

## APPENDIX J

### POWERS OF THE DISCIPLINARY COMMITTEE (STATUTE XXXI)

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1. In this statute, unless the context otherwise requires, “Committee” means the Disciplinary Committee appointed under paragraph 2 of Statute XXX.
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2. (1) The Committee shall investigate and make findings upon any complaint ordered to be brought before it by the Vice-Chancellor against a student who is alleged to have committed any of the following -
    - (a) an offence for which the student has been convicted in any court of law;
    - (b) assault or battery against the person of any officer, member, employee or student of the University;
    - (c) defamation of any officer, member, employee or student of the University;
    - (d) wilful damage to or defacement of any property of any officer, member, employee or student of the University;
    - (e) wilful damage to or defacement of any property of the University or of approved halls and other accommodation approved for the residence of students, or use or occupation of the same otherwise than in accordance with the rules or other provision made therefor by the appropriate University authority;
    - (f) theft, fraud, misapplication of University funds or property of any kind;
    - (g) an offence in connection with degree, diploma, or certificate examinations, including violation of any of the regulations of the Senate governing conduct at examinations or otherwise;
    - (h) falsification or serious misuse of University documents or records or both, including (without prejudice to the generality of the foregoing) certificates in connection with degrees and other academic distinctions;
    - (i) false pretences, misrepresentation, fraud or personation of others, within or without the University, in connection with academic attainments or financial awards, or otherwise in connection with the University;
    - (j) refusal or failure to comply with any order of the Vice-Chancellor or, if he is not available, a Pro-Vice-Chancellor, prohibiting any conduct which he has reasonable cause to believe is likely -
      - (i) to disrupt teaching, study, research or the administration of the University; or
      - (ii) to obstruct any officer or employee of the University in the performance of his duties;
    - (k) refusal or failure to attend upon or comply with any summons before or order of or decision made by the Committee or by the Vice-Chancellor in exercise of his disciplinary powers or by the Council;
    - (l) refusal or failure to comply with any order of any officer or teacher prohibiting conduct which he is reasonably satisfied -
      - (i) is disrupting teaching, study, research or the administration of the University; or
      - (ii) is obstructing any officer or employee of the University in the performance of his duties;

- (m) refusal or failure to comply with any reasonable order of the warden of a hall relating to regulations governing residence made by the Senate or individual hall rules made in pursuance of such regulations;
  - (n) maliciously and without reasonable cause laying a complaint against any officer, member, or employee of the University;
  - (o) ragging; without prejudice to the generality of the term, “ragging” shall include conduct intended -
    - (i) to humiliate another student or hold him up to ridicule; or
    - (ii) to interfere with the peaceable enjoyment by another student of his privileges, benefits, rights or facilities.
  - (2) A complaint shall be addressed in writing to the Registrar and shall be considered to have been made when it is received by the Registrar. The Registrar shall inform the Vice-Chancellor within 7 days of the complaint, and the Vice-Chancellor shall then decide within 28 days whether a charge is to be brought against the student before the Disciplinary Committee.
  - (3) No charge shall be brought before the Committee unless the complaint leading to the charge is made within 1 month of the time when the matter of such complaint arose:  
Provided that if it is proved to the satisfaction of the Committee that the material facts relating to the complaint were or included facts of a decisive character which were at all times outside the knowledge (actual or constructive) of the complainant until a date which was after the end of the period of 1 month referred above, a charge may be brought before the Committee notwithstanding the expiry of the said period of 1 month.
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- 3. The Council shall have power to provide for and regulate -
    - (a) the procedure to be followed in making appointments to the Committee and in connection with meetings of the Committee; and
    - (b) the conduct of all persons at any meeting of the Committee.
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- 4. (1) The Committee may order the imposition upon any student found to be guilty of any of the offences specified in paragraph 2 any of the following penalties -
  - (a) reprimand:  
Provided that such reprimand shall form part of such student’s official record for the remainder of his or her studies in the curriculum concerned;
  - (b) fine (maximum to be determined from time to time by the Council);
  - (c) withdrawal of any academic or other University privilege, benefit, right or facility other than the right to follow courses of instruction and present himself for examinations;
  - (d) suspension; or
  - (e) expulsion from the University,  
and where applicable may require such student to make good any damage to property or premises caused by him:  
Provided that where the Committee is satisfied that any damage to or defacement of property was accidentally caused it shall not impose any penalty on the student responsible for such damage to or defacement of

property, but may require such student to make good the damage or defacement accidentally caused.

- (1A) The Committee in addition to or as an alternative to imposing any of the penalties set out in subparagraph (1) may report to the Council and the Senate the offence of which the student has been found guilty where such offence falls within the provisions of paragraph 2(1)(g), (h) or (i) and has been committed in connection with a degree or other academic distinction conferred upon the student and the Council and the Senate may if they think fit, recommend to the Chancellor the deprivation of any degree, diploma, certificate or other academic distinction conferred upon such person.
- (1B) Where a student has been found guilty of an offence which falls within the provisions of paragraph 2(1)(g), the Committee shall report such offence to the examiners appointed under Statute XXIX for the relevant examination who may then take such action within their competence as they consider appropriate.
- (2) In this paragraph “suspension” means the withdrawal of all academic or other University privileges, benefits, rights and facilities and during the period of suspension the student shall not be entitled to enter or remain on any property or premises of the University:  
Provided that the Committee may in its discretion and taking into account the length of the period of suspension permit the student to remain eligible for the benefits of the University Health Service and the Personal Development and Counselling Centre.
- (3) The Vice-Chancellor may at any time permit any student in respect of whom a penalty of suspension or withdrawal has been imposed to enter and remain on the property or premises of the University for such purposes as may be specified by the Vice-Chancellor in writing in letter addressed to the student.
- (4) Where under this paragraph or paragraph 8 a student is suspended, his entitlement to take any examination shall be determined according to the regulations made by the Senate governing the conditions for the award of degrees, diplomas, certificates and other marks of distinction, and governing courses of study and examinations.
- (5) Where the Committee orders the imposition of any penalty the operation of any such order shall be suspended until expiration of 14 days after the day on which such order was made or such longer period as may be permitted by the Committee or by the Registrar for giving notice of appeal under paragraph 7. Where notice of appeal is given the operation of any such order shall be further suspended until the determination of the appeal.

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5. Where it is alleged that a student has been convicted of an offence by a court of law the Committee shall confine its proceedings to -
- (a) hearing evidence in proof of conviction;
  - (b) hearing evidence as to the sentence imposed by the court;
  - (c) hearing evidence given in mitigation of any penalty which may be

- imposed by the Committee; and
- (d) the imposition, if it thinks fit, of any penalty which it is empowered to impose under paragraph 4 (except a fine where a fine has already been imposed by a court of law):

Provided that no penalty of withdrawal, suspension or expulsion shall be imposed unless it is satisfied that the continued presence of that student in the University or his continued enjoyment of any or all of its privileges, benefits, rights or facilities would be detrimental to the well-being of the University.

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6. The Committee may summon before it for the purpose of giving evidence at any hearing any student, teacher or employee of the University. Any failure to attend upon such summons by a student may be treated as an offence under paragraph 2(1)(k) and any such failure by a teacher or employee of the University may be referred by the Committee to the Council for further action.
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7. (1) A right of appeal against any finding of or penalty imposed by the Committee shall lie within 14 days to the Council:  
Provided that the University shall have no such right of appeal.
- (2) Notwithstanding the provisions of subparagraph (1), where the Committee has imposed a fine and where for the same offence a fine has subsequently been imposed by a court of law, a right of appeal for a remission of the fine imposed by the Committee in whole or in part shall lie to the Council within 30 days from the date of the imposition of the fine by the court.
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8. (1) Notwithstanding the provisions of paragraph 4(4), pending the findings of the Committee concerning any complaint or pending an appeal to the Council against any finding of or penalty imposed by the Committee the Vice-Chancellor may, where he is satisfied that it is absolutely necessary for the protection of the members or the proper functioning of the University, temporarily withhold any privilege, benefit, right or facility from the student against whom the complaint has been brought or who has appealed to the Council; and this temporary withholding shall lapse 30 days after the order for it has been made unless the Vice-Chancellor specifically renews it for a further period; every period renewed by the Vice-Chancellor shall lapse 30 days after its date of renewal unless specifically further renewed:  
Provided that pending appeal to the Council the Vice-Chancellor shall not exercise his power of withholding unless the Committee has imposed a like penalty of withdrawal.
- (2) Any period of temporary withholding imposed by the Vice-Chancellor under this paragraph shall be taken into account by the Committee in exercising its powers under paragraph 4 and by the Council in exercising its powers to review penalties on appeal. Any period of withdrawal imposed by the Committee or by the Council shall be deemed to include any period of temporary withholding imposed by the Vice-Chancellor under this paragraph.
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9. The commencement or non-commencement of civil or criminal proceedings against a student shall not prejudice, preclude or in any way restrict the powers of the Committee under this statute in so far as the same may be practicable.
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10. The proceedings of the Committee shall be conducted *in camera*. While the Committee considers its decision on any case before it the student and his representative and the University's representative shall withdraw but shall thereafter return to hear the decision.
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11. (1) The findings of the Committee shall be posted on such notice-boards as may be specified by the Registrar, but a finding of "guilty" shall not be posted unless the time for appeal specified in paragraph 7(1) has elapsed and no appeal has been made to the Council.
- (2) For the purpose of this paragraph "findings" shall include the name of the student against whom the complaint was made, the nature of the offence complained of, the provision of the statute under which the complaint was brought, the decision of the Committee on the complaint, and the penalty, if any, imposed by the Committee.
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12. The Committee may exercise all or any of the powers conferred under this statute notwithstanding that the person against whom a complaint has been made had ceased to be a student at the time of the complaint or at the time of the hearing by the Committee of the charge or at the time when the Committee makes its findings on the charge.

Enquiries about the Disciplinary Committee should be addressed to the Registrar.

Please click [here](#) for the list of panel members.