



LAWS OF MALAYSIA

ONLINE VERSION OF UPDATED
TEXT OF REPRINT

Act 174

EDUCATIONAL INSTITUTIONS (DISCIPLINE) ACT 1976

As at 31 March 2016

**EDUCATIONAL INSTITUTIONS
(DISCIPLINE) ACT 1976**

Date of Royal Assent 25 May 1976

Date of publication in the *Gazette* 31 May 1976

Latest amendment made by
P.U. (A) 45/2016 which
came into operation on 2 March 2016

PREVIOUS REPRINTS

First Reprint 2001

Second Reprint 2006

LAWS OF MALAYSIA**Act 174****EDUCATIONAL INSTITUTIONS
(DISCIPLINE) ACT 1976**

ARRANGEMENT OF SECTIONS

PART I**PRELIMINARY**

Section

1. Short title
2. Interpretation
3. Power of Minister to decide any question as to Executive Head

PART II**DISCIPLINARY AUTHORITIES**

4. *(Deleted)*
5. Disciplinary authority in respect of students of an Institution
6. Students' disciplinary rules

PART III**THE STUDENTS' REPRESENTATIVE COMMITTEE
AND OTHER STUDENT BODIES**

7. Students' Representative Committee
8. Establishment of other student bodies
9. Power of Executive Head to suspend or dissolve SRC or any organization, body or group of students

PART IV

OFFENCES

Section

10. Activities of students or students' society, organization, body or group
11. Prohibition on collection of money by a student or by an organization, body or group of students
12. Liability of student or students' organization, body or group
13. *(Deleted)*
14. Suspension of student charged with registrable offence and matters relating to detention, *etc.*
15. *(Deleted)*
16. *(Deleted)*

PART V

TRANSITIONAL

17. Students who are members of an existing society
18. Existing societies of students
19. Sections 17 and 18 to prevail over Societies Act 1966 or relevant Co-operative Societies Ordinance
20. Existing organizations and bodies of students in an Institution

PART VI

GENERAL

21. Delegation by Minister
22. Application of Act to Institutions specified in the First Schedule, and Minister's power to amend Schedules
23. Minister's power to apply provisions of Act to Institutions with modifications, *etc.*
24. Branch itemized in the First Schedule deemed to be a separate Institution
25. Date of commencement of this Act in relation to an Institution subsequently included in the First Schedule

26. This Act and subsidiary legislation made thereunder to prevail

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

LAWS OF MALAYSIA**Act 174****EDUCATIONAL INSTITUTIONS
(DISCIPLINE) ACT 1976**

An Act to provide for matters related to discipline in educational institutions, and for matters connected therewith.

[1 June 1976]

BE IT ENACTED by the Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

PART I**PRELIMINARY****Short title**

1. This Act may be cited as the Educational Institutions (Discipline) Act 1976.

Interpretation

2. In this Act, unless the context otherwise requires—

“Executive Head” means the officer or member of the staff of the Institution who functions as the principal executive officer of the Institution;

“Institution” means any institution, other than a University, which provides education, instruction or training of any description to any person, and which is specified or described in the First Schedule;

“Minister” means the Minister responsible for education or the Minister responsible for higher education, as the case may require;

“registrable offence” has the meaning assigned to it under the Registration of Criminals and Undesirable Persons Act 1969 [Act 7];

“staff” includes any person employed by or in an Institution;

“student” means a person receiving education, instruction or training of any description from or in an Institution;

“Students’ Affairs Officer” means a member of the staff of an Institution who is designated as such by the Minister under subsection 5(1);

“Students’ Representative Committee” or “SRC” means the Students’ Representative Committee provided under section 7;

“University” means a University or a University College established under the Universities and University Colleges Act 1971 [Act 30].

Power of Minister to decide any question as to Executive Head

3. Where any question arises as to who is the Executive Head of any particular Institution the question shall be decided by the Minister whose decision thereon shall be final.

PART II

DISCIPLINARY AUTHORITIES

4. (*Deleted by Act A1375*).

Disciplinary authority in respect of students of an Institution

5. (1) The disciplinary authority of an Institution in respect of every student of an Institution shall be such member of the staff as the Minister may designate; the member of the staff so designated shall be known as the Students' Affairs Officer.

(2) The Students' Affairs Officer shall have the power to take such disciplinary action and impose such disciplinary punishment as provided under the Second Schedule.

(3) The Students' Affairs Officer may delegate his disciplinary functions, powers or duties to any member of the staff or any board of members of the staff, in respect of any particular student or any class or category of the students of the Institution.

(3A) The Students' Affairs Officer, or the member of the staff or the board of members of the staff delegated with the functions, powers or duties under subsection (3), shall inform the student in writing of the grounds on which it is proposed to take action against him and shall afford him a reasonable opportunity of being heard.

(3B) A student of an Institution shall have the right to be represented by a staff or another student of the Institution in any disciplinary proceedings taken against him.

(3C) A student of an Institution shall be allowed to make a written or an oral representation in any disciplinary proceedings taken against him.

(3D) The decision of the Students' Affairs Officer, the member of the staff or the board of members of the staff, as the case may be, in any disciplinary proceedings taken against a student of an Institution shall be communicated in writing to the student within fourteen days from the date of the decision.

(4) Any student who is dissatisfied with the decision of the Students' Affairs Officer, the member of the staff or the board of members of the staff, as the case may be, under subsection (3D) may, within fourteen days from the date of receipt of the decision, submit

an appeal in writing to the Student Disciplinary Appeal Committee established by the Minister under subsection (5).

(5) The Minister shall establish a Student Disciplinary Appeal Committee to hear and determine any appeal submitted by a student of an Institution under subsection (4).

(6) The Student Disciplinary Appeal Committee shall comprise three members to be appointed by the Minister from within or outside the Institution, one of them to be the chairman of the Student Disciplinary Appeal Committee.

(7) No person who had exercised the powers under subsection (2) or (3) shall be a member of the Student Disciplinary Appeal Committee.

(8) A student of an Institution who has submitted an appeal under subsection (4) shall have the right to be represented by a staff or another student of the Institution in any proceedings before the Student Disciplinary Appeal Committee.

(9) A student of an Institution who has submitted an appeal under subsection (4) shall be allowed to make a written representation in any proceedings before the Student Disciplinary Appeal Committee.

(10) The Student Disciplinary Appeal Committee hearing an appeal under subsection (5) shall decide on the appeal within thirty days from the date of receipt of the appeal.

(11) The decision of the Student Disciplinary Appeal Committee on an appeal shall be communicated in writing to the student within fourteen days from the date of its decision.

Students' disciplinary rules

6. The Educational Institutions (Discipline of Students) Rules 1976 in the Second Schedule shall apply to an Institution, provided that the Minister may, in his absolute discretion, make, by order published in the *Gazette*, such modifications, adaptations, additions, deletions or

amendments thereto in the application thereof to any particular Institution or class or description of Institutions as he may deem necessary or expedient.

PART III

THE STUDENTS' REPRESENTATIVE COMMITTEE AND OTHER STUDENT BODIES

Students' Representative Committee

7. An Institution shall have a Students' Representative Committee and the Third Schedule shall apply to such Committee, provided that the Minister may, in his absolute discretion, make, by order published in the *Gazette*, modifications, adaptations, additions, deletions or amendments thereto in the application thereof to any particular Institution or class or description of Institutions as he may deem necessary or expedient.

Establishment of other student bodies

8. (1) Without prejudice to section 7, it shall be lawful for not less than ten students of an Institution with the prior approval of the Students' Affairs Officer given after obtaining the concurrence of the Minister, and subject to such terms and conditions as the Students' Affairs Officer may specify, to establish a student body consisting of students of the Institution for the promotion of a specific object or interest within the Institution.

(2) The Third Schedule, except paragraphs 1 and 7 thereof, shall apply *mutatis mutandis* to a student body established under this section as they apply to the SRC.

Power of Executive Head to suspend or dissolve SRC or any organization, body or group of students

9. (1) If the SRC or any organization, body or group of students of an Institution established under this Act conducts itself in a

manner which the Executive Head considers detrimental or prejudicial to the interests or well-being of the Institution, or to the interests or well-being of any of the students or staff of the Institution, or to public order, safety or security, or if the SRC or organization, body or group of students violates any provision of any written law, the Executive Head may, after giving the SRC or organization, body or group of students of the Institution an opportunity to make a written representation, suspend or dissolve the SRC or organization, body or group of students of the Institution.

(2) The SRC or organization, body or group of students of the Institution aggrieved by the suspension or dissolution made under subsection (1) may, within fourteen days from the date of receipt of the notice of the suspension or dissolution, appeal in writing to the Minister.

PART IV

OFFENCES

Activities of students or students' society, organization, body or group

10. (1) Subject to subsection (2), a student of an Institution may become a member of any society, organization, body or group of persons, whether in or outside Malaysia, including any political party.

(2) A student of the Institution shall not—

- (a) become a member of any unlawful society, organization, body or group of persons, whether in or outside Malaysia;
- (b) become a member of any society, organization, body or group of persons, not being a political party, which the Minister, after consultation with the Executive Head, determines and specifies in writing to the Executive Head to be unsuitable to the interests and well-being of the students or the Institution; or

- (c) be involved in political party activities within the campus.

(3) A student of the Institution and any society, organization, body or group of students of the Institution 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—

- (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 Minister, after consultation with the Executive Head, determines and specifies in writing to the Executive Head to be unsuitable to the interests and well-being of the students or the Institution.

(4) Notwithstanding subsection (3), a student of the Institution 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 Minister under paragraph (3)(b) to be unsuitable to the interests and well-being of the students or the Institution.

(5) The Institution shall regulate the activities of students and a society, an organization, a body or group of students of the Institution within the campus.

Prohibition on collection of money by a student or by an organization, body or group of students

11. (1) No student of an Institution, or any organization, body or group of students of an Institution, shall, in or outside the campus, or in or outside Malaysia, collect or attempt to collect, or promote or attempt to promote any collection of, or make any appeal orally or in writing or otherwise, or attempt to make any such appeal for, any money or other property from any person, not being money or property due or about to fall due under or by virtue of any written law, contract or other legal obligation.

(2) Any person who breaches subsection (1) shall be liable to disciplinary action.

(3) The Executive Head may, in any particular case, grant exemption to any person from the application of subsection (1), subject to such terms and conditions as he thinks fit.

(4) *(Deleted by Act A1375).*

(5) This section shall be in addition to and not in derogation from the provisions of any written law relating to house to house and street collections, public collections, or collection of money or sale of badges.

Liability of students or students' organization, body or group

12. Where a registrable offence has been committed under any written law and such offence has been committed or purports to have been committed in the name or on behalf of any organization, body or group of students of an Institution which is established by, under or in accordance with this Act, every person convicted of such offence shall be liable to disciplinary action and such organization, body or group of students shall be dealt with in accordance with section 9.

13. *(Deleted by Act A1375).*

Suspension of student charged with registrable offence and matters relating to detention, etc.

14. (1) Where a student of an Institution is charged with a registrable offence—

(a) he may, in the discretion of the Executive Head, be suspended from being a student; and

(b) if so suspended, he shall not during the pendency of the criminal proceedings, remain in or enter the campus of that Institution.

(2) Where a student charged with a registrable offence under subsection (1) is convicted of that offence, the student shall be liable to disciplinary action.

(3) Where a student of an Institution is detained or is subjected to any order imposing restrictions on him under any written law relating to preventive detention or internal security, the student shall be liable to disciplinary action.

(4) A student of an Institution who is detained or is subjected to any order imposing restrictions on him under any written law relating to preventive detention or internal security, or is imprisoned or detained for whatever reason, may, with the consent of the Executive Head, be permitted to sit for the examination of the Institution subject to such order made or approval given by the Minister responsible for internal security or any other competent authority, as the case may require.

(5) A student of an Institution who is suspended from being a student of the Institution under subsection (1) may, while he is so suspended, be admitted as a student of any other Institution or of any University with the written approval of the Minister, and if the Minister grants such approval, the Minister may impose such terms and conditions as he thinks fit.

(6) A student of an Institution who ceases to be a student under this Act may be admitted as a student of that or any other Institution

or of any University with the written approval of the Minister, and if the Minister grants such approval, the Minister may impose such terms and conditions as he thinks fit.

(7) If the determination of any application, appeal or other proceedings by the court in respect of any criminal proceedings against a student of an Institution for a registrable offence, results in a discharge or acquittal, the student, if suspended from the Institution or has served his period of imprisonment, as the case may be, shall be allowed to resume his studies at the Institution and the period of suspension or imprisonment, as the case may be, shall not be taken into consideration in calculating the maximum duration permitted to complete the course of study and in the computation of his results.

(8) If the determination of any application, petition, appeal or other proceedings by the court or any competent authority in respect of the detention order against or order imposing restrictions on a student of an Institution under any written law relating to preventive detention or internal security, results in his release or the restrictions imposed on him being revoked, the student shall be allowed to resume his studies at the Institution and the period of detention and restriction he was subjected to shall not be taken into consideration in calculating the maximum duration permitted to complete the course of study and in the computation of his results.

15. *(Deleted by Act A1375).*

16. *(Deleted by Act A1375).*

PART V

TRANSITIONAL

Students who are members of an existing society

17. (1) Where immediately before the commencement of this Act a student of an Institution was a member of any society registered

under the Societies Act 1966 [Act 335], he shall, as from the date of commencement of this Act, cease to be a member thereof unless, within fourteen days after the said date, he obtains the approval in writing of the Minister to continue to be a member thereof.

(2) An office-bearer of any society which, after the expiry of fourteen days from the commencement of this Act, purports to have a student of an Institution as its member in contravention of subsection (1) shall be guilty of an offence and shall on conviction be liable to be punished with a fine not exceeding one thousand ringgit.

Existing societies of students

18. (1) Where on the date of commencement of this Act there stands registered under the Societies Act 1966 or the *Co-operative Societies Ordinance 1948 of Peninsular Malaysia [*F.M. Ord. 33 of 1948*], or the Co-operative Societies Ordinance 1958 of Sabah [*Ord. 3 of 1958*], or the Co-operative Societies Ordinance of Sarawak [*Cap. 66*], any society or co-operative society, as the case may be, whose members are wholly or predominantly students of one or more Institutions the said society or co-operative society, as the case may be, shall stand dissolved upon the expiry of fourteen days from the date of commencement of this Act, unless during that period the written approval of the Minister is obtained and filed with the Registrar of Societies or with the relevant Registrar of Co-operative Societies, as the case may be.

(2) Where a society is dissolved under subsection 17(1) of the Societies Act 1966 shall apply in respect thereof *mutatis mutandis* as if it were a society the registration whereof had been cancelled under the said Act.

*NOTE—The Co-operative Societies Ordinance 1948 [*F.M. Ord. 33 of 1948*] has been repealed by s. 95 of the Co-operative Societies Act 1993 [*Act 502*].

(3) Where a co-operative society is dissolved under subsection (1) the relevant Registrar of Co-operative Societies shall appoint a competent person to be, subject to the direction and control of such Registrar of Co-operative Societies, liquidator of such co-operative society and the provisions of the relevant Co-operative Societies Ordinance shall apply to such co-operative society as if it were a co-operative society the registration whereof had been cancelled under that Ordinance and the said liquidator had been appointed a liquidator thereof under section 41 of that Ordinance.

(4) Where a person who was a member of a society or a co-operative society when he was a student of an Institution had continued to be a member thereof after he had ceased to be a student of an Institution, he shall, for the purpose of determining under this section whether the members of the society or co-operative society are wholly or predominantly students of one or more Institutions, be deemed to be a student of an Institution.

(5) Any question as to whether the members of any society or co-operative society, as the case may be, are wholly or predominantly students of one or more Institutions shall be decided by the Registrar of Societies or the relevant Registrar of Co-operative Societies, as the case may be, and his decision thereon shall be final and shall not be questioned or reviewed in any court.

Sections 17 and 18 to prevail over Societies Act 1966 or relevant Co-operative Societies Ordinance

19. (1) Sections 17 and 18 shall apply in relation to a society registered under the Societies Act 1966 notwithstanding anything to the contrary contained in that Act, and where there is any conflict between the provisions of the said sections and the said Act, the provisions of the said sections shall prevail.

(2) Section 18 shall apply in relation to a co-operative society notwithstanding anything to the contrary contained in the relevant

one of the *Co-operative Societies Ordinances referred to in that section, and where there is any conflict between provisions of the the said section and the said relevant Ordinance, the provisions of the said section shall prevail.

Existing organizations and bodies of students in an Institution

20. (1) On the date of commencement of this Act, all organizations and bodies of students which were existing immediately before such date in an Institution and to which section 18 does not apply shall stand dissolved.

(2) All moneys, properties, assets and rights whatsoever of all organizations and bodies of students existing in an Institution immediately before the commencement of this Act shall, on the date of commencement of this Act and without any conveyance, assignment or transfer whatever, vest in the following manner:

- (a) where the Institution is a corporation, or belongs to a corporation, whether a corporation sole or a corporation aggregate, they shall vest in the corporation;
- (b) where the Institution is neither a corporation nor belongs to a corporation, they shall vest in the person or persons to whom the Institution belongs, or to the trustee or trustees of the Institution, if any,

and shall be used for the benefit of the students of the Institution in such manner as the Executive Head may, in his absolute discretion, direct.

(3) Any person having in his possession or under his custody, control or charge any money, property, asset or right whatsoever referred to in subsection (2), or any document pertaining thereto, shall forthwith give delivery and possession of the same to the corporation, person, or trustee in whom the same are vested in

* *NOTE*—The Co-operative Societies Ordinance 1948 [*F.M. Ord. 33 of 1948*] has been repealed by s. 95 of the Co-operative Societies Act 1993 [*Act 502*].

accordance with subsection (2), and shall do all such acts or things as may be necessary to effect such delivery or possession.

(4) The corporation, person, or trustee in whom the vesting is effected in accordance with subsection (2) shall not be responsible or liable to meet any dues, debts, obligations or liabilities whatsoever of any organization or body of students referred to in subsection (2):

Provided, however, that the Executive Head of the Institution may, in his absolute discretion, decide to use any money, property, asset or right whatsoever vested as aforesaid in accordance with subsection (2) to meet any due, debt, obligation or liability of any such organization or body of students if he deems it just and proper to do so.

(5) In this section “person” includes the Government of Malaysia or a State Government.

(6) The Minister may by order published in the *Gazette* make such provision as he may consider necessary or expedient for the purpose of giving effect to the provisions of this section or to remove any difficulties occasioned by them.

PART VI

GENERAL

Delegation by Minister

21. (1) The Minister may delegate, subject to such terms and restrictions as he may specify, any of his functions, powers or duties under this Act.

(2) A delegation made under subsection (1) may be made either generally or in relation to any particular Institution or class or description of Institutions, and it may be made to any person or body of persons.

(3) A delegation under this section may be revoked at any time by the Minister.

(4) No delegation of any function, power or duty under this section shall affect or derogate from the power of the Minister to carry out such function or exercise such power or discharge such duty.

Application of Act to Institutions specified in the First Schedule, and Minister's power to amend Schedules

22. (1) The provisions of this Act shall apply to an Institution specified in the second column of the First Schedule to the extent specified against it in the third column of that Schedule, or as may be specified in an order made under section 23.

(2) The Minister may, from time to time, by order published in the *Gazette*, in his absolute discretion, add to, delete from or in any manner amend the First, Second or Third Schedule.

Minister's power to apply provisions of Act to Institutions with modifications, etc.

23. The Minister may, from time to time, in his absolute discretion, by order published in the *Gazette*, direct that such provisions of this Act, including those of the Second or Third Schedule, as he may specify in the order, shall not apply to any particular Institution or class or description of Institutions, or that the same shall apply thereto with such modifications, adaptations, additions, deletions or amendments as he may deem necessary or expedient.

Branch itemized in First Schedule deemed to be a separate Institution

24. Where a branch or other subsidiary whatever of an institution is included in the First Schedule as a separate item of that Schedule, such branch or other subsidiary shall, for all purposes of this Act, be deemed to be a separate Institution from the institution of which it is a branch or other subsidiary.

Date of commencement of this Act in relation to an Institution subsequently included in the First Schedule

25. Any reference in this Act to the date of commencement of this Act shall, in its application to an Institution which is included in the First Schedule after the date of coming into force of this Act, be read as a reference to the date on which the inclusion of such Institution in the First Schedule takes effect.

This Act and subsidiary legislation made thereunder to prevail

26. In the event of any inconsistency or conflict between the provisions of this Act or any subsidiary legislation made thereunder and the provisions of any other federal law or subsidiary legislation made thereunder relating to education or educational institutions or any particular educational institution, the provisions of this Act and the subsidiary legislation made thereunder shall prevail.

FIRST SCHEDULE

[Sections 2, 22, 24 and 25]

INSTITUTIONS TO WHICH ACT IS APPLICABLE

First Column	Second Column	Third Column
Item No.	Name or description of Institution	Provisions of Act applicable
1.	Institut Teknologi MARA, established under section 3 of the Institut Teknologi MARA Act 1976, and includes a Branch ...	The whole Act
2 – 5.	<i>(Deleted by P.U.(A) 165/1991)</i>	
6.	Politeknik Ungku Omar	The whole Act except sections 4, 17, 18, 19 and 20
7.	Politeknik Sultan Haji Ahmad Shah	The whole Act except sections 4, 17, 18, 19 and 20
8.	Politeknik Sultan Abdul Halim Mu'adzam Shah	The whole Act except sections 4, 17, 18, 19 and 20
9–12.	<i>(Deleted by P.U.(A) 165/1991)</i>	
13.	Politeknik Batu Pahat	The whole Act except sections 4, 7, 8, 9, 17, 18, 19, 20 and the Third Schedule
14.	Politeknik Kota Bharu	The whole Act except sections 4, 17, 18, 19 and 20
15.	Politeknik Kuching	The whole Act except sections 4, 17, 18, 19 and 20
16.	Politeknik Port Dickson	The whole Act except sections 4, 17, 18, 19 and 20
17.	Politeknik Kota Kinabalu	The whole Act except sections 4, 17, 18, 19 and 20
18.	Politeknik Sultan Salahuddin Abdul Aziz Shah	The whole Act except sections 4, 17, 18, 19 and 20
19.	Politeknik Johor Bahru	The whole Act except sections 4, 17, 18, 19 and 20
20.	Institut Pendidikan Guru Kampus Perlis	The whole Act except sections 4, 17, 18, 19 and 20
21.	Institut Pendidikan Guru Kampus Darulaman	The whole Act except sections 4, 17, 18, 19 and 20
22.	Institut Pendidikan Guru Kampus Sultan Abdul Halim	The whole Act except sections 4, 17, 18, 19 and 20

First Column	Second Column	Third Column
Item No.	Name or description of Institution	Provisions of Act applicable
23.	Institut Pendidikan Guru Kampus Pulau Pinang	The whole Act except sections 4, 17, 18, 19 and 20
24.	Institut Pendidikan Guru Kampus Tuanku Bainun	The whole Act except sections 4, 17, 18, 19 and 20
25.	Institut Pendidikan Guru Kampus Ipoh	The whole Act except sections 4, 17, 18, 19 and 20
26.	Institut Pendidikan Guru Kampus Ilmu Khas	The whole Act except sections 4, 17, 18, 19 and 20
27.	Institut Pendidikan Guru Kampus Pendidikan Teknik	The whole Act except sections 4, 17, 18, 19 and 20
28.	Institut Pendidikan Guru Kampus Bahasa Antarabangsa	The whole Act except sections 4, 17, 18, 19 and 20
29.	Institut Pendidikan Guru Kampus Bahasa Melayu	The whole Act except sections 4, 17, 18, 19 and 20
30.	English Language Teaching Centre	The whole Act except sections 4, 17, 18, 19 and 20
31.	Institut Pendidikan Guru Kampus Pendidikan Islam	The whole Act except sections 4, 17, 18, 19 and 20
32.	Institut Pendidikan Guru Kampus Raja Melewar	The whole Act except sections 4, 17, 18, 19 and 20
33.	Institut Pendidikan Guru Kampus Perempuan Melayu	The whole Act except sections 4, 17, 18, 19 and 20
34.	Institut Pendidikan Guru Kampus Temenggong Ibrahim	The whole Act except sections 4, 17, 18, 19 and 20
35.	Institut Pendidikan Guru Kampus Tun Hussein Onn	The whole Act except sections 4, 17, 18, 19 and 20
36.	Institut Pendidikan Guru Kampus Tengku Ampuan Afzan	The whole Act except sections 4, 17, 18, 19 and 20
37.	Institut Pendidikan Guru Kampus Sultan Mizan	The whole Act except sections 4, 17, 18, 19 and 20
38.	Institut Pendidikan Guru Kampus Dato' Razali Ismail	The whole Act except sections 4, 17, 18, 19 and 20
39.	Institut Pendidikan Guru Kampus Kota Bharu	The whole Act except sections 4, 17, 18, 19 and 20
40.	Institut Pendidikan Guru Kampus Keningau	The whole Act except sections 4, 17, 18, 19 and 20
41.	Institut Pendidikan Guru Kampus Gaya	The whole Act except sections 4, 17, 18, 19 and 20

First Column	Second Column	Third Column
Item No.	Name or description of Institution	Provisions of Act applicable
42.	Institut Pendidikan Guru Kampus Kent	The whole Act except sections 4, 17, 18, 19 and 20
43.	Institut Pendidikan Guru Kampus Tawau	The whole Act except sections 4, 17, 18, 19 and 20
44.	Institut Pendidikan Guru Kampus Batu Lintang	The whole Act except sections 4, 17, 18, 19 and 20
45.	Institut Pendidikan Guru Kampus Sarawak	The whole Act except sections 4, 17, 18, 19 and 20
46.	Institut Pendidikan Guru Kampus Rajang	The whole Act except sections 4, 17, 18, 19 and 20
47.	Institut Pendidikan Guru Kampus Tun Abdul Razak	The whole Act except sections 4, 17, 18, 19 and 20
48.	<i>(Deleted by P.U.(A) 266/2007).</i>	
49.	<i>(Deleted by P.U.(A) 266/2007).</i>	
50.	<i>(Deleted by P.U.(A) 266/2007).</i>	
51.	Politeknik Seberang Perai	The whole Act except sections 4, 17, 18, 19 and 20
52.	Politeknik Kota, Melaka	The whole Act except sections 4, 17, 18, 19 and 20
53.	Politeknik Kota, Kuala Terengganu	The whole Act except sections 4, 17, 18, 19 and 20
54.	Maktab Perguruan Besut, Terengganu	The whole Act except sections 4, 17, 18, 19 and 20
55.	Maktab Perguruan Perlis, Perlis	The whole Act except sections 4, 17, 18, 19 and 20
56.	Maktab Perguruan Tun Abdul Razak, Sarawak	The whole Act except sections 4, 17, 18, 19 and 20
57.	Kolej Matrikulasi Melaka	The whole Act except sections 4, 17, 18, 19 and 20
58.	Kolej Matrikulasi Labuan	The whole Act except sections 4, 17, 18, 19 and 20
59.	Kolej Matrikulasi Negeri Sembilan	The whole Act except sections 4, 17, 18, 19 and 20
60.	Kolej Matrikulasi Pulau Pinang	The whole Act except sections 4, 17, 18, 19 and 20
61.	Kolej Matrikulasi Perlis	The whole Act except sections 4, 17, 18, 19 and 20

First Column	Second Column	Third Column
Item No.	Name or description of Institution	Provisions of Act applicable
62.	Kolej Matrikulasi Perak	The whole Act except sections 4, 17, 18, 19 and 20
63.	Kolej Matrikulasi Johor	The whole Act except sections 4, 17, 18, 19 and 20
64.	Politeknik Sultan Mizan Zainal Abidin, Terengganu	The whole Act except sections 4, 17, 18, 19 and 20
65.	Politeknik Merlimau, Melaka	The whole Act except sections 4, 17, 18, 19 and 20
66.	Politeknik Sultan Azlan Shah, Perak	The whole Act except sections 4, 17, 18, 19 and 20
67.	Politeknik Tuanku Sultanah Bahiyah, Kedah	The whole Act except sections 4, 17, 18, 19 and 20
68.	Kolej Komuniti Arau	The whole Act except sections 4, 17, 18, 19 and 20
69.	Kolej Komuniti Bandar Darulaman	The whole Act except sections 4, 17, 18, 19 and 20
70.	Kolej Komuniti Kepala Batas	The whole Act except sections 4, 17, 18, 19 and 20
71.	Kolej Komuniti Teluk Intan	The whole Act except sections 4, 17, 18, 19 and 20
72.	Kolej Komuniti Sabak Bernam	The whole Act except sections 4, 17, 18, 19 and 20
73.	Kolej Komuniti Jempol	The whole Act except sections 4, 17, 18, 19 and 20
74.	Kolej Komuniti Bukit Beruang	The whole Act except sections 4, 17, 18, 19 and 20
75.	Kolej Komuniti Segamat	The whole Act except sections 4, 17, 18, 19 and 20
76.	Kolej Komuniti Kuantan	The whole Act except sections 4, 17, 18, 19 and 20
77.	Kolej Komuniti Kuala Terengganu	The whole Act except sections 4, 17, 18, 19 and 20
78.	Kolej Komuniti Tawau	The whole Act except sections 4, 17, 18, 19 and 20
79.	Kolej Komuniti Kuching	The whole Act except sections 4, 17, 18, 19 and 20
80.	Kolej Komuniti Sungai Petani	The whole Act except sections 4, 17, 18, 19 and 20

First Column	Second Column	Third Column
Item No.	Name or description of Institution	Provisions of Act applicable
81.	Kolej Komuniti Bayan Baru	The whole Act except sections 4, 17, 18, 19 and 20
82.	Kolej Komuniti Chenderoh	The whole Act except sections 4, 17, 18, 19 and 20
83.	Kolej Komuniti Ledang	The whole Act except sections 4, 17, 18, 19 and 20
84.	Kolej Komuniti Mas Gading	The whole Act except sections 4, 17, 18, 19 and 20
85.	Kolej Komuniti Temerloh	The whole Act except sections 4, 17, 18, 19 and 20
86.	Kolej Komuniti Paya Besar	The whole Act except sections 4, 17, 18, 19 and 20
87.	Kolej Komuniti Segamat 2	The whole Act except sections 4, 17, 18, 19 and 20
88.	Kolej Komuniti Rompin	The whole Act except sections 4, 17, 18, 19 and 20
89.	Kolej Komuniti Hulu Langat	The whole Act except sections 4, 17, 18, 19 and 20
90.	Kolej Komuniti Masjid Tanah	The whole Act except sections 4, 17, 18, 19 and 20
91.	Kolej Komuniti Bentong	The whole Act except sections 4, 17, 18, 19 and 20
92.	Kolej Komuniti Jelebu	The whole Act except sections 4, 17, 18, 19 and 20
93.	Kolej Komuniti Kuala Langat	The whole Act except sections 4, 17, 18, 19 and 20
94.	Kolej Komuniti Selayang	The whole Act except sections 4, 17, 18, 19 and 20
95.	Kolej Komuniti Hulu Selangor	The whole Act except sections 4, 17, 18, 19 and 20
96.	Kolej Komuniti Pasir Salak	The whole Act except sections 4, 17, 18, 19 and 20
97.	Kolej Komuniti Selandar	The whole Act except sections 4, 17, 18, 19 and 20
98.	Kolej Komuniti Gerik	The whole Act except sections 4, 17, 18, 19 and 20
99.	Kolej Komuniti Sungai Siput	The whole Act except sections 4, 17, 18, 19 and 20

First Column	Second Column	Third Column
Item No.	Name or description of Institution	Provisions of Act applicable
100.	Kolej Komuniti Jasin	The whole Act except sections 4, 17, 18, 19 and 20
101.	Kolej Komuniti Bandar Penawar	The whole Act except sections 4, 17, 18, 19 and 20
102.	Politeknik Sultan Idris Shah	The whole Act except sections 4, 17, 18, 19 and 20
103.	Politeknik Muadzam Shah	The whole Act except sections 4, 17, 18, 19 and 20
104.	Politeknik Tuanku Syed Sirajuddin, Perlis	The whole Act except sections 4, 17, 18, 19 and 20
105.	Politeknik Mukah	The whole Act except sections 4, 17, 18, 19 and 20
106.	Politeknik Balik Pulau	The whole Act except sections 4, 17, 18, 19 and 20
107.	Politeknik Jeli, Kelantan	The whole Act except sections 4, 17, 18, 19 and 20
108.	Politeknik Nilai, Negeri Sembilan	The whole Act except sections 4, 17, 18, 19 and 20
109.	Politeknik Banting, Selangor	The whole Act except sections 4, 17, 18, 19 and 20
110.	Kolej Matrikulasi Pahang	The whole Act except sections 4, 17, 18, 19 and 20
111.	Kolej Matrikulasi Kedah	The whole Act except sections 4, 17, 18, 19 and 20
112.	Kolej Komuniti Pasir Gudang	The whole Act except sections 4, 17, 18, 19 and 20
113.	Kolej Komuniti Kulim	The whole Act except sections 4, 17, 18, 19 and 20
114.	Kolej Komuniti Langkawi	The whole Act except sections 4, 17, 18, 19 and 20
115.	Kolej Komuniti Baling	The whole Act except sections 4, 17, 18, 19 and 20
116.	Kolej Komuniti Tampin	The whole Act except sections 4, 17, 18, 19 and 20
117.	Kolej Komuniti Rembau	The whole Act except sections 4, 17, 18, 19 and 20
118.	Kolej Komuniti Miri	The whole Act except sections 4, 17, 18, 19 and 20

First Column	Second Column	Third Column
Item No.	Name or description of Institution	Provisions of Act applicable
119.	Kolej Komuniti Kok Lanas	The whole Act except sections 4, 17, 18, 19 and 20
120.	Kolej Komuniti Tanjong Karang	The whole Act except sections 4, 17, 18, 19 and 20
121.	Kolej Komuniti Klang	The whole Act except sections 4, 17, 18, 19 and 20
122.	Kolej Komuniti Tanjung Piai	The whole Act except sections 4, 17, 18, 19 and 20
123.	Kolej Komuniti Muar	The whole Act except sections 4, 17, 18, 19 and 20
124.	Kolej Komuniti Pagoh	The whole Act except sections 4, 17, 18, 19 and 20
125.	Kolej Komuniti Bandar Baharu	The whole Act except sections 4, 17, 18, 19 and 20
126.	Kolej Komuniti Jerai	The whole Act except sections 4, 17, 18, 19 and 20
127.	Kolej Komuniti Jeli	The whole Act except sections 4, 17, 18, 19 and 20
128.	Kolej Komuniti Kota Melaka	The whole Act except sections 4, 17, 18, 19 and 20
129.	Kolej Komuniti Nibong Tebal	The whole Act except sections 4, 17, 18, 19 and 20
130.	Kolej Komuniti Bukit Mertajam	The whole Act except sections 4, 17, 18, 19 and 20
131.	Kolej Komuniti Santubong	The whole Act except sections 4, 17, 18, 19 and 20
132.	Kolej Komuniti Betong	The whole Act except sections 4, 17, 18, 19 and 20
133.	Kolej Komuniti Raub	The whole Act except sections 4, 17, 18, 19 and 20
134.	Kolej Komuniti Semporna	The whole Act except sections 4, 17, 18, 19 and 20
135.	Kolej Komuniti Manjung	The whole Act except sections 4, 17, 18, 19 and 20
136.	Kolej Komuniti Kemaman	The whole Act except sections 4, 17, 18, 19 and 20
137.	Institut Pendidikan Guru Malaysia	The whole Act except sections 4, 17, 18, 19 and 20

First Column	Second Column	Third Column
Item No.	Name or description of Institution	Provisions of Act applicable
138.	Kolej Matrikulasi Selangor	The whole Act except sections 4, 17, 18, 19 and 20
139.	Kolej Matrikulasi Teknikal Pahang	The whole Act except sections 4, 17, 18, 19 and 20
140.	Kolej Matrikulasi Teknikal Kedah	The whole Act except sections 4, 17, 18, 19 and 20
141.	Kolej Matrikulasi Teknikal Johor	The whole Act except sections 4, 17, 18, 19 and 20
142.	Kolej Komuniti Padang Terap	The whole Act except sections 4, 17, 18, 19 and 20
143.	Kolej Komuniti Tasek Gelugor	The whole Act except sections 4, 17, 18, 19 and 20
144.	Kolej Komuniti Seberang Jaya	The whole Act except sections 4, 17, 18, 19 and 20
145.	Kolej Komuniti Kuala Kangsar	The whole Act except sections 4, 17, 18, 19 and 20
146.	Kolej Komuniti Tapah	The whole Act except sections 4, 17, 18, 19 and 20
147.	Kolej Komuniti RTC Gopeng	The whole Act except sections 4, 17, 18, 19 and 20
148.	Kolej Komuniti Batu Gajah	The whole Act except sections 4, 17, 18, 19 and 20
149.	Kolej Komuniti Taiping	The whole Act except sections 4, 17, 18, 19 and 20
150.	Kolej Komuniti Shah Alam	The whole Act except sections 4, 17, 18, 19 and 20
151.	Kolej Komuniti Rembau	The whole Act except sections 4, 17, 18, 19 and 20
152.	Kolej Komuniti Tampin	The whole Act except sections 4, 17, 18, 19 and 20
153.	Kolej Komuniti Tangga Batu	The whole Act except sections 4, 17, 18, 19 and 20
154.	Kolej Komuniti Bandar Penawar	The whole Act except sections 4, 17, 18, 19 and 20
155.	Kolej Komuniti Bandar Tenggara	The whole Act except sections 4, 17, 18, 19 and 20
156.	Kolej Komuniti Pasir Gudang	The whole Act except sections 4, 17, 18, 19 and 20

First Column	Second Column	Third Column
Item No.	Name or description of Institution	Provisions of Act applicable
157.	Kolej Komuniti Batu Pahat	The whole Act except sections 4, 17, 18, 19 and 20
158.	Kolej Komuniti Kluang	The whole Act except sections 4, 17, 18, 19 and 20
159.	Kolej Komuniti Lipis	The whole Act except sections 4, 17, 18, 19 and 20
160.	Kolej Komuniti Bera	The whole Act except sections 4, 17, 18, 19 and 20
161.	Kolej Komuniti Jerantut	The whole Act except sections 4, 17, 18, 19 and 20
162.	Kolej Komuniti Pekan	The whole Act except sections 4, 17, 18, 19 and 20
163.	Kolej Komuniti Pasir Mas	The whole Act except sections 4, 17, 18, 19 and 20
164.	Kolej Komuniti Lahad Datu	The whole Act except sections 4, 17, 18, 19 and 20
165.	Kolej Komuniti Sandakan	The whole Act except sections 4, 17, 18, 19 and 20
166.	Kolej Komuniti Beaufort	The whole Act except sections 4, 17, 18, 19 and 20
167.	Kolej Komuniti Tambunan	The whole Act except sections 4, 17, 18, 19 and 20
168.	Kolej Komuniti Bagan Serai	The whole Act except sections 4, 17, 18, 19 and 20
169.	Kolej Komuniti Kota Tinggi	The whole Act except sections 4, 17, 18, 19 and 20
170.	Kolej Matrikulasi Sarawak	The whole Act except sections 17, 18, 19 and 20
171.	Kolej Matrikulasi Kelantan	The whole Act except sections 17, 18, 19 and 20

SECOND SCHEDULE

[Sections 6, 22 and 23]

EDUCATIONAL INSTITUTIONS (DISCIPLINE
OF STUDENTS) RULES 1976

PART I

PRELIMINARY

Citation

1. These Rules may be cited as the Educational Institutions (Discipline of Students) Rules 1976.

Interpretation

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

“authorized person” means any person duly authorized to act on behalf of the Institution;

“Bursar” means the principal financial officer of an Institution, regardless whether he is styled as Bursar or by any other designation;

“course” means any form of field of studies which is conducted by the Institution for a specified period determined by the Curriculum Board of Course of Study And Training Programmes;

“disciplinary authority” means the Students’ Affairs Officer or, where applicable, any person or board delegated by the Students’ Affairs Officer with disciplinary functions, powers or duties under subsection 5(3);

“disciplinary offence” means a disciplinary offence under these Rules;

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

“disciplinary room” means a room allocated for the purpose of the conduct of disciplinary proceedings 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*];

“examination” means any form of assessment or evaluation or test or any part of it which brings marks and grades for a course or any part of the course;

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

“Head of Department” for the purpose of—

- (a) a government department means any officer who is responsible for any department, division or unit in the department and includes any other officer who is authorized in writing by the officer who is responsible for the department, division or unit in the department to act on his behalf;
- (b) an institution means any officer who is responsible for any institution, division or unit in the institution and includes a person who is authorized in writing by the officer who is responsible for the institution, division or unit in the institution to act on his behalf;
- (c) a private agency means any officer who is responsible for an agency, division or unit in the agency and includes a person who is authorized in writing by the officer who is responsible for the agency, division or unit in the agency to act on his behalf;

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

“librarian” means any person duly in charge of the library in the Institution at any time;

“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;

“officer” means a person holding any office in the Institution or in any body constituted by or under the Institution or functioning in the Institution, whether such office is voluntary, or for remuneration, or otherwise;

“parking” means the bringing of a 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 luggage;

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

“practical training” means a practical training which is necessary to be done, by a student in connection with his course for a specific period either inside or outside the Institution;

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

“scholarship student” includes any student who is studying on a scholarship, bursary, loan, sponsorship, leave with or without pay, or on a grant of any other facility, from any Government, institution, statutory authority, commercial or business organization, or other body;

“staff” includes any employee of the Institution;

“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;

“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.

“Warden” means the officer in charge of a hostel and includes any person duly authorized to act on his behalf or to assist him;

PART II

GENERAL DISCIPLINE

General prohibitions

3. A student shall not—

- (a) conduct himself, whether within or without the campus, in any manner which is detrimental or prejudicial to the interests, well-being or good name of the Institution, or to the interests, well-being or good name of any of the students, staff, officers, or employees of the Institution, or to public order, safety or security, or to morality, decency or discipline;
- (b) violate any provision of any written law, whether within or without 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 Institution, or do any act which may cause such disruption or interference;

- (d) prevent, obstruct, or interfere with, or cause to be prevented, obstructed or interfered with, any staff, officer or employee of the Institution or any person acting under the direction or permission of such staff, officer or employee, from carrying out his work, duty or function, or do any act which may cause such prevention, obstruction or interference;
- (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, or do any act which may cause such prevention or obstruction;
- (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 Institution;
- (g) damage in any manner or cause to be damaged in any manner any property in the Institution, or do any act which may cause such damage;
- (h) 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;
- (i) contravene or fail to comply with any instruction or requirement by the librarian, a member of the library staff or other library employee in respect of the use of the library, its books and other facilities therein;
- (j) take any book, paper, document or picture, except those authorized 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 authorized by the Executive Head of the Institution;
- (k) communicate with any other student during an examination by any means whatsoever.

Attendance at lecture

4. 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 in writing of the Head of Department, 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 in writing to the Head of Department with regard to the absence and obtain approval in writing in respect thereof.

Practical training

5. (1) Where a student is required to attend a practical training or other instructions relating to his course of study, the student shall attend the practical training or instructions unless he obtained prior permission in writing from the Head of Department where the training is conducted and unless the circumstances do not permit the student to obtain the prior permission and there is reasonable cause or excuse for the absence and in which case he shall, as soon as possible thereafter in writing, satisfy the Head of Department with regard to the absence and obtain approval in writing in respect thereof.

(2) While undergoing the practical training, the student is subject to the regulations or directions of the place in which the training is conducted and also to the regulations or directions of the Institution.

(3) In the event of inconsistency or conflict between the regulations of the Institution and the regulations of the place in which the training is conducted, the regulations of the Institution shall prevail.

Attire and appearance

6. A student shall be decently or appropriately attired while attending lecture, tutorial, examination, class, workshop or while involving or attending any activity either inside or outside campus or while present in any part of the campus.

Appearance for examinations

7. 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 Executive Head, 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 Executive Head, with regard to the absence and obtain approval in writing in respect thereof.

Conduct during examination

7A. 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 Board 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 on 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 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.

Restriction on use of text of lecture, etc.

8. (1) Subject to subparagraph (2), a student shall not make use of the text of any lecture or instruction imparted to him in the Institution 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 Executive Head to permit 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 Executive Head or such member of the staff of the Institution as the Executive Head may authorize, and in giving such permission the Executive Head may impose such terms and conditions as he deems necessary or expedient.

Prohibition against plagiarism

8A. (1) A student shall not plagiarize 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 plagiarizes 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.

Organizing, etc., of assemblies

9. (1) No student, and no organization, body or group of students, shall, without the prior permission of the Executive Head or of a person authorized in writing by the Executive Head to grant such permission, 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 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 Institution or used for the purposes of the Institution.

(2) In granting the permission referred to in subparagraph (1) the Executive Head or the person authorized by him to grant such permission may impose such restrictions, terms or conditions in relation to the proposed assembly as he may deem necessary or expedient.

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

Ownership, possession and use of loud-speakers, etc.

10. No student, and no organization, body or group of students, shall own, or use, or have in his or its possession, custody or control, any loud-speaker, loud-hailer, amplifier, or other similar appliance:

Provided that the Executive Head, or a person authorized by him in writing, may permit in writing such appliance to be owned, used or possessed by a student or an organization of students for such purposes and subject to such restrictions, terms or conditions as the Executive Head or the person authorized by him as aforesaid may deem necessary or expedient to impose in granting such permission.

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

11. No student, and no 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; or
- (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, and no organization, body or group of students, shall publish, distribute or circulate any document within or without the campus:

Provided that the Executive Head, or a person authorized by him in writing, 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 Executive Head or the person authorized by him 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 authorization which may be required under any other written law.

Student's activities outside campus

13. No student, and no organization, body or group of students, shall organize, carry out or participate in any activity outside the campus, except with the prior written permission of the Executive Head and in due compliance with any restriction, term or condition which the Executive Head may deem necessary or expedient to impose.

Student engaging in occupation, etc.

14. No student shall, within or without the campus, engage in any occupation, employment, business, trade or other activity, whether whole-time or part-time, which in the opinion of the Executive Head is undesirable.

Representations relating to Institution, etc.

15. No student, and no organization, body or group of students, shall make, in relation to any matter pertaining to the Institution or to the staff or students thereof in their capacity as such, or to himself in his capacity as a student thereof except with the written permission from the Executive Head, 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, exclusion, etc., of persons from campus

16. No student, and no organization, 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.

Gaming in campus

17. No student, and no 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.

Consumption or possession of liquor and drunkenness

18. (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 within the campus shall be guilty of a disciplinary offence.

Obscene articles

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

(2) No student, and no 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; a student shall be deemed to distribute, circulate or exhibit an obscene article, 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 consideration.

(3) No student shall voluntarily view or hear any obscene article within the campus.

Drugs and poisons

20. (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 article 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 [Act 50].

(6) Any student who is found using or taking or abusing or addicted to any drug or poison shall be guilty of 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 of annoying or disturbing 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 noise or sound causes or is likely to cause annoyance or disturbance to any person within the campus.

Living or sleeping in the campus

23. 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 for him in the hostel by the Institution.

Entry into prohibited parts of campus or buildings

24. A student shall not enter 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 the student or class of students concerned.

Student Card

25. (1) The Institution 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 Students' Affairs Officer.

(2) Every student shall have his Student Card in his possession at all times within the campus and shall produce same when required to do so by an authorized person.

(3) A student shall wear 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 Students' Affairs Officer.

Disobedience

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

Summary disciplinary punishment by disciplinary authority

26A. (1) The disciplinary authority may at its discretion, in lieu of taking disciplinary proceedings under Part V, impose a summary disciplinary punishment of a reprimand or a fine not exceeding fifty ringgit upon any student who commits a disciplinary offence under subsubrule 3(i), rules 6, 21, 22, 23 and 25 in the presence of or within the sight of such 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 of not exceeding 5 days in respect thereof to such disciplinary authority.

(2) Upon imposition of the punishment referred to in subrule (1), the disciplinary authority shall forthwith deliver to the student a written notice of such imposition in such form as the Students' Affairs Officer may direct, and where the punishment imposed is a fine, the provisions of rules 63 and 64 shall apply.

PART III

HOSTEL DISCIPLINE

Entering or remaining in a resident student's room

27. (1) No person shall enter or remain in a room occupied by a resident student except the resident student himself:

Provided that this paragraph shall not apply to a member of the staff, an officer, employee or agent of the Institution who enters such room for the purpose of carrying out his functions, duties or responsibilities, or to a person who enters or

remains therein in accordance with any permission given by or on behalf of the Warden:

And provided further that this paragraph shall not be deemed to prohibit a student from entering the room of a resident of the same sex for a visit for a normal social purpose.

(2) It shall be the duty and responsibility of a resident student to ensure that the restrictions in subrule (1) are strictly observed in respect of the room occupied by him.

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

28. A resident student shall not do anything to obstruct, impede or prevent a member of the staff, an officer, employee or agent of the Institution from entering the resident student's room and carrying out his functions, duties or responsibilities therein.

Remaining outside hostel at night

29. A resident student shall not, after 11.00 p.m., remain outside the hostel except with permission given by or on behalf of the Warden.

Remaining within hostel premises after 11.00 p.m.

30. After 11.00 p.m., save for resident students in their respective hostel, no other student shall remain within the hostel premises except with permission given by or on behalf of the Warden.

Care in use of hostel premises and prohibitions

31. (1) A student shall use the hostel premises with proper care and shall not do anything which disfigures, defaces or causes 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 thereby cause any inconvenience, annoyance, obstruction or nuisance to any other person.

(3) A resident student is absolutely prohibited from cooking in his room except in the room provided.

(4) No student shall have in his possession or under his custody or control any type of animal in his room or the hostel premises.

Student not to change room without prior permission

32. Where a student is allotted a room for his residence by the Institution, he shall not change his residence to any other room without the prior permission in writing given by or on behalf of the Warden.

Resident student to vacate or transfer residence on being required by Institution

33. (1) A resident student resides in a hostel at the absolute discretion and pleasure of the Institution.

(2) The Institution may require a resident student to vacate his residence or to transfer his residence to a different accommodation provided by the Institution at any time without assigning any reason.

(3) Where a resident student is required under subrule (2) to vacate or transfer his residence, he shall do so within the time set by the Institution and shall within that time remove all his belongings from the accommodation which he is to vacate or from which he is to transfer his residence.

Warden's power to give orders, instructions or directions as regards good order and discipline

34. The Warden or any other person authorized by him may, from time to time, give 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, and such 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 thereto.

PART IV

ROAD TRAFFIC DISCIPLINE

Written authorization for students keeping, possessing or owning motor vehicles in campus

35. (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 Students' Affairs Officer a written authorization in respect thereof; the application and the written authorization shall be in such form as the Students' Affairs Officer may, subject to subrule (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 licence and the current third party risks insurance policy in respect of the motor vehicle and a valid driving licence in respect of the applicant; the application shall also set out any disciplinary offence in respect of which he may have been found guilty at any time.

(3) The written authorization of the Students' Affairs Officer shall be given in such form as he may direct and shall at all times be displayed conspicuously on the motor vehicle.

(4) Such written 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 Students' Affairs Officer may refuse to grant authorization under this rule or revoke any authorization granted under this rule if he is satisfied that it would not be in the interest of the Institution for the student to hold such authorization.

Register of students' motor vehicles

36. The Students' Affairs Officer shall cause to be maintained a register of all motor vehicles kept, possessed or owned by students in the campus in such form as the Students' Affairs Officer may deem fit.

Speed limit

37. 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

38. 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.

Driving vehicles on corridors, etc.

39. No student shall drive or ride any vehicle on any corridor, verandah, fivefoot way, courtyard or in any part of any building.

Obstructive parking

40. 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.

Use of allotted parking bays

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

Pillion riding

42. (1) A student driving 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 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 a student or not, in contravention of subrule (1) or (2).

Traffic directions and signs to be complied with

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

Production of driving licence and Student Card on demand

44. 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 [Act 333] and his Student Card and shall produce same for inspection by an authorized person whenever required to do so.

Obstruction to traffic flow

45. 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.

Application of Road Transport Act 1987 in the campus

46. (1) 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 the Federal Territory 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 subrule (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.

Summary disciplinary punishment by disciplinary authority

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

(2) Upon imposition of the punishment referred to in subparagraph (1), the disciplinary authority shall forthwith deliver to the student a written notice of such imposition in such form as the Students' Affairs Officer may direct, and where the punishment imposed is a fine, rules 61 and 62 shall apply.

(3) This rule shall apply notwithstanding any other provision to the contrary in these Rules.

PART V

DISCIPLINARY PROCEDURE

Disciplinary punishment

48. A student who is found guilty of a disciplinary offence shall be liable to any one or any appropriate combination of two or more of the following punishments:

- (a) reprimand;
- (b) a fine not exceeding five hundred ringgit;
- (c) suspension from using any or all of the facilities of the Institution for a specified period;

- (d) suspension from following course of study at the Institution for a specified period;
- (e) barred from sitting for a part or all of the examinations at the Institution;
- (f) exclusion from any part of the Institution for a specified period;
- (g) expulsion from the Institution,

by the disciplinary authority.

Attendance before disciplinary authority

49. Where it appears to a disciplinary authority that a student has committed a disciplinary offence, the disciplinary authority shall, in writing, 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

50. Where a student fails to attend before the disciplinary authority in accordance with a requirement under rule 49 he shall immediately thereupon be suspended from being a student of the Institution and shall not thereafter remain in or enter the campus; such suspension 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.

Facts of disciplinary offence to be explained and plea taken

51. At the disciplinary proceeding in the disciplinary room, 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.

Plea of guilty and consequential procedure

52. 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 disciplinary offence and invite him to make any plea he may wish to make for lenient punishment.

Procedure for hearing where student pleads not guilty

53. If the student pleads that he is not guilty of the disciplinary 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 other article whatsoever in support of the case against the student; the student shall be given the chance to question such witness and inspect such document or article, and the disciplinary authority may re-examine such witness.

Student's evidence

54. After the evidence referred to in rule 53 has been received, the student shall be given the chance 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 re-examine any of his witnesses.

Power of disciplinary authority to question or recall witness

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

Pronouncement of decision

56. 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 make any plea he may wish to make for lenient punishment.

Imposition of punishment

57. After the student has made his plea for leniency, if any, under rule 52 or 56, as the case may be, the disciplinary authority shall impose on the student one of the punishments specified in rule 48 or any appropriate combination of two or more such punishments.

Custody and disposal of exhibits

58. (1) The disciplinary authority may order any document or other article whatsoever produced before it in the course of any disciplinary proceeding 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 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 subrule (2) shall include a power to order the destruction of any such document or article or the forfeiture thereof to the Institution.

Written notes of disciplinary proceedings to be made

59. The disciplinary authority which takes disciplinary action against a student under rules 49 to 58 inclusive, shall make or cause to be made written notes of the proceeding, but those notes need not be verbatim.

Custody of notes

60. The notes referred to in rule 59 shall be kept in the custody of the Students' Affairs Officer.

Register of disciplinary proceedings

61. The Students' Affairs Officer shall maintain a register of all disciplinary proceedings taken under these Rules; such register shall record the name of the student, the particulars of the disciplinary offence, the progress of the proceeding, the result of the proceeding, and such other information or particulars as the said Students' Affairs Officer may direct.

Report of proceedings to parent, Minister, etc.

62. (1) Where a student has been found guilty of a disciplinary offence, the Students' Affairs Officer shall send a decision of the disciplinary proceeding to the student's parent or guardian and if the Minister requires the same, and, in the case of a scholarship student, to the scholarship-sponsoring or scholarship-granting authority or body and his guarantors.

(2) The parent or guardian or his guarantors, or the scholarship-sponsoring or scholarship-granting authority or body, of such student, as the case may be, shall be entitled to a certified copy of the notes of the proceeding made under rule 59 upon payment of a fee determined by the Students' Affairs Officer, which fee shall not, in any case, exceed one hundred ringgit.

(3) A certified copy of the notes of the disciplinary proceeding made under rule 59 in respect of any particular case shall be supplied by the Students' Affairs Officer to the Minister if the Minister requires same.

Payment of fine

63. 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 the said period to the Bursar.

Consequence of failure to pay fine

64. If the student fails to pay the fine within the period specified under rule 63, he shall immediately thereupon be suspended from being a student of the Institution and shall not thereafter remain in or enter the campus; such suspension shall continue until the fine is paid.

Order to pay compensation

65. (1) Where any punishment is imposed on a student under rule 57, the disciplinary authority may, in addition, order the student to pay such compensation as it may fix 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, in the course of the disciplinary proceeding, to be responsible; a student may be ordered to pay compensation under this paragraph regardless whether the property which is damaged belongs to the Institution or to any other person.

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

(3) The compensation fixed under subparagraph (1) shall be paid by the student to the Bursar within such period as the disciplinary authority may specify.

(4) Rule 64 shall apply *mutatis mutandis* where the student fails to pay the compensation fixed under subparagraph (1) within the period specified under subrule (3).

(5) The Bursar shall pay out the compensation paid by the student under subrule (3) to such person as the disciplinary authority may certify as being entitled to receive payment thereof.

(6) Any compensation payable or paid under this rule 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

subparagraph (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.

Persons who may be present at a disciplinary proceeding

- 66.** No person shall be present at a disciplinary proceeding except—
- (a) the disciplinary authority and its staff;
 - (b) the student against whom the disciplinary proceeding 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

Appeal

67. (1) Where a student is dissatisfied with a decision of a disciplinary authority, he may submit in writing of his intention to appeal in duplicate through the Students' Affairs Officer within fourteen days from the date on which the decision was given.

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

Transmission of appeal to Minister

68. The Students' Affairs Officer shall, upon receiving the appeal, submit the same to the Minister together with a copy of the notes of the disciplinary proceeding in respect of which the appeal is given.

Action by Minister on appeal

69. (1) The Minister may, on receiving the notice of appeal and the notes of the disciplinary proceeding from the Students' Affairs Officer, 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 5(4), the decision of the Minister shall be conveyed to the student through the Students' Affairs Officer.

(3) Where the Minister appoints a committee under subsection 5(5) 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 Students' Affairs Officer.

Appeal not to operate as stay of execution

70. An appeal by a student shall not operate as a stay of execution of the punishment imposed under rule 57 or as a stay of the payment of any compensation ordered to be paid under rule 65, unless the Students' Affairs Officer or the Minister otherwise directs.

PART VII

GENERAL

Disciplinary liability of office-bearers, etc., of a students organization, body or group

71. (1) Where any disciplinary offence has been committed under these Rules, whether or not any student has been found guilty in respect thereof, and such disciplinary offence has been committed or purports to have been committed in the name or on behalf of any organization, body or group of students of the Institution which is established by, under or in accordance with this Act or any other organization, body or group of students of the Institution, every officebearer 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 therefor, 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 the 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 subrule (1) shall be liable to be proceeded against under this rule, notwithstanding that he may not have taken part in the commission of the disciplinary offence.

(3) In any disciplinary proceeding under this rule against an office-bearer of, or any student managing or assisting in the management of, any organization, body or group as referred to in subrule (1), any document found in the possession of any office-bearer of, or 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 anything has been done or purports to have been done by or on behalf of such organization, body or group.

Presumptions

72. 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, it shall be presumed, until the contrary is proved, that such 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.

Disciplinary offences

73. Any student who commits a breach of, or fails to comply with, or contravenes, any of these Rules or any restriction, condition or term imposed under these Rules or any order, instruction or direction given under these Rules shall be guilty of a disciplinary offence.

These Rules not to derogate from criminal liability

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

Service of notice, document, etc.

75. (1) Every student shall furnish to the Executive Head the address of his residence or any change thereof which shall be his address for the purpose of serving on him any notice or document required to be served under these Rules or for the purpose of communication with him on any matter in relation to these Rules.

(2) Any document, notice or communication left at, or posted by ordinary post to, the address for service furnished under subrule (1) shall be deemed to have been duly served upon or communicated to the student.

THIRD SCHEDULE

[Sections 7, 8, 22 and 23]

STUDENTS' REPRESENTATIVE COMMITTEE

Election of SRC

1. (1) The students of an Institution shall elect a Students' Representative Committee in the following manner:

- (a) in the case of an Institution providing a course of study only in one particular field extending over a period of years, the students of each particular year shall elect by secret ballot, conducted by the Students' Affairs Officer, such uniform number of students studying in the respective year to be representatives in the SRC as may be determined by the Executive Head; or
- (b) in the case of an Institution providing several courses of study in different fields, the students of each particular field shall elect by secret ballot, or in any other manner determined by the Students' Affairs Officer, such uniform number of students studying in the respective field to be representatives in the SRC as may be determined by the Executive Head; the division of the education provided in an Institution into various fields of study for the purposes of this subparagraph shall be made by the Executive Head with the approval of the Minister.

(2) Any question as to whether subsubrule 1(a) or (b) applies to an Institution shall be determined by the Minister and such determination shall be final.

Office-bearers of SRC

2. The SRC shall elect from among its members a President, a Vice-President, a Secretary and a Treasurer, who shall be its only office-bearers.

Term of office of SRC and its office-bearers

3. The members of the SRC and its office-bearers shall be elected for one year.

Decisions by majority vote

4. The SRC's decisions shall be taken by a majority vote with not less than two-third of the members being present and voting.

***Ad hoc* committees**

5. The SRC may form, from time to time, with the prior approval in writing of the Students' Affairs Officer, *ad hoc* committees from among its members for specific purposes or objects.

Disqualification in respect of SRC, student body, student organization or committee

6. No student against whom disciplinary proceedings are pending, or who has been found guilty of a disciplinary offence, shall be elected or remain a member of the SRC or an office-bearer of any student body or committee, unless authorized in writing by the Executive Head.

Objects and functions of the SRC

7. The objects and functions of the SRC shall be—

- (a) to assist and encourage, subject to the direction of the Executive Head, the development of facilities for students such as recreational facilities and the supply of meals and refreshments;
- (b) to make representations to the Executive Head on matters relating to the conditions in which the students live and study;
- (c) to undertake such other activities as may be determined by the Executive Head from time to time;

- (d) to foster a spirit of corporate life among the students of the Institution; and
- (e) to assist the Institution authorities to maintain discipline among students.

Expenses of SRC

8. The SRC shall not maintain any fund or make any collection of any money or property from any source whatsoever but such reasonable expenses as the SRC may be authorized in advance in writing by the Executive Head to incur may be paid by the Institution where reasonable written claims supported by receipts and vouchers are submitted by the SRC to the Executive Head and are approved by him.

Accounts of SRC

9. The Treasurer shall keep proper accounts of the SRC and not later than three months after the end of every financial year, being a financial year as specified by the Executive Head, a copy of the said accounts which shall be audited by a person appointed by the Executive Head shall be submitted by the SRC for approval to the Executive Head.

Meetings of SRC

10. (1) The SRC shall hold meetings from time to time as it may deem necessary and it shall be the duty of the Secretary to keep minutes of every meeting of the SRC and such minutes shall be confirmed at a subsequent meeting.

(2) The SRC or an *ad hoc* committee of the SRC shall, not less than fortyeight hours before holding any meeting, give notice of the date and the time of the meeting and its agenda to the Executive Head.

(3) Every meeting of the SRC or of an *ad hoc* committee of the SRC shall be held only at a place provided for the purpose of such meetings by the Executive Head.

(4) The Executive Head or his representative shall be present at each meeting of the SRC or of an *ad hoc* committee of the SRC, unless the Executive Head decides otherwise in respect of any particular meeting.

(5) A copy of the minutes of each meeting of the SRC or of an *ad hoc* committee of the SRC shall be furnished by the SRC or the *ad hoc* committee to the Executive Head within seventy-two hours of each meeting.

Inspection of records

11. The records of the SRC or of an *ad hoc* committee of the SRC shall at all times be open to inspection by the Executive Head or his representative.

Definition of “student” for the purpose of this Schedule

12. For the purpose of this Schedule “student” means a person, other than a public officer, following a course of study in the Institution:

Provided that a person shall cease to be a student within the meaning of this paragraph from the date on which the final examination for his course of study commences, if he sits for such examination.

Disputes as to elections

13. If any dispute arises as to whether any member or office-bearer of the SRC or of an *ad hoc* committee of the SRC has been duly elected or appointed, as the case may be, or is entitled to be or to remain a member or office-bearer thereof, the dispute shall be decided by the Executive Head or by a person appointed by him for the purpose, and the decision thereon of the Executive Head or of such person shall be final.

LAWS OF MALAYSIA

Act 174

EDUCATIONAL INSTITUTIONS (DISCIPLINE) ACT 1976

LIST OF AMENDMENTS

Amending law	Short title	In force from
P.U. (A) 73/1980	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 1980	28-03-1980
P.U. (A) 247/1984	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 1984	06-07-1984
P.U. (A) 115/1985	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 1985	15-03-1985
P.U. (A) 376/1986	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 1986	31-10-1986
P.U. (A) 165/1991	Educational Institutions (Discipline) (Amendment) Order 1991	26-04-1991
P.U. (A) 57/1995	Educational Institutions (Discipline) (Amendment of First Schedule) Order 1995	17-02-1995
P.U. (A) 536/1997	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 1997	01-01-1998
P.U. (A) 537/1997	Educational Institutions (Discipline of Students) Rules (Amendment) Order 1997	01-01-1998

Amending law	Short title	In force from
P.U. (A) 538/1997	Educational Institutions (Discipline) (Third Schedule) (Amendment) Order 1997	01-01-1998
P.U. (A) 160/1998	Educational Institutions (Discipline of Students) Rules (Amendment) Order 1997	31-12-1997
P.U. (A) 247/1999	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 1999	11-06-1999
P.U. (A) 345/2000	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 2000	01-01-2000
P.U. (A) 452/2000	Educational Institutions (Discipline) (First Schedule) (Amendment) (No. 2) Order 2000	01-01-2000
P.U. (A) 484/2000	Educational Institutions (Discipline) (First Schedule) (Amendment) (No. 3) Order 2000	29-12-2000
P.U. (A) 102/2001	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 2001	01-01-2000
P.U. (A) 103/2001	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 2001	01-01-2000
P.U. (A) 104/2001	Educational Institutions (Discipline) (First Schedule) (Amendment) (No. 2) Order 2001	13-04-2001
P.U. (A) 423/2002	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 2002	25-10-2002
P.U. (A) 468/2002	Educational Institutions (Discipline) (First Schedule) (Amendment) (No. 2) Order 2002	01-06-2002

Amending law	Short title	In force from
P.U. (A) 484/2002	Educational Institutions (Discipline) (First Schedule) (Amendment) (No. 3) Order 2002	13-12-2002
P.U. (A) 23/2003	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 2003	24-01-2003
P.U. (A) 24/2003	Educational Institutions (Discipline) (First Schedule) (Amendment) (No. 2) Order 2003	01-04-2002
P.U. (A) 299/2003	Educational Institutions (Discipline) (First Schedule) (Amendment) (No. 3) Order 2003	08-08-2003
P.U. (A) 322/2006	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 2006	01-09-2006
P.U. (A) 266/2007	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 2007	02-08-2007
P.U. (A) 436/2007	Educational Institutions (Discipline of Students) Rules (Amendment) Order 2007	28-12-2007
P.U. (A) 256/2008	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 2008	25-07-2008
P.U. (A) 308/2008	Educational Institutions (Discipline) (First Schedule) (Amendment) (No. 2) Order 2008	12-09-2008
P.U. (A) 341/2009	Educational Institutions (Discipline) (First Schedule) (Amendment) Order 2009	18-09-2009
P.U. (A) 358/2009	Educational Institutions (Discipline) (First Schedule) (Amendment) (No. 2) Order 2009	09-10-2009

Amending law	Short title	In force from
Act A1375	Educational Institutions (Discipline) (Amendment) Act 2010	01-12-2010
P.U. (A) 260/2011	Educational Institutions (Discipline) (Amendment of First Schedule) Order 2011	See para.1 of P.U. (A) 260/2011
Act A1435	Educational Institutions (Discipline) (Amendment) Act 2012	01-08-2012
P.U. (A) 124/2015	Educational Institutions (Discipline) (Amendment of First Schedule) Order 2015	16-06-2015
P.U. (A) 45/2016	Educational Institutions (Discipline) (Amendment of First Schedule) Order 2016	02-03-2016

LAWS OF MALAYSIA

Act 174

EDUCATIONAL INSTITUTIONS (DISCIPLINE) ACT 1976

LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
2	Act A1375 Act A1435	01-12-2010 01-08-2012
4	Act A1375	01-12-2010
5	Act A1375	01-12-2010
9	Act A1375	01-12-2010
10	Act A1375 Act A1435	01-12-2010 01-08-2012
11	Act A1375	01-12-2010
12	Act A1375	01-12-2010
13	Act A1375	01-12-2010
14	Act A1375	01-12-2010
15	Act A1375	01-12-2010
16	Act A1375	01-12-2010
21	Act A1375	01-12-2010
First Schedule	P.U. (A) 73/1980 P.U. (A) 247/1984 P.U. (A) 115/1985 P.U. (A) 165/1991	28-03-1980 06-07-1984 15-05-1985 26-04-1991

Section	Amending authority	In force from
	P.U. (A) 57/1995	17-02-1995
	P.U. (A) 536/1997	01-01-1998
	P.U. (A) 247/1999	11-06-1999
	P.U. (A) 345/2000	01-01-2000
	P.U. (A) 452/2000	01-01-2000
	P.U. (A) 484/2000	29-12-2000
	P.U. (A) 102/2001	01-01-2000
	P.U. (A) 103/2001	01-01-2000
	P.U. (A) 104/2001	13-04-2001
	P.U. (A) 423/2002	25-10-2002
	P.U. (A) 468/2002	01-06-2002
	P.U. (A) 484/2002	13-12-2002
	P.U. (A) 23/2003	24-01-2003
	P.U. (A) 24/2003	01-04-2002
	P.U. (A) 299/2003	08-08-2003
	P.U. (A) 322/2006	01-09-2006
	P.U. (A) 266/2007	02-08-2007
	P.U. (A) 256/2008	25-07-2008
	P.U. (A) 308/2008	12-09-2008
	P.U. (A) 341/2009	18-09-2009
	P.U. (A) 358/2009	09-10-2009
	P.U. (A) 260/2011	<i>see para. 1 of</i> P.U. (A) 260/2011
	P.U. (A) 124/2015	16-06-2015
	P.U. (A) 45/2016	02-03-2016
Second Schedule	P.U. (A) 537/1997	01-01-1998
	P.U. (A) 436/2007	28-12-2007
Third Schedule	P.U. (A) 538/1997	01-01-1998
