



TIMBALAN KETUA PENDAFTAR (IPTS)  
DEPUTY REGISTRAR GENERAL (PRIVATE HEIS)  
Jabatan Pendidikan Tinggi  
Department Of Higher Education  
Kementerian Pengajian Tinggi  
Ministry of Higher Education Malaysia  
Aras 9, No.2, Menara 2,  
Jalan P5/6, Presint 5  
62200 PUTRAJAYA  
MALAYSIA

**JPT** | **JABATAN  
PENDIDIKAN  
TINGGI**

Tel: 603-88706401  
Faks (Fax): 603-88706842  
Portal Rasmi: <http://jpt.mohe.gov.my>

Ruj. Kami : JPT/BPP(U)1000-801/91/Jld.16(42)

Tarikh : 22 Jun 2022

Ketua Eksekutif  
Kolej Universiti Selatan  
(Southern University College)  
PTD 64888, 15 KM, Jalan Skudai,  
Peti Surat 76, 81300 Skudai,  
**JOHOR DARUL TAKZIM.**

Tuan,

**PERLEMBAGAAN KOLEJ UNIVERSITI SELATAN (SOUTHERN UNIVERSITY COLLEGE)**

Dengan hormatnya saya merujuk kepada perkara di atas.

2. Sukacita dimaklumkan Ketua Pendaftar **meluluskan** Perlembagaan Kolej Universiti Selatan (Southern University College). Bersama-sama ini disertakan perlembagaan institusi tuan yang telah diluluskan untuk tindakan pihak tuan selanjutnya.

3. Institusi tuan hendaklah diuruskan secara tegas mengikut perlembagaan ini berdasarkan peruntukan subseksyen 30(2) Akta Institusi Pendidikan Tinggi Swasta 1996 [Akta 555]. Berdasarkan peruntukan Subseksyen 30(3) Akta 555, Perlembagaan ini tidak boleh dipinda tanpa mendapatkan kelulusan Ketua Pendaftar terlebih dahulu.

Sekian, terima kasih.

**“WAWASAN KEMAKMURAN BERSAMA 2030”**

**“BERKHIDMAT UNTUK NEGARA”**

Saya yang menjalankan amanah,

**(PROF. IR. DR. ROBIAH BINTI YUNUS)**

Timbalan Ketua Pendaftar Institusi Pendidikan Tinggi Swasta  
b.p. Ketua Pendaftar Institusi Pendidikan Tinggi Swasta  
Jabatan Pendidikan Tinggi  
Kementerian Pengajian Tinggi

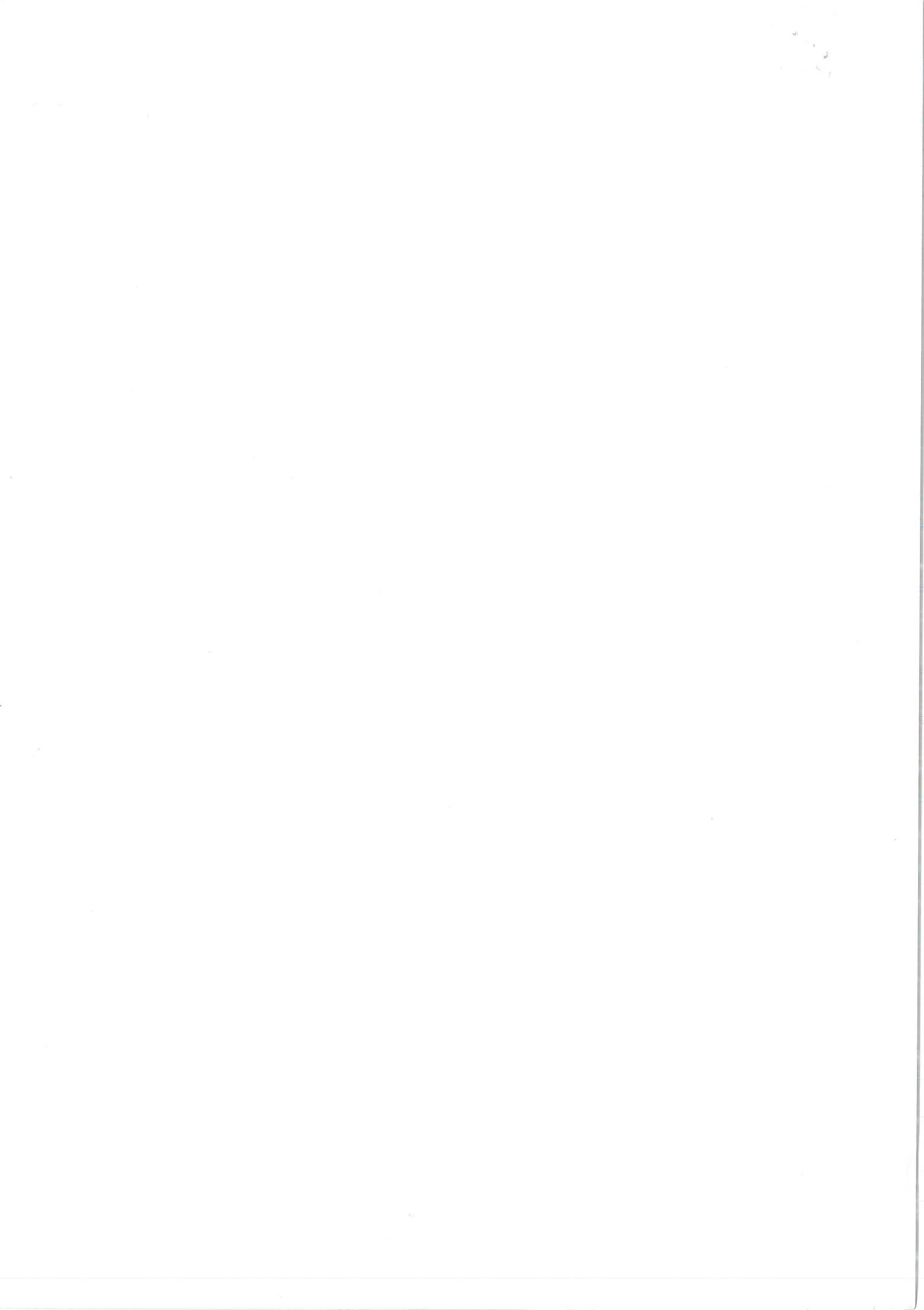
(NSA/BSS(UU))



10/1/20

s.k.

1. Ketua Pendaftar Institusi Pendidikan Tinggi Swasta  
Jabatan Pendidikan Tinggi  
Kementerian Pengajian Tinggi
2. Ketua Pegawai Eksekutif  
Agensi Kelayakan Malaysia
3. Ketua Eksekutif  
Perbadanan Tabung Pendidikan Tinggi Nasional
4. Pendaftar  
Bahagian Penguatkuasaan dan Inspektorat  
Jabatan Pendidikan Tinggi
5. Pendaftar  
Bahagian Governan IPTS  
Jabatan Pendidikan Tinggi



**PRIVATE HIGHER EDUCATIONAL INSTITUTIONS ACT 1996**

**THE CONSTITUTION OF THE UNIVERSITY  
KOLEJ UNIVERSITI SELATAN (*SOUTHERN UNIVERSITY COLLEGE*)**

.....  
**2022**

## ARRANGEMENT OF SECTIONS

### **PART 1: PRELIMINARY**

- 1.1 Citation
- 1.2 Interpretation

### **PART 2: COMPANY**

- 2.1 Incorporation of the Company

### **PART 3: UNIVERSITY**

- 3.1 Establishment and registration of the University
- 3.2 Primary object of the University
- 3.3 Powers of the University
- 3.4 Establishment of branch or affiliation, etc., with other higher educational institutions
- 3.5 Offshore Campus
- 3.6 Change of premises
- 3.7 Conduct a course of study and affiliation, etc.
- 3.8 Offshore Programme
- 3.9 Membership of the University
- 3.10 Seal of the University

### **Part 4: AUTHORITIES OF THE UNIVERSITY**

- 4.1 Authorities
- 4.2 Board of Governors
- 4.3 Functions and powers of the Board of Governors
- 4.4 Senate
- 4.5 Executive Management Committee of the University
- 4.6 Faculty and School
- 4.7 Selection Committee
- 4.8 Employee Welfare Committee
- 4.9 Student Welfare Committee
- 4.10 Student Protection Scheme

- 4.11 Term of office of members of Authorities
- 4.12 Studies Committee
- 4.13 Meetings
- 4.14 Majority

**PART 5: CHANCELLOR AND PRO-CHANCELLOR**

- 5.1 Chancellor and Pro Chancellor

**PART 6: EMPLOYEES OF THE UNIVERSITY**

- 6.1 Appointment of employees of the University
- 6.2 Chief Executive
- 6.3 Deputy Chief Executive
- 6.4 Head of a Branch Campus (Not applicable to Foreign Branch Campuses)
- 6.5 Registrar, Chief Financial Officer, Chief Librarian, Legal Adviser and Counsellor
- 6.6 Discipline of officers and employees of the University

**PART 7: STUDENTS OF THE UNIVERSITY**

- 7.1 Admission of students
- 7.2 Discipline and conduct of students
- 7.3 Student or students' organization, body or group associating with societies, etc.
- 7.4 Students' Union and Student Representative Council (SRC)
- 7.5 Establishment of other student bodies
- 7.6 Power to suspend or dissolve students' association, etc.

**PART 8: CONSTITUTION AND RULES**

- 8.1 Constitution of the University
- 8.2 Disciplinary rules
- 8.3 Power to make rules
- 8.4 Inconsistencies between Act, Constitution and rules

**PART 9: FINANCE**

- 9.1 Power of the Board of Directors to regulate and control finances
- 9.2 Power to seek funds, accept gifts, etc.
- 9.3 Financial Assistance Fund
- 9.4 Fee Refund

**PART 10: GENERAL PROVISIONS**

- 10.1 Academic Integrity
- 10.2 Convocation
- 10.3 Alumni of the University
- 10.4 Powers of delegation
- 10.5 Deprivation of degree, etc., on grounds of misconduct
- 10.6 Audited annual report
- 10.7 Institution in Association
- 10.8 Disputes

**PART 11: SAVINGS AND TRANSITIONAL PROVISIONS**

- 11.1 Validity of actions by the Company or University
- 11.2 Rights, etc., of the Company or University not affected
- 11.3 Delegated powers
- 11.4 Saving of Statutes, *etc.*
- 11.5 Continuance of service
- 11.6 Students of the University
- 11.7 Continuance of the SRC and other student bodies
- 11.8 Continuance of disciplinary proceeding
- 11.9 Repeal

**\*Section 11.2, 11.3, 11.4, 11.5, 11.6, 11.7 & 11.8 only applies if the repeal process occurs.**



## SCHEDULE

*[Subsection 4.1(2) of the Constitution]*

1. Disqualification
2. Cessation from being a member
3. Resignation
4. Filling of vacancies
5. Allowance
6. Authority may invite others to meetings
7. Minutes
8. Disclosure of interest
9. Validity of acts and proceedings

## PART 1

### PRELIMINARY

#### Citation

1.1 This Constitution may be cited as the Constitution of the Kolej Universiti Selatan (Southern University College)

#### Interpretation

1.2 In this Constitution, unless the context otherwise requires-

“Act” means the Private Higher Educational Institutions Act 1996 [Act 555];

“Affiliation” includes twinning programmes;

“Alumni of the University” means the Alumni of the University constituted in accordance with **section 10.3**;

“Appointed date” means the date on which this Constitution shall have effect;

“Authority” means any of the Authorities of the University referred to in **section 4.1**;

“Board of Directors” means the Board of Directors of the Company;

“Board of Governors” means the Board of Governors of the University constituted under **section 4.2**;

“Branch Campus” means a branch of a private higher educational institution with the status of a University or a University College excluding a branch of a foreign University or a University College that is established under the Act;

“Chair” means the post of professor however styled;

“Chancellor” means the Chancellor of the University appointed under **section 5.1**;

"Chief Executive" means the Chief Executive of the University appointed under **section 6.1**;

"Chief Financial Officer" means an officer in charge for the financial affairs of the University appointed under **section 6.4**;

"Company" means Kolej Universiti Selatan incorporated under the Companies Act 2016  
[Act 777];

"Convocation" means Convocation held in accordance with **section 10.2**;

"Constitution" means the Constitution of the University;

"Course of study" means either a single course or a set of related courses leading to the award of a certificate, diploma or degree upon the successful completion thereof;

"Employee" means any person employed by the University;

"Executive Management Committee of the University" means the committee constituted in accordance with **section 4.5**;

"External student" means a student registered at a Campus outside Malaysia or who is pursuing a short term, part-time, distance learning, exchange or allied programmed, whether in or outside Malaysia;

"Foreign Branch Campus" means a branch of a foreign University or a University College that is established under this Act;

"Higher education" means instruction or training on or teaching of a course of study leading to the award of a certificate, diploma or degree upon the successful completion thereof;

"Minister" means the Minister charged with the responsibility for higher education;

"Officer" means the Chief Executive, Deputy Chief Executive, head of a Branch Campus, Dean of a Faculty, head of a School, a Registrar, Chief Financial Officer, Chief Librarian, Legal Adviser, Counselor or the holder of any office as determined by the Board of Governors;

"Offshore Campus" means a branch of University which is established outside Malaysia;

"Pro-Chancellor" means the Pro-Chancellor of the University appointed under **section 5.2**;

"Registrar" for the purpose of this Constitution means the Registrar of the University;

"Registrar General" means the Registrar General of Private Higher Educational Institutions appointed under subsection 3(1) of the Act;

"Rules" means the rules of the University made in accordance with **section 8.3**;

"Repealed Constitution" means the Constitution of the Southern University College which is approved by the Registrar General on 25<sup>th</sup> July 2012 and is repealed under **section 11.9** of this Constitution;

"Senate" means the Senate of the University constituted under **section 4.4**;

"SRC" means the Students' Representative Council referred to in **section 7.4**;

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

"Students' Union" means the Students' Union of the University constituted in accordance with **subsection 7.4(1)**;

"Teacher" means a person employed by the University to be a teacher and includes an academic staff, senior professor, professor, associate professor, assistant professor, senior lecturer, lecturer, assistant lecturer and tutor; and

"University" means the Kolej Universiti Selatan (Southern University College).



## **PART 2 COMPANY**

### **Incorporation of the Company**

**2.1** (1) For the purposes of establishing and managing the University, there has been incorporated a company in Malaysia under the Companies Act 2016 with the name and style of Kolej Universiti Selatan with its registered office at PTD 64888, Jalan Skudai, P.O Box 76, Skudai, Johor.

(2) The Company incorporated under subsection (1) shall be managed by the Board of Directors in strict accordance with the requirements of the Act and the Companies Act 2016 and shall have powers as prescribed under Memorandum and Articles of Association of the Company.

## **PART 3 UNIVERSITY**

### **Establishment and registration of the University**

**3.1** (1) There shall be established a private higher educational institution with the name and style of the Kolej Universiti Selatan (Southern University College) which has been approved by the Minister under section 10 and has been approved by the Registrar General under section 10 and 24 of the Act.

(2) The University established under subsection (1) shall, within three years from the date of the approval of its establishment, be registered in accordance with section 24 of the Act, and its registration shall be renewed in accordance with section 24A of the Act.

### **Primary object of the University**

**3.2** The primary object for which the University is established is to provide higher education and take any action incidental thereto in accordance with all provisions of the Act and this Constitution.



## **Powers of the University**

**3.3** Subject to the provisions of the Act and this Constitution, and subject further to the conditions for the approval of the University's establishment and registration, the University shall have the following powers:

- (a) to provide courses of instruction, to hold examinations, to make provision for research, and to take such other steps as may appear necessary or desirable for the advancement and dissemination of knowledge;
- (b) to admit students from within or outside Malaysia for any course of study;
- (c) to confer certificates, diplomas and degrees upon and other academic distinction persons who have successfully completed courses of study approved by the University and have satisfied such other requirements as may be prescribed by the University;
- (d) to recognize all relevant qualifications, including degrees and diplomas of other institutions of higher learning, for the purpose of admission to the courses of study, and examinations of the University on such conditions as may be prescribed by the University;
- (e) to confer emeritus professorships or honorary degrees on persons who have contributed to the advancement or dissemination of knowledge or who have rendered distinguished public service;
- (f) to grant certificates to persons who have attained proficiency in any branch of knowledge;
- (g) to institute chairs, lectureships, and other posts and offices;
- (h) to establish a University printing press and to publish books and other matter;



- (i) to erect, equip and maintain facilities of the institutions include facilities of teaching and learning and all other buildings required for the purposes of the University and the present educational environment in Malaysia;
- (j) to institute and award fellowships, scholarships, bursaries, medals, prizes and other titles, distinctions, awards and other forms of assistance towards the advancement and dissemination of knowledge;
- (k) to grant loans or advances to its employees on such terms and conditions as may be approved by the Board of Directors;
- (l) to grant loans or financial assistance to deserving students on such terms and conditions as may be approved by the Board of Directors;
- (m) to conduct commercial research, to promote, utilize and commercialize its research findings and to register and maintain patents, trademarks other intellectual property rights;
- (n) to regulate and provide for the residence of employees and students of the University and the welfare and discipline of employees and students;
- (o) to demand and receive student fees and any other fees as may from time to time be prescribed by the University; and
- (p) to do all such acts and things, whether or not incidental to the powers aforesaid as may be requisite in order to further instruction, research, finance, administration, welfare and discipline in the University;
- (q) to invest in land or securities (whether authorized as trustee investments or not) such funds as may be vested in it for the purpose of endowment, whether for general or special purposes, or such other funds as may not be immediately required for current expenditure, with power from time to time to vary any such investment and to deposit



any moneys for the time being uninvested with any bank established in Malaysia either upon fixed deposit or upon current account;

(r) to enter into contracts and to establish trusts as may be required for the purposes of the University and to appoint such staff for such purposes.

### **Establishment of branch or affiliation, etc., with other higher educational institutions**

**3.4** (1) The University may, with the prior approval of the Minister under section 18 of the Act before-

(a) establishes a branch;

(b) a branch campus affiliates, associates or collaborates with other higher educational institutions, whether private or public.

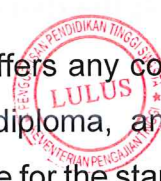
(2) Subject to the provision of the Act a foreign branch campus shall not establish a branch.

### **Offshore Campus**

**3.5** (1) A private higher educational institution which establishes an offshore campus outside of Malaysia must notify the Registrar General within one month of the establishment of the offshore campus.

(2) The private higher education institution in Malaysia that established an offshore campus must provide accurate, reliable and easily accessible information of offshore campus to the Registrar General whenever requested.

(3) University which offers any course of study outside Malaysia which leads to an award of a certificate, diploma, and degree by the private higher educational institution shall be responsible for the standards of education and ensure that the course of study is comparable and equivalent to that courses of study conducted in Malaysia.



## **Change of premises**

**3.6** The University may-

(a) with the prior approval of the Registrar General under section 28 of the Act, move, add or renovate its premises to such place as determined by the Board of Governors; and

(b) with the prior approval of the Registrar General under regulation 10 of the Private Higher Educational Institutions (Registration) Regulations 1997 [P.U.(A) 544/97], move, add or renovate its premises as determined by the Board of Governors and approved by the Board of Directors.

## **Conduct a course of study and affiliation, etc.**

**3.7** The University may, with the prior approval of the Registrar General in accordance with section 38 of the Act-

(a) conduct a course of study or training programme; and

(b) conduct a course of study or training programme jointly or in affiliation, association or collaboration with any higher educational institution, whether public or private, or professional body, within or outside Malaysia.

## **Offshore Program**

**3.8** A private higher educational institution which establishes or conducts or franchise a course of study outside of Malaysia shall notify the Registrar General within one month of the commencement of the course of study.

## **Membership of the University**

**3.9** (1) Subject to the provision of Article 153 of the Federal Constitution, membership of the University, whether as an officer, employee, academic staff, teacher or student, shall be open to all persons irrespective of sex, race, religion, nationality or class.



(2) No test of religious belief or profession shall be adopted or imposed in order to entitle any person to be admitted to such membership or to be awarded any degree, diploma or certificate nor shall any fellowship, scholarship, exhibition, bursary, medal, prize, other distinction or award be limited to persons of any particular race, religion, nationality or class.

### **Seal of the University**

**3.10** (1) The common seal of the University shall be such seal as may be approved by the Board of Governors on the recommendation of the Chief Executive and such seal may in like manner from time to time be broken, changed, altered and made anew.

(2) The common seal of the University shall be kept in the custody of the Chief Executive.

(3) The common seal of the University shall not be affixed to any instrument except in the presence of-

- (a) the Chief Executive; and
- (b) one other member of the Board of Governors,

who shall sign their names to the instrument in token of such presence; and such signature shall be sufficient evidence that such seal was duly and properly affixed and that the same is the lawful seal of the University.

(4) Where the instrument referred to in subsection (3) is the scroll of a degree, diploma, certificate or other academic distinction, the common seal of the University shall be affixed to it in the presence of the Chief Executive or an officer authorized by the Chief Executive.

(5) The seal of the University shall be officially and judicially noticed.

(6) Any document or instrument which is not required to be under seal may be executed by the University provided that such document or instrument is executed on behalf of the University by an officer or any person generally or specially authorized by the Chief Executive.



**PART 4**  
**AUTHORITIES OF THE UNIVERSITY**

**Authorities**

**4.1** (1) The Authorities of the University shall be the Board of Directors, Board of Governors, Senate, Executive Management Committee of the University, Faculties, Schools, Selection Committee, Employee Welfare Committee, Student Welfare Committee and such other bodies as may be determined by the Board of Governors.

(2) Subject to the provisions of this Constitution, the provisions of the Schedule shall apply to members of an Authority. In the event of any disputes relating to the application of the Schedule to any member of an Authority, the Board of Governors shall make the final decision except where the dispute involves members of the Board of Governors, where the Board of Directors shall make the final decision.

**Board of Governors**

**4.2** (1) The Board of Governors shall consist of-

(a) A chairman;

(b) members of the Board of Directors (any numbers of Board of Directors as suggested by chairman or any relevant numbers);

(c) the Chief Executive (as ex-officio);

(d) a member of the Senate elected by the Senate as its representative; and

(e) two persons from within or outside the University who, in the opinion of the Senate have the knowledge and experience which would be of assistance to the Board of Governors.

(f) any number of person(s) from within or outside the University who, in the opinion of the Chairman of the Board of Governors have the knowledge and experience which would be of assistance to the Board of Governors.



(2) The Board of Governors shall appoint such number of persons to be ex-officio members of the Board of Governors, but such members shall not be entitled to vote at the meetings of the Board of Governors.

(3) The Secretary of the Board of Governors, who may or may not be a member of the Board of Governors shall be appointed by the chairman of Board of Governors.

(4) Appointment of the chairman and members of the Board of Governors, except the Chief Executive, shall be made in any necessary term. All members of the Board of Governors shall be eligible for reappointment.

(5) The Chairman of the Board of Governors shall not be appointed from among the chairman or a member of the Board of Directors, or the chief executive or managing director of the Company.

(6) The quorum for any meeting of the Board of Governors shall be two-third of the total members of the Board of Governors including the Chairman and Chief Executive but shall not include ex-officio members of the Board of Governors.

(7) Subject to this Constitution, the Board of Governors may determine its own procedure to conduct the meeting or appointments of members.

### **Functions and powers of the Board of Governors**

**4.3** (1) The Board of Governors may exercise the powers conferred on the University as stated in this Constitution or the rules conferred on some other Authority, body or on some other officer of the University.

(2) In addition to the functions and powers under subsection (1), the Board of Governors shall-

(a) provide strategic planning-oversight of the educational character and mission of the University;

(b) promote efficient and effective management and provide overall review of University operations;

(c) develop links with the community, corporate sector and industry;

- (d) foster global linkages and internationalization in relation to higher education and research; and
- (e) ensure the implementation of the University's Constitution, laws and policies and to ensure that every Authority, officer or committee keeps within its or his powers and terms of reference.

## **Senate**

### **4.4 (1) The Senate shall consist of-**

- (a) the Chief Executive, who shall be the chairman;
- (b) all Deputy Chief Executives;
- (c) all Deans of the Faculties;
- (d) all Heads of the Branch Campuses or Schools of the University; and
- (e) No more than two (2) members of the rank of Associate Professor and above from each Faculty/School or Center, elected by the full-time academic staff from amongst themselves.

(2) The Senate may from time to time invite any person, including student representative and council and not entitled to vote at the meetings of the Senate.

(3) In the absence of the Chief Executive, the Deputy Chief Executive in charge of academic affairs shall preside at any meeting of the Senate.

(4) The Registrar, Chief Financial Officer and Chief Librarian shall be ex-officio members but shall not be entitled to vote at the meetings of the Senate.

(5) The Secretary of the Senate, who may or may not be a member of the Senate shall be appointed by the Chairman of Senate.

(6) The quorum of the Senate shall be two-third of the total members eligible to vote.

(7) The Senate shall be the highest academic body of the University and, subject to the provisions of the Act, this Constitution and the rules, and such other directions as may be given by the Board of Governors from time to time shall have the control and general direction of instruction, research and examination, and the award of degrees, diplomas, certificates and other academic distinctions.

(8) In addition to the functions and powers under subsection 6 and subsection 7, the Senate with the approval from the Board of Governors shall perform the following functions and exercise the following powers:

(i) to set up Faculties and Schools, and departments, units or bodies under such Faculties and Schools;

(ii) with the consent of the Senate, to confer honorary degrees on persons who have contributed to the advancement or dissemination of knowledge, or who have rendered distinguished public service;

(iii) to formulate policies or any matters related to academic and quality of education;

(iv) to determine the feasibility or otherwise of any proposal in respect of any curriculum or course of study conducted or to be conducted in, by or from the University;

(v) to determine the qualifications required for admission into any course of study provided in, by or from the University;

(vi) to regulate the conduct of assessments and examinations, confirm examination's results and determine appeals;

(vii) to draft policies for the protection of academic freedom and professional excellence;

(viii) to do all things expedient or necessary for or incidental to the performance of its functions under this Constitution; and

(ix) to regulate the quality of academic services, resources and practices so as to be in compliance with the quality, policy and standard determine by the relevant regulatory authority.

(9) In the performance of its duties, functions and responsibilities, the Senate may delegate any of its duties, functions and responsibilities to a committee consisting of its members.

(10) The Senate shall consider any matter transmitted to it by the Board of Governors.

### **Executive Management Committee of the University**

**4.5** (1) The Executive Management Committee of the University shall consist of-

(1) the Chief Executive, who shall be the chairman;

(2) all Deputy Chief Executives;

(3) at least one \*Head of Branch Campuses appointed by Board of Governors, after consultation with the Chief Executive;(\*Heads of the Branch Campuses not applicable to Foreign Branch Campuses)

(4) the Registrar;

(5) the Chief Financial Officer;

(6) the Chief Librarian; and

(7) such other officers of the University appointed by the Chief Executive.





(2) Secretary of Management Committee who may or may not be a member of Management Committee shall be appointed by the Chairman of the Executive Management Committee of the University.

(3) The Executive Management Committee of the University shall advise the Chief Executive on his administrative and management functions include to deal with matters pertaining to any faculty/school or center.

(4) In the absence of the Chairman of Executive Management Committee of the university, any Deputy Chief Executive appointed by chairman shall preside at any meeting of the Executive Management Committee meeting.

### **Faculty and School**

**4.6** (1) The University may consist of any number and names of Faculties or Schools or any term as may be determined by the Senate with approval from the Board of Governors.

(2) A Faculty or School or any term as may be determined by the Senate shall be responsible to the Senate for the organization of instruction in the subject of study within the purview of the Faculty or School.

(3) The appointment of dean of faculty or head of school etc. in the respect of each faculty may determine its own procedure upon consultation with the Senate.

(4) A person appointed under subsection (3) shall be appointed for a period not exceeding three (3) years but shall be eligible for reappointment.

### **Selection Committee**

**4.7** (1) The University may form a Selection Committee or may determine its own procedure for recommending appointment or promotion of:

(a) post of senior professor and professor;

(b) registrar, chief financial officer, chief librarian, legal adviser, counsellor;

(c) teachers or academician; or

(d) other employees

(2) The appointment for purposes of subsection 1(a) shall be made in strict accordance to with the guidelines issued by the Registrar General.

### **Employee Welfare Committee**

**4.8** (1) The Employee Welfare Committee shall consist of-

(a) the Chief Executive, who shall be the chairman;

(b) the Registrar;

(c) the Chief Financial Officer;

(d) a member from each registered employee union or employee association of the University; and

(e) such other officers of the University appointed by the Chief Executive.

(2) The Employee Welfare Committee shall have such functions relating to the welfare of the employees as may be prescribed by rules.

### **Student Welfare Committee**

**4.9** (1) The Student Welfare Committee shall consist of-

(a) the Chief Executive, who shall be the chairman;

(b) the Deputy Chief Executive in charge of student affairs;

(c) two members elected by the Student Representative Council

(SRC); and

(d) such other members as may be appointed by the Chief Executive.

(2) The Student Welfare Committee shall have such functions as may be prescribed by rules.

### **Student Protection Scheme**

**4.10** University shall have an appropriate student protection scheme to ensure the continuity of students' study program in case of the closure of the private higher education institution.

### **Term of office of members of Authorities**

**4.11** (1) Except as may be prescribed by this Constitution, the term of office of a person elected or appointed to be a member of an Authority, otherwise than ex-officio, shall be at least 3 years or as may be specified in any particular case.

(2) The decisions of an Authority shall be valid notwithstanding any vacancy among its members.

### **Meetings**

**4.12** (1) The Authority shall meet as and when required to do so by the chairman of the Authority.

(2) Subject to the provisions of this Constitution, the chairman shall preside at a meeting of the Authority and in his absence, the members of the Authority shall elect one of their members to preside over the meeting.

(3) The quorum of a meeting of the Authority, other than the Board of Governors and Senate, shall be determined by the Authority.

### **Majority**

**4.13** (1) Subject to the provisions of this Constitution, any decision and question at any meeting of any Authority shall be decided by a majority of the votes of the members present.

(2) The chairman and every member shall have and may exercise one vote each, but in the event of an equality of votes, the chairman or the member presiding over that meeting shall have and may exercise a casting vote.

**PART 5**  
**CHANCELLOR AND PRO-CHANCELLOR**

**Chancellor and Pro-Chancellor**

- 5.1** The appointment of Chancellor and Pro Chancellor is depending on the necessity of the institutions. The Chancellor when appointed shall be the Head of the University and shall preside when present at any Convocation and shall have such other powers and perform such other duties as may be conferred or imposed upon him by this Constitution.
- 5.2** The Chancellor and Pro Chancellor shall be appointed by the Board of Directors, for such period not exceeding five (5) years, or for some other period as may be specified by the Board of Directors.
- 5.3** The Chancellor or Pro Chancellor may by writing under his hand resign his office, or he may be removed by the Board of Directors.
- 5.4** A person shall be eligible for reappointment to the office of Chancellor or Pro Chancellor.
- 5.5** The University may determine the appointment of Chancellor and Pro-Chancellor by its own procedure.

**PART 6**  
**EMPLOYEES OF THE UNIVERSITY**

**Appointment of employees of the College**

- 6.1** (1) All persons employed or to be employed by the University as senior professor, professor, teachers, the Registrar, the Chief Financial Officer, the Chief Librarian, the Legal Advisor or the Counsellor or any employees, may be appointed as such by the Board of Directors on the advice and recommendation of the Chief Executive or Board of Governors or Selection Committee by its own procedure determined by University.
- (2) Every person employed by the University under subsection (1) shall hold office on such terms and conditions as may be prescribed by the Executive Management Committee or by its own procedure determined by the University.

## **Chief Executive**

**6.2** (1) There shall be a Chief Executive who shall be appointed by the Board of Governors, with approval from the Board of Directors amongst a person, whether from within or outside the University, who has a highly academic distinction and managerial skills.

(2) Name of such person appointed as the Chief Executive under subsection (1) shall be submitted to the Registrar General for the registration in accordance with section 31 of the Act and any other regulations made by the Minister under section 32 and 88 of the Act and other criteria as prescribed in guidelines issued by the Registrar General.

(3) The Board of Governors, with approval from the Board of Directors may determine the appointment and termination with reasonable justification of Chief Executive by its own procedure including other conditions of service of the Chief Executive.

(4) The Chief Executive shall be appointed for such period not exceeding ten (10) years or for some other period as may be determined by the Board of Governors, with approval from the Board of Directors.

(5) The Chief Executive appointed under subsection (1) shall not be the Chairman of the Board of Directors.

(6) The post of the Chief Executive may be known as Vice-Chancellor, President, and Rector or by such other names as may be determined by the Board of Governors, with approval from the Board of Directors and such names shall be notified to the Registrar General.

(7) The Chief Executive shall be responsible for the overall administrative, academic and management functions of the University and shall exercise all functions and duties provided in the Act, including general supervision over the arrangements for instruction, research, finance, administration, day to day affairs, welfare and discipline in the University, and shall act under the general authority and direction of the Board of Governors and the Senate.

(8) If there is no such Chief Executive appointed under subsection (1), the Registrar General may appoint for a temporary period any person to be the Chief Executive in accordance with subsections 37(4) and (5) of the Act.

### **Deputy Chief Executive**

**6.3** (1) There may be at least one Deputy Chief Executive or any post who shall be appointed by the Board of Governors, with the approval from the Board of Directors by its own procedure including the terms of office and other conditions of service of the Deputy Chief Executive, after consultation with the Chief Executive.

(2) The post of the Deputy Chief Executive may be known as Deputy Vice-Chancellor, Vice-President and Deputy Rector or by such other names as may be determined by the Board of Governors, with approval from the Board of Directors.

(3) The terms of office and other conditions of service of the Deputy Chief Executive shall be determined by the Board of Governors, with approval from the Board of Directors.

(4) The Deputy Chief Executive shall assist the Chief Executive and shall perform his functions and discharge his duties under the direction and control of the Chief Executive.

(5) If for any substantial period the Chief Executive is unable, by reason of illness, leave of absence or any other cause, to exercise any of the functions of his office, the Deputy Chief Executive or, if there is more than one Deputy Chief Executive, then any one Deputy Chief Executive who is nominated by the Board of Governors, with the approval from Board of Directors, shall exercise such functions; and in the event of the absence or disability of the Deputy Chief Executive or all the Deputy Chief Executives, if there be more than one, the Board of Governors, with the approval from the Board of Directors shall make such temporary arrangements as it may think fit for the exercise of such functions.

(6) Any nomination or any arrangement made by the Board of Governors, with the approval from the Board of Directors under subsection (5) shall be notified to the Registrar General as soon as practicable.

### **Head of a Branch Campus (*Not applicable to Foreign Branch Campuses*)**

**6.4** (1) Where there is a Branch Campus, there shall be a head of the Branch Campus who shall be appointed by the Board of Governors with approval from the Board of Directors, after consultation with the Chief Executive.

(2) The post of the head of the Branch Campus may be known by such other names as may be determined by the Board of Governors, with approval from the

Board of Directors.

(3) The terms of the office and other conditions of service of the head of the Branch Campus appointed under subsection (1) shall be determined by the Board of Governors with approval from Board of Directors.

(4) The head of the Branch Campus shall be the principal executive, administrative and academic officer of the Branch Campus and shall perform his functions and discharge his duties under the direction and control of the Chief Executive.

### **Registrar, Chief Financial Officer, Chief Librarian, Legal Adviser and Counsellor**

**6.5** (1) There may be a Registrar, Chief Financial Officer, Chief Librarian, Legal Adviser and Counsellor who may be appointed by the Board of Governors, with approval from the Board of Directors on the advice and recommendation of the Selection Committee as under 4.7 (1).

(2) The post of the Registrar, Chief Financial Officer, Chief Librarian, Legal Adviser and Counsellor may be known by such other names as may be determined by the Board of Governors, with the approval from the Board of Directors on the advice and recommendation of the Selection Committee.

(3) The terms of office and other conditions of appointment of the Registrar, Chief Financial Officer, Chief Librarian, Legal Adviser and Counsellor may be determined by the Board of Governors, with the approval from the Board of Directors on the advice and recommendation of the Selection Committee.

(4) The Registrar, Chief Financial Officer, Chief Librarian, Legal Adviser and Counsellor may have such powers and duties as may be assigned to him by the Board of Governors, with the approval from the Board of Directors and shall perform his functions and discharge his duties under the direction and control of the Chief Executive.

### **Discipline of officers and employees of the University**

**6.6** (1) The Board of Governors shall have disciplinary authority over employees of the University and shall exercise disciplinary control in respect of all such persons in accordance with this Constitution and any rules made under section 8.2.

(2) The Board of Governors may establish different disciplinary committees for different categories of employees.

(3) The composition of the disciplinary committee established under subsection (2) shall be determined by the Board of Governors.

(4) A disciplinary committee shall exercise its powers in all matters relating to the discipline of every employee placed under its jurisdiction.

(5) An employee who is a member of a disciplinary committee shall not be lower in rank than any employee over whom the disciplinary committee has disciplinary authority.

(6) In any case where a member of a disciplinary committee is himself a complainant in any disciplinary proceedings before the disciplinary committee, he shall not be present in such proceedings and the Board of Governors shall appoint any other person to participate in such proceedings.

(7) Subsection (5) shall apply to any other person appointed to a disciplinary committee under subsection (6).

(8) In the exercise of its disciplinary functions and powers, a disciplinary committee shall have the power to take disciplinary action and impose any disciplinary punishment or any combination of two or more of the disciplinary punishments provided under the rules made under section 8.2.

(9) A disciplinary committee shall have no jurisdiction in respect of the Chancellor and Pro-Chancellors.

(10) Any employee who is dissatisfied with the decision of a disciplinary committee may, within thirty days from the date of the service of the decision on him, appeal in writing against such decision to the Board of Directors.

(11) When the Board of Directors considers any appeal under subsection (10), members of the disciplinary committee against whose decision the appeal is made shall not be present or in any way participate in any proceedings relating to that appeal.

(12) The Board of Directors shall have the power to confirm, reverse or vary the decision of the disciplinary committee or give such directions on the appeal as it deems fit and proper.

(13) The decision of the Board of Directors upon an appeal shall be final.



**PART 7**  
**STUDENTS OF THE UNIVERSITY**

**Admission of students**

**7.1** A student shall not be admitted to the University to a course of study for a degree or diploma or certificate unless he shall have satisfied such requirements as may be determined by the Senate and admission requirement under section 40 of the Act 555 approved by the Registrar General.

**Discipline and conduct of students**

**7.2** (1) The Chief Executive shall be responsible for the discipline and conduct of students of the University and shall comply with and give effect to directions issued by the Registrar General under section 46 of the Act.

(2) The discipline and conduct of the students shall be dealt with in accordance with Part VIII of the Act and section 8.2 of the constitution.

**Student or students' organization, body or group associating with societies, etc.**

**7.3** (1) A student of the University may become a member of any society, organization, body or group of persons, in or outside Malaysia, including any political party, other than-

(a) any unlawful society, organization, body or group of persons, whether in or outside Malaysia;

(b) any society, organization, body or group of persons, not being a political party, which the Registrar General determines and has specified in writing to the Chief Executive to be unsuitable to the interests and well-being of the students or the University; or

(2) A student of the University and any society, organization, body or group of students of the University which is established by, under or in accordance with the Constitution may have any affiliation, association or other dealing with any society, organization, body or group of persons, whether or not it is established under any written

law, whether it is in or outside the University, and whether it is in or outside Malaysia, other than-

(a) any unlawful organization, body or group of persons, whether in or outside Malaysia; or

(b) any organization, body or group of persons which the Registrar General determines and has specified in writing to the Chief Executive to be unsuitable to the interests and well-being of the students or the University.

(3) It shall be the responsibility of the Chief Executive to communicate to the students of the University, and the organizations, body or group of students of the University, the names of the organization, body or group of persons specified by the Registrar General under paragraphs (1)(b) and (2)(b) to be unsuitable to the interests and well-being of the students or the University.

(4) No student of the University and no organization, body or group of students of the University which is established by, under or in accordance with the Constitution, shall express or do anything which may reasonably be construed as expressing support for or sympathy with or opposition to-

(a) any unlawful organization, body or group of persons, whether in or outside Malaysia; or

(b) any organization, body or group of persons specified by the Registrar General under paragraphs (1)(b) and (2)(b) to be unsuitable to the interests and well-being of the students or the University.

(5) Notwithstanding subsection (4), a student of the University shall not be prevented from-

(a) making a statement on an academic matter which relates to a subject on which he is engaged in study or research; or

(b) expressing himself on the subject referred to in paragraph (a) at a seminar, symposium or similar occasion that is not organized or sponsored by any political party, whether in or outside Malaysia, any unlawful organization, body or group of persons whether in or outside or Malaysia, or any organization, body or group of persons specified by the Registrar General under paragraphs (1)(b) and (2)(b) to be unsuitable to the interests and well-being of the students or the University.

(6) Any student of the University who breaches subsection (1) or (4) shall be liable to disciplinary action.

(7) Any organization, body or group of students of the University which breaches subsection (2) or (4) shall be dealt with in accordance with section 49 of the Act.

#### **Students' Union and Student Representative Council (SRC)**

**7.4** (1) The students of the University shall together constitute a body to be known as the Students' Union.

(2) The Chief Executive Officer may make rules for the conduct of elections to the SRC and for all matters related to it.

(3) Students' Union shall elect a 'Student Representative Council'.

(4) The objects and functions of the SRC shall be:

(a) to foster a spirit of corporate life among the students of the University;

(b) to organize and supervise, subject to the direction of the Chief Executive, student welfare facilities in the University including recreational facilities, spiritual and religious activities, and the supply of meals and refreshments;

(c) to make representations to the Chief Executive on all matters relating to, or connected with, the living and working conditions of the students of the University;

(d) to be represented on anybody which may, in accordance with rules made by the Chief Executive Officer for the purpose, be appointed to undertake student welfare activities in the University; and

(e) to undertake such other activities as may be determined by the Executive Management Committee of the University from time to time.

(5) Validity of a registered student shall cease under this section-

(a) if the student quit for any reason for such not completion of course of study; or

(b) if the student quit for any reason for such not completion of course of study; or

(c) if the student is terminated due to disciplinary action.

(6) The election of SRC may be determined by Chief Executive of the university by their own manner.

### **Establishment of other student bodies**

**7.5** (1) Notwithstanding section 7.4, it shall be lawful for not less than twenty students of the University with the prior approval of the Chief Executive and subject to such terms and conditions as the Chief Executive may specify, to establish a student body consisting of students of the University for the promotion of a specific object or interest within the University.

(2) Student bodies established under subsection (1) shall in their annual general meetings elect their office-bearers.

**Power to suspend or dissolve students' association, etc.**

**7.6** The Chief Executive shall, subject to the directions issued by the Registrar General under section 49 of the Act, suspend or dissolve any students' society, association, organization, body or group-

(a) if such society, association, organization, body or group conducts itself in a manner detrimental or prejudicial to—

- (i) the safety and security of Malaysia;
- (ii) public order; or
- (iii) the safety and security of the University; or
- (iv) the interest of students; or

(b) if such society, association, organization, body or group violates any provision of any written law.

**PART 8**

**CONSTITUTION AND RULES**

**Constitution of the University**

**8.1** (1) Subject to the prior approval of the Registrar General under section 30 of the Act, the Board of Governors may amend any provision of this Constitution that might be fit the purpose with the diversification of the university accord with the provisions of the Act.

(2) Where at any time the Constitution contains any provision, which is inconsistent with the provisions of the Act, the Registrar General may order the Board of Governors to amend the Constitution so as to bring it into accord with the provisions of the Act.



(3) The provisions of the Constitution shall take effect from such date as it is approved by the Registrar General.

### **Disciplinary rules**

**8.2** (1) The Board of Directors shall have the power to make such disciplinary rules as it deems necessary or expedient to provide for the discipline of the employees and students of the University, and such disciplinary rules shall be published in a manner as determined by the Board of Directors.

(2) The disciplinary rules made under this section shall prescribe the procedures for disciplinary proceedings and disciplinary appeal proceedings.

### **Power to make rules**

**8.3** (1) Subject to the provisions of the Act and of this Constitution and without prejudice to its power to make rules under any other provision of this Constitution, the Board of Governors with approval of Board of Directors may make rules for or in respect of all or any of the following matters:

- (a) the powers, functions and duties of the employees of the University;
- (b) the powers, functions and duties of the Authorities of the University;
- (c) the powers, functions and duties of any committee or other body not specifically provided for in this Constitution;
- (d) the student accommodation;
- (e) the discipline of employees;
- (f) the discipline of students;
- (g) the welfare of employees;
- (h) the fees to be charged for courses of study, for residence, for

admission to examination, for degrees, diplomas, certificates or other academic distinctions and any other fees that may be levied by the University;

- (i) fee refund policy for students;
- (j) management policy for international students;
- (k) the quality management of a Branch Campus, Faculty and School;
- (l) the management of the lecture halls, library, information resources, laboratories, research institutes, halls of residence, and other service facilities of the University;
- (m) matters incidental to or consequential upon any of the matters aforesaid; and
- (n) any other matter within its power which the Board of Governors deems expedient or necessary for the purposes of this Constitution.

(2) Subject to the provisions of the Act and of this Constitution and without prejudice to its power to make rules under any other provision of this Constitution, the Senate, with approval from Board of Governors may make rules for or in respect of all or any of the following matters:

- (a) the determination of the degrees, diplomas, certificates and other academic distinctions to be conferred by the University;
- (b) the conditions of admission of students;
- (c) matters incidental to or consequential upon any of the matters aforesaid; and
- (d) any other matter within its power which the Senate deems



expedient or necessary for the purposes of this Constitution.

(3) Any rules made under subsections (1) and (2) may be revoked or amended by the Board of Governors, as the case may be.

(4) Any rules made, amended or revoked under subsections (1) and (2) shall be published in a manner as determined by the Board of Governors, as the case may be and necessary be made available and accessible to the employees, authorities, committee and students or public.

### **Inconsistencies between Act, Constitution and rules**

**8.4** In the event of-

- (a) Any provisions of this Constitution being inconsistent with the provisions of the Act; or
- (b) any rules being inconsistent with the provisions of the Act or this Constitution,

then the provisions of the Act or this Constitution, as the case may be, shall prevail, and such provisions of this Constitution or the rules, as the case may be, shall to the extent of the inconsistency be void.

## **PART 9 FINANCE**

### **Power of the Board of Directors to regulate and control finances**

**9.1** The Board of Directors shall have powers in regulating, controlling and managing the finances of the University.

### **Power to seek funds, accept gifts, etc.**

**9.2** (1) The Board of Directors and Board of Governors may on behalf of the University have a power to seek funds for academic and research activities of the University and accept by way of grants, gifts, testamentary dispositions, subventions, legacies or otherwise, property and moneys in aid of the finances of the University on such conditions as it may determine.



(2) A Register shall be kept of all donations to the University including the names of donors to the University and any special conditions on which any donation may have been given.

### **Financial assistance fund**

**9.3** (1) A fund may be established by the Board of Directors to provide financial assistance for the students or for any academic purposes of the University.

(2) The procedure for managing such fund established under subsection (1) shall be determined by the Board of Directors.

### **Fee Refund**

**9.4** The University must have a fee refund policy that is accessible to the public.

## **PART 10**

### **GENERAL PROVISIONS**

#### **Academic Integrity**

**10.1** Everyone in the University community which includes but not limited to students, lecturers, researchers and administrators of University are expected to hold the highest standards of academic honesty and integrity.

#### **Convocation**

**10.2** (1) A Convocation for the conferment of completion course of study shall be held annually, or as often as the Chancellor may direct, on such date as may be approved by the Chancellor.

(2) In the absence of the Chancellor or of a Pro- Chancellor (if any), authorized for this purpose by the Chancellor, the Chairman of the Board of Governors or the Chief Executive shall preside over Convocation.

#### **Alumni of the University**

**10.3** (1) Subject to the approval of the Board of Governors, it shall be lawful for not less than thirty graduates of the University to form and establish an association to be known as the Alumni of the University.

(2) The Alumni of the University shall be governed and administered in accordance with its constitution and rules made by it and no such constitution and rules

so made or any amendments thereto shall come into force unless and until approval thereof shall have first been obtained from the Board of Governors.

(3) Nothing in this section shall be construed as constituting the Alumni of the University to be an Authority of the University.

### **Powers of delegation**

**10.4** (1) Subject to the provisions of the Act, where by the provisions of this Constitution or any rules any officer or Authority is empowered to exercise any power or perform any duty, such officer or Authority may by instrument in writing subject to the provisions of this section and to such conditions and restrictions as may be prescribed in such instrument, delegate the exercise of such powers or the performance of such duties to any Authority or to any committee or to any person described therein by name or office.

(2) A delegation under this section may be revoked at any time by the officer or Authority making such delegation.

(3) No delegation of any power or duty under this section shall affect the exercise of such power or the performance of such duty by the officer or Authority making such delegation.

(4) Nothing in this section shall apply to any power to make or approve rules.

(5) Notwithstanding any delegation made under this section the officer or authorities making such delegation shall continue to be responsible for the performance of its duties as provided under the Act, Constitution or rules.

### **Deprivation of degree, etc., on grounds of misconduct**

**10.5** (1) If the Senate is of the opinion that any graduate of the University or any person who has received a degree, diploma, certificate or other academic distinction from the University is guilty of scandalous conduct, it shall be lawful for the Chief Executive as the Chairman of Senate on the recommendation of not less than two-thirds of all members of the Senate, after giving to the graduate or the person concerned an opportunity of being heard, to deprive of any degree, diploma, certificate or other academic distinction conferred upon him by the University.

(2) Scandalous conduct in subsection (1) includes conducting oneself in a fraudulent or dishonest manner in obtaining a degree, diploma, certificate or other academic distinction from the University.

### **Audited annual report**

**10.6** The Chief Executive shall submit to the Registrar General audited annual reports of the Company in relation to the University in accordance with paragraph 33(b) of the Act within 60 days after the audited financial statements and report have been circulated to shareholders.

### **Institution in Association**

**10.7** (1) All PHEIs must be a member of any association related to higher education that are legally registered in Malaysia.

(2) The registration under subsection (1) shall be made within six months from the date of the approval of its establishment.

### **Disputes**

**10.8** Any disputes between the Authorities of the University on the scope and extent of the powers, functions or jurisdiction of such Authorities may be referred by either party to the Board of Directors and its decision is final.

## **PART 11**

### **SAVINGS AND TRANSITIONAL PROVISIONS**

#### **Validity of actions by the Company or University**

**11.1** Any instrument, deed, title, document, bond, agreement and working arrangement executed by the Company or University under repealed Constitution shall, on the appointed date be deemed to have been made under this Constitution and continue to be in force and have effect.

*\*Section 11.2, 11.3, 11.4, 11.5, 11.6, 11.7 & 11.8 only applies if the repeal process occurs*

#### **Rights, etc., of the Company or University not affected**

**11.2** (1) All rights, privileges, liabilities, duties and obligations of the Company or University under the repealed Constitution shall, on the appointed date, devolve upon



and be deemed to be rights, privileges, liabilities, duties and obligations of the Company or University under this Constitution.

(2) All undertaking given by, and matters pending before the Company or University under the repealed Constitution shall, on the appointed date, be undertaken by or continued before, as the case may be, the Company or University under this Constitution.

(3) All existing liabilities incurred by or on behalf of or for the purposes of the Company or University under the repealed Constitution shall, on the appointed date, be enforced against the Company or University under this Constitution.

### **Delegated powers**

**11.3** All powers delegated under the repealed Constitution shall, on the appointed date, in so far as the delegation is consistent with this Constitution, be deemed to have been delegated under this Constitution.

### **Saving of Statutes, etc.**

**11.4** All statutes, rules, regulations, declaration, order, notices, forms and authorization letters issued or made by the Company or University before the appointed date shall remain in force, in so far as statutes, rules, regulations, declaration, order, notices, forms and authorization letters are consistent with, or until replaced or revoked by, the provisions of this Constitution.

### **Continuance of service**

**11.5** Subject to this Constitution, all persons who immediately before the appointed date were appointed, or employed, by the Company or University under the repealed Constitution shall, on and after that date be deemed to be appointed, or employed, by the Company or University under this Constitution.

### **Students of the University**

**11.6** All students who immediately before the appointed date were admitted to follow courses of study at the University under the repealed Constitution and, on the appointed date are following such courses of study shall on the appointed date, be deemed to have been admitted under this Constitution



### **Continuance of the SRC and other student bodies**

**11.7** (1) The SRC and student bodies which were established under the repealed Constitution shall, on the appointed date, be deemed to be established under this Constitution.

(2) Students who are members of the SRC and student bodies under the repealed Constitution shall, on the appointed date, in so far as eligible to be registered student under section 7.4 of this Constitution, remain as a member of the SRC and student bodies by whatever name called.

(3) Members elected to hold office in the SRC and other student bodies under the repealed Constitution shall, on the appointed date, be deemed to hold office in the SRC and other student bodies, by whatever name called, under this Constitution and shall hold office till the date on which new elections are held under subsection 7.5(2) of this Constitution.

### **Continuance of disciplinary proceeding**

**11.8** Where on the coming into operation of this Constitution, a disciplinary proceeding against a student of the University is pending, the proceeding shall be continued under and in conformity with the provisions of the law and disciplinary rules applicable at the time of the commencement of the disciplinary proceeding.

### **Repeal**

**11.9** The Constitution of the Kolej Universiti Selatan (Southern University College) which is approved by the Registrar General on 25<sup>th</sup> July 2012 is repealed.



## SCHEDULE

[Subsection 4.1(2) of the Constitution]

### Disqualification

1. The following person shall be disqualified from being appointed or being a member of an Authority of the University:

- (a) if there has been proved against him, or he has been convicted on, a charge in respect of-
  - (i) an offence involving fraud, dishonesty or moral turpitude;
  - (ii) an offence under a law relating to corruption; or
  - (iii) any other offence punishable with imprisonment for more than two years;
- (b) if he is or becomes a bankrupt;
- (c) if he has been found or declared to be of unsound mind or has otherwise become incapable of managing his affairs; or
- (d) If he acts in a manner which is detrimental to the interest of Malaysia, the public or the students.

### Cessation from being a member

2. A member of an Authority shall cease to be a member-
- (a) if he fails to attend three consecutive meetings of the Authority without leave of the chairman of the Authority; or
  - (b) if his appointment is revoked or he resigns; or
  - (c) if he is disqualified under paragraph 1.

### Resignation

3. A member of the Authority may resign by giving one month's notice in writing to the chairman of the Authority.

### Filling of vacancies

4. Where any person ceases to be a member of an Authority by reason of the provisions of this Constitution, another person may be appointed to fill the vacancy for



the remainder of the term for which the member was appointed.

### **Allowance**

5. Members of the Authority may be paid such allowance as the Board of Directors may determine.

### **Authority may invite others to meetings**

6. (1) The Authority may invite any person to attend a meeting or deliberation of the Authority for the purpose of advising it on any matter under discussion, but that person shall not be entitled to vote at the meeting or deliberation.

(2) A person invited under subparagraph (1) may be paid such allowance as the Board of Directors may determine.

### **Minutes**

7. The Authority shall maintain and keep minutes of all its meetings in a proper form.

### **Disclosure of interest**

8. (1) A member of the Authority having, directly or indirectly, -  
(a) an interest in a company or undertaking with which the Authority proposes to make a contract; or  
(b) an interest in a contract or matter under discussion by the Authority, shall disclose to the Authority the fact of his interest and its nature.

(2) A disclosure under subparagraph (1) shall be recorded in the minutes of the Authority and, such member shall take no part in the deliberation or decision of the Authority relating to the contract or matter.

### **Validity of acts and proceedings**

9. No act done or proceeding taken under this Constitution shall be questioned on the ground of a vacancy in the membership of, or a defect in the constitution of, the Authority.

