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CERTIFIED TRANSLATION FROM THE CROATIAN LANGUAGE

Pursuant to Article 34 of the Statutes of the Faculty of Economics, University of Zagreb, the Faculty Council, at its meeting held on 27 January 2009, adopted the following

DISCIPLINARY CODE FOR STUDENTS

I. GENERAL PROVISIONS

Article 1

The present Code sets out the acts by the students (hereinafter: the „Students“) constituting breach of duty and causing serious damage to the Zagreb Faculty of Economics (hereinafter: the „Faculty“), applicable disciplinary measures, disciplinary procedure and bodies in charge for undertaking disciplinary action and imposing disciplinary measures.

Article 2

The provisions of this Code shall apply to all Students, from the moment of their registration until the loss of student status in accordance with the terms and conditions of the Faculty Statutes.

Article 3

- (1) Both on and out of the Faculty premises the Students shall:
 1. Comply with the provisions of the University Statutes, Faculty Statutes and other bylaws of the University and Faculty;
 2. Safeguard the reputation of the Students, the Faculty and the University.
- (2) Any breach of the duties referred to in paragraph 1 of this Article shall have as a consequence disciplinary liability of the Student concerned.
- (3) Criminal liability towards another legal entity shall not exclude disciplinary liability hereunder.

Article 4

- (1) In case of reasonable suspicion that a Student has committed a disciplinary offence, his/her Course and Grade Book may be temporarily taken away.
- (2) The Course and Grade Book so taken may be retained pending the decision on disciplinary action.
- (3) Upon the initiation of the disciplinary procedure, the decision on taking away the Course and Grade Book shall be the responsibility of the Disciplinary Committee.
- (4) Taking away of the Course and Grade Book implies the prohibition of taking exams, prohibition of registration, submission of graduation thesis and presentation for attendance of courses or any forms of testing the knowledge.
- (5) Total duration of retaining the Course and Grade Book shall not exceed three months.
- (6) By the decision on taking away student's Course and Grade Book may specify certain courses or knowledge testing forms as exempted from the prohibition referred to in the preceding paragraph.

II. STUDENT'S DUTIES AND BREACHES OF DUTY

Article 5

- (1) Any breach of the duties set out in the present Code shall constitute a disciplinary offence.
- (2) Minor disciplinary offences shall include:
 1. Creating excessive noise and racket interfering with normal work of the students, teachers and office employees of the Faculty;
 2. Behaviour having adverse effect on the hygiene and cleanliness of the Faculty premises and environment;
 3. Any other disciplinary offence that has not caused serious consequences.
- (3) Major disciplinary offences shall include:
 1. Any acts constituting criminal offence subject to *ex officio* prosecution, associated with the student status;
 2. Forging of Course and Grade Book or other documents for the purpose of unlawfully acquiring or retaining the student's rights, intentional damage or destruction of the Course and Grade Book or other documents that serve as an evidence of or as a basis for the establishment of student's rights during the study;
 3. Intentional damage to or defacement of the Faculty's property;
 4. Gross disturbance of public order and peace and breach of the Rules of Conduct established for different forms of instruction and/or exams (eg. cheating);
 5. Gross breach of civility, politeness and good manners in respect of the teachers, assistants and other Faculty or University staff as well as in respect of other Students and authorised visitors to the premises of the Faculty or University or their precincts.
 6. Recurring minor disciplinary offences.
 7. Use of unauthorised technical aids.

III. PENALTIES FOR BREACH OF STUDENT'S DUTIES

Article 6

- (1) For a disciplinary offence, any of the following penalties may be imposed on the Students and other course takers:
 1. public warning,
 2. reprimand,
 3. severe reprimand including threat of expulsion,
 4. permanent expulsion from the Faculty.
- (2) Public warning shall be imposed for minor disciplinary offences.
- (3) Reprimand shall be imposed for recurring minor disciplinary offences.
- (4) Severe reprimand shall be imposed for major disciplinary offences.
- (5) Permanent expulsion from the Faculty may be imposed only for major disciplinary offences. This measure shall be implemented by the Student's deregistration and permanent expulsion from the Faculty.
- (6) In addition to the disciplinary measures referred to in paragraphs 2, 3 and 4 above, certain prohibitions may be imposed (prohibition on taking exams for a specified period of time, prohibition on registering a term as completed, cancellation of unlawfully passed exams and relevant documents, etc.) and ordering the fulfilment of certain requirements (eg. indemnification for damage to property, restitution of misappropriated things, repeating of certain instructional forms, etc.).

IV. BODIES AUTHORISED TO IMPOSE DISCIPLINARY MEASURES

Disciplinary Committee

Article 7

- (1) The Disciplinary Committee (hereinafter: the „Committee“) shall conduct disciplinary procedure, decide on student's disciplinary liability and impose appropriate disciplinary measures. The Committee shall be composed of five members and five substitutes of which three shall be staff members holding scientific-educational or associate positions and two Students. The Committee shall be appointed for a term of 4 years.
- (2) The members of the Committee appointed from among the Students of the Faculty (two members and two substitutes) shall be appointed from among the representatives of the Student Union – Faculty of Economics Branch.
- (3) The Chairman of the Committee shall be appointed by the Faculty Council among the scientific-educational staff of the Faculty.
- (4) The quorum required for valid decision making in a disciplinary procedure shall be at least three members.
- (5) The Secretariat of the faculty shall be responsible for providing administrative services to the Committee.

Article 8

- (1) The Chairman or any member of the Committee shall be excluded from a disciplinary procedure if:
 1. he/she is a spouse of or a direct kin or up to the third level collateral kin of the offender;
 2. if he/she has been affected by the disciplinary offence concerned;
 3. if there are any other circumstances suggesting his/her potential partiality.
- (2) The *ex-officio* decision on such exclusion shall be made by the Committee.

Article 9

The Chairman or any member of the Committee shall be revoked if:

1. a disciplinary measure has been imposed to him/her during his/her term of office;
2. if he/she has been convicted of a criminal act,
3. if he/she has asked to be relieved of his/her duties as Chairman or member of the Committee,
4. his/her employment with the Faculty or the student status has been terminated.

IV. DISCIPLINARY PROCEDURE

Article 10

- (1) A disciplinary procedure shall be initiated by submitting a proposal for such procedure, based on received factual information about the breach of duty.
- (2) Such proposal may be submitted by the Dean's Advisory Board, the Dean, the Vice-Dean, Head of Department and any teacher, associate or employee of the Faculty as well as by any Student and any other person having a justified legal interest in such procedure.
- (3) The proposal for the initiation of a disciplinary procedure shall include:
 1. Name of the body to which it is addressed,
 2. Name of the Student against whom the disciplinary procedure is requested;
 3. Description and time of the disciplinary offence;
 4. Facts of relevance for the establishment of the breach of duty;
 5. Evidence for the establishment of the breach of duty;
 6. Signature of the person submitting the proposal.

Article 11

- (1) The proposal shall be submitted in writing, immediately upon becoming aware of the offence and in any case not later than within 15 days.
- (2) The proposal shall be substantiated and shall specify the place, time and nature of the offence, as well as evidence thereof.
- (3) The proposal shall be submitted to the Chairman of the Committee.

Article 12

- (1) Within 30 days from the submission of the proposal for the initiation of a disciplinary procedure, the Chairman shall send a written notice to the Student concerned inviting him/her to present his defence.
- (2) The defence shall be presented either in writing or orally at a hearing, not later than 3 days from the date of such invitation.
- (3) Oral defence shall be recorded in the form of Minutes.
- (4) Failure by the Student to present his/her defence shall be construed as his/her admission of the facts stated in the proposal for disciplinary procedure.

Article 13

- (1) At any time during the disciplinary procedure, the Student in question shall have the right to choose his/her lawyer.
- (2) The Student, his/her lawyer as well as the representative of the Claimant shall have the right to attend any actions to be taken during the procedure and to review any documents and evidence furnished in connection with the disciplinary procedure.

Article 14

- (1) Not later than 30 days from the expiry of the date specified for the Student's presentation of defence, the Chairman of the Committee shall fix the place, date and time for the hearing and shall notify the members of the Committee accordingly and shall call the Student against whom the proposal for the initiation of disciplinary procedure has been submitted, the Claimant of the disciplinary procedure and the representative of the Student Union Branch to attend the hearing.
- (2) When fixing the date of the hearing, the Chairman shall make sure that such date shall not be earlier than 8 days after the delivery of the request to the Student.

Article 15

- (1) Should the Student fail to appear at the hearing, the Committee shall adjourn the hearing and, within a period of further 20 days, shall fix another date for the hearing and call the Student and the representative of the Student Union Branch to attend.
- (2) Should the Student fail appear at such other hearing with no justifiable reason for such failure, the Committee shall conduct the disciplinary procedure in his /her absence.

Article 16

- (1) The hearing shall start with the reading of the request for the initiation of a disciplinary procedure due to a breach of duty.
- (2) The Student in question shall be called to comment on the allegations contained in the request and to present his/her defence.
- (3) Upon the Student's presentation of defence, the Committee shall proceed with establishing the facts.

Article 17

- (1) During the hearing, the Student in question shall have the right to state facts, offer evidence and put questions to the witnesses and experts, provide additional information in respect of the testimonies made by the witnesses and experts.
- (2) The Student's lawyer shall have the right to review the documents and take any actions during the procedure to which the teacher and/or the Student are entitled.
- (3) The Student shall have the right to ask, either in writing or orally on the record, for the exclusion of the Chairman or any member of the Committee, specifying the reasons for such request.

Article 18

- (1) Minutes of the hearing shall be taken, including any information of relevance for the decision making.
- (2) The Minutes shall specify the composition of the Committee, place and date of the hearing, name of the Student against whom the disciplinary procedure has been instituted, name of the Student's lawyer and the time when the hearing started.
- (3) The Minutes shall further include the contents of the request for the initiation of the disciplinary procedure, Student's deposition, course of the presentation and hearing of evidence, name(s) of the heard witness(es) and expert(s) and their respective depositions, proposals made and the decisions made in respect of such proposals, and any other issues of relevance for the decision making.
- (4) The Minutes shall also include the Student's objections, if any, to the composition of the Committee.

Article 19

- (1) The Chairman and the members of the Committee shall put questions both to the Student against which the disciplinary procedure has been instituted and to all other parties involved in the proceeding and, subject to previous approval by the Chairman of the Committee, questions may be asked by the Student's lawyer and any other parties involved in the proceedings.
- (2) The Chairman of the Committee shall dictate the answers to such questions to be recorded in the Minutes. Should any of the parties involved be dissatisfied with the contents of the Minutes, they shall have the right to ask for such dissatisfaction to be established at the end of the Minutes.

Article 20

- (1) It shall be the responsibility of the Committee to decide what evidence shall be presented and in which order.
- (2) The Committee may decide to present the evidence which has not been initially filed of that has initially been relinquished.
- (3) Upon the completion of presentation of evidence, the Chairman of the Committee shall call upon the Student's lawyer and then the Student to present their defence and then shall close the hearing.
- (4) The Committee shall take the decision by majority of votes.

Article 21

- (1) Should the Committee find that the Student has not breached his/her duties or that circumstances exist that exclude his/her liability or that there is no evidence of breach of duty, the Committee shall make a discharge decision.
- (2) Should the Committee find that the student did breach his/her duties and that he/she is liable for such breach, the Committee shall decide on appropriate disciplinary measures.

Article 22

- (1) The Committee's decision shall be recorded in the form of Minutes including the composition of the Committee, the subject matter of the disciplinary proceedings, name of the Student, place, date and time of the decision making, relevant details about the course of the decision making process and the final decision.
- (2) The Minutes shall be signed by the Chairman and members of the Committee and by the minute taker.

Article 23

The decision on the disciplinary measures shall be communicated by the Chairman of the Committee.

Article 24

- (1) The decision on the disciplinary measures shall be made in writing.
- (2) The decision shall comprise: the introductory part, the decision and the grounds supporting such decision.
- (3) The introductory part shall include: name and composition of the Committee, name of the claimant, name of the Student and his/her lawyer and/or representative, description of the breach and the date of the hearing.
- (4) The decision shall include: the Student's personal data and the decision by which the Student has either been discharged or pronounced liable for breach of his/her duty and disciplinary measures to be taken.
- (5) The grounds shall include: brief description of the proposal for the initiation of disciplinary action, established facts, reasons – where necessary – that were decisive for the evaluation of evidence, reasons why any request by the parties has not been taken into consideration, regulations and reasons which, based on established facts, have led to the decision.
- (6) The Decision shall be signed by the Chairman of the Committee.

Article 25

- (1) The decision shall be delivered to the Student and to the Claimant, immediately upon the signature thereof or by mail.
- (2) Should the Student refuse to receive the decision, the same shall be displayed on the Faculty's bulletin board and shall thereupon be deemed as delivered.

Article 26

- (1) The Student and the Claimant may file their objections to the Committee's decision to the Faculty Council within 15 days from the delivery of the decision.
- (2) Such objection shall suspend the enforcement of the disciplinary measure(s).

Article 27

- (1) The decision on the objection shall be made by the Faculty Council within 30 days from the date of the filing thereof.
- (2) Late objections or objections filed by a person not duly authorised for such filing, shall be rejected.

Article 28

- (1) For the purpose of considering the objection, the Dean shall designate a teacher who will present the contents of the request for disciplinary action at the session, defence in the course of the hearing, presented evidence, established facts and the legal basis for making a decision.
- (2) The Student shall have the right to attend the session of the Faculty Council at which his/her objection is discussed, and comment on any facts of relevance for the decision making.
- (3) Prior to making its final decision, the Faculty Council shall ask for the opinion of the relevant Branch of the Student Union.

Article 29

- (1) The Faculty Council shall confirm a challenged decision if it has been made in accordance with applicable legislation and bylaws of the Faculty and the University of Zagreb.
- (2) The Faculty Council shall revise a challenged decision if the relevant facts had been properly established but the law or the bylaws have been wrongly applied.

Article 30

- (1) The Faculty Council shall revoke a challenged decision when such decision has been based on wrongly or incompletely established facts or if the Committee had committed a breach of the disciplinary procedure having a material impact on the decision making process and if such impact could not be neutralised in the procedure following the objection.
- (2) In case of the circumstances referred to in paragraph (1) above, the matter shall be submitted to the Committee for repeated consideration and decision.
- (3) Where an objection has been filed only by a teacher, the Faculty Council shall not change the decision to the teacher's detriment.

VI. ENFORCEMENT OF DISCIPLINARY MEASURES

Article 31

- (1) A reprimand and serious reprimand including the threat of expulsion of a Student of the Faculty shall be enforceable by their display on the bulletin board of the Faculty.
- (2) The measure of permanent expulsion of a Student from the Faculty shall be enforced by entering the note on the loss of student status in the Course and Grade Book of the Student concerned.
- (3) The disciplinary measures referred to in paragraphs (1) and (2) above shall be enforceable upon reaching of the final decision about such measures in the disciplinary procedure.
- (4) The decision on disciplinary measures shall become effective either upon the expiry of the objection period (if the Claimant has failed to submit his/her objection to the Committee's decision within the term specified in this Code) or upon the delivery of a second instance decision, reconfirming or modifying the first instance decision.

Article 32

The enforcement of disciplinary measures shall be the responsibility of the Committee.

Article 33

The records of imposed disciplinary measures shall contain:

1. Name of the Student to whom a disciplinary measure has been imposed;
2. Year of the study;
3. Date and number of the decision on the imposed disciplinary measure;
4. Description of the breach of duty and the disciplinary measure imposed;
5. Effective date of the decision on disciplinary measure;
6. Date of the removal of the disciplinary measure from the records.

Article 34

- (1) A disciplinary measure imposed for a minor breach of duty shall be removed from the records if the Student concerned has not committed another breach within the period of one year from the date of the decision on such disciplinary measure.
- (2) A disciplinary measure imposed for a serious breach of duty shall be removed from the records if the Student concerned has not committed another breach within the period of two years from the date of the decision on such disciplinary measure.

VII. DISCIPLINARY PROCEDURE REVISION

Article 35

A disciplinary procedure closed with a binding decision may be revised in the following cases:

1. If the Student, through no fault of his/her own, was prevented from attending the hearing;
2. If the decision on disciplinary measure imposed has been based on false testimony of witness(es) or experts(s);
3. If the decision on disciplinary measure imposed has been based on forged documentary evidence.
4. If a binding disciplinary measure has already been imposed to the Student for the same breach of duty;
5. If some new facts have come to the Student's knowledge or if the Student has gathered new evidence which he/she was not able to furnish during the original disciplinary procedure.
6. If the decision on disciplinary measure imposed has been made unlawfully by the Committee.

Article 36

- (1) Disciplinary procedure shall be revised at the request by the Student to whom a disciplinary measure has been imposed or by the Claimant.
- (2) The request for such revision shall be submitted to the Committee in three copies.
- (3) The request for the revision of disciplinary procedure shall specify legal grounds for such revision and the facts and evidence supporting such request.

Article 37

The request for the revision of disciplinary procedure shall be submitted within 30 days from the date when the party submitting such request has become aware of the reasons for a revision, but in any case not later than one year from the effective date of the decision on the disciplinary measure.

Article 38

- (1) The decision on the revision of a disciplinary procedure shall be the responsibility of the Committee.
- (2) Should the Committee reject a request for the revision of a disciplinary procedure, the party that has submitted the request may file the objection to the Faculty Council within 15 days from the date of the receipt of such rejection.

VIII. TRANSITIONAL AND FINAL PROVISIONS

Article 39

As of the effective date of the present Code, the Disciplinary Code for Students adopted on 24 April 2007 shall cease to apply.

The present Code shall enter into force as of the date of its adoption.

The Dean:
Prof. D.Sc. Darko Tipurić
(Signature illegible)

(Round seal of the
University of Zagreb
Faculty of Economics)

Hereby I, Ankica Udovičić, sworn court interpreter for the English language, reappointed by the decision of the President of the County Court in Zagreb No. 4 Su-294/08 of March 18, 2008, certify that the above translation fully complies with the Croatian original.

Zagreb, 08 January 2010

Ankica Udovičić