



LAWS OF MALAYSIA

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Act 573

JOINT SERVICE (ISLAMIC AFFAIRS OFFICERS) ACT 1997

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**JOINT SERVICE (ISLAMIC AFFAIRS
OFFICERS) ACT 1997**

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PREVIOUS REPRINTS

First Reprint 2002
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LAWS OF MALAYSIA**Act 573****JOINT SERVICE (ISLAMIC AFFAIRS
OFFICERS) ACT 1997**

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LAWS OF MALAYSIA**Act 573****JOINT SERVICE (ISLAMIC AFFAIRS
OFFICERS) ACT 1997**

An Act to provide for the establishment of a service for Islamic Affairs Officers common to the Federation and the States, and for matters connected therewith.

[15 August 1997, P.U. (B) 318/1997]

WHEREAS it is expedient that a service for Islamic Affairs Officers common to the Federation and the States be established to enhance the machinery of the Federal Government and the State Governments in the administration of Islamic affairs:

AND WHEREAS there have been requests from certain States that such a service be established:

NOW THEREFORE, pursuant to Clause (1) of Article 133 of the Federal Constitution, **BE IT ENACTED** by the Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

Short title, commencement and application

1. (1) This Act may be cited as the Joint Service (Islamic Affairs Officers) Act 1997 and shall come into force on a date to be appointed by the Yang di-Pertuan Agong by notification in the *Gazette*.

(2) This Act shall apply only to the Federal Territories of Kuala Lumpur and Labuan and the States of Malacca, Negeri Sembilan, Penang and Selangor.

(3) Notwithstanding subsection (2), where any other State has made a request to the Federal Government that the application of this Act be extended thereto, the Yang di-Pertuan Agong may by order published in the *Gazette* extend the application of this Act to such State.

Interpretation

2. In this Act, unless the context otherwise requires—

“Commission” means the Public Services Commission established under Article 139 of the Federal Constitution;

“joint service” means the Joint Service for Islamic Affairs Officers established under section 3;

“officer” means an officer of the joint service;

“remuneration” has the meaning assigned thereto by Clause (2) of Article 160 of the Federal Constitution;

“State” includes the Federal Territories of Kuala Lumpur and Labuan.

Establishment of a joint service

3. (1) There shall be established a joint service for Islamic Affairs Officers common to the Federation and the States to be known as the Joint Service for Islamic Affairs Officers.

(2) The joint service shall comprise—

(a) all officers, other than the Mufti, whether in the general

public service of the Federation or in the public service of a State, who are employed under the *Skim Perkhidmatan Pegawai Hal-Ehwal Islam* under the New Remuneration System and who have opted into the joint service under section 7; and

- (b) all officers appointed by the Commission into the joint service after the coming into force of this Act.

Appointment of officers, etc.

4. The power to appoint, confirm, emplace on the permanent or pensionable establishment, promote, transfer and exercise disciplinary control over an officer shall be vested in the Commission.

Posting of officers

5. An officer is liable to be posted to an office of the Federation or a state or to transferred—

- (a) from an office of one State to an office of another State;
- (b) from an office of a State to an office of the Federation;
or
- (c) from an office of the Federation to an office of a State.

Remuneration of officers

6. (1) Subject to subsection (2), an officer posted or transferred under section 5 shall remain a member of the joint service, but his remuneration shall be paid by the Federation or the State, as the case may be, to whose office he is posted or transferred.

(2) Where an officer is employed—

- (a) partly for federal purposes and partly for State purposes;

or

(b) for the purposes of two or more States,

the proportion, if any, of his remuneration payable by the Federation and the State or States concerned or, as the case may be, by each of the States concerned, shall be determined by agreement or, in default of agreement, by the Commission.

Existing officers

7. (1) The Federal Government shall, on the date this Act comes into force, accept into the joint service every person who immediately before that date is an officer, either in the general public service of the Federation or in the public service of a State, who is employed under the *Skim Perkhidmatan Pegawai Hal-Ehwal Islam* under the New Remuneration System and who was given an option by the Federal Government and has opted to be in the joint service.

(2) Every person who opts under subsection (1) shall be employed in the joint service on terms and conditions of service not less favourable than the terms and conditions of service to which he was entitled immediately before the date mentioned in that subsection.

Regulations

8. The Yang di-Pertuan Agong may make regulations as may be expedient or necessary for the better carrying out of the provisions of this Act.

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LIST OF AMENDMENTS

Amending law	Short Title	In force from
	—NIL—	

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LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
—NIL—		
