



LAWS OF MALAYSIA

Act 30

UNIVERSITIES AND UNIVERSITY

COLLEGES ACT 1971

As at 1st May 2025

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LAWS OF MALAYSIA

Act 30

**UNIVERSITIES AND UNIVERSITY
COLLEGES ACT 1971**

An Act to provide for the establishment, maintenance and administration of Universities and University Colleges and for other matters connected with it.

(Throughout Malaysia – 30 April 1971)

BE IT ENACTED by the Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

**PART I
PRELIMINARY**

Short title

1. (1) This Act may be cited as the Universities and University Colleges Act 1971.

Interpretation

2. In this Act—

“Board”, in relation to a University, means the Board of Directors of the University constituted in accordance with the Constitution of the University;

“Campus”, in relation to a University or University College, means—

- (a) the Campus or Branch Campus of the University or University College;

(b) the Campus as specified in the order made under subsection 6(1);
and

(c) the area, together with all buildings or other structures thereon,
which belongs to or is used, whether permanently or otherwise, by
the University or University College;

“Chancellor”, in relation to a University, means the Chancellor of the University
and includes any other person, by whatever name called, who has been appointed as
the Head of a University and “Pro- Chancellor” shall be construed accordingly;

“Constitution”, in relation to a University, means the Constitution of the
University substantially in the form as set out in the First Schedule;

“Director General” means the Director General of Higher Education appointed
under subsection 4C(1) and includes the Deputy Director General appointed under
the same subsection;

“Faculty”, in relation to a University, means the Faculty of the University and
includes a School, a Centre, an Academy and an Institute, of the University, and in
relation to the Campus of a University, includes any part of the Faculty, School, Centre,
Academy and Institute designated to such Campus;

“Higher Education” includes University and University College education;

“Higher Educational Institution” means any University or University College
established under this Act;

“Minister” means the Minister charged with the responsibility for higher
education;

“registrable offence” has the meaning assigned to it under the Registration of
Criminals and Undesirable Persons Act 1969 [Act 7];

“Senate” in relation to a University, means the Senate of that University;

“student” means a registered student, other than a student at an institution allied to the University or University College, who is following a course of study, instruction, training or research of any description at the preparatory, under-graduate, post-graduate or post- doctoral level on a full time or part-time basis in, by or from the University or University College, and includes a distance-learning, off-campus, exchange and non-graduating student;

“University” or “University College” means a higher educational institution having the status of a University or University College respectively;

“University or University College education” means education provided by a University or University College at the preparatory, under-graduate, post-graduate or post-doctoral level and includes research and educational development and the commercialization of such research and development;

“Vice-Chancellor”, in relation to a University, means the Vice- Chancellor, President, Rector or Director of the University and includes any other person, by whatever name called, who has been appointed as the chief executive officer of the University and “Deputy Vice-Chancellor” shall be construed accordingly.

PART II

HIGHER EDUCATION

Responsibility of Minister

3. The Minister shall, subject to the provisions of this Act, be responsible for the general direction of higher education and the administration of this Act which shall be in accordance with the national policies, strategies and guidelines on higher education formulated or determined by an authority established under any written law for such purposes.

Power of Minister to appoint person or body to investigate

4. For the purpose of enabling more effective discharge of the Minister's responsibility for higher education and the administration of this Act, the Minister may, from time to time, appoint any person or body to investigate into any of the activities or the administration of any higher educational institution and to report to him the result of such investigation with recommendations relating thereto.

Committee to advise Minister on appointment

4A. For the purpose of selecting a qualified and suitable person for the post of Vice-Chancellor or for any other post to which the Minister has the power to appoint under this Act, the Minister shall, from time to time, appoint a committee to advise him on such appointment.

Secondment or transfer of service of University employee by Minister

4B. (1) If on the application of a requesting University, statutory authority or organization, the Minister is satisfied that in the interest of higher education or for the promotion of research and educational development, it is expedient to second or transfer a University employee to the service of the requesting University, statutory authority or organization in Malaysia, the Minister may, with the consent of the employee, issue a direction for the secondment or transfer of the University employee to the service of the requesting University, statutory authority or organization, and it shall be the duty of the University of the said employee to carry out that direction whether or not the University agrees to the secondment or transfer.

(2) Any claim for compensation arising out of the secondment or transfer of a University employee pursuant to subsection (1) shall be met by the requesting University, statutory authority or organization whether it be in accordance with such arrangement as may be agreed upon with the University of the said employee or otherwise.

PART IIA
ADMINISTRATION

Appointment and duty of Director General of Higher Education

4C. (1) The Minister shall appoint a Director General of Higher Education and such number of Deputies Director General.

(2) The Director General shall advise the Minister on matters pertaining to higher education.

(3) The Director General shall have functions and exercise the powers conferred on him by this Act subject to the general direction and control of the Minister and the Director General shall give effect to such direction issued by the Minister.

(4) In the absence of the Director General, the Deputy Director General may exercise his functions and powers.

Delegation of functions, powers and duties of the Minister

4D. (1) Except for the powers under sections 4, 4A, 4B, 4C and 12, the Minister may delegate in writing any of his functions, powers or duties to the Director General.

(2) Any function, power or duty delegated under subsection (1) shall be performed, exercised or discharged by the Director General in the name and on behalf of the Minister.

(3) The Director General to whom such functions, powers or duties are delegated under subsection (1) shall be bound to observe and comply with all conditions, limitations or restrictions imposed by the Minister.

(4) The delegation under this section shall not preclude the Minister from discharging at any time any of the functions, powers or duties so delegated.

(5) The Minister may, at any time, revoke the delegation made under this section.

PART III UNIVERSITIES

Prohibition on establishing Universities

5. Subject to section 5A, no higher educational institution with the status of a University shall be established except in accordance with the provisions of this Act or the Private Higher Educational Institutions Act 1996 [*Act 555*].

Non-application of Act to University established in the national interest, etc.

5A. (1) The provisions of this Act shall not apply to any higher educational institution with the status of a University which is authorized to be established by an order made by the Yang di-Pertuan Agong under subsection (2) and any private higher educational institution conferred with the status of a University or University College under the Private Higher Educational Institutions Act 1996.

(2) The Yang di-Pertuan Agong may, on the advice of the Minister, by order published in the *Gazette*, authorize the establishment of any higher educational institution having the status of a University, whatever its name or style, if he is satisfied that it is expedient in the national interest that such higher educational institution should be established.

Incorporation and establishment of a University

6. (1) If, the Yang di-Pertuan Agong is satisfied that it is expedient in the national interest that a University should be established, he may by order—

(a) declare that there shall be established a higher educational institution having the status of a University, which shall be a body corporate, for the purpose of providing, promoting and developing higher education in all such branches of learning as shall be specified in the order;

(b) assign a name and style to that University; and

(c) specify the location of the site which shall be the seat of that University.

(1A) The Yang di-Pertuan Agong may amend, vary or revoke an order made under subsection (1) by a subsequent order published in the *Gazette*.

(2) An Order made under subsection (1) (hereinafter referred to as the “Incorporation Order”) or (1A) shall, at the next meeting of Parliament, be laid before both Houses of Parliament.

Effect of Incorporation Order and general powers of a higher educational institution which is a University

7. (1) Upon the coming into force of the Incorporation Order made under section 6, a higher educational institution having the status of a University, with the name and style assigned to it by the Order, shall be deemed to have been established, and by which name the Chancellor, the Vice-Chancellor and the members for the time being of the Board and the Senate shall be deemed to have been constituted a body corporate with perpetual succession and with full power and authority by and in such name—

(a) to sue and be sued in all courts;

(b) to have and use a common seal and to alter the same at its pleasure;

(c) to purchase any immovable or movable property and to take, accept and hold any such property which may become vested in it by virtue of any such purchase or by any grant or donation, lease, subventions, legacies, testamentary disposition or otherwise;

(d) to sell, lease, exchange or otherwise dispose of any such property not inconsistent with any condition or restriction as may be imposed by

the Constitution; and

- (e) to exercise, discharge and perform all such powers, duties and functions as may be conferred or imposed on the University by this Act or the Constitution.

(2) The powers conferred on a University by subsection (1) shall, unless otherwise expressly provided by this Act or the Constitution, be exercised by the Board.

Constitution of a University

8. (1) The Constitution of a University shall contain provisions for all the matters set out in the First Schedule to this Act.

(2) If at any time the Constitution does not contain provisions set out in the First Schedule to this Act, the Board shall take such steps as may be necessary for giving effect to the provisions aforesaid or for removing the inconsistent provisions in the Constitution.

(3) Without prejudice to subsection (2), the Yang di-Pertuan Agong may, at any time, amend the Constitution so as to bring it into accord with the provisions of the First Schedule to this Act.

(4) The provisions of the Constitution shall take effect from such date as may be appointed by the Yang di-Pertuan Agong and shall have the force of law within Malaysia.

(5) Anything done or appointment made for and on behalf of the University prior to the date of the coming into force of the Constitution shall, on and after that date, be deemed to be made for, by or on behalf of the University.

University to keep office as an address for service in Malaysia

9. (1) Every University shall keep and maintain an office situated within

Malaysia, which shall be its address for service for all writs, complaints, notices, pleadings, orders, summonses, warrants or other proceedings and written communications of all kinds.

(2) All writs, complaints, notices, pleadings, orders, summonses, warrants or other proceedings or other written communications shall, if left at the office kept and maintained under subsection (1), be deemed duly served upon or delivered to a University or such officer or authority to whom they may have been addressed, in all proceedings before any Court in Malaysia.

Copies of Statutes, etc., to be kept at office of University

10. Every University shall keep at the office mentioned in section 9 a copy of each current Statute, Rule, Regulation or other documents required to be published under this Act or the Constitution, and shall keep the same available at all reasonable hours for inspection by the public and, where any books or copies of documents are, under this Act or the Constitution, required to be available for purchase by the public, such books or copies shall be kept available for purchase at such office or at some other place within Malaysia as the University may think fit.

Grants-in-aid and accounts

11. (1) Parliament may from time to time provide grants-in-aid to a University.

(2) All moneys paid to a University under subsection (1) shall be applied or expended by the University for all or any of the purposes of the University in accordance with the estimates approved under the provisions of the Constitution:

Provided that any such moneys appropriated to and not applied for the purposes of the annually recurrent expenditure of the University may, with the approval of the Minister, be applied to capital expenditure.

(3) A copy of the accounts of the University for each financial year shall be prepared and submitted for audit before 30th July immediately following the financial year; and the accounts together with the report of the auditor shall be

submitted to the Minister.

(4) The Minister shall cause a copy of the audited accounts of the University to be laid before both Houses of Parliament.

Establishment of Campus of a University

12. (1) The Minister may, after consultation with the Board, by order published in the *Gazette* (hereinafter referred to as a “Campus Order”)—

- (a) establish a Campus of a University in or outside Malaysia;
- (b) assign a suitable name or designation to the Campus;
- (c) specify the site or location of the Campus, being the site or location which shall be in addition to the Campus at the seat of the University; and
- (d) prescribe such other matters as may be necessary or expedient for giving effect to the Campus Order.

(2) The Minister may amend, vary or revoke a Campus Order by a subsequent order published in the *Gazette*.

(3) If any area is required to be used by the University temporarily for any purpose, the Vice-Chancellor may, with the consent of the Board, approve the use of such area for such purpose by the University for such duration as he may deem necessary, and the provisions of this Act, the Constitution, Statutes, Rules and Regulations of the University shall apply to such area as they apply to a Campus.

Acquisition of land for purposes of the University

13. (1) When any immovable property, not being State land or reserved land or land vested in State or in the Federation or occupied or used by the Federation or a public authority for Federal purposes, is needed for the purposes of a University and cannot be acquired by agreement, such property may be acquired in accordance with

the provisions of any written law relating to the acquisition of land for a public purpose for the time being in force in the State in which such property is situated, and any declaration required under any such written law that such land is so needed may be made notwithstanding that compensation is to be paid out of the funds of the University, and such declaration shall have effect as if it were a declaration that such land is needed for a public purpose made in accordance with such written law.

(2) Expenses and compensation in respect of any immovable property acquired under subsection (1) shall be paid by the University.

(3) All immovable property acquired under this section shall vest in the University, and an entry to that effect in the appropriate register shall be made by the proper registering authority.

Exemption from estate duty

14. No estate duty shall be payable in respect of the amount of any bequest to a University, and the value of the property passing on the death of a deceased shall be deemed not to include the amount of such bequest for the purpose of fixing the rate of estate duty.

Activities of students or students' society, organization, body or group

15. (1) Subject to subsection (2), a student of the University may become a member of any society, organization, body or group of persons, whether in or outside Malaysia, including any political party.

(2) A student of the University shall not—

- (a) become a member of any political or any unlawful society, organization, body or group of persons, whether in or outside Malaysia;
- (b) become a member of any society, organization, body or group of persons, not being a political party, which the Board determines to

be unsuitable to the interest and well-being of the students or the University; or

(c) be involved in political party activities within the Campus.

(3) A student of the University and any society, organization, body or group of students of the University which is established by, under or in accordance with the Constitution, shall not express or do anything which may reasonably be construed as expressing support for or sympathy with or opposition to—

(a) any unlawful society, organization, body or group of persons, whether in or outside Malaysia; or

(b) any society, organization, body or group of persons which the Board determines to be unsuitable to the interests and well-being of the students or the University.

(4) Notwithstanding subsection (3), a student of the University shall not be prevented from—

(a) making a statement on an academic matter which relates to a subject on which he is engaged in study or research; or

(b) expressing himself on the subject referred to in paragraph (a) at a seminar, symposium or similar occasion that is not organized or sponsored by any unlawful society, organization, body or group of persons, whether in or outside Malaysia, or any society, organization, body or group of persons determined by the Board under paragraph (3)(b) to be unsuitable to the interests and well-being of the students or the University.

(5) The University shall regulate the activities of students and a society, an organization, a body or group of students of the University within the Campus.

Students' Representative Council or student body may make, etc., collection of money or receive money or other contributions

15A. (1) A Students' Representative Council of the University or any student body of the University may, subject to any written law, make, organize or take part in any collection of money or receive money or any other contributions from any person or body of persons.

(2) In making or organizing or taking part in any collection of money or receiving money or other contributions from any person or body of persons under subsection (1), the Students' Representative Council of the University or student body of the University shall comply with the regulations as may be prescribed by the Board.

(3) No student of the University shall make, organize or take part in any collection of money or receive money or any other contributions from any person or body of persons unless the making or organizing of or the taking part in the collection of money or the receiving of money or other contributions is in the name or on behalf of the Students' Representative Council of the University or any student body of the University.

(4) Any student of the University who contravenes subsection (3) shall be liable to disciplinary action.

Liability of students or students' organization, body or group

15B. Where a registrable offence has been committed under any written law and such offence has been committed or purports to have been committed in the name or on behalf of any organization, body or group of students of the University which is established by, under or in accordance with the Constitution, every person convicted of such offence shall be liable to disciplinary action and such organization, body or group of students shall be dealt with in accordance with section 16.

15C. *(Deleted by Act A1342).*

Suspension of student charged with registrable offence and matters relating to detention, etc.

15D. (1) Where a student of the University is charged with a registrable offence—

(a) he may, in the discretion of the Vice-Chancellor, be suspended from being a student; and

(b) if so suspended, he shall not during the pendency of the criminal proceedings, remain in or enter the Campus.

(2) Where a student of the University charged with a registrable offence under subsection (1) is convicted of that offence, the student shall be liable to disciplinary action.

(3) Where a student of the University is detained or is subjected to any order imposing restrictions on him under any written law relating to preventive detention or internal security, the student shall be liable to disciplinary action.

(4) A student of the University who is detained or is subjected to any order imposing restrictions on him under any written law relating to preventive detention or internal security, or is imprisoned or detained for whatever reason, may, with the consent of the Senate, be permitted to sit for the examination of the University subject to such order made or approval given by the Minister responsible for internal security or any other competent authority, as the case may require.

(5) A student of the University who is suspended from being a student of the University under subsection (1) may, while he is so suspended, be admitted as a student of any University established under this Act with the written approval of the Minister, and if the Minister grants such approval, the Minister may impose such terms and conditions as he thinks fit.

(6) A student of the University who ceases to be a student under this Act may be admitted as a student of that or any other University established under this Act

with the written approval of the Minister, and if the Minister grants such approval, the Minister may impose such terms and conditions as he thinks fit.

(7) If the determination of any application, appeal or other proceedings by the court in respect of any criminal proceedings against a student of the University for a registrable offence, results in his discharge or acquittal, the student, if suspended from the University or has served any period of imprisonment, as the case may be, shall be allowed to resume his studies at the University and the period of suspension or imprisonment, as the case may be, shall not be taken into consideration in calculating the maximum duration permitted to complete the course of study and in the computation of his results.

(8) If the determination of any application, petition, appeal or other proceedings by the court or any competent authority in respect of the detention order against or order imposing restrictions on a student of the University under any written law relating to preventive detention or internal security, results in his release or the restrictions imposed on him being revoked, the student shall be allowed to resume his studies at the University and the period of detention and restriction he was subjected to shall not be taken into consideration in calculating the maximum duration permitted to complete the course of study and in the computation of his results.

Power of Vice-Chancellor to suspend or dissolve any organization, body or group of students

16. (1) If any organization, body or group of students of the University conducts itself in a manner which the Vice-Chancellor considers detrimental or prejudicial to the interests or well-being of the University, or to the interests or well-being of any of the students or employee of the University, or to public order, safety or security, or if any such organization, body or group violates any provision of any written law, the Vice-Chancellor may, after giving the organization, body or group of students of the University an opportunity to make a written representation, suspend or dissolve such organization, body or group.

(2) Any organization, body or group of students of the University aggrieved by the suspension or dissolution made under subsection (1) may, within fourteen days from the date of receipt of the notice of the suspension or dissolution, appeal in writing to the Minister.

16A. *(Deleted by Act A1342).*

Disciplinary authority in respect of students of the University

16B. (1) The disciplinary authority of the University in respect of every student of the University shall be the Student Disciplinary Committee established by the Board.

(2) The Student Disciplinary Committee which is the disciplinary authority under subsection (1), shall have the power to take such disciplinary action and impose such disciplinary punishment as may be provided for under any disciplinary rules that may be made by the Board under section 16C.

(2A) The Student Disciplinary Committee shall comprise at least three members consisting of the Deputy Vice-Chancellor as the chairman and the employees of the University appointed by the Board.

(3) *(Deleted by Act 11713)*

(3A) The Student Disciplinary Committee, shall inform the student in writing of the grounds on which it is proposed to take action against him and shall afford him a reasonable opportunity of being heard.

(3B) A student of the University shall have the right to be represented by an employee or another student of the University in any disciplinary proceedings taken against him.

(3C) A student of the University shall be allowed to make a written or an oral representation in any disciplinary proceedings taken against him.

(3D) The decision of the the Student Disciplinary Committee, as the case may be, in any disciplinary proceedings taken against a student of the University shall be communicated in writing to the student within fourteen days from the date of the decision.

(4) Any student of the University who is dissatisfied with the decision of the Student Disciplinary Committee, as the case may be, under subsection (3D) may, within fourteen days from the date of receipt of the decision, submit an appeal in writing to the Student Disciplinary Appeal Committee established by the Board under subsection (5).

(5) The Board shall establish a Student Disciplinary Appeal Committee to hear and determine any appeal submitted by a student under subsection (4).

(6) The Student Disciplinary Appeal Committee shall comprise three members to be appointed by the Board, two of whom shall be from amongst its members and one other person from within the University.

(7) The Board shall appoint any of its members referred to in subsection (5) to be the chairman of the Student Disciplinary Appeal Committee.

(8) No member of the Student Disciplinary Committee shall be a member of the Student Disciplinary Appeal Committee.

(9) *(Deleted by Act A1433).*

(10) A student of the University who has submitted an appeal under subsection (4) shall be allowed to make a written representation in any proceedings before the Student Disciplinary Appeal Committee.

(11) The Student Disciplinary Appeal Committee hearing an appeal under subsection (5) shall decide on the appeal within sixty days from the date of receipt of the appeal.

(12) The decision of the Student Disciplinary Appeal Committee on an appeal shall be communicated in writing to the student within fourteen days from the date of its decision.

Disciplinary rules

16C. (1) The Board shall have the power to make such disciplinary rules as it deems necessary or expedient to provide for the discipline of the students of the University; the disciplinary rules made under this subsection shall be published in the *Gazette*.

(2) The disciplinary rules made under this section may include provisions for the suspension of a student of the University during the pendency of disciplinary proceedings.

(3) The disciplinary rules made under this section shall create such disciplinary offences and provide for such disciplinary punishments as the Board may deem appropriate, and the punishments so provided may extend to expulsion of the student from the University.

(4) The disciplinary rules made under this section shall prescribe the procedures for disciplinary proceedings and disciplinary appeal proceedings.

(5) The particularity of the matters referred to in subsections (2), (3) and (4) shall be without prejudice to the generality of the powers of the Board under subsection (1).

16D. (*Deleted by Act A1342*).

Constitution to provide protection of benefits under provident fund scheme

17. The Constitution may establish a provident fund scheme for its employees and the following provisions shall apply to any such provident scheme—

(a) no assurance on the life of any contributor under any provident

scheme and no moneys or other benefits received under such assurance or in any other manner under any such scheme shall be capable of being taken in execution or otherwise garnished, attached, sequestered or levied upon for or in respect of any debt or claim whatsoever against the contributor or his estate unless the University in its discretion shall have assigned such assurance, moneys or other benefits to the contributor for his absolute use and benefit or, in the case of his death, to his legal personal representative;

- (b) subject to any discretionary trusts or powers as to the application thereof vested by any Act or rules relating thereto in the University or other person administering the provident scheme, all moneys and benefits arising from any such provident scheme shall be deemed to be impressed with a trust in favour of the objects entitled thereto under the will or intestacy of any deceased contributor;
- (c) no donation or contribution to a fund established under a provident scheme or interest thereon shall be assignable or liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatsoever other than a debt due to the University; no such donation or contribution or interest shall be subject to the debts of the contributor, nor shall such donation, contribution or interest be subject to the debts of the contributor, nor shall such donation, contribution or interest pass to the Director General of Insolvency on the bankruptcy of such contributor, but, if such contributor is adjudicated a bankrupt or is declared insolvent by judgement of the court, such donation or contribution or interest shall, subject to the provisions of this Act and of the Constitution and of any Act or rules relating thereto, be deemed to be impressed with a trust in favour of the persons entitled thereto on the death of the contributor;
- (d) the bankruptcy of a contributor shall not effect the making of

deductions from the salary of the contributor in accordance with any Act or rules relating thereto, but such deductions shall continue to be made notwithstanding the provisions of any written law, and the portion of salary so deducted shall be deemed not to form part of his after- acquired property;

- (e) subject to the provisions of any Act or rules relating thereto, all moneys payable or paid out of any fund established under a provident scheme on the death of a contributor shall be deemed to be impressed with a trust in favour of the persons entitled thereto under the will or intestacy of such deceased contributor, or under a nomination in such form as may be prescribed under the scheme, but shall not be deemed to form part of his estate or be subject to the payment of his debts.

Transitional provisions

18. The Yang di-Pertuan Agong may in respect of the Constitution provide such transitional provisions as he may deem necessary or expedient for the purpose of achieving the objects of the University.

PART IV

UNIVERSITY COLLEGES

Prohibition on establishing University Colleges

19. No higher educational institution with the status of a University College shall be established except in accordance with the provisions of this Act or the Private Higher Educational Institutions Act 1996.

Incorporation and establishment of a University College

20. (1) If, the Yang di-Pertuan Agong is satisfied that it is expedient in the national interest that a University College should be established, he may by order—

- (a) declare that there shall be established a higher educational

institution having the status of a University College, which shall be a body corporate for the purpose of providing, in accordance with the provisions of this Act and the Constitution of the University College, higher education in specified branches of learning;

(b) assign a name to that University College; and

(c) specify the location of the site which shall be the seat of that University College.

(2) The Yang di-Pertuan Agong may amend, vary or revoke an order made under subsection (1) by a subsequent order published in the *Gazette*.

Constitution of a University College

21. (1) The Yang di-Pertuan Agong may by regulations prescribe the Constitution of a University College.

(2) The Yang di-Pertuan Agong may at any time amend the Constitution of a University College.

(3) The provisions of the Constitution of a University College shall take effect from such date as may be appointed by the Yang di-Pertuan Agong and shall have the force of law within Malaysia.

(4) Anything done or appointment made for and on behalf of the University College prior to the date of the coming into force of the Constitution shall, on and after that date, be deemed to be made for, by or on behalf of the University College.

Application of provisions of Part III to this Part

22. Subsection 6(2), sections 7, 9, 10, 11, 13, 14, 15, 15A, 15B, 15D, 16, 16B, 16C and 17 applicable to a University established under this Act shall *mutatis mutandis* apply to a University College established or deemed to be established under this Act subject to the following modifications, that is to say—

- (a) reference to “University” shall be read as reference to “University College”;
- (aa) reference to “Board” shall be read as reference to the executive body of the University College;
- (b) reference to “Chancellor”, “Vice-Chancellor” and “Deputy Vice-Chancellor” shall be read as reference to the appropriate authorities of the University College;
- (c) reference to “Pro-Chancellor” shall be deleted; and
- (d) such other modifications as may be necessary or expedient for giving effect to this section.

PART IVA REGISTER AND DATABASE

Duty to maintain register

22A. (1) The Director General shall keep and maintain or cause to be kept and maintained a National Higher Education Register containing particulars of—

- (a) higher educational institutions established under section 6;
- (b) programmes conducted or provided by higher educational institutions;
- (c) persons who have been conferred with degrees at doctoral level, including an honorary doctorate;
- (d) persons who have been appointed as professors and include persons who have been conferred with the title of Royal Professor Emeritus; and

- (e) any other matter relating to higher education which he deems necessary.

(2) The Director General may make the National Higher Education Register available for public inspection subject to such conditions as he thinks fit.

(3) A person may on payment of fees as prescribed by the Minister—

- (a) inspect the National Higher Education Register; and

- (b) make a copy of, or take extracts from, the Register.

Duty to maintain database

22B. (1) Every higher educational institution established under section 6 shall keep and maintain a database containing particulars of—

- (a) programmes conducted or provided by higher educational institutions;

- (b) persons who have been conferred with degrees at doctoral level, including an honorary doctorate;

- (c) persons who have been appointed as professors and include persons who have been conferred with the title of Royal Professor Emeritus; and

- (d) any other matter relating to higher education which he deems necessary.

(2) The database mentioned in subsection (1) shall be made accessible to the Minister as he may require.

PART V
GENERAL

Offence of establishing a University or University College

23. (1) No person shall establish, form or promote or do anything or carry on any activities for the purpose of establishing or forming or promoting the establishment or formation of a University or University College otherwise than in accordance with the provisions of this Act or the Private Higher Educational Institutions Act 1996.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall on conviction be liable to a fine of ten thousand ringgit or to imprisonment for a term of five years or to both.

Certain prohibitions in respect of “University” or “University College”

24. (1) No person shall establish, manage or maintain a higher educational institution with the status of “University” or “University College” unless it is a higher educational institution established in accordance with the provisions of this Act or the Private Higher Educational Institutions Act 1996.

(2) No higher educational institution or person shall issue to or confer on any person any degree or diploma purporting to be degree or diploma issued or conferred by a University or University College unless the issue or conferment is in accordance with the provisions of this Act or the Private Higher Educational Institutions Act 1996.

(3) Any person who contravenes subsection (1) or (2) shall be guilty of an offence and shall on conviction be liable to a fine of five thousand ringgit or to imprisonment for a term of three years or to both.

Service

24A. (1) Service of any notice under this Act shall be effected by registered post to the person affected thereby and shall be deemed to have been served on the day succeeding the day on which the notice would have been delivered in the ordinary

course of post.

(2) Where the person to whom there has been addressed a registered letter containing any notice which may be given under this Act is informed of the fact that there is a registered letter awaiting him, at a post office, and if such person refuses or neglects to take delivery of such registered letter, such notice shall be deemed to have been served upon him on the date on which he was so informed.

Public Authorities Protection Act 1948

24B. The Public Authorities Protection Act 1948 [*Act 198*] shall apply to any action, suit, prosecution or proceedings against the University, the Board, the Senate, any member of the Board or Senate, the Vice-Chancellor, the Deputy Vice-Chancellors, the officer or the employee of the University in respect of any act, neglect or default done or committed by it or him in such capacity.

Act or omission done in good faith

24C. No action or suit shall be instituted or maintained in any court against—

- (a) the Board;
- (b) a member of the Board;
- (c) the Vice-Chancellor;
- (d) the Deputy Vice-Chancellors;
- (e) the Senate;
- (f) a member of the Senate;
- (g) an officer or an employee of the University; and

- (h) a person authorized to act for or on behalf of any of the bodies or persons under paragraphs (a) to (g),

for any act or omission done in good faith in the discharge of its or his powers and duties under this Act in a reasonable belief that it was necessary for the purpose intended to be served thereby.

Public servants

24D. All members of the Board and Senate, the Vice-Chancellor, Deputy Vice-Chancellors, officers and employees of the University while discharging their functions as such members, Vice-Chancellor, Deputy Vice-Chancellors, officers and employees, shall be deemed to be public servants within the meaning of the Penal Code [Act 574].

Power of Minister to make regulations

24E. The Minister may make regulations for all or any of the following purpose:

- (a) to prescribe the form in which a register shall be kept or maintained under this Act, entries to be made therein, provision for the inspection of and taking extracts from the register and the supply of copies thereof and the fees to be paid for such inspection, extracts and copies respectively;
- (b) to prescribe any other matter which the Minister deems expedient or necessary for the purposes of this Act.

Existing Universities

25. (1) The University of Malaya established under the University of Malaya Act 1961 [Act 682], shall be deemed to be a University established under this Act.

(2) The University of Malaya Act 1961, shall, subject to the provisions of this Act, continue in force for the purpose of that University.

Exemption

26. The Yang di-Pertuan Agong may, on the advice of the Minister, by order published in the *Gazette*—

- (a) exempt any University or University College from any provisions of this Act or the First and Second Schedules; or
- (b) vary any provisions of the First and Second Schedules in their application to any University or University College.

Repeal

27. The Emergency (Essential Powers) Ordinance No. 74, 1971 is hereby repealed.
