

CONSTITUTION OF THE REPUBLIC OF SINGAPORE  
(ARTICLE 116(3))

PUBLIC SERVICE COMMISSION (DELEGATION OF  
DISCIPLINARY FUNCTIONS) DIRECTIONS

[1st April 1997]

PART 1  
PRELIMINARY

[S 24/2023 wef 19/01/2023]

**Citation**

1. These Directions may be cited as the Public Service Commission (Delegation of Disciplinary Functions) Directions.

**Definitions**

2. In these Directions, unless the context otherwise requires —

“Chairman” means the Chairman of the Commission;

[S 24/2023 wef 19/01/2023]

“Commission” means the Public Service Commission;

“Deputy Chairman” means a Deputy Chairman of the Commission;

[S 24/2023 wef 19/01/2023]

“officer” means a public officer of substantive grade of or equivalent to Management Executive Grade 10 or below (whether the officer is holding a permanent, temporary or contract appointment), but excludes —

(a) a public officer in the Administrative Service; and

(b) a prison officer as defined by direction 2 of the Public Service Commission (Prison Officers) (Disciplinary Proceedings — Delegation of Functions) Directions (Dir 2);

[S 24/2023 wef 19/01/2023]

“Permanent Secretary” includes —

- (a) a Solicitor-General;  
*[S 24/2023 wef 19/01/2023]*
- (b) the Chief Executive, Attorney-General’s Chambers;
- (c) the Auditor-General;
- (d) the Clerk of Parliament;
- (e) the Secretary to the Public Service Commission;
- (f) the Chief Executive, Office of the Chief Justice;
- (fa) *[Deleted by S 698/2022 wef 27/08/2022]*
- (g) the Principal Private Secretary to the President;
- (h) the Secretary to the Prime Minister;
- (i) the Secretary to the Cabinet; and
- (j) a Head of a Diplomatic or a Consular Mission of the Republic of Singapore overseas.

*[S 173/2021 wef 15/04/2021]*

## PART 2

### DELEGATION TO PERMANENT SECRETARIES

*[S 24/2023 wef 19/01/2023]*

#### **Delegation to Permanent Secretaries**

3.—(1) The functions of the Commission in relation to the disciplinary control of an officer may be exercised by any Permanent Secretary to the Ministry, Organ of State or Mission in which the officer is serving.

(2) In exercising those functions, a Permanent Secretary must act in accordance with this Part.

*[S 24/2023 wef 19/01/2023]*

### **Procedure when complaint is lodged**

4. When a complaint is lodged against an officer alleging the commission by him of any misconduct referred to in the Schedule, the following procedure shall be adopted:

- (a) the complaint shall be communicated in writing to the officer who may be required to submit a written explanation within 24 hours or such further time as the Permanent Secretary may allow; and
- (b) where the Permanent Secretary is of the opinion that the complaint requires further investigation, he shall appoint to conduct the investigation a public officer —
  - (i) of substantive grade equivalent to MX13 and above; and

*[S 687/2017 wef 01/12/2017]*

- (ii) of a rank or grade senior to that of the officer under investigation.

### **Penalties**

5.—(1) The Permanent Secretary may upon a consideration of the written explanation of the officer or the results of such investigation, if any, if he is of the opinion that the officer is guilty of any misconduct, impose one of the following penalties:

- (a) a reprimand;
- (b) stoppage of increment;

*[S 24/2023 wef 19/01/2023]*

- (c) a fine.

*[S 24/2023 wef 19/01/2023]*

*[S 687/2017 wef 01/12/2017]*

(2) The Permanent Secretary may, either in addition to or in lieu of the penalties specified in paragraph (1), issue the officer with a written warning.

*[S 497/2003 wef 01/11/2003]*

(3) The Permanent Secretary must cause notice to be given to the officer of —

- (a) the Permanent Secretary’s decision to impose a penalty under direction 5(1);
- (b) the Permanent Secretary’s decision to issue a written warning under direction 5(2); or
- (c) the Permanent Secretary’s opinion that the officer is not guilty of misconduct,

as the case may be.

*[S 24/2023 wef 19/01/2023]*

**Commission may set aside Permanent Secretary’s decision, etc.**

6.—(1) Within 2 months after the officer is notified of the Permanent Secretary’s decision under direction 5, the Commission may —

- (a) set aside the whole or any part of the Permanent Secretary’s decision and substitute its own decision; or
- (b) set aside the whole of the Permanent Secretary’s decision and start proceedings under the Public Service (Disciplinary Proceedings) Regulations 2023 (G.N. No. S 23/2023) against the officer.

(2) However, the Commission must not enhance any penalty under paragraph (1)(a) unless the officer has been given a reasonable opportunity of being heard.

(3) In this direction and direction 7, “decision under direction 5” means —

- (a) a decision to impose a penalty under direction 5(1);
- (b) a decision to issue a written warning under direction 5(2);  
or
- (c) an opinion that the officer is not guilty of misconduct.

*[S 24/2023 wef 19/01/2023]*

### **Report by Permanent Secretary**

7.—(1) For the purposes of direction 6, the Permanent Secretary must submit a report to the Commission containing —

- (a) a summary of the facts; and
- (b) the Permanent Secretary's decision under direction 5.

(2) The report must be submitted within 7 days after the officer is notified of the Permanent Secretary's decision under direction 5.

*[S 24/2023 wef 19/01/2023]*

### **Recommendation for more severe penalty**

8. Where the Permanent Secretary considers that a more severe penalty than that provided for under these Directions should be imposed, he shall submit a recommendation to the Commission, forwarding with it a report containing a summary of the facts of the case.

## PART 3

### DELEGATION TO CHAIRMAN AND DEPUTY CHAIRMEN OF COMMISSION

#### **Functions under Public Service (Disciplinary Proceedings) Regulations 2023**

8A.—(1) The functions of the Commission under the Public Service (Disciplinary Proceedings) Regulations 2023 may be exercised by —

- (a) the Chairman; or
- (b) in a case where the Chairman is unable to act for any reason — a Deputy Chairman.

(2) However, paragraph (1) does not enable the Chairman or a Deputy Chairman to —

- (a) exercise the function in regulation 17(3) (appointments to Panel of Union Officials) of those Regulations; or

- (b) in proceedings under those Regulations, decide whether there are grounds for imposing any punishment or to impose any punishment.

### **Functions under direction 6**

**8B.** The functions of the Commission under direction 6 may be exercised by —

- (a) the Chairman; or  
(b) in a case where the Chairman is unable to act for any reason — a Deputy Chairman.

*[S 24/2023 wef 19/01/2023]*

## PART 4

### MISCELLANEOUS

#### **Commission may exercise delegated functions**

**8C.** The Commission may still exercise any function delegated by these Directions.

*[S 24/2023 wef 19/01/2023]*

#### **Saving**

**9.** Nothing in these Directions shall be deemed to prevent the prosecution of an officer in accordance with the provisions of any written law for the time being in force, or to prevent any disciplinary action being taken against him under any other disciplinary regulations as may be in force, except that the officer shall not be punished twice in respect of the same facts giving rise to the misconduct.

## THE SCHEDULE

*Direction 4*

- (1) Speaking disparagingly of the Government in a manner calculated to bring Singapore into disrepute.  
(2) Being rude to the public in speech.  
(3) Being discourteous to the public in manner.

THE SCHEDULE — *continued*

- (4) Unpunctuality.
- (5) Absence from duty without leave or reasonable cause.
- (6) Sleeping on duty.
- (7) Conduct prejudicial to good order or discipline.
- (8) Non-compliance with or disobedience of orders or instructions.
- (9) Being under the influence of alcohol or drugs while on duty.
- (10) Insubordination.
- (11) Neglect of duty.
- (12) Excess of duty.
- (13) Carelessness or negligence resulting in loss or damage to Government property.
- (14) Wilful destruction of or damage to Government property.
- (15) Impropriety in dress or appearance.
- (16) Using personal violence to any person under custody except in the case of —
  - (a) self-defence; or
  - (b) defence of another officer or person whether or not in custody.
- (17) Making a false or misleading statement in the course of duty.

*[G.N. Nos. S 96/97; S 253/98]*

LEGISLATIVE HISTORY  
PUBLIC SERVICE COMMISSION (DELEGATION OF  
DISCIPLINARY FUNCTIONS) DIRECTIONS  
(CHAPTER CONST, DIR 1)

This Legislative History is provided for the convenience of users of the Public Service Commission (Delegation of Disciplinary Functions) Directions. It is not part of the Public Service Commission (Delegation of Disciplinary Functions) Directions.

**1. G. N. No. S 180/1970 — Public Service (Disciplinary Proceedings —  
Delegation of Functions) 1970**

(G.N. No. S 329/1970— Corrigendum)

Date of commencement : 1 July 1970

**2. G. N. No. S 164/1977 — Public Service (Disciplinary Proceedings —  
Delegation of Functions) (Amendment)  
Directions 1977**

Date of commencement : 1 June 1977

**3. G. N. No. S 317/1990 — Public Service (Disciplinary Proceedings —  
Delegation of Functions) (Amendment)  
Directions 1990**

Date of commencement : 1 September 1990

**4. 1990 Revised Edition — Public Service (Disciplinary Proceedings —  
Delegation of Functions) Directions**

Date of operation : 25 March 1992

**5. 1996 Revised Edition — Public Service (Disciplinary Proceedings —  
Delegation of Functions) Directions**

Date of operation : 15 May 1996

**6. G. N. No. S 96/1997 — Public Service Commission (Delegation of  
Disciplinary Functions) Directions 1997**

Date of commencement : 1 April 1997

**7. G. N. No. S 253/1998 — Public Service Commission (Delegation of  
Disciplinary Functions) (Amendment)  
Directions 1998**

Date of commencement : 30 April 1998

**8. 1998 Revised Edition — Public Service Commission (Delegation of Disciplinary Functions) Directions**

Date of operation : 15 June 1998

**9. G. N. No. S 497/2003 — Public Service Commission (Delegation of Disciplinary Functions) (Amendment) Directions 2003**

Date of commencement : 1 November 2003

**10. G.N. No. S 207/2013 — Public Service Commission (Delegation of Disciplinary Functions) (Amendment) Directions 2013**

Date of commencement : 1 February 2013

**11. G.N. No. S 687/2017 — Public Service Commission (Delegation of Disciplinary Functions) (Amendment) Directions 2017**

Date of commencement : 1 December 2017

**12. G.N. No. S 173/2021 — Public Service Commission (Delegation of Disciplinary Functions) (Amendment) Directions 2021**

Date of commencement : 15 April 2021

**13. G.N. No. S 386/2021 — Public Service Commission (Delegation of Disciplinary Functions) (Amendment No. 2) Directions 2021**

Date of commencement : 1 July 2021

**14. G.N. No. S 698/2022 — Public Service Commission (Delegation of Disciplinary Functions) (Amendment) Directions 2022**

Date of commencement : 27 August 2022

**15. G.N. No. S 24/2023 — Public Service Commission (Delegation of Disciplinary Functions) (Amendment) Directions 2023**

Date of commencement : 19 January 2023