

UNIVERSITI TEKNOLOGI MALAYSIA

UTM.J.02.02/10.12/2 Jld. 4 (66)

22 Oktober 2017
2 Safar 1439

PEKELILING PENTADBIRAN BIL. 33/2017

KOD ETIKA PROFESIONAL UNIVERSITI TEKNOLOGI MALAYSIA

Dimaklumkan bahawa Universiti Teknologi Malaysia melalui Mesyuarat Jawatankuasa Pengurusan Universiti Bil. 20 bertarikh 18 September 2017 telah meluluskan Kod Etika Profesional Universiti Teknologi Malaysia.

2. Universiti telah mengguna pakai Kod Etika Profesional dan Akademik yang diterbitkan pada tahun 2011 sebagai rujukan yang mengandungi peraturan berkenaan etika dan tanggungjawab staf semasa menjalankan tugas serta sentiasa meletakkan kepentingan Universiti lebih utama daripada kepentingan peribadi.

3. Dalam usaha meningkatkan integriti dalam kalangan staf Universiti, kod etika sedia ada dikemas kini selari dengan peredaran dan keadaan semasa bagi membantu Universiti di dalam urus tadbir dan pengurusan sumber manusia. Kod Etika Profesional dan Akademik, Universiti Teknologi Malaysia tahun 2011 yang telah dikemas kini juga telah dijenamakan semula sebagai **Kod Etika Profesional Universiti Teknologi Malaysia**.

4. Sehubungan dengan itu, kod etika ini hendaklah terpakai kepada semua individu yang berkhidmat di UTM dan dibayar emolumen atau menerima imbuhan sebagai mana yang digariskan di dalam Kod Etika Profesional Universiti Teknologi Malaysia. Kategori ini merangkumi staf akademik, staf kumpulan pengurusan dan profesional, kumpulan pelaksana, dan juga pelajar.

Sekian, terima kasih.

“Berkhidmat untuk Negara kerana Allah”

Yang benar,

(DATO' WAN MOHD. ZAWAWI BIN WAN ABD. RAHMAN)
Pendaftar

- s.k.
- Naib Canselor
 - Timbalan Naib Canselor (Pembangunan)
 - Timbalan Naib Canselor (Penyelidikan dan Inovasi)
 - Timbalan Naib Canselor (Akademik dan Antarabangsa)
 - Timbalan Naib Canselor (Hal Ehwal Mahasiswa dan Alumni)
 - Pro-Naib Canselor (Kampus UTM Kuala Lumpur)
 - Pegawai-pegawai Kanan/Dekan/Pengarah

UNIVERSITI TEKNOLOGI MALAYSIA

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ADMINISTRATIVE CIRCULAR NO. 33/2017

CODE OF PROFESSIONAL ETHICS OF UNIVERSITI TEKNOLOGI MALAYSIA

Please be informed that Universiti Teknologi Malaysia through its University Management Committee Meeting No. 20 dated 18 September 2017 has endorsed the Code of Professional Ethics of Universiti Teknologi Malaysia.

2. The University has adopted the Code of Professional and Academic Ethics published in 2011 as a point of reference, which contains rules on staff ethics and responsibilities in the course of their work, involving performing their duties in the best interests of the University that is placed higher than personal interests.
3. In our continuous endeavour to enhance integrity among University staff, the existing code of ethics has been updated in tandem with current situations to assist the University in its governance and human resource management. The updated 2011 Universiti Teknologi Malaysia Code of Professional and Academic Ethics has also been rebranded to become the **Universiti Teknologi Malaysia Code of Professional Ethics**.
4. Hence, this code of ethics shall apply to all individuals employed at UTM who are paid emolument or receive remuneration as set out in Universiti Teknologi Malaysia Code of Professional Ethics. This category includes academic staff, staff from the management, professional and operational groups, as well as students.

Thank you.

“Berkhidmat untuk Negara kerana Allah”

Best regards,

(DATO' WAN MOHD. ZAWAWI BIN WAN ABD. RAHMAN)

Registrar

- c.c.
- Vice-Chancellor
 - Deputy Vice-Chancellor (Development)
 - Deputy Vice-Chancellor (Research and Innovation)
 - Deputy Vice-Chancellor (Academic and International)
 - Deputy Vice-Chancellor (Student Affairs and Alumni)
 - Pro Vice-Chancellor (UTM Kuala Lumpur Campus)
 - Senior Officers/Deans/Directors

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FALSAFAH, MISI, VISI, DAN MOTO UTM

FALSAFAH

Hukum Allah adalah dasar kepada sains dan teknologi. Maka, Universiti Teknologi Malaysia berusaha secara menyeluruh dan bersepada memperkembangkan kecemerlangan sains dan teknologi untuk kesejahteraan dan kemakmuran sejagat sesuai dengan kehendak-Nya.

VISI

Diiktiraf sebagai pusat kecemerlangan akademik dan teknologi bertaraf dunia.

MISI

Menjadi peneraju dalam pembangunan modal insan dan teknologi inovatif demi pengayaan khazanah negara.

MOTO

Kerana Tuhan Untuk Manusia

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1.0 OBJEKTIF

Kod Etika Profesional ini bertujuan untuk:

- (1) Mengutamakan amalan integriti sebagai staf Universiti dan penjawat Awam daripada kepentingan peribadi,
- (2) Menanam sikap kerja positif dalam melaksanakan tugas dan tanggungjawab yang diamanahkan bagi mempertingkatkan kualiti kerja,
- (3) Mewujudkan suasana kerja yang ceria, harmoni dan kondusif bagi mempertingkatkan produktiviti, kecemerlangan prestasi staf Universiti dan imej Universiti,
- (4) Menyemarakkan budaya kerjasama, saksama, muafakat dan berfokus kepada kejayaan kumpulan,
- (5) Menghasilkan kerja berkualiti dengan mengamalkan penggunaan sumber yang terancang, cekap dan berkesan,
- (6) Menjadikan UTM responsif dan proaktif kepada perubahan yang berlaku sepanjang masa, dan
- (7) Menyokong UTM sebagai Universiti Penyelidikan yang inovatif dan kreatif.

2.0 SKOP

Kod Etika Profesional ini hendaklah terpakai kepada semua individu yang dibayar emolumen atau menerima imbuhan daripada UTM apabila bekerja untuk Universiti. Kategori ini merangkumi staf akademik, staf kumpulan pengurusan dan profesional, kumpulan perlaksana, dan juga pelajar.

3.0 PRINSIP

Kod Etika Profesional ini berasaskan kepada prinsip-prinsip berikut:

- (1) Integriti
Menyarankan staf Universiti untuk mengamalkan budaya integriti.

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- (2) Benar
Menekankan bahawa semua staf Universiti menjalankan tugas dengan menghayati prinsip kebenaran
- (3) Telus
Memberi penekanan kepada penghayatan amalan ketelusan dalam semua aspek kerja.
- (4) Bijaksana (Hikmah)
Mewujudkan keseimbangan antara kehendak perundangan dan pertimbangan kemanusiaan dengan mengambil kira keperluan semua pihak.
- (5) Adil dan Saksama
Memuktamadkan sesuatu keputusan berdasarkan peraturan undang-undang tanpa pilih kasih dan/atau dipengaruhi oleh mana-mana pihak.

4.0 TANGGUNGJAWAB STAF

Staf Universiti bertanggungjawab melaksanakan tugas dan aktiviti Universiti mengikut prinsip Kod Etika Profesional. Prinsip tersebut mengkehendaki agar setiap staf Universiti melaksanakan tanggungjawab secara benar, jujur dan amanah, telus, bijaksana, beradab, adil dan saksama. Aktiviti Universiti merangkumi pengajaran dan pembelajaran, pembangunan pelajar, pentadbiran dan pengurusan, penyelidikan, perundingan, pengkomersialan dan perkhidmatan diberikan keutamaan dan tumpuan yang tertinggi. Staf Universiti perlu memberi keutamaan kepada kepentingan Universiti dalam semua urusan. Mana-mana aktiviti seperti pengajaran dan pembelajaran, penyelidikan, perundingan, pengkomersialan, perkhidmatan yang dilihat sebagai penyimpangan daripada misi dan visi Universiti adalah dikategorikan tidak beretika.

- 4.1 Staf Universiti hendaklah menunjukkan sifat professional, berkemahiran tinggi serta berdaya saing yang mantap penuh dedikasi dan iltizam serta menggunakan kaedah dan ilmu terkini dalam melaksanakan tugas masing-masing.
- 4.2 Menghayati nilai-nilai murni yang mencerminkan peribadi mulia sebagai staf Universiti agar menjadi teladan dan inspirasi kepada masyarakat sekitar Universiti dalam pembentukan sikap, akhlak, pemikiran serta prinsip hidup.

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- 4.3 Menunjukkan daya usaha yang tinggi berdasarkan kebijaksanaan, kreativiti dan inovasi bagi memastikan penyampaian kualiti perkhidmatan terbaik.
- 4.4 Mengoptimumkan sumber manusia, kemudahan, kewangan dan masa dalam melaksanakan tugas.
- 4.5 Berusaha secara berterusan untuk pembangunan diri dan kerjaya.
- 4.6 Menjalankan tugas dan aktiviti pada tahap terbaik supaya status Universiti Penyelidikan dipertingkatkan dari semasa ke semasa.
- 4.7 Mewujudkan suasana kerja yang harmoni serta mengutamakan kerja berkumpulan.
- 4.8 Mengelakkan daripada melibatkan Universiti dalam sebarang konflik peribadi.
- 4.9 Mendapatkan kelulusan bertulis terlebih dahulu daripada Jawatankuasa Etika Universiti untuk aktiviti penyelidikan atau perundingan yang melibatkan manusia, haiwan dan *Genetically Modified Organism* (GMO) sebelum memulakan kerja penyelidikan, pengumpulan data, penjanaan maklumat, ataupun penerbitan hasil uji kaji.
- 4.10 Mematuhi peraturan dan polisi yang berkaitan yang terdapat dalam dokumen mengikut kategori berikut:
 - (a) Pengajaran dan Penyeliaan.
 - (b) Penerbitan.
 - (c) Penyelidikan.
 - (d) Perundingan.
 - (e) Pentadbiran.
 - (f) Tatacara Kewangan.
 - (g) Teknologi Maklumat dan Komunikasi.
 - (h) Termasuk mana-mana polisi dan peraturan yang sedang berkuatkuasa.

5.0 KONFLIK KEPENTINGAN (*CONFLICT OF INTEREST*)

- 5.1 Konflik kepentingan yang melibatkan konflik antara tanggungjawab awam dan kepentingan peribadi di mana staf Universiti tersebut mempunyai kepentingan peribadi yang boleh mempengaruhi secara salah (*improperly influence*) pelaksanaan tugas-tugas dan tanggungjawab beliau. Secara

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spesifik, konflik kepentingan boleh benar-benar berlaku atau secara tanggapan (*perceived*) atau berpotensi berlaku:

- (a) Benar-benar berlaku: Melibatkan konflik antara tugas semasa dan tanggungjawab dan kepentingan sedia ada.
 - (b) Secara tanggapan: Konflik wujud apabila kepentingan peribadi boleh mempengaruhi (secara salah) pelaksanaan tugas.
 - (c) Berpotensi: Boleh berlaku apabila kepentingan peribadi konflik dengan tugas umum.
 - (d) Konflik kepentingan boleh berkait dengan kewangan (sama ada melibatkan keuntungan atau kerugian) atau tidak melibatkan kewangan (berdasarkan permusuhan atau persahabatan). Konflik kepentingan boleh berlaku untuk mengelakkan kerugian peribadi dan juga mendapatkan kelebihan peribadi, kewangan atau sebaliknya.
- 5.2 Termasuk dalam kepentingan peribadi ialah kepentingan yang melibatkan anak, suami/isteri, saudara dan sebagainya yang selepas ini diisyiharkan sebagai SAUDARA.
- 5.3 SAUDARA didefinisikan sebagai (Seksyen 3. Tafsiran, Akta Suruhanjaya Pencegahan Rasuah Malaysia 2009 (Akta 694):
- (a) Isteri atau suami orang itu.
 - (b) Adik atau abang atau kakak orang itu.
 - (c) Adik atau abang atau kakak isteri atau suami orang itu.
 - (d) Orang yang mempunyai pertalian nasab langsung ke atas atau ke bawah orang itu.
 - (e) Orang yang mempunyai pertalian nasab langsung ke atas atau ke bawah isteri atau suami orang itu.
 - (f) Orang yang mempunyai pertalian nasab langsung ke atas atau ke bawah dengan orang yang disebut dalam perenggan (b).
 - (g) Bapa saudara, emak saudara atau sepupu orang itu; atau
 - (h) Menantu orang itu.
- 5.4 Untuk memastikan kepentingan Universiti terjamin, individu yang mempunyai kepentingan kewangan, peribadi, kumpulan, parti politik dan persatuan perlu membuat pengisyiharan kepada Universiti apabila terdapat keadaan yang boleh mewujudkan konflik kepentingan.
- 5.5 Contoh-contoh konflik kepentingan di Universiti:
- (a) Akademik

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- (i) Seseorang tidak boleh terlibat di dalam pentaksiran akademik yang melibatkan SAUDARA.
 - (ii) Seseorang tidak boleh melantik SAUDARA untuk memegang sebarang jawatan yang menerima imbuhan daripada peruntukan yang di bawah kuasanya.
 - (iii) Penulisan bersama dan penyeliaan bersama dalam kalangan SAUDARA adalah dibolehkan selagi melibatkan kepakaran serta kerja sebenar yang disumbangkan oleh mereka yang terlibat.
- (b) Pentadbiran
- (i) Seseorang tidak boleh melibatkan diri dalam proses pelantikan jawatan, kenaikan pangkat dan penilaian prestasi tahunan SAUDARA.
 - (ii) Seseorang tidak boleh terlibat dalam proses pembelian peralatan/ bahan atau perkhidmatan daripada syarikat di mana SAUDARA mempunyai kepentingan di dalamnya.
 - (iii) Seseorang tidak boleh terlibat dalam sebarang urusan/proses/mesyuarat berkaitan perlanggaran tatakelakuan yang melibatkan SAUDARANYA.
- (c) Perundingan (*Consultancy*)
- (i) Seseorang boleh melantik SAUDARA dalam sebarang projek perundingan yang diketuai atas dasar kepentingan awam dengan syarat bayaran yuran perundingan adalah berdasarkan kerja/kepakaran sebenar yang disumbangkan.
 - (ii) Ini adalah berbeza dengan perkara di (a) dan (b) di mana hubungan di perkara (a) dan (b) merupakan hubungan majikan – pekerja atau pensyarah-mahasiswa manakala di sini hubungannya adalah dalam bentuk ahli dalam pasukan pakar.
- 5.6 Jawatankuasa Integriti dan Tadbir Urus (JITU)
- Jawatankuasa Integriti dan Tadbir Urus (JITU) adalah badan utama yang akan memantau pematuhan terhadap integriti dan konflik kepentingan di UTM. Ketua Pusat Tanggungjawab (PTJ) dikehendaki untuk melaporkan kepada JITU berkenaan pengurusan konflik kepentingan mengikut kes dan bidang masing-masing.
- 5.7 Prosedur / Pengurusan Isu Konflik kepentingan
- Staf Universiti dikehendaki untuk melaporkan sebarang konflik kepentingan atau potensi konflik kepentingan yang berlaku kepada ketua PTJ. Dalam kes-kes yang melibatkan ketua PTJ, laporan boleh dikemukakan terus melalui urus setia JITU iaitu Unit Integriti Universiti.

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6.0 KEWIBAWAAN PERIBADI

Staf Universiti hendaklah sentiasa menampilkkan kewibawaan peribadi yang tinggi merangkumi komitmen kepada kecemerlangan, akauntabiliti dalam amalan, dan peranan serta sahsiah profesional diri yang boleh dicontohi, secara konsisten dan berkesan.

6.1 Penghayatan Nilai-Nilai Murni

Kesejahteraan dan kemantapan organisasi bergantung kuat pada penghayatan nilai-nilai murni oleh staf Universiti. Penerapan nilai ini dapat mengukuhkan keharmonian hubungan interpersonal, semangat keserakahan dan kualiti hasil kerja.

Antara nilai yang wajar dihayati oleh staf Universiti ialah:

- (a) Keikhlasan niat.
- (b) Semangat berpasukan.
- (c) Saling hormat-menghormati.
- (d) Kesediaan membetulkan kesilapan diri.
- (e) Kegigihan ke arah mencapai kecemerlangan.

6.2 Adab

Staf Universiti dikehendaki menyampaikan pandangan secara lisan atau bertulis dengan bersopan santun serta beradab.

6.3 Akauntabiliti

Dalam melaksanakan tugas, setiap staf Universiti dituntut dan hendaklah mematuhi prinsip-prinsip akauntabiliti kepada negara, Universiti, masyarakat, profesion, pelanggan dan pelajar.

6.4 Kepatuhan Kepada Peraturan

Untuk menjamin keutuhan kewujudannya sebagai sebuah organisasi yang dinamik, staf Universiti bertanggungjawab supaya memahami, mengamal dan menerima pakai:

6.4.1 Konsep Rahsia, Sulit dan Terhad

Dalam menjalankan tugas, staf Universiti menerima dan menjana pelbagai maklumat Universiti yang berbentuk Rahsia, Sulit dan Terhad. Staf Universiti haruslah mematuhi undang-undang negara, peraturan dan polisi yang ada berkenaan dengan kerahsiaan

walaupun staf Universiti telah meninggalkan perkhidmatan di Universiti.

6.4.2 Undang-Undang, Peraturan, Polisi dan Pekeliling

Staf Universiti hendaklah menjalankan tugas mengikut undang-undang, peraturan, polisi dan pekeliling yang sedia ada, kemas kini dan yang akan digubal.

(a) Tanggungjawab Kontrak

Hanya staf Universiti yang diberikan kuasa oleh Universiti dibenarkan untuk menandatangani sebarang surat cara bagi pihak Universiti. Staf Universiti berkenaan mestilah sentiasa menjaga kepentingan Universiti dalam pelaksanaan surat cara tersebut.

(b) Keselamatan Persekutaran Kerja dan Kesihatan

Staf Universiti hendaklah komited untuk menjaga keselamatan persekitaran kerja dan kesihatan dalam menjalankan tugas serta mematuhi dan mengamalkan semua peraturan dan undang-undang yang berkaitan dengan keselamatan persekitaran kerja dan kesihatan.

(c) Standard dan Peraturan Bidang Profesional

Beberapa bidang profesional di Universiti mempunyai standard dan kod etika masing-masing. Contohnya kejuruteraan, sains dan teknologi. Staf Universiti yang juga merupakan pengamal bidang berkenaan hendaklah mematuhi polisi dan peraturan Universiti bersama standard dan kod etika bidang profesional masing-masing.

(d) Peraturan Akademik

Staf Universiti hendaklah mematuhi peraturan akademik Universiti.

6.5 Kejujuran

Staf Universiti tidak boleh terlibat dalam apa-apa bentuk penyelewengan dan salah guna kuasa. Staf Universiti juga tidak boleh menyalahgunakan sumber Universiti atau sumber milik pihak lain yang diamanahkan dalam penjagaan Universiti.

6.6 Kesamarataan

Staf Universiti perlu memberikan layanan yang sama rata kepada setiap individu yang menerima perkhidmatan atau berurusan di Universiti tanpa

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mengira jantina, latar belakang, ras bangsa, agama, asal negara, keturunan, latar ketidakupayaan, umur, taraf perkahwinan, status ibu bapa dan pangkat.

6.7 Kebebasan Akademik

Staf akademik mempunyai tanggungjawab untuk meningkatkan dan menyebarluaskan ilmu dan kepakaran seterusnya berusaha ke arah kecemerlangan dalam pengajaran, penyelidikan, penulisan, perundingan dan perkhidmatan kepada watan. Mereka juga mempunyai tanggungjawab untuk mengambil bahagian secara aktif, berkesan dan efektif dalam aktiviti-aktiviti Universiti.

Kebebasan akademik adalah penting dan perlu untuk mencapai kecemerlangan akademik dan percambahan ilmu. Walau bagaimanapun, kebebasan berkaitan dengan aktiviti akademik tersebut hanya boleh digunakan oleh staf Universiti sekiranya selari dengan tanggungjawab dan matlamatnya sebagai seorang ilmuan. Staf Universiti yang terlibat hendaklah membezakan secara jelas antara bidang kepakaran dan pandangan peribadi.

6.8 Penerimaan atau Pemberian Hadiah

Apa-apa penerimaan atau pemberian hadiah kepada staf Universiti semasa menjalankan tugas hendaklah dimaklumkan dan mendapat kelulusan bertulis daripada Ketua Jabatan.

6.9 Pernyataan Awam

Staf Universiti hanya boleh membuat pernyataan awam berkaitan dengan bidang kepakaran masing-masing. Walau bagaimanapun, staf Universiti dilarang daripada mengeluarkan pernyataan awam berkaitan polisi kerajaan dan Universiti.

6.10 Penggunaan Kemudahan Universiti

Staf Universiti hendaklah menggunakan kemudahan awam Universiti seperti telefon, internet, mesin fotokopi, ruang, kenderaan, makmal dan peralatan makmal, kos perjalanan dengan bijaksana, selamat dan jimat. Sumber Universiti perlu digunakan untuk urusan Universiti sahaja dan bukan untuk kepentingan peribadi.

6.11 Harta Intelek

Universiti mengiktiraf harta intelek sebagai satu aset yang sangat berharga hasil daripada aktiviti penyelidikan, kreativiti dan inovasi. Semua harta

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intelek mestilah dilindungi dan dihormati. Kegagalan menghormati harta intelek akan membolehkan tuan punya harta intelek dan Universiti mengambil tindakan. Kod ini menetapkan faedah dan hasil harta intelek dikongsi secara bersama oleh pereka, pengarang, pencipta dan Universiti sebagai pemilik berdaftar. Pereka, pengarang, pencipta boleh terdiri daripada staf akademik, pentadbir, pelajar, penyelidik layak menikmati faedah harta intelek mengikut peratusan sumbangan idea dan kerja masing-masing.

6.12 Gangguan Seksual

Staf Universiti tidak boleh melakukan gangguan seksual terhadap orang lain sama ada cubaan untuk merapati orang lain secara seksual, meminta layanan seksual, melakukan perbuatan bersifat seksual yang menyebabkan seseorang yang waras merasa tersinggung, terhina atau terugut. Gangguan seksual tersebut boleh bersifat lisan, bertulis perbuatan atau apa-apa cara lain yang membawa maksud yang sedemikian. Gangguan seksual tersebut juga tidak terhad di tempat kerja atau waktu kerja sahaja.

6.13 Buli

Staf Universiti tidak boleh mengasari orang yang lemah dengan tujuan atau maksud untuk menunjukkan kekuatan masing-masing. Buli bermaksud tingkah laku agresif sama ada dalam bentuk fizikal atau psikologikal yang dilakukan secara berulang kali ke atas mangsa dan bertujuan mendatangkan perasaan tidak selesa, aman, tenteram dan harmoni.

7.0 PENGISYTIHARAN HARTA

Semua staf Universiti adalah diwajibkan untuk membuat pengisytiharan harta dalam tempoh lima (5) tahun sekali.

8.0 PERLINDUNGAN PEMBERI MAKLUMAT

Staf Universiti boleh melaporkan salah laku yang berlaku di tempat kerja dan berhak mendapat perlindungan daripada dikenakan tindakan balas atau dijadikan mangsa oleh pihak tertentu sebagaimana diperuntukkan oleh Akta Perlindungan Pemberi Maklumat 2010.

9.0 PENYEBARAN FITNAH

Universiti menggalakkan sebarang laporan tentang pelanggaran Kod Etika Profesional. Walau bagaimanapun, Universiti tidak sama sekali menerima

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sebarang bentuk penyebaran fitnah dan penyebar fitnah akan dikenakan tindakan tegas.

Fitnah didefinisikan sebagai perbuatan yang boleh merendahkan diri seseorang pada mata masyarakat; tindakan yang boleh menyebabkan seseorang dicemuh, dihina, dibenci dan dikeji; perlakuan yang boleh merosakkan reputasi dalam jawatan, profesion dan perniagaan seseorang; dan bertujuan merosakkan kredibiliti seseorang (Akta Fitnah 1957).

10.0 PEMATUHAN UNDANG-UNDANG

Kod Etika Profesional ini adalah terpakai bagi apa-apa pelanggaran atas mana-mana peruntukan dalam Akta Universiti dan Kolej Universiti 1971 (AUKU), Perlembagaan Universiti Teknologi Malaysia, Akta Badan-badan Berkanun (Tatatertib dan Surcaj) 2000 dan lain-lain undang-undang yang terpakai di Malaysia selagi tidak bercanggah dengan mana-mana undang-undang di atas. Sekiranya berlaku percanggahan atau pun pertindihan di antara peruntukan Kod Etika Profesional ini dengan undang-undang di atas, maka peruntukan undang-undang Malaysia adalah terpakai.

11.0 TINDAKAN KERANA PELANGGARAN

Pelanggaran Kod Etika Profesional ini tidak menafikan atau menghalang Universiti daripada mengambil tindakan tatatertib terhadap staf Universiti di bawah Akta Badan-Badan Berkanun (Tatatertib dan Surcaj) 2000 (Akta 605).

12.0 PELEPASAN TANGGUNGJAWAB

Universiti tidak boleh dilibatkan dalam sebarang konflik peribadi dalam kalangan staf Universiti.

13.0 PENUTUP

Kod Etika Profesional hendaklah dihayati dan diamalkan oleh semua staf Universiti secara bersungguh-sungguh demi meningkatkan kualiti diri dan profesion serta menjayakan kecemerlangan berlandaskan falsafah, misi dan visi Universiti.

PHILOSOPHY, MISSION, VISION, AND MOTTO OF UTM

PHILOSOPHY

The divine law of Allah is the foundation for science and technology. UTM strives with total and unified effort to attain excellence in science and technology for universal peace and prosperity in accordance with His will.

VISION

To be recognised as a world-class centre of academia and technological excellence.

MISSION

To be a leader in the development of human capital and innovative technologies that will contribute to the nation's wealth creation

MOTTO

In the Name of God for Mankind.

1.0 OBJECTIVE

This Code of Professional Ethics aims to:

- (1) Prioritize integrity instead of personal interest in shouldering the responsibility as a University staff and civil servant,
- (2) Inculcate positive work attitudes in carrying out duties and responsibilities entrusted, towards enhancing the quality of work,
- (3) Create a cheerful, harmonious and conducive working environment towards enhancing productivity, University staff performance excellence and University image,
- (4) Promote cooperation, fairness and solidarity, focusing on group success and achievements,
- (5) Produce quality work by practicing structured, efficient and effective use of resources,
- (6) Gear UTM towards becoming responsive and proactive to oncoming changes, and
- (7) Support UTM as an innovative and creative Research University.

2.0 SCOPE

This Code of Professional Ethics shall apply to all individuals who are paid emoluments or receive remuneration from UTM when employed by the University. This category includes academic staff, staff from the management and professional group, staff from the operational group, as well as students.

3.0 PRINCIPLE

This Code of Professional Ethics is based on the following principles:

- (1) Integrity
Encourage University staff to practice a culture of integrity.

- (2) Truthful
Emphasize the application of the principle of truthfulness among all University staff in implementing their entrusted responsibilities.
- (3) Transparent
Emphasize the practice of transparency in all aspects of work.
- (4) Wisdom (*Hikmah*)
Create balance between legal requirements and humanitarian considerations, taking into account the needs of all parties.
- (5) Fair and Equal
Finalize decisions based on the rule of law, without favouritism and / or coercion from any parties.

4.0 STAFF RESPONSIBILITY

University staff is responsible for carrying out the duties and activities of the University in accordance with the principles of the Code of Professional Ethics. The principle requires that each and every University staff member performs his/her responsibilities in a truthful, honest and trustworthy, transparent, wise, civilized, fair and equitable manner. University Activities encompassing teaching and learning, student development, administration and management, research, consultancy, commercialization and services are to be given the highest priority. University staff should give priority to the University's interest in all matters. Any activities involving teaching and learning, research, consultancy, commercialization, and services which deviate from the mission and vision of the University are categorized as unethical. University staff should:

- 4.1 Demonstrate a professional attitude, be highly skilled, competitive, dedicated and committed, with the ability to use up to date approaches and knowledge in carrying out their respective duties.
- 4.2 Embrace moral values that reflect a noble personality as a University staff, thereby becoming a role model and inspiration to the community around the University in relation to the formation of attitudes, moral values, mindset and principles of life.

- 4.3 Demonstrate high motivation underpinned by wisdom, creativity and innovation in ensuring the best quality service delivery.
- 4.4 Optimize human resources, facilities, finance and time in performing tasks.
- 4.5 Strive continuously for self and career development.
- 4.6 Give the best in carrying out entrusted responsibilities and tasks to enable the University Research status to be enhanced periodically.
- 4.7 Create a harmonious working environment and prioritize teamwork.
- 4.8 Avoid involving the University in any personal conflicts.
- 4.9 Obtain prior written approval from the University Ethics Committee for research or consultancy activities involving humans, animals and Genetically Modified Organism (GMO) before commencing research work, data collection, information generation, or publication of research results.
- 4.10 Adhere to relevant rules and policies contained in specific documents in the following categories:
 - (a) Teaching and Supervision.
 - (b) Publication.
 - (c) Research.
 - (d) Consultancy.
 - (e) Administration.
 - (f) Financial Procedure.
 - (g) Information Technology and Communication.
 - (h) Any enforced policies and regulations.

5.0 CONFLICT OF INTEREST

- 5.1 Conflict of interest involving a conflict between public responsibility and personal interest in which the staff of the University has a personal interest which may improperly influence the performance of his/her duties and responsibilities. More specifically, conflict of interest may actually occur or may be perceived to occur or has the potential to occur:
 - (a) Actual occurrence: Involves conflict between current tasks and responsibilities, and existing interests.

- (b) Perceived occurrence: Conflict exists when personal interest can affect (negatively) the performance of a duty.
 - (c) Potential: Can occur when personal interest conflicts with general tasks.
 - (d) Conflict of interest may be related to finances (whether incurring profit or loss) or not involving finances (based on hostility or friendship). Conflict of interest can occur in preventing personal loss and also in making personal gains, monetary gains or otherwise.
- 5.2 Included in personal interest are interests involving children, spouses, relatives and others who are subsequently declared as RELATIVES.
- 5.3 RELATIVE in relation to a person, means - (Section 3. Interpretation, Malaysian Anti-Corruption Commission Act 2009 (Act 694)):
- (a) a spouse of the person;
 - (b) a brother or sister of the person;
 - (c) a brother or sister of the spouse of the person;
 - (d) a lineal ascendant or descendant of the person
 - (e) a lineal ascendant or descendant of a spouse of the person;
 - (f) a lineal descendant of a person referred to in paragraph (b);
 - (g) the uncle, aunt or cousin of the person; or
 - (h) the son-in-law or daughter-in-law of the person.
- 5.4 To ensure that the interest of the University is assured, individuals with financial, personal, group, political party and association, shall declare to the University any situations that may create a conflict of interest.
- 5.5 Examples of conflict of interest at the University:
- (a) Academic
 - (i) A person shall not engage in academic assessments involving a RELATIVE.
 - (ii) A person may not appoint a RELATIVE to hold any positions receiving remuneration from any provisions under the person's jurisdiction.
 - (iii) Co-authorship and co-supervision among RELATIVES are allowed as long as it involves the expertise and actual work contributed by those involved.

- (b) Administration
 - (i) A person shall not engage in the process of appointment, promotion and annual performance evaluation of a RELATIVE.
 - (ii) A person may not engage in the process of procurement of equipment / materials or services from a company in which a RELATIVE has an interest.
 - (iii) A person shall not engage in any matters / process / meeting relating to a breach of the code of conduct involving the person's RELATIVE.
- (c) Consultancy
 - (i) A person may appoint a RELATIVE in any consultancy project led by the person on the basis of public interest, provided the consultancy fee is based on the actual work / expertise contributed.
 - (ii) This is different from the points in (a) and (b) where the relationship in (a) and (b) refers to the relationship between employer-employee or lecturer-student, while the relationship here is in the form of a group member in a group of experts.

5.6 Integrity and Governance Committee (JITU)

The Integrity and Governance Committee (JITU) is the key body that will monitor integrity compliance and conflict of interest issues in UTM. The Head of Responsibility Center (PTJ) is required to report to JITU with regard to the management of any conflict of interest according to their respective cases and fields.

5.7 Procedure / Management for Conflict of interest Issues

University staff is required to report any conflict of interest or potential conflict of interest that occurs to the head of their respective PTJ. In cases involving head of the PTJ, reports can be submitted directly through the JITU Secretariat, namely, the University Integrity Unit.

6.0 PERSONAL DISPOSITION/STANDING

University staff shall always display a high level of personal disposition and standing embodying a commitment to excellence, accountability in

practice, and the role and projected professionalism that can be consistently and effectively emulated.

6.1 Appreciation of Nobel Values

The wellbeing and stability of this organization depends significantly on the appreciation of noble values by its University staff. The inculcation of these values can consolidate a harmonious ambience in terms of interpersonal relationship, camaraderie and the quality of the work.

Amongst values that should be instilled in university staff are:

- (a) Sincerity of intent.
- (b) Team spirit.
- (c) Mutual respect.
- (d) Willingness to correct own mistake.
- (e) Persistence towards achieving excellence.

6.2 Courtesy (Adab)

University staff members are required to present their views, whether verbally or in writing in a polite, civilized and courteous manner.

6.3 Accountability

In discharging his/her duties, each University staff is subjected to and shall comply with the principles of accountability to the country, University, community, profession, clients and students.

6.4 Compliance to Regulations

To ensure the integrity of its existence as a dynamic organisation, University staff members are responsible in understanding, practicing and adopting:

6.4.1 Concept of Secret, Confidential and Restricted Information

In discharging their duties, University staff members receive and generate a wide range of University information in the form of Secret, Confidential and Restricted documents. University staff must comply with the laws of Malaysia, as well as regulations and policies with regard to confidentiality even though the University staff has left the service of the University.

6.4.2 Laws, Regulations, Policies and Circulars

University staff members shall carry out their duties in accordance with existing and enacted laws, regulations, policies and circulars.

(a) Contract Obligations

Only University staff members authorized by the University are permitted to sign any documents on behalf of the University. University Staff must always place the interest of the University in the execution of the documents.

(b) Occupational Safety and Health

University staff should be committed to safeguarding their work environment and health, in discharging their duties as well as complying with and practicing all laws and regulations pertaining to occupational safety and health.

(c) Professional Standards and Rules

A few professional fields at the University have their own standards and codes of ethics. Examples include engineering, science and technology. University staff members who are also practitioners of such field must abide by policies and regulations set by the University, along with their respective professional ethical standards and codes of conduct.

(d) Academic Regulations

University staff must comply with academic rules of the University.

6.5 Honesty

University staff shall not engage in any forms of abuse and abuse of power. University staff shall also not abuse the resources of the University or the resources of other parties entrusted to the care of the University.

6.6 Equality

University staff must provide equal treatment to every individual who receives services or comes into contact with the University

regardless of gender, background, ethnicity, religion, national origin, ancestry, disability, age, marital status, parental status and position.

6.7 Academic Freedom

Academic staff has the responsibility to enhance and disseminate knowledge and expertise, advancing towards excellence in teaching, research, publication, consultancy and services to the nation. Academic staff also has a responsibility to participate actively, competently and effectively in University activities.

Academic freedom is important and necessary in achieving academic excellence and knowledge advancement. However, the freedom associated with such academic activities may only be utilised by the University staff if it is in line with the responsibilities and goals of a scholar. The particular University staff should clearly distinguish between professional and personal views.

6.8 Gift Acceptance and Bequeathing

Any acceptance or bequeathing of gifts to any University staff during the course of discharging his/her duties must be informed to the Head of Department and obtain written approval from the Head of Department.

6.9 Public Statement

University staff can only make public statements related to their respective areas of expertise. However, University staff members are prohibited from issuing public statements on government and University policies.

6.10 Use of University Facilities

University staff shall use university facilities such as telephone, internet, copier, space, vehicle, laboratory and lab equipment as well as travel expense, wisely, safely and judiciously. University resources must be used only for University affairs and not for personal gain.

6.11 Intellectual Property

The University recognizes intellectual property as a highly valuable asset resulting from research, creativity and innovation activities. All intellectual property must be protected and respected. Failure to respect the intellectual property will enable

the intellectual property owner and the University to take action. This Code sets out the benefits and rewards of intellectual property shared jointly by designers, authors, inventors and Universities as registered owners. Designers, authors, creators may comprise of academic staff, administrators, students, researchers who are eligible to enjoy the benefits of intellectual property according to their respective contributions of ideas and effort.

6.12 Sexual Harassment

University staff shall not engage in sexual harassment of another person whether attempting to pursue a person sexually, request sexual favours, commit sexual acts that cause a rational person to be offended, humiliated or threatened. Such sexual harassment may be in oral or written form, or take the form of actions and deeds or any other means that bear such intent. Such sexual harassment is also not limited to the workplace or during working hours only.

6.13 Bully

University staff shall not mistreat the weak and helpless with the purpose or intent to demonstrate their respective power and position. Bullying means aggressive behavior whether in physical or psychological form which is done repeatedly on the victim and is intended to cause discomfort, agitation, violence and discord.

7.0 ASSET DECLARATION

All University staff members are required to make a declaration of asset once every five (5) years.

8.0 PROTECTION FOR WHISTLEBLOWER/INFORMANT

University staff may report misconduct at work and be entitled to protection against reprisals or becoming victims of certain parties as provided by the Whistleblower Protection Act 2010.

9.0 SPREADING DEFAMATION

The University encourages any reports on violation of the Code of Professional Ethics. However, the University does not accept any form of slander and defamation, with slanderers subjected to strict action.

Slander and defamation is defined as an act that can tarnish a person's reputation in the community; actions that may cause a person to be scorned, humiliated, hated and disgraced; actions which could damage the reputation of a person's official, professional and business; and aimed at damaging a person's credibility (Defamation Act 1957).

10.0 COMPLIANCE WITH THE LAW

This Code of Professional Ethics is applicable to any breach of any provisions in the Universities and University Colleges Act 1971 (AUKU), the Constitution of Universiti Teknologi Malaysia, the Statutory Bodies (Discipline and Surcharge) Act 2000 and other laws applicable in Malaysia as long as it does not contravene any of the above laws. In the event of any discrepancy or duplication between the provisions of this Professional Code of Ethics and the above law, the provisions of the Malaysian law shall prevail.

11.0 ACTION FOR VIOLATION

Violation of the Code of Professional Ethics does not deny or prevent the University from taking disciplinary action against the University staff involved under the Statutory Bodies (Discipline and Surcharge) Act 2000 (Act 605).

12.0 RELEASE OF LIABILITY

The University shall not be involved in any personal conflict among University staff.

13.0 CLOSING

The Code of Professional Ethics must be earnestly assimilated and practiced by all University staff in order to enhance the quality of self and profession and advance excellence based on the philosophy, mission and vision of the University.