



Statutes of the University of Malaga

PRELIMINARY TITLE.

Article 1.

The University of Malaga is an institution governed by public law and responsible for the public higher education service, fulfilling this function through teaching, study and research within the sphere of its competences.

Article 2.

The University of Malaga is organised on the basis of autonomy and coordination among universities, in accordance with Article 27.10 of the Spanish Constitution, the Organic Universities Act (*Ley Orgánica de Universidades*), these Statutes, and all other applicable regulations.

Article 3.

In order to perform its purposes, the University of Malaga has its own legal personality, full capacity and its own body of assets, and shall serve the general interests of society and of higher education, in accordance with the principles of liberty, pluralism, participation and equality.

Article 4.

The basic functions of the University of Malaga are:

a) The creation, development, transmission and critique of science, technical endeavour and culture.

b) Preparation for the pursuit of professional activities requiring the application of scientific methods and knowledge and for artistic creation.



c) Scientific and technical support for cultural, social and economic development within the national and regional contexts, within the terms of the obligations imposed on public authorities by Article 9.2 of the Spanish Constitution.

d) The dissemination of critical thought, social and cultural transformation, development cooperation, and permanent, open and plural training through university outreach.

e) The extension of the international profile of our culture and scientific, technical and artistic exchange with Spanish and foreign institutions and entities, within the context of which a culture of peace and cohesive cooperation shall be fostered.

f) The support of physical and sporting pursuits, through university outreach, as an essential factor for health, the enhancement of the quality of life and the holistic development of the individual.

Article 5.

1. The crest of the University of Malaga bears a white dove, a reproduction of the image which appears in the lithograph by the Malaga-born painter Pablo Ruiz Picasso entitled "The Dove", bordered in capital letters with the Latin legend: "Universitas Malacitana", and encircled by two laurel branches in the form of a wreath, bound with ribbons at the base and open at the apex.

2. The seal of the University is a reproduction of the crest, with in addition the following legend on the exterior: "Universidad de Málaga".

3. The medal established at the University for honorary purposes is circular, and gold. On the obverse it bears the crest of the University of Malaga, and on the reverse, a wreath comprising one laurel and one palm branch.

4. The Governing Council of the University shall, by means of the corresponding regulations, establish the legal system governing the crest, seal and medal, specifying the corresponding circumstances and the use and granting thereof.



TITLE ONE. COMPETENCES OF THE UNIVERSITY OF MALAGA

Article 6.

The University of Malaga, subject to the provisions in force, shall on an independent basis perform the following competences:

- a) The total or partial reform of its Statutes, and the generation and approval of the regulations in development thereof.

- b) The election, appointment and dismissal of members of the governing and representative bodies, and definition of the corresponding procedures.

- c) The creation of specific structures serving to support teaching and research.

- d) The generation and approval of programmes of study and research and specific lifelong learning.

- e) The selection, training and promotion of teaching and research and of administrative and service personnel, and definition of the conditions under which they perform their activities.

- f) The admission, continuation and verification of the knowledge of students.

- g) The issuance of official qualifications valid throughout the country, and the university's own diplomas and qualifications.

- h) The generation, approval and management of its budgets and administration of its assets.

- i) The establishment and modification of its lists of posts of employment.



j) The establishment of relationships with other entities for the promotion and development of its institutional purposes.

k) The organisation and provision of university services in accordance with Title Six of these Statutes.

l) Promote, develop and oversee compliance with regulations regarding health and safety at all sites of the University of Malaga, fostering an Occupational Risk Prevention Management System which is comprehensive and serves to integrate the entire organisational and academic structure, establishing competences and responsibilities.

m) Any other competences required for due performance of its purposes not reserved for the State or the Autonomous Region of Andalusia within the legislation in force.

Article 7

The University of Malaga shall deliver education leading to the issuance of official qualifications valid nationwide, being entitled to employ both in-person and distance methods, in accordance with the legislation in force.

Article 8.

The provisions and rulings issued by the University bodies regarding matters of its exclusive competence shall apply on a priority basis, notwithstanding any decisions regarding the suspension or cancellation thereof which may in each case be passed by the competent Courts.

TITLE TWO. GOVERNANCE OF THE UNIVERSITY OF MALAGA

Preliminary Section. General Provisions

Article 9.



1. Governance and representation of the University of Malaga shall be structured by means of collegiate and individual bodies.

2. The following are collegiate bodies: the general bodies, such as the Social Council, the Council of Governance, the University Senate, and other bodies such as the Consultative Board, the Faculty, Technical School and Higher Polytechnic, University and University Polytechnic School Boards, and the Departmental Councils.

3. The following are individual bodies: Rector, Vice-Rectors, General Secretary, General Manager, Deans of Faculty, Directors of Technical Schools or Higher Polytechnic Schools, University Schools or University Polytechnic Schools, Departments and University Research Institutes.

4. All other bodies established in these Statutes shall be for coordination and execution of university policy, in both academic and also economic and administrative terms, with the specific competences which the Statutes and developmental regulations directly attribute to them, without the power to issue official acts on their own initiative or by proxy.

5. Resolutions passed by the University Senate, the Social Council and the Council of Governance, and the rulings of the Rector, mark the conclusion of the official channels and may be directly changed under public authority litigation jurisdiction, notwithstanding an optional appeal for reconsideration.

6. Rulings of all other collegiate bodies of governance and representation may be challenged by means of a higher appeal to be lodged with the Council of Governance of the University of Malaga.

7. The rulings of all other individual bodies of governance and representation may be challenged by means of a higher appeal to be lodged before the Rector.

8. Elected individual bodies shall hold their positions for terms of four years, and may be re-elected.

Article 10.



The resolutions passed by the general bodies shall be published in the University Information Gazette.

Article 11.

1. Governance of the University of Malaga is based on three principles:

- a) Participation by all sectors of the university community within the representative bodies, under the terms provided in the legislation in force or in these Statutes.

- b) Election by free, direct and secret universal suffrage of those individuals who are to serve as individual bodies, and the members of collegiate bodies if so required by these Statutes.

- c) Oversight and scrutiny of all bodies of governance and administration, and responsibility of the holders of the corresponding positions in performing their functions.

2. The university community is deemed to comprise the following sectors:

- a) Doctorate teaching staff belonging to the university teaching corps.

- b) Non-doctorate teaching staff belonging to the university teaching corps and other categories of teaching and research personnel.

- c) Students.

- d) Administration and service personnel.

Article 12.



Those holding positions classified as individual bodies of governance at the University shall be engaged on a full-time basis, and may not perform any other profession or job throughout the period of their appointed term other than those derived from their teaching, research, tied care medical position and management and/or administrative supervision activities at the University of Malaga, notwithstanding the terms laid down in the general legislation regarding incompatibilities applicable to public employees.

Article 13.

1. The representatives of the different sectors of the university community on the collegiate bodies shall be elected by means of free, direct and secret universal suffrage of all members whom they represent on the collegiate body.

2. The electoral constituency for the Teaching and Research Personnel sectors shall be the corresponding Faculty, School, Institute or Department to which they belong. Membership by Professors of the Faculties, Schools or Institute shall, where applicable, be established by means of the deployment implemented by the Departments for teaching or research functions.

3. Under no circumstances may they simultaneously belong to two electoral constituencies, with those concerned being required to choose within which they wish to exercise their rights. They must remain for at least two full academic years within the same electoral constituency.

4. The electoral constituency for the student sector shall be the Faculty or School and Department, for collegiate bodies.

5. The electoral constituency for the administration and service sector shall be the University for general bodies, and the Faculty, School and Department for all other collegiate bodies.

6. No member of the university community may simultaneously belong to two sectors, with those concerned being required to decide at the commencement of each academic year within which they wish to exercise their rights.

Article 14.



All members of the university community shall be entitled to vote and to stand as candidates in their respective sectors.

Section One. General University Bodies

Chapter One. The Social Council

Article 15.

1. The Social Council is the body for the participation of society at the University.

2. The Social Council is responsible for:

a) Supervision of the economic activities of the University and delivery of its services.

b) Promotion of collaboration by society in funding the University, the relationships between the latter and its cultural, professional, economic and social context in the interests of the quality of university activities, to which end it may draw on the relevant information from the National Quality and Accreditation Evaluation Agency (*Agencia Nacional de Evaluación de la Calidad y Acreditación*).

c) Approval of the budget and the multiannual programme of the University, at the proposal of the Council of Governance.

d) Prior to the accountability procedure referred to in Articles 81 and 84 of Organic Universities Act, approval of the University's annual accounts and those of any entities which may be dependent on it, notwithstanding the terms of commercial legislation or any other laws to which such entities may be subject in accordance with their legal personality.

e) Any other functions attributed to it by the laws of the Autonomous Region of Andalusia.

Article 16.



The members of the Social Council shall be the Rector, the General Secretary and the General Manager, in addition to one professor, one student and one representative of the administration and service personnel, elected by the Council of Governance from among its members.

Chapter Two. The Council of Governance

Article 17.

Pursuant to Article 15 of Organic Universities Act, the Council of Governance is the governing body of the University. It establishes the strategic lines and programmes of the University, the guidelines and procedures for application thereof, within the spheres of organisation of education, research, human and economic resources and the generation of budgets, and performs the functions set out in this Act and those established by the Statutes.

Article 18.

The competences of the Council of Governance include in particular the following:

- a) Approve and modify the Regulations in development of these Statutes wherever these have not been attributed to another body.
- b) Oversee compliance with these Statutes and all other applicable regulations.
- c) Oversee the effectiveness of teaching and research.
- d) Administer the assets of the University.
- e) Establish procedures for the authorisation and supervision of contracts as provided in Article 83 of the Organic Universities Act, by means of the corresponding Regulation.



- f) Propose the University budget and multiannual programme to the Social Council.

- g) Report on the implementation of new educational programmes leading to official university qualifications, and establish the University of Malaga's own qualifications.

- h) Report on the creation, modification or closure of University Centres.

- i) Approve the programmes of study of the various Centres for presentation before the University Coordination Council.

- j) Decide as to the proposal to establish, modify or close Departments.

- k) Establish the capacity of the various centres of the University of Malaga regarding the offering of places to newly registered students, and establish the corresponding admissions procedures.

- l) Propose the territorial and urban arrangement of the University campus.

- m) Establish the strategic lines and programmes of the University of Malaga.

- n) Establish criteria for the selection, recruitment, deployment, entitlement and promotion of Administration and Service Personnel.

- nn) Approve agreements for collaboration and exchange with other Universities, Bodies or Entities, both nationally and internationally.

- o) Award the University's gold medal.



- p) Approve the list of employment positions for Teaching and Research Personnel and for Administration and Service Personnel.

- q) Rule as to the creation of new services, or the modification or cancellation thereof, and the corresponding operational regulations.

- r) Election from among its members of those who are to represent the university community on the Social Council.

- s) Approve regulations for the selection, recruitment and promotion of teaching and research personnel.

- t) Approve the general research plans.

- u) Approve the regulations for the evaluation of academic personnel.

- v) Rule as to the establishment or closure of Departmental Sections.

- w) Any others attributed to it by virtue of these Statutes or any other regulatory provisions.

Article 19.

The Council of Governance of the University shall comprise:

The Rector, acting as the Chairman, the General Secretary, the General Manager and fifty members of the university community itself, of whom

- a) Fifteen members shall be appointed by the Rector, including one representative of all of those sectors represented within the Senate.



b) Twenty members shall be elected by the Senate from among its members, reflecting the composition of the various sectors thereof. Specifically, 11 permanently appointed doctorate professors, 2 non-doctorate members of the teaching and research personnel, or those who hold a doctorate but are not permanently appointed, 5 students and 2 members of the administration and service personnel.

c) Twelve members shall be elected by and from among the Deans of Faculty and School Directors.

d) Three members shall be elected by and from among the Directors of Department and University Research Institutes.

The members of the Council of Governance shall furthermore include three members of the Social Council not belonging to the university community itself.

Article 20.

1. The term served by those members of the Council of Governance elected as the representatives of the different university sectors shall be four years, coinciding with the term of appointment of the Senate, except for the term of the students' representatives, which shall be two years.

2. The Deans and Directors belong to the Council of Governance shall forfeit their appointment should they lose the position on the basis of which they were elected.

3. The regulation governing the Council of Governance shall establish the mechanism for substitutions.

Article 21.

1. The Council of Governance shall stage one ordinary meeting at least once per quarter. The Rector shall establish the dates for the Ordinary Assemblies to be held, and shall establish the order of business thereof, being required to include any items requested by at least one third of the members thereof.



2. The Council of Governance may be called on an extraordinary basis, on the initiative of the Rector, or if so requested by one third of the members thereof. The order of business of Extraordinary Assemblies must necessarily include those matters giving rise thereto, or those requested by one third of the members thereof.

3. The Director may invite to meetings of the Council of Governance, with the right to speak but not to vote, and to be heard on specific matters, any individuals deemed necessary in order to establish a fuller understanding of the matters to be debated.

Chapter Three. The University Senate.

Article 22.

The University Senate is the highest body representing the university community.

Article 23.

The competences of the University Senate are:

- a) Total or partial reform of the University Statutes.

- b) Debate as to the general operational guidelines for the University with regard to education, research and administration, to be established by the Council of Governance, and receipt of the report regarding the application thereof.

- c) The extraordinary calling of elections for the position of Rector, in accordance with the regulations in force.

- d) Oversight of the Rector and Vice-Rectors, through questions and interpellations under the terms of the Senate Regulation.

- e) Appointment of Honorary Doctors of the University of Malaga.



f) Election of the Committee which is to rule on claims regarding competitive processes for the awarding of tenured teaching posts at the University, in accordance with Article 66.2 of the Organic Universities Act.

g) Approval and modification of its own regulation.

h) Any others attributed to it by virtue of these Statutes or any other regulatory provisions.

Article 24

The Senate of the University of Malaga shall comprise the Rector, the General Secretary and the General Manager of the University, as the automatic members thereof, without any positions being deducted from their respective sectors, and 300 elected members. The outgoing Rector shall continue as a member of the Senate up until conclusion of the term thereof, with one position from the sector and electoral constituency to which he belongs being deducted.

Article 25.

The Senate shall comprise the following elected representatives:

165 doctorate professors with permanent appointment at the University of Malaga.

30 non-doctorate teaching and research staff members, or those who hold a doctorate but do not have a permanent appointment at the University of Malaga.

75 students.

30 members of the Administration and Service Personnel.

Article 26.



1. The term served by those members of the Senate elected as the representatives of the different university sectors shall be four years, except for the term of the students' representatives, which shall be two years.

2. The Senate Regulation shall set out the rules for the system of substitutions and partial elections in order to fill any vacancies which may arise. Said Regulation shall likewise set out the applicable electoral rules.

3. The mandate granted to the representatives shall be understood as being personal and non-transferable.

Article 27.

1. Meetings of the Senate may be ordinary or extraordinary, in accordance with the terms set out in the corresponding Regulation. Ordinary meetings shall be held twice per year.

2. The Senate shall be called to assemble by the Rector, on his own initiative or at the behest of the Council of Governance, or one third of the members of the Senate itself.

3. The Rector enjoys competence to establish the date of call of the Senate, in accordance with the terms laid down in the Senate Regulation.

4. The order of business shall be as established by the Senate Board, and must on a mandatory basis include those items requested by those calling for the meeting to be held, or by one third of the members of the body.

5. Ordinary meetings must on a mandatory basis include an item on the order of business regarding the processing, debate and response to interpellations and questions raised with regard to the Regulation.

6. The University Senate shall draw up its own operational Regulation, which shall in all cases guarantee access by the members of the body to documentation concerning the items to be discussed at the meetings of the Senate, and any other documentation required in order to perform its duty of oversight.



Article 28

Elections of representatives of the Senate on the Council of Governance shall be performed by and from among the members of each of the sectors open to election.

Chapter Four. The Consultative Board

Article 29.

1. The Consultative Board is the standard body advising the Rector and the Council of Governance in academic matters, and is entitled to present proposals to said bodies.
2. The Consultative Board, chaired by the Rector, shall comprise the General Secretary and thirty-nine members appointed by the Council of Governance from among professors and researchers of established standing, with accredited educational and research merits demonstrated by the corresponding positive evaluations in accordance with the regulations in force.
3. The Consultative Board shall meet as often as required to exercise its competences, and shall be called by the Rector, on his own initiative or when so requested by at least one third of the members of the Consultative Board. The Rector shall likewise enjoy competence to establish the order of business of the meetings of the Consultative Board. The order of business shall in all cases include those items supported by 25 per cent of the members of the Council of Governance.
4. The Council of Governance shall approve the Regulation of the Consultative Board, said body having first presented the text.

Chapter Five. The individual bodies of governance of the University

Article 30.

The individual bodies of governance of the University are, in general, the Rector, the Vice-Rectors, the General Secretary and the General Manager.

Article 31



The Rector is the supreme academic authority of the University and serves as its representative. He manages, governs and administers the University, develops the operational guidelines approved by the corresponding collegiate bodies, and executes their resolutions. He enjoys all competences not expressly attributed to other bodies and chairs the Council of Governance, the University Senate, and all collegiate bodies of the University of Malaga meet in his presence, except for the Social Council.

Article 32.

1. The Rector holds in particular the following competences:

a) Fulfil and ensure fulfilment of the resolutions of the Social Council, of the University Senate and of the Council of Governance.

b) Appoint academic and administrative positions at the proposal, where applicable, of the competent body.

c) Issue official university qualifications and those independently established by the University of Malaga.

d) Appoint, contract and deploy teaching and research personnel of the University, and also administration and service personnel.

e) Exercise disciplinary powers.

f) Oversee performance of the functions entrusted to the various collegiate and individual bodies of the University.

g) Sign in the name of the University of Malaga agreements or accords with entities outside the University.

h) Order and authorise expenditure in accordance with the terms of the University budget.



- i) Act as the head of the Administration and Service Personnel of the University.

- j) Establish the date and order of business for the meetings of the Council of Governance.

- k) Grant academic accreditation following consultation with the Council of Governance.

- l) Exercise all powers of governance and administration not expressly attributed to other bodies of governance of the University.

- m) Oversee governance of the University and coordinate its activities and functions.

2. The Rector must report on his administration to the Council of Governance and to the University Senate at each of their meetings.

3. The Rector shall, in order to perform the competences attributed to him in subsection 1 of this article, be assisted by a Management Council, including the Vice-Rectors, the General Secretary and the General Manager.

Article 33.

1. The Rector shall be elected by the university community by direct election and free and secret universal suffrage, from among the active functionary members of the University Professorship corps serving at the University of Malaga and presenting a candidacy.

2. The vote to elect the Rector shall be weighted by university community sectors as follows: 55% for permanently appointed doctorate professors at the University of Malaga; 10% for non-doctorate teaching and research personnel or those with a doctorate but not permanently appointed at the University of Malaga; 25% for students; and 10% for administration and service personnel.



3. In each electoral process, the Council of Governance, or the body established thereby, shall establish, having scrutinised the votes, the weighting coefficients to be applied to the votes cast for candidacies which have been validly cast in each sector, in order to apply the corresponding value in accordance with the percentages established in item 2 of this article.

4. The Rector shall be proclaimed after the first round as the candidate achieving the proportional support of more than one half of the votes validly cast for the candidacies, following calculation and application of the weightings provided in this article. Should no candidate achieve this figure, a second vote shall then be held between only those two candidates receiving the greatest support in the first vote, in accordance with the aforementioned weightings. In the second round, the candidate obtaining a simple majority of votes in accordance with the same weightings shall be proclaimed the winner. In the event that only one candidate stands, then only the first round shall be held.

Article 34.

1. The Rector shall be appointed for a term of four years, coinciding with the period of the Senate.

2. The Rector shall give up his position upon expiry of the term of appointment, at his own request or as a result of elections called on an extraordinary basis by resolution of the University Senate, remaining in his position until the new Rector takes up his appointment.

3. Following termination of appointment, the Rector acting until the new Rector takes up his appointment shall call elections within a maximum period of 15 days of termination.

4. Termination of appointment, resignation of the Rector or the calling of extraordinary elections for the position of Rector by the Senate shall lead to dissolution of the Senate and of the Council of Governance.

5. In cases of vacancy, absence or illness of the Rector, he shall be substituted for by a Vice-Rector who is a Full University Professor, appointed by the Rector upon commencement of his term, notwithstanding the possibility of revocation and renewed appointment. The Council of Governance shall be informed of this appointment, which shall furthermore be published in the University Information Gazette.



Article 35.

1. The University Senate may propose that extraordinary elections for Rector be called, on the initiative of one third of its members.
2. This motion must be voted on no fewer than five calendar days nor any more than ten calendar days after presentation thereof.
3. Presentation of the motion shall suspend any other activities of the Senate until a pronouncement has been issued in this regard.
4. In order for the motion to be passed, it must receive votes in favour from two thirds the members of the Senate.
5. Approval of the motion shall lead to dissolution of the Senate and termination of the appointment of the Rector, who shall continue to act until the new Rector takes up his appointment.
6. If the motion is not passed, none of the signatories may take part in the presentation of another such motion until one year following the corresponding vote has passed.

Article 36.

1. The Vice-Rectors shall be appointed by the Rector from among the permanently appointed doctorate professors of the University of Malaga, and shall cease in their functions at their own request or at the decision of the Rector.
2. In order for the Vice-Rectors more effectively to perform their functions, the Rector may appoint Secretariat Directors from among the permanently appointed professors at the University of Malaga, who shall cease their functions at their own behest or at the decision of the Rector.



3. Budgetary allocations involved in the appointments indicated in this article shall require authorisation by the Council of Governance.

Article 37.

1. The Rector shall appoint the General Secretary of the University from among the Group A public functionaries serving at the University of Malaga. The General Secretary shall likewise be the Secretary of the Council of Governance, of the Senate, and of the Consultative Board. The General Secretary shall cease his functions at his own behest or at the decision of the Rector.

2. The General Secretary of the University is responsible for bearing witness to the acts and resolutions of the general collegiate bodies of the University.

3. The General Secretary in particular has the following functions:

a) The generation and safekeeping of registers of minutes of the collegiate bodies of the University and the register of minutes of investiture.

b) Receipt and safekeeping of examination grade reports.

c) Issuance of documents and certificates of acts and resolutions of the governing bodies and any acts or events witnessed in exercising his competences, or recorded in the official documentation of the University.

d) Recording and publication of the acts of the governing bodies.

e) Oversight of the University's legal consultancy service.

f) Organisation and safekeeping of the General Archive, of the General Register and of the Official University Seal.



g) Management of the “University of Malaga Gazette”.

h) Organisation of formal University events and the corresponding protocol.

i) Any other functions entrusted to him under the legislation in force, these Statutes or the regulations in development thereof.

4. In performance of his functions, the General Secretary shall be assisted by the Senior Official. He may likewise be assisted by a General Vice-Secretary to be appointed from among the Group A public functionaries serving at the University of Malaga.

Article 38.

1. The Rector, in order more effectively to perform his functions, and under his direct responsibility, may appoint individuals and advisory and consultative individuals and committees, notwithstanding the inherent functions and competences of the bodies of governance as defined in these Statutes.

2. If such appointments entail a budgetary allocation, then authorisation from the Council of Governance shall be required.

Article 39.

1. The Rector shall propose the General Manager and appoint him by agreement with the Social Council.

2. The General Manager is responsible for administration of the University's administrative and economic services.

3. In order to hold the position of General Manager, an individual must hold a higher university qualification. The General Manager may not perform teaching functions.

4. The Rector may appoint Vice-General Managers, from among Group A and B functionaries.



5. The positions of the General Manager and the Vice-General Managers shall be terminated at their own behest or by decision of the Rector

Section Two. Governance of the Centres and Departments

Preliminary Chapter

Article 40

1. For the purposes of these Statutes, the Centres are responsible for the organisation of teaching and academic, administrative and management processes leading to the issuance of official qualifications valid nationwide.

2. These Centres are: the Faculties, Technical and Higher Polytechnic Schools, University Schools and Polytechnic University Schools, University Research Institutes and any other centres or structures organising education by distance methods.

3. The University of Malaga may create other centres or structures the activities of which in furtherance of its institutional aims do not lead to the issuance of qualifications included within the Official University Qualifications Catalogue.

Chapter One. Faculty and School Boards

Article 41.

The body of governance of the Faculties or Schools of the University of Malaga is the Faculty or School Board, which shall be chaired by the Dean or Director. It is as such responsible for establishing the general operational lines of the Centre and oversight and coordination of the tasks of its administrative and management bodies.

Article 42

The Centre Board in particular has the following functions:

a) Propose the generation and modification of programmes of study.



- b) Establish the academic organisational plans in detail prior to the commencement of each academic year.

- c) Generate proposals, in accordance with the capacity and resources of the Centre, for the admission of students and criteria for their selection.

- d) Elect the Dean or Director of the Centre and propose this appointment to the Rector.

- e) Propose contracts or agreements with other entities, within the sphere of its competences.

- f) Report to the Council of Governance on any modification requirements regarding the positions of employment of teaching and research personnel corresponding to the area or areas of knowledge delivering teaching at the Centre and the administrative and all service personnel at the centre.

- g) Oversee application of the funds assigned to the Centre in the Budgets of the University of Malaga, in accordance with the criteria established therein.

- h) Generate the Regulations of the Centre Board, and any other regulations which may be required.

- i) Propose the granting of Honorary Doctorates and the University's gold medal.

- j) Oversight of the Dean or Director, by means of questions and interpellations in accordance with the terms of the Centre Board regulation.

- k) Any other functions derived from these Statutes, the regulations in development hereof or any other regulatory provisions.

Article 43.



1. The Centre Board shall comprise the Dean or Director and the Secretary, as the automatic members, along with 31 elected members.

2. The Centre Board shall comprise the following elected representatives:

17 professors permanently appointed at the University of Malaga.

3 members of the teaching and research personnel who are not professors permanently appointed at the University of Malaga.

8 students.

3 members of administrative and service personnel.

In all cases the composition of the Centre Board shall be such that the sum of the votes allocated to subsections (a) and (b) shall in all cases be 20. As a result, if a Centre does not have enough members of groups (a) or (b) to complete the corresponding percentage, then members of the other group shall make up the numbers in order to obtain the corresponding percentage.

Article 44.

1. Those Vice-Deans, Sub-Directors and Vice-Secretaries not elected by their respective university sectors shall attend the sessions of the Centre Board, with the right to speak but not vote.

2. Meetings may also be attended with the right to speak but not to vote by any member of the university community attached to the Centre presenting a prior request to the Dean or Director, without exceeding any maximum which may where applicable have been established in the Regulation of each Centre Board.



3. The Dean or Director may invite to participate in the Centre Board, with be right to speak but not to vote, and to be heard on specific matters, any persons deemed necessary in order to establish a fuller understanding of the matters to be debated.

Article 45.

1. The term of appointment of the members of the Centre Board elected as the representatives of the various university sectors shall be four years, except for the term of the students' representatives, which shall be for two years.

2. The Regulation of the Board of each Centre shall draw up the electoral regulations, the system for substitution and partial elections in order to fill any vacancies which may arise.

3. The mandate granted to the representatives shall be understood as being personal and non-transferable.

Article 46.

1. The Centre Board shall hold an ordinary meeting once per quarter. The Dean or Director shall establish the dates for the Ordinary Assemblies to be held, and shall establish the order of business thereof, being required to include any items requested by at least one third of the members thereof. He shall likewise send a list of the order of business and of the resolutions passed to the General Secretary and the Directors of Department teaching at the Centre.

2. The Centre Board may be called on an extraordinary basis on the initiative of the Dean or the Director, or at the behest of one third of its members. The order of business of Extraordinary Assemblies must necessarily include those matters giving rise thereto, or those requested by one third of the members thereof.

3. Ordinary meetings must on a mandatory basis include an item on the order of business regarding the processing, debate and response to any interpellations and questions raised.

Chapter Two. Individual bodies of governance of the Centres

Article 47.



The Deans of Faculty and Directors of Schools represent their centres and perform functions of standard administration and management thereof, chairing the corresponding collegiate bodies.

Article 48.

1. The Deans or Directors shall enjoy all competences attributed to them in these Statutes, the regulations in development hereof and all other legal provisions. They shall likewise enjoy all competences not attributed to the Centre Board.

2. The functions of the Dean or Director include in particular:

a) Implement and ensure implementation of resolutions of the bodies of governance of the University and those of the Centre Board.

b) Oversee execution of functions entrusted to the various bodies of the Centre.

c) Administer the resources assigned to the Centre, in accordance with the terms of the University of Malaga Budget.

d) Authorise general, specific, ordinary and extraordinary acts to be staged at the Centre.

e) Propose the appointment of Vice-Deans or Sub-Directors, the Centre Secretary and, where applicable, the Centre Vice-Secretary.

3. The Deans or Directors of Centres must report to the Centre Boards on their administration at each of the ordinary meetings.

Article 49.

1. The Deans or Directors shall be elected by secret votes cast by the Centre Board from among those professors permanently appointed at the University of Malaga and attached to the Centre and submitting candidacies.



2. The election shall be held for a term of appointment of four years.
3. Their appointment shall be terminated upon conclusion of the term, at their own behest or as a result of a motion of censure passed by the Centre Board.
4. Following termination of appointment or resignation of the Dean or Director, he shall then call elections within a maximum period of 30 teaching days calculated from the date of termination of appointment or resignation. The Dean or Director shall continue to act on an interim basis until the new Dean or Director takes up his position.

Article 50.

1. The Centre Board may propose termination of the appointment of the Dean or Director by passing a motion of censure, which shall require in order to be passed a vote in favour by 21 of the members Centre Board.
2. The motion of censure must be presented to the Centre Board by at least 11 members thereof. Approval of the motion of censure shall lead to elections being called for the Dean or Director, the dissolution of the Centre Board and termination of the appointment of the Dean or Director, who shall continue to act on an interim basis until the new Dean or Director has taken up his appointment.
3. In all cases the motion must be voted on after a minimum of five days, and prior to the tenth calendar day following presentation thereof.
4. If the motion of censure is not passed, the signatories may not present another until one year has elapsed following the corresponding vote.
5. Presentation of a motion of censure shall suspend any other activities of the Centre Board until the motion in question has been processed.

Article 51.



1. The Vice-Deans or Sub-Directors shall be appointed by the Rector, at the proposal of the Dean or Director, from among those professors permanently employed at the University of Malaga and attached to the Centre and working on a full-time basis.
2. The Vice-Deans or Sub-Directors shall cease their functions at their own behest or by decision of the Rector, at the proposal Dean or Director.
3. The Dean or Director shall, under the same conditions as applied to appointment and termination of functions, appoint the Secretary and, if deemed necessary, a Vice-Secretary for the Centre.
4. The Secretary and the Vice-Secretary may be appointed from among public functionaries of Groups A and B attached to the Centre.

Article 52.

The Dean or Director of the Centre may, in order better to perform his functions, and under his direct responsibility, appoint persons or committees for strictly consultation or advisory purposes regarding specific matters, notwithstanding any of the functions and competences inherent in the bodies defined in these Statutes, and without this in any way generating any budgetary obligations.

Chapter Three. Departments

Article 53.

1. The Departments are the bodies responsible for coordinating education in one or more areas of knowledge at one or more centres, in accordance with the University's teaching programme, likewise supporting teaching and research initiatives and activities by the teaching staff, and performing any functions attributed to them in these Statutes.
2. The members of the Department are the functionaries of the University teaching corps, the contracted Teaching and Research Personnel, Research Bursary Holders on official programmes, Bursary Holding Contributors to research contracts or projects, those recruited under works and service contracts to perform research projects or contracts, Honorary Contributors and the Administration and Service Personnel attached to the Department.



Article 54.

All members of the teaching and research personnel of the University of Malaga must be attached to some Department.

Article 55.

1. The Departments are established by areas of knowledge.

2. In order to establish a Department, it must comprise an area or areas of knowledge with at least the minimum required number of professors, in accordance with the legal provisions in force.

3. In the event that a Department cannot be established for one single area of knowledge, then it will be incorporated with related areas of knowledge, likewise incorporating all teaching, research, administration and service personnel thereof.

4. The creation of a Department, the closure or modification thereof, shall be approved by the Council of Governance, following any relevant report issued by the Departments affected. In the event of a dispute, a report shall be requested from the Consultative Board.

Initiative shall lie with the teaching and research personnel concerned, the Departments connected with the areas of knowledge affected, the Council of Governance or the Rector. If the initiative is taken by the Departments, the Council of Governance or the Rector must process the prior hearing granted to the teaching and research staff who could be affected by the measure.

5. Departments may only be created, modified or closed if this is justified on the basis of the teaching and research activities they are to undertake. The proposal to create or modify the Department must be accompanied by an explanatory report.

Article 56.



1. In accordance with the provisions in force, for reasons of geographical dispersal and in order better to perform their functions, the Departments may establish sections within each comprising homogeneous disciplines within the scope of their area or areas of knowledge, comprising the corresponding specialist teaching and research staff, who must number at least three.

2. The establishment of Department sections shall be the competence of the Council of Governance, at the proposal of the Academic Regulation and Teaching Staff Committee.

3. The establishment of a Department Section requires that this should elect its Director, who shall act in coordination with the Department Director.

4. The University of Malaga shall attempt to ensure that each Department has one single location.

Article 57.

The following are the functions of the Departments:

- a) Deliver and coordinate the teaching applicable to them, attaching their teaching staff at the behest thereof to the centres.

- b) Support and facilitate research in their respective areas of knowledge.

- c) Propose the execution of programmes for the training and promotion of teaching and research and administration and service personnel.

- d) Promote agreements with other public or private Entities in Spain or abroad to engage in teaching or research activities.

- e) Propose the distribution of the resources assigned to the Department in the University of Malaga Budget, and undertake the corresponding administrative competences.



f) Hold scientific meetings regarding those matters lying within the scope of the area or areas of knowledge covered by the Department.

g) Any other functions entrusted to them in the legislation in force.

Article 58.

1. The governing bodies of the Departments are:

a) The Department Council.

b) The Director.

2. The Department Council shall stage one ordinary meeting at least once a quarter. The Department Director shall establish the dates for the Ordinary Assemblies to be held, and shall establish the order of business thereof, being required to include any items requested by at least one third of the members thereof. He shall likewise submit a list of the matters discussed and resolutions passed to the Directors of those Centres where teaching is delivered.

3. The Department Council may be convened on an extraordinary basis on the initiative of the Director, or at the behest of one third of its members with voting rights. The order of business of Extraordinary Assemblies must necessarily include those matters giving rise thereto, or those requested by one third of the members thereof.

4. Ordinary meetings must on a mandatory basis include an item on the order of business regarding the processing, debate and response to interpellations and questions raised.

Article 59.

The Department Council is responsible for the following:



- a) Coordinate the programme of teaching and research activities for each academic year.

- b) Allocate members of teaching and research personnel in order to fulfil their teaching activities.

- c) Oversee the quality of teaching and research, adopting measures to guarantee objective evaluation thereof, notwithstanding the functions assigned to the Centres or to other University bodies.

- d) Propose Doctorate and specialist course programmes.

- e) Hold scientific meetings regarding those matters lying within the scope of the area or areas of knowledge covered by the Department.

- f) Report to the Council of Governance and to the boards of those Centres where the Department delivers teaching on requirements to modify the list of teaching and research personnel posts and administration and service personal posts corresponding to the area or areas of knowledge comprising the Department.

- g) Report on the involvement of members of the Department in agreements and activities as referred to in Article 83 of the Organic Universities Act.

- h) Approve the Annual Report on the activities of the Department.

- i) Approve the distribution of the funds allocated to the Department in the University Budget, and oversee execution thereof.

- j) Elect the Director of the Department and propose the appointment thereof to the Rector.

- k) Propose and report on the creation of Sections within the scope of the Department.



- l) Generate its internal Regulation, which must be approved by the Council of Governance.

- m) Regulate the possibility of involvement by students in the Department's research tasks.

- n) Establish the teaching and research obligations of emeritus professors.

- o) Oversight of the Director, by means of questions and interpellations under the terms of the Department Regulation.

- p) Any other functions attributed to it in these Statutes, the regulations in development hereof or the regulations in force.

Article 60.

1. The Department Council shall comprise:

- a) All teaching and research personnel holding a doctorate.

- b) Other teaching and research personnel.

- c) One representative of the students elected by and from among a group comprising one student per subject and group taught by the Department, up to 25% of the number of votes on the Department Council.

- d) One representative of the Administration and Service Personnel attached thereto, up to 10% of the number of votes on the Department Council.

2. The distribution of votes on the Department Council shall be as follows:



a) All professors belonging to the university teaching corps, together with all other teaching and research personnel holding a doctorate, with voting rights. The vote corresponding to this group to be 60% of the votes on the Department Council.

b) The number of votes assigned to the categories of teaching and research personnel not included within subsection (a) of this item shall be 5%, provided that there are sufficient members of this group in order to achieve this percentage.

c) The number of votes assigned to the students shall represent 25% of the total, provided that there are sufficient members of this group in order to achieve this percentage.

d) The number of votes assigned to administration service personnel shall be 10% of the total, provided that there are sufficient members of this group in order to achieve this percentage.

3. In the event that any of the sectors referred to in subsections (b), (c) or (d) of item 1 should be in excess of the vote percentages established for each of the sections of item 2, prior to 10 November each year the corresponding voting systems shall be established.

Article 61.

1. The Department Directors represent the Department and perform the corresponding standard administration and management functions.

2. The Department Directors shall be elected by the Department Council.

3. The Department Director shall be elected from among the doctorate professors permanently employed at the University of Malaga who are members of the Department and present a candidacy.

4. In default thereof, at those Departments established with regard to areas of knowledge referred to in sub-section 3 of Articles 58 and 59 of the Organic Universities Act, they may be functionary Directors of the university teaching corps without doctorates, or contracted doctorate professors.



5. The election shall be held for a term of appointment of four years.

6. Their appointment shall be terminated upon conclusion of the term, at their own behest or as a result of a motion of censure passed by the Centre Board.

7. Following termination of appointment or resignation of the Department Director, he shall then call elections within a maximum period of 30 teaching days calculated from the date of termination of appointment or resignation. The Department Director shall continue to act on an interim basis until the new Department Director has taken up his position.

Article 62.

1. The Department Council may propose that the Director be dismissed by passing a motion of censure, which shall require in order to be passed two thirds of the votes of the members of the Department Council.

2. The motion of censure must be presented to the Department Council by at least one third of the votes thereof. Approval of the motion of censure shall lead to the calling of elections for Department Director, termination of the appointment of the Director, who shall continue to act on an interim basis until the new Department Director has been appointed.

3. In all cases the motion must be voted on after a minimum of five days, and prior to the tenth calendar day following presentation thereof.

4. If the motion of censure is not passed, the signatories may not present another until a period of one year has passed.

5. Presentation of a motion of censure shall suspend any other activities of the Department Council until the motion in question has been processed.

Article 63.



The functions of the Department Director are as follows:

- a) Convene and chair the Department Council, and oversee fulfilment of the resolutions passed thereby.
- b) Draw up the Annual Report on the activities undertaken by the Department.
- c) Draw up budgetary forecasts.
- d) Draw up, with the assistance of the Secretary, the plans for the distribution of funds allocated to the Department in the University budgets.
- e) Any other functions attributed to him by the regulatory provisions.

Article 64.

The Department Secretary, who shall be appointed by the Rector at the proposal of the Director, shall be responsible for drawing up the minutes of the meetings of the Department Council, the safekeeping of the official documentation generated and received at the Department, and supervision of administrative operations undertaken at the Department.

Chapter Four. University Research Institutes.

Article 65.

1. The University Research Institutes are centres dedicated to scientific and technical research or artistic creation, and may organise and develop doctorate and postgraduate programmes and studies and provide technical consultancy within the sphere of their competence.

2. The scope of research or teaching operations at a University Department may not coincide with those of a Department.

Article 66.



1. The creation and closure of University Research Institutes shall be ruled by the Autonomous Region either at the proposal of the Social Council, or otherwise on its own initiative with an agreement by the aforementioned Council, in all cases following a report issued by the University Council of Governance. The University Coordination Council shall be informed thereof.

2. Public or private research centres or institutions may likewise be associated as University Research Institutes. Approval of association or, where applicable, disassociation, shall be performed by the Autonomous Region, either at the proposal of the Social Council or otherwise on its own initiative with the agreement of the aforementioned Council, and in all cases following a prior report by the University Council of Governance. The University Coordination Council shall be informed of the matters referred to in the above paragraph.

3. Agreements may likewise be signed with other Universities, in which case the Institute shall have inter-university status.

Article 67.

Proposals to create University Research Institutes or, where applicable, agreements signed for this purpose, must include a draft Regulation which must at least cover the following particulars:

a) Purposes of the Institute and reference to the main research and teaching activities which it is to undertake, specifying the area or areas of knowledge with which these activities are connected.

b) Personnel attached to the Institute and the corresponding regulations.

c) Planned funding resources.

Article 68.

1. The Directors of University Research Institutes represent them and perform standard administrative and management functions at the Institutes.



2. The University Research Institute Directors shall be doctors appointed by the Rector, following a favourable ruling by the Council of Governance. In the case of associated University Research Institutes, or inter-university bodies with this designation, then the terms applied shall be those set out in the corresponding agreement of association.

Chapter Five. Associated Centres

Article 69.

1. These are university education centres associated with the University of Malaga, and those which are publicly or privately owned and have signed the corresponding agreement with said University, to deliver education leading to official qualifications, and which hold the required authorisation from the Autonomous Region at the proposal of the Social Council.

2. The University of Malaga, under the terms provided in the association agreement, shall supervise the teaching to be delivered at associated centres. For these purposes, the Rector shall, having first granted an audience to the Council of Governance, grant teaching accreditation for the teaching staff at such centres.

3. The functioning of the centres and their relationship with the University shall comply with the terms set out in the general regulations in this regard, these Statutes, as far as they are applicable, the partnership agreement signed and their own Regulation.

TITLE THREE. THE UNIVERSITY COMMUNITY

Section One. Teaching and research personnel

Chapter One. General provisions regarding Teaching and Research Personnel

Article 70.

The teaching and research personnel at the University of Malaga comprise functionaries belonging to the university teaching corps and contracted personnel.

Article 71

1. The functionary university teaching staff will belong to the following teaching corps:



a) University Chairs.

b) University Full Professors.

c) University School Chairs.

d) University School Full Professors.

2. The University Chairs and Full Professors shall enjoy full teaching and research entitlements. The University School Chairs and Full Professors shall enjoy full teaching entitlements and, if they hold a doctorate qualification, likewise full research entitlements.

Article 72.

The University of Malaga may recruit teaching and research personnel by means of employment contracts, including the following titles: assistant, assistant doctorate professor, contributor professor, contracted doctorate professor, associate professor, visiting professor and professor emeritus, or any other title which may legally be created.

Article 73.

The University of Malaga may recruit for a particular work or service teaching personnel, research personnel, technical personnel or other personnel, in order to perform specific scientific or technical research projects.

Article 74.

The University of Malaga shall each year establish, in the statement of expenditure for its budget, the list of teaching staff posts, which shall duly classify all teaching staff positions, including contracted teaching and research personnel, and also functionaries belonging to the university teaching corps.

Article 75.



The Council of Governance, following a report by the Centre Boards and Department Councils, and taking into consideration the needs derived from the Strategic Plan of the University of Malaga, in accordance with criteria of efficacy, shall approve the List of Teaching and Research Personnel Posts, in addition to any modifications thereto as a result of an increase, reduction or change in the naming of posts. All the above notwithstanding regulations to develop, execute and oversee the Budgets of said University.

Article 76.

The total number of contracted teaching and research personnel may not exceed forty-nine per cent of all teaching and research personnel at the University.

Chapter Two. Contracted teaching and research personnel.

Article 77.

The University of Malaga may contract Assistants, working full-time, from among those who have completed the subjects of study required under the regulations in force in order to obtain the title of Doctor. The duration of said contracts may not be longer than a non-extendable period of four years, the main purpose thereof being to complete the research training of the signatories, who may contribute to teaching tasks provided that this does not in any way undermine their training. They may under no circumstances assume full responsibility for the teaching of a group.

Article 78.

The University of Malaga may contract Assistant Doctorate Professors, to be recruited from among those Doctors who, for at least two years, have had no contractual, statutory or bursary relationship at the University of Malaga and can demonstrate that during said period they have performed teaching and/or research tasks at centres not associated therewith. They shall perform teaching and research tasks full-time, for a maximum and non-extendable period of four years. In order for them to be contracted, they must first receive a positive evaluation on their activity from the National Quality and Accreditation Evaluation Agency, or the external evaluation body established by the Law of the Autonomous Region.

Article 79.

The University of Malaga may contract Contributor Professors, to deliver education only in those areas of knowledge established by the Government, following a report by the University Coordination Council, from among Graduates, Architects and Engineers or holders of



University Diplomas, Technical Architects and Technical Engineers. They must in all cases receive a favourable report from the National Quality and Accreditation Evaluation Agency or the external evaluation body established by the Law of the Autonomous Region.

Article 80.

The University of Malaga may contract Contracted Doctorate Professors, who shall be contracted to perform teaching and research tasks, or research on a priority basis, from among Doctors accrediting at least three years of teaching and research activity, or research as a priority, following their doctorate, and receiving a positive evaluation on said activity from the National Quality and Accreditation Evaluation Agency, or the external evaluation body established by the Law of the Autonomous Region.

Article 81.

The University of Malaga may contract Associate Professors, to work part-time and on a temporary basis, from among specialists of established competence who can demonstrate that they are professionally engaged outside the University.

Article 82.

The University of Malaga may contract Professors Emeritus, on a temporary basis and on an employment contract, from among professors who retired from the university teaching corps and who have offered the University notable service for at least 10 years. The teaching and research obligations of professors emeritus shall be attributed to them by the Council of the Department to which they belong, but may under no circumstances be any less than those established in the regulations in force for part-time professors. The Council of Governance shall approve a regulation governing the contracting and system for professors emeritus.

Article 83.

The University of Malaga may contract Visiting Professors, to work full- or part-time, for a maximum period of two years, from among professors or researchers of established standing from other universities or research centres, both in Spain and abroad.

Article 84.



The contracting of teaching and research personnel shall be performed by means of a competitive public process which must be publicly announced. Selection shall be performed in accordance with the constitutional principles of equality, capacity and merit.

Article 85.

The recruitment of teaching and research personnel of the University of Malaga shall be formalised by the Rector, in accordance with employment legislation, the applicable collective agreements and all other regulations in force.

Chapter Three. Teaching and research functionary corps.

Article 86.

The functionary posts of the university teaching corps listed as vacant on the List of Teaching and Research Personnel Posts of the University of Malaga may be announced for provision by means of a competitive access process. This announcement must be agreed by the Council of Governance, in accordance with the legal terms.

Article 87.

1. The competitive access processes shall be announced by the University of Malaga and published in the Official State Gazette and that of the Autonomous Region. The announcement must include the criteria and instruments for evaluation, with which the corresponding Committees must comply when ruling as to the competitive processes.

2. The competitive processes shall be open to those with accreditation for the corps and area in question, along with the functionaries belonging to said corps and area of knowledge, and university teaching corps of equal or higher category in the same area of knowledge, under the terms and conditions laid down in the basic State regulations in furtherance of the Organic Universities Act.

3. The competitive processes shall be settled by a committee of five members appointed by the Council of Governance at the proposal of the board of the Centre or Centres declaring the post announced, audience having first been granted to the Department Council. Said Committee shall comprise four members elected from among the functionaries of the university teaching corps of the Area of Knowledge involved in the competitive process, or the associated Areas in accordance with the catalogue of areas of knowledge, with a category



equal to or higher than that of the post announced, and a professor proposed by the Department to which the post is to be assigned. The members of the Committee must fulfil the same requirements as those imposed in order to form a part of the accreditation committees established in the Organic Universities Act.

4. The elected members of the Committees for the provision of University Chair posts shall be functionaries of teaching corps of the same category as the post announced. The elected members of the Committees for the provision of University Full Professor, University School Chair or University School Full Professor places shall be two functionaries of the same category as the post announced, and two functionaries of a higher teaching corps category.

5. The teaching staff of Universities of the Member States of the European Union, if they have achieved thereat a position equivalent to those of University Chair or Full Professor or University School Chair or Full Professor may belong to the committees referred to in the above item.

Article 88.

1. Applicants may file complaints with the Rector against the proposals of the competitive access process committees.

Once a complaint has been admitted, appointments shall be suspended until the corresponding ruling has been issued. Such complaints shall be considered by a Committee, which shall examine the records regarding the competitive process, and ratify or otherwise the proposal subject to the complaint within a maximum period of three months. In all cases the complainant and the other interested parties shall be entitled to present any arguments they may deem appropriate before the Committee.

2. The Committee shall comprise seven University Chairs from different areas of knowledge with extensive research and teaching experience. It shall be chaired by the longest-standing University Chair, while the Secretary shall be the University Chair who has served for the shortest period.

3. The seven University Chairs referred to in the above item shall be elected by the University of Malaga Senate by means of a simple majority.



Article 89.

1. Resumption of active service by functionaries belonging to university teaching corps who had taken voluntary leave of absence shall be performed by means of their obtaining a post in the competitive access processes for the university teaching corps announced by any University.

2. Resumption by functionaries of the University of Malaga on leave of absence may be performed by presenting a request to the Rector for provisional attachment to a post, with the obligation to take part in any competitive access processes called by the University of Malaga in order to fill the posts at the corresponding corps and area of knowledge, with provisional attachment being forfeited if this is not performed.

3. Resumption shall be automatic and definitive, at the behest of the party concerned, provided that a period of at least two years of leave of absence has expired, but no more than five, and if there is a vacant post at the same corps and area of knowledge.

4. For the purposes of enabling resumption as provided in the above paragraph, the University of Malaga shall for five years maintain the provision of posts corresponding to functionaries of university teaching corps who have taken voluntary leave of absence, unless they undertake teaching posts at the University of Malaga.

Chapter Four. Rights and duties of the teaching staff.

Article 90.

The rights and duties of the teaching staff, in addition to any which may be established in the general provisions on the basis of their public functionary status or the stipulations of their specific contracts are as follows:

a) Exercise their teaching or research functions in a responsible manner.

b) Submit a report on their activities to the Department Council on conclusion of the teaching period. The Department Council shall publish these Reports, which shall in turn be used to



draw up the Annual Report for the Department, and shall be referred to the Council Governance for it to analyse the results, with a view to establishing incentives and measures for the promotion of teaching staff.

- c) Participate in the various University bodies, in accordance with the terms established in these Statutes and the regulations in development thereof.
- d) Form a part of any Tribunals and Committees for which they may be appointed.
- e) Perfect and promote the course of their teaching and research careers with the assistance of the University.
- f) The right to collective negotiation and involvement in establishing working conditions.
- g) The right to effective performance of tasks or functions, and not to be unjustifiably removed, without due guarantees, from positions of employment.
- h) Employ the resources and services of the university community in accordance with the standards governing the use thereof.
- i) Have access to appropriate resources and information as required in order to perform their teaching and research functions.
- j) Pursue a professional career allowing for promotion in accordance with their teaching and research merits, with the support of the University.
- k) Receive from the University effective protection regarding health and safety at work.
- l) Any others deduced from the regulations in force, these Statutes or the regulations in development hereof.



Article 91.

1. The University of Malaga shall guarantee its teaching and research personnel employed full-time that they will be granted leave for teaching and research, provided that the Council of Governance, following a prior report by the Department Council and the Academic Regulation and Teaching Staff Committees, should deem this appropriate in order to develop or complete their teaching and research activity.

2. Professors engaged on a full-time and uninterrupted basis at the University shall be entitled to one sabbatical year every six years of service, with exemption from teaching duties, in order to perform research tasks for teaching at some other University, Centre or Institution in Spain or abroad. They may exercise this right provided that they are not subject to disciplinary proceedings, have not been penalised, have not during this period received study leave which, when taken together, would be equal to or greater than one year. This calculation shall not take into consideration leave periods of a duration of less than two months. During said sabbatical year they shall be entitled to receive their full remuneration.

3. The duly justified application for a sabbatical year shall be approved by the Council of Governance, having granted audience to the Department. Upon conclusion of the period, and within three months, the Professor must present the Council of Governance with a report on the tasks performed.

4. The teaching duties of professors on leave shall be performed by means of the corresponding recruitment of teaching staff, unless other members of the area or Department are objectively capable of covering such requirements.

Article 92.

1. In accordance with the promotion circumstances of the Teaching Staff, the Council of Governance, at the proposal of a Department and having granted audience to the Academic Regulation Committee, may grant leave for a period of one year as a maximum, for the purposes of teaching, to any Professors or Assistants performing research tasks for their doctoral theses or second cycle studies for those areas of knowledge referred to in subsection 3 of Articles 58 and 59 of the Organic Universities Act.



2. The teaching duties of professors on leave shall be performed by means of the corresponding recruitment of teaching staff, unless other members of the area or Department are objectively capable of covering such requirements.

Article 93.

1. At the behest of a University, or some other public body, the Council of Governance, following a prior report from the Department Council and the Board of the Centre to which the professor is attached, by agreement with the professor in question and the Academic Regulation and Teaching Staff Committee, may grant service commissions to its teaching staff. In order to fulfil the corresponding teaching requirements, the University of Malaga shall contact the professors required.

2. The remuneration of a professor on a service commission shall be borne by the host body.

Article 94.

The University of Malaga shall promote the full-time dedication of its teaching staff in order to achieve a situation in which this status has priority. Dedication shall be compatible with the execution of scientific, technical or artistic works in accordance with the provisions laid down in the legislation in force.

Article 95.

1. Teaching staff shall be obliged to remain at the University and to dedicate themselves to teaching activities and tutorials, as established in the legislation in force, in accordance with their official situation and schedule of dedication.

2. The corresponding regulation approved by the Council of Governance shall establish the means for confirmation of compliance with the duties indicated in the above section.

3. The disciplinary system for functionary teaching staff shall be as established in the general legislation governing Public Functionary Corps. Contracted professors shall in this regard be subject to the terms of employment legislation and the corresponding Collective Agreement.

Article 96.



1. The University Rector shall, throughout the period of his term of appointment, be exempted from teaching obligations.

2. The Vice-Rectors of the University and, where applicable, the General Secretary, and also the Deans of Faculty and School Directors, shall have their teaching obligations reduced by four fifths of those corresponding to full-time professors.

3. Directors of Secretariats, Directors of Department, Directors of University Research Institutes, Secretaries and Vice-Secretaries of Faculties or Schools, Vice-Deans of Faculties and Sub-Directors of Schools shall have their teaching of legations reduced by two fifths of the corresponding volume.

4. Any modification to these exemptions or any other special situation involving a total or partial exemption from teaching obligations shall be decided on by the Council of Governance, following a prior report by the Centre Board or the Council of the Department to which the professor is attached, and the office of the Vice-Rector with competence for teaching staff matters.

Section Two. Students

Chapter One. General Provisions

Article 97.

The University of Malaga classifies its students as those registered at the University to pursue study leading to official qualifications valid nationwide.

Article 98.

Students, as members of the university community and recipients of the public higher education service, are entitled to pursue study in accordance with the regulatory provisions laid down in this regard.

Article 99.

In order to ensure that no individual is excluded from studying at the University of Malaga on economic grounds, it shall, by means of its budget, develop an appropriate policy of bursaries, grants and systems for partial or total exemption from the payment of the public fees for the



provision of academic services, supplementing those established by the State in the Autonomous Region of Andalusia.

To this end, the annual budget of the University of Malaga shall establish the corresponding allocations.

Article 100.

A Bursaries, Grants and Student Support Committee is established at the University of Malaga, comprising:

- a) The Rector, or the individual delegated thereby.

- b) The University General Manager.

- c) Three permanently engaged doctorate professors, elected by their representatives on the Senate.

- d) One member of the teaching and research personnel without a doctorate qualification, or one who holds a doctorate but is not permanently appointed, elected by the corresponding representatives on the Senate.

- e) Four students, elected by their representatives on the Senate.

- f) One member of the Administration and Service Personnel, elected by the corresponding representatives on the Senate.

This Committee shall draw up its own operational Regulation, which must be approved by the Council of Governance.

Article 101.



This Committee shall have the following competences:

- a) Propose the volume of expenditure to be allocated in the University budget to the aforementioned purposes.

- b) Establish the types, characteristics, number and regulations for the various grants and services.

- c) Supervise the administrative activities of support services provided by the University of Malaga.

- d) Propose rebates applied to the payment of public fees for the provision of teaching services, in accordance with levels of income.

- e) Ensure the proper functioning of the selection boards for nationally arranged bursaries and receive information on the decisions reached thereby.

- f) Promote studies within its functional sphere in order to establish new fields of action.

- g) Any other functions vested in it by these Statutes, the bodies of governance of the University or any others which the State or the Autonomous Region of Andalusia may attribute to the University within its sphere of competences.

Chapter Two. Rights and duties of students.

Article 102.

1. Study is a right and duty of university students.

2. The University of Malaga shall verify the knowledge, development of intellectual training and performance of students; the Council of Governance shall approve and publish the regulations regarding this matter.



Article 103

1. Students, notwithstanding the terms laid down in Article 46 of the Organic Universities Act, are entitled to:

a) Receive appropriate training, to which end they may evaluate the educational systems and participate in the planning and regulation of education, in accordance with the terms laid down in these Statutes.

b) Be objectively evaluated on their academic performance, to which end they may request of the Centre's Academic Regulation Committee an analysis of the content of tests and a review of the grades obtained, by means of the appointment of an appropriate Tribunal.

c) Receive advice, support and guidance from their professors, both scientific and professional.

d) Equal opportunities and non-discrimination based on personal social circumstances in exercising their academic activities.

e) Be informed of the organisation, scheduling and teaching and research plans of the University.

f) Receive, where applicable, bursaries, subsidies and any other economic and support grants established, in addition to Social Security provisions, under the terms established in the legislation in force.

g) Make use of the material resources intended for teaching and research purposes in accordance with the standards governing the use thereof.

h) Take part in research tasks, to the extent possible, and with appropriate guidance and supervision.



i) Promote, participate in and perform cultural, recreational and sporting activities for their full development. To this end the University of Malaga shall provide economic and material support for the performance of such activities, in accordance with a Regulation to be submitted to the Council of Governance for approval.

2. Students have the right and duty to take part in the bodies of governance and representation of the University. They shall in particular enjoy the right to:

a) Freedom of expression, of assembly and association within the university context.

b) The guarantee of their rights, by means of appropriate procedures and, where applicable, requests that the University Ombudsman should act.

c) Elect representatives for the purposes established in these Statutes and any others not running counter thereto. Disclosure of the results of elections among students shall be guaranteed by means of resources appropriate for this purpose.

d) Associate with one another in order better to achieve their objectives, to which end the Council of Governance shall approve a general regulation for the functioning of student associations.

3. Students' representatives shall be entitled to:

a) Have access to appropriate premises and resources in order to perform their activities, in accordance with the available resources.

b) Hold meetings, having first notified the Dean or Director of the Centre at least two teaching days in advance, for which purpose they may not employ more than 10 teaching hours per term. Beyond this margin, authorisation from the Dean or Director of the Centre shall be required.



4. Students have the duty to fulfil their position as such with the utmost diligence, respect and dedication.

5. The above rights, and also the duties of students, shall be subject to development by means of any regulations regarding the organisation and functioning of university activities which may be drawn up and approved by the University's Council Governance.

Section Three. Administration and Service personnel.

Preliminary Chapter. General provisions.

Article 104.

The administrative and service personnel of the University of Malaga shall comprise the functionary personnel on the scales of the University of Malaga and contracted personnel recruited by the University itself, in addition to functionary personnel belonging to the corps and scales of other Public Authorities serving at the University of Malaga, as a result of partnership agreements.

Article 105.

The administrative and service personnel of the University of Malaga are responsible for support, assistance and advice for the academic authorities, management and administration, in particular in the fields of human resources, administrative organisation, economic affairs, information technology, archives, libraries, information, general services, in addition to any other administrative and support management processes involved in teaching and research, as deemed necessary by the University in order to perform its functions.

Article 106.

Contracted administration and service personnel shall, in addition to the legal provisions and the terms set out in these Statutes, be subject to employment registration in the applicable collective agreements.

Chapter One. The provision of positions of employment, promotion and public job offers for administration and service personnel.

Article 107.



1. The list of administration service personnel posts shall be drawn up in accordance with principles of efficacy and quality regarding the demands derived from the implementation of the University's Strategic Plan. The Council of Governance shall establish the List of Administration and Service Personnel Posts, following negotiation with the central trade union officers enjoying the greatest representation at the University of Malaga.

2. The list of posts shall identify and classify positions of employment, indicating the administrative and organisational units to which they belong, the names thereof, the dedication and shifts involved. The object, characteristics, functions and degree of responsibility of each post shall be reflected in a catalogue which must be enclosed with each list of posts.

3. The lists of posts shall establish those posts involving executive functions and which must be filled by administration and service personnel.

4. The method for the provision and system of permanency of posts enjoying executive functions shall be governed by the corresponding terms of the post provision regulations.

Article 108.

The Council of Governance may modify the lists of administration and service personnel posts, expanding, reducing or changing the name of posts, every three years or, on an optional basis, every year, notwithstanding the regulations for the development, execution and oversight of the Budget of the University of Malaga, and following negotiation with the central trade union officers enjoying greatest representation at the University of Malaga.

Article 109.

1. Administrative and service personnel posts at the University of Malaga which can be performed by its own functionaries may also be performed by functionaries of other Universities or other Public Authorities. To this end, partnership agreements must be signed guaranteeing the right of mobility of the personnel in question on the basis of the principle of reciprocity.

2. The jobs referred to in the above section shall be filled in accordance with the specific regulations of the University of Malaga, and also the generally applicable regulations.



3. Those posts reserved for occasional personnel must be included in the University's List of Posts of Employment. Occasional personnel must fulfil the specific conditions required for functionaries who could perform such posts. The appointment and termination of the contracts of occasional personnel holding positions of trust or consultancy functions is the responsibility of the Rector, and said positions shall automatically be terminated upon expiry of the term of appointment of the Rector.

Article 110.

The University of Malaga shall select its personnel, whether functionaries or those on employment contracts, in accordance with a public job offer, publicly announced and making use of the systems established in the legislation in force which shall in all cases guarantee the constitutional principles of equality, merit and capacity, and also public announcement.

Article 111.

The announcement of selective access tests for vacant posts committed to in the job offers published by the University of Malaga shall be performed by the Rector, following negotiation with the most representative central trade union offices, with publication thereof being ordered in the "Official State Gazette" and, where applicable, the "Official Gazette of the Autonomous Regional Government of Andalusia". Said announcement shall establish the calendar required for the execution of tests.

Article 112.

The basis for the announcements to fill vacancies on functionary scales at the University of Malaga itself must comply with the terms of the legislation in force.

Article 113.

The University of Malaga shall facilitate and encourage internal promotion, comprising promotion from Corps or Scales of one qualifications Group to others immediately above, or access to corps or scales of the same qualifications group.

Article 114.



The Tribunal responsible for ruling on the selective tests for access to posts covered by functionary Scales involved in the Administration and Services of the University of Malaga shall be appointed by the Rector and comprise five members, two of whom shall be proposed by those central trade union offices enjoying the greatest representation at the University of Malaga.

Article 115.

The Administration and Service functionary Scales at the University of Malaga shall be as follows:

- a) Management Technician Scale, inclusion within which shall require a qualification as Graduate, Engineer, Architect or equivalent.

- b) Archive, Library and Museum Professionals Scale, inclusion within which shall require the qualification of Graduate, Engineer, Architect equivalent.

- c) Higher Systems and Information Technologies Scale, inclusion within which shall require the qualification of Graduate, Engineer, Architect or equivalent.

- d) University Management Scale, inclusion within which shall require the qualification of Diploma, Technical Architect, Technical Engineer or equivalent.

- e) Archive, Library and Museum Assistant Scale, inclusion within which shall require the qualification of Diploma, Technical Architect, Technical Engineer or equivalent.

- f) Systems and IT Management Scale, inclusion within which shall require the qualification of Diploma, Technical Architect, Technical Engineer or equivalent.

- g) Administrative Scale, inclusion within which shall require the qualification of Baccaureate or equivalent.



- h) Assistant IT Technician Scale, inclusion within which shall require the qualification of Baccalaureate or equivalent.

- i) Assistant Library Technician Scale, inclusion within which shall require the qualification of Baccalaureate or equivalent.

- j) Administrative Assistant Scale, inclusion within which shall require the qualification of School Leaver Certificate or equivalent (to be abolished).

Article 116.

1. The Council of Governance, in accordance with the general regulations in this field and following negotiation with the most representative trade union organisations at the University of Malaga, may create other Scales or Categories, or abolish some of those already in existence.

2. The provision of vacant posts for functionary and contracted personnel shall be performed in accordance with the corresponding regulations for the provision of posts of employment, following negotiation with the central trade union offices enjoying the greatest representation at the University of Malaga.

Article 117.

1. The University of Malaga shall organise its Personnel Register in accordance with the terms laid down in the regulations governing this matter full.

2. The Personnel Register of the University of Malaga shall record all personnel in its service, with the requirement that all acts affecting the administrative affairs thereof be entered.

Article 118.

1. Administration and Service Personnel shall enjoy the following rights:



- a) Participate as full members of the university community in the bodies of governance and representation of the University, thus being entitled to elect and be elected to such bodies.

- b) The right to collective negotiation and involvement in establishing working conditions.

- c) Receive the relevant remunerations in accordance with the position of employment held, on the basis of the corresponding UMA List of Posts of Employment.

- d) The right to effective performance of tasks or functions, and not to be unjustifiably removed, without due guarantees, from positions of employment.

- e) Employ the resources and services of the university community in accordance with the standards governing the use thereof.

- f) Achieve development and promotion in their professional activities, with the support of the University.

- g) Have access to appropriate resources and the information required in order to perform their tasks and be familiar with the functions assigned to their posts.

- h) Develop a professional career making provision for promotion in accordance with professional qualifications and/or levels of certified training, with the support of the University.

- i) Participate in the various University bodies, in accordance with the terms established in these Statutes and the regulations in development thereof.

- j) Form a part of any Tribunals and Committees for which they may be appointed.

- k) Receive effective protection on the part of the University regarding prevention of occupational risks.



l) Participate in the development of contracts as referred to in Article 83 of Organic Universities Act 6/2001, of 21 December 2001, by performing functions and receiving remunerations applicable to such personnel and derived from the aforementioned contracts.

m) Any other individual or collective right recognised in the legislation in force.

2. The University of Malaga may grant members of administration and service personnel special leave of a duration in excess of one a month and less than one year in order to perform activities at other Universities, public or private centres or institutions, both within the Spanish State and the remainder of the European Area, intended to enhance the administration of the services of this University, in accordance with the developmental regulations to be developed.

3. The University of Malaga shall facilitate access to its own qualifications which, in accordance with the contents thereof, would assist in the development of the career and professional qualifications of Administration and Service Personnel, by means of the capacities established for this purpose following negotiation.

Article 119.

Administration and Service personnel shall be subject to the following duties:

a) Fulfil and assume obligations and responsibilities derived from their appointment or recruitment.

b) Contribute to the enhancement of the public service entrusted to the University.

c) Take part in professional development and promotion courses, in accordance with the criteria and priority established in the corresponding training plans.

d) Contribute to the optimum governance and administration of the University.



TITLE FOUR. STUDY AT THE UNIVERSITY

Chapter One. General Provisions.

Article 120.

1. All Spanish citizens and foreign citizens under the legally established conditions may access the University of Malaga in order to pursue university studies, subject to no limitations other than those established in the general provisions and in these Statutes.

2. Any person fulfilling the requirements to commence or continue university studies may request admission for such studies, in accordance with the deadlines and procedures established in the regulations.

Article 121.

The Autonomous Region of Andalusia shall draw up the schedule for the offering of education at the University of Malaga by agreement with the University and in accordance with the established procedures.

Chapter Two. General system of education.

Article 122.

University of Malaga shall deliver:

a) Education leading to the issuance of official qualifications valid nationwide, to be issued in the name of the King by the Rector of the University of Malaga.

b) Education leading to the issuance of qualifications independently established by the University of Malaga, in accordance with the regulations issued in this regard by the Council of Governance.

Article 123.

University education leading to official qualifications shall be structured by means of a maximum of three cycles. Completion of the first cycle shall, where applicable, entitle the



student to the qualification of University Diploma, Primary School Teacher, Technical Engineer or Technical Architect. Those completing the second cycle shall be awarded the qualification of Graduate, Engineer or Architect, and those completing the third cycle the qualification of Doctor, or those replacing these in accordance with the general guidelines issued by the European Higher Education Area.

Article 124.

1. The Social Council, following a prior report by the University Coordination Council, shall approve the regulations governing the progress and continuation at the University of students in accordance with the characteristics of their corresponding studies.

2. The number of examination sessions which each student may attend is established as six per subject, which shall be automatically cancelled upon failure to attend the examinations.

3. Those students having exhausted a number in excess of two examination sessions, and in those subjects where there are two or more groups, shall be entitled to change group for the subject in question. They shall likewise in the other examination sessions be entitled to request the establishment of a Tribunal to examine them, in accordance with the terms of the Regulation governing the corresponding Academic Regulation Committee.

4. Each student may only sit two ordinary examination sessions each academic year. In the case of subjects for which the student registered in previous academic years and which were not successfully completed, students may replace one of these examination sessions with an extraordinary session.

5. The scheduling of examinations corresponding to the sessions referred to in the above item shall be performed in accordance with the Official Academic Calendar to be approved by the Council of Governance for each academic year.

6. Those students who have a maximum of three subjects remaining (or 27 credits, where applicable) in order to complete their studies may be examined in those subjects in the extraordinary session established for this purpose in the aforementioned Official Academic Calendar.

Article 125.



At the proposal of the corresponding Centre Boards, the Rector may agree to grant the Extraordinary Award corresponding to each of the official first and/or second cycle qualifications delivered at the University of Malaga to those students completing their studies in the same academic year.

Article 126.

In accordance with the terms of the legislation in force, the following shall be required in order to be awarded the qualification of Doctor:

- a) Hold the qualification of Graduate, Architect or Engineer, or an equivalent or recognised qualification.

- b) Have completed the third-cycle studies.

- c) Produce, defend and have approved a doctoral thesis, comprising a personal and original research work.

Article 127.

1. Studies leading to issuance of the qualification of Doctor shall be performed under the supervision and academic responsibility of a Department or University Research Institute.

2. Third-cycle studies shall be structured by means of Doctorate Programmes, the purpose of which shall be the specialisation of the corresponding students in their research training within a field of scientific, technical, humanistic or artistic knowledge.

3. The aforementioned programmes shall be proposed and coordinated by a University Department or University Research Institute, which shall be responsible for them. The Department or University Research Institute responsible for a doctorate programme shall specify the contents thereof, to be developed under its direction, and to be undertaken under the direction of other Departments, University Research Institutes or Research Centres with which, where applicable, the corresponding partnership agreement may exist, in addition to the mandatory or optional nature of such content.



Article 128.

1. At the University of Malaga there shall be a Doctorate Committee comprising doctorate professors with permanent appointments fulfilling the requirements imposed by the legislation in force, the essential mission of which shall be that of regulating activities connected with third-cycle studies, and those functions attributed by the regulations in force. The composition and specific functions thereof shall be established by the Council of Governance, which shall likewise approve the corresponding Regulation.

2. The Doctorate Committee may be advised by sub-committees established for this purpose, in accordance with the division of knowledge into major scientific branches, under the terms established in the internal operational regulations thereof.

Article 129.

1. The Doctorate Committee, at the proposal of the corresponding Departments, shall approve and publish sufficiently in advance the list of Doctorate Programmes for the following academic year, in accordance with the instructions set out in the regulations in force. Said list shall specify the number of places on each programme, the corresponding teaching period, the contents and the credit valuation.

2. Courses and seminars performed at a University other than Malaga may be recognised thereat, at the behest of the party concerned, following completion of the legally established requirements and those imposed for this purpose by the Doctorate Committee.

Article 130.

1. Admission of candidates for Doctorate Programmes shall be processed by the Departments responsible for the direction thereof, in accordance with criteria for the evaluation of merits as established for this purpose by the Doctorate Committee.

2. Doctoral candidates shall be assigned a tutor, who must hold a doctorate, and must belong to one of the Departments involved in the doctorate programme being followed.

Article 131.



1. Successful completion of a doctorate programme, under the terms imposed by the regulations in force, shall entail recognition of the adequacy of the student to perform research tasks, entitling him to present and defend a doctoral thesis.

2. Doctoral theses presented for reading and defence must first be displayed for a period of no less than one month at the General Secretariat of the University of Malaga and at the Department to which the Director or Presenter of the Thesis belongs, or the Departments, if there are several Directors or Presenters, in order to be examined by the doctorate professors of the University in question.

3. Once a doctoral thesis has been admitted for reading, the Department responsible for the corresponding doctorate programme shall propose to the Doctorate Committee the classification tribunal for this, for subsequent appointment by the Rector.

4. Theses defended and approved at the University of Malaga shall be accessible to citizens in general by means of technical systems so permitting, all the above notwithstanding any relevant publication.

Article 132.

The University of Malaga may, at the proposal of the Doctorate Committee, grant the “University of Malaga Extraordinary Doctorate Award” in accordance with the corresponding Regulation.

Chapter Three. Study programmes.

Article 133.

1. The study programmes for the official qualifications offered by the University Malaga shall be approved by the Council of Governance, on its own initiative or at the proposal of the Centre Boards. The design of study programmes shall be based on optimum student training.

2. The study programmes approved by the Council of Governance shall be referred by the Rector to the Autonomous Region of Andalusia in order to obtain a favourable report regarding the economic evaluation of the study programme and the means and resources for implementation thereof.



3. Once reports have been obtained from the Autonomous Region of Andalusia, the study programmes are referred by the Rector to the University Coordination Council for approval.

Chapter Four. Academic organisation.

Article 134.

1. For each academic year, sufficiently in advance of the start of the corresponding teaching period, the Centre Boards shall approve the academic programme for the education corresponding to the official qualifications delivered at each Centre. These programmes shall be drawn up on the basis of the information provided by the corresponding Departments, and must include in due detail at least the following aspects:

a) The professors who are to deliver the teaching and those responsible for the examinations and the marking thereof, who, except under exceptional circumstances, must be the same, along with the distribution of courses and groups among them.

b) The teaching schedule for each subject, which must contain at least: the topics, the educational methodology and the system for evaluation of the academic performance of students, establishing the type of test, the number thereof, the marking criteria and the components to be taken into consideration for the student's final grade.

c) Allocation within the hours established by the Dean's office of hours for theoretical teaching.

d) Supplementary academic activities.

2. At the start of the academic year the hours for practical classes and the hours during which professors will receive in-person queries from students shall be published. These hours must include a number set aside for tutorials in accordance with the legislation in force.

3. The Academic Regulation Committee shall examine each of the programmes and issue proposals for the coordination thereof, and report to the Centre Board, which shall proceed to



issue approval. The Dean or Director, following approval of the Centre's academic programme, shall proceed to refer this to the Rector, and to publish and distribute the programme.

4. Any modification occurring must be approved by the Centre Board and reported to the Rector.

Article 135.

1. An Academic Regulation Committee to be established at each Centre.

2. This Committee shall comprise:

a) The Dean or Director of the Centre, or the Vice-Dean or Sub-Director delegated.

b) A Vice-Dean or Sub-Director responsible for Academic Regulation.

c) A professor dedicated full-time for each course.

d) The Head of the Centre Secretariat.

e) One student per course.

3. The competences of the Academic Regulation Committee are as follows:

a) Consider and make proposals to the Centre Board regarding matters concerning the organisation of academic activities, and also other supplementary activities not expressly assigned to other Committees at the Centre.



b) Consider and make proposals to the Centre Board regarding matters concerning systems for the evaluation of the knowledge of students, and consider and rule on claims and reviews thereof.

c) Be responsible for control and educational evaluation of teaching staff, and any other matters regarding the educational renewal of teaching. They must each year present their reports to the Academic Regulation and Teaching Staff Committee of the University.

d) Evaluate each of the programmes and make proposals for the coordination thereof, and report to the Centre Board for approval, where applicable. The Centre Management, following approval of the corresponding academic programme, shall proceed to publish and distribute this.

4. The centres may, by means of a Centre Board regulation, establish the existence of Academic Regulation Sub-Committees for those cases where more than one qualification is provided at the Centre in question.

Article 136.

1. Students are entitled to a review of the evaluation of their academic performance under the following terms:

a) The teaching staff responsible for the examinations shall be obliged to review examinations and tests of those students so requesting within the period established by the Centre Board in the academic programme, in the presence of the student and on a public basis, and to perform any corrections which may apply following the review.

b) Upon completion of the above process, students may, individually or collectively, address written complaints to the Academic Regulation Committee based on any of the following grounds:

- Breach of the academic programme of the Centre in aspects which affect the issue claimed.



- Failings in the manner in which the tests were performed or the procedure for the review thereof.

- Reasoned challenge to the grade awarded.

2. The Academic Regulation Committee may in such cases:

a) Call on the Department Council in question to rectify the failings observed.

b) Refer the case to the corresponding Department Council in order for it to proceed to appoint a tribunal comprising professors from the corresponding area of knowledge in order to review the challenged tests and grades.

c) Proceed, on its own account or by delegation, having granted audience to the corresponding Department Council, to review the challenged tests and grades.

d) Inform the Centre Management of the actions performed, in order for responsibilities to be established.

e) Reject on reasoned grounds the written complaint, informing the parties concerned of the possibilities of subsequent appeal, and the corresponding deadlines.

3. Instigation of any review or complaint procedure shall not cause any harm to the parties concerned which might be derived from compliance with deadlines for registration, convening of tests or any other potential consequence of such procedures.

Article 137.

1. The Academic Regulation and Teaching Staff Committee of the University of Malaga is established, to have the competences assigned to it in these Statutes and the regulations in development thereof, and also the function of advising the Rector.



2. It shall comprise:

- a) The Rector, or the person delegated by him, to chair the Committee.
- b) Six professors, at least four of whom must be doctorate professors with permanent appointments.
- c) One representative of the Administration and Service Personnel.
- d) One third-cycle student.
- e) Three first- and second-cycle students.

3. The members of the Academic Regulation and Teaching Staff Committee shall be elected from among the members of the Centre Academic Regulation Committees, except for the third-cycle student, who shall be elected directly from among the Senate representatives of said students.

Chapter Five. International relations and the European Higher Education Area.

Article 138.

The University of Malaga shall adopt the measures required in order to promote its internationalisation full integration within the European area.

Article 139.

The University of Malaga may establish collaboration and exchange agreements with other Universities, bodies or entities, both domestically and abroad, in accordance with the provisions of Articles 18(nn) and 32 (f) of these Statutes.

Article 140.



The University of Malaga shall proceed fully to introduce and apply European homologation systems in all its official qualifications.

Article 141.

The University of Malaga shall foster the development of dual qualifications and Doctoral Theses under co-tutorship with foreign Universities, in accordance with the provisions of the regulations in force.

Article 142.

The University of Malaga may deliver education abroad pursuant to the terms of Article 85 of the Organic Universities Act and all other provisions in force.

Article 143.

1. The University of Malaga shall foster the mobility of students internationally, and in particular within the European Higher Education Area through bursary programmes and study credit support, or otherwise by supplementing the bursary and grant programmes of the European Union and those of other bodies and institutions.

2. Promotion shall likewise, in accordance with the regulations in force, be given to the academic recognition of periods of study spent at foreign Universities within the context of international programmes and agreements signed by the University of Malaga.

Article 144.

The University of Malaga shall foster the mobility of professors internationally, and in particular within the European Higher Education Area through programmes, specific agreements and the programmes of the European Union and other bodies and institutions.

Article 145.

1. The University of Malaga shall have an International Relations Committee to govern university activities at the international level.



2. At each Centre of the University of Malaga there shall be an International Relations Sub-Committee to govern the activities of that Centre at the international level.

Article 146.

The composition and specific functions of the International Relations Committee and of the International Relations Sub-Committees, on which all sectors of the university community shall be represented, shall be established by the Council of Governance, which shall likewise approve the regulations thereof.

Article 147.

The University of Malaga shall promote the execution of Spanish Courses for Foreigners, the organisation, infrastructure, functioning and content of which shall be approved by the Council Governance.

Chapter Six. Quality.

Article 148.

The University of Malaga shall promote a culture of quality, self-assessment and strategic planning.

Article 149.

1. All activities of the University of Malaga are open to evaluation.

2. The University of Malaga shall establish on a permanent basis a teaching evaluation plan for all official qualifications and all of its own qualifications which are delivered.

3. The evaluations shall be performed by the National Quality and Accreditation Evaluation Agency, the evaluation body established by the Autonomous Region of Andalusia, and any other evaluation body accredited within the European Higher Education Area.

TITLE FIVE. RESEARCH AT THE UNIVERSITY

Article 150.



1. Research, the bedrock of teaching, the means for development of the community and support for the social transfer of knowledge, represents an essential function of the University of Malaga.

2. Freedom of research within the context of the University is recognised and guaranteed.

3. The University assumes, as one of its fundamental objectives, the development of scientific, technical and artistic research, and the training of researchers, and shall address both basic and applied research.

4. The task of research is an essential and inseparable condition of the pursuit of higher educational operations. The University of Malaga shall establish appropriate channels allowing all teaching staff to exercise the right and duty of research.

Article 151.

The Research Groups, Departments and University Research Institutes and any other bodies with a research function which may be created are the units responsible for the organisation development of research.

Article 152.

1. Doctorate professors belonging to the teaching corps and contracted doctorate staff enjoy independence to produce and execute research programmes.

2. The University of Malaga shall in particular support joint team research programmes.

3. The University of Malaga shall on a priority basis collaborate with those lines of research which, because of their particular social and cultural relevance or economic impact on the Autonomous Region of Andalusia and/or on Spain and/or Europe are declared to enjoy priority, notwithstanding consideration of possible lines, and without overlooking those already in progress.

Article 153.



1. A Research Committees established at the University of Malaga, to be chaired by the Rector or the individual delegated thereby, and comprising one Doctorate Professor at each Centre with at least a recognised six-year active research period, elected by the entire group of Doctorate Professors at each Centre. The Rector shall have the power to appoint in addition a University Chair or a University School Chair or a University Full Professor to ensure the interdisciplinary nature which said Committee must have.

2. The Secretariat of the Research Committee shall be the responsibility of one of the members thereof, or a functionary in the service of the University Administration, chosen by the Committee, the proposal of its Chairman. In this last case the Secretary shall be entitled to speak but not to vote.

Article 154.

1. The following are the competences of the Research Committee:

a) Propose to the Council of Governance the distribution of the University's own funds allocated to research.

b) Approve projects and evaluate research undertaken with the University's own research funds. Evaluation of research shall as a priority focus on publications, patents and other objective results.

c) Generate its internal Regulation, which must be approved by the Council of Governance.

d) Propose to the Council of Governance the University of Malaga's Own Research Plan.

e) The awarding of grants or bursaries included within the University's own research programmes, in accordance with the criteria approved by the Council of Governance.

2. In order to perform its functions, the Committee may raise consultations with any qualified individuals deemed appropriate.

Article 155.



The University of Malaga may implement cooperation agreements with Centres dependent on the *Consejo Superior de Investigaciones Científicas (CSIC)* (Higher Scientific Research Council) and other Universities and bodies, whether public or private, in accordance with the regulations in force.

Article 156.

Research groups recognised by the University of Malaga, Departments and University Research Institutes, and their teaching staff, through said bodies or the bodies, centres, foundations or similar organisation structures of the University of Malaga dedicated thereby to the channelling of the research initiatives of its teaching staff and the transfer of the results of research, may sign agreements with individuals, Universities or public or private entities in order to perform work of a scientific, technical or artistic nature, and to develop specialist education or specific training activities, in accordance with the regulations in force in this regard.

Article 157.

1. The agreements referred to in the above article may be signed by:

- a) The Rector, in the name of the University.
- b) The Department Directors.
- c) The Directors of the University Research Institutes.
- d) The professors, in their own name.
- e) The researchers responsible for research groups.



2. In the case of item (a) of the above section, prior reports shall be required from the Vice-Rectors with competences for Academic Regulation and for Research, and also the General Manager.

In the cases of items (c) and (e) of the above section, authorisation shall be required from the Rector, following a prior report from the Vice-Rectors with competences for Academic Regulation and for Research, and also the General Manager. In the cases of items (b) and (d) of the above section, authorisation shall be required from the Rector, following a prior report from the Vice-Rectors with competences in the field of Academic Regulation and Research, and also the General Manager, along with approval from the corresponding Department Council.

3. Authorisation and approval as set out in the above paragraphs may not be delayed by more than three months from the application presented for this purpose by the individuals referred to in items (b), (c), (d) and (e) of section 1. Authorisation and approval shall otherwise be deemed automatically to have been granted as a result of said non-response.

4. Of the volume of resources obtained from such agreements, at least 15% shall be deducted, two thirds of this to be allocated to cover the general expenses of the University, and one third for the University Research Institutes or Departments. The Council of Governance may establish a higher percentage in accordance with the costs derived from execution of work or development of education corresponding to the agreements in question.

5. All assets obtained through the funding of such agreements shall be included within the body of assets of the University of Malaga, in accordance with criteria derived from the basic standards issued in this regard by the Government.

6. The General Manager shall be responsible for financial oversight of the execution of such agreements, and the proposal for the corresponding accountability processes.

Article 158.

1. All bibliographical and/or instrumental holdings for research acquired through the funding of research projects which are publicly or privately financed, through agreements or contracts signed with the OTRI (Office for the Transfer of Research Results), or donations, shall be made available to all Professors and Researchers at the University of Malaga, but also, as far as



possible, students, in accordance with the regulations drawn up for this purpose by the Research Committee.

2. The holdings referred to in the above item shall be the property of the University of Malaga, and shall be duly identified and inventoried.

Article 159.

1. In order to implement agreed joint research programmes, the University of Malaga may hire temporary personnel, and at the proposal of the Research Group, the Department or Institute involved, the cost may be covered by funds drawn from the financing for the projects and allocated within them for this purpose.

2. In all cases, contract must include sufficient guarantee clauses releasing the University from any liabilities derived from the performance and execution of such projects.

TITLE SIX. UNIVERSITY COMMUNITY SERVICES

Preliminary Section. General Provisions

Article 160.

1. In order more effectively to perform its functions, the University of Malaga shall, to the extent of its budgetary capabilities, foster the provision of services intended to achieve university outreach and the development of its teaching and research functions and cultural, sporting, care and any other activities which may be organised within the context of pursuing its functions and autonomy.

2. Such services may on a priority basis be managed directly by the appropriate university bodies.

Article 161.

1. The University of Malaga shall at least provide the following services: Library, Archive, Publications and Scientific Exchange, University Community Ombudsman, University Residences and College Communities, Image Technology and Educational Resources, Information Technology, Research, Educational Innovation, Virtual Education, Psychological Support, Social Affairs, Culture and Sport, Employment Development, Volunteer Platform,



Technology Transfer, Kindergarten, Botanical Garden, Grice Hutchinson Experimentation Centre.

2. The University of Malaga may decide to provide additional services, or to modify those in existence, in order better to achieve the purposes set out in the above article.

Article 162.

The services referred to in this title, along with the methods for the administration thereof, the demarcation of their functions and competences and hierarchal dependency, must be governed by specific Regulations approved by the University's Council of Governance.

Section One. College communities and university residences

Article 163.

1. The college communities provide accommodation for students and promote the cultural and scientific development of their residents, extending their activities at the service of the university community.

2. The functioning of the college communities shall be governed by means of the regulations established by the University Council of Governance and those for each college community, and they shall enjoy the tax exemptions and benefits of the University to which they are attached.

3. The University of Malaga may create or associate itself with university residences in accordance with the regulations developed by the Council of Governance of the University.

TITLE SEVEN. ECONOMIC AND FINANCIAL SYSTEM

Section One. The Body of Assets

Article 164.

The Body of Assets of the University shall comprise all of its assets, rights and obligations.

Article 165



The University of Malaga is the owner of public domain assets attached to the performance of its functions, in addition to any which may in the future be allocated to such purposes by other Public Authorities. Assets comprising Spanish Historical Heritage are in all cases excluded.

Article 166.

The Management Office shall maintain and update the inventory of the University's body of assets, the generation of which may be performed by means of binding orders served on the various bodies and services. Within the first quarter of each year the Management Office shall, together with the economic report, present the inventory of assets and rights, updated as at 31 December the previous year, to be published before the whole university community.

Article 167.

Those assets attached to performance of the functions of the University of Malaga, and the acts performed thereby for the development of said functions, in addition to the returns thereon, shall enjoy tax exemption, along with all other benefits attributed to them by the legislation in force.

Article 168.

1. Rulings regarding the administration and disposal of public domain assets, and any items belonging to the body of assets, shall comply with the regulations in force in this regard.

2. Acts to dispose of real estate property or movable property of exceptional value shall be agreed by the Council of Governance of the University of Malaga, with the approval of the Social Council, in accordance with any regulations established in this regard by the Autonomous Regional Government of Andalusia.

Section Two. Scheduling and financing

Article 169.

The University of Malaga may draw up multi-annual schedules which may lead to approval by the Autonomous Region of Andalusia of agreements and programme-contracts, including the corresponding objectives, financing and performance evaluation.

Article 170.



In order to fulfil its purposes, the University of Malaga shall make use of the following resources:

- a) Transfers for current and fixed capital expenses established yearly by the Autonomous Region of Andalusia.

- b) Revenue through the provision of academic services and other legally established fees corresponding to education leading to official university qualifications, in accordance with the terms established in this regard by the Autonomous Region of Andalusia.

- c) Revenue through the provision of academic and administrative services corresponding to education, specialist courses and other activities independently established by the University of Malaga, the sum thereof being established by the Social Council following a prior report by the Council of Governance.

- d) Revenue derived from transfers from public and private entities, along with inheritances, requests for donations.

- e) Returns on assets and any other economic activities undertaken in accordance with the terms of the regulations in force.

- f) All revenue derived from collaboration agreements with individuals, Universities or public and private entities for the execution of scientific, technical or artistic tasks, in addition to the development of specialist education or specific training activities.

- g) The product of credit operations arranged, following authorisation by the Autonomous Region of Andalusia.

- h) Surplus cash flows and any other revenues.

Section Three. Economic and financial management.

Article 171.



Economic and financial movements, the internal usage of resources, must be reflected in:

- a) The annual budget.
- b) The annual financial statements with the settlement of budgets.
- c) The annual economic accountability report.

Article 172.

The draft budget shall be drawn up by the Rector, in accordance with the guidelines and procedures established by the Council of Governance. The draft budget shall be submitted to the Social Council for approval, at the proposal of the Council of Governance.

Article 173.

1. The Economic Affairs Committee of the University of Malaga is established to perform, among others, the following functions:

- a) Annual monitoring of the University's revenue and expenditure.
- b) Information on budgets and programmes.
- c) Oversight of the annual financial statements, settlement of budgets and the return on resources.
- d) Consideration of its opinions in the procurement of works and services.

2. The composition and functioning of this Committee, which must include representatives of all sectors of the university community, shall be governed by the Council of Governance.



Section Four. The budget.

Article 174.

1. The budget of the University of Malaga shall be one single public budget, and must be balanced.
2. The budget shall comprise a detailed list of all revenue and expenditure expected by the University of Malaga to take place over a given calendar year, in accordance with estimates and proposals presented in advance by the various functional units which make up the structure of the budget.
3. All economic and financial activities must be undertaken in accordance with the terms specified in the budget, following approval by the Social Council.
4. If the budget is not approved prior to the first day of the financial year, the budget for the previous financial year shall be deemed to automatically have been extended. Said extension shall not affect credits corresponding to any services or programmes requiring conclusion in the financial year the budget of which is extended.

Article 175.

1. The budget of revenue shall specify in sufficient detail the various sources of funding.
2. The forecast net current surplus from the previous year shall be added to the expected revenue.
3. The net current surplus shall not be deemed to include credits for investments or for research projects not drawn down at the close of the year and constituting balances available to the expenditure units to which they are to be allocated.

Article 176.



1. The expenses budget shall be expressed by the class or nature of the expense and the corresponding destination within the organisational structure of the University of Malaga and, where applicable, in accordance with the various programmes. Scheduling may be performed, in addition to on an organisational basis, by means of the purpose and objectives of the expenses.

2. The structure for presentation of expenses shall be adapted to the general principles of the legal regulations regarding public budgets.

Article 177.

The statement of current expenses shall also enclose the list of posts of personnel of all categories at the University, specifying the corresponding total costs. The costs of teaching and research personnel, and also administration and service personnel, must be authorised by the Autonomous Region.

Article 178.

1. Credit transfers among the various items of the current operations and capital operations sections may be agreed by the Council of Governance.

2. Transfers from current expenses to capital expenses may be agreed by the Social Council.

3. Transfers of expenses from capital to any other section may be approved by the Social Council, with prior authorisation from the Autonomous Regional Government of Andalusia.

Article 179.

Competence for the organisation of expenses and payments charged to the University of Malaga Budget shall lie with the Rector, who may delegate this function on a Vice-Rector or on the General Manager.

Section Five. Internal oversight

Article 180.



1. The annual economic report is the document fulfilling the function of accountability with regard to the financial year, both internally at the University and before the Accounts Tribunal of the Kingdom and the Accounts Chamber of Andalusia.

2. For the purposes set out in the above paragraph, the University of Malaga shall present the Council of Governance of the Autonomous Region of Andalusia with the budget settlement and all other documents comprising its annual financial statements by the deadline established in the applicable regulations for the Autonomous Region of Andalusia or, in default thereof, general legislation.

3. The economic report is drawn up by the General Manager, under the supervision of the Rector or Vice-Rector delegated for this, and shall be supervised by the Council of Governance, for which purpose it may request any technical consultancy which it may deem appropriate.

4. The Social Council is responsible for approving the annual economic report of the University, at the proposal of the Council of Governance, prior to referral thereof to the Autonomous Region.

Article 181.

The annual economic report shall on a mandatory basis contain:

a) Definitive settlement of the budget.

b) The statement of net assets at the close of the corresponding year.

c) The detailed report on the administration of economic resources.

d) Where applicable, the auditors' report.

e) Where applicable, information obtained from analytical accounting and the relevant management indicators.



Section Six. Procurement.

Article 182.

1. The University of Malaga may sign administrative contracts for the execution of works, supplies or the provision of services, and also consultancy and support and public service management, in accordance with the regulations in force in this regard.

2. The aforementioned procurement shall be performed in accordance with the set of conditions approved by the Rector, following a prior report from the Legal Consultancy Department of the University of Malaga.

3. The procurement board shall comprise at least:

- The Rector, or the individual delegated thereby, acting as the Chair.

- The Chairman of the Social Council.

- The General Manager.

- The Comptroller.

- A member of the Legal Consultancy Department, acting as Secretary.

4. The Rector may appoint any members deemed appropriate to sit on the procurement board.

5. The Council of Governance and the Social Council shall be informed of all procurement procedures undertaken.

TITLE EIGHT. DISCIPLINARY SYSTEM



Article 183.

The legal system governing violations and sanctions applicable to members of the University Community, fully complying with the principle of legality enshrined in Article 25 of the Spanish Constitution, shall be governed by:

- a) For teaching and non-teaching functionaries: by the Disciplinary System Regulation for Public Functionaries and supplementary provisions.

- b) For personnel contracted by means of unemployment contract: by the terms set out in the Workers' Statute and, where applicable, the corresponding Collective Agreement.

- c) For personnel contracted under the administrative system: by the Disciplinary System Regulation for Public Functionaries.

- d) For students pursuing any study delivered at the University of Malaga: by the Disciplinary System Regulation drawn up by the Council of Governance.

Article 184.

The power to impose sanctions lies at all times with the Rector within the competences attributed to him in this regard by the legislation in force.

TITLE NINE. REFORM OF THE STATUTES

Article 185.

1. Plans for the total or partial reform of these Statutes may be drawn up and presented to the Senate by the Council of Governance or one third of the members of the Senate.

2. Reform plans shall in order to be approved require an absolute majority of the members of the Senate before being referred for approval to the Autonomous Region of Andalusia.



3. Rectification of any legal defects and adaptation to any regulations issued by the Autonomous Region of Andalusia in exercising its competence shall require approval by a simple majority of the members of the Senate prior to being referred for approval to the Autonomous Region of Andalusia.

ADDITIONAL PROVISIONS

First Additional Provision.

1. In order to ensure respect for the rights and freedoms of professors, students and administrative and service personnel with regard to the actions taken by the various university bodies and services, the University of Malaga shall establish within its organisational structure the figure of University Ombudsman.

2. The actions of the University Ombudsman shall in all cases be intended to improve the quality of the University in all spheres, being subject to no mandatory imposition from any university authority, and being governed by the principles of independence and autonomy.

3. Appointment thereof shall be the responsibility of the Senate, by simple majority, the term of appointment coinciding with that of said body, and the position may be held by a member of the University Community of established standing, who is to perform this position on the basis of exclusive dedication throughout the term of appointment.

4. The University Ombudsman may instigate and pursue, ex officio or at the behest of a party, any investigation intended to clarify the acts, resolutions and actions of the University Administration. To this end, the powers of the University Ombudsman extend to the activity of all collegiate and individual bodies of the University of Malaga, in addition to all employees in the service thereof, and the indirect management of university services.

5. All members of the university community may have recourse to the University Ombudsman.

Members of the Senate, either individually or in staff groups, may request the involvement of the University Ombudsman, by means of a reasoned, written submission, to investigate or clarify acts, rulings or specific conduct occurring within the Administration of the University of Malaga and affecting one or more members of the university community.



6. The University Ombudsman shall register and confirm receipt of any complaints presented, which shall be processed or rejected. In this latter case a reasoned written account must be given, which may inform the party concerned of the most appropriate channels in order to pursue the action, should the Ombudsman consider any such channels to exist, and notwithstanding the entitlement of the party concerned to employ any which he or she may deem most appropriate. The University Ombudsman shall not enter into an individual examination of any complaints regarding which a court ruling is pending, and shall suspend investigations if, following the commencement thereof, the party concerned lodges a lawsuit or appeal before the ordinary courts or the Constitutional Court. This shall not, however, prevent investigation of general problems arising in the complaints presented. He shall in any case ensure that the University Administration issues an express ruling, in due time and form, regarding any requests and appeals which may have been presented to him.

Following admittance of the complaint, the University Ombudsman shall pursue the relevant summary and informal investigation in order to clarify the corresponding circumstances. He shall in all cases report on the substantive content of the request to the relevant administrative body in order for the incumbent thereof to present a written report, within a maximum period of 30 days. This deadline may be extended in the event of circumstances which would make this advisable, in the judgment of the University Ombudsman.

7. All bodies of the University of Malaga, its administrative services and public employees, are obliged, on a preferential and urgent basis, to assist the University Ombudsman in his investigations and inspections.

8. The University Ombudsman, although not competent to modify or overrule the resolutions, acts and rulings of the University Administration, may nonetheless suggest the modification of the criteria employed in the generation thereof.

9. The University Ombudsman shall report to the Senate annually on the administration undertaken by means of a report. Should the seriousness or urgency of the circumstances should make this advisable, an extraordinary report may be submitted. The annual reports and, where applicable, extraordinary reports, are to be published in the University Information Gazette.

10. The regulations for the University Ombudsman as established in these Statutes shall be developed by means of the regulation approved by the Senate, and he shall in all cases have access to the human and material resources required in order to perform his functions.



Second Additional Provision.

1. The University of Malaga may sign agreements with the Health Department of the Autonomous Region of Andalusia to make use of health institutions for teaching, care and research purposes.
2. Such agreements must establish the attachment of care places at the health institution to teaching places occupied by members of the University corps of professors, ensuring that there is an appropriate balance between teaching and care activities.
3. Agreements may likewise establish a number of associated teaching posts which may be covered by health personnel providing services at the health institution covered by the agreement. This number shall not be taken into consideration for the purposes of Article 76 of these Statutes.
4. The agreements shall likewise establish the number of assistant and assistant doctorate professor places in the lists of posts of employment at public universities to be filled by means of public competitive processes from among those healthcare professionals awarded the title of specialist within the three years prior to announcement of the competitive process.
5. The University of Malaga may sign specific agreements with other public or private health institutions in accordance with the legal regulations in force.
6. The associate professors referred to in subsection 3 may not exceed 50% of the figure corresponding to the sector to which said professors belong within the different bodies of governance of the University.

Third Additional Provision.

Two of the members of Committees ruling on competitive access procedures for tied places must be chosen by public lot by the corresponding health institution.

Fourth Additional Provision.



Any change in the manner of administration of the services provided by the University of Malaga may not lead to a reduction, in the overall calculation, in the number of posts included in the List of Posts of Employment.

Fifth Additional Provision.

1. The Council of Governance may, at the proposal of a Department, appoint Honorary Contributors, from among professionals of established standing, in order to collaborate on an ancillary basis in teaching and research tasks, without in any case enjoying entitlement to assume responsibility for a group or for student evaluation tasks.

2. Appointment shall not constitute an employment relationship nor any remuneration and entails teaching accreditation under the terms set out in the above paragraph, being established on an annual basis with the option of extension.

Transitional Provision

1. Following approval of these Statutes of the University of Malaga, all collegiate and individual bodies established herein must then be elected. The calendar and procedure for the staging of the corresponding elections shall be established by the Provisional Council of Governance and shall commence upon entry into force hereof, on the date of publication of these Statutes in the Official Gazette of the Autonomous Region of Andalusia.

2. The current collegiate and individual bodies of governance elected in accordance with the Statutes of the University of Malaga approved by Decree 173/1985, of 31 July 1985, shall cease their functions from the date when the aforementioned publication of the Statutes is performed, although they shall continue to act on an interim basis until, as applicable, the bodies referred to in the above paragraph are established or assume their appointments.

Repeal Provision

All regulations of equal or lower rank contradicting these Statutes are hereby repealed.

Own Regulations. University of Malaga