

**Annex 8**  
**of the Statutes of the University of Pécs**

**Disciplinary and Compensations Regulation for the Students of the  
University of Pécs**



**Pécs 2013.**

*Effective from 21<sup>st</sup> June 2018.*

Pursuant to Article 11 (1) point a) of Act CCIV of 2011 On National Higher Education; Annex 2 of the Act; Article 26 (2) of the Statutes of the University of Pécs (Hereinafter Statutes) the Senate of the University of Pécs (hereinafter referred to as University) has adopted the following regulation (hereinafter referred to as Regulation) in order to determine the students' disciplinary and compensation liabilities at the University.

## **General Provisions**

### **Scope of the Regulation**

**Article 1.** (1) Provisions of this Regulation shall apply to individuals studying and having a student status at the University, further to those, whose legal status has been terminated, in case there are reasonable grounds to suspect disciplinary offence committed during the existence of their student status (hereinafter referred to as student).

(2) The scope of this Regulation shall extend to those students who, in relation to the fulfilment of their educational obligations, cause damage unlawfully to the University, or to the organizer of the practical training; further those who suffered damage in relation to their student status.

(3) The scope of this Regulation shall extend to disciplinary offences committed by students with dormitory membership status in relation to their dormitory membership.

(4) Provisions of this Regulation shall apply to disciplinary offences committed and damages caused following the entry into force of this Regulation.

### **Students' liability to Disciplinary Action**

#### **Disciplinary Offence**

**Article 2.** (1) The student commits a disciplinary offence if they culpably and seriously breach their obligations specified by laws, regulations, arising from their student status or dormitory membership.

(2)<sup>1</sup> Except for specified cases of cheating at an examination and plagiarism, the breach of educational obligations, where the Code of Studies and Examinations specifies sanctions, shall not be considered disciplinary offence.

(3)<sup>2</sup> Disciplinary offence shall mean the student's conduct inside or outside the University that is incompatible with the student's legal status or violates or threatens to violate the goodwill of the University, in particular, if the student engages in a conduct that violates the human dignity or personal privacy of others or the basic behavioural norms of the European and international culture and coexistence, or if the conduct constitutes an administrative or criminal offence.

### **Disciplinary Sanctions**

**Article 3.** (1) Disciplinary sanctions applicable to the student committing disciplinary offence:

- a) reprimand,
- b) strict reprimand,
- c) reduction or withdrawal of benefits and grants specified in the Code of Charges and Benefits for not more than 6 months,
- d) restriction from the pursuit of studies for a limited period, not more than two semesters,
- e) expulsion from the University.

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<sup>1</sup> Amendment adopted by the Senate on its meeting held on 18th December 2014. Effective: from 01st February 2015.

<sup>2</sup> Amendment adopted by the Senate on its meeting held on 21st June 2018. Effective: from 21st June 2018.

(2) Imposition of disciplinary sanctions specified in Article (1) points d) - e) entails the final or temporary withdrawal of benefits and grants related to the student status.

(3)<sup>3</sup> Social benefits cannot be withdrawn as a disciplinary sanction specified by Article (1) point c). Dormitory placements shall be considered a grant pursuant to Article (1) point c).

(4) For the period of the disciplinary sanction imposed according to Section (1) point d) the student's legal status shall be suspended. The period of restriction from the pursuit of studies shall be imposed exclusively in full semesters.

(5) In case the student, whose legal status has been terminated according to subsection (1) point e), had been admitted through an admission procedure organized on the University's own initiative, they cannot repeatedly submit an application in an admission procedure organized on the University's own initiative.

(4)<sup>4</sup> In the case of a disciplinary sanction specified in Article (1) point c) and point d), the starting date of the sanction shall be provided for in the decision of the sanction. When determining the starting date of the sanction, the deadline for appeals shall be taken into account.

(7) Initiation of the disciplinary procedure and imposition of disciplinary sanctions shall not be influenced by the student's academic performance.

(8) When imposing disciplinary sanctions, the entire range of circumstances - such as the scope of those suffering violation, consequences, repetition of the unlawful conduct, weight of the offence, the severity of the potentially caused damage - shall be taken into consideration.

## **II. Rules of Disciplinary Procedure University Disciplinary Committee**

**Article 4.<sup>5 6</sup>** (1) In students' disciplinary matters, the University Disciplinary Committee (hereinafter referred to as UDC) shall proceed at the first instance. The UDC shall consist of five members, its Head is the Educational Director, and other members are the Vice-Dean for Education of the Faculty entitled to initiate the disciplinary procedure, a representative of the University Student Union, a representative of the Faculty Student Union of the Faculty entitled to initiate the disciplinary procedure and a representative of the Legal Department. One of the student members of the UDC shall be delegated by the University Student Union, the other student member of the UDC shall be delegated by the Faculty Student Union of the Faculty entitled to initiate the disciplinary procedure, the representative of the Legal Department shall be delegated by the head of the Legal Department. If the UDC proceeds in the disciplinary case of a student pursuing doctoral studies, an additional member shall be delegated to the UDC by the President of the Doctoral Student Association. In the suspicion of a disciplinary offence beyond a reasonable doubt committed in a dormitory, an additional member shall be delegated to the UDC by the Technical Services Director. In the latter case, the University Student Union shall delegate two members to the UDC.

(2) The following cannot be a member of the University Disciplinary Committee:

- a) the investigating officer of the case,
- b) the relatives of the student under procedure (Article 8:1 (1) point 2. of the Civil Code),
- c) those who have been heard as a witness or expert during the investigation,
- d) those from whom the impartial and objective judgment of the case cannot be expected.

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<sup>3</sup> Amendment adopted by the Senate on its meeting held on 21<sup>st</sup> June 2018. Effective: from 21<sup>st</sup> June 2018.

<sup>4</sup> Amendment adopted by the Senate on its meeting held on 21<sup>st</sup> June 2018. Effective: from 21<sup>st</sup> June 2018.

<sup>5</sup> Amendments to subsections (1)-(2) adopted by the Senate on its meeting held on 26<sup>th</sup> June 2014. Effective: from 26<sup>th</sup> June.

<sup>6</sup> Amendment adopted by the Senate on its meeting held on 21<sup>st</sup> June 2018. Effective: from 21<sup>st</sup> June 2018.

(3) If grounds for the exclusion of the Educational Director exist in the particular case or they are unable to attend for other reasons, the functions of the Head of the UDC shall be performed by the Vice Rector for Academic Affairs. If grounds for the exclusion exist regarding the Vice-Dean for Education of the Faculty entitled to initiate the disciplinary procedure in the particular case, or if they are unable to attend for other reasons, another Vice-Dean of the Faculty entitled to initiate the disciplinary procedure shall participate in the particular case.

(4)<sup>7</sup> The Secretary of the UDC is a designated member of the Legal Department of the Chancellor's Office. The Secretary shall perform the duties specified by this Regulation.

### **Initiation of the Disciplinary Procedure**

**Article 5.**<sup>8</sup> (1)<sup>9</sup> In case of suspicion beyond a reasonable doubt of a disciplinary offence, the Dean of the Faculty entitled to initiate the disciplinary procedure shall order the disciplinary procedure based on careful consideration of the information, evidence they have been made aware of. If the Dean of the faculty entitled to initiate the disciplinary procedure decides not to initiate the disciplinary procedure, the information, evidence they have been made aware of shall be handed over to the Committee consisting of three persons of whom one shall be delegated by the Rector, another by the president of the University Student Union, and one by the head of the Legal Department of the Chancellor's Office. In this case, this Committee shall be entitled to initiate the disciplinary procedure. The Dean shall inform the student about the initiation of the procedure without undue delay in a registered mail via the post that indicates the essential part of the conduct leading to the initiation of the procedure and contents to be indicated according to Article 6 (5) of the Regulation. Simultaneously, the Dean shall inform the Head of UDC about the initiation of the procedure by sending all available documents relating to the case.

(1a) In cases of a student pursuing doctoral studies (hereinafter: doctorate student), the Head of the Doctoral School in which the doctorate student pursues their studies shall be entitled to initiate the disciplinary procedure. If the doctorate student is pursuing their studies in more than one Doctoral Schools, the Head of the Doctoral School concerned with the disciplinary offence shall be entitled to initiate the disciplinary procedure. If the competent Doctoral School cannot be established having regard to the nature of the disciplinary offence, the Doctoral School where the doctorate student had started their studies earlier shall be entitled to initiate the procedure. If the doctorate student also pursues non-doctoral studies and the disciplinary offence is concerned with the non-doctoral studies, the Dean of the Faculty entitled to initiate the disciplinary procedure pursuant to subsection (2) herein shall be entitled to initiate the disciplinary procedure, nevertheless if the disciplinary offence is concerned with their doctoral studies, the Head of the Doctoral School competent pursuant to this subsection shall be entitled to initiate the disciplinary procedure. If the doctorate student also pursues non-doctoral studies and it cannot be established having regard to the nature of the disciplinary offence that which of their studies the disciplinary offence is concerned with, the Head of the Doctoral School competent pursuant to this subsection shall be entitled to initiate the Disciplinary Procedure. "Dean" and "Dean of the Faculty" used in subsections (1) and (3) herein and in Articles 6. and 7. shall mean "The Head of the Doctoral School" in cases where the Head of the Doctoral School is the entitled to initiate the disciplinary procedure.

(2) Initiation of the disciplinary procedure shall fall into the competence of the faculty where the student reasonably suspected of committing a disciplinary offence pursues their studies. In case the student pursues studies at more than one faculty, the faculty concerned with the disciplinary offence shall be entitled to initiate the disciplinary procedure. In case the competent faculty cannot be established having

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<sup>7</sup> Amendment adopted by the Senate on its meeting held on 21<sup>st</sup> June 2018. Effective: from 21<sup>st</sup> June 2018.

<sup>8</sup> Amendment adopted by the Senate on its meeting held on 21<sup>st</sup> June 2018. Effective: from 21<sup>st</sup> June 2018.

<sup>9</sup> Amendment adopted by the Senate on its meeting held on 18<sup>th</sup> December 2014. Effective: from 01<sup>st</sup> February 2015.

regard to the nature of the case, the faculty where the student commenced their studies earlier shall be entitled to initiate the disciplinary procedure.

(3) The disciplinary procedure cannot be initiated if more than a month has elapsed since the Dean became aware of the disciplinary offence or if more than five months have elapsed since the commission of the disciplinary offence. Becoming aware means the Dean's learning of the circumstance that is giving cause for the procedure.

(4)<sup>10</sup> In case criminal procedure or other administrative procedure has been initiated in connection with the action giving cause for the disciplinary procedure, the UDC may suspend the disciplinary procedure in the form of an order issued within 8 working days from becoming aware of the initiation of these procedures until the decision of the criminal or other administrative procedure becomes final. If the student's hearing, attendance at the oral procedure required by this Regulation is not possible for reasons beyond the student's control, the UDC shall suspend the disciplinary procedure until the obstacle is removed, in the form of an order issued within 8 working days from becoming aware of the obstacle or procedure.

(5) The disciplinary procedure shall be closed within 30 working days from its initiation, with the exceptions detailed in Section (4). If duly justified, the Head of UDC may extend the period by 15 working days on one occasion.

### **Conduct of the Disciplinary Procedure**

**Article 6.<sup>11</sup>** (1) The Dean shall designate an investigating officer from among the civil servants employed by the given faculty within 3 working days from the initiation of the disciplinary procedure in order to establish the initial facts of the disciplinary case and to locate and gather evidence.

(2) It is only possible to dispense with the designation of an investigating officer if the facts are easy to judge and the student has made a written confession covering every important circumstance of the case in which they admit the commission of the disciplinary offence.

(3) Those who are subject to conflict of interest according to points b) – d) of Article 4. (2) cannot be investigating officers. Also, members of UDC and members of the Secondary Disciplinary Committee cannot be investigating officers.

(4) The investigating officer must conduct the investigation within 8 working days from the designation and hear the student towards whom reasonable grounds to suspect the commission of disciplinary offence exist. A record shall be kept about the student's defense and about taking the evidence according to Article 10 with the aid of an employee taking the record.

(5) The student must be informed by the Dean's letter initiating the disciplinary procedure and also orally during the procedure about the following:

- a) the student may authorize their legal representative or a member of the University Student Union to represent them in the procedure,
- b) in case of a confession according to Section (2) the student may request the dispensation with taking detailed evidence and that the confession shall be a strong mitigating circumstance when imposing the sanction,
- c) the student is entitled to make oral or written comments during the investigation and to present a coherent defense,
- d) d)<sup>12</sup> the student may read, make notes of, and on one occasion receive copies of the concerning documents in relation to their disciplinary liability during the disciplinary procedure.

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<sup>10</sup> Amendment adopted by the Senate on its meeting held on 14<sup>th</sup> December 2017. Effective: from 14<sup>th</sup> December 2017.

<sup>11</sup> Amendment adopted by the Senate on its meeting held on 21<sup>st</sup> June 2018. Effective: from 21<sup>st</sup> June 2018.

<sup>12</sup> Amendment adopted by the Senate on its meeting held on 18<sup>th</sup> December 2014. Effective: from 01<sup>st</sup> February 2015.

**Article 7** (1)<sup>13</sup> After the initiation of the disciplinary procedure, upon the Dean's proposal, if duly justified, the Rector, with the consent of the University Student Union or the Doctoral Student Association, may prohibit the student from attendance at lectures and at other educational activities or from the presence on the University's premises until the disciplinary resolution becomes final. The student sentenced with prohibition cannot take examinations, either. The student cannot be prohibited from the attendance of educational activities which may not be made up for.

(2) In case the UDC imposes a disciplinary sanction not specified by points d) – e) of Article 3 (1) in the disciplinary resolution, the student prohibited from attendance at lectures and other educational activities must be granted the possibility to make up for the missed educational obligations without disadvantages.

### **Disciplinary hearing**

**Article 8.**<sup>14</sup> (1) The UDC shall hold a hearing that is open to the public within 15 working days from the receipt of the investigating officer's report, or – if an investigating officer does not participate in the procedure – 15 working days from the initiation of the disciplinary procedure. The student, the student's authorized representative, the witness, the expert, and the investigating officer of the case shall be invited to the hearing in writing, in a manner that proves the receipt of the invitation, at least 3 working days before the hearing, indicating the consequences of non-attendance.

(2) In the student's absence, the hearing may only be held, if the student did not appear despite a duly sent notification and did not excuse their absence. If the student proves the excusable reason of absence, a new date shall be set for the hearing and/or the possibility to make written remarks shall be ensured upon the student's request.

(3) The disciplinary hearing is led by the Head of UDC, the members of UDC may ask questions and submit motions at the hearing. The investigating officer must attend the disciplinary hearing, present their report, and answer questions addressed to them. The investigating officer shall help the determination of disciplinary liability by submitting motions and making comments.

(4) On the student's or the witness's motion or upon the UDC's own initiative UDC may exclude the public from the entire hearing or from a part of it for moral reasons.

(5) The facts must be clarified in the disciplinary procedure. In order to clarify the facts, within the framework of the procedure, the UDC may carry out an investigation, for this purpose, it may hear witnesses, consult documents and material evidence, engage experts, carry out an on-site inspection.

(6) The student must be heard at the disciplinary hearing. The student may make comments and suggest taking further evidence regarding every piece of evidence and to every statement of the investigating officer, may present a coherent defense after becoming aware of the investigating officer's report, may view the documents related to their disciplinary liability during the procedure, take notes of these and on one occasion, upon their request receive a copy of documents concerning them.

(7) If UDC does not consider the facts clarified without any concern at the disciplinary hearing, it shall order to collect further evidence, or to supplement the investigating officer's report, the Head of UDC shall declare the date of the new hearing and the decision regarding the extension of the procedure.

(8) If UDC considers the facts clarified, it declares the hearing closed and makes a decision in closed session, by a majority of votes. The decision shall be set out in a reasoned, written resolution, the operative part of which shall be declared at the hearing by the Head of UDC.

### **Disciplinary Resolution**

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<sup>13</sup> Amendment adopted by the Senate on its meeting held on 21<sup>st</sup> June 2018. Effective: from 21<sup>st</sup> June 2018.

<sup>14</sup> Amendment adopted by the Senate on its meeting held on 18<sup>th</sup> December 2014. Effective: from 01<sup>st</sup> February 2015.

**Article 9.** (1) Disciplinary sanctions shall be imposed by a resolution if the UDC stipulates that the student committed the disciplinary offence.

- (2) The operative part of the resolution imposing the disciplinary sanction shall include:
- name and personal details of the student held liable for the disciplinary offence,
  - description of the disciplinary offence,
  - disciplinary sanctions imposed and other provisions related to this,
  - d)<sup>15</sup> information regarding the possibility of appeal and its deadline, and about the provisions set forth in Article 12. subsection (3) herein.
- (3) The reasoning of the resolution imposing the disciplinary sanction shall include:
- the facts established,
  - description and evaluation of evidence,
  - the reason of rejection of the student's suggestion on taking further evidence,
  - circumstances considered when imposing the sanctions,
  - the indication of provisions which establish the disciplinary sanctions.
- (4) The UDC makes a decision on termination of the procedure,
- if the act committed is not a disciplinary offence,
  - if the act was not committed by the student subject to the procedure,
  - if the commission of disciplinary offence cannot be proven,
  - if no decision has been made within the deadline set by Article 5 (5) from the initiation of the disciplinary procedure,
  - in case the Secondary Educational Committee has ordered a repeated disciplinary procedure at first instance, but more than five months have elapsed since the commission of the disciplinary offence, or if the conduct of the repeated disciplinary procedure at first instance is not justified considering the passage of time and every circumstance of the case.
- (5) The operative part of the resolution on the termination of the disciplinary procedure shall include:
- name and personal details of the student subject to the disciplinary procedure,
  - description of the disciplinary offence constituting the disciplinary procedure,
  - the clear indication of the termination of the procedure,
  - information regarding the possibility of appeal and its deadline.
- (6) The reasoning of the resolution terminating the disciplinary procedure shall include the summary of the facts established, the evidence, and the reasons based on which the UDC terminated the procedure.
- (7) The date of initiation of the disciplinary procedure, registration number of the case, name of the organ which made the resolution, place and time of the disciplinary hearing and the fact if the hearing was public shall be indicated in the introductory part of both the resolution imposing a disciplinary sanction and the resolution terminating the procedure.
- (8)<sup>16 17</sup> The Secretary of UDC shall ensure that the disciplinary resolution is concluded in writing within 10 working days from its declaration, and that the resolution is delivered to the student, to the student's representative and to the Dean or to the Head of the Doctoral School, if the disciplinary procedure was initiated by the Head of the Doctoral School.

### **Record**

**Article 10.** (1) Record shall be drawn up from the student's hearing by the investigating officer, from the disciplinary hearing, from the closed meeting of the UDC which shall include the substantial,

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<sup>15</sup> Amendment adopted by the Senate on its meeting held on 18<sup>th</sup> December 2014. Effective: from 01<sup>st</sup> February 2015.

<sup>16</sup> Amendment adopted by the Senate on its meeting held on 18<sup>th</sup> December 2014. Effective: from 01<sup>st</sup> February 2015.

<sup>17</sup> Amendment adopted by the Senate on its meeting held on 21<sup>st</sup> June 2018. Effective: from 21<sup>st</sup> June 2018.

essential details of the statements and further details requested specifically to be recorded by the members of UDC, the student, the student's representative and the investigating officer.

(2) Those who are excluded based on the reasons specified in Article 4. (2) cannot be recorders. Further, members of UDC and members of the Secondary Disciplinary Committee cannot be recorders of the record. In the procedure of the UDC, the record shall be drawn up by the Secretary of UDC.

### **Legal remedy and Enforcement**

**Article 11.**<sup>18</sup> (1)<sup>19</sup> The student and the Dean initiating the disciplinary procedure or the Head of the Doctoral School, if the Head of the Doctoral School initiated the procedure, may appeal against the disciplinary resolution in writing within 15 days of the receipt. The appeal shall be submitted to UDC and addressed to the Secondary Educational Committee.

(2) The Head of UDC shall forward the appeal and the documents generated during the procedure without undue delay after the expiration of the deadline for the appeal to the Head of Secondary Educational Committee.

(3) The appeal shall have a suspensory effect on the enforcement of the disciplinary resolution.

(4) In the absence of an appeal, after the expiration of the deadline for appeal, the resolution of the first instance shall be final and enforceable.

(5) The Dean or the Head of the Doctoral School shall ensure the enforcement of disciplinary sanctions, and a record shall be kept about it by the Secretary of the UDC.

### **Appeals Procedure**

**Article 12.**<sup>20</sup> <sup>21</sup> (1)<sup>22</sup> In case of an appeal against the disciplinary resolution submitted within the deadline described by Article 11. (1), the Secondary Disciplinary Committee of three members shall proceed. The Head of the Secondary Disciplinary Committee is the Head of the Rector's Office, its members are a representative of the Student Union and a representative of the Legal Department. The student member of the UDC shall be delegated by the University Student Union, the representative of the Legal Department shall be delegated by the head of the Legal Department. If grounds for the exclusion of the Head of the Rector's Office exist in the particular case or if they are unable to attend for other reasons, the functions of the Head of the Secondary Disciplinary Committee shall be performed by the Director of the Legal Department. If the Secondary Disciplinary Committee proceeds in the case of a doctorate student and holds a disciplinary hearing, the representative of the Doctoral Student Association shall be invited, who shall have consultative powers in the hearing.

(2) The provisions pertaining to the closed meeting of the UDC and to the hearing and resolution of the first instance shall apply to the secondary procedure *mutatis mutandis*, according to subsection (3) hereunder, noting that the procedure must be conducted within 15 working days from the receipt of the appeal.

(3) The Secondary Disciplinary Committee usually makes its decision without a holding a hearing, in a closed meeting but if it is considered justified and the scope and time-frames of the case enable it, it may collect evidence and hold a disciplinary hearing, where it may hear the student. If the student requests it in their appeal, the disciplinary hearing shall be held and the student shall be heard. The student shall be informed about this in the resolution of the first instance.

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<sup>18</sup> Amendment adopted by the Senate on its meeting held on 21<sup>st</sup> June 2018. Effective: from 21<sup>st</sup> June 2018.

<sup>19</sup> Amendment adopted by the Senate on its meeting held on 18<sup>th</sup> December 2014. Effective: from 01<sup>st</sup> February 2015.

<sup>20</sup> Amendment adopted by the Senate on its meeting held on 18<sup>th</sup> December 2014. Effective: from 01<sup>st</sup> February 2015.

<sup>21</sup> Amendment adopted by the Senate on its meeting held on 21<sup>st</sup> June 2018. Effective: from 21<sup>st</sup> June 2018.

<sup>22</sup> Amendment adopted by the Senate on its meeting held on 26<sup>th</sup> June 2014. Effective: from 26<sup>th</sup> June 2014.



(4) In case the Secondary Disciplinary Committee considers the procedure of the first instance as lawful and regards the operative part and the reasoning of the resolution of the first instance as correct, it shall reject the appeal and maintain the disciplinary resolution of the first instance in force.

(5) If the case is not clarified sufficiently, or if there was a major administrative offence in the procedure of the first instance, the Secondary Disciplinary Committee shall annul the resolution of the first instance and instructs the Committee proceeding at first instance to conduct a new disciplinary procedure at first instance. The repeated disciplinary procedure of the first instance must be conducted within 15 working days.

(6) If the sanction imposed in the resolution is disproportionately mild or disproportionately serious, or if it does not agree with the classification of the resolution of the first instance, the Secondary Disciplinary Committee shall change it according to the liability circumstances.

(7) The Head of Secondary Disciplinary Committee shall provide for concluding the secondary resolution in writing within 5 working days from the decision and for delivering it to the student, to the student's authorized representative, to the Dean and to the Head of the Doctoral School, if the Head of the Doctoral School initiated the disciplinary procedure, and to the head of the UDC.

(8) The decision of the second instance shall be final as of the date of notification. The final decision is enforceable unless the student requested its judicial review when lodging this action has a suspensory effect on the enforcement of the resolution until the final decision is made by the court.

(9) The student may request the judicial review of the secondary decision within 30 days from notification, by reference to a breach of law or breach of provisions pertaining to the student's legal status.

(10) Enforcement and record-keeping of the resolution of the second instance shall be provided in the same way as they are provided for in case of the resolution of the first instance.

### **Exemption and Dispensation**

**Article 13.** (1) Disciplinary sanctions imposed in the disciplinary case shall be deleted from the record and the student cannot be called to account for it

- a) as from six months following the date the disciplinary sanction specified by Article 3. (1) point a) became final,
- b) as from one year following the date the disciplinary sanction specified by Article 3. (1) point b) became final,
- c) as from six months following the expiry date of the disciplinary sanction specified by Article 3. (1) point c),
- d) as from one year following the expiry date of the disciplinary sanction specified by Article 3. (1) point d).

(2) Dispensation from the disciplinary sanction imposed in a disciplinary case of a dormitory the provisions of this Article shall be applied having regard to the provisions of Article 3. (6).

### **III. (Financial) Liability for Damages Students' (Financial) Liability for Damages**

**Article 14.** (1) The student is held liable for damages caused unlawfully to the University or the organizer of the practical training in connection with their academic obligations.

(2) In case the damage was caused by negligence, the student's liability is limited, the amount of compensation cannot exceed 50 % of the monthly amount of the lowest obligatory minimum wage (minimum wage) effective on the day the damage was caused.

(3) In case the damage was caused intentionally, the student must pay compensation for the total damage caused.

(4)<sup>23</sup> The student bears full liability for loss in objects they received with a registry or receipt - with the obligation to return them or with clearing obligation -, that they keep in their custody, use exclusively or manage. They shall be exempted from the liability if the damage was caused by unavoidable events (Force majeure).

(5) The Rules of Usage of the Library of the University of Pécs shall apply to damages caused while using the services of the University Library.

### **The University's Liability for Damages**

**Article 15.** (1)<sup>24</sup> If the University or the organizer of the practical training causes damage to the student in connection with the student's legal status or the practical training, they must compensate the damages pursuant to the provisions of the Civil Code. The University and the organizer shall be exempted from liability in case they prove that the damage was caused by unavoidable events (Force majeure) beyond their control or by the injured party's uncontrollable action.

(2) If the student entered into a contract according to Act No. CLXXXVII. of 2011 on Vocational Education, the provisions of the Act on Vocational Education shall apply to the compensation for damages caused to the organizer of the practical training or to the student, hence, the parties must initiate mediation at the competent Economic Chamber in order to resolve the possible dispute.

### **Procedural Rules of the (Financial) Liability for Damages**

**Article 16.** (1) A record shall be taken about the damages caused by the student immediately after learning of it at the place of causing the damage in the presence of the student and two impartial witnesses. The record shall be taken by a public sector employee of the university's organizational unit concerned. The student concerned with the damage must sign it and declare whether they recognize the fact of causing the damage and if they agree to compensate for the damage. The declaration must also be included in the record. The record shall be signed by the employee taking it and the two witnesses present.

(2) If the student recognises the liability for damages in the record and does not dispute the amount of compensation, the head of the organizational unit affected by the damage shall inform the Central Registrar's Office and request the imposition of the amount of compensation in the Neptun higher educational system (ES). The head of the organizational unit affected by the damage may grant delayed payment or payment in instalments upon the student's written request.

(3) If the student does not recognize the liability for damages or disputes the amount of compensation, the determination of these shall be governed by the rules of disciplinary procedure with the derogations specified by Article 17 herein.

**Article 17.** (1) The records taken of the damage shall be sent to the Head of UDC within 3 working days from the day of issue. The UDC shall examine the case make a decision on the case by a resolution on compensation.

(2) The resolution on compensation shall include the following:

- a) name of the body making the decision,
- b) registry number and date of issue of the resolution,
- c) personal details of the student causing damage,
- d) the operational part of the resolution shall specify the damage caused, the amount of compensation, make provisions about the possible payment in instalments and refer to the possibility of appeal having suspensory effect,
- e) the reasoning of the resolution shall describe into detail the facts of the case, the damage caused, the financial value of damage, the legal basis of liability for damages (damage, act giving rise to the 10 damage, causal link), the unlawful nature of the damage, the conditions and deadline

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<sup>23</sup> Amendment adopted by the Senate on its meeting held on 26<sup>th</sup> June 2014. Effective: from 26<sup>th</sup> June 2014.

<sup>24</sup> Amendment adopted by the Senate on its meeting held on 26<sup>th</sup> June 2014. Effective: from 26<sup>th</sup> June 2014.

of the payment of compensation and indicate the provisions underlying the resolution on compensation.

(3) The resolution shall be delivered to the student, to the head of the organizational unit affected by the damage, and to the Central Registrar's Office.

(4)<sup>25</sup> The final resolution on compensation may be challenged before the court within 30 days from notification. The action submitted to court has a suspensory effect on the enforcement of the final resolution. The student shall inform the institute about submitting an action to the court by sending a copy of the action.

**Article 18.** (1) The student may request the compensation for damages caused to them according to Article 15. from the head of the affected organizational unit in writing within 8 days from the date of the damage or from learning of the damage. The type of damage, the circumstances of its incurrence (the name of possible witnesses present), the estimated or – if it is known – the actual financial value of damage shall be described in detail in the request.

**Article 19.** Further questions of liability for damages shall be governed by the regulations of the Civil Code pertaining to liability for damages.

### **Enacting and closing provisions**

**Article 20.** (1) This Regulation shall enter into force on 1<sup>st</sup> February 2014.

(2) On the same date, the Disciplinary and Compensation Regulations for Students of the University of Pécs adopted on 28<sup>th</sup> June 2012 shall cease to be in effect.

Dr. Bódis József  
Rector

### **Clause:**

This Regulation was adopted by the Senate of the University of Pécs on its meeting of December 19, 2013.

Amendments adopted by the Senate on its meeting held on 26<sup>th</sup> June 2014. Effective: from the date of adoption.

Amendments adopted by the Senate on its meeting held on 18<sup>th</sup> December 2014 under the resolution 238/2014. (12.18.). Effective: from 1<sup>st</sup> February 2015.

Amendments adopted by the Senate on its meeting held on 14<sup>th</sup> December 2017 under the resolution 168/2017 (12.14.). Effective: from the date of adoption.

Amendments adopted by the Senate on its meeting held on 21<sup>st</sup> June 2018 under the resolution 79/2018 (06.21.). Effective: from the date of adoption.

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<sup>25</sup> Amendment adopted by the Senate on its meeting held on 21<sup>st</sup> June 2018. Effective: from 21<sup>st</sup> June 2018.