

CENTRAL PROVIDENT FUND ACT  
(CHAPTER 36, SECTION 4(19))

CENTRAL PROVIDENT FUND (DISCIPLINARY  
PROCEEDINGS) RULES

ARRANGEMENT OF RULES

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[20th May 1988]

**Citation**

1. These Rules may be cited as the Central Provident Fund (Disciplinary Proceedings) Rules.

**Definitions**

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

“Committee” or “Committee of Inquiry” means the Committee of Inquiry appointed under rule 4(5);

“emoluments” includes any increments, allowances or other benefits to which an officer is entitled to during the period

when disciplinary proceedings are instituted against him under these Rules;

“General Manager” includes any officer who is duly authorised by the General Manager to act on his behalf;

“officer” means a confirmed officer of the Board;

“public officer” includes a person in the service of a statutory board;

“Staff Committee” means the Staff Committee appointed by the Board to exercise the powers of the Board in relation to the dismissal, termination of service and disciplinary control of officers.

*[S 174/2002 wef 01/05/2002]*

### **Misconduct**

3.—(1) If it is represented to the General Manager that an officer has been guilty of misconduct or neglect of duty and the General Manager is of the opinion that the subject-matter of the complaint is not serious enough to warrant proceedings under rules 4, 5, 6 and 7 with a view to dismissal or reduction in rank, the General Manager may cause an investigation to be made into the matter in such manner as he thinks fit.

(2) The officer shall be informed in writing of the case against him and shall be given a reasonable opportunity of replying thereto.

(3) The result of the investigation shall be submitted to the General Manager for his consideration and decision.

(4) The General Manager may, after considering the case made against the officer, his reply thereto and the results of the investigation, if any, if he is of the opinion that the allegation has been proved, impose a penalty such as a fine, stoppage or deferment of increment, reprimand, or a combination of such penalties.

(5) The decision of the General Manager made under paragraph (4) shall be submitted to the Staff Committee for confirmation.

*[S 174/2002 wef 01/05/2002]*

**Serious misconduct**

4.—(1) If it is represented to the General Manager that an officer has been guilty of misconduct or neglect of duty and the General Manager is of the opinion that the subject-matter of the complaint warrants proceedings with a view to dismissal or reduction in rank, the General Manager shall cause an investigation to be made into the matter and forward a report of the result of the investigation to the Staff Committee .

*[S 174/2002 wef 01/05/2002]*

(2) If the Staff Committee, after considering the report from the General Manager, is of the opinion that the subject-matter of the complaint warrants proceedings with a view to dismissal or reduction in rank, the Staff Committee may cause proceedings to be taken under this rule and rules 5, 6 and 7.

*[S 174/2002 wef 01/05/2002]*

(3) The officer shall be notified in writing by the General Manager of the grounds, which shall be reduced to the form of a definite charge or charges, upon which it is intended to dismiss him or to reduce his rank and he shall be given not less than 7 working days within which to exculpate himself in writing.

(4) The officer shall also be informed in writing of any other circumstances which it is proposed to take into consideration.

(5) If the officer submits an exculpatory statement which is not satisfactory, the Staff Committee shall appoint a Committee of Inquiry to inquire into the matter and to submit a report to the Staff Committee.

*[S 174/2002 wef 01/05/2002]*

(6) The Committee in the performance of its functions shall not be deemed to be a judicial or quasi-judicial body.

(7) The Committee shall consist of —

(a) an officer of the Board; and

(b) 2 persons chosen from a panel of persons appointed by the Staff Committee.

*[S 174/2002 wef 01/05/2002]*

(8) The Staff Committee shall appoint one of the members of the Committee as chairman of the Committee.

*[S 174/2002 wef 01/05/2002]*

(9) Every member of the panel referred to in paragraph (7)(b) shall be appointed for a period of 3 years and shall be eligible for reappointment at the expiry of the period of appointment.

(10) Each member of the panel chosen to be a member of the Committee shall be notified of his appointment by the General Manager.

### **Procedure at inquiry**

5.—(1) The officer shall be given at least 7 days' notice in writing of the date on which the Committee will commence its inquiry and the officer shall attend such inquiry and shall be permitted —

- (a) to cross-examine the witnesses;
- (b) to give evidence on his own behalf;
- (c) to have such witnesses as he may wish called on his behalf; and
- (d) to have access to information contained in any document at a reasonable time before such document is tendered in evidence.

(2) The record of the proceedings of the Committee shall consist of the information obtained by that Committee and a report by the Committee.

(3) The information shall not ordinarily be set out in the form of question and answer but in the form of a narrative but the Committee may in its discretion record any particular question and answer.

(4) At the inquiry, the evidence on behalf of the Board shall be presented by an officer of the Board or an advocate and solicitor nominated by the General Manager.

(5) The officer under inquiry may be represented by an advocate and solicitor or by another officer of the Board nominated by the officer.

(6) The Committee shall not be bound to act in a formal manner and shall not be bound by the provisions of the Evidence Act (Cap. 97) or by any other law relating to evidence but may inform itself on any matter in such manner as it thinks fit.

(7) The Committee shall proceed with its inquiry from day to day and no adjournment shall be given except for reasons to be recorded in writing.

(8) Every adjournment, with reasons therefor, shall be reported forthwith to the Staff Committee.

*[S 174/2002 wef 01/05/2002]*

(9) No adjournment shall be given for more than 14 days except with the permission of the Chairman of the Staff Committee or in his absence a member of that Committee.

*[S 174/2002 wef 01/05/2002]*

(10) If the Committee is satisfied that the officer under inquiry is hampering or attempting to hamper the progress of the inquiry, it shall administer a warning to the officer.

(11) If after such warning the Committee is satisfied that the officer is acting in disregard of the warning, it shall make an entry in the record to that effect and shall proceed to complete the inquiry in such manner as it thinks fit.

(12) The Committee shall, within 14 working days of the conclusion of the proceedings or such further time as the Staff Committee may allow, submit its report to the Staff Committee.

*[S 174/2002 wef 01/05/2002]*

## **Penalties**

**6.—**(1) The Staff Committee may, upon considering the report of the Committee, if it is of the opinion that —

- (a) the officer should be dismissed or reduced in rank, dismiss or reduce the rank of the officer from such date as it may think fit; or
- (b) some punishment other than dismissal or reduction in rank should be imposed, impose a penalty such as stoppage or

deferment of increment, fine or reprimand or a combination of such penalties.

*[S 174/2002 wef 01/05/2002]*

(2) Where any punishment other than dismissal has been imposed, the Staff Committee may, in the case of an officer who has been interdicted, forfeit the whole or any part of the emoluments withheld during his interdiction.

*[S 174/2002 wef 01/05/2002]*

(3) The Staff Committee may, where it thinks fit, direct the Committee to reconvene to consider further evidence and in such event, the officer shall be given not less than 14 days' notice of such further meeting of the Committee.

*[S 174/2002 wef 01/05/2002]*

### **Failure to submit exculpatory statement**

7.—(1) Where the officer is unable to furnish an exculpatory statement within the time specified in rule 4(3), he shall, before the expiry of the specified time, inform the General Manager in writing of his reasons for not being able to do so and the General Manager may, after considering his reasons, grant an extension of time for the submission of an exculpatory statement except that no extension of time shall exceed 14 working days.

(2) Where the officer fails to furnish an exculpatory statement within the time specified in rule 4(3) and such extended time as may be given under paragraph (1), the Staff Committee may proceed to determine the matter in accordance with paragraph (3).

*[S 174/2002 wef 01/05/2002]*

(3) The Staff Committee may dispense with the appointment of the Committee under rule 4(5) to inquire into the matter where the officer —

- (a) admits the charge or charges or any one of them; or
- (b) fails to furnish an exculpatory statement within the time specified by rule 4(3) and such extended time as may be given under paragraph (1),

and proceed to determine the matter in such manner as the Staff Committee may think fit after giving the officer a final opportunity to be heard.

*[S 174/2002 wef 01/05/2002]*

(4) Without prejudice to paragraph (3), if, upon considering the facts of the case referred to in that paragraph, the Staff Committee is of the opinion —

- (a) that the officer should be dismissed or reduced in rank, it shall dismiss or reduce the rank of the officer from such date as it may think fit; or
- (b) that some punishment other than dismissal or reduction in rank should be imposed, impose a penalty such as stoppage or deferment of increment, fine or reprimand or a combination of such penalties.

*[S 174/2002 wef 01/05/2002]*

(5) Where any punishment other than dismissal has been imposed, the Staff Committee may, in the case of an officer who has been interdicted, forfeit the whole or any part of the emoluments withheld during his interdiction.

*[S 174/2002 wef 01/05/2002]*

### **Dissolution of Committee**

8. The Committee shall only be dissolved upon a signification to that effect communicated to its members by the Staff Committee.

*[S 174/2002 wef 01/05/2002]*

### **Allowance**

9.—(1) The allowance payable to a member of the Committee shall be \$50 for each day on which the Committee is engaged in inquiring into the matter except that half the amount of that allowance shall be payable where the Committee is engaged only in the morning or afternoon in inquiring into the matter.

(2) No allowance shall be payable under this rule to a member of the Committee who is an officer of the Board.

## **Interdiction**

**10.**—(1) Where criminal proceedings have been instituted or disciplinary proceedings are being instituted against an officer, the General Manager after consultation with the Chairman of the Staff Committee, or in his absence a member of that Committee may, subject to paragraph (2), forthwith interdict the officer from duty if he considers that the interests of the Board so require.

*[S 174/2002 wef 01/05/2002]*

(2) The General Manager shall not interdict an officer on the ground that criminal proceedings have been instituted against the officer unless he is of the opinion that the conduct of the officer which gave rise to the criminal proceedings is conduct which the Staff Committee would consider to be of a nature to warrant proceedings to be taken under these Rules with a view to the dismissal or the reduction in rank of the officer.

*[S 174/2002 wef 01/05/2002]*

(3) Where an officer has been interdicted under paragraph (1), the General Manager shall report the interdiction to the Staff Committee which shall within 14 days either confirm or rescind the interdiction.

*[S 174/2002 wef 01/05/2002]*

(4) The Staff Committee may allow an officer under interdiction to receive such portion of the emoluments of his office for such period during the period of interdiction as it shall think fit, or it may order the total emoluments of such officer to be withheld.

*[S 174/2002 wef 01/05/2002]*

(5) If the disciplinary proceedings against an officer do not result in the dismissal or other punishment of the officer, he shall be entitled to the full amount of the emoluments which he would have received had he not been interdicted.

## **Institution of criminal proceedings**

**11.** Where it has been represented to the Staff Committee that an officer has been charged in court for committing a criminal offence and the Staff Committee is of the view that the officer should be dismissed or reduced in rank, the Staff Committee may cause proceedings to be taken under rules 4, 5, 6 and 7 with a view to his

dismissal or reduction in rank notwithstanding that the criminal proceedings instituted against the officer have not been determined.

*[S 174/2002 wef 01/05/2002]*

### **Conviction of criminal offence**

**12.**—(1) The Staff Committee may, where an officer has been convicted of a criminal charge and the conviction has not been set aside on appeal, if any, consider the record of the proceedings of the court or courts and it may, if it is of the opinion that the officer should be dismissed or reduced in rank, dismiss or reduce in rank the officer accordingly after he has been given a reasonable opportunity of being heard.

*[S 174/2002 wef 01/05/2002]*

(2) The Staff Committee shall not be obliged to appoint a Committee in the circumstances set out in paragraph (1).

*[S 174/2002 wef 01/05/2002]*

### **Forfeiture of emoluments**

**13.**—(1) An officer who is dismissed forfeits all claims to any emoluments or other benefit which he would have enjoyed but for his dismissal.

(2) Where the increment of an officer is withheld pending disciplinary action being instituted against him, the Staff Committee may, in its discretion, order the forfeiture of the increment.

*[S 174/2002 wef 01/05/2002]*

### **Resignation during inquiry**

**14.** An officer against whom disciplinary proceedings are instituted under these Rules shall not, without the permission of the Staff Committee, resign or leave Singapore during the interval before the disciplinary proceedings are concluded.

*[S 174/2002 wef 01/05/2002]*

*[G.N. No. S 120/88]*

LEGISLATIVE HISTORY  
CENTRAL PROVIDENT FUND (DISCIPLINARY  
PROCEEDINGS) RULES  
(CHAPTER 36, R 4)

This Legislative History is provided for the convenience of users of the Central Provident Fund (Disciplinary Proceedings) Rules. It is not part of these Rules.

**1. G. N. No. S 120/1988 — Central Provident Fund (Disciplinary Proceedings) Rules 1988**

Date of commencement : 20 May 1988

**2. 1990 Revised Edition — Central Provident Fund (Disciplinary Proceedings) Rules**

Date of operation : 25 March 1992

**3. 1998 Revised Edition — Central Provident Fund (Disciplinary Proceedings) Rules**

Date of operation : 1 January 1998

**4. G. N. No. S 174/2002 — Central Provident Fund (Disciplinary Proceedings) (Amendment) Rules 2002**

Date of commencement : 1 May 2002