

UNIVERSITY OF KYRENIA
DISCIPLINARY REGULATIONS FOR ACADEMIC STAFF AND ACADEMIC ADMINISTRATORS

PART I

General Provisions

Objective

ARTICLE 1. This Regulation has been prepared to determine the principles regarding the disciplinary penalties to be imposed on University of Kyrenia Academic Administrators and faculty members who fail to fulfil the duties imposed on them by laws, by-laws and regulations at home and abroad, who fail to comply with the matters that they are obliged to comply with, who perform prohibited acts, actions and behaviours or who behave in a manner incompatible with the honour and dignity of the profession.

Scope

ARTICLE 2. This regulation covers the academic administrators and teaching staff of the University of Kyrenia who will be subjected to disciplinary practices such as disciplinary investigation, suspension from duty and appeal procedures.

Definitions and

Abbreviations

ARTICLE 3.

Appointing Authority: Rector, Dean, School and Institute Director,

Academic Administrator: The Rector, Dean, Director of the Institute, Director of the School, Director of the School and the Head of the Department, Division and Department of Arts and Sciences,

Disciplinary Supervisor: Rector, Dean, Institute Director, School Director, Vocational School Director,

Teaching Staff: Lecturers, lecturers and teaching assistants working at the University of Kyrenia,

High Disciplinary Board: The disciplinary board consisting of Deans, Institute Directors and School Directors under the chairmanship of the Rector,

Disciplinary Boards: It refers to the administrative boards of these units, which convene under the chairmanship of Faculty, Institute and School administrators.

PART II

Disciplinary Offences and Penalties

ARTICLE 4. Disciplinary penalties are as follows:

- a) Warning and reprimand penalties: Warning according to the severity of the act committed by the lecturer or reprimand penalties.

- b) **To be deemed to have withdrawn from administrative duty:** The voluntary cessation of the relationship with the office.
- c) **Dismissal from University of Kyrenia teaching staff:** Dismissal from the academic staff of University of Kyrenia not to be taken again.

Warning Penalty

ARTICLE 5. Disciplinary offences requiring a warning penalty are as follows:

- a) Failure to carry out the orders and duties given in full and on time, failure to fulfil the procedures and principles determined by the institution at the place of duty, showing indifference or being careless in the protection, use and maintenance of Kyrenia University documents, tools and equipment related to the duty,
- b) Making a habit of arriving late for duty, leaving early, frequently leaving the place of duty without excuse or permission,
- c) Failure to comply with the savings measures determined by the institution,
- d) To have attitudes and behaviours that are not befitting the dignity required by the title they carry,
- e) To show indifference or act carelessly in performing the duty in full and on time, fulfilling the procedures and principles determined by the institutions at the duty site,
- f) Behaving contrary to the provisions on dress and attire,
- g) Behaving in violation of the principle of performing the duty in cooperation,
- h) Behaving in a manner contrary to the dignity of the lecturer in his/her relations with the students,
- i) Leaking or disseminating the speeches and decisions made in the university organs without a special purpose, without authorisation (Applications to the official authorities for legal reasons are excluded from this provision),
- j) Failing to answer the questions to be asked by the authorised bodies in accordance with the law, by-laws and regulations in a timely manner without a justifiable reason
- k) Not paying attention to the training of his subordinates,
- l) Failing to indicate the persons, institutions or organisations providing support and their contributions in the publications made as a result of the researches carried out with support

Reprimand Penalty

ARTICLE 6. The acts and conditions that require reprimand are as follows:

- a) Failure to carry out the orders and duties given in full and on time, to fulfil the procedures and principles determined by the institution at the place of duty, to protect, use and maintain the official documents, tools and equipment related to the duty,
- b) Behaving disrespectfully to the supervisor with his/her attitude and behaviour during the duty,
- c) Off-duty behaviour that may undermine the reputation and trust required by the title of being a University of Kyrenia lecturer,
- d) To use the tools, equipment and similar items belonging to the University of Kyrenia in their private affairs,
- e) Losing documents, tools and similar items belonging to the University of Kyrenia and scientific documents or books that cannot be replaced,
- f) Mistreatment of colleagues, subordinates, or students,
- g) Bad-mouthing, using slang words or insulting co-workers,
- h) Behaving in a manner contrary to public morality and decency at the place of duty and writing, drawing or making such writings, signs, pictures and similar shapes,
- i) Disrupting the peace, tranquility or working order at the university,
- j) Incomplete or incorrect reporting or not reporting at all the conditions and situations that should be notified to the University or its affiliated units,

- k) To give private lessons for a fee to the students of the faculty, institute or college to which they are affiliated or assigned,
- l) Leading to behaviour in favour of or against the organ or its members by disseminating or leaking the speeches and decisions made in the university organs without any special purpose, except for the official authorities,
- m) Failure to respect patient rights in their publications.
- n) To act contrary to the provisions of the relevant legislation in biomedical research or other clinical research on humans.
- o) Sharing the information contained in a work that he/she has been assigned to examine with others before publication without the express permission of the author.
- p) Publishing data obtained in surveys and attitude surveys conducted within the scope of a scientific study without obtaining the explicit consent of the participants or, if the research is to be conducted in an institution, without obtaining the permission of the institution.
- q) In research and experiments, not obtaining the permissions required to be obtained before starting the studies in writing from the authorised units.
- r) To carry out studies in research and experiments contrary to the provisions of the legislation or international conventions to which it is a party regarding the relevant research and experiments.
- s) Failure by researchers or authorities to comply with the obligation to inform and warn those concerned about possible harmful practices related to the scientific research conducted.
- t) Printing, reproducing, distributing, displaying or displaying leaflets, posters, banners, banners, tapes and the like, or hanging them anywhere in the institution.
- u) Carrying out political party activities or making political party propaganda within higher education institutions.

Separation from Management

ARTICLE 7. The acts and conditions that require the penalty of dismissal from administrative duty are as follows:

- a) Providing any non-legislative benefit from the unit under his/her management or an undertaking related to the unit, directly or through an intermediary, under any name whatsoever,
- b) Failure to fulfil or comply with the decisions or orders of a senior manager or board in accordance with laws, bylaws or regulations,
- c) Failure to take the necessary measures to ensure efficient or peaceful work in the unit he/she is responsible for the management of, or to condone acts that will disturb the peace, or to provoke, encourage or support such acts,
- d) Resisting to submit the work report that must be submitted at the end of the year according to the relevant regulations without a justified reason or not performing the audit work stipulated by the regulations,
- e) Failure to convene the committees despite a written warning,
- f) To be negligent in the administration of the unit for which he/she is responsible or not to fulfil the duties assigned by the legislation duly.

Considered withdrawn from duty

ARTICLE 8. The acts and conditions that require the penalty of being deemed to have resigned from his/her duty are as follows.

- a) Leaving the duty for 10 days without interruption without permission or without an excuse accepted by the institution, and for those with partial status, being absent from duty for 40 hours or more without interruption,
- b) Failure to attend the meetings of the board of which he/she is a member without permission, without apology and despite at least two written warnings, for two consecutive times or for a total of three times within a year.

- c) Falsifying, destroying, concealing or forging an official document in service, knowingly using a forged document, having it used.
- d) Directly or indirectly under any name whatsoever due to or in the course of his/her duty to gain benefits, to ask for or receive loans from business owners or students.
- e) Preventing the execution of services, boycott and occupation.
- f) Making false statements or unfair accusations about his/her supervisor, colleagues, staff, service beneficiaries or students by using the press and media or information systems, or making statements about their private lives without their consent.
- g) In biomedical research on humans and other clinical researches, harming people by acting contrary to the provisions of the relevant legislation.
- h) Using non-existent or falsified data in scientific research, falsifying research records or data obtained, showing devices or materials not used in the research as if they were used, falsifying or shaping the results of the research in line with the interests of the persons and organisations receiving support.
- i) To discriminate on the basis of language, race, colour, sex, political opinion, philosophical belief, religion and sect in the performance of the duty, to act against the requirements of the duty and to act to the benefit or detriment of persons.
- j) Presenting duplicate publications as separate publications in academic appointments and promotions.
- k) Coming to work drunk to the extent that he/she cannot do his/her job, drinking alcoholic beverages on duty.
- l) Organising false reports and documents.
- m) To trade except for the exceptions recognised by the relevant laws, to engage in other prohibited profit-generating activities.
- n) To use publications and studies produced by others for remuneration or free of charge, which are not based on personal labour and accumulation, except for contributions that do not include academic evaluation such as survey application, data collection, etc. in appointments and promotions, title or degree attainment

University of Kyrenia Dismissal from Teaching Staff

ARTICLE 9. The acts and conditions that require the penalty of dismissal from the University of Kyrenia academic staff are as follows:

- a) To take a paid or unpaid official or private job, to take additional duties or to carry out self-employment without the permission of the Rectorate of the University of Kyrenia,
- b) Preventing teaching activities such as lectures, seminars, conferences, laboratories, graphic studies, examinations, etc. or allowing or participating in any manner whatsoever in any actions to be taken for this purpose,
- c) Citing all or part of another's scientific work or study as one's own work without citing the source.
- d) Absenteeism without permission or without an excuse acceptable by the authorised boards of the university for a total of 30 days in one year for those with permanent status and 80 hours for those with partial status,
- e) Committing or supporting acts of terrorism, using or making public facilities and resources available for these organisations.
- f) Actually assaulting or sexually harassing his/her supervisor, subordinates, colleagues or students,
- g) Acting in a disgraceful and shameful manner that is incompatible with the title of lecturer,
- h) Disclosing confidential documents without authorisation,
- i) Being a member of illegal organisations, carrying out activities in these organisations or providing assistance,
- j) Encouraging or inciting students or members of the University to commit a disciplinary offence that will disrupt the work of the University of Kyrenia units,
- k) Using, possessing, giving to others, encouraging others to use, selling, manufacturing drugs.
- l) Search, seizure of any person's belongings, deliberately intercepting mail at the workplace or affiliated places
organising picketing and similar actions, inciting others to do so or engaging in such actions

to take office,

- m) Forcing or inciting a person or a group of persons to organise or participate in a criminal act, or to make a false statement, or to present false evidence, or to commit an offence, by threat.
- n) Deliberately preventing or disrupting the functioning of the information systems of the institution

Unforeseen Disciplinary Offences

ARTICLE 10. The same type of disciplinary penalties shall be imposed on those who commit acts and conditions similar in nature and gravity to the acts and conditions listed above which require disciplinary penalties.

Repetition of Disciplinary Offence

ARTICLE 11. In the repetition of an act or behaviour that has led to the imposition of a disciplinary penalty within the period for the erasure of penalties from the registry, a penalty one degree heavier shall be applied.

In the third application of disciplinary penalties imposed due to separate acts or situations that require the same degree of punishment, one degree heavier is given.

Evaluation of Good Behaviour

ARTICLE 12. For administrators and academic staff, civil servants and other personnel whose work has been favourable during their past service and who have received good or very good records, the penalties to be imposed may be one degree lighter.

PART III

Disciplinary Investigation

Investigation Authorised Supervisor

ARTICLE 13. The chief officer authorised to investigate disciplinary offences shall be the line disciplinary superiors.

The Rector is the disciplinary supervisor of the whole university, the Dean is the disciplinary supervisor of the whole faculty, the Institute and college director is the disciplinary supervisor of the whole institute and college, and may open or have opened an ex officio disciplinary investigation against officials at all levels. When the Disciplinary Supervisor is personally or indirectly informed about the disciplinary offence, he/she may conduct the investigation himself/herself or appoint an investigator.

The head of the department, the head of the department of science/art, the head of the department of science/art make disciplinary investigation requests related to their fields of duty to the nearest disciplinary supervisor. This request is put into practice without delay.

If the investigators are faculty members, they must have at least the academic title of the accused or a higher academic title.

Equality or superiority of title shall be sought in investigations against managers.

The lower disciplinary supervisor cannot conduct or have conducted a separate investigation in the disciplinary incident in which the superior disciplinary supervisor has opened or had opened an investigation. If there are any previous investigations, these shall be merged with the investigation file opened or opened by the superior.

Investigation Against the Rector

ARTICLE 14. An investigation shall be initiated against the Rector upon the decision of the Chairman of the Board of Trustees. This investigation shall be conducted by the members of the

Board of Trustees. The disciplinary penalty against the Rector shall be imposed by the Board of Trustees

Timeout

ARTICLE 15. For those who commit the acts and behaviours that constitute disciplinary offences listed in this Regulation from the date on which the acts and conditions are learnt by the superiors authorised to investigate;

- a) If disciplinary proceedings are not initiated within one month for the penalties of warning, reprimand, salary deduction and suspension of progression or deduction of more than one salary,
- b) In the case of expulsion from the University of Kyrenia, if disciplinary proceedings are not initiated within six months, the authority to impose disciplinary punishment expires.
- c) If no disciplinary penalty is imposed within two years from the date on which the acts and situations requiring disciplinary punishment are learnt, the authority to impose punishment shall expire.
- d) In case the disciplinary penalty is cancelled by a judicial decision, if the disciplinary penalty is within the remaining disciplinary penalty statute of limitations from the date the decision is received by the administration, if the statute of limitations expires or if less than three months remain, disciplinary punishment may be re-established within three months at the latest, taking into account the grounds of the decision.

Conducting Criminal and Disciplinary Proceedings at the Same Time

ARTICLE 16. The fact that criminal proceedings have been initiated against the administrator or academic staff member due to the same incident does not delay the disciplinary proceedings. The fact that the accused is convicted or not convicted according to the Criminal Code does not prevent the application of disciplinary punishment. The disciplinary investigation or its results do not affect the criminal investigation.

Duration of Investigation

ARTICLE 17. In case the investigation is conducted by appointing an investigator, the investigation decision shall be notified to the investigator without delay. The investigator shall complete the investigation within two months following the notification of the decision. If the investigation cannot be completed within this period, the investigator shall request additional time with justification. If the disciplinary supervisor grants additional time, he/she submits the situation as information to the next higher disciplinary supervisor.

Method of Conducting

Investigation ARTICLE

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- a) The investigator may listen to witnesses, make discoveries and consult experts, as well as use them when necessary

It may also have it carried out by way of reference. Each investigation procedure shall be recorded in a report. The report shall be drawn up in such a way as to indicate where and when the procedure was carried out, the nature of the procedure, who participated in it, if a statement was taken, the questions and answers, and shall be signed by the investigator, the clerk, the statement owner or those present during the discovery or those responsible for the documents. The identity of the witness, his/her address and similar explanatory information shall be stated in the summons. The questions to be asked shall be carefully determined. The oath to be administered to the witness shall be stated and the type of oath to be administered shall also be written.

- b) All managers and academic and administrative staff of the University of Kyrenia are obliged to provide all kinds of information, files and other documents requested by the disciplinary investigators without any delay and to fulfil any assistance requested.

- c) It is obligatory for the scientific research and publication ethics committees to carry out an investigation before an investigation is initiated for the acts that require disciplinary penalties related to scientific research and publication ethics.
- d) Disciplinary proceedings shall be initiated against those who violate paragraph 2 of this Article or delay or cause a delay in disciplinary proceedings.
- e) Investigation procedures are recorded in a report.
- f) The confidentiality of the investigation is essential.
- g) The termination of the duty of the offender due to retirement or other reasons shall not prevent the opening of an investigation and the continuation of the investigation. In this case, the disciplinary punishment given at the end of the investigation is kept in the personnel file.

Right of Defence

ARTICLE 19. Disciplinary penalty cannot be imposed without a defence. Those who do not submit their defence within the period of not less than seven days or on a specified date given by the investigator or the disciplinary board shall be deemed to have given up their right of defence. In the letter notifying that a disciplinary investigation has been opened against the defendant, it is stated what the act in question consists of and it is notified that if he/she does not make his/her defence within the specified period, he/she will be deemed to have given up his/her defence.

Investigation Report

ARTICLE 20. A report shall be prepared at the end of the investigation. The report summarises the approval of the investigation, the date of commencement of the investigation, the identity and official title of the investigated person, the subjects of the crime, the stages of the investigation, the evidence and the defence taken. Each article of offence is analysed separately and it is discussed whether the offence is fixed or not according to the evidence, and the penalty to be applied is proposed. The original or copies of the documents, if any, are attached to the report with a series of notes. The report shall be submitted to the approval authority without delay.

PART IV

Suspension from Duty

ARTICLE 21. Suspension from duty is a precautionary measure taken against administrators and lecturers who are under disciplinary investigation and who are therefore deemed incapable of remaining in office. Suspension from duty can be taken for three months at any stage of the investigation. At the end of this period, the measure can be extended for three months each time if the reasons for taking the cautionary decision continue.

Authorities

ARTICLE 22. Those authorised to suspend from duty are:

- a) Authorised supervisors,
- b) Board of Trustees

The decision of the Board of Trustees is required for the removal of the Rectors from office. All dismissal decisions shall be notified to the superiors authorised to appoint and to the Board of Trustees.

Responsibility of the Suspending Official

ARTICLE 23. An investigation must be initiated against those suspended from duty within 10

working days following the suspension.

Failure to commence the investigation within the time limit after the suspension from duty

Any official who is found to have taken this action arbitrarily or out of spite or grudge, as a result of an investigation, shall be subject to legal, financial and criminal liability.

Rights and Obligations of Those Suspended from Duty

ARTICLE 24. Those suspended from duty shall be paid two thirds of their salaries during this period.

Such persons shall continue to benefit from the social rights and benefits provided by law.

In the event that the measure specified in Article 27 of this regulation is lifted, the suspended persons shall be paid one third of their salaries.

Lifting of the Measure

ARTICLE 25. As a result of the investigation, a person may be dismissed from his/her position as an administrator or lecturer at the University of Kyrenia.

Except where the penalty of dismissal is recommended, the suspension shall be lifted immediately by the authorities referred to in Article 24.

The provisions of Article 24 shall apply to the official who fails to lift the suspension from duty.

Cases where reinstatement is mandatory

ARTICLE 26. Those who have been suspended from duty, but have been given a disciplinary penalty other than the penalty of dismissal from the University of Kyrenia teaching staff by the competent authority or authorities at the end of the investigation, and those whose disciplinary proceedings against them have been cancelled by amnesty before the penalty decision, shall be reinstated immediately upon the finalisation of these decisions or if the measure lasts for three months.

Discretion of the Supervisor

ARTICLE 27.

Suspension from duty, if the acts subject to the investigation prevent the continuation of the service may be removed at any time as provided for in Article 25.

SECTION V

Authorisation to impose disciplinary penalties

Authorised to impose disciplinary penalties

ARTICLE 28. The Supervisors and Boards authorised to impose disciplinary penalties are as follows:

- a) The penalties of warning, reprimand and salary deduction are given by the disciplinary supervisors.
- b) The penalties of deemed to have withdrawn from duty and separation from administrative duty shall be imposed by the superiors authorised to appoint after the decision of the Disciplinary Board, and for deans these penalties shall be imposed by the decision of the Higher Disciplinary Board upon the proposal of the disciplinary supervisor.
- c) The penalty of dismissal from the profession of university faculty member or public office shall be imposed by the decision of the Supreme Disciplinary Board upon the request of the disciplinary superiors.

Disciplinary Boards

ARTICLE 29. In the disciplinary boards, associate professors and assistant professors shall not

participate in the discussion of matters related to professors, assistant professors shall not participate in the discussion of matters related to associate professors, and the members concerned shall not participate in the discussion of matters related to themselves. In the event that the Board cannot be formed for this reason, a higher board shall be in charge. In the event that persons with different degrees commit offences together, the investigation procedure and the disciplinary board in charge shall be determined according to the accused with the higher degree.

Meeting of Boards

ARTICLE 30. The Boards shall convene at the place, day and time to be determined upon the call of the chairman.

Organisation of Board Activities

ARTICLE 31. The chairman shall ensure that the agenda of the meeting is prepared, announced to the relevant persons and the work of the Board is carried out regularly.

Meeting Quorum

ARTICLE 32. The meeting quorum of the disciplinary boards is more than half of the total number of board members.

Rapporteur

ARTICLE 33. The duty of rapporteur in the Boards shall be performed by the member to be assigned by the chairman. The rapporteur member shall complete the examination of the file to be referred within 5 days at the latest.

Interview Procedure

ARTICLE 34. The Board shall proceed to the discussion of the content after the rapporteur's explanations are heard. The Board may also listen to the investigators if deemed necessary. When it is concluded that the matter has been clarified and the discussions are sufficient, a vote is taken and the decision is announced by the chairman.

Voting

ARTICLE 35. In the Disciplinary Boards, each member is responsible for casting his/her vote by acceptance or rejection. Abstentions are not allowed. Decisions are taken with the absolute majority of those attending the meeting.

The Chairman shall cast the last vote in the voting. In case of equality of votes, the side of the chairman shall be considered as the majority. The summary of the decision is determined by a minute signed by the members.

Decision

ARTICLE 36. The Disciplinary Board is not authorised to assign a separate penalty; it may accept or reject the penalty. In case of rejection, the superiors authorised to appoint are free to impose another disciplinary penalty.

Decision Period

ARTICLE 37. Disciplinary supervisors are obliged to impose the penalties of warning, reprimand and salary deduction within 15 days from the day the investigation is completed. The file pertaining to the investigation conducted by the disciplinary supervisors for the penalty of dismissal from the University

of Kyrenia academic staff shall be finalised by this board within maximum six months following its submission to the Supreme Disciplinary Board.

Writing of Decisions

ARTICLE 38. Decisions shall be written down by the rapporteurs within 15 days at the latest as of the date of their issuance, with reasons and with the indication that they are unanimous or by majority. The decision shall be signed by the chairman and the members. Those who dissent shall write and sign their reasons.

Notification of Decisions to the Relevant Person

ARTICLE 39. Disciplinary penalties imposed by the supervisors authorised to impose penalties shall be decided by these supervisors; penalties imposed by disciplinary boards shall be decided by the Presidencies of these boards within maximum ten days following the completion of the signatures of the decisions, and the Disciplinary Board shall notify the relevant Academic Staff of the following matters is notified with a letter containing:

- a) Offence committed
- b) Penalty imposed.
- c) Date and number of the Disciplinary Board decision.
- d) Date of approval by the competent authority and its number, if any.
- e) If necessary, the date and/or duration of the penalty,
- f) Procedure and duration of objection if necessary.

During the notification of the disciplinary penalty, the appeal procedure and time period are reminded in writing.

SECTION VI

Application and

Appeal

Application

ARTICLE 40. Disciplinary penalties shall take effect from the date of their imposition and shall be applied immediately.

The penalty of salary deduction is applied at the beginning of the month following the date of the penalty. The disciplinary penalties imposed shall be notified to the next registry supervisor and the penalty of dismissal from the position of University of Kyrenia lecturer shall be notified to all university rectorates.

Objection

ARTICLE 41. Appeals against disciplinary penalties imposed by disciplinary supervisors or disciplinary boards may be lodged with the next higher disciplinary supervisor or the next higher disciplinary board.

Appeal Period and Procedure

ARTICLE 42. The time limit for objections against disciplinary penalties imposed by disciplinary superiors and disciplinary boards is 7 days from the date of notification of the decision to the person concerned. Disciplinary penalties not appealed within this period shall be finalised.

In case of appeal, the appeal authorities may review the decision and accept the penalty imposed as it is, or they may mitigate the penalty or remove it completely.

The appeal authorities are obliged to render their decisions within 30 days following the receipt of the appeal petition, the decision and its annexes.

The cancelled penalties shall be erased from the criminal record.

Deletion of Disciplinary Penalties from the Registry after a Period of Time

ARTICLE 43. Disciplinary penalties shall be recorded in the register. Those who have been sentenced to a disciplinary penalty other than dismissal from the University of Kyrenia faculty may apply to the appointing authority 5 years after the application of warning and reprimand penalties and 10 years after the application of other penalties and request that the penalties imposed be deleted from the registry file.

If the behaviour of the penalised person within the above-mentioned periods is deemed to justify this request, it shall be decided to fulfil the request and this decision shall be recorded in the registry file.

SECTION VII

Miscellaneous Provisions

Record Keeping

ARTICLE 44. The disciplinary investigation shall be written on separate pages of a notebook, the page numbers of which have been set in advance and the number of pages has been recorded at the end. All stages of the investigation shall be recorded in this book. General secretaries or secretaries are responsible for keeping the book.

File Delivery

ARTICLE 45. Disciplinary investigation files shall be delivered and received together with the index sheet. Signatures of the deliverer and the receiver shall be found under the index sheet.

Form of Correspondence

ARTICLE 46. Correspondence with individuals shall be made by registered mail with return receipt. If the document is handed over by hand, the signed document to be received is kept in the file.

Enforcement

ARTICLE 47. This Regulation enters into force on 30 March 2024 when it is adopted by the University of Kyrenia Senate.

Execution

ARTICLE 48. This Regulation is executed by the Rectorate of University of Kyrenia.

Provisional ARTICLE 1. The provisions prior to the amendment shall apply to the investigations opened and not yet concluded due to an act committed before the effective date of this Regulation. However, the provisions of this Regulation in favour of the personnel shall be applied to the investigations that have been opened before but not yet concluded.