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L.N. 151 of 2019

**EDUCATION ACT
(CAP. 327)**

University Assessment (Amendment) 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) of the said Act:

Citation

1. These regulations may be cited as the University Assessment (Amendment) Regulations, 2019 and shall be read and construed as one with the University Assessment Regulations, 2009, published as Legal Notice 274 of 2009, hereinafter referred to as “the principal regulations”.

Applicability

2. (1) Regulations 3, 4, 5 and 7 of these regulations shall be applicable from 1 June 2019 onwards.

(2) Regulation 6 of these regulations shall be applicable from 1 June 2019 onwards and shall also apply to past breaches of these regulations.

Amendment to regulation 1 of the principal regulations

3. In paragraph (2) of regulation 1 of the principal regulations, the following interpretation of “Student” shall be added after the interpretation of “Non-Modular Course”:

“**Student**” means (a) all persons enrolled and participating in a course or programme or study-unit of the University, including auditing students, and any student who has temporarily suspended their studies; (b) any other person who is a candidate for any Assessment by the University; and (c) any person who has been awarded a qualification or credits for study-units by the University, as appropriate.”

Amendment to regulation 40 of the principal regulations

4. For regulation 40 of the principal regulations there shall be substituted the following:

“40. When students are alleged to have committed a breach of any of the

provisions in regulation 39, a report shall be made in writing by the lecturer, an administrator or an invigilator or other authorized person, which shall be referred either to the Secretary of the University Assessment Disciplinary Board or to the Secretary of the Faculty Assessment Disciplinary Board, as applicable.”

Amendment to regulation 41 of the principal regulations

5. For regulation 41 of the principal regulations there shall be substituted the following:

“41. (1) When students are alleged to have committed a breach of any of the provisions in regulations 39 (1) (b), (c) and (d) in work submitted for Study-Units to which less than 8 credits are assigned, this shall be investigated by the Faculty Assessment Disciplinary Board of the Faculty offering the study-unit, composed of the Dean of the Faculty or his delegate, the Head of Department or his delegate and a student from among the students’ representatives on the Faculty Board. The academic who reports the case shall not form part of the Faculty Assessment Disciplinary Board.

(2) When a breach of any of the provisions in regulations 39 (1) (b), (c) and (d) is established to have occurred, in cases deemed to be minor, and being the student’s first offence, the Faculty Assessment Disciplinary Board shall:

(a) issue an oral or written reprimand; and/or

(b) reduce the mark of the Assessment or of the relevant Assessment component if applicable down to, and including, the mark of zero with or without the possibility of reassessment.

(3) When a breach of the of the provisions in regulations 39 (1) (b), (c) and (d) is deemed to be major, or if minor, being the student’s second or subsequent offence, the Faculty Assessment Disciplinary Board shall refer the report to the University Assessment Disciplinary Board.

(4) The University Assessment Disciplinary Board may give direction and more guidelines to Faculty Assessment Disciplinary Boards on procedures to be used in such cases.”

Addition of regulation 42 to the principal regulations

6. The following regulation 42 shall be added after regulation 41 of the principal regulations:

“42. When students are alleged to have committed a breach of any of these regulations, after the result of a study-unit has been published or after an award has been conferred, a report shall be submitted to the University Assessment Disciplinary

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Board. After due consideration, the University Assessment Disciplinary Board, may direct that the result of the study-unit be annulled and/or that the award be withdrawn.”

Renumbering of regulations 42 to 76 of the principal regulations

7. Regulations 42 to 76 of the principal regulations shall be renumbered as regulations 43 to 77.