
First published in the *Government Gazette*, Electronic Edition, on 19 January 2023 at 5 pm.

No. S 25

CONSTITUTION OF THE REPUBLIC OF SINGAPORE

PUBLIC SERVICE COMMISSION (PRISON OFFICERS) (DISCIPLINARY PROCEEDINGS — DELEGATION OF FUNCTIONS) (AMENDMENT) DIRECTIONS 2023

In exercise of the powers conferred by Article 116(3) of the Constitution of the Republic of Singapore, the Public Service Commission makes the following Directions:

Citation and commencement

1.—(1) These Directions are the Public Service Commission (Prison Officers) (Disciplinary Proceedings — Delegation of Functions) (Amendment) Directions 2023.

(2) Direction 2 is deemed to have come into operation on 31 December 2021.

Amendment of direction 2

2. In direction 2 of the Public Service Commission (Prison Officers) (Disciplinary Proceedings — Delegation of Functions) Directions (Dir 2) (called in these Directions the principal Directions) —

- (a) in the definitions of “Commissioner” and “Superintendent”, replace “(Cap. 247)” with “1933”;
- (b) in the definition of “inmate”, replace “(Cap. 185)” with “1973”; and
- (c) in the definition of “prisoner”, replace “Prisons Act” with “Prisons Act 1933”.

Replacement of direction 3

3. In the principal Directions, replace direction 3 with —

“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.”.

Amendment of direction 5

4. In direction 5 of the principal Directions —

(a) in paragraph (1), replace “the officer” with “the prison officer”;

(b) in paragraph (1), replace sub-paragraphs (b) and (c) with —

“(b) stoppage of increment;

(c) a fine.”; and

(c) after paragraph (2), insert —

“(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.”.

Replacement of directions 6 and 7

5. In the principal Directions, replace directions 6 and 7 with —

“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.

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.”.

New directions 8A and 8B

6. In the principal Directions, after direction 8, insert —

“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.

Commission may exercise delegated functions

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

Transitional provisions

7. Any proceedings under the principal Directions that are pending immediately before 19 January 2023 are to be disposed of in accordance with the principal Directions as in force immediately before that date.

[G.N. Nos. S 498/2003; S 688/2017]

Made on 17 January 2023.

ONG TOON HUI
Secretary,
Public Service Commission,
Singapore.

[PSD/PSC/D/4.2.01 Vol 3; AG/LEGIS/SL/CONS/2020/39 Vol. 1]