



LAWS OF SARAWAK

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Chapter 12

STATE PUBLIC SERVICE (CONDITIONS OF SERVICE) ORDINANCE, 1994

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**STATE PUBLIC SERVICE
(CONDITIONS OF SERVICE) ORDINANCE, 1994**

Date Passed by Dewan Undangan Negeri	1st November, 1994
Date of Assent	12th November, 1994
Date of Publication in <i>Gazette</i>						24th November, 1994

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Chapter 12

STATE PUBLIC SERVICE (CONDITIONS OF SERVICE) ORDINANCE, 1994

An Ordinance to regulate the conditions of service of public officers in the State service.

[24th November, 1994]

Enacted by the Legislature of Sarawak—

Short title and application

1.—(1) This Ordinance may be cited as the State Public Service (Conditions of Service) Ordinance, 1994.

(2) Subject to subsection (3), this Ordinance and the General Orders made under section 3 shall apply to every person in the public service of the State, except in so far as—

(a) the contrary intention is expressly provided for in the General Orders; or

(b) the person is excluded by the terms of his employment from the operation of the General Orders.

(3) Notwithstanding the provisions of subsection (2), the Yang di-Pertua Negeri may, by Order published in the *Gazette*, declare any office not specified in Article 44(2)(a) of the State Constitution to be subject to the provisions of this Ordinance and any General Orders made under section 3.

Interpretation

2.—(1) In this Ordinance—

“General Orders” means the code of regulations made by the Yang di-Pertua Negeri under section 3;

“public service” shall have the meaning assigned to it in Article 44(1) of the State Constitution.

(2) In this Ordinance, a reference to the Yang di-Pertua Negeri shall be construed as a reference to the Yang di-Pertua Negeri acting in accordance with the advice of the Majlis Mesyuarat Kerajaan Negeri or of a member thereof acting under the general authority of the Majlis.

Power of Yang di-Pertua Negeri to regulate conditions of service

3.—(1) Subject to the provisions of the Federal Constitution and the State Constitution, the Yang di-Pertua Negeri may make General Orders governing the qualifications for appointment and conditions of service of persons in the public service of the State.

(2) Without prejudice to the generality of the provisions of subsection (1), the General Orders made under this section may provide for—

- (a) the functions, terms and conditions of service of officers in the public service;
- (b) the recruitment, code of conduct and discipline of such officers;
- (c) the scales of salaries, allowances and gratuities;
- (d) the grades of quarters, passages and leave entitlement;
- (e) the proper conduct and management of governmental business generally;
- (f) the training and examination schemes;
- (g) appeals by officers against dismissal or against any other disciplinary measures taken against them; and
- (h) such other matters connected with or incidental to the appointment and conditions of service of such officers.

Supplements to the General Orders

4. General Orders may be supplemented by—

- (a) Standing Orders issued by the State Secretary with the approval of the Chief Minister or, when embodying provisions peculiar to certain branches of the public service, by Heads of Departments with the approval of the State Secretary;

(b) Government Circulars issued by the State Secretary under the authority of the Majlis Mesyuarat Kerajaan Negeri; or

(c) Office Instructions issued by Heads of Departments and approved by the State Secretary.

Transitional provisions

5.—(1) Subject to subsection (2), the existing General Orders of the Government as in force immediately before the commencement of this Ordinance shall, until they are replaced by the new General Orders made under this Ordinance, be the General Orders of the Government but shall be construed with such modifications, adaptations, qualifications and exceptions as may be necessary to bring them into conformity with the New Scheme of Service.

(2) The existing General Orders referred to in subsection (1) shall continue to apply to officers in the public service who do not opt for or are not appointed under the New Scheme of Service.

(3) For the purpose of this section, “New Scheme of Service” means the revised salaries and terms and conditions of service of officers in the public service contained in the Federal Cabinet Committee Report which the State had adopted with effect from the 1st January, 1976, and which was subsequently revised by the New Remuneration System (Sistem Saraan Baru) as specified in Federal Service Circular No. 9/1991 dated 23rd December, 1991, which was implemented on 1st January, 1992.

[List of Amendments]

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LIST OF AMENDMENTS

Amending Law

Short Title

In force from

NIL

