

POLITICS

Applicable regulations

- 1) Regulation 21(1), P.U.(A)395/1993 : an officer in the **Top Management Group and Managerial** as well as **Professional Group** is prohibited from taking part in politics, in particular :
 - a) make any statement that would adopt partisan view which is an issue between political parties;
 - b) publish or circulate political party articles;
 - c) canvassing for political party;
 - d) become an election agent;
 - e) stand for election for any political post; or
 - f) hold any post in any political party

- 2) Regulation 21(2), P.U.(A)395/1993 : **an officer in the Support Group may stand election or hold office on a political party** after obtaining written approval from :
 - a) Director General of Public Service – common user officer *
 - b) Secretary General – non common user officer
 - Service Circular Number 5 Year 1996

* Federal Common User Service is a service that its Head of Service is the Director General of the Civil Service.

- 3) Regulation 21(2A), P.U.(A)395/1993 : **An officer in Education Service Grade DG41 to DG48**, other than Principal or Headmaster at the educational institutions** and an officer who hold any administrative post in any Government agency, **may stand for election or hold office or be appointed to any post in political party** after obtaining written approval of the Secretary General of the Ministry of Education.
 - Service Circular Number 9 Year 2010

** educational institutions means school, Institute of Teacher Education (IPG), English Language Teaching Centre (ELTC), matriculation college and Institut Aminuddin Baki (IAB) of the Ministry of Education.

FAQ - POLITICS

Num.	Topic	Question	Clarification
1	Ordinary member	Can an officer from the Top Management Group or Managerial & Professional Group become an ordinary member of any political party. What should he do?	An officer from the Top Management Group as well as Managerial and Professional Group can be an ordinary member of any political party. The officer must immediately inform the matter to his Head of Department via JPA(T)2/96 form (can be downloaded from the portal Public Service Department portal in Service Circular Number 5 Year 1996) http://www.eghrmis.gov.my/wp_content2/pekeliling/PP96/PP96Bil05/PP96Bil05.htm
2	Election Candidate	1) For an officer who has been given permission to be active in politics, could such officer be nominated to contest in the general election, for Parliamentary or Legislative Assembly seat?	Such an officer can be nominated to contest in the general election, by-election for Parliamentary or Legislative Assembly seat.
		2) What should a public officer do when he/she has been nominated to contest in the election by his party?	a) If the officer has attained the age of at least 40 years old and have at least 10 years considered service period, the officer is eligible to apply for optional retirement. b) The application for optional retirement must be in accordance with Service Circular Number 4 Year 2003. Amongst the documents required are: i. recommendation from the Head of Department; ii. application for optional retirement by the officer; iii. Malaysian Anti-Corruption Commission integrity screening report; and

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			<p>iv. other supporting documents in accordance with Service Circular Number 4 Year 2003.</p> <p>c) Officer / Department can liaise directly with the Post-Service Division, PSD at Level 3, Block C2, Complex C, Putrajaya;</p> <p>d) Officer's compensation will be paid within 30 days from the date of receipt of the complete documentation and pension will be paid:</p> <p>i. appointment before 12.04.1991, the pension is paid at the age 45 years for women and 50 years for men; or</p> <p>ii. appointment on or after 04.12.1991, the pension is paid at the age 55.</p> <p>e) If the officer's service is less than 10 years, he/she has to resign. Notice of resignation must be submitted to the Head of Department and the Head of Department shall issue acknowledgment of receipt to the officer and provide a copy to the Head of Service. This matter can be dealt by the Head of Department / Human Resources Manager based on regulation 54, Public Officers (Appointment, Promotion and Termination of Service) Regulations 2012 [P.U.(A) 1/2012]</p>

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3	Implication of resign / optional retirement	If an officer who has resigned or chose for optional retirement, lost in the election, could he/she be re-appointed into the public service?	<p>Officer who has resigned may apply and be considered for re-appointment into the public service by the Appointing Authority in accordance with regulation 7, Public Officers (Appointment, Promotion and Termination of Service) Regulations 2012 [P.U.(A) 1/2012].</p> <p>Optional retired officers will not be reappointed into the public service except at the instance of the Government due to his needed services. However, the appointment as contract of service, can only be made after obtaining the consent from the Prime Minister / Deputy Prime Minister / Chief Secretary to the Government as stipulated in Circular Number 2 Year 2008 - Appointment Policies and Procedures Contract (Contract of Service)</p>
4	Application form to take part in political activities	Where to obtain the application form to take part in political activities?	<p><u>Support Group Officers:</u></p> <p>JPA(T)1/96 form can be downloaded from Public Service Department's portal in Service Circular Number 5 Year 1996 http://www.eghrmis.gov.my/wp_content2/pekeliling/PP96/PP96Bil05/PP96Bil05.htm</p> <p><u>Education Service Officers Grade DG41 to DG48:</u></p> <p>JPA(T)1/10 form can be downloaded from Ministry of Education's portal in Service Circular Number 9 Year 2010 http://www.moe.gov.my/v/pekeliling-perkhidmatan</p>

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5	Conditions for political involvement	What are the conditions imposed on the officers who are allowed to be involved in political activities?	<ul style="list-style-type: none"> <li data-bbox="1240 268 2110 336">i. The political activities shall not interfere the official duties of the officer; <li data-bbox="1240 379 2110 448">ii. All political activities must be convened after working hours; <li data-bbox="1240 523 2110 592">iii. Officer shall apply for leave if political activities involve working hours; <li data-bbox="1240 667 2110 735">iv. Prohibited from using political influence to resolve service problems; <li data-bbox="1240 810 2110 879">v. Prohibited from using official information for the purpose of political activities; <li data-bbox="1240 954 2110 1054">vi. The political activities shall not be against the Public Officers (Conduct & Discipline) Regulations 1993 - [P.U.(A) 395/1993]; and <li data-bbox="1240 1129 2110 1198">vii. Approving authority may withdraw the approval should the officer fail to comply with the conditions imposed

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6	Canvassing for political party	1) I am involved in the Community Committee where a political party sought our help to assemble party flags and election campaign materials around my community. What should I do?	<p>Any officer from the Top Management Group or Managerial and Professional Group (except DG41-48, who has been permitted) is prohibited from engaging in such activities.</p> <p>If the officer is from the Support Group, it is compulsory to obtain a prior approval from the designated approving authority.</p> <p>Any officer who assembles political party's flags could be construed as supporting the political party. It is defined as canvassing.</p>
		2) Could an officer assist his/her spouse who is contesting in the election?	<p>Any officer from the Top Management Group or Managerial and Professional Group (except DG41-48, who has been permitted) is prohibited from engaging in such activities.</p> <p>If the officer is from the Support Group, it is compulsory to obtain a prior approval from the designated approving authority.</p> <p>Any officer who assists in the campaign / accompanies election candidate in campaigning could be construed as supporting the political party. It is defined as canvassing.</p>

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7	Political party lecture	Can an officer attend and listen to the political parties lectures during the election campaign?	In order to provide opportunities for the “rakyat” to obtain direct information from the contesting political parties in respect of their respective manifestos, there is no objection for the public officials to attend / listen to political parties lectures.
8	Social media	1) Is it wrong if an officers 'follow' the Twitter of leader of a political party?	No
		2) Is it wrong if an officers ' <i>Like</i> ' and ' <i>share</i> ' <i>Facebook</i> , ' <i>retweet</i> ' political related articles?	<p>Any officer from the Top Management Group or Managerial and Professional Group (except DG41-48, who has been permitted) is prohibited from engaging in such activities.</p> <p>If the officer is from the Support Group, it is compulsory to obtain a prior approval from the designated approving authority.</p> <p>If the article tends to favor certain political party, the officer could be construed as supporting the political party. It is defined as politically active.</p>