

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

PUBLIC SERVICE COMMISSION (DELEGATION OF
DISCIPLINARY FUNCTIONS) DIRECTIONS

[1st April 1997]

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 —

“Commission” means the Public Service Commission;

“officer” means —

(a) a public officer of substantive grade equivalent to MX12 or below, but excludes an administrative officer;

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

(b) a General Education Officer of any grade;

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

(c) a police officer serving in the Police Service of any grade in the rank of Assistant Superintendent of Police or Inspector;

(d) a prison officer serving in the Prisons Department of any grade in the rank of Assistant Superintendent of Prisons, Rehabilitation Officer or Senior Chief Warder;

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

(e) a civil defence officer serving in the Singapore Civil Defence Service of any grade in the rank of Captain or below; or

(f) a narcotics officer serving in the Central Narcotics Bureau of any grade in the rank of Assistant Superintendent of Police or below,

whether such officer is holding a permanent, temporary or contract appointment.

“Permanent Secretary” includes the Solicitor-General, the Auditor-General, the Clerk of Parliament, the Secretary to the Public Service Commission, the Chief Executive, Judiciary Administration and Operations of the Supreme Court, the Private Secretary to the President, the Secretary to the Prime Minister, the Secretary to the Cabinet, and a Head of a Diplomatic or a Consular Mission of the Republic of Singapore overseas.

[S 207/2013 wef 01/02/2013]

Delegation to Permanent Secretary

3.—(1) The functions of the Commission relating to disciplinary control of officers may be exercised by the Permanent Secretary to the Ministry in which the officer is serving acting in accordance with and subject to these Directions.

(2) The Commission may, in its discretion, exercise such functions as are delegated to a Permanent Secretary under paragraph (1) notwithstanding such delegation.

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 of up to 2 years; or
- (c) a fine not exceeding an amount equal to the total annual increments the officer would, if not for this Direction, receive in a period of 2 years, except that in the case of an officer who has attained or will, within 2 years, attain the maximum of his current salary scale or salary range, the last annual increment provided in that officer's salary scale or salary range shall be reckoned to determine the maximum amount of fine.

[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]

Variation by Commission

6.—(1) Notwithstanding direction 5, the Commission may, within 2 months of the imposition of a penalty by the Permanent Secretary, vary the penalty by way of enhancement, reduction, substitution or otherwise.

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

(2) Where the Commission varies the penalty by way of enhancement, the enhanced penalty shall not be imposed on the

officer unless he has been given a reasonable opportunity of being heard.

Report by Permanent Secretary

7. The Permanent Secretary shall, in every case where he has imposed a penalty on an officer under these Directions, submit a report within 7 days of the imposition of the penalty to the Commission containing a summary of the facts of the case and the penalty imposed.

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.

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.

(4) Unpunctuality.

(5) Absence from duty without leave or reasonable cause.

(6) Sleeping on duty.

(7) Conduct prejudicial to good order or discipline.

THE SCHEDULE — *continued*

- (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