 BUDAPESTI CORVINUS EGYETEM	STUDENT REQUIREMENTS PART 6	Version Number: 00. Effective as of: 01. 09. 2021 Reference No.: JISZ-SZ/11/2021
Student Disciplinary and Compensation Regulation		

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version number	date of publication	date of entry into force	version control
00.	30. 06. 2021	01. 09. 2021	publication Resolution No. SZ- 81/2020/2021. (2021. VI. 22.)

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SCOPE OF THE REGULATION

Article 1

- (1) The personal scope of this Regulation (hereinafter: Student Disciplinary and Compensation Regulation) extends to those Hungarian and non-Hungarian persons who have been admitted to the Corvinus University of Budapest (hereinafter: University), and who have a student status at the University, who shall commence or continue their studies:
 - a) in an undergraduate programme,
 - b) in a two-cycle or single cycle graduate programme,
 - c) in a specialist programme,
 - d) in a university or college undergraduate programme, or in a complementary undergraduate programme set out in Act LXXX of 1993 on Higher Education, and
 - e) in a doctoral programme,
regardless of whether they pursue their studies according to a full-time, evening or correspondence work schedule, in Hungarian or in a foreign language, or regardless of the place of training and form of fee bearing (hereinafter: students).
- (2) Furthermore, the personal scope of the Student Disciplinary and Compensation Regulation equally extends to students participating in:
 - a) a specialisation programme,
 - b) a partial training (having a guest student status),
 - c) a training abroad, outside headquarters,
 - d) a joint training, double or multiple degree program,
 - e) a training programme implemented within the framework of Stipendium Hungaricum Scholarship Scheme, Diaspora Higher Education Scholarship Scheme, or any other interstate or state scholarship scheme
 - f) a preparatory training programme.
- (3) The personal scope of the Student Disciplinary and Compensation Regulation extends to persons, organizational units and bodies involved in student disciplinary and examination cases, as well as all lecturers, associate lecturers, researchers, teachers and other colleagues involved in education and educational administration who are involved in disciplinary and/or compensation proceedings in any capacity.
- (4) The personal scope of the Student Disciplinary and Compensation Regulation extends to those persons whose student status was terminated pursuant to Section 59 (1) (d) of the National Higher Education Act.
- (5) The personal scope of the Student Disciplinary and Compensation Regulation also extends to participants in the doctoral degree procedure.
- (6) The territorial scope of the Student Disciplinary and Compensation Regulation extends to student disciplinary and compensation cases related to trainings conducted at the University's headquarters, premises or at another location by the University.

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- (7) The scope of the Student Disciplinary and Compensation Regulation does not extend to the training programmes provided within the framework of adult education covered by Act LXXVII of 2013 on Adult Education.
- (8) The higher education institution with which the student subject to the proceedings has a student status shall be competent to conduct the disciplinary and/or compensation proceedings. If the student has a student status with several higher education institutions, the institution in respect of which the student has breached his or her obligations and/or to the detriment of which he or she has committed an act shall be competent to conduct the disciplinary and/or compensation proceedings. In such a case, the disciplinary committee of the acting institution shall notify the other institution of the initiation of the proceedings and of the decision that has become final.

RELATED DOCUMENTS

Article 2

- (1) Legislation, internal regulatory document authorizing the adoption of the Regulation: Act CCIV of 2011 on National Higher Education (hereinafter: National Higher Education Act).
- (2) Related legislation and internal regulatory documents:
- a) Act CCIV of 2011 on National Higher Education (hereinafter: National Higher Education Act),
 - b) Act CL of 2016 on General Public Administration Procedures (hereinafter: General Public Administration Procedures Act)
 - c) Act C of 2012 on the Criminal Code (hereinafter: Criminal Code),
 - d) Act V of 2013 on the Civil Code (hereinafter: Civil Code),
 - e) Procedure for the Assessment of First Instance Applications and Legal Remedy Requests in Relation to Student Status (hereinafter: Procedure for the Assessment of First Instance Applications and Legal Remedy Requests in Relation to Student Status),
 - f) Rules of Procedure of the Student Disciplinary Committee and the Second Instance Student Disciplinary Committee.

DEFINITIONS

Article 3

- (1) Under the Student Disciplinary and Compensation Regulation:
- a) documents of a disciplinary/compensation case: all documents that have been entered in the register of the acting committee and placed in its temporary archives in the given disciplinary or compensation case, thus, as the starting document of the disciplinary and compensation case, the document initiating the disciplinary and compensation proceedings, as well as the documents sent as an annex thereto, submissions of the student subject to the proceedings, minutes of the hearing, request



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- for an expert, request for a witness, testimony of a witness, statement of an expert, documentary evidence;
- b) damage caused negligently: damage is caused negligently, if the student foresees the possible consequences of his or her action but has easy confidence that such consequences shall not occur, or fails to foresee the possible consequences of his or her action because he or she fails to provide the attention or caution expected of him or her;
 - c) natural person identification data: surname and forename, surname and forename of birth, place of birth, date of birth and mother's surname and forename of birth of the person;
 - d) expert: a person contacted by the disciplinary and/or compensation committee during the disciplinary and/or compensation proceedings who, on the basis of his or her qualifications, skills or other expertise, gives a professional opinion on a matter raised in the evidentiary proceedings, whether or not the expert has a working relationship with the University;
 - e) damage caused intentionally: damage is caused intentionally when the student seeks the consequences of his or her actions or resigns to those consequences;
 - f) decision taken by an absolute majority: a decision taken with the support of more than half of all the members.
- (2) With regard to the terms not specified in the Student Disciplinary and Compensation Regulation, in disciplinary cases the Criminal Code, in compensation cases the Civil Code shall apply.

RULES OF THE DISCIPLINARY PROCEEDINGS

DISCIPLINARY OFFENCE

Article 4

- (1) The student commits a disciplinary offence if he or she wrongfully and seriously breaches his or her obligations arising from his or her student status.
- (2) The student's obligations arising from his or her student status are laid down by law, internal regulatory documents of the University, in particular, the Organisation and Operational Manual and the Student Requirements, the Bylaw of the University's Student Union (hereinafter: Student Union) and PhD Student Union (hereinafter: PhD Student Union), as well as by the student's training contract. Obligations may also be established by the University's training programme, the individual decision issued with regard to the student, and the student's lecturer.
- (3) The Student Disciplinary and Compensation Regulation shall also apply if the student wrongfully or seriously breaches his or her obligations arising from his or her membership in the dormitory (dormitory disciplinary offence).
- (4) A breach of duty may be both an active conduct and an omission (hereinafter together: conduct).

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- (5) The student commits a serious breach of duty in particular:
- a) if the breach of duty violates or endangers the lawful operation of the University;
 - b) in the event of serious plagiarism;
 - c) if he or she substitutes another person, or he or she is substituted by another person when assessing student performance; or he or she uses an unauthorized aid or method, or otherwise violates the rules governing the assessment of student performance;
 - d) if he or she fails to fulfil his or her obligation of social coexistence, his or her conduct is contrary to the rules on community coexistence, e.g. he or she commits a conduct that violates the health, physical integrity and human dignity of the University's lecturer, researcher, including the associate lecturer and the commissioned researcher, other employees and students, thus, in particular, he or she harasses others, is directly or indirectly discriminatory, uses unlawful segregation, retaliation;
 - e) he or she violates his or her obligation to cooperate or engages in other breach of duty to the extent that it is likely to restrict or impede the University's core activities, further activities specified in the Founding Charter or other intended activities, operation, or to harm or endanger the economic interests of the University;
 - f) if, in his or her capacity as a student or beyond that, he or she does not commit a specific breach of duty but he or she behaves in a manner particularly unworthy of a university student, or, by his or her conduct, he or she seriously or repeatedly damages or endangers the reputation of the University.
- (6) In addition to paragraph (5), the student holding a position in the Student Union or PhD Student Union (hereinafter: Union officer) commits a serious breach of duty, if he or she:
- a) breaches the obligation of confidentiality related to his or her office or membership;
 - b) violates the conflict of interest rules contained in the National Higher Education Act and/or in the Bylaws of the Student Union or PhD Student Union, and does not terminate the conflict of interest by the deadline specified in the Rector's call for termination;
 - c) does not report to the person entitled to initiate disciplinary proceedings any serious breach of duty of which he or she has become aware;
 - d) exceeds the powers conferred on him or her by his or her office or otherwise abuses his or her position arising from his office, if the Supervisory Board of the Student Union or PhD Student Union has not initiated proceedings in connection with the student's act within the deadline, or the proceedings are not suitable for sanctioning the act.
- (7) For the purposes of the Student Disciplinary and Compensation Regulation, the Union officer abuses his or her office, who, in order to obtain an undue advantage or cause an unlawful disadvantage,
- a) exceeds the powers conferred on him or her by his or her office, or
 - b) otherwise abuses his or her position arising from his or her office.

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- (8) The student breaches his or her duty culpably, if the breach is committed intentionally or through negligence.
- (9) For the purposes of the Student Disciplinary and Compensation Regulation, regardless of how the office is filled, the nature of the mandate (e.g. election, delegation, co-opting) and the duration thereof, all positions are considered to be Union officers:
- which is defined as such in the Bylaws of the Student Union or PhD Student Union,
 - who substitutes a Union officer in this capacity, and
 - even in the absence of those specified in point a), all mandates in the framework of which the student acts representing the interests of students at the request of anybody or Head of the Student Union or PhD Student Union.
- (10) A breach of duty for which the Student Requirements has adverse consequences (absence from the compulsory session, absence from the assessment of student performance, etc.) shall not be considered a disciplinary offence.

DISCIPLINARY PENALTY, MEASURES**Article 5**

- In the event of a disciplinary offence, the student shall be subject to a disciplinary penalty by a disciplinary decision on the basis of disciplinary proceedings.
- The disciplinary penalty may be:
 - reprimand,
 - severe reprimand,
 - reduction or withdrawal of the benefits and allowances specified in the Regulation on Student Fees and Benefits (hereinafter: Student Fees and Benefits Regulation) for a maximum period of six months,
 - prohibition from continuing studies for a fixed period of not more than two semesters,
 - expulsion from the University.
- The disciplinary decision shall determine the duration of the disciplinary penalty specified in points c) and d) of paragraph (2) and the extent of the reduction of the benefit or allowance.
- The duration of the prohibition specified in point d) of paragraph (2) shall be determined by exactly specifying the semesters concerned.
- As a disciplinary penalty, the social grant specified in the Student Fees and Benefits Regulation may not be withdrawn.
- If the student studies in more than one training programmes, the disciplinary penalty specified in points d) and e) of paragraph (2) shall apply with effect to all training programmes.
- The application of the disciplinary penalty specified in points d) and e) of paragraph (2) shall be accompanied by the permanent or temporary withdrawal of benefits and allowances related to the student status. During the period of application of the

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- disciplinary penalty specified in point d) of paragraph (2), the student status shall be suspended.
- (8) When determining the disciplinary penalty, all the circumstances of the act, including in particular the number of persons adversely affected, the consequences, the repetition of the infringing conduct and the gravity of the act committed, shall be taken into account in such a way that the penalty applied should be commensurate with the gravity of the act committed, the degree of the student's fault, and the mitigating and aggravating circumstances.
- (9) The imposition of a disciplinary penalty shall not be affected by the student's academic performance.
- (10) If the disciplinary offence specified in Article 4 (5) c) is established, the result of the examination affected by the offence must be marked "inassessable" and the marking must state that the reason for the classification is a permanent ethical or disciplinary offence. Due to a disciplinary offence, the examination paper cannot be assessed as insufficient.
- (11) In the event of a disciplinary offence committed in a dormitory, the range of disciplinary penalties specified in paragraph (2) shall be extended with the following options:
- prohibition from dormitory accommodation for a fixed period, not exceeding one semester, on the understanding that the duration of the prohibition must be specified in weeks and the student cannot be prohibited from the dormitory for the weeks of the examination period;
 - expulsion from the dormitory.
- (12) In case of application of the disciplinary penalty specified in point b) of paragraph (11), the student may be admitted to the dormitory of the University not earlier than one academic year after the last day of the academic year in which the penalty was imposed.
- (13) Instead of imposing a disciplinary penalty, a warning may be applied while terminating the proceedings, if the breach of duty is of minor importance in view of all the circumstances of the case, in particular the identity of the student, the motive for the act and the manner in which it was committed, and the protection of university order and discipline, as well as the deterrence of the student concerned and others from the breach of duty, may also be achieved by a warning. With a warning, the University expresses its disapproval, and draws the attention of the student concerned to his or her misconduct, and to the fact that he or she should refrain, in the future, from any act that may give rise to disciplinary proceedings.

EXEMPTION FROM THE ADVERSE CONSEQUENCES OF THE PENALTY

Article 6

- (1) The student shall be exempted from the adverse legal consequences of the disciplinary penalty:
- in case of application of Article 5 (2) a) –b), on the day on which the decision becomes final;

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- b) in case of application of Article 5 (2) c)–d) and Article 5 (11) a), after the expiry of the period specified in the decision;
 - c) in the case of application of Article 5 (2) (e) and Article 5 (11) (b), two (2) years after the date on which the decision becomes final.
- (2) In the cases specified in paragraph 1 (b), the student may, taking into account particularly allowable circumstances, apply for his or her exemption from the adverse consequences of the disciplinary penalty before the expiry of the period specified in the decision, which application may be submitted from the day on which the decision becomes final and, in the event of a judicial challenge, from the date of the decision declaring the decision enforceable.
- (3) In the cases specified in in paragraph 1 (c), the student may, taking into account particularly allowable circumstances, apply for his or her exemption from the adverse consequences of the disciplinary penalty before the expiry of the period specified in the decision, which application may be submitted one (1) year after the day on which the decision becomes final and, in the event of a judicial challenge, one (1) year after the date of the decision declaring the decision enforceable.
- (4) The exemption procedure falls within the competence of the Student Discipline Committee. The Student Disciplinary and Compensation Regulation shall apply *mutatis mutandis* to the procedure of the Student Discipline Committee.
- (5) An appeal against the rejection of an application for exemption submitted on the ground of equity shall be addressed to the Vice-Rector for Education but submitted to the Chairman of the Student Discipline Committee within fifteen (15) days from the receipt of the decision. Article 24 shall apply to the assessment of the appeal.
- (6) In the event of an exemption, the disciplinary decision shall be deleted from the register. Deletion shall be effected by recording the fact and date of the exemption on the decision placed in the file.

PERSONS AND BODIES ACTING IN DISCIPLINARY CASES

Article 7

- (1) Persons and bodies participating in the disciplinary proceedings:
- a) the person entitled to order the disciplinary proceedings, that is the Vice-Rector for Education,
 - b) the board acting in disciplinary cases of first instance, the Student Disciplinary Committee (hereinafter: Student Disciplinary Committee),
 - c) the board acting in disciplinary cases of second instance, the Second Instance Student Disciplinary Committee (hereinafter: Second Instance Student Disciplinary Committee);
 - d) the keeper of the minutes.
- (2) The official e-mail address of the Student Disciplinary Committee and the Second Instance Student Disciplinary Committee is the official e-mail address of Legal and Administrative Affairs used for the administration of student affairs.

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- (3) At first instance, disciplinary authority is exercised by the Student Disciplinary Committee (hereinafter: Student Disciplinary Committee). The Student Disciplinary Committee consists of six (6) members (including the Chairman), of which four (4) members are employees of the University and two (2) members are representatives of the Student Union. If the disciplinary proceedings are instituted against a student participating in a doctoral programme, one (1) student member is delegated by the PhD Student Union. At least two (2) of the employee members have a law degree/qualification [of which one (1) is employed as a lecturer/researcher/teacher], the other members are employed as lecturers/researchers/teachers. Employee members are invited by the Vice-Rector for Education. Student members must be appointed in accordance with the Bylaws of the Student Union. The Chairman shall be invited by the Vice-Rector for Education from among the elected members. The President of the Student Union shall notify the Vice-Rector for Education in writing of the identity of the student members.
- (4) At second instance, disciplinary authority is exercised by the Second Instance Student Disciplinary Committee (hereinafter: Second Instance Student Disciplinary Committee). The Second Instance Student Disciplinary Committee consists of six (6) members (including the Chairman), of which four (4) members are employees of the University and two (2) members are representatives of the Student Union. If the disciplinary proceedings are instituted against a student participating in a doctoral programme, one (1) student member is delegated by the PhD Student Union. At least two (2) of the employee members have a law degree/qualification [of which one (1) is employed as a lecturer/researcher/teacher], the other members are employed as lecturers/researchers/teachers. Employee members are invited by the Vice-Rector for Education. Student members must be appointed in accordance with the Bylaws of the Student Union. The Chairman shall be invited by the Vice-Rector for Education from among the elected members. The President of the Student Union shall notify the Rector in writing of the identity of the student members.
- (5) The tasks of the keeper of the minutes of the Student Disciplinary Committee and Second Instance Student Disciplinary Committee (hereinafter: committees) shall be performed by the staff member dedicated from the staff of the Legal and Administrative Affairs (hereinafter: Legal and Administrative Affairs) in consultation with the chairman of the committees. The keeper of the minutes shall not be a member of the committees. The keeper of the minutes shall perform the administrative and document management tasks related to the operation of the student disciplinary committees.
- (6) Because of bias, the following persons may not participate in the committees:
- a) the person whose rights or legitimate interests are affected by the case and the person who instituted the proceedings, is the student's representative, gave a testimony or acted as an expert in the case;
 - b) a relative of the person subject to the disciplinary proceedings (a direct relative, his or her spouse or life partner, an adopted child, a stepchild or a foster child, an adoptive parent, a stepfather and foster parent, a sibling, a sibling's spouse or life partner, a spouse or a life partner, a direct relative or a sibling of the spouse or of the life partner);

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- c) from whom an objective assessment in the case cannot be expected for other reasons.
- (7) The student subject to the proceedings may raise an objection of bias. The issue of bias shall be decided by the Vice-Rector for Education.
- (8) The committees shall determine their own rules of procedure within the framework of the Student Disciplinary and Compensation Regulation and Procedure for the Assessment of First Instance Applications and Legal Remedy Requests in Relation to Student Status, with the language of the proceedings being Hungarian, unless the student subject to the proceedings requests that the proceedings be conducted in the language of the training programme.

ORDERING DISCIPLINARY PROCEEDINGS**Article 8**

- (1) Anyone shall be entitled to report the reasonable suspicion of a disciplinary offence to the person entitled to initiate disciplinary proceedings in a paper or electronic document, except for the suspicion of plagiarism, in which case only the Ethics Committee has the right to initiate the proceedings.
- (2) Disciplinary proceedings may be initiated upon report or on the basis of official knowledge. The report shall be originally signed or at least with an advanced electronic signature and shall be accompanied by all available evidence of the disciplinary offence.
- (3) In case of a reasonable suspicion of a disciplinary offence, the disciplinary proceedings shall be ordered by the Vice-Rector for Education upon report or on the basis of official knowledge within fifteen (15) days of becoming aware thereof.
- (4) Gaining knowledge is when the Vice-Rector for Education becomes aware of the circumstance giving rise to the proceedings. The day of gaining knowledge is therefore considered to be the day when the original (signed, original, paper-based document or electronically signed document) arrives at the official address/e-mail address of the Vice-Rector for Education.
- (5) Disciplinary proceedings may not be ordered if thirty (30) days have elapsed since gaining knowledge of the disciplinary offence or five (5) months have elapsed since the offence.
- (6) It is obligatory to order disciplinary proceedings if the student himself or herself has initiated such proceedings against himself or herself. In that case, paragraph (5) shall not apply.
- (7) It is not necessary to initiate proceedings if the proceedings are repeated on the basis of a decision of the Second Instance Student Disciplinary Committee or a court. In that case, paragraph (5) shall not apply.
- (8) After the formal submission of the report, the Vice-Rector for Education shall decide on ordering the proceedings. The proceedings must be ordered in a document with an original signature or at least an advanced electronic signature, and all available information, documents and other evidence must be attached to the order. The decision on the report shall be notified to the person submitting the report and the Student Disciplinary Committee, by sending them the document in which the proceedings are ordered or the

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- ordering of the proceedings is rejected. In the case of an electronic document, the notification must be sent from the official e-mail address of the Vice-Rector for Education.
- (9) The initiation of disciplinary proceedings shall not be affected by the student's academic performance.
- (10) The Student Disciplinary Committee shall act in the first instance disciplinary cases of the student.
- (11) The person entitled to order the disciplinary proceedings shall notify the student about ordering the disciplinary proceedings – at the same time as contacting the Student Disciplinary Committee and the person reporting the offence - in the case of a paper-based order by registered post with acknowledgment of receipt or personal delivery, or, in the case of an order included in an electronic document, by e-mail. In the case of an electronic document, the notification must be sent from the official e-mail address of the Vice-Rector for Education. The notification shall contain the natural person identification data of the student subject to the disciplinary proceedings, his or her student identification number, address, the indication of the study programme in which the student conduct his or her studies, the work schedule, the form of financing (hereinafter: personal data) and a brief description of the reasons for initiating the procedure. The notification shall be sent to the address for service or residential address of the student subject to the proceedings recorded in the Neptun study and registration system (hereinafter: Neptun) or, in the case of a student residing in a dormitory, by personal delivery to the dormitory, or, failing such, to his or her permanent address and e-mail address registered in Neptun. In the case of an electronic document, the notification shall be sent from the official e-mail address of the Vice-Rector for Education to the e-mail address of the student subject to the proceedings registered in Neptun.

DEADLINES

Article 9

- (1) The disciplinary proceedings, including the delivery of the disciplinary decision to the student subject to the proceedings, shall be completed within sixty (60) days, if all the circumstances of the case, thus, in particular, the facts, the scope, number and nature of the evidence allow it, on the understanding that the disciplinary proceedings may not exceed ninety (90) days. The proceedings repeated on the basis of the decision of the Second Instance Student Disciplinary Committee or the court shall be considered as new proceedings, thus the administration deadline shall start running again.
- (2) The administration deadline shall begin on the day following the receipt by the Student Disciplinary Committee of the decision on ordering the disciplinary proceedings.
- (3) The period of suspension pursuant to Article 10 of the rules of procedure and the period of postponement set forth in Article 17 (12) shall not be included in the administration deadline.
- (4) The period from the sending of a notice or decision sent to the student subject to the proceedings relating to the disciplinary hearing until the attempt of delivery shall not be included in the administration deadline, if, in the case of proper service, the student




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subject to the proceedings does not take over the document for any reason except for refusing to accept it.

SUSPENSION, LIMITATION

Article 10

- (1) If, on the basis of the report, there is a reasonable suspicion that a criminal offence has been committed, the Student Disciplinary Committee shall provide the information, documents and other evidence in its possession in an original copy to Legal and Administrative Affairs for the purpose of lodging complaints.
- (2) If, in the opinion of Legal and Administrative Affairs, there is a reasonable suspicion that a criminal offence has been committed, it shall contact the competent authority, otherwise, it shall not lodge complaints, of which fact it shall immediately notify the Student Disciplinary Committee in order to continue or suspend the disciplinary proceedings.
- (3) If, in the same case, infringement or criminal proceedings have been instituted against the student subject to the disciplinary proceedings, the Student Disciplinary Committee may suspend the disciplinary proceedings until the final determination of the infringement or criminal proceedings.
- (4) The suspension of disciplinary proceedings shall interrupt the limitation period.
- (5) Transmission for complaints may be omitted and the suspension ordered may be terminated, if it becomes apparent that the facts can be clearly clarified.
- (6) The proceedings shall be suspended until the removal of the obstacle at the latest also in the case, if it is not possible for the student subject to the proceedings to participate in the hearing due to reasons beyond his or her own fault, and the student declares that he or she wishes to attend the hearing or is unable to make such a declaration for reasons beyond his or her own fault.
- (7) The proceedings shall not be suspended in the circumstances set out in paragraph (5), if there is a reasonable suspicion in the case that a criminal offence has been committed and if the Student Disciplinary Committee considers that the conditions for terminating the proceedings are met.
- (8) The period of suspension of the disciplinary proceedings shall not be included in the administration deadline.
- (9) The suspension shall cease on the day on which the Student Disciplinary Committee receives formal notification of the final determination of the infringement or criminal proceedings, the Student Disciplinary Committee is officially notified of the fact that the student is no longer prevented from attending, and if the student requests that the proceedings be conducted in his or her absence, and if it subsequently becomes clear that the facts can be clearly clarified.
- (10) The Student Disciplinary Committee shall notify the student subject to the proceedings of the suspension and its termination within one working day, in the case of a decision included in a paper-based document by registered post with acknowledgment of receipt or personal delivery, or, in the case of a decision included in an electronic document, by e-

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mail, and it shall inform the Student Services and the person initiating the proceedings by e-mail.

- (11) Any procedural act (ordering disciplinary proceedings, a writ of summons, hearing, etc.) taken by the Student Disciplinary Committee against the student due to a disciplinary offence shall interrupt the limitation period. On the date of interruption, the limitation period shall start running again.

CONSOLIDATION OF PROCEEDINGS


Article 11

- (1) In case there are more students who are subject to proceedings, the Student Discipline Committee may decide on the consolidation of the cases if the separation is not possible due to the direct and close connection of the facts.
- (2) In the case of consolidation, all students subject to the proceedings shall be entitled to acquaint themselves with the complete file of the joint proceedings and to be present at all procedural acts of the joint proceedings.

INTERIM MEASURES

Article 12

- (1) In justified cases, with special regard to the nature and gravity of the disciplinary offence, the person entitled to order the disciplinary proceedings may, as an interim measure, at the same time as disciplinary proceedings are ordered, oblige the student subject to the proceedings to a special curriculum, and prohibit him or her from attending certain classes or applying for an exam or taking an exam, suspend the assessment of the student's performance, the recording of the grades in Neptun and other communication thereof to the student, of which he or she shall immediately notify the student subject to the proceedings by e-mail, as well as inform the Head of Student Matters of the Student Services and the Student Disciplinary Committee.
- (2) After the disciplinary proceedings have been ordered and until the disciplinary decision becomes final, the Student Disciplinary Committee shall be entitled to order an interim measure.
- (3) The Head of Student Matters of the Student Services shall ensure that the interim measure is recorded in Neptun.
- (4) In justified cases, the interim measure may be terminated by the Student Disciplinary Committee during the procedure.
- (5) No separate appeal may be lodged against the ordering interim measures.
- (6) If the disciplinary proceedings do not end with an expulsion or a prohibition from continuing studies, the student must be given the opportunity to make up for any missed examinations and other completion of subjects without disadvantages, as well as to make up for those missed examinations and completion of subjects which the student was unable to complete due to the interim measure.

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THE RIGHTS OF THE STUDENT SUBJECT TO THE PROCEEDINGS

Article 13

- (1) During the disciplinary proceedings, the student subject to the proceedings is entitled to use the language of the training programme both in writing and orally.
- (2) The student subject to the disciplinary hearing shall be entitled to:
 - a) present his or her position on the case to the Student Disciplinary Committee in a coherent way;
 - b) inspect the files of the proceedings, to make copies and to take notes of them at the place where the files are stored, at a date determined on the basis of prior consultation with the Chairman;
 - c) submit a motion of evidence to the Student Disciplinary Committee;
 - d) question witnesses and experts at the hearing.
- (3) During the disciplinary proceedings, the student may exercise his or her rights through a representative (including a legal representative). The power of attorney of the representative shall be recorded in a public instrument or in a private document of full probative value. If the student exercises his or her rights through a representative, the student may be present at procedural acts, but the rights of the student in accordance with this Regulation may be exercised by the representative, and the obligations of the Committee towards the student must be fulfilled towards the representative. This shall not prevent the Student Disciplinary Committee from questioning the student subject to the proceedings and the student from speaking.

JUSTIFICATION

Article 14

- (1) If the student subject to the disciplinary proceedings fails to meet a deadline set by the Student Disciplinary Committee through no fault of his or her own, a justification may be lodged.
- (2) The application for justification shall be submitted within eight (8) days from the last day of the unobserved deadline in question. If the party gained knowledge of the omission at a later point in time or if the obstacle was eliminated subsequently, the deadline for the submission of application for justification shall begin on the day next of the date of gaining knowledge or when the obstacle was eliminated, on the understanding that an application for justification may be submitted within a maximum of forty-five (45) days.
- (3) The application for justification shall state the reason for the omission and the circumstances to verify presumptively that the person in question is not at fault. In the event of failing to meet a deadline, the act omitted shall be carried out at the time the application for justification is submitted. In case the deadline of the procedural act repeated on the basis of the submission of the application for justification and the application is omitted, no justification will be accepted.
- (4) The application for justification shall be decided on an equitable basis.

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- (5) The application for justification shall have no suspensive effect in terms of continuing the proceedings or the enforcement of the decision. If the application of justification makes it probable that the applicant is not at fault and that the omission has been or will be remedied, the procedural act or the enforcement of the decision may be suspended.
- (6) The Student Disciplinary Committee shall decide on the application for justification. In the event of failure to comply with a deadline for appeal, the Second Instance Student Disciplinary Committee shall decide on the application for justification.
- (7) The application for justification shall be rejected without any examination as to the merits, if:
 - a) the application is submitted in delay,
 - b) in the event of failure to comply with a deadline, the person applying for the justification did not make up for the omission, together with the submission of the application, even though it was possible.
- (8) If the decision of the Student Disciplinary Committee is in favour of the application for justification, the act made up for by the applicant shall be considered to have been performed within the prescribed deadline, and the procedural act performed on the unobserved deadline date must be repeated to the extent necessary. In light of the outcome of the repetition, a decision must also be adopted on the subject of sustaining, or completely or partially abolishing, the former procedural act and/or decision.

ASCERTAINMENT OF FACTS**Article 15**

- (1) If, at the hearing or in writing, the student subject to the proceedings acknowledges that he or she committed the disciplinary offence, the taking of evidence or further evidence may be omitted.
- (2) If a witness or expert is heard, the witness shall be asked whether he or she is interested in the case or biased, and shall be reminded of his or her obligation to tell the truth and the criminal consequences of perjury.
- (3) One cannot be heard as a witness:
 - a) if, from him or her, no such testimony can be expected that could be regarded as evidence;
 - b) on a fact considered as proprietary data, if he or she has not received a waiver of confidentiality from the authorized body or person.
- (4) Giving testimony may be refused, if:
 - a) the witness is a relative of the student subject to the proceedings;
 - b) by testifying, the witness would implicate himself or herself or his or her relative in the commission of a criminal offence.
- (5) One may not be engaged as an expert, if there is a ground for exclusion relating to committee membership against him or her, he or she cannot be heard as a witness or may refuse to testify.

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- (6) The witnesses may not be present when the student subject to the disciplinary proceedings is heard. When the witnesses and experts are heard, the student subject to the disciplinary proceedings may be present, no other witness or expert may be present. In joint disciplinary proceedings, the other persons subject to the proceedings may be present when hearing the student subject to the proceedings. The Chairman of the Student Disciplinary Committee may, at the request of the witness or ex officio, order the removal of the student subject to the proceedings from the courtroom for the duration of the hearing of the witness or, in joint disciplinary proceedings, another student subject to the proceedings, if the conduct or presence of the student subject to the proceedings disturbs or would disturb the hearing of the witness.
- (7) If the testimony of the witness contradicts the testimony of the student subject to the disciplinary proceedings or the testimony of other witnesses, an attempt shall be made to clarify this by way of confrontation if deemed necessary.

CONFIDENTIAL DATA PROCESSING**Article 16**

- (1) Upon a reasoned request to that effect, the Student Disciplinary Committee shall order the confidential treatment of the natural person identification data and home address of the witness, expert and the person initiating the ex officio proceedings, if the applicant for the confidential treatment of the data is likely to be seriously adversely affected by his or her participation in the proceedings. The decision shall be communicated only to the applicant.
- (2) The Student Disciplinary Committee shall keep the natural person identification data and the home address confidential and separate in the file. The Student Disciplinary Committee shall ascertain that confidential data are not disclosed in the course of the proceedings.
- (3) Only the Student Disciplinary Committee, the keeper of the minutes, the Rector, the Vice-Rector for Education, the Second Instance Student Disciplinary Committee and the court acting during the judicial review shall have access to the data which are kept confidential.
- (4) In order to ensure the right to access documents for inspection, the Student Disciplinary Committee shall prepare an extract from the document created during the proceedings, which otherwise complies with the substantive and formal requirements specified in the law in such a way that no conclusion can be drawn as to the identity of the person referred to in paragraph (1).

INVITATION TO THE DISCIPLINARY HEARING**Article 17**

- (1) At least one hearing shall be held during the disciplinary proceedings.
- (2) The Student Disciplinary Committee shall hear the student subject to the disciplinary proceedings at a hearing, if:
 - a) the student requests so, or



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- b) the Student Disciplinary Committee considers it necessary to hear the student in order to ascertain the facts.
- (3) The student subject to the proceedings may request to be heard no more than two (2) times.
- (4) The Student Disciplinary Committee shall hear the witnesses and experts at the hearing.
- (5) The student subject to the disciplinary proceedings shall be warned in the invitation that he or she has the right to:
- stay away from the hearing,
 - submit his or her signed and dated defense in writing by post or in person, through the Customer Portal in the case of an electronic document, or electronically in the form of an electronic copy in the case of a paper document from his or her e-mail address registered in Neptun, and
 - he or she may, in the course of the proceedings, exercise his or her rights through a representative, duly authorized by him or her.
- (6) The Student Disciplinary Committee shall send the invitation to the student in the case of an order contained in the case of an order included in a paper-based document by registered post with acknowledgment of receipt or personal delivery, or, in the case of an order included in an electronic document, by e-mail. The e-mail must be sent to the student's e-mail address registered in Neptun. In the case of an electronic document, the notification must be sent from the official e-mail address of the Student Disciplinary Committee.
- (7) An invitation sent by e-mail shall be deemed to have been delivered on the day following its sending.
- (8) If the delivery of the invitation sent by registered post with acknowledgment of receipt fails because the student or his or her representative declares that he or she will not accept the delivery (it is returned marked "refused to accept") or refuses to sign the declaration of the oral invitation, the document shall be deemed to have been delivered on the day on which service is attempted.
- (9) If the invitation is returned marked "not sought", it shall be deemed to have been delivered on the fifth (5th) working day following the day of the second postal delivery attempt, unless proven otherwise.
- (10) If a registered post with acknowledgment of receipt is returned marked "unknown", "moved" or "address unidentifiable", the Chairman of the Student Disciplinary Committee will contact the authority keeping the register of personal data and addresses to provide the student's address, mailing address or other personal data needed to forward the document, and then, in possession of the new data, retries the delivery. If the document cannot be forwarded to the address provided by the authority keeping the register of personal data and addresses, the Student Disciplinary Committee will not make any further inquiries. If the authority keeping the register of personal data and addresses is unable to provide an address or the registered post with acknowledgment of receipt also returns marked "not searched", "unknown", "moved" or "address insufficient" from the

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address(es) provided by the addressee, the document shall be deemed to have been served on the day on which service is attempted.

- (11) The student subject to the proceedings may file an objection to service within fifteen (15) days of becoming aware of it, but no later than forty-five (45) days of notification, if he or she becomes aware that the document sent to him or her is deemed to have been served by the Student Disciplinary Committee. The student shall be entitled to file an objection to service if the delivery was illegitimate, he or she could not collect the document for reasons beyond his or her own fault or the document was collected by someone else. The objection shall contain the facts and circumstances which justify that the service was illegitimate or indicate that the lack of fault. If the objection is upheld by the Student Disciplinary Committee, the rules on the application for justification shall apply. The objection shall be decided by the which issued the document which was the subject of the service. There is no further appeal against the ruling on the objection.
- (12) The student subject to the proceedings may, in a reasoned request, three (3) working days before the date of the hearing, request that the hearing be adjourned once (1), for a maximum of eight (8) working days. The period of adjournment shall not be included in the administration deadline.

THE DISCIPLINARY HEARING**Article 18**

- (1) If the student subject to the disciplinary proceedings or the representative acting on his or her behalf has not appeared despite a duly served notice, but requested, in a signed and dated application submitted by post or in person, through the Customer Portal in the case of an electronic document, or electronically in the form of an electronic copy in the case of a paper document from his or her e-mail address registered in Neptun, that the hearing be held in his or her absence, and the Student Disciplinary Committee decides that the hearing may be held in the absence of the student, the Student Disciplinary Committee shall hold the meeting, hear the witnesses and experts present and discuss the case on the merits. If the Student Disciplinary Committee decides that the personal interview of the student is necessary for adjudication as to the merits, it shall adjourn the hearing and invite the student or his or her representative to the repeated hearing, the witness or expert may be heard by the Student Disciplinary Committee at its own discretion, or their questioning may also be postponed.
- (2) If the student is absent despite a duly served notice, the Student Disciplinary Committee may decide to discuss the case on the merits or to postpone it. If the Student Disciplinary Committee decides that the personal interview of the student is necessary for the adjudication of the case as to the merits, it shall adjourn the hearing and invite the student or his or her representative to the repeated hearing. If the student subject to the disciplinary proceedings or the representative acting on his or her behalf has not appeared despite a duly served notice, and the Student Disciplinary Committee decides that the hearing may be held in the absence of the student, the Student Disciplinary Committee shall hold the meeting, hear the witnesses and experts present and discuss the case on the merits.


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- (3) If it cannot be established by the beginning of the hearing that the student subject to the disciplinary proceedings or the representative acting on his or her behalf has been duly notified, the Student Disciplinary Committee may decide that the hearing may be held even in the absence of the student. In this case, the Student Disciplinary Committee shall hold the hearing, hear the witnesses and experts present, and discuss the case on the merits. If the Student Disciplinary Committee has held the meeting and it can be established, on the basis of the acknowledgment of receipt returned or otherwise, that the notification was not effected by due process, the hearing shall be repeated to the extent necessary; in light of the outcome of the new hearing, a decision must also be adopted on the subject of affirming, or completely or partially abolishing any decision made on the basis of the hearing. If the Student Disciplinary Committee finds that the notification was effected by due process, the provisions on non-compliance shall apply. If the Student Disciplinary Committee decides to postpone the hearing, it shall set a new deadline for the postponed hearing, to which it may orally invite the witnesses and experts present.
- (4) In the event of a quorum, and if there are no obstacles to holding the hearing, the Chairman of the Student Disciplinary Committee shall verify the identity of the attendees after the enumeration of the student, his or her representative, witness, expert who appeared, and in the case of representation, the appropriate evidence of the power of representation. If the representative is unable to provide proof of his or her power of representation, he or she may not act. In this case, the consequences of absence despite a duly served notice shall apply.

THE DISCIPLINARY DECISION

Article 19

- (1) The decision of the Student Disciplinary Committee shall be taken at a hearing held in the presence of the members and the keeper of the minutes only, which shall be included in a decision.
- (2) The decision of the Student Disciplinary Committee shall be taken by an absolute majority.
- (3) The Student Disciplinary Committee may base its decision only on evidence directly examined at its hearing. A fact that has not been proved beyond a reasonable doubt cannot be taken into account against the student subject to disciplinary proceedings. If the student's request for the taking of evidence is rejected, the reason shall be stated in the disciplinary decision, unless it is established that the student has not committed a disciplinary offence.
- (4) The Student Disciplinary Committee's decision on the merits may be a decision which:
 - a) imposes a disciplinary penalty,
 - b) establishes a warning,
 - c) terminates the disciplinary proceedings.
- (5) A decision imposing a penalty shall be taken, if the Student Disciplinary Committee finds that the student subject to the proceedings has committed a disciplinary offence and therefore it considers it necessary to impose a disciplinary penalty on him or her.

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- (6) The Student Disciplinary Committee shall take a termination decision, if:
- a) the student's culpability cannot be established
 - b) the disciplinary offence cannot be proved,
 - c) the act committed is not a disciplinary offence or was not committed by the student subject to the proceedings,
 - d) the disciplinary offence is time-barred,
 - e) the act on which the proceedings are based has already been definitively adjudicated by way of a disciplinary action,
 - f) it uses a warning instead of a disciplinary penalty.
- (7) The introductory part of the decision shall indicate the case number, the decision number, the name of the University and the acting committee, as well as the place and time of the disciplinary hearing.
- (8) The operative part of the decision imposing a penalty shall contain:
- a) the name of the student brought to disciplinary liability and his or her personal data specified in Article 8 (11);
 - b) the designation of the disciplinary offence committed;
 - c) the disciplinary penalty applied and any other provisions relating thereto;
 - d) the provisions on remedy.
- (9) It is not necessary to refer to the possibility of an appeal if those entitled have waived the right of appeal.
- (10) In case an interim measure is applied, the disciplinary decision shall provide for those specified in Article 12 (6).
- (11) The reasoning of the decision imposing a penalty shall contain a concise statement of:
- a) the facts established;
 - b) the identification and assessment of the evidence, the reasons why the Student Disciplinary Committee did not find a fact to be proved or why it omitted the evidence offered;
 - c) an explanation as to what offence is committed by the act committed, and to what extent the student is culpable for committing it;
 - d) the circumstances taken into account when imposing the penalty;
 - e) a reference to the provisions, regulations and legislation on which the Student Disciplinary Committee's decision is based.
- (12) The provisions on the content of the decision shall, *mutatis mutandis*, apply to the content of the termination decision, on the understanding that it is not required to state the reasons of a request for the taking of evidence being rejected by the Student Disciplinary Committee.
- (13) The operative part of the termination decision should contain:

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- a) the name of the student brought to disciplinary liability and his or her personal data specified in Article 8 (11);
 - b) the designation of the disciplinary offence for which the disciplinary proceedings have been ordered;
 - c) the declaration of the termination of disciplinary proceedings;
 - d) the application of the warning in the event of a decision to that effect;
 - e) the provisions on remedy.
- (14) The reasoning of the termination decision shall briefly set out the facts and evidence established and the reasons for termination.

NOTIFICATION OF THE DECISION TO THE STUDENT**Article 20**

- (1) The decision shall be incorporated in a paper-based document. An original copy thereof must be sent to the student by registered post with acknowledgment of receipt or by personal delivery, and to the student's e-mail address.
- (2) The decision shall be deemed to have been delivered on the day on which it was accepted by the student or, if he or she gave a power of attorney to accept the document, by the authorized person - in person or by post.
- (3) In other respects, Article 17 (8) to (11) shall apply, mutatis mutandis, to service.

MINUTES AND AUDIO RECORDINGS**Article 21**

- (1) The minutes of the disciplinary hearing shall be drawn up on the basis of the audio recordings of the essential content of the hearing within fifteen (15) days, or, in the case of proceedings in English, within thirty (30) days. In the event of a joint hearing, the minutes shall be drawn up in one document.
- (2) An electronic copy of the signed minutes shall be sent to the student subject to the proceedings by the fifteenth (15th) day following the day of the hearing, or, in the case of proceedings in English, by the thirtieth (30th) day. If the student requests it in writing or by e-mail or at the hearing, the minutes must also be sent to him or her by post.
- (3) With regard to the content of the minutes, the student may request supplementation or correction thereof within eight (8) days after the receipt thereof.
- (4) If, for the supplementation or correction of the content of the minutes, the student requests it in writing or by e-mail or at the hearing, he or she may listen to the audio recordings in person at the Student Disciplinary Committee.
- (5) The Student Disciplinary Committee shall decide on the correction or supplementation of the minutes on the basis of the audio recordings. The correction must be completed within eight (8) days of its notification. No appeal shall lie against the decision.

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CORRECTION OF THE DECISION

Article 22

- (1) The Student Disciplinary Committee shall, upon request or of its own motion, correct any errors (name, number, calculation or other errors) not related to the substance of the decision.
- (2) The decision cannot be corrected, if an appeal has been lodged against the decision.
- (3) The correction of the decision shall also be recorded in the corrected decision.
- (4) If the decision has already been served, the corrected decision shall also be served.
- (5) No appeal shall lie against the correction.
- (6) In the event of correction, the deadline available for appeal shall run from the date of notification of the corrected decision.
- (7) In relation to the substance of the decision, the Student Disciplinary Committee may reverse its decision within the framework of the review proceedings specified in the Student Disciplinary and Compensation Regulation.
- (8) The Student Disciplinary Committee shall supplement the decision in accordance with the rules of the General Public Administration Procedures Act.

LEGAL REMEDY

Article 23

- (1) The student subject to disciplinary proceedings or his or her authorized representative may lodge an appeal against the decision on the merits in writing within fifteen (15) days of becoming aware of it.
- (2) The person entitled to appeal may waive his or right to appeal.
- (3) The appeal shall be lodged with the Student Disciplinary Committee's keeper of the minutes, addressed to the Second Instance Student Disciplinary Committee. The appeal shall be filed by the Student Disciplinary Committee and then the Student Disciplinary Committee shall send it to the Second Instance Student Disciplinary Committee within five (5) days, together with the original copy of the documents at first instance and the escalation.
- (4) The appeal shall have suspensive effect in terms of the enforcement of the decision.
- (5) The right to appeal and to the completion of an appeal already initiated shall extend to those students whose student status has been terminated in the meantime.

DISCIPLINARY PROCEEDINGS OF SECOND INSTANCE

Article 24

- (1) The decision concerning an appeal lies with the Second Instance Student Disciplinary Committee.
- (2) The provisions of Articles 1 to 23 of this Regulation shall apply to the appeal procedure subject to the following derogations:

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- a) The appeal shall be decided within thirty (30) days, which deadline may be extended once by the Chairman by thirty (30) days.
- b) The administration deadline begins on the day following the receipt of all documents in the case by the Second Instance Student Disciplinary Committee.
- c) In addition to those specified in Article 7 (2), a person may not participate in the work of the Second Instance Student Disciplinary Committee who participated in the proceedings at first instance or is a close relative of such a person under the Civil Code, or from whom an objective adjudication of the case cannot be expected, on the understanding that the party relying on the bias shall prove the bias. This rule shall not preclude the participation of the keeper of the minutes at first instance in the proceedings at second instance.
- d) If the appeal is filed in delay or it was submitted by a person without proper entitlement, the Second Instance Student Disciplinary Committee may reject the appeal.
- e) The Second Instance Student Disciplinary Committee is also entitled to assess a fact, data or other evidence that has not been adjudicated at first instance and is relevant to the adjudication of the case.
- f) The Second Instance Student Disciplinary Committee may reverse the first instance decision also to the detriment of the student.
- g) The provisions of the Act on General Public Administration Procedures shall apply mutatis mutandis to the ascertainment of facts, the calculation of deadlines, the justification, the form, content and notification of the decision, the correction, supplementation, revision or revocation of the decision upon request or ex officio.

DISCIPLINARY DECISION OF SECOND INSTANCE AND THE LEGA REMEDY AGAINST IT

Article 25


- (1) The decision of the Second Instance Student Disciplinary Committee shall be taken by an absolute majority.
- (2) The Second Instance Student Disciplinary Committee shall:
 - a) uphold the decision of first instance,
 - b) reverse the decision of first instance,
 - c) vacate the decision of first instance and order the disciplinary authority of first instance to conduct new proceedings,
 - d) annuls the decision of first instance, if it was not brought by the competent person or body. In this case, it shall simultaneously notify the person entitled to initiate the proceedings.
- (3) The student may challenge the decision closing the proceedings taken on the appeal in an administrative action. The submission of the statement of claim shall have suspensive effect.

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- (4) The statement of claim shall be submitted in writing to the Student Disciplinary Committee's keeper of the minutes in paper format, within thirty (30) days from the notification of the decision requested to be reviewed. The Student Disciplinary Committee shall forward the statement of claim, together with the documents of the case, to the Second Instance Student Disciplinary Committee acting on second instance within five (5) days, which shall forward it to the court within fifteen (15) days, together with its declaration on the contents of the statement of claim. If the statement of claim also contains a request for the suspension of enforcement, the statement of claim and the documents of the case shall be forwarded by the Student Disciplinary Committee within three (3) days to the Second Instance Student Disciplinary Committee, which shall forward it to the court within eight (8) days.

**FINALITY AND ENFORCEABILITY IN THE DISCIPLINARY PROCEEDINGS OF
FIRST AND SECOND INSTANCE****Article 26**

- (1) The decision of first instance shall become final, if:
- no appeal has been lodged against it and the deadline for appeal has expired,
 - the appeal has been waived or withdrawn,
 - the Second Instance Student Disciplinary Committee upheld the decision of first instance.
- (2) In the case of point a) of paragraph (1), the decision shall become final on the day following the last day for lodging an appeal.
- (3) In the event of a waiver of an appeal or a withdrawal of an appeal, the decision shall become final:
- at the time of communication of the decision of first instance, if, provided that the application is fulfilled, the student subject to the proceedings has already waived the appeal before the communication of the decision,
 - on the day the waiver or withdrawal is received by the Student Disciplinary Committee, if, during the period allowed for submitting an appeal, the person entitled to appeal waives the appeal or withdraws his or her appeal.
- (4) In the case referred to in point c) of paragraph (1), the decision of first instance shall become final upon communication of the decision of second instance.
- (5) The decision of second instance shall become final and enforceable upon communication, unless the student subject to the proceedings has requested its judicial review.
- (6) The decision may be enforced only after it has become final.

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SPECIAL PROCEEDINGS

REPEATED PROCEEDINGS

Article 27

- (1) In repeated proceedings, the administration deadline shall begin on the day following the decision on the repetition of the proceedings and the receipt of all documents of the case by the Student Disciplinary Committee or the Second Instance Student Disciplinary Committee.

REVISION AND REVOCATION OF THE DECISION IN REVIEW PROCEEDINGS

Article 28

- (1) If the Student Disciplinary Committee finds that its decision, which has not been adjudicated in an appeal procedure or against which no appeal was brought, violates the law, it shall revise or revoke its decision.
- (2) If the Second Instance Student Disciplinary Committee finds that its decision, which has not been adjudicated in a judicial review procedure, violates the law, it shall revise or revoke its decision.
- (3) If, with regard to its decision which has not been adjudicated in an appeal procedure or against which no appeal was brought, the Student Disciplinary Committee or the Second Instance Student Disciplinary Committee has become aware, after the decision has become final, of facts, data or other evidence which existed before the decision was taken but which have not yet been decided in the proceedings and which are relevant to the adjudication of the case, it shall be entitled to review its decision which has not been adjudicated in an appeal procedure, of its own motion, within fifteen (15) days of gaining knowledge. The provisions of the Student Disciplinary and Compensation Regulation shall apply to the review proceedings.
- (4) The decision specified in paragraphs (1) to (3) shall be notified to the person to whom the revised or revoked decision was notified.
- (5) The review specified in paragraphs (1) to (3) shall not be permitted, if one (1) year has elapsed since the decision was taken.

THE RULES OF COMPENSATION PROCEEDINGS

STUDENTS' LIABILITY FOR DAMAGES

Article 29

- (1) If the student causes damage to the University and/or the organizer of the practical training in connection with the fulfilment of his or her study commitments wrongfully, he or she shall be liable in accordance with the rules of the Civil Code, subject to the derogations specified in the National Higher Education Act.
- (2) Damage shall include the depreciation, deficit occurring (caused) in the assets of the University, in particular:




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- a) depreciation (damage, loss, unauthorized use of material-technical means or funds) in own and foreign assets owned or managed by the University or being in the custody of the University, which occurred during improper use;
 - b) loss or impairment of the property rights and enforceable claims of the University,
 - c) damage caused wrongfully during educational, scientific, professional, social, cultural or sports events organized by the University or during the use of services provided by the University.
- (3) In the case of damages caused as a result of negligence, the amount of compensation shall not exceed fifty (50) per cent of the monthly amount of the minimum compulsory wage (minimum wage) valid on the day on which the damage was caused.
 - (4) In the case of damages caused deliberately, as well as damages resulting in loss of life, or harm to physical integrity or health, the total damage caused shall be compensated.
 - (5) The student shall be fully liable for any shortages or damages in the items for which a record or receipt was signed and which were taken over with an obligation to return or to settle accounts with, provided that he or she keeps them in his or her constant custody, uses or operates them exclusively. The student shall be relieved from liability, if the shortages occurred due to an unavoidable cause.
 - (6) In the case specified in paragraph (5) (including also the shortages of borrowed books), in the event of shortages in the items taken over, the head of the organizational unit shall call upon the student in writing, by setting an appropriate deadline, to make up for the shortages and/or pay the amount of compensation. The student may submit his objections to the notice to the competent Dean or, in the case of a student participating in a doctoral programme, to the Head of the Corvinus Doctoral Schools (hereinafter: CDS) within eight (8) days of becoming aware of the notice. In the event of failure to meet this deadline, an application for justification may be lodged within eight (8) days.
 - (7) Except as provided in paragraph (5), a damage report shall be drawn up on the damage caused at the place where the damage occurred immediately after gaining knowledge, in the presence of the student and two (2) witnesses not involved in the case. The report must be signed by the student who caused the damage, and he or she must also be requested to declare whether he or she acknowledges the existence of the damage and undertakes to compensate for the damage. His or her declaration shall be recorded in the report.
 - (8) The report shall be drawn up by a person appointed by the head of the organizational unit of the University affected by the damage.
 - (9) If the student refuses to sign the report, this shall be recorded in the report. The report shall be authenticated by the person drawing up the report and the two (2) witnesses.
 - (10) The damage report shall be sent to the competent Dean or, in the case of a student participating in a doctoral programme, to the Head of the CDS. The damage report and the minutes of the hearing shall be sent for opinion to the Chancellor.
 - (11) If no disciplinary offence has been committed in the course of causing the damage, the Dean, or, in the case of a student participating in a doctoral programme, the Head of the CDS shall request the student in writing to compensate for the damage caused. The

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- student may only be ordered to pay compensation for the damage that is not recovered by the University from elsewhere. If the student does not acknowledge his or her liability and refuses to compensate for the damage, the Dean or, in the case of a student participating in a doctoral programme, the Head of the CDS shall order compensation proceedings at the Student Disciplinary Committee. If the student partially recognizes his or her liability in writing, the proceedings shall be instituted only in respect of the unrecognized part.
- (12) In damages cases, the Student Disciplinary Committee is the compensation committee at first instance, and the Second Instance Student Disciplinary Committee shall act at second instance.
- (13) If disciplinary proceedings have been instituted against the student for the breach of duty, the related liability for damages shall also be assessed in the disciplinary proceedings.
- (14) In the decision, the Student Disciplinary Committee obliges the student to pay the compensation or relieves him of the liability for damages.
- (15) The decision establishing liability for damages shall contain those provided for in Article 20 of the Student Disciplinary and Compensation Regulation, in particular:
- the indication of the person or body having the power to award compensation,
 - the number and date of the decision,
 - in the operative part of the decision, in addition to the personal data of the student who caused the damage, the damage caused, the amount of compensation, the deadline for the payment of compensation shall be specified, provision should be made for any possible instalment payment, reference should be made to the legal remedy with suspensive effect and the legal consequences of non-payment,
 - the reasoning of the decision shall describe in detail the damage caused, the reasons for the award of compensation, the circumstances taken into account, and it shall indicate the provisions on which the decision on compensation is based.
- (16) In view of the student's social situation, he or she may be allowed to pay by instalment upon request or the Dean or, in the case of a student participating in a doctoral programme, the Head of the CDS may waive the enforcement of the claim in part or in full.
- (17) The amount of compensation may be deducted from the student's university allowances up to fifty (50) % thereof.
- (18) If the student fails to comply with the written notice or to meet the deadline specified in the compensation decision, the Chairman of the Student Disciplinary Committee shall initiate proceedings for the legal recovery of the claim at the competent organizational unit by forwarding the documents of the case.
- (19) If the party responsible for the damage fully compensates for the damage, the compensation proceedings may be omitted or terminated.
- (20) If the student has entered into a student employment contract pursuant to Section 44 (1) of the National Higher Education Act, the provisions of Act I of 2012 on the Labour Code shall apply to compensation for damage caused to the organizer of practical training and the student.

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(21) The rules on disciplinary proceedings should otherwise apply mutatis mutandis to compensation proceedings.

RULES APPLICABLE TO THE COMPENSATION PROCEEDINGS IN THE EVENT OF DAMAGE CAUSED IN THE DORMITORIES OF THE UNIVERSITY


Article 30

- (1) In the case of damage caused by a student with a dormitory status in the dormitories of the University and in the colleges for advanced studies operated in a dormitory, the rules on the competent persons, bodies and the proceedings shall be determined by the Organizational and Operational Rules and other regulations of the dormitory.
- (2) If the student commits a disciplinary offence through his or her harmful conduct, the disciplinary proceedings shall be conducted in accordance with the Student Disciplinary and Compensation Regulation.

THE UNIVERSITY'S LIABILITY FOR DAMAGES

Article 31

- (1) The University and the organizer of the practical training shall be obliged to compensate the damage caused to the student in connection with the student status or the practical training in accordance with the provisions of the Civil Code. The University and the organizer of practical training shall only be released from their liability, if they prove that the damage was caused by an unavoidable cause outside their scope of operation or was caused by the unavoidable conduct of the injured party.
- (2) The students may bring things (including cash), other than the usual personal equipment and clothing required to continue the studies and work, into the University only at their own risk. When not in use, the students are required to place their personal equipment and clothing in the locker room, lockers, and designated lockers (e.g. library lockers). If students violate this provision, the University and the employer shall not incur any liability.
- (3) In the event of damage to the student, the student must report the damage to the competent Dean or the Head of the Corvinus Doctoral Schools (CDS) in writing within fifteen (15) days of becoming aware of the damage. The report shall detail the circumstances of the damage substantiated by witnesses and/or evidence, the amount of the damage caused and the method and amount of the requested compensation. If necessary, the injured student should also be heard, and the organizational unit(s) concerned shall be involved.
- (4) The competent Dean or, in the case of a student participating in a doctoral programme, the Head of the CDS shall decide on the lawfulness, method and amount of compensation at his or her own discretion within thirty (30) days of receipt of the report, after hearing the prior opinion of the in-house counsel.
- (5) In the event of a total or partial rejection of a claim for compensation, the student may apply to a court for a legal remedy in accordance with the rules of civil law.
- (6) In other respects, the rules of the Civil Code shall be mutatis mutandis applied.

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CLOSING PROVISIONS

Article 32

- (1) This Regulation was adopted by the Senate at its meeting on 22 June 2021, and, at the same time, the Student Disciplinary and Compensation Regulation adopted by the Resolution No. 31/2020 (08.18) of the Board of Trustees is repealed.
- (2) This Regulation shall enter into force on 1 September 2021.
- (3) This Regulation shall be applied to proceedings commencing after the entry into force of the Regulation.
- (4) Cases pending at the time of the entry into force of this Regulation shall be conducted in accordance with the Regulation set out in paragraph (1).
- (5) This Regulation forms Part 6 of the Student Requirements.