

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

PUBLIC SERVICE COMMISSION (PRISON OFFICERS)
(DISCIPLINARY PROCEEDINGS — DELEGATION OF
FUNCTIONS) DIRECTIONS

[30th April 1998]

Citation

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

Definitions

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

“Commission” means the Public Service Commission;

[Deleted by S 688/2017 wef 01/12/2017]

“Commissioner” means the Commissioner of Prisons appointed under section 20 of the Prisons Act 1933;

[S 688/2017 wef 01/12/2017]

[S 25/2023 wef 31/12/2021]

“inmate” has the same meaning as in the Misuse of Drugs Act 1973;

[S 688/2017 wef 01/12/2017]

[S 25/2023 wef 31/12/2021]

“prison officer” means an officer of any grade in the rank of Chief Warder and below serving in the Prisons Department, whether such officer is holding a permanent, temporary or contract appointment;

[S 688/2017 wef 01/12/2017]

“prisoner” has the same meaning as in the Prisons Act 1933;

[S 688/2017 wef 01/12/2017]

[S 25/2023 wef 31/12/2021]

“Superintendent” means a Superintendent of Prisons appointed under section 20 of the Prisons Act 1933.

[S 688/2017 wef 01/12/2017]

[S 25/2023 wef 31/12/2021]

Delegation to Commissioner

3.—(1) The functions of the Commission in relation to the disciplinary control of a prison officer may be exercised by the Commissioner.

(2) In exercising those functions, the Commissioner must act in accordance with these Directions.

[S 25/2023 wef 19/01/2023]

Procedure when complaint is lodged

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

(a) the complaint shall be communicated in writing to the prison officer who may be required to submit a written explanation within 24 hours or such further time as the Commissioner may allow; and

[S 688/2017 wef 01/12/2017]

(b) where the Commissioner is of the opinion that the complaint requires further investigation, he shall appoint a public officer of substantive grade equivalent to MX13 and above to conduct an investigation.

[S 688/2017 wef 01/12/2017]

Penalties

5.—(1) The Commissioner may upon a consideration of the written explanation of the prison officer or the results of such investigation, if any, if he is of the opinion that the prison officer has committed an offence, impose one of the following penalties:

(a) a reprimand;

(b) stoppage of increment;

[S 25/2023 wef 19/01/2023]

(c) a fine.

[S 25/2023 wef 19/01/2023]

[S 688/2017 wef 01/12/2017]

[S 25/2023 wef 19/01/2023]

(2) The Commissioner may, either in addition to or in lieu of the above penalties, issue the prison officer with a written warning.

[S 688/2017 wef 01/12/2017]

(3) The Commissioner must cause notice to be given to the prison officer of —

(a) the Commissioner's decision to impose a penalty under direction 5(1);

(b) the Commissioner's decision to issue a written warning under direction 5(2); or

(c) the Commissioner's opinion that the prison officer is not guilty of misconduct,

as the case may be.

[S 25/2023 wef 19/01/2023]

Commission may set aside Commissioner's decision, etc.

6.—(1) Within 2 months after the prison officer is notified of the Commissioner's decision under direction 5, the Commission may —

(a) set aside the whole or any part of the Commissioner's decision and substitute its own decision; or

(b) set aside the whole of the Commissioner's decision and start proceedings under the Public Service (Disciplinary Proceedings) Regulations 2023 (G.N. No. S 23/2023) against the prison officer.

(2) However, the Commission must not enhance any penalty under paragraph (1)(a) unless the prison 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 prison officer is not guilty of misconduct.

[S 25/2023 wef 19/01/2023]

Report by Commissioner

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

- (a) a summary of the facts; and
- (b) the Commissioner’s decision under direction 5.

(2) The report must be submitted within 7 days after the prison officer is notified of the Commissioner’s decision under direction 5.

[S 25/2023 wef 19/01/2023]

Recommendation for more severe penalty

8. Where the Commissioner considers that a more severe penalty than is otherwise 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.

[S 688/2017 wef 01/12/2017]

Delegation to Chairman and Deputy Chairmen

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

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

[S 25/2023 wef 19/01/2023]

Commission may exercise delegated functions

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

[S 25/2023 wef 19/01/2023]

Saving

9. Nothing in these Directions shall be deemed to prevent the prosecution of a prison 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 such prison officer shall not be punished twice in respect of the same disciplinary offence.

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.
- (4) Unpunctuality.
- (5) Absence from duty without leave or reasonable cause.
- (6) Sleeping on duty.
- (7) Neglect or disobedience of orders.
- (8) Being under the influence of alcohol or drugs while on duty.
- (9) Insubordination.
- (10) Neglect of duty.
- (11) Excess of duty.
- (12) Malingering.
- (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.

THE SCHEDULE — *continued*

- (16) Using personal violence to any prisoner or inmate, except in the case of —
- (a) self-defence; or
 - (b) defence of any other officer, prisoner, inmate or person whether or not in custody.
- (17) Making a false or misleading statement in the course of duty.
- (18) Associating with discharged prisoners or inmates without the written authority of the Superintendent.
- (19) Using personal violence or threats towards any prison officer.
- (20) Conduct to the prejudice of good order or discipline.

[G.N. No. S 254/98]

LEGISLATIVE HISTORY
PUBLIC SERVICE COMMISSION (PRISON OFFICERS)
(DISCIPLINARY PROCEEDINGS — DELEGATION OF
FUNCTIONS) DIRECTIONS
(CHAPTER CONST, DIR 2)

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

1. G. N. No. S 99/1972 — Public Service (Prison Officers) (Disciplinary Proceedings — Delegation of Functions) Directions 1972

Date of commencement : 30 March 1972

2. G. N. No. S 87/1979 — Public Service (Prison Officers) (Disciplinary Proceedings — Delegation of Functions) (Amendment) Directions 1979

Date of commencement : 20 April 1979

3. 1990 Revised Edition — Public Service (Prison Officers) (Disciplinary Proceedings — Delegation of Functions) Directions

Date of operation : 25 March 1992

4. G. N. No. S 436/1994 — Public Service (Prison Officers) (Disciplinary Proceedings — Delegation of Functions) (Revocation) Directions 1994

Date of commencement : 1 October 1994

5. G. N. No. S 437/1994 — Public Service Commission (Prison Officers) (Disciplinary Proceedings — Delegation of Functions) Directions 1994

Date of commencement : 1 October 1994

6. 1996 Revised Edition — Public Service (Prison Officers) (Disciplinary Proceedings — Delegation of Functions) Directions

Date of operation : 15 May 1996

7. G. N. No. S 254/1998 — Public Service Commission (Prison Officers) (Disciplinary Proceedings — Delegation of Functions) Directions 1998

Date of commencement : 30 April 1998

8. 1999 Revised Edition — Public Service Commission (Prison Officers) (Disciplinary Proceedings — Delegation of Functions) Directions

Date of operation : 1 July 1999

9. G. N. No. S 498/2003 — Public Service Commission (Prison Officers) (Disciplinary Proceedings — Delegation of Functions) (Amendment) Directions 2003

Date of commencement : 1 November 2003

10. G.N. No. S 688/2017 — Public Service Commission (Prison Officers) (Disciplinary Proceedings â Delegation of Functions) (Amendment) Directions 2017

Date of commencement : 1 December 2017

11. G.N. No. S 25/2023 — Public Service Commission (Prison Officers) (Disciplinary Proceedings â Delegation of Functions) (Amendment) Directions 2023

Date of commencement : 31 December 2021

12. G.N. No. S 25/2023 — Public Service Commission (Prison Officers) (Disciplinary Proceedings â Delegation of Functions) (Amendment) Directions 2023

Date of commencement : 19 January 2023