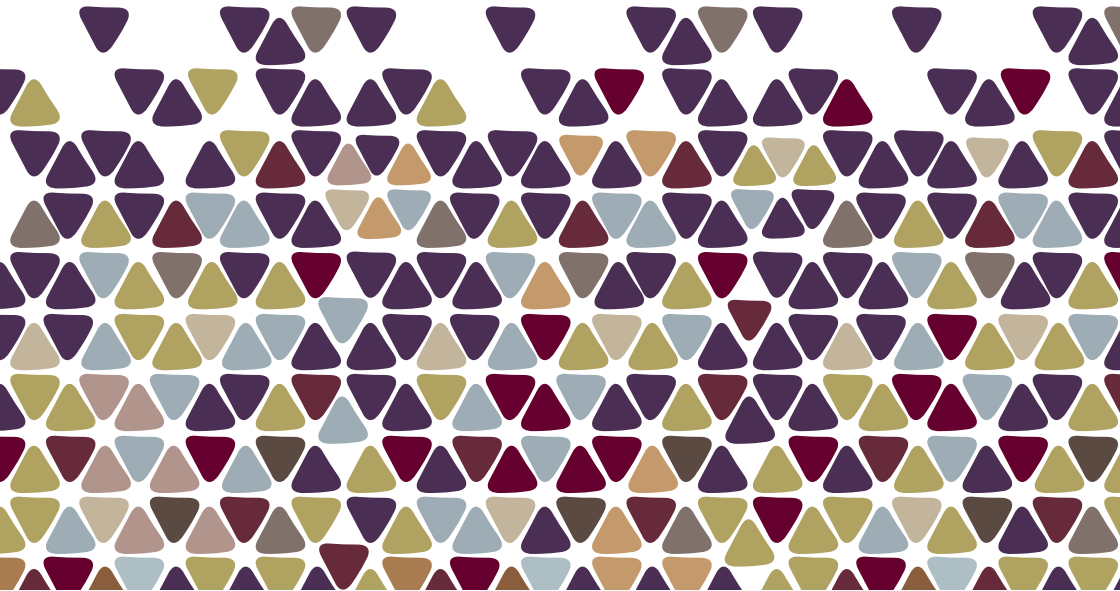




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TUNKU ABDUL RAHMAN UNIVERSITY OF
MANAGEMENT AND TECHNOLOGY

STUDENT CODE OF CONDUCT



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**PART I
PRELIMINARY**

Students of Universiti Pengurusan dan Teknologi Tunku Abdul Rahman 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. Philosophy

The philosophy of Universiti Pengurusan dan Teknologi Tunku Abdul Rahman is:-

The University firmly believes that education to whomsoever it is given, regardless of age, sex, race, creed or class, will bring benefits to the people and country.

The University fully realises its responsibility as an institution of higher learning in the context of the Malaysian education system and its role in fulfilling the common aspirations of the Malaysian people in the pursuit of education.

The University staunchly upholds the principle that education embraces not only the pursuit of truth and knowledge but also the development of a moral and ethical character.

2. Student Declaration

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

I pledge my loyalty to the King and Country.

I pledge to uphold the Principles of the Rukunegara.

I pledge my loyalty to my University and accept my position as a student of Universiti Pengurusan dan Teknologi Tunku Abdul Rahman, subject to the University Constitution.

I solemnly pledge to comply with the University rules, regulations and requirements at all times.

I shall behave honourably and safeguard and uphold the good name of the University.

3. 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” includes the grounds of the main campus and branch campuses including hostels and halls of residence situated within the grounds of the campus;

“cheating” shall include but not be limited to copying, plagiarising and any other criminal or dishonest or unethical acts or omission on the part of the student;

“Chief Executive / President” means the Chief Executive / President of the University;

“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 for the time being comprised in the First Schedule to the Dangerous Drugs Act, 1952;

“examinations” includes any manner or method of assessment which results in a mark or a grade for a specific programme or 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, betting or lottery;

“liquor” means any liquor of any alcoholic strength;

“motor vehicle” means every description of vehicle propelled by means of mechanism involving ignition and/or electric system 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;

“Rules” means all the provisions contained herein and ancillary thereto;

“staff” means any employee of the University;

“students” means a registered student, other than a student at an institution allied to the University, who is following a course of study, instruction, training or research of any description at the preparatory, under-graduate, post-graduate level on a full time or part-time basis in, by or from the University and includes a distance-learning, off-campus, exchange and non-graduating student or online learning;

“student disciplinary committee” means any persons or committee delegated by the University with disciplinary functions, powers or duties;

“traffic direction” means any order, direction or instruction given by an authorised 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 being erected on or beside the road;

“University” shall refer to and include the phrase where the context so permits Universiti Pengurusan dan Teknologi Tunku Abdul Rahman, Tunku Abdul Rahman University of Management and Technology, TAR UMT, or any other such reference and shall include 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

4. Student or students' organisation, body, club or group associating with societies, etc

Section 7.3 of the Tunku Abdul Rahman University of Management and Technology Constitution shall apply as follows:

- (1) A student of the University may become a member of any society, organisation, body, club or group of persons, in or outside Malaysia, including any political party, other than-
 - (a) any unlawful society, organisation, body, club or group of persons, whether in or outside Malaysia; or
 - (b) any society, organisation, body, club or group of persons, not being a political party, which the Registrar General determines and has specified in writing to the Chief Executive / President to be unsuitable to the interests and well-being of the students or the University.
- (2) A student of the University and any society, organisation, body, club or group of students of the University which is established by, under or in accordance with the Constitution may have any affiliation, association or other dealing with any society, organisation, body, club or group of persons, whether or not it is established under any written law, whether it is in or outside the University, and whether it is in or outside Malaysia, other than-
 - (a) any unlawful society, organisation, body, club or group of persons, whether in or outside Malaysia; or
 - (b) any society, organisation, body, club or group of persons which the Registrar General determines and has specified in writing to the Chief Executive / President to be unsuitable to the interests and well-being of the students or the University.
- (3) It shall be the responsibility of the Chief Executive / President to communicate to the students of the University, and the organisations, body, club or group of students of the University, the names of the society, organisation, body, club or group of persons specified by the Registrar General under subsections (1)(b) and (2)(b) to be unsuitable to the interests and well-being of the students or the University.

- (4) No student of the University and no society, organisation, body, club or group of students of the University which is established by, under or in accordance with the Constitution, shall express or do anything which may reasonably be constructed as expressing support for or sympathy with or opposition to-
 - (a) Any unlawful society, organisation, body, club or group of persons, whether in or outside Malaysia; or
 - (b) Any society, organisation, body, club or group of persons specified by the Registrar General under subsections (1)(b) and (2)(b) to be unsuitable to the interests and well-being of the students or the University.
- (5) Notwithstanding subsection (4), a student of the University 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 subsection (5)(a) at a seminar, symposium or similar occasion that is not organised or sponsored by any political party, whether in or outside Malaysia, any unlawful society, organisation, body, club or group of persons whether in or outside Malaysia or any society, organisation, body, club or group of persons specified by the Registrar General under subsections (1)(b) and (2)(b) to be unsuitable to the interests and well-being of the students or the University.
- (6) Any student of the University who breaches subsections (1), (2) or (4) shall be liable to disciplinary action.
- (7) Any society, organisation, body, club or group of students of the University which breaches subsections (2) or (4) shall be dealt with in accordance with section 49 of the Private Higher Educational Institutions Act, 1996.

5. 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 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, 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 or class, 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 (including any activity to the similar effect) 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 in the University, or do 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 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.
- (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/vape on Campus. The University may impose a fine to a maximum amount of RM 200.00 if caught smoking/vaping on Campus.

6. Student identification card

A student must carry his own student identification card at all times on Campus and produce it when requested by University staff. Students are subject to disciplinary action for the misuse of any student identification card. This include but is not limited to altering, defacing it in any way or loaning it to another person.

7. 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, the Branch Campus Head or the Director of the Department, 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, the Head or the Director, as the case may be, with regard to the absence and obtain an approval in respect thereof.

8. Examination

- (1) All students shall adhere to the University examination rules and regulations as contained in the "University Examination: Instruction to Students" or any other rules, regulations or instructions as may be issued from time to time.
- (2) A student shall not take any note, book, paper, document or picture, except those authorised by the examiner, into or out of an examination room, or receive any note, 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 notes, books, papers, documents, pictures or other things as may be authorised by the Dean of Faculty, the Branch Campus Head or the Director of the Department on the recommendation of the examiners or Board of Examiners.
- (3) A student shall not communicate with any other student during an examination by any means whatsoever.
- (4) 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.
- (5) A student shall not take any unauthorised items into the examination venue.

9. Organising, Convening, Attending and generally participating in assemblies

- (1) No student and no society, organisation, body, club 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 paragraph 9 (1) 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 and no society, organisation, body, club or group of students shall knowingly attend or participate in an assembly held in contravention of paragraph 9 (1) or (2).

10. Making, using, displaying, owning and generally dealing with banners, placards, buntings, internet and all forms of public displays:

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

- (1) make or cause to be made in any medium or media whatsoever, or do any act towards making or causing the same to be made; or
- (2) 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
- (3) own or have in his or its possession, custody or control;

any flag, banner, placard, poster, emblem, broadcasting, notice, announcements or messaging or other devices whether fixed, mobile, electronic or cyber in any medium or media, which may be deemed by the University in its sole discretion conducive to the promotion of indiscipline, disorder, disobedience or contravention of these Rules.

11. Publication, distribution or circulation of documents

- (1) No student and no society, organisation, body, club 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 license, permit or any other form of authorisation, which may be required under any other written law.

12. Student's activities outside the Campus

No student and no society, organisation, body, club 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 in nature.

13. Representations relating to University

No student and no society, organisation, body, club or group of students, without first obtaining the prior written permission from the University, 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.

14. Student's objection to entry, exclusion or expulsion of persons from Campus

No student and no society, organisation, body, club 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, society, organisation, body, club or group of persons.

15. Gaming on the Campus

No student and no society, organisation, body, club or group of students, shall organise, manage, run, abet or assist in organising, managing or running, or participate in any forms of gaming, wagering, lottery or betting within the Campus.

16. Consuming or otherwise dealing with liquor and or other intoxicating substances

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

17. Obscene articles or materials

- (1) No student shall, within the Campus, have in his possession, custody or control, any obscene article or material.
- (2) No student, and no society, organisation, body, club 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 or material within the campus; a student shall be deemed to distribute, circulate or exhibit an obscene article or material, regardless whether such distribution, circulation or exhibition is to only one person or to more than one person and regardless whether or not such circulation, distribution or exhibition is for payment or for any other purpose (or the lack thereof).
- (3) No student shall view, read or listen to any obscene article or material within the Campus.

18. Drugs and poisons

- (1) No student shall have in his possession, 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, or smoke or inhale, or introduce into his body by injection or in any other 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.
- (5) Any student who is found under the influence of any drug or poison shall be guilty of a disciplinary offence.
- (6) Any student suspected of substance abuse may be required to undergo a urine test or any other tests conducted by a medical practitioner appointed by the University.
- (7) Disciplinary action may be taken against the suspected student if the student fails to undergo the tests as stated in paragraph 18 (6).

19. Entry into prohibited parts of Campus or buildings

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

20. Power of the University to issue directions on manner of dressing of students

The University may issue such directions, in writing, as the University deems necessary in relation to the manner of dressing of students on Campus and the students shall adhere to such directions at all times on Campus.

21. Criminal offence

- (1) Where a student of the University is charged with a criminal offence under the Penal Code, the Criminal Procedure Code or any other laws for the time being in force; he shall immediately thereupon be suspended from being a student of the University and shall not, during the subsistence of the criminal proceedings, remain in or enter any Campus of the University.
- (2) Where a court finds that a charge for 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.

22. Misbehaviour

(1) Disrespect to any staff member and student

A student shall show proper respect to 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 racial nature are prohibited.

(2) At sporting and other public events

Students whether they are participating as players, participants, spectators or supporters are required to show exemplary sportsmanship and decorum. The University does not condone derogatory comments/chants or actions or any offensive behaviours and demeanours in whatsoever manner.

(3) Social behaviour

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

(4) Harassment

Any act of harassment whether physical, mental, psychological, verbal or sexual that threatens a person or persons is considered serious and is prohibited.

(5) Falsifying University documents or records

Making, possessing, using, or otherwise dealing in any falsified, torn or defaced University document or record; altering any University document or record, including but not limited to University vehicle sticker or student identification cards is a serious offence.

(6) Theft

A student shall not steal or attempt, abet or conspire to do the same, whether with other student(s) or anyone else to steal any property of the University or that of any other person(s). This shall be deemed as a serious offence.

(7) Fighting

A student shall not participate, or otherwise get involved in any form of fight, or affray or physical disturbance with other student(s) or anyone else. This shall be deemed as a serious offence.

(8) Assault

A student shall not commit any assault against any student(s) or anyone else. This shall be deemed as a serious offence.

(9) False Reporting

A student shall not lodge or attempt, abet or conspire to do the same, whether with another student(s) or anyone else; any false report or statement to any relevant authority. This shall be deemed as a serious offence.

(10) Arson

A student shall not set or attempt, abet or conspire to do the same, whether with another student(s) or anyone else to set fire to any University property or any property in the University. This shall be deemed as a serious offence.

(11) Vandalism

A student shall not willfully and/or maliciously defaces or damages or destroys any University property or any property in the University. This shall be deemed as a serious offence.

(12) Prohibition against dangerous substances and weapons

No students shall own, control or otherwise possess any dangerous substances, weapons, fire arms and or explosives within the meaning of the Corrosive and Explosive Substances and Offensive Weapons Act, 1958, the Firearms Act, 1960 and or the Firearms (Increased Penalties) Act, 1971. This shall be deemed as a serious offence.

23. Restriction on use of text of lecture and other Intellectual Properties

- (1) Subject to paragraph 23 (2) and subject to the University's general stand and policies on Intellectual Proprietary Rights and Plagiarism, 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 for payment or not.

- (2) Nothing in this rule shall be deemed to restrict the discretion of the University to permit a student, or a society, organisation, body, club or group of students, to make copies of the text of any such lecture or instruction under the control and direction of the Chief Executive / President, or of such Dean of Faculty, Branch Campus Head or Director, as the Chief Executive / President may authorise, and in giving such permission the Chief Executive / President may impose such restrictions, terms or conditions as he deems necessary or expedient.
- (3) No student shall use, possess, distribute, utilise or otherwise deal with all forms of contraband, fake, unlicensed or illegal copies of works protected by intellectual property laws of Malaysia.

24. Cleanliness within the Campus

A student shall not do anything which may be prejudicial to the cleanliness and tidiness 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.

25. 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.

26. Living or sleeping on 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 accommodation, except the accommodation provided by the University.

27. 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 the same within the Campus, he shall be guilty of a disciplinary offence.

28. Student societies or clubs

(1) Key(s) and/or any other access device(s)

A student shall not possess any key(s) and/or any other access device(s) to any University building or office unless that specific key and/or any other access device(s) has been officially issued to him. No duplication shall be made for any key(s) and/or any other access device(s) issued by the University.

(2) Entertainment

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

(3) Movies, slides or documentaries

Subject to Clause 23 above, any movie, slide or documentary to be screened in the University requires prior written approval from the University.

(4) Music and song

Subject to Clause 23 above, any music and song for use in any University event require prior written approval from the University.

(5) Misappropriation of funds

Student society, organiation, body or club funds shall be used for the purposes and activities in accordance with their regulation. All members of the society, organisation, body or club must manage their society funds properly. Proper accounts must be kept and shall be produced before the University upon request.

PART III

ROAD TRAFFIC DISCIPLINE

29. Written authorisation for students keeping, possessing or owning motor vehicles on 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 paragraph 29(2) 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.
- (3) The written authorisation of the University shall be given in such form as it may direct and shall at all times be displayed conspicuously on the motor vehicle granted such authorisation.
- (4) Such written authorisation shall be renewed periodically and the provisions of paragraphs 29 (1) and (2) 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.

30. Speed limit

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

31. Driving on the Campus

No student shall drive a vehicle in any place other than on that part of the road which is used as a carriageway for the passage of vehicles; in particular, no 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 vehicles.

32. 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.

33. Allotted parking bays

Where a parking bay is allotted for a particular motor vehicle no student shall park any other vehicle in such a parking bay or to block access to such a parking bay.

34. Pillion riding

- (1) A student must possess the required driving license classifications to carry any person on a motorcycle subject to paragraph 34 (2) and (3).
- (2) A student driving a motorcycle or bicycle shall not carry more than one person on such a motorcycle or bicycle.
- (3) No student shall carry a person on a motorcycle or bicycle unless such person is sitting astride the motorcycle or bicycle behind the driver on a properly designed seat securely fixed to the motorcycle or bicycle.
- (4) A student shall not allow himself to be carried on a motorcycle or bicycle driven by any person, whether a student or not, in contravention of paragraphs 34 (1), (2) and (3).

35. Traffic directions and signs

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

36. Driving license and identification card

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

37. 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.

38. Application of Road Traffic Act, 1987

- (1) The provisions of the Road Traffic 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 paragraph 38 (1) shall derogate from the liability within the Campus of any student or other person for any offence under the Road Traffic Act, 1987 or any subsidiary legislation made thereunder.

PART IV

DISCIPLINARY PROCEDURE

39. Attendance before the disciplinary committee

- (1) Where it appears to the disciplinary committee that a student may be in breach of a disciplinary offence, the committee shall in writing, requires the student to appear before it at such disciplinary proceeding, on such date and such time as it may specify.
- (2) (a) The disciplinary committee shall comprise five (5) members namely, a Vice-President as chair, the Director of the Department of Student Affairs, a Dean of Faculty or his/her representative and two (2) other members appointed by the Vice-President as the case may be.

In the event that the disciplinary committee is convened to decide on a case involving the University examinations rules and or procedure, then the Head of the Examinations and Credit Accumulation Division shall be a member of the disciplinary committee. In such an event, the other members shall comprise the Vice President, Deans of Faculties or their representatives, Legal Manager and such persons as the Chief Executive / President may decide.

- (b) The Chief Executive / President shall be entitled to appoint any of the members of the disciplinary committee to chair the said committee in the event a Vice-President is not available.

40. Person who may be present at a disciplinary proceeding

No person shall be present at a disciplinary proceeding except:

- (1) the disciplinary committee and its secretarial staff;
- (2) the student against whom the disciplinary proceeding is taken;
- (3) a witness while he is giving evidence, or when required by the disciplinary committee; and
- (4) such other person(s) as the disciplinary committee may for any special reason authorises to be present.

41. Consequence of failure to appear before the disciplinary committee

Where a student neglects, fails or refuses to appear before the disciplinary committee in accordance with paragraph 39(1):

- (1) the disciplinary committee shall be authorised to proceed with the disciplinary proceeding and examine the witness or any document or other evidence whatsoever in support of the case against the student and shall pronounce its decision on the case, in the student's absence.
- (2) the student's neglect, failure or refusal to appear shall not be ground for any appeal pursuant to paragraph 48 thereafter and the decision pronounced pursuant to paragraph 41(1) shall be final.

42. Facts of disciplinary offence to be explained and plea taken

At the disciplinary proceedings, the disciplinary committee shall state the charge(s) and explain to the student facts of the disciplinary offence alleged to have been committed by the student and call upon him to plead thereto.

43. Admission to Charge and consequential procedures

If the student admits to the charge(s) the disciplinary committee shall explain to him facts of the case; if he admits to the facts the disciplinary committee shall pronounce him liable of the disciplinary offence.

44. Non Admission to Charge and consequential procedures

If the student does not admit to the charge of the disciplinary offence or neglects, fails or refuses to plead, the disciplinary committee shall examine any witness or any document or other evidence whatsoever in support of the case against the student; the student shall be granted an opportunity to defend his case after which the disciplinary committee shall pronounce its decision after the disciplinary proceeding.

45. Student's evidence

After the witness documents or evidence referred to in paragraph 44 has been examined by the disciplinary committee, the student shall be granted an opportunity to give his statement, call any witness or produce any document or other evidence whatsoever in his defence; the disciplinary committee may question the student or any of his witness and inspect any such document or evidence, and the student may re-examine any of his witnesses.

46. Power of disciplinary committee to question or recall witness

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

47. Decision of the disciplinary authority

- (1) After hearing the witnesses and examining the documents or other evidence produced before it, the disciplinary committee shall pronounce its decision on the case after the disciplinary proceeding. If the student is found to be liable of the disciplinary offence(s), the disciplinary committee shall impose on the student one or more of the punishments and/or penalties specified in paragraph 49 and/or 51 and/or any other punishments and/or penalties the disciplinary committee deems appropriate.
- (2) The student shall be given a written decision by the disciplinary committee and where such personal delivery is not effected; the decision shall be delivered by post to the last known address of the student in the University's record. Upon such delivery, the student shall be deemed to have been officially notified.

48. Appeal Procedure

- (1) Where a student is aggrieved by the decision of the disciplinary committee, he may appeal in writing to the Chief Executive / President.
- (2) The appeal shall be lodged with the Chief Executive / President within seven working days from the date of the written decision pursuant to paragraph 47(2).
- (3) The appeal shall set out clearly the grounds for appeal.
- (4) The decision of the President on the appeal 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 cheating in examination and/or misconduct.

49. Cheating in Examination

- (1) order that the maximum marks awarded to the student for a course or any courses passed in that examination be downgraded to a minimum pass grade or by one grade (not lower than grade C).
- (2) order that the student has failed in the examination of a course or any courses or part of a course or the whole of the examination concerned and allowed to resit or repeat the course(s) or part of the course or the whole of the examination concerned.
- (3) suspend the student from any University examination for such period as the disciplinary committee may decide.
- (4) order that the student has failed the whole of the examination concerned and that the student be required to leave the programme(s) and might be refused re-admission to any programme of study in the University.
- (5) written/verbal warning - if the student contravenes any examination rules and regulations again in future University examinations, more serious disciplinary action will be taken against him/her.
- (6) reminder
- (7) others - any other measures which the disciplinary committee deems practicable.

50. Misconduct

- (1) Fine.
 - (a) The University may impose a fine of not less than eighty ringgit (RM80.00) and not more than two hundred and fifty ringgit (RM250.00) as the sole penalty/punishment or together with any other penalties/punishments under PART V herein.
 - (b) Notwithstanding anything to the contrary herein, the University may substitute any fine imposed above subsequently in lieu with any other penalties/punishments under PART V herein provided always that such substitution fits the misconduct/ offence committed.
- (2) Letter of reprimand.

- (3) Withdrawal of privileges such as but not limited to utilisation of the library, sports complex and facilities, ICT facilities etc.
- (4) Restitution, compensation for loss, damages, or injury to the appropriate party(ies) in the form of service, money, or material replacement.
- (5) Suspension from the University for a specified period of time and/or until certain conditions are met.
- (6) Expulsion and/or refusal of re-admission to any programme(s) of study offered by the University.
- (7) Or a combination of any of the above.

51. Other Orders, Instructions or Directives

- (1) Inform the parent or guardian of the penalty(ies)/punishment(s), and/or
- (2) Directs that any disciplinary action taken against the student to be displayed on any notice board(s) within the University compound.

52. Compulsory Counselling

Notwithstanding the penalties/punishments or orders delivered under Part V herein. The disciplinary committee shall be authorised to further order that the student be subjected to compulsory counselling sessions.

PART VI MISCELLANEOUS

53. (1) In the event that any regulations and or rules contained herein contravene any provisions of the Tunku Abdul Rahman University of Management and Technology Constitution or the Private Higher Educational Institutions Act (PHEIA), 1996; Tunku Abdul Rahman University of Management and Technology Constitution or PHEIA, 1996 as the case may be, shall prevail.
- (2) Notwithstanding the paragraph 53 (1) above; any actions or decisions made pursuant to the inconsistent provisions prior to discovery shall remain enforceable and/or applicable.

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Effective June 2023/24