

Singapore Polytechnic (Staff) (Conduct and Discipline) Regulations

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SINGAPORE POLYTECHNIC ACT (CHAPTER 303, SECTION 23)

SINGAPORE POLYTECHNIC (STAFF) (CONDUCT AND DISCIPLINE) REGULATIONS

Rg 4

G.N. No. S 303/1982

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[5th November 1982]

Citation

1. These Regulations may be cited as the Singapore Polytechnic (Staff) (Conduct and Discipline) Regulations.

Definitions

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

“committee” means the disciplinary proceedings committee appointed under regulation 4(4);

“emoluments” include any increment, allowance or other benefit which an employee is or may become entitled to during the period disciplinary proceedings are instituted against him under these Regulations;

“employee” means any employee of the Singapore Polytechnic whether the employee is holding a permanent, temporary or contractual appointment;

“preliminary inquiry committee” means the preliminary inquiry committee

appointed under regulation 3(2);

“Principal” means the Principal of the Singapore Polytechnic;

“Staff Disciplinary Committee” means the Staff Disciplinary Committee appointed under regulation 3(1).

Staff Disciplinary Committee

3.—(1) For the purposes of these Regulations, the Board shall appoint a Staff Disciplinary Committee consisting of 3 members of the Board, two of whom shall form a quorum.

(2) When a complaint is lodged by any person against an employee alleging the commission by the employee of any of the disciplinary offences specified in the Schedule, the Principal shall refer the complaint to a preliminary inquiry committee appointed by the Staff Disciplinary Committee.

(3) A preliminary inquiry committee appointed under paragraph (2) shall consist of not fewer than 3 or more than 5 persons.

(4) The complaint shall be communicated in writing to the employee who shall be required to submit a written explanation within 7 working days of the receipt of the communication or such further period as the preliminary inquiry committee may allow.

(5) If after considering the explanation submitted by the employee under paragraph (4) the preliminary inquiry committee is of the opinion that the subject of the complaint warrants proceedings under these Regulations with a view to the dismissal or reduction in rank of the employee, the preliminary inquiry committee shall forthwith report the matter to the Staff Disciplinary Committee.

(6) If the preliminary inquiry committee is of the opinion that the subject of the complaint is not serious enough to warrant proceedings under these Regulations with a view to the dismissal or reduction in rank of the employee, the preliminary inquiry committee may cause an investigation to be made into the matter in such manner as it thinks fit.

(7) In any investigation made under paragraph (6) the preliminary inquiry committee shall give the employee who is under investigation a reasonable opportunity to reply to the allegation made against him.

(8) The preliminary inquiry committee shall, after considering the case made against the employee, his reply thereto and the results of any investigation made under paragraph (6), submit a report to the Staff Disciplinary Committee within 14 days of the conclusion of its inquiry of the case.

(9) A report submitted under paragraph (8) shall contain a summary of the facts of

the case.

(10) Where the Staff Disciplinary Committee is satisfied, after considering the report of the preliminary inquiry committee submitted under paragraph (8), that the allegation has been proved, the Staff Disciplinary Committee may —

- (a) order that any increment due to the employee be stopped or deferred for a period not exceeding one year;
- (b) impose a fine not exceeding one week's emoluments of the employee or \$100, whichever is the less; or
- (c) reprimand the employee.

(11) No appeal shall lie from a decision of the Staff Disciplinary Committee under this regulation to the Board.

Proceedings following report

4.—(1) The Staff Disciplinary Committee may, after considering any report made by the preliminary inquiry committee under regulation 3(5), cause proceedings to be taken under this regulation and regulations 5 to 12.

(2) The employee shall be notified in writing by the Staff Disciplinary Committee 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.

(3) The employee shall be given not less than 7 working days within which to exculpate himself in writing, and he shall also be notified in writing of any other circumstances which it is proposed to take into consideration.

(4) If the employee submits an exculpatory statement which is not satisfactory, the Staff Disciplinary Committee shall appoint a disciplinary proceedings committee to inquire into the matter and to submit a report to the Staff Disciplinary Committee.

(5) The disciplinary proceedings committee shall consist of the following:

- (a) a member of the staff of the Singapore Polytechnic;
- (b) a public officer; and
- (c) one other person.

(6) A person who sits as a member of the preliminary inquiry committee in the preliminary inquiry on any case shall not sit as a member of the disciplinary proceedings committee in any subsequent proceedings on that case.

(7) Every member of the disciplinary proceedings committee shall be notified of his appointment by the Principal.

Procedure at inquiry

5.—(1) The employee shall be given not less than 7 days' notice in writing of the date on which the disciplinary proceedings committee will commence its inquiry and the employee shall attend the inquiry and shall be permitted to —

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

(2) The record of the proceedings of the disciplinary proceedings committee shall consist of the information obtained by the 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.

(4) The disciplinary proceedings committee may in its discretion record any particular question and answer.

(5) At an inquiry the evidence on behalf of the Staff Disciplinary Committee shall be presented by a member of the staff of the Singapore Polytechnic or by any public officer or an advocate and solicitor appointed by the Principal.

(6) The employee under inquiry may be represented by an advocate and solicitor, a member of the staff of the Singapore Polytechnic or by such other person as the Staff Disciplinary Committee may allow.

(7) The disciplinary proceedings 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.

Adjournments

6.—(1) The disciplinary proceedings committee shall proceed with its inquiry from day to day and no adjournment shall be given except for reasons to be recorded in writing.

(2) Every adjournment, with reasons therefor, shall be reported forthwith to the Principal and the Staff Disciplinary Committee.

(3) No adjournment shall be given for more than 14 days except with the permission of the Staff Disciplinary Committee.