
UNIVERSITIES AND UNIVERSITY COLLEGES ACT 1971

UNIVERSITI TEKNOLOGI MALAYSIA (DISCIPLINE OF STUDENTS)
RULES 1999

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UNIVERSITIES AND UNIVERSITY COLLEGES ACT 1971

UNIVERSITI TEKNOLOGI MALAYSIA (DISCIPLINE OF STUDENTS)
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IN exercise of the powers conferred by section 16c of the Universities and University Colleges Act 1971 [Act 30], the Board of Directors of the Universiti Teknologi Malaysia makes the following rules:

PART I

PRELIMINARY

Citation

1. These rules may be cited as the **Universiti Teknologi Malaysia (Discipline of Students) Rules 1999**.

Interpretation

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

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

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

“cheating” includes copying;

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

“disciplinary offence” means an 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 proceeding generally or for the purpose of a particular disciplinary proceeding;

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

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

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

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

“liquor” means any liquor of any alcoholic strength;

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

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

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

“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;

“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 pay or without pay, or on a grant or any other facility, from any Government, institution, statutory authority, commercial or business organization, or other body;

“staff” means any employee of the University;

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

“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 a 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;

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

PART II
GENERAL DISCIPLINE

General prohibitions

3. A student shall not—
- (a) conduct himself, whether within the Campus or outside the Campus, in any manner which is detrimental or prejudicial—
 - (i) to the interests, well-being or good name of the University, any of the students, staff, officers, or employees of the University; or
 - (ii) to public order, safety or security, morality, decency or discipline;
 - (b) violate any provision of any written law, whether within the Campus or outside the Campus;
 - (c) disrupt or in any manner interfere with, or cause to be disrupted or in any manner interfered with, any teaching, study, research, administrative work, or any activity carried out by or under the direction of or with the permission of the University;
 - (d) prevent, obstruct, or interfere with, or cause to be prevented, obstructed or interfered with, any officer or employee of the University or any person acting under the direction or permission of such officer or employee, from carrying out his work, duty or function;
 - (e) prevent or obstruct, or cause to be prevented or obstructed, any student from attending any lecture, tutorial or class, or from engaging in any legitimate activity;
 - (f) organize, incite or participate in the boycott of any examination, lecture, tutorial, class or other legitimate activity carried out by or under the direction, or with the permission, of the University;
 - (g) damage, tamper, interfere with, move, or in any manner deal with, any substance, object, article or property in the University;
 - (h) do any act or cause any act to be done in the Campus, so as to cause or be likely to cause any obstruction, inconvenience, annoyance, loss or damage to any person in the university;
 - (i) contravene any instruction or requirement of the University Librarian, a member of the library staff or other library employee in respect of the use of the library, its books and other facilities in the library;
 - (j) contravene any instruction or requirement of an authorized person in respect of the use of any laboratory, laboratory equipment, apparatus or substance, and other facilities in the laboratory.

Attendance at lectures

4. (1) Where a student is required to attend any lecture, tutorial, class or other instruction relating to his course of study, he shall not absent himself therefrom without the prior permission of the Dean of the Faculty, or the Head of the School, Centre, Academy or Institute, as the case may be.

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

Restriction on use of text of lecture

5. (1) Subject to subrule (2), a student shall not make use of the text of any lecture or instruction imparted to him in the University except for the purpose of pursuing his course of study; in particular, he shall not reproduce in any manner the whole or any part or such text for the purpose of publication, distribution or circulation, whether for payment or not.

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

Prohibition against plagiarism

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

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

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

(3) Without prejudice to the generality of subrule (2) a student plagiarises when he—

- (a) publishes, with himself as the author, an abstract, article, scientific or academic paper, or book which is wholly or partly written by some other person;
- (b) incorporates himself or allows himself to be incorporated as a co-author of an abstract, article, scientific or academic paper, or book, when he has not at all made any written contribution to the abstract, article, scientific or academic paper, or book;
- (c) forces another person to include his name in the list of co-researchers for a particular research project or in the list of co-authors for a publication when he has not made any contribution which may qualify him as a co-researcher or co-author;

- (d) extracts academic data which are the results of research undertaken by some other person, such as laboratory findings or field work findings or data obtained through library research, whether published or unpublished, and incorporate those data as part of his academic research without giving due acknowledgement to the actual source;
- (e) uses research data obtained through collaborative work with some other person, whether or not that other person is a staff member or a student of the University, as part of another distinct personal academic research of his, or for a publication in his own name as sole author, without obtaining the consent of his co-researchers prior to embarking on his personal research or prior to publishing the data;
- (f) transcribes the ideas or creations of others kept in whatever form, whether written, printed or available in electronic form, or in slide form, or in whatever form of teaching or research apparatus, or in any other form, and claims whether directly or indirectly that he is the creator of that idea or creation;
- (g) translates the writing or creation of another person from one language to another whether or not wholly or partly, and subsequently presents the translation in whatever form or manner as his own writing or creation; or
- (h) extracts ideas from another person's writing or creation and makes certain modifications without due reference to the original source and rearranges it in such a way that it appears as if he is the creator of those ideas.

Appearance for examinations

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

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

Conduct during examination

8. No student shall—

- (a) take any book, paper, document, picture or other things, except those authorized by the examiner, into or out of an examination room, or receive any book, paper, document, picture or other things from any other person while in the examination room, except that a student may, while he is in the examination room, receive from the invigilator such books, papers, documents, pictures or other things which have been recommended by the examiner or Board of Examiners, and authorized by the Vice-Chancellor;

- (b) write, or have 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.

Organizing assemblies

9. (1) No student, organization, body or group of students shall, without the prior permission of the Vice-Chancellor, hold, organize, convene or call, or cause to be held, organized, convene or called, or be, in any manner, involved in holding, organizing, convening or calling, or in causing to be held, organized, convened or called, or be, in any manner, involved in doing any act towards holding, organizing, convening or calling, any assembly of more than five persons in any part of the Campus or on any land or in any building belonging to or under the possession or control of the University or used for the purposes of the University.

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

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

Loudspeakers

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

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

Banners

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

- (a) make or cause to be made or do any act towards making or causing to be made;
- (b) fly, exhibit, display or in any manner make use of, or cause to be flown, exhibited, displayed or in any manner made use of; or
- (c) own or have in his or its possession, custody or control,

any flag, banner, placard, poster, emblem or other device which is conducive to the promotion of indiscipline, disorder, disobedience or contravention of these Rules.

Publication, etc., of documents

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

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

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

Student's activities outside Campus

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

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

Student engaging in occupation, etc.

14. No student shall, within the Campus or outside the Campus, engage in any occupation, employment, business, trade or other activity, whether on a full-time or part-time basis, which in the opinion of the Vice-Chancellor is undesirable.

Representations relating to University

15. No student, organization, body or group of students shall, without the prior of the Vice-Chancellor, make in relation to any matter pertaining to the University or to the staff or students of the University, in their capacity as such, or to himself in his capacity as a student of the University, any representation or other communication, whether orally or in writing or in any other manner, to any public officer or to the press or to the public in the course of any lecture, speech or public statement or in the course of any broadcast by sound or vision.

Student's objection to entry of persons into Campus

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

Gaming within Campus

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

(2) The prohibition in subrule (1) shall not apply to any gaming, wagering, lottery or betting within the Campus which is organized, managed or run by the University in accordance with any written law.

Consuming liquor and disorderly behaviour

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 or who behaves in a disorderly manner under the influence of liquor, within the Campus, commits 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, organization, body or group of students, shall distribute, circulate or exhibit, or cause to be distributed, circulated or exhibited, or be in any manner concerned with the distribution, circulation or exhibition of, any obscene article within the Campus.

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

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 give, supply, provide or offer or propose to give, supply, provide or offer any drug or poison to any person.

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

(4) Nothing in this rule shall be deemed to prevent a student from undergoing any treatment by or under the prescription of a medical practitioner registered under the Medical Act 1971 [Act 50].

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

(6) The Vice-Chancellor may require a student suspected to be a drug dependent to submit himself for urine tests.

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

Cleanliness within Campus

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

Making noise

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

Examination of student suspected to have a mental disorder

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

Living or sleeping in the Campus

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

Entry into prohibited parts of Campus or buildings

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

Student's attire

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

Disobedience

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

PART III**HOSTEL DISCIPLINE****Entering or remaining in a resident student's room**

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

(2) Subrule (1) shall not apply—

- (a) to an authorized person who enters such room for the purpose of carrying out his functions, duties or responsibilities;
- (b) to a person who enters such room in accordance with any permission given by, or on behalf of, the Pengetua; and
- (c) to a resident student of the same sex who enters such room for a visit for a normal social purpose.

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

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

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

Remaining outside hostel at night

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

Remaining within hostel premises after midnight

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

Using hostel premises with care and prohibition of nuisance

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

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

Changing room without prior permission

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

Transfer of residence

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

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

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

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

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

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

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

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

(4) Upon the imposition of the punishment referred to in subrule (3), the disciplinary authority shall forthwith deliver to the student a written notice of the imposition in such form as the Vice-Chancellor may direct, and in respect of the fine imposed the provisions of rules 63 and 64 shall apply.

PART IV

ROAD TRAFFIC DISCIPLINE

Written authorization for students keeping, possessing or owning motor vehicles on Campus

36. (1) A student intending to keep, have in this possession or own any motor vehicle in the Campus shall, in the first instance, apply for and obtain from the Vice-Chancellor a written authorization in respect thereof, the application and the written authorization shall be in such form as the Vice-Chancellor may, subject (2), determine.

(2) The application for such permission shall be made by the student in writing specifying the description of the motor vehicle and shall be accompanied by the current motor vehicle licence and the current third party risks insurance policy in respect of the motor vehicle and a valid driving licence in respect of the applicant.

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

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

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

Register of students' motor vehicles

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

Speed limit

38. 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

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

Obstructive parking

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 motor 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

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

Production of driving licence and matriculation card

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

Obstruction of 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.

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

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

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

Summary disciplinary punishment

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 warning or a fine not exceeding fifty ringgit upon any student who commits a disciplinary offence under this Part in the presence of or within the sight of the disciplinary authority:

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

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

PART V

DISCIPLINARY PROCEDURE

Disciplinary punishment

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

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

Attendance before disciplinary authority

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

Consequence of failure to attend before disciplinary authority

50. Where a student fails to attend before the disciplinary authority in accordance with rule 49, he shall immediately be suspended from being a student of the University 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.

Explanation of facts and taking of plea

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

Plea of guilty and ensuing procedure

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

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

Procedure when student pleads not guilty

53. (1) 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 in support of the case against the student; the student shall be invited to question such witness and inspect such document or article, and the disciplinary authority may re-examine such witness.

(2) For the purpose of subrule (1), the witnesses shall be summoned to give evidence at the hearing by the Vice-Chancellor.

Student's evidence

54. After the evidence referred to in rule 53 has been received, and the disciplinary authority finds that there is a case to answer, the student shall be invited to give his evidence, call any witness or produce any document or other article 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.

Recall of witness

55. The disciplinary authority may question or recall any witness at any time before it pronounces 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 forward any plea for the mitigation of punishment.

Imposition of punishment

57. After the student has forwarded his plea in mitigation of punishment, 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 of such punishments.

Custody and disposal of exhibits

58. (1) The disciplinary authority may order any document or other article 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 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 University.

Written notes of disciplinary proceedings

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

Custody of notes

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

Register of disciplinary proceedings

61. The Vice-Chancellor 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 proceedings, the result of the proceedings, and such other information or particulars as the Vice-Chancellor may direct.

Report of proceedings to parent, Minister, etc.

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

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

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

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

Payment of fine

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

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

Failure to pay fine

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

Compensation order

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

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

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

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

(5) The provisions of rule 61 shall apply *mutatis mutandis* where the student fails to pay the compensation determined under subrule (1) within the period specified under subrule (4).

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

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

Person who may be present at a disciplinary proceeding

66. No person shall be present at a disciplinary proceeding except—

(a) members of the disciplinary authority;

(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

Notice of appeal

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

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

Transmission of appeal to Minister

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

Action by Minister on appeal

69. (1) The Minister may, on receiving the documents referred to in rule 65 from the Vice-Chancellor, call for such further information or particulars in relation to the disciplinary proceeding as he may deem fit.

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

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

Appeal not to operate as stay of execution of punishment

70. An appeal by a student shall not operate as a stay of execution of the punishment imposed or as a stay of the payment of any compensation ordered to be paid, unless the Vice-Chancellor or the Minister otherwise directs.

PART VII

GENERAL

Disciplinary offence

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

These Rules not to derogate from criminal liability

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

Revocation

73. The Universiti Teknologi Malaysia (Discipline of Students) Rules 1975 [P.U. (A) 386/75] are revoked.

Made 6 September 1999.

[KP (PUU)S 10075/07/2/Jld. III; PN(PU²)75G/I]

TAN SRI DATO' PADUKA SALLEHUDDIN MOHAMED
Chairman
Board of Directors of the
University Teknologi Malaysia

P.U. (A) 474.

AKTA SETEM 1949

PERINTAH DUTI SETEM (PENGECUALIAN) (No. 32) 1999

PADA menjalankan kuasa yang diberikan oleh subseksyen 80(1) Akta Setem 1949 [Akta 378], Menteri membuat perintah yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Perintah ini bolehlah dinamakan **Perintah Duti Setem (Pengecualian)** (No. 32) 1999.

(2) Perintah ini hendaklah disifatkan telah mula berkuat kuasa pada 10 Jun 1998.

Tafsiran

2. Dalam Perintah ini, "rumah kos rendah" ertinya suatu unit rumah dalam suatu projek Perumahan Kos Rendah yang diluluskan oleh Kerajaan Negeri atau pihak berkuasa berkenaan, berkenaan dengan Wilayah Persekutuan Kuala Lumpur atau Labuan dan—

(a) dijual dengan harga yang tidak melebihi RM42,000.00 sekiranya terletak di Semenanjung Malaysia; atau

- (b) dijual dengan harga yang tidak melebihi RM47,000.00 sekiranya terletak di Sabah, Sarawak atau Wilayah Persekutuan Labuan.

Pengecualian

3. Jika suatu kontrak jual beli bagi penjualan suatu rumah kos rendah oleh pemaju perumahan disempurnakan pada atau selepas 10 Jun 1998 tetapi tidak lewat daripada 31 Disember 2000, surat cara kontrak jual beli itu adalah dikecualikan daripada duti setem.

Pembatalan

4. Perintah Duti Setem (Pengecualian) (No. 11) 1996 [*P.U. (A) 249/96*] yang disiarkan pada 30 Mei 1996 adalah dibatalkan.

Dibuat 15 Oktober 1999.

[Perb. CR (8.09) 248/39/7-90 VOL. 4 (SK. 1) (11); LHDN.01/34/42/68-180-1(4/99); PN(PU²) 159/XXII]

DATO' MUSTAPA BIN MOHAMED
Menteri Kewangan Kedua

STAMP ACT 1949

STAMP DUTY (EXEMPTION) (No. 32) ORDER 1999

In exercise of the powers conferred by subsection 80(1) of the Stamp Act 1949 [*Act 378*], the Minister makes the following order:

Citation and commencement

1. (1) This order may be cited as the Stamp Duty (Exemption) (No. 32) Order 1999.

(2) This Order shall be deemed to have come into operation on 10 June 1998.

Interpretation

2. In this Order, "low cost house" means a unit of house built within a Low Cost Housing project approved by a State Government or the appropriate authority in respect of the Federal Territory of Kuala Lumpur or Labuan and—

- (a) if situated in Peninsular Malaysia, sold at a price not exceeding RM42,000.00; or
- (b) if situated in Sabah, Sarawak or the Federal Territory of Labuan, sold at a price not exceeding RM47,000.00.

Exemption

3. Where a contract of sale and purchase for the sale of a low cost house by a housing developer is executed on or after 10 June 1998 but not later than 31 December 2000, such instrument of contract for sale and purchase is exempted from stamp duty.

Revocation

4. The Stamp Duty (Exemption) (No. 11) Order 1996 [P.U. (A) 249/96] published on 30 May 1996 is revoked.

Made 15 October 1999.

[Perb. CR (8.09) 248/39/7-90 VOL. 4 (SK. 1) (11); LHDN.01/34/42/68-180-1(4/99); PN(PU³) 159/XXII]

DATO' MUSTAPA BIN MOHAMED
Second Minister of Finance

P.U. (A) 475.

AKTA SETEM 1949**PERINTAH DUTI SETEM (PENGEQUALIAN) (No. 33) 1999**

PADA menjalankan kuasa yang diberikan oleh subseksyen 80(1) Akta Setem 1949 [Akta 378], Menteri membuat perintah yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Perintah ini bolehlah dinamakan Perintah Duti Setem (Pengecualian) (No. 33) 1999.

(2) Perintah ini hendaklah disifatkan telah mula berkuat kuasa pada 10 Jun 1998.

Tafsiran

2. Dalam Perintah ini, "rumah kos rendah" ertinya suatu unit rumah dalam suatu projek Perumahan Kos Rendah yang diluluskan oleh Kerajaan Negeri atau pihak berkuasa berkenaan, berkenaan dengan Wilayah Persekutuan Kuala Lumpur atau Labuan dan—

(a) dijual dengan harga yang tidak melebihi RM42,000.00 sekiranya terletak di Semenanjung Malaysia; atau

(b) dijual dengan harga yang tidak melebihi RM47,000.00 sekiranya terletak di Sabah, Sarawak atau Wilayah Persekutuan Labuan.

Pengecualian

3. Semua surat cara cagaran bagi pembiayaan pembelian suatu rumah kos rendah adalah dikecualikan daripada duti setem.

Pembatalan

4. Perintah Duti Setem (Pengecualian) 1986 [*P.U. (A) 26/86, P.U. (A) 27/86, P.U. (A) 28/86*] yang disiarkan pada 6 Februari 1986 adalah dibatalkan.

Dibuat 15 Oktober 1999.

[Perb. CR (8.09) 248/39/7-90 VOL. 4 (SK. 1) (11); LHDN.01/34/42/68-180-1(3/99); PN(PU²) 159/XXII]

DATO' MUSTAPA BIN MOHAMED
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2. In this Order, "low cost house" means a unit of house built within a Low Cost Housing project approved by State Government or the appropriate authority, in respect of the Federal Territory of Kuala Lumpur or Labuan and—

(a) if situated in Peninsular Malaysia, sold at a price not exceeding RM42,000.00; or

(b) if situated in Sabah, Sarawak or the Federal Territory of Labuan, sold at a price not exceeding RM47,000.00.

Exemption

3. All instruments of securities for the finance of the purchase of a low cost house is exempted from stamp duty.

Revocation

4. The Stamp Duty (Exemption) Order 1986 [*P.U. (A) 26/86, P.U. (A) 27/86, P.U. (A) 28/86*] published on 6 February 1986 are revoked.

Made 15 October 1999.

[Perb. CR (8.09) 248/39/7-90 VOL. 4 (SK. 1) (11); LHDN.01/34/42/68-180-1(3/99); PN(PU²) 159/XXII]

DATO' MUSTAPA BIN MOHAMED
Second Minister of Finance