

POLITICS

Regulations in force

- 1) Regulation 21(1), P.U.(A)395/1993: An officer in the Top Management Group and the Managerial & Professional Group is prohibited from taking an active part in political activities. The officer shall not:
 - a) make any public statement, whether orally or in writing, that would adopt a partisan view on any matter which is an issue between political parties;
 - b) publish or circulate books, articles, or leaflets of a political party;
 - c) canvass for votes;
 - d) act as an election agent;
 - e) stand for election for any post in any political party; and
 - f) hold any posit in any political party

- 2) Regulation 21(2), P.U.(A)395/1993: **Executing Group officers may stand for election / hold a post in a political party** after obtaining a written approval from:
 - a) Director General of Public Service – common-users officers*
 - b) Secretary General of the Ministry – non-common-users officers- Service Circular No. 5 Year 1996
* Federal Common-Users Services refer to services whose Head of Service is the Director General of Public Service.

- 3) Regulation 21(2A), P.U.(A)395/1993: **Education Service officers Grades DG41 to DG48**, other than the Principal or Headmaster/Headmistress at an educational institution* and an officer holding an administrative post, **may stand for election / hold a post / be appointed to a political party post** after obtaining a written approval from the Secretary General of the Ministry of Education.
- Service Circular No. 9 Year 2010
* Educational institutions are schools, Institutes of Teacher Education (IPG), English Language Teaching Centres (ELTC), matriculation colleges and *Institut Aminuddin Baki* (IAB) under the Ministry of Education Malaysia.

FAQ - POLITICS

No.	Item	Question	Explanation
1	Ordinary member	Can officers from the Top Management Group (KPT) and Managerial & Professional Group (P&P) become ordinary members of a political party? What are the actions to be taken?	KPT and P&P officers may become ordinary members of a political party. The officers concerned must inform this matter to the Head of Department immediately using the JPA(T) 2/96 form (can be downloaded from the PSD portal, in Service Circular Number 5 Year 1996). http://www.eghrmis.gov.my/wp_content2/pekeliling/PP96/PP96Bil05/PP96Bil05.htm
2	Election candidates	1) If an officer has been given the permission to become actively involved in a political party, can the officer be nominated to contest in a general election for a Parliamentary or a State Legislative Assembly seat?	Officers may be nominated to contest in a general election, by-election for a Parliamentary or a State Legislative Assembly seat.
		2) What are the actions to be taken by public officers who have been nominated by their respective parties to contest in an election?	a) An officer who has reached the minimum age of 40 years and has a reckonable service period of at least 10 years may apply for optional retirement. b) The optional retirement application must be in accordance with Service Circular Number 4 Year 2003. Among the required documents are: i. certification by the Head of Department; ii. application for optional retirement by the officer;

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			<ul style="list-style-type: none"> iii. integrity screening report by the Malaysian Anti-Corruption Commission; and iv. other supporting documents in accordance with Service Circular Number 4 Year 2003. <p>c) The officer/Department may deal directly with the Post-Service Division, PSD at Level 3, Block C2, Complex C, Putrajaya (the counter opens from 8.00 a.m. until 10.00 p.m.);</p> <p>d) Gratuity will be paid to the officer within 30 days from the date complete documents are received, and the pension will be paid:</p> <ul style="list-style-type: none"> i appointment before 12.4.1991, pension will be paid at the age of 45 years for women and 50 years for men; or ii appointment on or after 12.4.1991, pension will be paid at the age of 55 years. <p>e) Officers who have served for less than 10 years will be required to resign. The resignation should be submitted by the officer to the Head of Department to be noted (acknowledgement of receipt to the officer) and copied to the Head of Service. This matter can be handled by the respective 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 resignation / optional retirement	If an officer who has retired optionally / resigned to contest in an election lost in the election, can the officer join public service again?	<p>An officer who has resigned may apply and be considered for reappointment to the public service by the Appointing Authority, in line with Regulation 7, Public Officers (Appointment, Promotion and Termination of Service) Regulations 2012 [P.U.(A)1/2012].</p> <p>An officer who has retired optionally cannot be reappointed to the public service except at the Government's discretion due to a critical need for the officer's services. However, the officer can only be appointed on contract (contract of service) after obtaining the approval of YAB Prime Minister / YAB Deputy Prime Minister / Chief Secretary to the Government of Malaysia as set out in Service Circular Number 2 Year 2008 – <i>Dasar dan Prosedur Pelantikan Secara Kontrak</i> (contract of service).</p>
4	Application form to take part in political activities	Where can I get the application form to take part actively in politics?	<p><u>Executing Group:</u> The JPA(T)1/96 application form may be downloaded from PSD portal in Service Circular Number 5 Year 1996. http://www.eghrmis.gov.my/wp_content2/pekeliiling/PP96/PP96Bil05/PP96Bil05.htm</p> <p><u>Graduate Education Service Officers, Grades DG41- DG48:</u> The JPA(T)1/10 application form may be downloaded from the Ministry of Education's portal. Service Circular Number 9 Year 2010. http://www.moe.gov.my/v/pekeliiling-perkhidmatan</p>

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5	Conditions for political involvement	What are the conditions imposed on an officer who has been allowed to take part in political activities?	<ul style="list-style-type: none"> i. The political activities do not interfere with the officer's official duties; ii. All political activities must be carried out outside office hours; iii. The officer should apply for leave if the political activities involve office hours; iv. The officer is not allowed to use political influence to resolve issues in the service; v. The officer is not allowed to use office official information for political activity purposes; vi. All political activities must not contradict the Public Officers (Conduct & Discipline) Regulations 1993 - [P.U(A)395/1993]; and vii. The approving authority may withdraw the approval if the officer fails to comply with the conditions imposed.

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6	Assisting in campaigns	1) I am involved in a Community Committee. A political party has requested for my assistance to put up party flags and campaign materials in my community area. What should I do?	<p>A KPT or P&P officer (except DG41-48 officers who have obtained the approval) is not allowed to perform the act at all.</p> <p>An officer from the Executing Group must obtain a prior approval from the designated approving authority.</p> <p>The activity of putting up a political party's flags by an individual can be interpreted as the individual's support for the political party. It can be categorised as canvassing for votes.</p>
		2) Can an officer help campaign or accompany the spouse who has been nominated in an election?	<p>A KPT or P&P officer (except DG41-48 officers who have obtained the approval) is not allowed to perform the act at all. An officer from the Executing Group must obtain a prior approval from the designated approving authority.</p> <p>The act of assisting / accompanying election candidates in campaigning is interpreted as supporting the political party and is also said as canvassing for votes.</p>
7	Political parties' speeches	2) Can an officer attend or listen to speeches by political parties during an election?	<p>To provide the people with the opportunity to obtain information directly from the political parties contesting regarding their respective manifestos, public officers (KPT, P&P and Executing Group) may attend/listen to speeches by political parties.</p>

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8	Social media	1) Can an officer follow <i>the</i> Twitter of leaders of political parties? 2) Can an officer 'Like' and 'Share' the Facebook or retweet articles related to politics?	Yes A KPT or P&P officer (except DG41-48 officers who have obtained the approval) is not allowed to perform the act at all. An officer from the Executing Group must obtain a prior approval from the designated approving authority. If the article shows an inclination towards a certain political party, the activity may be interpreted as the officer's support for the political party. It can also be said as being politically active.