

B 1218

L.N. 165 of 2015

**EDUCATION ACT
(CAP. 327)****Professional Doctorate Degree Course (Amendment) Regulations, 2015**

IN EXERCISE of the powers conferred upon him by sections 74 (5) and 75 (6) of the Education Act (Cap. 327), the Chancellor of the University of Malta has promulgated the following regulations made by the Senate of the University of Malta by virtue of the powers conferred upon it by sections 75 and 79 of the said Act:

Citation

1. These regulations may be cited as the Professional Doctorate Degree Course (Amendment) Regulations, 2015, and shall be read and construed as one with the Professional Doctorate Degree Course Regulations, 2014, published as Legal Notice 242 of 2014, hereinafter referred to as “the principal regulations”.

Applicability

2. These regulations shall be applicable from 23rd January 2015 onwards.

Deletion of regulations 53 and 54 of the principal regulations

3. Regulations 53 and 54 of the principal regulations shall be deleted.

Renumbering of regulations 55 to 57 of the principal regulations

4. Regulations 55 to 57 of the principal regulations shall be renumbered as regulations 53 to 55.

Amendment to regulations 53 to 55 of the principal regulations

5. For regulations 53 to 55 of the principal regulations there shall be substituted the following:

Copyright and Intellectual Property

53. Students must abide by the University of Malta Intellectual Property Policy.

Open Access

54. In line with the University of Malta's Institutional Repository Policy, the University Library shall provide in open access the electronic copies of the dissertations and shall make them publicly available on the University of Malta's Institutional Repository."

Confidentiality Agreements

55. (1) Confidential information includes, but is not limited to, training know-how, information, methodologies and manuals; workbooks; statements of operating practice; specifications; drawings; designs; formulae; discoveries; inventions; technical information; know-how generally; lab notebooks; manuscript papers; software; information about the methods, concepts and techniques on which software is based; samples; finances; financial models; pricing and other commercial information; business plans; marketing plans; and any information considered to be sensitive by the University Research Ethics Committee.

(2) Students are bound not to disclose any confidential information which may come into their possession and/or which they are exposed to and/or which they have access to. Furthermore, students may be asked by the University to sign specific confidentiality agreements should it be deemed necessary.

(3) Subject to the provisions of sub-paragraph (1) of this regulation, information shall not be considered as confidential information if:

(a) it was already known to the student and it was not subject to any obligation of confidentiality by the student to the University;

(b) it is or becomes publicly known without the act or omission of the student;

(c) it is obtained by the student from a third party with a valid right to disclose such confidential information, provided that said third party is not under a confidentiality obligation to the University;

(d) it is approved for release in writing by an authorised representative of the University; or

(e) the student is specifically required to disclose pursuant to a law or order of any Court of competent jurisdiction."

Addition of regulation 56 to the principal regulations

6. The following regulation 56 shall be added after regulation 55 of the principal regulations:

Confidentiality of Assessable Student Work

56. (1) Where the student considers that assessable student work should remain confidential during or after completion of the programme of study or research, a request for it to be embargoed must be made to the Library Committee. The period of confidentiality approved shall not normally exceed two years from final submission of such work to the University. However, in cases where publication of the Assessable student work would prove detrimental to the student or the University or the sponsor or the funding body or the persons referred to in such work, a further period may be approved.

(2) In any case and without prejudice to paragraph (1) of this regulation, the University retains the right to request the embargo of assessable Student Work. In the event that a Assessable student work is embargoed, the student shall be bound to treat the contents of such work as confidential. Prior to any publication, the provisions about publication and exploitation, in the Intellectual Property Policy shall apply in every case.”

Renumbering of regulations 58 to 60 of the principal regulations

7. Regulations 58 to 60 of the principal regulations shall be renumbered as regulations 57 to 59.

Amendment to regulation 57 of the principal regulations

8. For paragraph (1) of regulation 57 of the principal regulations there shall be substituted the following:

“57. (1) Following successful defence of the dissertation and prior to the conferment of the Degree, students are required to present two hard bound copies of the dissertation to the Faculty, and one electronic version for the University Library, which shall include a signed declaration of authenticity. The electronic version must conform to the standards set up by the University of Malta Library.

