Public Administration in Malaysia

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CHAPTER TWENTY THREE
PUBLIC ADMINISTRATION IN MALAYSIA

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Introduction
Public administration which has been historically referred to as government management, is broadly described as the development, implementation and study of branches of government policy. It is linked to pursuing the public good by enhancing civil society and social justice. Thus encompassing non-governmental organizations (NGO) that are not acting out of self interest (Orluwene, 2003).

Public administration is a popular area of study that has attracted and produced numerous dissertations and studies on public administration of specific countries around the globe. The history of administration of a country is difficult to chronicle, what should be recorded in such an effort should help to facilitate the understanding of the reasons for the developments that have taken place and the forces that have combined to press for demand and push events in a certain direction.

It is therefore, necessary to register and explain the causes and extent of actual/complete or partial success and, of course, the ultimate impact of administration on the system. This paper therefore, gives overview of the practice and evolution of public administration in Malaysia.

Country Profile
Population - 24,425 Million
Type of Government - Constitutional Monarchy
Administrative Structure - Malaysia has thirteen states, one federal territory and three components
Economy - GDP 95,157 US Dollars
1. Formulation of policies on recruitment, appointment, promotion, discipline and termination of service.

2. Determination of manpower requirements and organizational structures for all government agencies.

3. Formulation of policies on remuneration and other facilities for public sector personnel.

4. Negotiation with aggrieved parties on claims made by workers and representing the government in all proceedings of the public service tribunal.

5. Providing adequate trained manpower to all government agencies.

6. Administering and implementing all laws and regulations pertaining to pensions and other retirement benefits (Malaysia Civil Service Commission, 2005).

Legal Basis of Public Service (PS)
The Malaysian Federal Constitution (Article 132) defines Public Service (PS) as consisting of (i) General public service of the federation, (ii) Public service of the states, (iii) Joint public service, (iv) Education service, (v) Judicial and legal service, (vi) Police force; and (vii) Armed forces.

To ensure the impartiality of the public service and to protect it from political control and interference, a number of service commissions were established under the constitution. The Head of the Service Commission Councils are appointed by the Yang Di-Pertuan Agong (Paramount Ruler). The commissions or councils presently existing are (i) Judicial and legal service commission (ii) Public service commission (iii) Education service commission (iv) Armed forces council, and (vi) the respective state public service commissions (ibid).

Recruitment/Appointment
The Public Service Commission an independent body, is responsible for recruitment of personnel in the civil service. Under Article 144 (1) of the Federal Constitution, the functions of the commission are to appoint, confirm, place on permanent or pensionable establishment, promote, transfer and exercise disciplinary action over members of the service or services to which its jurisdiction extends.
The main objective of the recruitment policy of the civil service of Malaysia is to attract and retain high caliber personnel in the public sector. The policy and procedure of recruitment is provided in the General Order Chapter “A” (Appointment and Promotions) 1973. Its legal status is to be formed in Article 132 (2) of the Federal Constitution. The salient feature of the recruitment policy is that appointment whether on permanent and or a temporary basis must be from Malaysian citizens, and be in accordance with the scheme (Malaysian Government General Order, 1973).

Remuneration
Public Service remuneration consists of salary, fixed allowances and variable payments such as housing and critical service allowance. Public service personnel are also provided with various benefits such as medical treatment/hospitalization and quarters for certain essential services like fire service and police service.

The objective of such remuneration is to ensure that members of the public service receive fair and reasonable wages and compensation in carrying out their duties.

(i) Pension
The mandatory retirement age for a public servant is 55. However, an employee may apply for optional retirement upon attaining 40 years of age. Public sector personnel appointment on or after 12 April 1991 can either opt or join the pension service or the employees provident fund scheme.

(ii) Retirement Benefits
Retirement benefits payable to public sector personnel are: (i) Gratuity (ii) Life long monthly pension (iii) Cash award in lieu of accumulated leave. These payments are given to a pensionable employee upon retirement. For those on optional retirement, only gratuity and cash award in lieu of accumulated leave are paid upon retirement; whereas pension is only payable upon attaining the age of 45 for women and 55 for men. New appointments for public service on or after 12 April 1991 will be paid their pensions at the age of 55. Upon the pensioner's demise, the remaining pension is granted to the dependents, namely widow, or widower, and eligible children.
The salary scheme in the public service was revised towards the end of the seventies. The most significant revision apart from the standard salary up scaling, was the extension of the pension scheme to beneficiaries of a retiree after his/her death; to his/her widow for life, and to his/her children until the age of eighteen years or twenty one in the case of children attending college. Under the revised pension procedure, as long as pension papers were in order and submitted according to the specific time schedule, the pensioner is assured of receiving the first pension within two months of retirement. Normally pensioners receive their gratuities on the day they retire; this can sustain them for longer than the said two months. With this revised system, there have been hardly any complaints about delays in pension procedure and payments, even though the number of pensioners and dependants has shown a marked increase since the expansion scheme (Ngoc, 2004:6).

Promotion
The Performance Appraisal System (PAS) is used in determining annual salary progression and promotion. This system introduces a more systematic and reliable assessment because there are fewer subjective elements. It recognizes the need to give more weight to different aspects for different service groups.

Aspects that are being evaluated includes: (a) work output based on knowledge, work quality, timeliness, ability to manage and make decisions (b) good values such as trustworthiness and reliability (c) potential for leadership (d) the annual target as agreed upon by both the officers being evaluated and the reporting officers. Under the New Remuneration System (NRS), seniority in the civil service is no longer given a top priority. The selection process of officers to be promoted includes an assessment on qualities such as leadership, innovativeness and creativity in addition to their qualifications, experience, training, performance appraisal report, performance at the mandatory management courses conducted in National Institute of Public Administration (INTAN) and an interview.

The promotion from one grade to another is based on the availability of vacancies. However, for research officers, university lecturers and medical and dental specialists, promotion exercises are carried out in accordance with the procedures as stipulated in the relevant scheme of service and subjected to: (a) consideration of a panel that includes a representative from the public service department, and (b) the use of a performance evaluation system as stated above (Malaysian Civic Service Commission, 2005).
Training
The National Institute of Public Administration (INTAN) established as the training arm of the public service commission provides training for the public service. INTAN's training programmes emphasized the demands of planning and implementing successful development programmes, training of administrators and staff as agents of change, financial and economic management skills, computer literacy as well as public policy and international relations (until the establishment of the foreign service institute in 1992 (United Nations, 2004).

Corruption
Malaysian's Anti-corruption Agency (ACA) was founded in 1967 by merging three earlier bodies. An Anti-corruption unit had been set up in the Prime Minister's Department as early as 1959. The main function of ACA were (and are) to (i) investigate and prosecute offences of corruption (ii) prevent and curb corruption in the public service and (iii) investigate the conduct of civil servants.

The Malaysian prevention of Corruption Act of 1961 and Ordinance 22 of 1971, defined corruption to include bribery, false claims and the use of public opinion or office for pecuniary gains or undue advantages. False expenses claims are dealt with by the Agency, but the police also deals with some cases of fraud.

The Agency has power to investigate, interrogate, arrest and prosecute. Staff members were appointed initially by transfers from the police but are now recruited into separate administration. They receive public sector pay plus an incentive allowance. There are six divisions: Prosecution, Investigation, Information, Prevention, Training, Administration, Legislation, Regulation, Operation and Motivation are closely linked. For example, regulation allow customs officers at checkpoint and police on the street to carry only a small amount of cash on their person and investigation by random checks and searches of such officers provide evidence of corruption (UNDP, 2001).

Ethics
ACA has given special attention to agencies it has identified as being in the "ten' corruption prone agencies in Malaysia, to setting up of ethics, quality, productivity committees at state and departmental levels, and to the
interest and safety of witnesses and informers. Meanwhile the civil service has developed a set of values known as “the twelve pillars” to which the civil service subscribes. These are: (a) value of time (b) the success of perseverance (c) the pleasure of working (d) the dignity of simplicity (e) the worth of character (f) the power of kindness (g) the influence of examples (h) the obligation to duty (i) the wisdom of economy (j) the virtue of patience (k) the improvement of talent and (l) the value of integrity.

Preventing corruption receives more emphasis now than in the past, with a three pronged strategy of Information, Education, and Communication (I, E, C). efforts were made to appeal to people to avoid corruption based on morality (corruption is evil), social pressure (would you support your family with the money corruptly gained), self-respect (for our image government servants) and loyalty. Television dramas as well as videos are used to sensitize civil servants and the public on the importance of ethical behaviour (UNDP, 2001).

In summary, administrative practice, and improvements in Malaysia have taken place in the public service since the early sixties, a few years after Merdeka (Independence). Administrative leaders such as Tun Abdul Razak and Dr. Mahathir who were supported by top leaders of the bureaucracy played a ground breaking role in the country's successful administrative practice. There seemed to be a meeting of mind between the political leadership and the top civil servants to bring about efficiency in the administrative machinery of delivery of goods and services efficiently to the people.

Therefore, the politicians have a mission to improve the lot of the poor and the under-privileged as well as that of the citizenry as a whole. The civil servants, many of whom come from humble backgrounds also supported the mission to develop the country both socially and economically. This may not be true in some other developing countries but in Malaysia the background and training of the civil servants helped sensitize them to the common problems of the third world such as poverty, illiteracy and disease. In tandem with political leaders, they set about to deliver the fruits of development to the population at large.
REFERENCES


