



GMBS

GLOBAL MANAGEMENT
BUSINESS SCHOOL



Malta
Further & Higher
Education Authority

Disciplinary Regulations for Students

Article 1 General Provisions

- The GMBS Disciplinary Regulations (hereinafter referred to as "Disciplinary Regulations") follow the GMBS Statutes (hereinafter referred to as "Statutes") and other internal regulations of the GMBS and regulate the disciplinary procedure at the GMBS.
- The Disciplinary Regulations regulate the status, scope and course of proceedings of the GMBS Disciplinary Board (hereinafter referred to as the "Disciplinary Board") as a body of academic self-government for the hearing of disciplinary offences of students. The Disciplinary Regulations also regulate the procedure for imposing disciplinary measures and the procedure for reviewing the decisions of the Rector imposing the disciplinary measures.

Article 2 Disciplinary Board

- The Disciplinary Board has four members, including the chairman, two of whom are from the student section of the GMBS academic community, and two from the staff section of the GMBS academic community. The Vice-Rector for Science, Research and Education is the chairman of the Disciplinary Board.
- The Rector appoints/removes a chairman and members of the Disciplinary Board from among the members of the GMBS academic community upon the prior approval of the GMBS Academic Senate.
- Membership of the Disciplinary Board is incompatible with the office of chairman of the Board of Directors and the Rector.
- The term of office of the Disciplinary Board shall be two (2) years.
- Membership of the Disciplinary Board shall cease:
 1. At the end of the term of office of a member;
 2. By resignation of a member;
 3. By removal of a member from the office by the Rector with the prior approval of the GMBS Academic Senate;
 4. Upon the death of a member.

Article 3 Disciplinary Offences and Disciplinary Measures

- A disciplinary offence is a culpable violation of generally binding legislation or the internal regulations of the GMBS, or a part thereof, or of public order.

A student may be subject to any of the following disciplinary measures for a disciplinary offence:

1. Admonition;
2. Conditional exclusion from studies, specifying the time limit and conditions, under which the conditional exclusion from studies will be lifted;
3. Expulsion from studies.

- The Rector shall impose a disciplinary measure within fourteen (14) days of receipt of the proposal of the Disciplinary Board. The Rector may not impose a more severe disciplinary measure than that proposed by the Disciplinary Board.
- In imposing a disciplinary measure, consideration shall be given to the manner of conduct that has led to the disciplinary offence, the circumstances, under which the disciplinary offence has occurred, the consequences to which the disciplinary offence has led, the efforts made by the student to remedy the consequences, and the previous conduct of the student who committed the disciplinary offence.
- The Rector may impose the disciplinary measure of expulsion from studies on a student only if it is proven that the student has committed:
 1. A disciplinary offence intentionally;
 2. Disciplinary offences repeatedly;
 3. A criminal offence with final conviction thereof.
- The Rector may refrain from imposing a disciplinary measure if the Rector reasonably expects that the hearing of the disciplinary offence alone will be sufficient to remedy the situation.
- The decision on the disciplinary measure must be in writing and must contain a statement of reasons and an instruction of the possibility of requesting a review thereof.
- The decision to impose disciplinary measure must be served on the student.

Article 4 Disciplinary Procedure

- Disciplinary Procedure before the Disciplinary Board shall be conducted on the proposal of the Rector, who shall submit any proposal to the chairman of the Disciplinary Board. Members of the GMBS academic community, members of the GMBS Board of Directors, and other GMBS employees may submit motions to the Rector for disciplinary procedure.
- The Disciplinary Board is obliged to initiate disciplinary procedure within fourteen (14) days of receipt of the motion.
- The Disciplinary Board shall be convened by its chairman as required.
- A quorum of the Disciplinary Board shall be present if a majority of all members is present.
- The vote on the motion to impose a disciplinary measure shall be public, unless the Disciplinary Board decides otherwise. The decision of the Disciplinary Board shall be approved by a majority of the members present. In the event of a tied vote, the chairman of the Disciplinary Board shall have a casting vote.
- The Disciplinary Board is obliged to investigate the merits of the case and, upon these findings, to make an accurate and objective description of the disciplinary offence.
- In order to properly investigate the merits of a disciplinary offence, the Disciplinary Board is entitled to invite any GMBS staff member and student to the hearing.
- The disciplinary hearing shall be conducted orally and in the presence of the student who has committed the disciplinary offence. If a student fails to attend without proper justification, the course may be held without his/her presence.

1. The disciplinary Board discontinues the disciplinary procedure, if:
2. It becomes apparent that no disciplinary offence has been committed;
3. It has not been proven that the disciplinary offence was committed by the student against whom the disciplinary procedure is being conducted;
4. A person against whom a disciplinary procedure is being taken has ceased to be a GMBS student;
5. A period of one (1) year has elapsed since the commission of the disciplinary offence or the final conviction in a criminal case.

An application for review of a decision shall always have suspensive effect.

- A proposal for the imposition of a disciplinary measure shall be submitted by the Disciplinary Board to the Rector with a written justification of the proposal, signed by the chairman of the Disciplinary Board.

Article 5 Review of the Decision

- A request for a review of the decision shall be submitted to the Rector who issued the decision within eight (8) days of the date of delivery thereof.
- The Rector will forward the decision to the chairman of the Board of Directors, who asks the GMBS Legal Department to review whether the decision is not contrary to generally applicable law or GMBS internal regulations. Upon the opinion of the Legal Department, the chairman of the Board of Directors shall either confirm, modify or reverse the decision of the Rector.
- The chairman of the Board of Directors shall issue a written decision, which shall be final and not subject to appeal, no later than thirty (30) days after receipt of the request for review of the Rector's decision.
- The decision of the chairman of the Board of Directors must be hand-delivered to the student.