terms and conditions as he deems necessary or expedient in respect of the reproduction of the text of any lecture or instruction.

### **Prohibition against plagiarism**

6. (1) A student shall not plagiarise any idea, writing, data or invention belonging to another person.

(2) For the purposes of this rule, plagiarism includes—

- (a) the act of taking an idea, writing, data or invention of another person and claiming that the idea, writing, data or invention is the result of one's own findings or creation; or
- (b) an attempt to make out or the act of making out, in such a way, that one is the original source or the creator of an idea, writing, data or invention which has actually been taken from some other source.

- (3) Without prejudice to the generality of subrule (2), a student plagiarises when he—
- (a) publishes, with himself as the author, an abstract, article, scientific or academic paper, or book which is wholly or partly written by some other person;
  - (b) incorporates himself or allows himself to be incorporated as a co-author of an abstract, article, scientific or academic paper, or book, when he has not at all made any written contribution to the abstract, article, scientific or academic paper, or book;
  - (c) forces another person to include his name in the list of co-researchers for a particular research project or in the list of co-authors for a publication when he has not made any contribution which may qualify him as a co-researcher or co-author;
  - (d) extracts academic data which are the results of research undertaken by some other person, such as laboratory findings or field work findings or data obtained through library research, whether published or unpublished, and incorporate those data as part of his academic research without giving due acknowledgement to the actual source;
  - (e) uses research data obtained through collaborative work with some other person, whether or not that other person is a staff member or a student of the University, as part of another distinct personal academic research of his, or for a publication in his own name as sole author, without obtaining the consent of his co-researchers prior to embarking on his personal research or prior to publishing the data;
  - (f) transcribes the ideas or creations of others kept in whatever form, whether written, printed or available in electronic form, or in slide form, or in whatever form of teaching or research apparatus, or in any other form, and claims whether directly or indirectly that he is the creator of that idea or creation;

- (g) translates the writing or creation of another person from one language to another whether or not wholly or partly, and subsequently presents the translation in whatever form or manner as his own writing or creation; or
- (h) extracts ideas from another person's writing or creation and makes certain modifications without due reference to the original source and rearranges them in such a way that it appears as if he is the creator of those ideas.

### **Appearance for examination**

7. (1) Where a student's course of study entails his appearance for an examination and he is not otherwise debarred from such examination, he shall not fail to appear for the examination without the prior permission of the Dean of the Faculty, or the Head of the School, Centre, Academy or Institute, as the case may be.

(2) Where the circumstances do not permit such prior permission to be obtained, the student shall, as soon as possible after it, satisfy the Dean or the Head, as the case may be, with regard to his absence and obtain approval for his absence.

### **Conduct during examination**

8. No student shall—

- (a) take any book, paper, document, picture or other things, except those authorized by the examiner, into or out of an examination room or receive any book, paper, document, picture or other things 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 which have been recommended by the examiner or Committee of Examiners, and authorized by the Vice-Chancellor;
- (b) write, or have it written by another person, any information or diagram which may be relevant to the examination he is sitting for, on his hand or any other part of his anatomy, or on his apparel or clothing;

- (c) communicate with any other student during an examination by whatever means; or
- (d) cheat or copy or attempt to cheat or attempt to copy or conduct himself in a manner which can be construed as cheating or copying or attempting to cheat or attempting to copy in an examination, while the examination is being conducted.

### **Organizing assemblies**

9. (1) No student, organization, body or group of students shall, without the prior permission of the Vice-Chancellor, hold, organize, convene or call, or cause to be held, organized, convened or called, or be, in any manner, involved in holding, organizing, convening or calling, or in causing to be held, organized, convened or called, or be, in any manner, involved in doing any act towards holding, organizing, 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 subrule (1), the Vice-Chancellor may impose such restrictions, terms or conditions as he may deem necessary or expedient.

(3) No student shall attend or participate in an assembly held in contravention of subrule (1) or (2).

### **Loudspeakers**

10. (1) No students, organization, body or group of students shall own, or use, or have in his or its possession, custody or control, for public address purposes, any loudspeaker, loud hailer, sound amplifier, or other similar appliance without the prior approval of the Vice-Chancellor.

(2) In granting the approval in subrule (1), the Vice-Chancellor may impose such restrictions, terms or conditions as he may deem necessary or expedient.

## **Banners**

11. No student, organization, body or group of students, shall—

- (a) make or cause to be made or do 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 device which is conducive to the promotion of indiscipline, disorder, disobedience or contravention of these Rules.

## **Publication, etc., of documents**

12. (1) No student, organization, body or group of students, without the prior permission of the Vice-Chancellor, shall publish, distribute or circulate any document within or outside the Campus.

(2) In granting the permission under subrule (1), the Vice-Chancellor may impose such restrictions, terms or conditions as he may deem necessary or expedient.

(3) The permission required under this rule shall be in addition to any licence, permit or any other form of authorization which may be required under any other written law.

## **Student's activities outside Campus**

13. (1) No student, organization, body or group of students, shall organize, carry out or participate in any activity outside the Campus which has a direct adverse effect on the University or which is prejudicial to the interest of the University.

(2) The Vice-Chancellor may issue guidelines in respect of activities which are prejudicial to the interest of the University.

### **Representations relating to University**

14. No student, organization, body or group of students shall, without the prior approval of the Vice-Chancellor, make in relation to any matter pertaining to the University or to the staff or students of the University, in their capacity as such, or to himself in his capacity as a student of the University, 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.

### **Student's objection to entry of persons into Campus**

15. No student, organization, body or group of students, shall make any objection, whether orally or in writing or in any other manner, to the entry into, or the presence in, or the exclusion or expulsion from, the Campus, of any person, body or group of persons.

### **Gaming within Campus**

16. No student, organization, body or group of students, shall organize, manage, run or assist in organizing, managing or running, or participate in, any gaming, wagering, lottery or betting within the Campus.

### **Consuming liquor and disorderly behaviour**

17. (1) No student shall, within the Campus, consume or have in his possession or under his custody or control any liquor.

(2) Any student who is found in a state of drunkenness or who behaves in a disorderly manner under the influence of liquor, within the Campus, commits a disciplinary offence.

### **Obscene articles**

18. (1) No student shall, within the Campus, have in his possession or under his custody or control any obscene article.

(2) No student, organization, 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 article within the Campus.

(3) A student shall be deemed to distribute, circulate or exhibit an obscene article, regardless whether the distribution, circulation or exhibition is to only one person or to more than one person and regardless whether or not the distribution, circulation or exhibition is for payment or for any other consideration.

### **Smoking**

19. No student shall smoke or keep, distribute, supply or attempt to keep, distribute or offer any kind of cigarette towards any student or person within the Campus.

### **Drug and poison**

20. (1) No student shall have in his possession or under his custody or control any drug or poison.

(2) No student shall give, supply, provide or offer or propose to give, supply, provide or offer any drug or poison to any person.

(3) No student shall consume orally, or smoke or inhale, or introduce into his body by injection or in any manner whatsoever, any drug or poison.

(4) 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 [Act 50].

(5) Any student who is found under the influence of any drug or poison, commits a disciplinary offence.

(6) The Vice-Chancellor may require any student suspected to be a drug dependant to submit himself for urine tests or any other appropriate medical tests.

(7) If a student refuses to submit himself to the test mentioned in subrule (6), he commits a disciplinary offence.

### **Cleanliness within Campus**

21. A student shall not do anything which may be prejudicial to the cleanliness and neatness of a student's living accommodation within the Campus, or of any hostel, lecture theatre, road, grounds or of any other part of the Campus, or of any other building or structure within the Campus.

### **Making noise**

22. 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 sound or noise causes or is likely to cause annoyance or disturbance to any person within the Campus.

### **Examination of student suspected to have a mental disorder**

23. The Vice-Chancellor may require a student suspected to have a mental disorder to submit himself for medical examination by a qualified medical officer.

### **Living or sleeping in the Campus**

24. No student shall use or cause to be used any part of the Campus or any part of any building within the Campus as a living or sleeping accommodation, except the accommodation which is provided for him in the hostel by the University.

### **Entry into prohibited parts or building of Campus**

25. A student shall not enter into any part of the Campus or any part of any building within the Campus, the entry into which is prohibited to students generally or, in particular, to a student or class of students.

### **Students' attire**

26. (1) The Vice-Chancellor may issue such directions, in writing, as he deems necessary in relation to the manner of dressing of students within the Campus.

(2) Any student who does not comply with any such directions, commits a disciplinary offence.

## **Disobedience**

27. Where a student contravenes any legitimate instruction, direction or requirement given or made by any officer or employee of the University authorized to give or make the instruction, direction or requirement in the Campus, he commits a disciplinary offence.

### **Summary disciplinary punishment by the disciplinary authority**

28. (1) The disciplinary authority may at its discretion, in lieu of taking disciplinary proceedings under Part V, impose a summary disciplinary punishment of a warning or a fine not exceeding one hundred ringgit upon any student who commits a disciplinary offence under paragraph 3(i), rules 19, 21, 22, 24, subrule 26(2) and 27 in the presence of or within the sight of the disciplinary authority:

Provided that before such punishment is imposed on the student, the disciplinary authority shall inform him of the disciplinary offence committed by him and give him an opportunity to make oral representations within a period not exceeding 5 days in respect of the offence.

(2) Upon the imposition of the punishment referred to in subrule (1), the disciplinary authority shall forthwith deliver to the student a written notice of the imposition in such form as the Vice-Chancellor may direct, and where the punishment imposed is a fine, the provisions of rules 64 and 65 shall apply.

## PART III HOSTEL DISCIPLINE

### **Entering or remaining in a resident student's room**

29. (1) No person shall enter a room in the hostel occupied by a resident student except the resident student himself.

(2) Subrule (1) shall not apply—

(a) to an authorized person who enters such room for the purpose of carrying out his functions, duties or responsibilities;

(b) to a person who enters such room in accordance with any permission given by, or on behalf of, the Pengetua; and

(c) to a resident student of the same sex who enters such room for a visit for a normal social purpose.

(3) It shall be the responsibility of a resident student to ensure that the restriction in this rule is strictly observed.

**Obstruction, etc., to enter and carrying out of functions by officers, etc.**

30. A resident student shall not do anything to obstruct or prevent any authorized person from entering the resident student's room and in carrying out his functions, duties or responsibilities therein.

**Remaining outside hostel at night**

31. A resident student shall not, after midnight, remain outside the hostel premises except with the permission given by or on behalf of the Pengetua.

**Remaining within hostel premises after midnight**

32. After midnight, save for resident students in their respective hostels, no other students shall remain within the hostel premises except with the permission given by or on behalf of the *Pengetua*.

**Using hostel premises with care and prohibition of nuisance**

33. (1) A student shall use the hostel premises with proper care and shall not do anything which will disfigure, deface or cause any other damage to any part of the grounds or buildings or to any article or fixture therein.

(2) A student shall, in using the hostel premises and the facilities therein, take all care to ensure that he does not cause any inconvenience, annoyance, obstruction or nuisance to any other person.

### **Changing room without prior permission**

34. Where a student is allotted a room at the hostel for his residence by the University, he shall not change his room to any other room without the prior permission in writing given by or on behalf of the *Pengetua*.

### **Transfer of residence**

35. (1) A resident student resides in a hostel at the discretion and pleasure of the University.

(2) The University may require a resident student to vacate his room at the hostel or to transfer him to a different accommodation provided by the University at any time without any reason.

(3) Where a resident student is required to vacate his room at the hostel or is transferred under subrule (2), he shall within the time specified by the University remove all his belongings from the room which he is to vacate.

### ***Pengetua's power to give orders, etc., regarding good order and discipline***

36. (1) The *Pengetua* or any other person authorized by the Vice-Chancellor may, from time to time, give whether orally or in writing, such orders, instructions or directions as he may deem necessary or expedient for the maintenance of good order and discipline in the hostel.

(2) The orders, instructions or directions may relate generally to all students or to a class or description of students or to a particular student, and it shall be the duty of every student to whom such orders, instructions or directions apply to comply with and give effect to them.

(3) The disciplinary authority may at its discretion, in lieu of taking disciplinary proceedings under Part V, impose a summary disciplinary punishment of a fine not exceeding one hundred ringgit upon any student who contravenes any of the orders, instructions or directions:

Provided that before such punishment is imposed on the student, the disciplinary authority shall inform him of the disciplinary offence committed by him and give him an opportunity to make, on the spot, oral representations in respect of the offence.

(4) Upon the imposition of the punishment referred to in subrule (3), the disciplinary authority shall forthwith deliver to the student a written notice of the imposition in such form as the Vice-Chancellor may direct, and where the punishment is a fine, the provisions of rules 64 and 65 shall apply.

#### PART IV ROAD TRAFFIC DISCIPLINE

##### **Written authorization for students keeping, possessing or owning motor vehicles within Campus**

37. (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 Vice-Chancellor a written authorization in respect thereof; the application and the written authorization shall be in such form as the Vice-Chancellor may, subject to subrule (2), determine.

(2) The 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 licence and the current insurance policy in respect of the motor vehicle and a valid driving licence in respect of the applicant.

(3) The authorization of the Vice-Chancellor shall at all times be displayed conspicuously on the motor vehicle.

(4) The authorization shall be renewed annually and the provisions of subrules (1) and (2) shall apply *mutatis mutandis* to an application for such renewal.

(5) The Vice-Chancellor may refuse to grant the authorization or revoke any authorization granted if he is satisfied that it would not be in the interest of the University for the student to hold such authorization.

### **Register of students' motor vehicles**

38. The Vice-Chancellor shall cause to be maintained a register of all motor vehicles kept, possessed or owned by the students in the Campus in such form as the Vice-Chancellor may deem fit.

### **Speed limit**

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

### **Motor vehicles to be driven only on carriageway of road**

40. 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, corridor, verandah, five-foot way, courtyard or in any part of any building or other place, whether alongside the carriageway or otherwise, which is not ordinarily intended or specifically provided for the passage of motor vehicles.

### **Obstructive parking**

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

### **Use of allotted parking bays**

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

### **Pillion riding**

43. (1) A student riding a two-wheeled motorcycle shall not carry more than one person on such motorcycle.

(2) No student shall carry a person on a two-wheeled motorcycle unless such person is sitting astride the motorcycle behind the rider 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 ridden by any person, whether a student or not, in contravention of subrule (1) or (2).

### **Traffic directions and signs**

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

(a) with all traffic directions in the form of any order, direction or instruction given by an authorized person to any person using a road or a vehicle within the campus; and

(b) with all traffic signs in the form of any signal, warning post sign, 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.

### **Production of driving licence and student card**

45. Any student who is driving or in charge or control of a motor vehicle shall carry with him a valid driving licence issued to him under the Road Transport Act 1987 [Act 333] and his student card and shall produce the driving licence or student card for inspection by an authorized person whenever required to do so.

### **Obstruction of traffic flow**

46. 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.

### **Acts within Campus which are offences under the Road Transport Act 1987 to be disciplinary offences**

47. (1) A student commits a disciplinary offence under these Rules if he commits any act within the Campus which is an offence under the Road Transport Act 1987 or any subsidiary legislation made under the said Act.

(2) It shall be a defence to any charge of a disciplinary offence under subrule (1) if a student produces evidence to show that he had already been or was in the process of being dealt with under the Road Transport Act 1987 or any subsidiary legislation made under the Act for that offence.

### **Summary disciplinary punishment**

48. (1) The disciplinary authority may at its discretion, in lieu of taking disciplinary proceedings under Part V, impose a summary disciplinary punishment of a warning or a fine not exceeding one hundred ringgit upon a student who commits a disciplinary offence under this Part in the presence of or within the sight of the disciplinary authority:

Provided that before such punishment is imposed on the student, the disciplinary authority shall inform him of the disciplinary offence committed by him and give him an opportunity to make, on the spot, oral representations in respect of the offence.

(2) Upon the imposition of the punishment referred to in subrule (1), the disciplinary authority shall forthwith deliver to the student a written notice of the imposition in such form as the Vice-Chancellor may direct, and where the punishment imposed is a fine, the provisions of rules 64 and 65 shall apply.

## PART V DISCIPLINARY PROCEDURE

### **Disciplinary punishment**

49. A student who commits a disciplinary offence under these Rules and is found guilty of the offence shall be liable to any one or any combination of two or more of the following punishments.

- (a) warning;
- (b) fine not exceeding one hundred ringgit;
- (c) exclusion from any specific part or parts of the University for a specified period;
- (d) suspension from being a student of the University for a specified period;
- (e) expulsion from the University.

### **Attendance before disciplinary authority**

50. Where it appears to a disciplinary authority that a student has committed a disciplinary offence under these Rules, the disciplinary authority shall notify the student of the alleged disciplinary offence and therein require the student to attend before it at such disciplinary room on such date and at such time as it may specify.

### **Consequence of failure to attend before disciplinary authority**

51. (1) Where a student fails to attend before the disciplinary authority in accordance with rule 50, he shall immediately be suspended from being a student of the University and shall not thereafter remain in or enter the Campus.

(2) The suspension under subrule (1) shall continue until the student offers to attend before the disciplinary authority and does, in fact, attend before the disciplinary authority on the date and at the time which the disciplinary authority may specify after the student has offered to attend before the disciplinary authority.

(3) If the student failed to appear before the disciplinary authority within the period of six (6) months from the date he is required to appear before the disciplinary authority, he shall cease to be the student of University.

### **Explanation of facts and taking of plea**

52. At the disciplinary proceeding, 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.

### **Plea of guilty and ensuing procedure**

53. (1) If the student pleads guilty, the disciplinary authority shall explain to him the facts of the case.

(2) If the student admits the facts of the case and the disciplinary authority is satisfied that an offence has been committed, the disciplinary authority shall pronounce him guilty of the disciplinary offence and invite him to forward any plea for the mitigation of punishment.

### **Procedure when student pleads not guilty**

54. (1) If the student pleads not guilty to the disciplinary offence or fails or refuses to plead or does not admit the facts of the case, the disciplinary authority shall examine any witnesses or any documents or other articles in support of the case against the student.

(2) The student shall be invited to question any witness and inspect such documents or articles, and the disciplinary authority may re-examine such witnesses.

(3) For the purpose of this rule, the witnesses shall be summoned to give evidence at the hearing by the Vice-Chancellor.

### **Student's evidence**

55. (1) After the evidence referred to in rule 54 has been received, and the disciplinary authority finds that there is a case to answer, the student shall be invited to give his evidence, call any witnesses or produce any documents or other articles in his defence.

(2) The disciplinary authority may question the student or any of his witnesses and inspect any such documents or articles, and the student may re-examine any of his witnesses.

### **Recall of witnesses**

56. The disciplinary authority may question or recall any witnesses at any time before it pronounces its decision.

### **Pronouncement of decision**

57. After hearing the witnesses and examining the documents or other articles produced before it, the disciplinary authority shall pronounce its decision in the case, and if it decides that the student is guilty of the disciplinary offence, it shall invite the student to forward any plea for the mitigation of punishment.

### **Imposition of punishment**

58. After the student has forwarded his plea in mitigation of punishment, if any, under rule 53 or 57, as the case may be, the disciplinary authority shall impose on the student one of the

punishments specified in rule 49 or any appropriate combination of two or more of such punishments.

### **Custody and disposal of exhibits**

59. (1) The disciplinary authority may order any documents or other articles 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 proceeding.

(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 documents or other articles produced before it in the course of the disciplinary proceedings, 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 subrule (2) shall include a power to order the destruction of any such documents or articles or the forfeiture of any such documents or articles.

### **Written notes of disciplinary proceedings**

60. The disciplinary authority shall make or cause to be made written notes of all disciplinary proceedings before it but those notes need not be verbatim.

### **Custody of notes**

61. The notes of the disciplinary proceedings shall be kept in the custody of the Vice-Chancellor.

### **Register of disciplinary proceedings**

62. The Vice-Chancellor shall maintain a register of all disciplinary proceedings taken under these Rules, and such register shall record the name of the student, the particulars of the disciplinary offence, the progress of the proceedings, the result of the proceedings, and such other information or particulars as the Vice-Chancellor may direct.

### **Report of proceedings to parent, Minister, etc.**

63. (1) Where a student has been found guilty of a disciplinary offence, the Vice-Chancellor shall send a report in respect of the disciplinary proceeding to the following persons:

- (a) the Minister;
- (b) the student's parent or guardian;
- (c) in the case of a scholarship student, to the scholarship-sponsoring or scholarship-granting authority or body; and
- (d) in the case of a student who is also an employee of the government, to the Head of Department of the employee.

(2) The persons referred to in paragraphs (b) to (d) of subrule (1) shall on application, be supplied with a certified copy of the notes of the disciplinary proceedings upon payment of a fee determined by the Vice-Chancellor, which fee shall not, in any case, exceed fifty ringgit.

(3) A certified copy of the notes of the disciplinary proceedings in respect of any particular case shall be supplied by the Vice-Chancellor to the Minister if the Minister requires such notes of the disciplinary proceedings.

### **Payment of fine**

64. (1) Where the disciplinary authority imposes a punishment of a fine on the student, it shall specify the period within which the fine shall be paid and the student shall pay the fine within that period to the Bursar.

(2) The period referred to in subrule (1) shall not be less than fourteen days from the date of the decision of the disciplinary authority.

### **Failure to pay fine**

65. (1) If the student fails to pay the fine within the specified period, he shall immediately be suspended from being a student of the University and shall not thereafter remain in or enter the Campus; and such suspension shall continue until the fine is paid.

(2) If the student failed to pay the fine to the Bursar within the period of six (6) months from the date he is required to make such payment, he shall cease to be the student of University.

### **Compensation order**

66. (1) Where any disciplinary punishment has been imposed on a student, the disciplinary authority may, in addition, order the student to pay such compensation as it may determine in respect of any damage to any property or any loss or injury to any person for which the disciplinary authority may find the student to be guilty of.

(2) A student may be ordered to pay compensation under this rule regardless whether the property which is damaged belongs to the University or to any other person.

(3) The amount of compensation determined by the disciplinary authority under subrule (1) shall be a just and reasonable amount having regard to all circumstances of the case and of the persons involved therein.

(4) The compensation determined under subrule (1) shall be paid by the student to the Bursar within such period as the disciplinary authority may specify.

(5) The provisions of rule 65 shall apply *mutatis mutandis* where the student fails to pay the compensation determined under subrule (1) within the period specified under subrule (4).

(6) The Bursar shall pay out the compensation paid by the student under subrule (4) to such person as the disciplinary authority may certify as being entitled to receive payment thereof.

(7) Any compensation payable or paid under these Rules shall be without prejudice to the right of any person to institute civil proceedings in a court of law for damages or compensation in respect of the damage, loss or injury referred to in subrule (1), or the right of any person to receive any payment or compensation under any other written law in respect of such damage, loss or injury.

### **Person who may be present at a disciplinary proceeding**

67. No person shall be present at a disciplinary proceedings except—

- (a) members of the disciplinary authority;
- (b) the students against whom the disciplinary proceedings is taken;
- (c) the parent or guardian of such student;
- (d) a witness while he is giving evidence, or when required by the disciplinary authority; and
- (e) such other person as the disciplinary authority may for any special reason authorize to be present.

## PART VI APPEALS

### **Notice of appeal**

68. (1) Where a student is dissatisfied with the decision of a disciplinary authority, he may give notice in writing of his intention to appeal against such decision by filing with the Vice-Chancellor a notice of appeal in duplicate within fourteen days from the date of service of the decision on him.

(2) The notice of appeal shall set out clearly the grounds of appeal.

### **Transmission of appeal to Minister**

69. The Vice-Chancellor shall, upon receiving the notice of appeal, submit the same to the Minister together with a copy of the notes of the disciplinary proceeding in respect of which the notice of appeal is given and the grounds of decision.

### **Action by Minister on appeal**

70. (1) The Minister may, on receiving the documents referred to in rule 69 from the Vice-Chancellor, call for such further information or particulars in relation to the disciplinary proceeding as he may deem fit.

(2) If the Minister summarily rejects the appeal under subsection 16B (4) of the Act, the decision of the Minister shall be conveyed to the student through the Vice-Chancellor.

(3) Where the Minister appoints a committee under subsection 16B (5) of the Act to consider the appeal, the Minister's decision on the appeal made after receiving the recommendations of the committee shall be communicated to the student through the Vice-Chancellor.

### **Appeal not to operate as stay of execution of punishment**

71. An appeal by a student shall not operate as a stay of execution of the punishment imposed or as a stay of the payment of any compensation directs.

## PART VII GENERAL

### **Disciplinary offence**

72. A student who contravenes any of these Rules, or any guideline, direction, instruction, restriction, condition or term imposed or given under these Rules, commits a disciplinary offence.

### **These Rules not to derogate from criminal liability**

73. Nothing in these Rules shall derogate the liability of any student or other person for any offence under any written law.

Made 30 March 2009

[KPT(PUU)S.021/013/010/001; PN(PU<sup>2</sup>)75P/II]

**TAN SRI DATO' SERI DR. HJ. ZAINUL ARIFF BIN HJ. HUSSAIN**

*Chairman,  
Board of Directors of the  
Universiti Malaysia Perlis*