

**Ngee Ann Polytechnic (Staff — Conduct and Discipline) (Amendment) Rules
2003**

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No. S 71

**NGEE ANN POLYTECHNIC ACT
(CHAPTER 207)**

**NGEE ANN POLYTECHNIC (STAFF — CONDUCT AND DISCIPLINE)
(AMENDMENT) RULES 2003**

In exercise of the powers conferred by section 24 of the Ngee Ann Polytechnic Act, the Council of the Ngee Ann Polytechnic, with the approval of the Minister for Education, hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Ngee Ann Polytechnic (Staff — Conduct and Discipline) (Amendment) Rules 2003 and shall come into operation on 14th February 2003.

Amendment of rule 2

2. Rule 2 of the Ngee Ann Polytechnic (Staff — Conduct and Discipline) Rules (R 4) (referred to in these Rules as the principal Rules) is amended —

(a) by deleting the definition of “disciplinary proceedings committee” and substituting the following definitions:

““authorised person” means a person appointed under rule 3A (1) to conduct a preliminary investigation into a complaint made against an employee;

“committee of inquiry” means the committee of inquiry appointed under rule 4 (4);” and

(b) by deleting the definition of “preliminary inquiry committee”.

Amendment of rule 3

3. Rule 3 of the principal Rules is amended by deleting paragraphs (2) to (11).

New rules 3A and 3B

4. The principal Rules are amended by inserting, immediately after rule 3, the following rules:

“Disciplinary action by Principal

3A.—(1) Where a complaint is made to the Principal or any information comes to his knowledge that an employee has or may have committed an act which, if established, would constitute any of the disciplinary offences specified in the Schedule, the Principal shall appoint one or more authorised persons to conduct a preliminary investigation into the complaint or information.

(2) The authorised person shall notify the employee in writing of the complaint made against him or the information referred to in paragraph (1).

(3) An employee who has received a notification under paragraph (2) shall submit to the authorised person a written explanation or reply to the matters set out in the notification within 7 days of the receipt of the notification.

(4) Notwithstanding the failure of an employee to submit a written explanation or reply under paragraph (3) —

- (a) the authorised person may proceed to conduct a preliminary investigation into the complaint or the matter and shall submit a report to the Principal in accordance with paragraph (5); and
- (b) the Principal may proceed to make a determination in respect of the complaint or matter in accordance with paragraph (6).

(5) The authorised person shall, after considering the case made against the employee, his reply thereto (if any) and the results of the investigation, submit a report of the investigation to the Principal within 14 days of the conclusion of the investigation of the case.

(6) The Principal may, after considering the report of the investigation, do any of the following:

- (a) if he is of the opinion that the allegation against the employee has not been established, he may dismiss the complaint or matter and strike the complaint or matter from the records;
- (b) if he is of the opinion that the allegation against the employee has been established but is not serious enough to warrant dismissal or reduction in rank, he may —
 - (i) order that any increment due to the employee concerned be stopped or deferred for a period not exceeding one year;
 - (ii) impose a financial penalty not exceeding one month's emoluments of the employee;
 - (iii) reprimand the employee; or
 - (iv) impose a combination of the penalties referred to in subparagraphs (i), (ii) and (iii);
- (c) if he is of the opinion that the allegation has been established and is serious enough to warrant dismissal or reduction in rank, he may refer the complaint or matter to the Staff Disciplinary Committee together with a copy of the report of the investigation submitted by