

CIRCULAR MEMORANDUM

63

FROM: Ag. State Secretary, Sarawak.

TO: All Residents.
All District Officers.

SUBJECT: Terms and Conditions of Service of Ketua Kaum

REF: 165/E0/2604 DATE: 2nd October, 1980.

=====

In appreciation of the valuable services rendered by Unpaid Native Chiefs and Chinese Area Sub-Headmen in the daily administration of local affairs in the State, the Government has now decided to regulate their appointments and pay them honorarium. The terms and conditions of their services shall be as set out in this Circular.

2. Nomenclature

2.1 The Unpaid Native Chiefs and Chinese Area Sub-Headmen shall be known in general terms as Ketua Kaum but individually to be designated as follows:-

- (a) Ketua Kampung - This designation will apply to Malay, Bidayuh, Melanau, Bisaya or any other races that used the term Wakil Tua Kampung or Tua Kampung;
- (b) Tuai Rumah or Tuai Uma - This term will be used in respect of Iban, Orang Ulu and other races who used the same term as at present.
- (c) Kapitan China - This designation will apply to the former Chinese Headmen or Area Sub-Headmen.

3. Appointment

3.1 The appointment of all Ketua Kaum shall be made by the State Secretary who may delegate his authority to the Residents.

3.2 The procedure for appointment should be by way of consultation between the Penghulu of the area and the District Officer concerned who will submit his recommendation to the State Secretary through the appropriate Residents.

3.3 The appointment of a Kapitan China shall not represent a particular clan in any area but shall represent the whole Chinese community in the area irrespective of the clans. In this connection, the District Officer and the Residents are reminded that not all the Chinese Area Headmen/Sub-Headmen in a certain area are to be absorbed into this new Scheme. In an area where there are more than one Chinese Area Headmen/Sub-Headmen, a decision is to be made only to appoint one Kapitan China.

3.4 The appointment in the Ketua Kaum Service is made at the pleasure of the Government and may be determined by either side on giving one month's notice or in lieu of notice to pay an equivalent of one month's honorarium.

3.5 Each Resident is required to maintain a register of all the Ketua Kaum in his Division, issue certificate of appointment in a prescribed form to be provided by this Office, and identification name tags and to submit a copy of such certificate to the State Secretary.

4. Qualifications of Candidates for appointment

4.1 The candidates must be -

- (a) not less than 30 years of age;
- (b) local residents; and
- (c) Malaysian citizen.

4.2 Without prejudice to sub-paragraph 4.1 above, the Government may offer appointments to serving Unpaid Native Chiefs and Chinese Area Sub-Headmen by way of absorbing them into the Ketua Kaum Service.

4.3 No candidate shall be appointed into the Ketua Kaum Service if he has previous conviction for an offence involving dishonesty, corruption, violence or moral turpitude or if he does not reside within the area of his jurisdiction.

/Functions

5. Functions

The duties and functions of Ketua Kaum are:-

- (a) generally to assist the Penghulu as and when required in the administration of the area;
- (b) to encourage and lead his anak kampung/anak biaks to participate in government activities or projects;
- (c) to settle family squabbles or minor disputes involving "pemali" or "pantang" in accordance with their respective adats and customary laws and where applicable within the provisions of the Native Courts Ordinance;
- (d) to promote closer link between his anak biaks/ anak kampung and the government; and
- (e) to carry out government instructions from time to time.

6 Participation in politics and business

6.1 Although the Ketua Kaum are not government officers, they are not allowed to take part in active politics.

6.2 There is no restriction for them to participate in business activities.

7. Honorarium

Any Ketua Kaum who has under his charge not less than ten (10) doors of a longhouse or not less than 10 dwelling houses, shall on his appointment be eligible for an honorarium at a flat rate of \$200.00 per year, payable half yearly.

/Fringe Benefits

8. Fringe Benefits

Ketua Kaum are eligible for the following benefits:-

- (a) when called on official business, he will be eligible for:-
 - (i) meal allowance of \$5/- per day;
 - (ii) free accommodation to be arranged by Government or in lieu of free accommodation he may be paid a lodging allowance of \$5/- per night; and
 - (iii) reimbursement of actual transport expenses by the most direct route and economical fare.
- (b) exemption from gun licence fees;
- (c) free supply of Federal and State flags;
- (d) award of Long Service Medal on completion of 20 years' continuous service;
- (e) award of ex-gratia payment to his dependants, where the Ketua Kaum meets his death in the course and arising out of performing his official duties, at a rate to be determined by the government; and
- (f) medical benefits - clarification is being sought from the appropriate authority. Pending a decision on the matter, Ketua Kaum will only be eligible for benefits normally available and enjoyed by an ordinary member of the public.

9. Contribution to Employees Provident Fund

The Ketua Kaum are not required to contribute to the Employees Provident Fund.

10. Office Hours

There shall be no fixed office hours for Ketua Kaum. They will continue to carry out their duties in their respective longhouses or dwelling houses.

/11. Absence

11. Absence from Area

11.1 Any Ketua Kaum who intends to leave his area of jurisdiction for a period of more than one week shall notify his intention to the Penghulu, Sarawak Administrative Officer or District Officer concerned as the case may be.

11.2 Under no circumstances shall a Ketua Kaum leave the State without permission from the Resident of the Division concerned.

12. Retiring Age

There will be no fixed retiring age for Ketua Kaum.

13. Effective Date

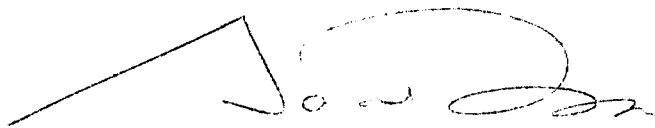
13.1 The payment of honorarium and eligibility for other benefits as prescribed in this Circular will be effective from 1st July, 1980.

13.2 With the issue of this Circular the present Kapitan China, Chinese Area Headmen/Sub-Headmen who are not being absorbed into either the Perkhidmatan Ketua Masyarakat Scheme or the Ketua Kaum Scheme, their appointments are deemed to have lapsed with immediate effect.

14. All District Officers are requested to submit their recommendations to this Office, through their respective Residents, for the appointment of Ketua Kaum in their respective Districts as soon as possible. For this initial exercise, format as per Appendix A may be utilised.

15. Particulars of candidates for the recommendations should be submitted in the format at Appendix A attached.

'HIDUP SELALU BERHIDMAT'



(HAJI SA'AD HASSAN)
for State Secretary,
Sarawak