

L.N. 36 of 2019

**EDUCATION ACT
(CAP. 327)
UNIVERSITY STUDENT SOCIETIES REGULATIONS,
2019**

IN EXERCISE of the powers conferred upon him by articles 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 articles 75 (3) and 79 (b) and (h) of the said Act:

DEFINITIONS

1.1. In these regulations, unless the context otherwise requires, the terms used shall be taken to mean as indicated hereunder:

“**Academic Subject**” shall mean an academic subject offered by the College in an Area of Study;

“**Alumni**” shall mean persons who have been awarded a qualification by the University such as an undergraduate or postgraduate certificate, diploma or degree;

“**Area of Study**” shall mean one of the areas of study offered by the College or the University;

“**Branch**” shall mean an outlet at the College of a University-wide or Specialised Student Society which, although physically separated from the University-wide or Specialised Student Society’s main office or main place of activity, does not constitute a separate Student Society in terms of these Regulations;

“**Centre**” shall mean a Centre established by the University;

“**College**” shall mean the Gian Frangisk Abela Junior College;

“**College-wide Student Society**” shall mean a society as defined in the Sub-Regulation 3.2 (iii);

“**Committee**” shall mean the Committee for Student Societies as per Regulation 4;

“**Course**” shall mean a course offered by the University through its Faculties, Institutes, Centres or Schools be it at undergraduate or postgraduate level;

“**Department**” shall mean a department within a Faculty at the University;

“Faculty” shall mean one of the faculties of the University;

“Institute” shall mean an institute established by the University;

“Member” shall mean a natural person who becomes a member of a Student Society;

“Principally” shall mean at least 75%;

“Registrar” shall mean the Registrar of the University;

“Regulations” shall mean the present regulations entitled University Student Societies Regulations, 2019;

“School” shall mean a school established by the University;

“Specialised Student Society” shall mean a society as defined in Sub-Regulation 3.2 (iv);

“Student” shall mean all persons enrolled and studying at the University or at the College;

“Student Union” shall mean the union as defined in Sub-Regulation 3.2 (i);

“Student Societies” shall mean all of the following (1) a Student Union; (2) a University-wide Student Society; (3) a College-wide Student Society; and (4) a Specialised Student Society;

“University” shall mean the University of Malta;

“University-wide Student Society” shall mean a society defined in Sub-Regulation 3.2 (ii).

1.2. Except where the context otherwise requires, words denoting the singular include the plural and the masculine include the feminine and vice versa.

APPLICABILITY AND PURPOSE

2.1. These Regulations shall be applicable from 15th November, 2018 onwards.

2.2. The purpose of these Regulations is to recognise Student Societies as well as to regulate the rights, privileges and obligations arising from their recognition. Provided that, without prejudice to any exemptions granted by these Regulations, Student Societies may, on a case by case basis and on good cause being shown, be exempted by Senate from any of the requirements imposed by these Regulations.

STUDENT SOCIETIES

3.1. A Student Society is an organization whose mission shall be in conformity with the role of higher education as a public good and shall consist in preparing University or College Students to become active participants in civil society.

3.2. Subject to the fulfilment of the requirements of these Regulations, Senate shall recognize four types of Student Societies as follows:

(i) STUDENT UNION

The Kunsill Studenti Universitarji (KSU) shall be the recognised Student Union for the promotion of the general interests of University and College Students and for the provision of an official channel of communication between said Students and the University authorities.

(ii) UNIVERSITY-WIDE STUDENT SOCIETIES

University-wide Student Societies are societies the membership of which is open Principally to University Students and are formed for the promotion of specific interests of University Students.

(iii) COLLEGE-WIDE STUDENT SOCIETIES

College-wide Student Societies are societies the membership of which is open Principally to College Students and are formed for the promotion of specific interests of College Students.

Provided that Senate may, due to the *sui generis* nature of the College, approve specific regulations for the recognition of College-wide Student Societies which shall, in the event of inconsistency with these Regulations, prevail.

(iv) SPECIALISED STUDENT SOCIETIES

Specialised Student Societies are societies the membership of which is open Principally to Students and Alumni of a Faculty, Department, Institute, Centre, School, Course or Area of Study, or Academic Subject and are formed for the promotion of specific interests of Students in that Faculty, Department, Institute, Centre, School, Course or Area of Study or Academic Subject as the case may be.

Provided that Senate may, due to the *sui generis* nature of the College, approve specific regulations for the recognition of Specialised Student Societies the membership of which is open Principally to Students and Alumni of an Area of Study or Academic Subject taught at the College which shall, in the event of inconsistency with these Regulations, prevail.

COMMITTEE FOR STUDENT SOCIETIES

4.1 Senate shall establish a Committee for Student Societies that shall:

(a) review the applications and supporting documents submitted in terms of these Regulations by University-wide, College-wide and Specialised Student Societies for recognition by the University's Senate in terms of Sub-Regulations 12.1, 12.3 and 12.5 as well as reactivation of recognition by the University's Senate in terms of Sub-Regulation 9.2; and

(b) forward recommendations to Senate for the recognition or otherwise and for the reactivation of recognition or otherwise of University-wide, College-wide and Specialised Student Societies in terms of the preceding paragraph (a); and

(c) without prejudice to the powers of the Registrar under these Regulations, take all necessary action to ensure that these Regulations are adhered to and implemented.

NAMING OF STUDENT SOCIETIES

5.1. Student Societies are encouraged to exercise proper care and judgment in the choice of name and to ensure that it is clear that the Student Society is a society made up of Students rather than an official body, institution or otherwise formally constituted part of the University. Moreover, Student Societies shall not propose a name that is ambiguous, misleading or contrary to law or public morals.

5.2. A Student Society that does not abide by the preceding Sub-Regulation 5.1 shall not be recognised by Senate. Provided that if a recognised Student Society changes its name to the extent that such change in name contravenes Sub-Regulation 5.1, Senate may require the Student Society in question to amend the new name to bring it in line with these Regulations. In the event that the Student Society fails to abide by such a requirement, it shall be deemed to be in breach of these Regulations.

MEMBERSHIP

6.1. In order to obtain and maintain Senate recognition:

(a) University-wide Student Societies shall have a minimum of one hundred (100) Members which are Principally composed of University Students;

(b) College-wide Student Societies shall have a minimum of fifty (50) Members which are Principally composed of College Students;

(c) Specialised Student Societies shall have a minimum of ten (10) Members which are Principally composed of Students and Alumni of the relevant Faculty, Department, Institute, Centre, School, Course or Area of Study or Academic Subject as the case may be.

Provided that this minimum composition shall be retained throughout the lifetime of a University-wide, College-wide or Specialised Student Society.

6.2. In order to obtain and maintain Senate recognition, Members of Student Societies shall have the right, at all times, to opt out of or to revoke their own membership.

6.3. In the event that a person opts out of or revokes his membership with a Student Society, he shall no longer be entitled to receive its services and is no longer regarded as being represented by the same. Provided however that, if the person who has opted out of or revoked his membership is a Student, such Student shall, at all times, continue to benefit from the outcome of any discussions or negotiations which that Student Society may enter into with the University.

6.4. Notwithstanding the preceding Sub-Regulation 6.3, Student Societies shall, wherever possible, continue to make their services available to those Students who choose to opt out of or to revoke their membership with the same and it is also a condition of University funding, in terms of Regulation 7.1, that this should be so.

RIGHTS OF RECOGNISED STUDENT SOCIETIES

7.1 Recognised Student Societies shall have the following rights:

(a) to use the name of the University, College or relevant Faculty, Department, Institute, Centre, School, Course or Area of Study or Academic Subject when naming their societies and in their official documents and communications;

(b) to apply for grants that may be issued for this purpose by the University; and

(c) to apply for available office space.

RESPONSIBILITIES OF RECOGNISED STUDENT SOCIETIES

8.1. In order to maintain Senate recognition, every recognised Student Society shall have and maintain the following responsibilities:

(i) STATUTE

The statute of every recognised Student Society shall, at all times, be in accordance with the requirements of Sub-Regulation 12.2 and any reference therein to University-wide, College-wide and Specialised Student Societies shall be a reference to all Student Societies; and

(ii) OBJECTIVES, FUNCTIONS, AFFAIRS, ACTIONS, EVENTS AND ACTIVITIES

The objectives, functions, affairs, actions, events and activities of a recognised Student Society shall be in accordance with the Law and shall not, in any manner whatsoever, hinder the aims or jeopardize the reputation of the University; and

(iii) ACCOUNTS AND FINANCING

(a) Proper records of all financial transactions shall be kept by the recognised Student Society and may be viewed at any time by the Director of Finance of the University or his delegate; and

(b) Any monies, grants obtained and funds raised by the recognised Student Society shall only be used by the same Society to fulfil its non-profit objectives in terms of its statute; and

(iv) OTHER CONTINUING REQUIREMENTS

Moreover, a recognised Student Society shall:

(a) have an Executive Committee which shall for, at least, the first six (6) consecutive months after its yearly election, be composed Principally of University Students in the case of University-wide Student Societies, and Principally of College Students in the case of College-wide Student Societies. The same shall apply in the case of Specialised Student Societies in that the executive committee shall for, at least, the first six (6) consecutive months after its yearly election, be composed Principally of Students of a relevant Faculty, Department, Institute, Centre, School, Course or Area of Study or Academic Subject as the case may be;

(b) abide by Regulations 5 and 6; and

(c) submit to the Registrar the following information within three (3) months of its Annual General Meeting:

- A brief report of its activities during the year signed by its legal representatives; and

- The full names, identity card numbers, the role they occupy in the executive committee, contact numbers and original signatures of the persons currently forming its executive committee; and

- A copy of the signed minutes of the annual general meeting and other extraordinary general meetings held throughout the year, which copy shall be counter-signed by the legal representatives; and

- A declaration signed by its legal representatives as to whether or not it has, throughout the year, acquired any new affiliations or connections with other persons, clubs, societies, companies and/or other organizations and, if so, the identity of such; and

- Notification of any changes to its registered address and, if so, written authorization to use the new property as its registered address if and where applicable; and

- Notification of any amendments effected to its statute, which amendments, in the case of University-wide, College-wide and Specialised Student Societies, are to be ultimately approved by Senate; and

(d) if amendments to the statute are approved by Senate in accordance with the preceding paragraph, submit to the Registrar a certified true copy of the updated statute which is signed by the legal representatives on every page; and

(e) retain an updated list of its current Members (with full names and identity card numbers) which shall be available for audit purposes only to the University at any time.

8.2. Failure of a recognised Student Society to submit the information mentioned in Sub-Regulation 8.1 (iv) (c) and (d) may initially entail the suspension of recognition. In the event that the Student Society in question remains in default of filing such information for a period of six (6) months from notice being given to it that it has failed to file such information, Senate may revoke the recognition of that Student Society. Revocation shall, *ipso facto* have the effect of striking off the Student Society from the list of registered Student Societies.

DORMANCY

9.1. Recognised University-wide, College-wide and Specialised Student Societies which do not hold an Annual General Meeting in any given year shall faithfully inform the Registrar to this effect so that they may be excused from submitting the documents contemplated by Sub-Regulation 8.1 (iv) (c) and (d). In this way, the recognised University-wide, College-wide or Specialised Student Society will be deemed to be dormant. Failure to inform the Registrar as aforesaid may result in the consequences contemplated by Sub-Regulation 8.2 above.

9.2. Should a recognised University-wide, College-wide or Specialised Student Society be deemed to be dormant, it may re-activate its status by means of an application in the prescribed form, which application shall, on the recommendation of the Committee, be approved or otherwise by Senate. Provided that a University-wide, College-wide or Specialised Student Society whose application as aforesaid is rejected in terms of this Regulation shall have the right to ask Senate to reconsider its decision further to any written submissions presented to Senate by the University-wide, College-wide or Specialised Student Society in question not later than thirty (30) days from the notification by Senate of its decision.

9.3. An application to re-activate the status of a dormant University-wide, College-wide and Specialised Student Society shall be submitted to the Committee together with those documents contemplated in Sub-Regulation 12.1 (a), (b), (c), (d) and (h). No dormant University-wide, College-wide or Specialised Student Society shall be deemed reactivated unless and until it receives Senate's written confirmation in this respect.

9.4. Without prejudice to the generality of Sub-Regulation 9.2, Senate shall preclude a dormant University-wide, College-wide or Specialised Student Society from reactivating its status when there is a substantial change in its purposes, functions or objectives.

9.5. In any case, Senate may revoke, without prior warning, the recognition of a University-wide, College-wide or Specialised Student Society which has been dormant for a minimum of four (4) years, in which case the name of such a University-wide, College-wide or Specialised Student Society shall be struck off the list of registered Student Societies.

CONSEQUENCES OF SUSPENSION AND DORMANCY

10.1 Any Student Society which has been suspended in terms of Sub-Regulation 8.2 or deemed to be dormant in terms of Sub-Regulation 9.1 hereof shall not avail itself from the benefits of recognition until its suspension is lifted or until its recognition has been reactivated in terms of Sub-Regulation 9.3.

REVOCATION OF RECOGNITION

11.1. Without prejudice to Regulation 9.5, a recognised Student Society may, after being given an opportunity to be heard and defend itself, have its recognition revoked by Senate if:

(a) it has obtained Senate recognition by making false representations and/or fraudulent declarations. In such an event, the Student Society in question shall also be required to refund any grants or other benefits it may have availed itself of during the time it was so recognised; or

(b) it no longer satisfies the conditions contained in these Regulations; or

(c) it has either not conducted its affairs in a proper manner or has breached these or other University and/or College regulations; or

(d) the objectives, functions, actions, events and activities of a recognised Student Society are not in accordance with the Law or they hinder the aims or jeopardize the reputation of the University and/or the College.

11.2. Recognition of a Student Society may also be revoked by Senate if the executive Members thereof, while acting in their capacity as executive Members of or in the name of the Student Society in question, are either found guilty of a criminal offence by a court of criminal judicature and/or otherwise tarnish in any manner whatsoever the reputation of the University.

11.3. A Student Society whose recognition has been revoked in terms of this Regulation shall have the right to ask Senate to reconsider its decision further to any written submissions presented to Senate by the Student Society in question not later than thirty (30) days from the notification of revocation.

APPLYING FOR RECOGNITION

12.1 University-wide, College-wide and Specialised Student Societies have to apply to Senate according to the procedure outlined in this Regulation in order to obtain Senate recognition. The procedure consists in completing and submitting to the Committee the relevant application form together with the following documents:

(a) a certified true copy of its statute. Provided that the original statute must meet the requirements of Sub-Regulation 12.2 below and be signed by the legal representatives of the University-wide, College-wide or Specialised Student Society on every page; and

(b) an updated list of its Members at the time of its application, which list shall be in accordance with Sub-Regulation 6.1 and shall include the full name, identity card number and original signature of each Member; and

(c) an original sworn declaration by its legal representatives confirming the authenticity of the signatures of its Members as per the previous paragraph and confirming that the requirements established by Sub-Regulation 6.1 have been met. The University reserves the right to request further details of the Members of any University-wide, College-wide or Specialised Student Society in order to ensure that the provisions of these Regulations concerning Members are met; and

(d) a list of all the current executive Members with their full names, their identity card numbers, the role they occupy in the executive committee, their contact numbers and their original signatures; and

(e) proof that it has been functioning for a minimum period of three (3) calendar months prior to the submission of the application for recognition; and

(f) written authorization to use the property listed as its registered address as the registered address if and where applicable; and

(g) a declaration by its legal representatives as to whether or not it has any existing affiliations or connections with other persons, clubs, societies, companies and/or other organizations and, if so, the identity of such; and

(h) a copy of the signed minutes of the annual/extraordinary general meeting at which the submitted version of the statute and the option to apply for Senate recognition was approved and the current executive committee was elected. The copy must be counter-signed by the legal representatives.

Provided that the Committee may ask any Student Society to provide further information if this is considered necessary to properly evaluate the application form.

12.2. The statute of every University-wide, College-wide and Specialised Student Society shall, for the purposes of recognition by Senate:

(a) be adopted by its Annual or Extraordinary General Meeting in accordance with the procedures proposed in the same statute; and

(b) include on pain of nullity:

(i) a provision setting out the objectives and functions of the University-wide, College-wide or Specialised Student Society, which objectives and functions shall be in accordance with the Law and shall not, in any manner whatsoever, hinder the aims or jeopardize the reputation of the University; and

(ii) a provision containing its registered address as well as a provision stating whether it is a University-wide, College-wide or Specialised Student Society. Provided that if it is a Specialised Student Society, the same provision shall state whether it is organised on a Faculty, Department, Institute, Centre, School, Course or Area of Study or Academic Subject level; and

(iii) a provision concerning the composition of the executive committee which shall be composed as per Sub-Regulation 8.1 (iv) (a) and which shall, at a minimum, consist of four (4) members occupying the following roles or their equivalent: a President, a Vice-President, a Secretary General and a Treasurer; and

(iv) a provision containing a brief definition of the functions and associated duties of each of the Members comprising the executive committee; and

(v) a provision establishing annual fair and transparent elections of the executive committee, which system shall be duly implemented; and

(vi) a provision for the notification and holding of executive committee meetings; and

(vii) a provision containing procedures to be adopted in connection with executive committee meetings which shall include the quorum required for such meetings to take place as well as voting requirements and procedures; and

(viii) a provision for the notification and holding of annual and other general meetings; and

(ix) a provision containing procedures to be adopted in connection with annual or other general meetings which shall include the quorum required for such meetings to take place as well as voting requirements and procedures; and

(x) a provision containing the procedures to be adopted when amendments are made to the existing statute, which amendments are to be approved by the annual or other general meeting of the University-wide, College-wide or Specialised Student Society in question. Provided that when amendments to the statute are required in order to obtain or maintain Senate recognition, such amendments may not require approval by the annual or other general meeting but may be decided upon by the executive committee; and

(xi) a provision stipulating the source, custody and expenditure of the funds of the University-wide, College-wide or Specialised Student Society that must comply with good financial practices and which do not jeopardize the governance of the University-wide, College-wide or Specialised Student Society in question; and

(xii) a provision establishing its legal and judicial representatives which shall, in no case, consist of less than two (2) Student Members from the executive committee acting jointly; and

(xiii) a provision containing the procedures to be adopted for the purpose of its dissolution and the devolution of its assets, which dissolution and devolution must be ultimately approved by the annual or other general meeting. Provided that any assets remaining after all liabilities have been discharged cannot devolve, whether directly or indirectly, upon or in favour of any present or former Member (including any executive committee Member) of the University-wide, College-wide or Specialised Student Society as the case may be; and

(xiv) a provision setting out a procedure by means of which a person may become a Member of the University-wide, College-wide or Specialised Student Society in question as well as a procedure by means of which the same person may revoke the said membership; and

(xv) a provision establishing a mechanism to deal efficiently and fairly with disputes arising between its Members (including executive committee Members) or out of the manner in which the University-wide, College-wide or Specialised Student Society is being administered or run; and

(xvi) a provision catering for the operation of a Branch in the event that the University-wide or Specialised Student Society has or foresees the opening of such a Branch, which provision shall also cater for the establishment of a sub-committee composed Principally of College Students.

12.3. The Committee shall examine the statute of each University-wide, College-wide and Specialised Student Society that applies for Senate recognition to ensure that it is in conformity with the requirements of these Regulations.

12.4. No University-wide, College-wide or Specialised Student Society shall be deemed to be recognised unless and until it receives Senate's written confirmation in this respect. Provided that a University-wide, College-wide or Specialised Student Society whose application for recognition has been rejected in terms of this Regulation shall have the right to ask Senate to reconsider its decision further to any written submissions presented to Senate by the University-wide, College-wide or Specialised Student Society in question not later than thirty (30) days from the notification by Senate of its decision.

12.5. A recognised University-wide Student Society which converts into a Specialised Student Society at the University or vice versa and a recognised College-Wide Student Society which converts into a Specialised Student Society at the College

and vice versa may continue to be so recognised provided that the relevant changes to the statute are first undertaken in accordance with the procedure outlined in the same statute and provided that the requirements for recognition as a converted University-wide, College-wide or Specialised Student Society (as the case may be) are fulfilled as per these Regulations and notified to the Committee for approval or otherwise by Senate in the prescribed form and manner.

LEGAL STATUS

13.1. Recognised Student Societies, whether or not they use the name of the University, the College, a Faculty, Department, Institute, Centre, School, Course or Area of Study, or Academic Subject in their title, and whether or not they carry on their business on University or College premises, are bodies independent of and distinct from the University and the College. The University and the College do not accept any responsibility for any debts or liabilities they may incur.

RESPONSIBILITIES OF THE REGISTRAR

14.1. Without prejudice to the powers of the Registrar under these Regulations, the Registrar or her delegate shall, at all times, keep:

- (a) a list of all the Student Societies recognised by Senate; and
- (b) the status of all recognised Student Societies (whether activated or dormant); and
- (c) the dates of the respective Annual General Meetings of recognised Student Societies; and
- (d) a copy of the latest version of the statutes of each recognised Student Society; and
- (e) details of the current Members of the executive committee of recognised Student Societies.

TRANSITORY PROVISION

15.1 Any University-wide, College-wide and Specialised Student Societies that were recognised by Senate prior to the coming into force of these Regulations shall continue to be so recognised provided that they abide by the requirements of these Regulations and submit to Senate a revised statute in accordance with Sub-Regulation 12.2 within two (2) calendar years of the coming into force of these Regulations. Without prejudice to the generality of Regulation 9, a recognised Student Society that fails to submit a revised copy of the statute as aforesaid shall be considered to be dormant in terms of the same Regulation 9.

MISCELLANEOUS

16.1 The recognition of any Student Society in terms of these Regulations shall

be approved by Senate only for the purpose of and in furtherance of the facilitation of the participation by the Student Society within the auspices of academic life. Provided that the recognition by Senate of any Student Society may not and shall not be interpreted or construed to convey any other state of affairs and/or right and/or obligation unless it strictly falls within the purview of these Regulations.

