

3/2011

ACT FOR THE MALDIVES NATIONAL UNIVERSITY

AN UNOFFICIAL TRANSLATION

(INCLUDING FIRST AND SECOND AMENDMENT TO THE ACT)

CHAPTER 1-10

The Maldives National University Act

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| Introduction and Title | 1. | (a) | This Act establishes a university by the name of "The Maldives National University" and prescribes objectives, responsibilities, and powers and to determine the principles incidental thereto. |
| | | (b) | This Act shall be cited as "The Maldives National University Act" |
| <p>Chapter 1
General explanations</p> | | | |
| Establishment of the University | 2. | (a) | The Maldives National University shall be established within a maximum of thirty (30) days from the commencement of the Act. By virtue of the Act, The Maldives College of Education functioning under the Ministry of Education shall become part of the said University established under the act. However, "Kulliyathul Dhiraasathul Islamiya" transferred under the Maldives College of Higher Education on the 5th of April 2010, shall not be part of the university. |
| | | (b) | Kulliyat al Dhiraasathul Islamiya shall not be dissolved and be sustained as a separate institution awaiting its development into a University or into an independent legal entity. |
| | | (c) | The name of the University established under this Act is 'Dhivehi Rajjeyge Gaumeey University' and shall be called 'The Maldives National University' in English language. |
| Legal Status | 3. | (a) | The Maldives National University is a University of the state. |
| | | (b) | The University shall be an independent entity with a separate seal, having power to sue and being sued, and possessing the right to acquire and hold movable and immovable property and to hold property in continuity as permitted by Law, and carryout undertakings on its own capacity as specified by this Law. |
| | | (c) | The seal of the University shall be safeguarded, maintained and applied in accordance with the rules laid down by the University Council. |
| | | (d) | The chairperson of the University Council is accountable to the Parliament with regard to matters of the University. |
| Objects of the University | 4. | (a) | The objective of the University is to create, discover, preserve and disseminate knowledge that are necessary to enhance the lives and livelihoods of people and essential for the cultural, social and economic development of the society so that this nation shall remain free and Islamic |



forever.

- (b) The specific objects of the University are as follows:
- (1) Advance knowledge and skills in general;
 - (2) Offer courses of higher education and training to those who have completed secondary education or equivalent in areas relevant to the development of the nation;
 - (3) Carry out scientific research and investigations and disseminate the results of these endeavors for the benefit of the national and international communities;
 - (4) Award baccalaureate, masterate and doctorate degrees and other certificates in relation to the education and training provided by the University;
 - (5) Establish relationships of cooperation with institutions both inside the country and abroad;
 - (6) Develop existing University resources and acquire new ones in the pursuit of the achievement of the University mission;
 - (7) Utilize the resources of the University among the divisions in the most beneficial manner;
 - (8) Promote and promulgate Islamic Dhivehi traditions and values;
 - (9) Any other activities incidental or conducive to the performance of the preceding functions.

Powers of the University 5.

The University shall possess the following powers under this Law:

- (a) The University shall have authority and discretion to assume any act necessary to achieve its objects without contravention of the Maldivian law and Islamic Shariah.
- (b) The powers of the university under subsection (a) include, but are not limited to, the following powers:
- (1) To obtain property through purchase, rent or by any other means and to sell, lease, or dispose of property by any other means;
 - (2) Develop academic and scientific research, inventions, new products and goods commercially;
 - (3) Obtain fees or dues for work undertaken, or services rendered, or information and goods supplied to outside agencies;
 - (4) To form companies by itself and partake with others to form such in order to facilitate achievement of the University's objects;
 - (5) To subscribe for and buy shares in, and debentures and other securities of, companies;
 - (6) To enter in to academic partnerships;
 - (7) to participate in joint ventures and arrangements for the sharing of profits, that promotes the objectives of the University;



Unofficial Translation

- (8) To enter agreements;
 - (9) To construct buildings.
 - (10) To occupy, use and control any property, land or building owned by the University.
 - (11) To employ and terminate staff.
 - (12) to invest money of the University, and to dispose of investments
To conduct educational and other scientific research.
To make loans and grants to students.
to grant scholarships and fellowships
to accept gifts, grants, bequests and devises made to it
to act as trustee of money and other property vested in it on trust
To do such things as authorised by or under this Act or any other Act.
To do anything incidental to any of its powers.
- (c) Any money or other property held by the University on trust must be dealt with in accordance with the powers and duties of the University as trustee.
- (d) The powers of the University may be exercised within or outside Maldives.



ACT FOR THE MALDIVES NATIONAL UNIVERSITY

CHAPTER 2

UNIVERSITY COUNCIL

University Council 8. University Council is the highest authority in the administration of the University.

Powers of University Council 9. (a) The Council has the power to carry out the following, in accordance with the policies made by the Minister for Higher Education or the Committee for Higher Education.

(1) Administration and regulating the University.

(2) Appointment of employees of the University, or others to posts which assumes the responsibilities of the University.

(3) Make or nullify colleges, faculties, centers, schools, divisions and institutions in order to achieve educational and administrative objectives.

(4) To run and control the financial matters of the University.

**Handover of
the Powers
of Council
to Another
Party**

- (b) In matters relating to the University, the Council should act in a way that will promote the best interest of the University.
10. (a) A Council member or an employee of the University may be assigned any work other than the exceptions stated under subsection (b). However, the Council shall be held responsible for such works as well.
- (b) The following works cannot be assigned to any other party, by the Council.
- (1) Appointment of Deputy Vice Chancellor.
 - (2) Passing of Strategic Action Plan of the University and the budget.
 - (3) Passing of Annual Report of the University.
 - (4) Revision of the administration of the University.
 - (5) Keeping records of the communications of businesses controlled by or of the University, which may affect the finances of the University.
 - (6) Relinquishing of immovable property of the University in any manner.
- (c) The Council may recall the power given to another party under this section.

**Council
Members**

11. The Council comprises of the following persons stated below.
- (a) 2 (two) members in the capacity of the designation
 - (b) 8 (eight) members appointed by the Minister for Higher Education, from a list of minimum 16 (sixteen) members, submitted by the Council.
 - (c) 8 (eight) elected members.
 - (d) One person appointed by the Council as decided, for a duration determined by the Council.

**Requirement
t of the
Council
Members**

12. A member appointed as a Council member shall fulfill the requirements as stated below.
- (a) Must be 18 years of age.
 - (b) A person who is not convicted of a crime or corruption in which the penalty is stipulated in Islamic Shariah.
 - (c) Notwithstanding subsection (a), the age of the member under section 14 (g) should necessarily not be as stated in subsection (a).
 - (d) Must be a Muslim, belonging to the Sunni sect.

- (e) Must be of a sound mind.
- (f) A person who has the educational capacity and discipline to undertake the responsibilities and duties of the University Council;
- (g) A person who is not in a post of a political party;
- (h) A person who has not been declared bankrupt.

**Members of
the Council
for their
Designation**

13. The following members are members of the Council for their designation.

- (a) Chancellor.
- (b) Vice Chancellor.

**Elected
Members**

14. The following members are those who are elected to the Council of the University.

[As amended
under Act
No. 7/2019]

- (a) One person elected from the Deputy Vice Chancellors and Pro Vice Chancellors.
- (b) One senate member elected from the Academic Senate of the University.

- (c) One person elected from the Deans of faculties and senior officials in the administration.
- (d) Two persons elected from the lecturers, except those stated under section 13, and those amongst the Deputy Vice Chancellors, Pro Vice Chancellors, heads of college, faculty, and centers.
- (e) One person elected from the administrative staff of the University.
- (f) One person elected from the alumni of the University.
- (g) One person elected from the students who are not part of teaching or administrative works of the University.

Responsibilities of the University Council

15.

The responsibilities of the University Council should be undertaken by the Majlis for Higher Education or in accordance with the policies determined by the Minister for Higher Education. The responsibilities of the University Council are listed below.

- (a) Formulating policies to achieve the objectives of the University.
- (b) Administration of different courses, and issuance of awards and certificates for diploma, bachelors, masters, doctoral degree and other courses.
- (c) Hiring and termination of employees to the University.
- (d) Establishment of branches of the University within the University or in a different area.

- (e) Observing and maintenance of the University budget.
- (f) Making and administration of the regulations to achieve the objective of the University.
- (g) Determining prices, fees, penalties, and providing the students with loans and financial aid.
- (h) Enhancing the innovations, creations and findings of the University for purposes of businesses.
- (i) Making of committees and boards for purposes of research, administration and planning of the works of the University.
- (j) Developing and strengthening the relations between educational centers in Maldives and overseas.
- (k) Developing and improve the employees of the University in accordance with the regulations.
- (l) Determining the rules to incentivize business which will pave way to achieve the objectives of the University.
- (m) Determining the rules for the administration of the following.
 - (1) Enrolment examination of the University.
 - (2) Selection and enrolment of students at the University.
 - (3) Planning of educational programs.

- (4) Planning and enhancement of the curriculum.
 - (5) Conducting examinations and issuance of certificates.
 - (6) Managing the information mechanism.
 - (7) Managing the finances of the University.
 - (8) Creating, managing and enhancing the libraries of the University.
- (n) Performing of any other additional tasks as necessary to achieve the objectives of the University.

CHPATER 3

RESPONSIBILITIES OF THE COUNCIL MEMBERS

- President of the Council** 16. The President of the Council is the Chancellor. The following are inclusive in the responsibilities of the President of the Council.
- (a) Chairing the meetings of the Council and determining the agenda of the meetings.
 - (b) Presenting the decisions of the Council to the relevant parties.
 - (c) Upholding the regulations of the Council meetings.
 - (d) Being accountable to the relevant Ministry for higher education in relation to works of the University.

**Vice
President of
the Council**

17. The Vice President of the Council is the Vice Chancellor. The following are inclusive in the responsibilities of the Vice President of the Council.
- (a) Performing the responsibilities of the Chancellor in his absence.
 - (b) Informing the Chancellor of the works of the University.
 - (c) Presenting to the Council the budget of the University, administrative works, and the teaching plans.
 - (d) Administrating the administrative and educational works of the University in accordance with the decisions of the Council.

**Members of
the Council**

18. The responsibilities of the Council members are to do the following tasks.
- (a) Attending the meetings of the Council and the committee meetings for which he is a member of.
 - (b) Presenting the qualifications and experience justly to support the works of the University.
 - (c) Acting in the best interest of the University in considering the works of the University.
 - (d) Refraining from using the influence of the position to gain benefit for one's self or another person, or act in detriment to the University of another individual.

- (e) Maintaining confidentiality to information received in their position and refraining the usage of the information to gain benefit for one's self or another person, or act in detriment to the University of another individual.
- (f) Sitting out of the meeting by informing the chair, if there is a conflict of interest in any matter being discussed by the Council. And not to take part in any voting even if in attendance, as instructed by the chair.
- (g) Decision related to business transactions should be made without obtaining personal benefit, in the best interest of the University in light of the information required.
- (h) Administration of the responsibilities as a Council Member should be carried out in good faith and mindfully.

**Secretary of
the Council** 19.

The Council secretary is an employee of the University appointed by the Council, who is not a member of the Council. The responsibilities of the secretary are the following.

- (a) Keeping records of the decisions and the meeting minutes of the Council and Council Committee meetings.
- (b) Notifying the parties as required following the decisions of the Council.

CHAPTER 4

COUNCIL MEMBERS, THEIR TERM AND APPOINTMENT

- Term of Members** 20. The term of the membership will remain as follows.
- (a) Members of the University Council for their designation will remain as council members as long as they remain in their posts.
 - (b) 8 (Eight) members appointed by the Minister for Higher Education, will remain as members for a determined period no longer than 4 (four) years upon their appointment.
 - (c) Except for members stated under section 14 of the Act, the term of the members elected for the Council is 2 (two) years. The term for members under section 13 is 1 (one) year.
- Nomination Committee of the Council** 21. The list referred to under section 11 (b) of the Act should be formulated by the Nomination Committee. The Committee comprises of the following.
- (a) Chancellor;
 - (b) Vice Chancellor;
 - (c) 6 (six) members appointed by the Chancellor, in accordance with the rules set by the Council.
- Formulation of the List by** 22. (a) Nomination list for appointment of members stipulated under section 11 (b) of the Act, should consist of minimum 16 (sixteen) names.

**Nomination
Committee**

- (b) In formulating the nomination list, persons with different professional skills should be included.
- (c) The list formulated by the Nomination Committee should not have the following persons.
 - (1) A member of the Parliament.
 - (2) A permanent employee of the University.
 - (3) A student of the University.
 - (4) A member of the Nomination Committee.

**Appointment of
Members
from the
List by the
Nomination
Committee**

23. Minister for Higher Education should appoint 8 (eight) members from the list he deems fit in the best interest of the University, within 15 (fifteen) upon receiving the nomination list from the nomination committee.

**Rules for
Election of
Members**

- 24. (a) The Council should determine the rules for hosting of the elections to elect the members under section 14.
- (b) The Council should appoint an Election Officer when the elections are due to be held.

**Persons
with the
Right to
Vote**

(c) The Elections Officer will carry out the works in relation to the election as per the rules set by the Council.

25. (a) In the election of members to the Council from the Deputy Vice Chancellor and Pro Vice Chancellor, the Vice Chancellors and Pro Vice Chancellors can vote.

(b) In the election of a member to the Council from the Academic Senate, the Academic Senate Members can vote.

(c) In the election of a member to the Council from the Deans, the permanent senior officials of the college or the faculty can vote.

(d) In the election of a member to the Council from the lecturers, the lecturers of the University in the past year when the names for candidacy was submitted, and the permanent lecturers of the University during the time of election, can vote.

(e) In the election of a member to the Council from the administrative section, the administrative staff of the University in the past year when the names for candidacy was submitted, and the permanent administrative staff of the University during the time of election, can vote.

(f) In the election of a member to the Council from the alumni, the members of the Alumni Association can vote.

(g) In the election of a member to the Council from the students, the students registered for a long-term course can vote.

**Vacation of
the Seats of
Members**

26. The Council member will lose his seat when faced with any of the following circumstances.

- (a) Failure to attend 3 consecutive meetings of the Council without a valid excuse despite the invitations to the meetings.
- (b) Submitting a written resignation to the Chancellor, and the receiving of the document to the Chancellor.
- (c) Sentencing and conviction of a criminal offence.
- (d) Insanity.
- (e) Death.
- (f) Appointment to another position which will cause the loss of the position as a member of the Council.
- (g) Proving the failure to perform duties as a member of the Council, by two third majority of the Council.
- (h) Proving the lack of capacity to perform duties as a member of the Council, by one third majority of the Council.
- (i) Proving the failure to meet the requirements for a member, upon the appointment as a member.

Resignation

27. (a) If a member under section 11 (a) of the Act wants to resign, they should submit a written resignation to the President, and are

[As added
under Act
No. 19/2015,
and amended
under Act
No. 7/2019]

removed from the position when the President receives the letter of resignation.

- (b) If a member under subsections **11 (b), (c) and (d)** wants to resign, they should submit the letter of resignation to the Chancellor of the University, and are removed from the position when the Chancellor receives the letter of resignation.

**Appointmen
t and
Election of
Members to
Vacant
Seats**

28. (a) If a seat of an elected member of the council is vacated, a member should be elected for the seat upon informing the person who appoints them.

- (b) If a seat of an elected member of the council is vacated, a member should be elected by holding another election.

CHAPTER 5

COUNCIL MEETINGS

Chair

29. The Council meetings are chaired by the Chancellor of the University. If the Chancellor is absent, then the Vice Chancellor. If both the Chancellor and Vice Chancellor are absent, the meeting will be chaired by a member selected by the members present.

- Quorum** 30. A Council meeting can be held upon meeting the quorum. The quorum of the Council meeting is met upon the participation of more than half the members.
- Voting** 31. (a) Matters of the Council other than that relating to employees and finances should be decided in agreement of the members present. If a consensus is not reached, then the matter should be decided by taking a vote.
- (b) Matters relating to employees and finances should be decided by voting.
- (c) If the Council needs to decide a matter through voting, it should be decided by the majority of the members.
- (d) In making decisions through voting, each member present can only cast 1 (one) vote. The Chancellor of the University or the Chair of the meeting can only vote if the votes received are equal for both sides.
- (e) In making a decision, the Council should cast a secret vote if a member makes such a request, or if the Chair chooses to take a secret ballot.
- (f) In making a decision by the Council through voting, an absent member nor a person on behalf of the absent member can cast a vote.
- Decisions Without** 32. (a) Under special circumstances, the Chancellor or the Vice Chancellor can request the members to decide on a matter without holding a meeting.

Holding a Meeting

- (b) The written request to make a decision on a matter without holding a meeting should be sent to each member of the Council.
- (c) Such a decision should be deemed to have been passed upon sending the decision to the Chancellor or the Vice Chancellor, with the signature of more than half the members with the right to vote.
- (d) A member with a conflict of interest should not sign the decision stated under subsection (c).
- (e) The decisions made without holding a meeting should be informed of, in the following meeting of the Council.

CHAPTER 6

OFFICIALS OF THE UNIVERSITY

- Chancellor** 33.
- (a) The appointment and removal of Chancellor of the University should be carried out by the President.
 - (b) The term of the Chancellor is 5 (five) calendar years from the date of the appointment to the position. However, if the President decides, this section does not bar the removal of Chancellor from his position.

[As amended under Act No. 7/2019]

- (c) The responsibilities of the Chancellor is the same as that which is mentioned under **section 16 as the** responsibilities of the Council President.
- Vice Chancellor** 34. (a) The appointment and removal of Vice Chancellor of the University should be carried out by the President.
- [As amended under Act No. 19/2015]
- (b) The term of the Vice Chancellor is 5 (five) calendar years from the date of the appointment to the position. However, this section does not bar the termination of his post in that duration if the President decides to do so.
- (c) The Vice Chancellor is the highest authority responsible for the administration of educational, academic and administrative works in accordance with the rules established by the Council. The responsibilities of the Vice Chancellor are as follows.
- (1) **Being the vice chair of the University Council.**
 - (2) Administration of the works of the University, upholding the quality of education and development of the University.
 - (3) Administration of developmental projects of the University and budgetary planning.
 - (4) Facilitation of the dissemination of information of the University to students, staff and others.

- (5) Ensuring the arrangements of the University staff, finances, assets and buildings in a way which is the most beneficial to the University.
- (6) Appointment, termination, training, designation and promotion of employees in accordance with the decision made by the Council.
- (7) Facilitation of a monitoring mechanism to oversee the works and the quality of works done by the employees.
- (8) Acquiring of resources for the works of the University, from within and outside.
- (9) Representation of the University for activities within and outside.
- (10) Submittance of reports of the administration of the University to the Council, within the specified period.
- (11) Announcement of the policies and decision of the University through media.

**Deputy Vice
Chancellors
and Pro
Vice
Chancellors**

35. (a) The Council will appoint and remove the Deputy Vice Chancellors and Pro Vice Chancellors in accordance with the Act.

- (b) The Council will determine the term and responsibilities of the Deputy Vice Chancellors and Pro Vice Chancellors.
- Temporary Appointment of individuals to perform the duties of Vice Chancellor and Deputy Vice Chancellor** 36. (a) The Council has the power to appoint someone to fulfill the responsibilities of the Vice Chancellor or the Deputy Vice Chancellors in the following circumstances.
- (1) The position of Vice Chancellor or the Deputy Vice Chancellor being vacated.
 - (2) The individual appointed as Vice Chancellor or Deputy Vice Chancellor being unable to fulfill the duties due to being out of town or any other reason.
- (b) The individual appointed temporarily should not be allowed to remain in the position for more than 6 (six) months.

CHAPTER 7

FISCAL RELATED MATTERS

- Fiscal Year** 37. Fiscal year of the University is 12 (twelve) months from January 1st.

- University Budget** 38. (a) The finances required to fulfill the duties of the University should be released by the Government budget every year.
- (b) Any aid to the University from an individual or an organization should be accepted with the consent from the Council, for purposes of achieving the objectives of the University.
- (c) University can get revenue via different means to achieve the objectives of the University.
- (d) The University has the right to spend the income of the University in accordance with the rules set by the Council. This money should be spent only for the University.

(1) Revenue acquired from students and employees as fees for different purposes.

(2) Revenue acquired from communications carried out under this Act to raise funds.

- Acquiring of Finances as Loans** 39. (e) The University can acquire finances as loans with the decision from the Council, for a duration determined by the Council.
- (f) Immovable property of the University should not be used as a security.

- Fees** 40. Fees for services provided, and courses offered by the University should be determined in accordance with the rules determined by the Council.

Expenses from the Budget	41.	Expenses from the treasury of the University can be made in accordance with the guidelines made by the Council, for purposes of achieving the objectives of the University.
Exemption from Paying Tax	42.	Except for a company which the University is a shareholder of, no tax should be accountable from the assets of the University or that which is designated to achieve the objectives of the University.
Financial Auditing	43.	A financial report consisting of the income of the University, expenses, assets, and fiscal responsibility, formulated with the directions of the Auditor General, audited and observed in accordance with the regulation made by the Council should be presented along with the annual report stated in section 54, to the President, the Parliament, and the Minister responsible for higher education.

CHAPTER 8

REGULATIONS OF THE UNIVERSITY

Making of Regulations	44.	<p>(a) To enforce this Act fully, the Council has the power to make regulations that are in line with the Act and in accordance with shariah, and other laws in Maldives.</p> <p>(b) Under the powers vested in the Council from subsection (a), the Council has the power to make regulations for the following and other issues as well.</p> <p style="padding-left: 40px;">(1) Administration of the University and upholding the code of the University.</p> <p style="padding-left: 40px;">(2) Determining administrative actions to be taken by the University of an appointee of the University, against the</p>
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students and employees of the university who violate the regulations made under subsection (b) (1).

- (3) Determining the rules to conduct the elections stated in the Act, and the guidelines to follow in relation to the complaints submitted regarding the elections.
- (4) Determining the professional employees of the University.
- (5) Determining the undergraduate and postgraduate students of the University.
- (6) Determining the following, in relation to the different meetings of the University.
 - (i) Conducting, cancellations, postponing and the timings of the meetings.
 - (ii) Voting mechanism at the meetings.
 - (iii) Rules on disclosing of finances of Convocation meetings.
 - (iv) Rules on the appointment to chair, their powers and responsibilities.
 - (v) Rules on the proceeding of meetings, and the maintenance of records.
 - (vi) Formulating different committees.

- (vii) The legal number of sittings of the committees, their powers and responsibilities.
- (7) Determining the rules in relation to assumption of powers and responsibilities of Vice Chancellor by the Deputy Vice Chancellor.
- (8) Determining the duration and employment for employees of the offices created under the Act, where the term of the appointment or employment for the administration is not stipulated under the Act or regulations made there under.
- (9) Determining the rules regarding the employment of all the employees of the University.
- (10) Determining the rules of appointment to managerial positions, duration, requirements and the removal of the persons from such positions.
- (11) Determining the rules of employment of students.
- (12) Determining of the characteristics of lectures, classes, timings and conducting of examinations, venues, numbers.
- (13) Enhancing and expansion of teaching at the University.
- (14) Issuance of certificates and awards of different levels.
- (15) Offering fellowships, scholarships, and financial aid.

- (16) Giving credit points for a subject or work completed previously by weighing it academically, instead of completing a credit subject to acquire a certificate.
 - (17) Entrance of members to convocation.
 - (18) Enrolment of persons who are currently studying or have studied in another institution, to a degree of the same level of their current studies at the University.
 - (19) Determining the fees payable to the University by the students.
 - (20) Creating and administration of libraries, laboratories, museums in coordination with the University.
 - (21) Construction of hostels or association with hostels run by others.
 - (22) Be part of academic or educational institutions or affiliate with such institutions.
 - (23) Controlling and investing the assets of the Universities.
 - (24) Providing superannuation and other allowances for senior employees, their families, and other employees.
- (c) University Council or another office of the University can be authorized under the regulations made pursuant to this Act, to determine rules, guidelines, and orders to administer or

facilitate the regulations fairly, in accordance with the Act and regulation made under this Act.

(d) The rules, guidelines and orders stated under subsection (c) has the same authority as that of the regulation.

**Publication
of
Regulations**

45.

(a) If the Council passes a regulation of the University:

(1) The regulation should have the seal of the University.

(2) The regulation should be published on the University Gazette.

(3) From the date of publication, the regulation should hold the same enforcement authority as the authority of the Act.

(b) Each regulation should be given a number in a certain order as it is published on the University gazette.

(c) If the council approves and passes any regulation, the regulation will be in effect from the date of publication of the regulation on the University gazette. Or, the date of enforcement stipulated in the regulation.

CHAPTER 9

TRANSITIONAL PROVISIONS AFTER THE ESTABLISHMENT OF UNIVERSITY

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| Revocation of
the
Preliminary
Regulation of
College | 46. | Upon the enforcement of this Act, the Preliminary Regulation of the College is revoked. |
| Interim
University
Council | 47. | <p>(a) Upon the enforcement of the Act, the College Council which existed before the enactment of this Act will be transitioned into interim University Council.</p> <p>(b) Until the President appoints the Chancellor to the University, the President of the College Council will be the interim Chancellor of the University</p> <p>(c) Until the President appoints the Vice Chancellor to the University, the Rector of the College will be the interim Vice Chancellor.</p> <p>(d) Within 6 (six) months of the Act coming into force, University Council should be established as per section 10 of the Act, and the interim Council should be dissolved.</p> |
| Employees
and Students
of the College | 48. | Upon the enforcement of the Act, the employees of the College will be employees of the University, who will no longer be considered as Civil Servants. And the Students will be the students of the University. |

- Proprietorship of the Rules of the College** 49. Upon the enforcement of the Act, if the policies, regulations, guidelines, and instructions enacted by the College Council and the Committees created thereunder, are in violation of the Act, they will hold the legal status as the policies, regulations, guidelines, and instructions by the University, until they are amended by the University Council.
- Proprietorship of the debts and property of the College** 50. Upon the enforcement of the Act, the property and debts of the College will be the property and debts of the University.
- The land and buildings of the College** 51. The lands and buildings registered under the College before the enforcement of the Act will be lands of the University, entitled to the State.
- Pending Cases** 52. The University will be the party to any issue or communications by the College left pending when the Act comes into force. And the University will have all the powers and rights entitled to the College.

CHAPTER 10

MISCELLANEOUS

- Binding Decisions** 53. (a) Decisions considered as binding decision by the University are the following lawful decisions that are in writing.
- (1) Decisions by the Council.
- (2) Decisions by the Committees created by the Council.

(3) Decisions made by the Chancellor or the Vice Chancellor.

(b) Decision made by a person or a committee will not be held invalid due to the invalidation of the appointment of Chancellor or the Vice Chancellor, presence of an unlawfully elected committee member or failure to appoint a member to the council or senate or a committee.

Contracts 54. Any contracts made by the University with an individual, a private company or any other company should be in writing, and in accordance with the law, bearing the University seal.

Academic Senate 55. (a) Academic Senate should be established under the regulation by the Council, as the highest committee authority to provide guidance and for monitoring and overseeing of the education and educational activities of the University.

(b) The Senate stated in subsection (a) should be formulated with the inclusion of the following persons.

(1) Vice Chancellor.

(2) Deans of the faculties of the University appointed due to their designation and the heads of the Centers under the University.

(3) Members elected by the University.

(4) Members appointed for their education and experience considering their capability and capacity for discussions.

- (c) For purposes of effective performance by the Senate, Council should pass a regulation stating the election or appointment of senate members, number of members, their term, and the conduction of meetings.
- (d) The responsibilities of the Senate are the following.
 - (1) Nurturing educational activities, enrolment of students, examinations, educational research, certification, upholding the code of conduct of the University, and discussion and proposition of activities to achieve the objectives of the University.
 - (2) Submission of reports to the Council regarding special issues and the responsibilities assigned to the Senate under a Regulation of the Council.
- (e) Senate has the power to perform its responsibilities. However, the following decisions will be made by the Council.
 - (1) Formation of a coordination partnership with an educational institution.
 - (2) Establishment or dissolution of places such as a faculty or college.

Annual Report

- 56. (a) The Council should send an Annual Report formulated based on the activities of the University, to the President, the Parliament, and the Minister responsible for higher education, before April 1st of every year.

- (b) The annual report stipulated under subsection (a) should consist of the following information during the stated period.
- (1) A brief summary of the activities that demonstrate the status of the University.
 - (2) Members of the Council and the committees made by the Council, attendance and important decisions made.
 - (3) Activities carried out to improve teaching and learning.
 - (4) Brief statistics of the University courses, employees and students.
 - (5) Other information the Council decides to include in the report.
- (c) The report stipulated under subsection (a) should be published by the Council within 14 (fourteen) days from the date after it is sent to the President, the Parliament, and the Minister responsible for higher education.

**Performing
Duties of a
Post on
Another's
Behalf**

57. If a person responsible for performing his duties under a certain post is not available, those duties should be performed by the person who has assumed the responsibilities of the aforementioned post.

**Proposition to
the Council
for**

58. A proposition of an amendment to this Act can only be made to the Parliament upon receiving two third majority votes in favour, by the Council members at a Council meeting for the suggested amendment.

**Amendments
to the Act**

If the Act states duration for the determination of a period, the days should be counted without including the public holidays.

**Counting
Days**

59. The Act will come into force upon its publication on the Government gazette post the passing and ratification.

**Enforcement
of the Act**

60. The Act will come into force upon its publication on the Government gazette post the passing and ratification.

**Transitional
Arrangements**

61. (a) Within a maximum of 30 (thirty) days from the date of enforcement of First amendment to the Act Number 3/2011 (Act for Maldives National University), members should be appointed and member to be elected should be elected and the Council should be made again.

[As amended
under Act No.
7/2019]

(b) The works to ensure subsection (a) will be carried out by a provisional committee appointed by the Chancellor.

(c) The committee stipulated in subsection (b) is made of Chancellor, Vice Chancellor, and 4 (four) other members appointed by the Chancellor who are at different posts of the University.

(d) Once the Council as per subsection (a) is made, the committee stated in subsection (b) will be dissolved.

(e) The Council that existed prior to the enforcement of First amendment to the Act Number 3/2011 (Act for Maldives

National University) will remain until the new Council is made as per subsection (a),

Definitions 62. Unless it implies a separate meaning directly, a phrase stated in this Act should mean the following.

“Council” should mean the University Council established for the administration of the Maldives National University.

“Vice Chancellor” is the person of highest authority, appointed to run the University.

“Senate” should mean the Academic Senate.

“Securities” should mean that it is a document issued to be used as an investment, with the exclusion of bill of exchange, to a registered body or a person in security exchange or well known in the market.

“University” should mean the Maldives National University.

“College” should mean all places such as campuses, faculty, centers, and offices relating to the Maldives College of Higher Education. But “Kulliyathul Dhiraasaathul Islaamiyya” as stipulated in sections 2 (a) and (b) is not inclusive in the definition of “college”.

“Educational Center” should mean places providing services of education, including educational research centers and institutions.

“Chancellor” should mean the Chancellor of the Maldives National University.

“Dean” should mean, the highest authority of academic employee appointed for the administration of a faculty of the University.

“Majlis for Higher Education” should mean the Majlis appointed by the President to determine and oversee policies regarding higher education.

“Minister responsible for higher education” should mean the Minister of the Government assigned at the time to implement the policies on higher education.
