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GOVERNMENT OF MALAWI

**MALAWI
PUBLIC SERVICE
REGULATIONS**

REVISED AS AT 1st APRIL, 1991

PRICE

CHAPTER IICONDUCT AND DISCIPLINE

1:201 A Civil Servant is guilty of misconduct who - ACTS
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MISCONDUCT

- (1) Absents himself from his post during normal hours of attendance without permission from a Responsible Officer or Controlling Officer or without valid excuse;
- (2) Performs his duties negligently;
- (3) Fails to perform any duties properly assigned to him or to obey any instructions which may properly be given to him by a person having authority to give such instructions;
- (4) Displays insubordination by word or conduct;
- (5) Continues to be incompetent or inefficient after the expiration of the period fixed in a warning given to him under 1:203_t, unless such incompetency and inefficiency is due to causes beyond his control;
- (6) Fails to comply with any of these Regulations, Financial Orders or Stores Regulations as amended from time to time or commits a breach of any contract or agreement entered into under these Regulations;
- (7) Is under the influence of intoxicating liquor or habit-forming drugs during the normal hours of attendance or during such other hours as he may be required to be on duty;
- (8) Habitually takes intoxicating liquor or habit-forming drugs to excess;
- (9) Is, under any law or statute, adjudged or otherwise declared bankrupt or insolvent or has

(Always consult Supplement for every regulation)

a writ of civil imprisonment or other like order issued against him, unless he can show that his financial difficulties have been caused by circumstances beyond his control;

(10) Suffers pecuniary embarrassment likely to interfere

with the efficient performance of his duties;

(11) Except in the discharge of his official duties or with the consent of the Minister and in accordance with such directions, if any, as the Minister may from time to time give him, discloses or reveals either directly

or indirectly the contents or any part of the contents of

any documents, communication or information whatsoever acquired in the course of such duties;

(12) Uses for personal gain information acquired through

his employment in the Civil Service, notwithstanding that he

does not disclose such information;

(13) Conducts himself on any one or more occasions in

a disgraceful, improper or unbecoming manner, or while

on duty is grossly discourteous to any person;

(14) Makes use of public monies or any property of the

Government for private purposes;

(15) Fails to take reasonable care of any Government

property in his custody or on charge to him or take such

steps as are within his power to ensure that reasonable

care is taken of any such property;

(16) Without the consent in writing of his Responsible Officer cedes the whole or a part of the salary, allowances

or other remuneration payable to him;

(17) Engages in an occupation or undertaking or performs

any act which might in any way conflict with the interests

of the Government or be inconsistent with his duties;

(18) Except with the consent of the Minister and

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(Always consult Supplement for every regulation)

time to time be given to him by the Minister:-

- (a) Acquires or holds a direct or indirect pecuniary interest in a contract relating to matters falling within the function of the Department in which he is serving; or
- (b) Knowingly acquires or holds a direct or indirect pecuniary interest in a firm or company applying or negotiating for a contract with the Government relating to matters falling within the function of the Department in which he is serving; or
- (c) Owns any right in immovable property, or has a direct or indirect pecuniary interest in a firm or company, which results in his private interests coming into real or apparent conflict with his official duties;

(19) He does or causes or permits to be done, or connives in any act which is prejudicial to the administration, discipline or efficiency of the Civil Service or any part of it;

(20) He commits any of the following offences and is convicted thereof by a court of law:-

- (a) Extortion, bribery, corruption;
- (b) Theft, theft by false pretences, receiving stolen, property knowing it to have been stolen;
- (c) Fraud, forgery, uttering a forged instrument knowing it to have been forged; or
- (d) Attempt, incitement or conspiracy to commit an offence under this subsection;

(21) He attempts to secure intervention from political

sources in relation to his position or conditions of employment in the Civil Service:

Provided that nothing in this regulation shall be construed as precluding an officer from endeavouring to

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obtain redress of any grievance through a member of the National Assembly;

(22) Except with the consent of the Minister and except

in accordance with such directions, if any, as may from

time to time be given to him by the Minister -

- (a) Does not place the whole of his time during the normal hours of attendance at the disposal of the Government;
- (b) Performs or engages himself to perform work outside the Civil Service for remuneration;
- (c) Is or becomes a director or engages, directly or indirectly in the management or direction of any company or syndicate;
- (d) Acts as reporter, correspondent or editor of a newspaper or takes any part, directly or indirectly, in the management thereof;
- (e) Otherwise than in the discharge of his official duties speaks in public, broadcasts, writes letters to the press, grants interviews, publishes books or articles, circulates leaflets or otherwise publishes anything on matters which are concerned with the Civil Service; or
- (f) Accepts valuable presents, other than the ordinary gifts of personal friends, from persons with whom he comes or likely to come into contact in the discharge of his duties;

(23) Takes part in or assists any activity subversive of the Government;

- (24) Engages in any activity, political or otherwise,
which interferes with the due performance of his
duties
as a Civil Servant;
- (25) Hakes to Government any false claim; or

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