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WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

PERATURAN-PERATURAN PEGAWAI AWAM (PELANTIKAN, KENAIKAN PANGKAT DAN PENAMATAN PERKHIDMATAN) (PINDAAN) 2017

PUBLIC OFFICERS (APPOINTMENT, PROMOTION AND TERMINATION OF SERVICE) (AMENDMENT) REGULATIONS 2017

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PERLEMBAGAAN PERSEKUTUAN

PERATURAN-PERATURAN PEGAWAI AWAM (PELANTIKAN, KENAIKAN PANGKAT DAN PENAMATAN PERKHIDMATAN) (PINDAAN) 2017

PADA menjalankan kuasa yang diberikan oleh Fasal (2) Perkara 132 Perlembagaan Persekutuan, Yang di-Pertuan Agong membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Pegawai Awam (Pelantikan, Kenaikan Pangkat dan Penamatan Perkhidmatan) (Pindaan) 2017**.

(2) Peraturan-Peraturan ini hendaklah disifatkan mula berkuat kuasa pada 1 Mei 2017.

Pindaan peraturan 4

2. Peraturan-Peraturan Pegawai Awam (Pelantikan, Kenaikan Pangkat dan Penamatan Perkhidmatan) 2012 [*P.U. (A) 1/2012*], yang disebut “Peraturan-Peraturan ibu” dalam Peraturan-Peraturan ini, dipinda dalam peraturan 4 dengan memasukkan selepas takrif “penanggungungan kerja” takrif yang berikut:

‘ “penempatan khas” ertinya mengisi apa-apa jawatan yang sedia ada dalam skim perkhidmatan dan perkhidmatan yang sama dengan tujuan untuk menempatkan seseorang pegawai secara khusus tanpa mengira sama ada gred jawatan itu sama dengan, atau lebih tinggi daripada, gred hakiki pegawai itu;’

Peraturan baharu 13A

3. Bahagian II Peraturan-Peraturan ibu dipinda dengan memasukkan selepas peraturan 13 peraturan yang berikut:

“Penempatan khas

13A. (1) Mana-mana pegawai boleh ditempatkan untuk mengisi sesuatu jawatan secara penempatan khas tertakluk kepada apa-apa syarat sebagaimana yang ditentukan oleh Ketua Pengarah Perkhidmatan Awam.

(2) Penempatan khas yang dibuat di bawah peraturan ini hendaklah tidak disifatkan sebagai suatu kenaikan pangkat bagi pegawai itu.”.

Pindaan peraturan 36

4. Subperaturan 36(1) Peraturan-peraturan ibu dipinda—

(a) dalam perenggan (a), dengan memotong perkataan “atau”;

(b) dalam perenggan (b), dengan menggantikan noktah diujung perenggan itu dengan perkataan “atau”; dan

(c) dengan memasukkan selepas perenggan (b) perenggan yang berikut:

“(c) apabila seseorang pegawai itu dikenakan hukuman tatatertib oleh pihak berkuasa tatatertib, mengikut tempoh yang ditentukan oleh Ketua Pengarah Perkhidmatan Awam.”.

Pindaan peraturan 44

5. Peraturan-Peraturan ibu dipinda dengan menggantikan peraturan 44 dengan peraturan yang berikut:

“44. (1) Gaji permulaan bagi seseorang pegawai yang dinaikkan pangkat hendaklah pada amaun gaji yang lebih tinggi daripada amaun gaji akhir di gred terdahulu.

(2) Bagi menetapkan gaji permulaan di gred kenaikan pangkat, gaji akhir di gred terdahulu pegawai hendaklah ditambah dengan suatu kadar kenaikan gaji tahunan di gred kenaikan pangkat atau kenaikan gaji tahunan terakhir diterima di gred terdahulu, mengikut mana yang lebih tinggi, mulai tarikh kenaikan pangkatnya. Sekiranya selepas penambahan amaun gaji adalah lebih rendah daripada gaji minimum di gred kenaikan pangkat, maka gaji permulaan kenaikan pangkat pegawai hendaklah ditetapkan pada gaji minimum di gred kenaikan pangkat.

(3) Jika seseorang pegawai dinaikkan pangkat sebelum atau sama dengan tarikh pergerakan gaji pegawai itu dalam jawatan terdahulunya, pergerakan gaji jawatan terdahulunya, jika ada, hendaklah diberi terlebih dahulu sebelum menentukan gaji permulaan dalam jawatan kenaikan pangkat.”.

Dibuat 4 April 2017
[JPA(S)223/8/1; PN(PU2)171/XXIV]

Dengan Titah Perintah

TAN SRI DR. ALI BIN HAMSA
Setiausaha Kabinet

FEDERAL CONSTITUTION

PUBLIC OFFICERS (APPOINTMENT, PROMOTION AND TERMINATION OF SERVICE)
(AMENDMENT) REGULATIONS 2017

IN exercise of the powers conferred by Clause (2) of Article 132 of the Federal Constitution, the Yang di-Pertuan Agong makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Public Officers (Appointment, Promotion and Termination of Service) (Amendment) Regulations 2017**.

(2) These Regulations shall be deemed to have come into operation on 1 May 2017.

Amendment of regulation 4

2. The Public Officers (Appointment, Promotion and Termination of Service) Regulations 2012 [*P.U. (A) 1/2012*], which are referred to as the “principal Regulations” in these Regulations, are amended in regulation 4 by inserting after the definition of “covering” the following definition:

‘ “special placement” means to fill any existing post within the same scheme of service and services for the purpose of specifically placing an officer irrespective of whether the grade of the post is the same, or higher than, the officer’s substantive grade;’.

New regulation 13A

3. Part II of the principal Regulations is amended by inserting after regulation 13 the following regulation:

“Special placement

13A. (1) Any officer may be placed to fill a post as a special placement subject to any condition as may be determined by the Director General of Public Service.

(2) A special placement made under this regulation shall not be deemed to be a promotion for the officer.”.

Amendment of regulation 36

4. Subregulation 36(1) of the principal Regulations is amended—

(a) in paragraph (a), by deleting the word “or”;

(b) in paragraph (b), by substituting for the full stop at the end of the paragraph the word “or”; and

(c) by inserting after paragraph (b) the following paragraph:

“(c) when an officer has been imposed with a disciplinary punishment by the disciplinary authority, according to the period specified by the Director General of Public Service.”.

Substitution of regulation 44

5. The principal Regulations are amended by substituting for regulation 44 the following regulation:

“44. (1) The initial salary of an officer who has been promoted shall be higher than the amount of the last drawn salary in the previous grade.

(2) In order to determine the initial salary in the promotional grade, the last drawn salary of the officer in the previous grade shall be supplemented with an annual salary increase rate in the promotional grade or the last annual

salary increment received in the previous grade, whichever is higher, starting from the date of his promotion. If after the addition the amount of the salary is lower than the minimum salary in the promotional grade, then the initial salary of the officer at the promotional grade shall be determined at the minimum salary in the promotional grade.

(3) Where an officer is promoted before or on the same date with the officer's salary movement in his previous post, the salary movement of his previous post, if any, shall be given first before determining the initial salary in the promotional post.”.

Made 4 April 2017

[JPA(S)223/8/1; PN(PU2)171/XXIV]

By Command

TAN SRI DR. ALI BIN HAMSA
Secretary to the Cabinet