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LAWS OF SOUTHERN SUDAN

THE CIVIL SERVICE ACT, 2011

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ARRANGEMENT OF SECTIONS

CHAPTER I

PRELIMINARY PROVISIONS

1. Title and Commencement.
2. Repeal and Saving.
3. Purpose.
4. Authority and Application.
5. Scope.
6. Exemptions.
7. Interpretations.
8. Values of the Civil Service.

CHAPTER II

INSTITUTIONS AND POSTS RESPONSIBLE FOR THE
IMPLEMENTATION OF THIS ACT

9. Ministries, Commissions and Public Institutions Responsible for the Employment and Management of Civil Servants, Officials and Employees.
10. Role of the Minister of Public Service.
11. Delegation by the Minister of Public Service.
12. ~~Role of the Minister of Finance and Economic Planning.~~
13. Under-Secretaries and the Most Senior Civil Servants of Commissions and Public institutions.
14. Accountability of Under-Secretaries and Most Senior Civil Servants of Commissions and Public Institutions.
15. Functions of Under-Secretaries and Most Senior Civil Servants of Commissions and Public Institutions.
16. Powers of Under-Secretaries and Most Senior Civil Servants.
17. The Under-Secretary of the Ministry of Labour, Public Service and Human Resource Development.

CHAPTER III

RIGHTS AND OBLIGATIONS OF CIVIL SERVANTS, OFFICIALS AND EMPLOYEES

18. Entitlements of Civil Servants.
19. Rights of Civil Servants, Officials and Employees.
20. Obligations of Civil Servants, Officials and Employees.

CHAPTER IV

POST CLASSIFICATION AND CAREER DEVELOPMENT

21. Civil Service Grade Classification.
22. Career Structure and Principles of Grade Classification.

CHAPTER V

PERSONNEL ESTABLISHMENT

23. Organisation Chart.
24. Establishment Structure.
25. Job Descriptions and Selection Criteria.
26. Nominal Rolls.
27. Personnel Budget.

CHAPTER VI

FILLING VACANCIES AND APPOINTMENTS BY PROMOTION OR RECRUITMENT

28. Recruitment and Promotion Principles.
29. Internal Promotions.
30. Recruitment or Promotion from Outside the Department, Ministry, Commission or Public Institution Concerned.
31. Procedures for Recruitment and External Promotion.
32. Selection Criteria.
33. Appointment Processing.
34. Recruitment Standards.
35. Recruitment Interviews.
36. New Appointees from Outside the Civil Service.
37. Induction Programme and Probation for New Appointees from Outside the Civil Service
38. SPLM/SPLA Personnel.
39. Election to the Legislative Assemblies

- 40. Temporary Employment
- 41. Transfer.
- 42. Secondment.

CHAPTER VII

REMUNERATION OF CIVIL SERVANTS, OFFICIALS AND EMPLOYEES

- 43. Purpose of Remuneration in the Civil Service.
- 44. Types of remuneration.
- 45. Basic Salary.
- 46. Social Benefits.
- 47. Skilled and Unskilled Worker Grades and Pensions.
- 48. Personal Allowances.
- 49. New Appointees' and Transferees' Moving Costs.
- 50. Benefits in kind.
- 51. Travel Allowances.
- 52. Government Housing.
- 53. Medical Benefits.
- 54. Overtime.
- 55. Financial Advances.
- 56. Authority to Approve Allowances.
- 57. Salary Payment Frequency.
- 58. Review of Government Salary Rates.

CHAPTER VIII

AWARD OF SALARY INCREMENT

- 59. Basic Principle of Salary Adjustments.
- 60. Increment Entitlement.
- 61. Increments and Grades.
- 62. Increments and Appointment.

CHAPTER IX

PERFORMANCE EVALUATION

- 63. Purpose and Principles of Performance Evaluation.
- 64. No Performance Evaluation before Six Months.
- 65. Performance Benefit.

66. Performance Standards and Ranking Methods.
67. Performance Ranking and Seniority.
68. Staff Member Input into Performance Evaluation and Reward for Performance.
69. Confidentiality of Performance Evaluations.

CHAPTER X

TRAINING AND DEVELOPMENT

70. General Provisions in Relation to Training and Development.

CHAPTER XI

STAFF LEAVE

71. Leave is a Right.
72. Approval of Leave.
73. Paid leave.
74. Leave without Pay.
75. Leave Schedule.
76. Public Holidays and Occasions.
77. Commencement and Expiration of Leave.
78. Travelling Days.
79. Leave Certificate.
80. Overspending of Leave.

CHAPTER XII

REDUNDANCY AND REDEPLOYMENT

81. Redundancy and Redeployment.

CHAPTER XIII

TERMINATION OF SERVICE

82. Termination.
83. Resignation.
84. Retirement.
85. Early Retirement.
86. Redundancy.
87. Severance Compensation.
88. Dismissal.
89. Absence from Duty without Permission.
90. General Principles in Relation to Terminal Benefits
91. Separation Procedures.

- 92. Transport for Terminated Civil Servants.
- 93. Pensions.
- 94. Authority to Approve Termination.

CHAPTER 14

DISCIPLINE

- 95. Discipline.
- 96. Code of Conduct.

CHAPTER XV

ADMINISTRATIVE AND LEGAL GRIEVANCES

- 97. Grievances Concerning Decisions in Summary and Board of Proceedings. Discipline
- 98. Violation of Rights by Public Authorities.

CHAPTER XVI

MISCELLANEOUS PROVISIONS

- 99. Regulations and Other Instruments.

Schedule 1
Schedule 2
Schedule 3
Schedule 4

LAWS OF SOUTHERN SUDAN

THE CIVIL SERVICE ACT, 2011

In accordance with the provisions of Article 59 (2) (b) read together with Article 85 (1) of the Interim Constitution of Southern Sudan, 2005, the Southern Sudan Legislative Assembly, with the assent of the President of the Government of Southern Sudan hereby enacts the following-

CHAPTER I

PRELIMINARY PROVISIONS

1. Title and Commencement.

This Act may be cited as "The Civil Service Act, 2011," and shall come into force on the date of its signature by the President.

2. Repeal and Saving.

Any provisions of existing legislation in Southern Sudan, which are governed by this Act are hereby repealed; *provided that*, all proceedings, orders and regulations taken or made thereunder, except to the extent that they are cancelled by or are otherwise inconsistent with the provisions of this Act, shall remain in full force or effect, until such time as they shall be lawfully repealed or amended in accordance with the provisions of this Act.

3. Purpose.

The purpose of this Act is to provide for the regulation and governance of the Civil Service of the Government of Southern Sudan and

- (a) to provide a legal framework for the effective, affordable and fair employment and management of civil servants, officials and employees;
- (b) to establish a civil service that is efficient and effective in the service of the government and people of Southern Sudan;
- (c) to establish a management framework that promotes integrity, excellent performance and merit;
- (d) to establish the rights and obligations of civil servants, officials and employees; and
- (e) to establish principles for the remuneration of civil servants, officials and employees.

4. Authority and Application.

- (1) This Act is drafted in accordance with the provisions of Article 141 of the Interim Constitution of Southern Sudan, 2005, which vests in the Government



of Southern Sudan the authority to establish a Civil Service that shall engage in the types of activities provided for in this Act.

- (2) The provisions of this Act shall apply throughout Southern Sudan in all matters related to the Civil Service of the Government of Southern Sudan.

5. Scope.

With the exception of the categories of Government, civil servants, officials and employees of the institutions listed under Section 6 below of this Act, all Government civil servants, officials and employees are subject to the application of the provisions of this Act.

6. Exemptions.

The following Government institutions as hereunder mentioned shall be exempted from the application of this Act, and they are—

- (a) Constitutional Post-holders and Southern Sudan Legislative Institutions
- (b) the Judiciary;
- (c) all Legal Counsels, employed by the Ministry of Legal Affairs and Constitutional Development;
- (d) the Sudanese People's Liberation Army (SPLA); and
- (e) the Police, Prison Service, Fire Service, Civil Defence and Wildlife Services.

7. Interpretations.

In this Act, unless the context otherwise requires, the following words and expressions shall have the meanings assigned to them respectively:

"Active Service" means a civil servant, official or employee who is filling the post to which he or she has been appointed and he or she is carrying out the duties and responsibilities attached to that post;

"Administrative Status" means the status of a civil servant, official or employee at any particular time in his or her service and shall be one of: active service, leave, suspension from duty, or secondment. The rights and obligations of a Civil servant, official or employee with regard to post, salary, benefits and allowances shall be governed by, among other matters, the administrative status of that Civil servant, official or employee,

"Allowance" means additional payments made by the Government to the basic salary in order to compensate civil servants, officials and employees for—

- (a) the responsibilities attached to certain posts;
- (b) the execution of functions which are considered to be of high priority or interest or which relate to the achievement of special social or economic objectives;
- (c) special conditions related to a post, for example feeding allowances;
- (d) certain expenses that civil servants, officials and employees incur or are likely to incur in the exercise of their duties;
- (e) professional and technical allowances.

“Appropriate Minister” when used in relation to a Ministry, means the Minister who is for the time being appointed in accordance with the Constitution, to be responsible for the administration of that Ministry;

“Breach of conduct” means conduct or an action or omission by a civil servant, official or employee which constitutes a violation of the stipulations of this Act related to values, principles, rights, obligations conflict of interest or of the standards of conduct as set forth on the Code of Conduct;

“Capacity Building Unit” means the Directorate of the Ministry of Labour, Civil Service and Human Resource Development responsible for the co-ordination and initiation of programmes for the training of government employees;

“Career seniority” means the number of years or months that a civil servant, official or employee has accumulated, as a civil servant, official or employee, under this Act;

“Civil Service” means the Civil Service of the Government of Southern Sudan established in accordance with Article 141 of the Constitution and shall include: the Government civil service, Government Commissions, and other Government public institutions and corporations; but shall exclude ministers, presidential advisers, commissioners, the legislature, the judiciary, legal counsels of the Ministry of Legal Affairs and Constitutional Development, the Sudan People’s Liberation Army (SPLA), the Government police and other disciplined forces, and the state and local government services except as set forth in this Act;

“Classification” means a specified level or grade and related salary range which is assigned to a civil servant, official or employee on a scale determined by the government in accordance with the provisions of this Act ;

“Code of Conduct” means the Code of Conduct for the Civil Service of Southern Sudan, 2008, issued by the Ministry of Labour, Civil Service and Human Resource Development;

“Conflict of interest” means the circumstances where a civil servant, official or employee, or his or her immediate family might gain, or be seen to be in a position to gain, improperly a personal or collective benefit or advantage from the performance or non-performance of his or her official duties;

“Constitution” means the Interim Constitution of Southern Sudan, 2005;

“Contractual Employee” means an employee employed under a contract in accordance with the Labour Law currently in force or other Employment and Labour Act subsequently promulgated;

“Director General” means any civil servant, official or employee who is managing a Directorate in the Civil Service;

“Director” means any civil servant, official or employee who is managing a Department in the Civil Service;

“Directorate of Establishment” means the Directorate in the Ministry of Labour, Public Service and Human Resource Development responsible for the day-to-day implementation of the Civil Service Act;

“Dismissal” means discharge from the Civil Service for disciplinary reasons;

“Establishment” means all staffing structures of all ministries and equivalent organizations that are approved by The Ministry of Public Service, covered by this Act;

“Establishment Structure” means a list drawn up by each ministry showing by directorate or other unit the permanent posts by title and grade that the ministry or institution requires to execute the functions assigned to it;

"External Promotion" means the process of raising a civil servant, official or employee to a post of a higher grade when that civil servant, official or employee is already occupying a post outside the department or ministry concerned;

"Government" means the Government of the Southern Sudan;

"Grade seniority" means the number of years or months of active duty, the civil servant, official or employee has accumulated in his or her current grade;

"Head of Unit" means the civil servant, official or employee responsible for a Ministry, directorate, department, division or other administrative sub-division in the Government of Southern Sudan;

"Internal Promotion" means the process of raising a civil servant, official or employee to a post of higher grade when that civil servant, official or employee is already occupying a post within the department or ministry concerned;

"Leadership Post" means posts placed in Grade 3 and above;

"Leave" means the circumstance where a civil servant, official or employee has an authorised and temporary interruption from his or her work or duties;

"Ministry" means a Government unit or authority constituted as a Ministry in accordance with the Constitution;

"Merit principle" means and refers to the principle that, the prime consideration for an appointment, promotion or transfer under this Act should be that of merit, ie, the capacity of the person to perform particular duties, having regard to the person's knowledge, skills, qualifications, experience and personal attributes and the potential for future development of the person in employment in the Civil Service;

"Nominal Roll" means the list of approved and budgeted posts within any Managing Ministry in the Public Service, to which persons may be appointed as civil servants officials or employees. In the nominal rolls, the posts are hierarchically ordered and directly linked to the salary and career structure;

"Organisation Chart" means an illustration setting out the organisation of the Managing Ministry or institution by directorate and department or other administrative sub-divisions of the Managing Ministry or institution;

"Personnel Management Information System" means systematic procedures for collecting, storing, maintaining, retrieving and validating comprehensive data needed by an institution about the situation of its human resources;

"Personnel Records" means the official records of the government employees containing the employee's name, age, date of appointment, classification and remuneration, qualifications, training, disciplinary and other management action, and any other particulars as determined by the Government;

"Post" means a collection of duties, responsibilities and powers approved by The Ministry of Civil Service that a single individual may be assigned with the objective of achieving the service attached to the post to the benefit of the client and unit to which he or she belongs;

"President" means the President of the Government;

"Probation" means an orientation period, the purpose of which is to socialise the new appointees into the culture of the Civil Service, and to provide them with the necessary information in order to function efficiently on their job and to establish a timeframe during which new appointees have to prove their moral and professional suitability for a career in the Civil Service and to demonstrate the appropriate skills, abilities and commitment to perform their job;

"Probationer" means a civil servant, official or employee employed on probation under Chapter VI of this Act;

“*Public institution*” means a public body, agency or corporation that falls under this Act as a Managing Ministry, but has not been constituted as a Ministry or Commission;

“*Civil Servant, Official, Employee*” means any individual who is recruited and appointed, in accordance with this Act, to a post in the Civil Service of the Government of Southern Sudan;

“*Recruitment*” means the process through which new appointments to the Civil Service are made. Recruitment and appointment of personnel into the Civil Service shall be through free and fair open competition and merit;

“*Redundancy*” means discharge from the Civil Service as a result of the abolition of a post;

“*Regulations*” means Civil Service Regulations, 2008 issued in accordance with the provisions of this Act by the Ministry;

“*Remuneration*” means payment or compensation received for services or employment including the basic salary and any allowances or other economic benefits, whether in the form of money or in kind, that an employee receives during employment;

“*SPLM/SPLA Personnel*” means a member of the Southern Sudan People’s Liberation Movement or a member of the Southern Sudan People’s Liberation Army;

“*Temporary Employee*” means a person employed in the Civil Service on a temporary basis and includes an employee employed on a fixed term contract (contractual employee);

“*Termination*” means the voluntary or involuntary loss of Administrative Status and the termination of Civil Service. Termination may be the result of: resignation, retirement, death, dismissal, redundancy, unfitness or appointment to a constitutional post; and other matters as set forth under section 83 of this Act;

“*Terminal Benefits*” means those monetary and non-monetary benefits to which civil servants, officials and employees are entitled on termination of service including severance compensation where applicable and transport to place of original domicile;

“*The Minister*” means the Minister responsible for the Civil Service of the Government;

“*The Ministry*” means the Ministry responsible for the Civil Service of the Government;

“*Under-Secretary*” means a civil servant, official or employee appointed by the President to be the chief executive officer of a Managing Ministry and includes the most senior civil servant of a Government Commission or public institution; and

“*Unit*” means any department, division or other administrative sub-division in the Government of Southern Sudan.

8. Values of the Civil Service.

The Civil Service shall be governed by, *inter alia*, the following values and principles as provided in the Constitution at Article 142(1)—

- (a) A high standard of professional ethics shall be promoted and maintained through focusing on merit and training;
- (b) Efficient, economic and effective use of resources shall be promoted;
- (c) Civil Service shall be development oriented;
- (d) Services shall be provided to all persons impartially, fairly, equitably and without bias or discrimination on the basis of religion, ethnicity, region, gender, health status or physical disability.

- (e) Needs of the people shall be appropriately addressed, and the civil shall be encouraged to participate in policymaking;
- (f) Civil Service shall be accountable to the appropriate level of government.
- (g) Transparency shall be fostered by providing the civil with timely, accessible and accurate information;
- (h) Good human-resource management and career-development practices to maximise human potential, shall be cultivated;
- (i) Civil Service shall be broadly representative of the people of Southern Sudan, with employment and personnel management practices based on ability, objectivity, fair competition for jobs, and the need to redress any imbalances of the past to achieve broad representation through the affirmative action;
- (j) Persons with special needs shall be provided with specialized and appropriate training opportunities;
- (k) The Civil Service shall function, and be structured, in accordance with the law; it shall execute the policies of the government;
- (l) Civil servants shall not engage in party politics; no civil servant may be favoured or victimized because of his or her political opinion; any civil servant seeking an elective office shall resign from the Civil Service; and
- (m) All levels of government in Southern Sudan shall be responsible for the recruitment, appointment, promotion, transfer and dismissal of employees of the civil service in their administrations guided by uniform norms and standards set out in this Constitution and the law.

CHAPTER II

INSTITUTIONS AND POSTS RESPONSIBLE FOR THE IMPLEMENTATION OF THIS ACT

9. Ministries, Commissions and Public Institutions Responsible for the Employment and Management of Civil Servants, Officials and Employees.

- (1) The Government shall be the employer of all civil servants, officials and employees in the Civil Service governed by this Act. Government shall employ each civil servant, official and employee through the Managing Ministry for that civil servant.
- (2) The Managing Ministry through which the Government employs and manages civil servants, officials and employees shall be liable for employment and management decisions which they make and employment and management matters for which they are responsible under this Act and any other law.

10. Role of the Minister of Public Service.

The Minister of Public Service is responsible to—

- (a) monitor and coordinate the correct implementation of this Act;
- (b) propose to the Council of Ministers draft policies, draft legislation and draft regulations required to ensure the correct implementation of this Act and the efficient and cost-effective management of human resources in the Civil Service;

- (c) advise Appropriate Ministers on policies, practices and procedures that should be applied, in accordance with the existing laws and regulations, to any aspect of human resource management in the Civil Service generally or in Managing Ministries for which they have responsibility;
- (d) determine, in collaboration with the Civil Service Commission and relevant government Ministries and institutions, organisational and structural changes which, in the opinion of The Minister of Public Service, are needed to improve the efficiency, affordability and effectiveness of the Civil Service and its operations;
- (e) propose to Appropriate Ministers appropriate action in response to redundancy in the Civil Service;
- (f) ensure that human resource planning for the future management of the Civil Service is carried out in collaboration with the Civil Service Commission;
- (g) review the efficiency and effectiveness of any aspect of Civil Service operations through human resource audit exercises, in collaboration with the Civil Service Commission;
- (h) review periodically, in consultation with the Minister of Finance and Economic Planning and the Advisory Committee established for that purpose, the salary scales of civil servants, officials and employees in order to adjust salary levels so that they are affordable and to reflect changes in the cost of living or in the economic situation of Southern Sudan;
- (i) develop and maintain a personnel management information system linked to the budget in collaboration with the Minister of Finance and Economic Planning; and
- (j) performing any other functions or powers assigned to him or her by law or through delegation.

11. Delegation by the Minister of Public Service.

The Minister of Public Service may, in writing, delegate to the Under-Secretary and the Director of Establishment of the Ministry of Labour, Public Service and Human Resource Development or to the Under-Secretaries of Ministries, any of the functions and powers under this Act, other than this power of delegation. Such delegations may be revocable and, may contain such conditions as The Minister of Public Service decides within the law.

12. Role of the Minister of Finance and Economic Planning.

- (1) The Minister of Finance and Economic Planning shall be under the duty to—
 - (a) propose to the government, in consultation with the Minister of Public Service, draft policies, legislations and regulations on the financial management of civil servants, officials and employees necessary to ensure the correct application of this Act;
 - (b) ensure, in collaboration with The Minister of Public Service, the control of the wages Act in relation to the evolution of the workforce in the Civil Service;
 - (c) in collaboration with the Minister of Public Service, shall recommend to the Council of Ministers budgetary ceilings for annual personnel expenditures and the approval of budget submissions from each ministry and civil institution for personnel, and

- (d) propose to the government, together with the Minister of Public Service, regulations related to the issuance and management of allowances and benefits for civil servants, officials and employees.
- (2) The Minister of Finance and Economic Planning shall issue an annual report to the Council of Ministers about the Civil Service, informing the government and the Southern Sudan Legislative Assembly on the budget line for wages, allowances and total remuneration per Ministry and making an assessment of their affordability in relation to the overall Government budget.

13. **Under-Secretaries and the Most Senior Civil Servants of Commissions and Public institutions.**

There shall be an Under-Secretary for each Ministry. The Under-Secretary shall be appointed and removed by the President of the Government of Southern Sudan on the recommendation of the Appropriate Minister and in accordance with the principles defined in this Act. The most senior civil servant of a Commission or public institution shall be appointed under the relevant Act.

14. **Accountability of Under Secretaries and Most Senior Civil Servants of Commissions and Public Institutions.**

- (1) An Under-Secretary shall be responsible to the Appropriate Minister for the performance of his or her duties and functions under this Act and for the proper, efficient and economic administration of his or her Ministry.
- (2) The most senior civil servant of a Commission or public institution is responsible to the relevant Chairperson or other position appointed by the President for performing his or her duties and functions under this Act and for the proper, efficient and economic administration of his or her Commission or public institution.
- (3) An Under-Secretary or most senior civil servant of a Commission or public institution shall comply with all the Regulations and employment instructions applicable to him or her and shall comply with any other lawful directives given under this Act.

15. **Functions of Under-Secretaries and Most Senior Civil Servants of Commissions and Public Institutions.**

With regard to the implementation of this Act, an Under-Secretary or most senior civil servant of a Commission or public institution has the following functions in relation to his or her Ministry, Commission or public institution—

- (a) to be the Appointing Officer for all civil servants, officials and employees on Grades lower than Super Grade;
- (b) to direct the management and supervision of civil servants, officials and employees;
- (c) to ensure that any administrative and performance objectives set by the appropriate Minister or Chairperson are achieved and that the decisions of the

appropriate Minister are executed provided that it is in accordance with existing laws, regulations, procedures and practices.

- (d) to design the Organisational Charts, and related Establishment Structures for approval by the government;
- (e) to ensure that the directives given by the Ministry of Public Service in relation to the classification of civil servants, officials and employees are observed;
- (f) to assign duties and functions to be performed by civil servants, officials, employees and temporary employees within the ministry or commission;
- (g) to monitor the performance of civil servants, officials, employees and temporary employees and to implement measures to improve their performance;
- (h) to ensure that the conduct of the civil servants, officials and employees is in accordance with the Code of Conduct and the Regulations emanating from this Act and to monitor and ensure the implementation of the Disciplinary provisions of this Act within the relevant Ministry, Commission or public institution;
- (i) in collaboration with the Capacity Building Unit of The Ministry of Public Service, to assist civil servants, officials and employees to undertake relevant training, education and development programmes;
- (j) to devise and implement management plans and monitor the administrative performance of the relevant Ministry, Commission or public institution;
- (k) to devise and implement programmes to ensure that civil servants, officials, employees and temporary employees have equal opportunities in relation to their employment in accordance with the merit principle;
- (l) to ensure the application of appropriate health and safety standards and programmes; and
- (m) to perform such other functions as are required of Under-Secretaries and the most senior civil servants of Commissions and public institutions under this Act or any other law.

16. Powers of Under-Secretaries and Most Senior Civil Servants.

- (1) An Under-Secretary or most senior civil servant of a Commission or a public institution shall have the power to carry out his or her functions, or exercise his or her powers, under this or any other law.
- (2) The Under-Secretary or most senior civil servant of a Commission or public institution may, in writing, delegate to civil servants, officials and employees within his or her relevant Ministry any of the functions and powers under this Act, other than this power of delegation. Such delegations may be revoked at any time and may contain such conditions as the Under-Secretary or most senior civil servant of a Commission or public institution may decide in accordance with the law.

17. The Under-Secretary of the Ministry of Labour, Public Service and Human Resource Development.

- (1) The Under-Secretary of The Ministry of Public Service shall act on behalf of The Minister of Public Service and shall be responsible for coordinating and supervising the implementation of the provisions of this Act.

- (2) Under the directives of the Under-Secretary, the Directorate of Establishment shall be responsible for the preparation and implementation of policies concerned with the management of government structures and their personnel.

CHAPTER III

RIGHTS AND OBLIGATIONS OF CIVIL SERVANTS, OFFICIALS AND EMPLOYEES

18. Entitlements of Civil Servants.

- (1) All civil servants, officials and employees are entitled to rights in relation to their conditions of service including the right to seek redress for alleged violations of these rights from their Managing Ministry or the Government. The Under-Secretary of each relevant Ministry and the senior civil servants, officials and employees of Commissions and institutions shall be responsible for ensuring the rights provided for under section 20 below are respected and enforced.
- (2) Obligations in relation to the Government are vested in all civil servants, officials and employees. Failure to exercise those obligations shall constitute a breach of conduct and may result in disciplinary action. The Head of Unit is responsible for initiating disciplinary action against civil servants, officials and employees alleged to have breached any obligation provided in section 21 below.

19. Rights of Civil Servants, Officials and Employees.

All civil servants, officials and employees are entitled to the following rights and duties—

- (a) not be discriminated against in respect of remuneration, terms, conditions, benefits and ~~privileges of service on grounds of gender, marital status, ethnic origin, political affiliation, ideology, economic condition, religious or philosophical belief, cultural origins, or social opinions;~~
- (b) equal rights for women and men in recruitment, promotion, and remuneration;
- (c) to be provided adequate, safe and healthy working conditions;
- (d) to work within equitable, enabling and competent management and to be treated with respect at all times;
- (e) to receive the information required to perform their duties in an effective and timely manner;
- (f) to expect to be provided with the resources required to allow them to carry out his or her official duties;
- (g) to receive a lifelong monthly pension on retirement from the Civil Service;
- (h) to adequate protection against: threats, abuses that include violence and sexual harassment, sexually derogatory statements, unwanted, unsolicited or repeated verbal insults or slander to which they may be subjected during the exercise of their functions and duties

- (i) to legal representation should a civil servant, official or employee be accused by a third party regarding any act or omission committed in the exercise or performance of his or her official functions and duties; provided that such acts or omissions are committed in good faith; and
- (j) to have access to their Personal Records and to obtain copies of documents therein, at their own expense.

20. Obligations of Civil Servants, Officials and Employees.

- (1) All civil servants, officials and employees shall have the following obligations when performing their official duties—
 - (a) civil servants, officials and employees shall provide services to the public efficiently, effectively and equitably, in accordance with the laws and regulations;
 - (b) to provide the public with information to which they have access and which is related to their function but does not breach the obligations of discretion and confidentiality;
 - (c) to not conceal or remove documents or obstruct the exercise of public functions;
 - (d) to maintain professional confidence with regard to documents, facts or information that they may have access to during their service;
 - (e) to occupy the post which they are appointed against;
 - (f) to comply with the laws and regulations and the lawful instructions and orders of their supervisors,
 - (g) to report any circumstance likely to be considered as a breach or violation of this Act or any other law or Regulation in force;
 - (h) a civil servant, official or employee shall not have any direct or indirect interest in any public or private organization liable to create a conflict between their private interests and the duties associated with their official duties and functions;
 - (i) a civil servant, official or employee who believes that he or she may have a conflict of interest in relation to any official duties or functions must inform his or her supervisor of the conflict of interest;
 - (j) a civil servant, official or employee shall not hold, concurrently, more than one remunerated permanent post in the Civil Service;
 - (k) a civil servant, official or employee shall not hold concurrently a remunerated post in the Civil Service together with a remunerated post, whether permanent or temporary, in any other organisation; and
 - (l) civil servants officials and employees shall not undertake any private professional activities during official working hours.
- (2) The further rights and obligations of civil servants, officials and employees are set forth in the Regulations.

CHAPTER IV

POST CLASSIFICATION AND CAREER DEVELOPMENT

21. Civil Service Grade Classification.

- (1) The Grade Classification of the Civil Service is comprised of six (6) categories of staff—
 - (a) Leadership;
 - (b) Super Grade
 - (c) Administrative and Professional;
 - (d) Technical and Para- professional;
 - (e) Skilled Worker; and
 - (f) Unskilled Worker.
- (2) Civil Service Grade Classifications including examples of the nature and title of posts included in each Grade are as set forth in Schedule 1.

22. Career Structure and Principles of Grade Classification.

- (1) The career structure of the Civil Service shall be divided into categories, grades and increment steps. Levels shall be identified by their numbers.
- (2) The classification system for the careers and salaries of the civil servants, officials and employees shall be based on the levels of education and the complexity of the tasks to be performed in each post.
- (3) Each grade, with high level exceptions, shall include a wide variety of jobs and posts, notwithstanding that all jobs and posts included under a grade shall require similar levels of responsibility.
- (4) A grade applies to a post and not an individual. While the individual shall receive the benefits accorded to the grade while he or she fills the post in question, these benefits shall cease or change when shifted or promoted to a new post.
- (5) Grades shall be subdivided into increment steps as provided in Chapter VIII. Each increment step corresponds to a basic salary. Subject to subsection (6) below of this section, a newly appointed civil servant, official or employee shall enter the career structure in the first step of his or her grade.
- (6) In accordance with conditions set forth in the Regulations, under exceptional circumstances, a newly appointed civil servant, official or employee may enter the grade at a higher increment step where the years of professional experience in other bodies of state administration, in international organisations or in the private sector are taken into consideration by the Appointing authority.

CHAPTER V

PERSONNEL ESTABLISHMENT

23. Organisation Chart.

- (1) Each Ministry, Commission and public institution shall prepare an organisation chart illustrating the organisation of the Ministry, Commission or public institution by directorate and department or other administrative subdivisions of the Ministry, Commission or public institution.
- (2) The organisation defined shall be such that it enables the Ministry, Commission or public institution to effectively and efficiently implement the functions that have been mandated to it.
- (3) The organisation chart shall include a summary scope of work that is assigned to each unit within the Ministry, Commission or public institution. Further rules covering the content of organisation charts shall be set forth in Regulation.
- (4) The scope of work for a directorate or other unit shall be comprised of a brief description of all functions, duties and responsibilities that have been assigned to that unit. Model scopes of work shall be issued by way of circular by The Ministry of Public Service as a guidance to all Ministries, Commissions and public institutions.
- (5) The organisation chart shall be submitted to The Ministry of Public Service in accordance with the provisions of a Regulation or circular.

24. Establishment Structure.

- (1) Each Ministry, Commission or public institution shall prepare an Establishment Structure that lists, by directorate or other unit, the permanent posts that the Ministry, Commission or public institution requires to execute the functions assigned to it. The Establishment Structure shall be in accordance with the Organisation Chart and shall provide the title and grade of each post as detailed in the Regulations. The Establishment Structure shall not be restricted by the level of personnel expenditures budgeted for any financial year but shall represent the staffing target for the Ministry, Commission or public institution.
- (2) The Establishment Structure of each Ministry, Commission or public institution shall be submitted to and approval shall be given by The Ministry of Public Service, in accordance with the Regulation or circular.
- (3) Requests to create additional posts or to abolish existing ones shall be submitted to The Ministry of Public Service for review. The Ministry of Public Service shall issue a decision notification to the concerned ministry with a copy to the Ministry of Finance and Economic Planning.

- (4) A model Establishment Structure shall be issued by The Ministry of Public Service as guidance to all ministries and institutions.

25. Job Descriptions and Selection Criteria.

- (1) The Under-Secretary of each Ministry, Commission or public institution shall be responsible for preparing and maintaining a job description in relation to each post in the institution's Establishment Structure other than for Skilled and Unskilled Worker posts.
- (2) A job description shall provide a summary statement of the main duties and responsibilities of the post as follows—
- (a) the selection criteria relevant to the post, being a summary statement of the knowledge, skills, experience, qualifications and personal attributes necessary or desirable for the competent performance of those duties and responsibilities in addition to the selection criteria set forth at sections 31 and 32 below;
 - (b) A list of the duties for which the post-holder is responsible together with the post to which the post holder is to report; and
 - (c) a reference to the statutory title and level/grade in accordance with the Grade Classification set forth in Schedule 1 of this Act.
- (3) The job description and selection criteria for each post shall be a public document;
- (4) The job description and selection criteria for a post shall be required to be considered by the Ministry, Commission or public institution in making any recommendation or decision related to—
- (a) selecting a candidate for appointment or promotion to the post;
 - (b) assigning work, and assessing and managing the performance of the occupant of the post;
 - (c) assessing the needs and prospects of the occupant for training and development; and
 - (d) determining whether in relation to the occupant of the post a conflict of interests exists or may reasonably appear to exist.
- (5) Each Under-Secretary shall ensure that all job descriptions and selection criteria statements relating to approved posts in his or her Ministry, Commission or public institution are reviewed at least every two years; and
- (6) Model job descriptions shall be prepared by The Ministry of Public Service for posts or jobs that are similar in nature, and such model job descriptions shall serve as a benchmark for the identification of performance standards to be used in the performance evaluation of civil servants, officials and employees.

26. Nominal Rolls.

- (1) The Nominal Roll of a Ministry, Commission or public institution shall provide the maximum number of staff that may be employed in the Ministry, Commission or public institution in accordance with the approved budget, the

organisation chart of the Ministry, Commission or public institution, and the establishment structure of the Ministry, Commission or Civil institution.

- (2) For each directorate in a Ministry, Commission or public institution, the Nominal Roll shall provide the title and number of posts in each level/grade of the Directorate that shall be funded through the Government budget for the year in question.
- (3) Each Ministry, Commission or public institution shall prepare an annual personnel budget proposal derived from the organisation chart and establishment structure. The personnel budget proposal is to be presented to The Ministry of Public Service for review prior to its submission to the Ministry of Finance and Economic Planning.
- (4) The number of posts and staff included in the Nominal Roll for any financial year shall be determined by budget resources and ceilings. A Ministry, Commission or public institution may only recruit staff when payment of their full remuneration is provided for in the annual budget. Each Ministry, Commission or public institution's pay roll is defined by its approved Nominal Roll.
- (5) The number of staff in a grade and overall in the Nominal Roll of a Ministry, Commission or public institution shall not exceed the numbers included in the approved Establishment Structure. Nominal Rolls that are in accordance with the approved budget may be less than the Establishment Structure.
- (6) The Nominal Rolls shall be approved by The Ministry of Public Service according to approved personnel budget ceilings. Once approved, The Ministry shall issue an approval notification to the concerned Ministry, Commission or public institution with a copy to the Minister of Finance and Economic Planning.

27. **Personnel Budget.**

- (1) Only payment of staff in Skilled and Unskilled Worker Grades may be authorized by the individual Ministry, Commission or public institution. All the other payments made against the personnel budget that are related to salaries and allowances shall be authorized by The Ministry of Public Service in accordance with the approved rates of pay and allowances current to that budget period.
- (2) All authorizations for payment of salaries and allowances shall be within the range of the approved posts in the Nominal Roll of the year in question.

CHAPTER VI

FILLING VACANCIES AND APPOINTMENTS BY PROMOTION OR RECRUITMENT

28. Recruitment and Promotion Principles.

- (1) Recruitment or promotion is a procedure through which a selected person is appointed to a vacant post in the Civil Service, for the performance of the duties of a civil servant, official or employee.
- (2) Recruitment or promotion shall be exclusively dependent upon the applicant's suitability for the post and shall not be decided on grounds of race, creed, sex or religion, etc., unless specified otherwise by the Constitution, relevant Government policy on gender or any other law.
- (3) Where possible, vacancies shall be filled by internal promotion.
- (4) Appointment, whether by recruitment or promotion shall only occur after the decision by the relevant Head of Unit that recruitment or promotion of staff to a vacant post is necessary. In order for a post to be filled it must be vacant, have funds allocated to it in the budget, and be in the approved Nominal Roll.
- (5) In all promotions from within the Civil Service, no further probation is normally required. However, if any new post has special skills or special physical requirements, then the civil servant, official or employee may be required to undergo training or orientation prior to taking his or her new post.

29. Internal Promotions.

- (1) If the Head of Unit supervising the post ascertains that a post is vacant and likely to be filled by internal promotion from within the department or Ministry, Commission or public institution in which the post exists, that Head of Unit shall—
 - (a) ~~identify the posts and levels of grades eligible to compete for promotion;~~
 - (b) request actions to identify candidates; and
 - (c) form a Promotion Committee to select a suitable candidate from a list of qualified candidates.
- (2) Members of the Promotion Board must hold posts of a higher grade than that being filled.
- (3) The assessment of each candidate for internal promotion will be made against the selection criteria set forth in section 33 below.
- (4) The procedures to be followed in forming Promotion Committees shall be set forth in the Regulations.

30. Recruitment or Promotion from Outside the Department, Ministry, Commission or Public Institution Concerned.

- (1) Where a suitable candidate for promotion cannot be identified within the Department or Ministry, Commission or public institution concerned then the appointment process shall be opened to either—
 - (a) the whole Civil Service; or
 - (b) open competition.
- (2) The decision by the Under-Secretary shall depend on the nature of the position to be filled and whether the necessary skills are likely to be found within the Civil Service.
- (3) Where an approved post is vacant, and the Head of Unit wishes to fill the post by open competition, he or she shall—
 - (a) arrange for the post to be advertised as required; and
 - (b) Choose the most suitable selection competition to fill the post in accordance with the provisions of this Act for the recruitment, promotion, mobility and transfer of civil servants, officials and employees.
- (4) The Departmental Recruitment Board shall determine the order of merit of the applicants in the competition, after considering both the information provided by the applicants and the information gathered by the Board through the interview. The Board shall recommend to the Under-Secretary of the Ministry, Commission or public institution concerned its preferred candidate for appointment.

31. Procedures for Recruitment and External Promotion.

- (1) Where the selection competition is opened to competitive promotion across the whole Civil Service or recruitment from outside the Civil Service, the selection process shall take into account the principles of freedom to apply, equal conditions and opportunities for all applicants, and fair procedures guaranteed by—
 - ~~(a) a widely advertised announcement of the vacant post in all established forms of mass media available over a period of not less than two weeks;~~
 - (b) an impartial Ministerial or Departmental Appointment Board;
 - (c) objective assessment methods and criteria;
 - (d) the participation of a representative of The Ministry of Public Service to ensure all practices and procedures laid down in the law and regulations are followed; and
 - (e) the applicant's right to appeal an appointment or promotion decision.
- (2) Any advertisement of a vacant post shall include all necessary information including but not limited to—
 - (a) the title and grade of the post;
 - (b) minimum educational qualifications required,

- (c) a description of the duties and responsibilities.
- (d) the date by which applications must be lodged and
- (e) where the application is to be submitted

(3) Where a civil servant, official or employee wishes to apply for such a vacant post he or she shall submit his or her application through the head of his or her unit. The head of unit is obliged to pass the application to the relevant authority together with his or her comment on the suitability of the candidate

32. Selection Criteria.

The selection criteria set out below, shall apply in descending order of importance in all promotion and recruitment selection processes—

- (a) years of experience in the post (or its equivalent) to be filled or service in the SPLA;
- (b) satisfactory references or other assessment of past performance (e.g. service in the SPLM/SPLA);
- (c) relevant Education (as appropriate to the post to be filled)—
 - (i) University/Higher Institute Degree/Diploma;
 - (ii) Vocational Training;
 - (iii) Secondary School Certificate,
 - (iv) Primary;
 - (v) Informal training;
- (d) gender balance;
- (e) functional literacy in English;
- (f) geographic balance; and
- (g) Computer literacy.

33. Appointment Processing.

- (1) No appointments, promotions or terms of service for any appointments at any levels above Grade 11 shall be effective before the issuance of a formal letter of clearances and appointments by The Ministry of Public Service.
- (2) All such formal letters of appointments shall set forth the post to which individual has been appointed, scale, salary range a brief description of the job and a summary of responsibilities
- (3) All Civil Service appointments, other than those to Skilled and Unskilled Worker grades shall be processed through The Ministry of Public Service.
- (4) Before a formal letter of appointment is issued, The Ministry of Public Service shall verify whether the selection process has followed the approved selection criteria. The Internal Audit Section of the Ministry of Finance and Economic Planning shall be served with a copy of the letter of appointment.
- (5) All new appointees from outside the Civil Service shall be appointed to the first step of appropriate salary grade except for those who have gained experience elsewhere and those with post graduate degree.

- (6) The Minister of Public Service, in consultation with the concerned ministries, shall seek ways to limit the requirements of physical fitness to enable access to the Civil Service by disabled candidates

34. Recruitment Standards.

Any person seeking recruitment to the Civil Service shall meet the following minimum recruitment standards, and must—

- (a) be a Sudanese citizen;
- (b) be at least 18 years and not more than 53 years of age;
- (c) have no criminal record;
- (d) have not been deprived of their civil and political rights under the Constitution and law;
- (e) possess such training or educational or mandatory qualifications and other requirements as are required by the post and for entering the corresponding level and grade;
- (f) have not been dismissed from a public institution of the Government of Sudan, the Government of Southern Sudan or any State Government because of disciplinary action;
- (g) be willing and ready to work and serve in any place in the national territory or official representations abroad;
- (h) be in good health and fit for the job for which the candidate is applying as certified by a qualified medical practitioner; and
- (i) meet any specific criteria for the post applied for.

35. Recruitment Interviews.

- (1) With the exception of the provisions of section (2)(a) below, a Ministry, Commission or public institution Appointment Board shall conduct interviews for short-listed candidates, derived from an evaluation of responses to the advertisements provided for under section 31.
- (2) An Appointment Board shall vary with the grade to which an appointment is to be made—
 - (a) For Leadership Posts from Grade 1 to 3, the Appointment Board shall be formed by the Cabinet Subcommittee for Appointment and Promotion of Leadership Posts. The recommendations of the Board shall be submitted to and approved by the Council of Ministers;
 - (b) For Super Scale posts, a Ministerial, Commission or Institutional Appointment Board shall be formed and chaired by the Under Secretary and made up of two other civil servants, officials or employees of higher or equal grade drawn from outside the concerned Ministry, Commission or public institution and one representative from The Ministry of Public Service. The Board shall recommend a selected candidate to the Appropriate Minister for decision; and
 - (c) For all Administrative, Professional, Para-Professional and Technical posts, recruitment shall be through a Directorate Appointment Board chaired by the Director General of the Directorate and shall include two other persons appointed by the Director General from outside the Ministry, Commission or public institution. The Board shall submit its recommendation to the Under Secretary for endorsement.

- (3) In all selection processes the candidates who satisfy the criteria set forth in the selection criteria for the post in question shall be ranked in order of their merit. If no candidates satisfy the specified criteria for the post, the Appointment Board shall inform the appointing authorities that none of the candidates shall be appointed. Where the competent authorities do not follow the rank-order of the candidates proposed by the Recruitment Board, the competent authority shall specify the reasons.
- (4) The recommendations of the Directorate Appointment Board shall be forwarded to the competent authorities, who shall be the Director and the Under-Secretary. If both concur with the recommendation the Under-Secretary shall request The Ministry of Public Service to issue of an appointment letter.
- (5) The person to whom an offer of appointment is made shall accept the offer, and any conditions attached to that offer, within 15 days from the date of the offer, or the offer may be withdrawn.
- (6) Where the selected candidate is not already a civil servant, official or employee, he or she shall be permanently appointed subject to a satisfactory medical report and completion of a probationary period, in accordance with the requirements of the provisions of sections 38 and 39 below.

36. New Appointees from Outside the Civil Service.

- (1) Subject to the provisions of section 34 above, The Ministry of Public Service shall issue letters of probation appointment to all new appointees from outside the Civil Service copied to the concerned Ministry, Commission or public institution. A copy shall also be forwarded to the Internal Audit Directorate of the Ministry of Finance and Economic Development.
- (2) New appointees from outside the Civil Service shall be required to undergo a medical check-up at a Government health facility or hospital, either before, or prior to completion of, probation. The doctor conducting medical examination or tests shall send medical reports to the recruiting Unit and they shall be kept in confidence. The cost of the medical examination/s or test/s shall be borne by the recruiting unit. Tests required shall include at least the following—
 - (a) chest x-ray;
 - (b) blood,
 - (c) urine;
 - (d) sputum and stool tests,
 - (e) eye tests, and
 - (f) any other test required by the recruiting unit.
- (3) The results of the medical tests shall not be used to discriminate against the candidate unless, in the opinion of the medical examiner, a disease suffered by the candidate poses a serious health risk to fellow civil servants, officials and employees or the public being served, in which case the offer of appointment may be withdrawn by the appointing authority.

37. Induction Programme and Probation for New Appointees from Outside the Civil Service

- (1) All new appointees from outside the Civil Service shall undergo an induction course. Requirements for the induction programme shall be set out in the Regulations.
- (2) New appointees from outside the Civil Service shall be required to complete a probation period of 18 months. Those appointed to a Super Scale post are not required to serve a period of probation. Civil servants, officials and employees appointed to Skilled and Unskilled Worker grades do not serve a probation period.
- (3) The Under-Secretary in each Ministry, Commission or public institution shall be responsible for examining the reports of the probation period and to recommend—
 - (a) the permanent appointment of the probationer;
 - (b) the dismissal of the probationer; or
 - (c) the extension of the probation period of the probationer.
- (4) A new appointee whose appointment is subject to probation—
 - (a) shall not be promoted or appointed to any other post, except by temporary assignment at the initiative of the concerned Ministry, Commission or public institution and with the agreement of The Ministry of Public Service;
 - (b) shall be assessed prior to the conclusion of the specified probation period, and if his or her performance of duties and responsibilities is considered satisfactory by the Under-Secretary, the trainee shall be confirmed as a civil servant, official or employee by the appointing authority;
 - (c) may have their probation period extended for not more than three months; and
 - (d) shall be dismissed from the Civil Service by the appointing authority, if their performance is reasonably considered, by the Under-Secretary, to be unsatisfactory for a reason that is within the trainee's control.
- (5) When a new appointment has been confirmed at the end of the probation period, he/she shall be considered to have entered into permanent service as from the date of his or her appointment on probation. The Ministry of Public Service shall issue a letter of permanent appointment to all new appointees from outside the Civil Service copied to the concerned Ministry, Commission or public institution. A copy shall also be forwarded to the Internal Audit Directorate of the Ministry of Finance and Economic Development.

38. SPLM/SPLA Personnel.

Former SPLM/SPLA personnel wishing to join the Civil Service but lacking formal qualifications and job experience because they were engaged in the struggle shall be given special consideration. A policy for their particular circumstances shall be developed and implemented as a matter of urgency by The Ministry of Public Service so that former SPLM/SPLA personnel are provided equal opportunities for

employment. A special in-service programme to provide for their training needs and to build their capacities shall be designed and implemented without delay.

39. Election to the Legislative Assemblies.

Any civil servant, official or employee seeking to contest a parliamentary seat and the Government or State level shall resign from his or her post before being listed as a candidate.

40. Temporary Employment.

- (1) At the request of an Under-Secretary, The Minister of Public Service may approve a list of posts in a Ministry, Commission or public institution that shall be eligible for temporary recruitment and appointment of a temporary employee on a fixed term contract.
- (2) Temporary recruitment and appointment shall not be subject to the provisions of sections 29 to 38 above.
- (3) Remuneration provided to a temporary employee shall not exceed the remuneration provided to the Civil Service grade of the post being temporarily filled.
- (4) When approving the temporary employment, The Minister of Public Service shall specify a period, not exceeding 3 months for which a person may be appointed on a temporary basis. Such an appointment may be renewable on one occasion, at the discretion of The Minister of Public Service.
- (5) Under no circumstances shall such temporary employment be converted automatically into permanent employment under this Act. Temporary employees are not prohibited from applying, through external competition for vacant posts, in accordance with this Act.
- (6) Temporary employment shall only be approved in the following cases—
 - (a) temporary replacement of a civil servant, official or employee;
 - (b) seasonal activities;
 - (c) execution of an occasional duty, precisely defined;
 - (d) exceptional temporary increase in the activities of the office; or
 - (e) development of projects not part of the normal activities of the office.
- (7) Where temporary employment has been approved to fill a permanent post listed in the Nominal Roll of the Ministry, Commission or public institution, the Under Secretary shall, notwithstanding, commence the procedure for filling that vacancy on a permanent basis, in accordance with the present Act.
- (8) Only personnel that possess the required academic and professional qualifications appropriate to the performance of the respective functions of the post to be filled shall be contracted.

41. Transfer.

- (1) A civil servant, official or employee may be transferred by the Under-Secretary of the Ministry, Commission or public institution in which he or she

is employed from one Unit to another within the Government to occupy a post the grade of which is the same as that of his or her current post

- (2) Any civil servant, official and employee may be transferred on a temporary or permanent basis from one section of a unit to another if it is in the interests of the service, even where the duties and responsibilities of the post to which the civil servant, official or employee is to be transferred differ from those of his or her present assignment.

42. Secondment.

- (1) A civil servant, official or employee shall have the administrative status of secondment where there is a period during which the civil servant is authorised to interrupt his or her normal functions in order to fill a post temporarily, and for reasons of public interest, in an organisation or body which is not subject to this Act.
- (2) A civil servant, official or employee may be placed on secondment only to one of the following categories of organizations—
 - (a) a public body recognised by the Constitution and which does not belong to the Civil Service; or
 - (b) an international organisation of which the Government or the Republic of Sudan is a member.
- (3) Secondment shall be approved by the Cabinet for Leadership posts while all other posts shall require—
 - (a) the request of the organisation to which the Civil servant, official or employee is to be seconded to; and
 - (b) approval by the appropriate Ministry, Commission or public institution.
- (4) Secondment shall be granted for a period of two years maximum and may be renewed for another two year period.
- (5) If, at the end of the total secondment period, the relevant organisation and concerned officer approve for the secondment to continue, then the civil servant, official or employee shall be formally transferred to the organisation to which he or she is seconded.
- (6) A civil servant, official or employee on secondment shall belong administratively to the unit or organization to which he or she is seconded. He or she shall be supervised by and accountable to the unit or organization to which he or she is seconded which shall also complete the performance evaluation on him or her.
- (7) Civil servants, officials and employees on secondment are not subject to this Act except where expressly stated otherwise or where the civil servants, officials's or employee's salary continues to be paid by the Government budget.

- (8) The decision to place a civil servant, official or employee on secondment shall be withdrawn at the request of the organisation or institution to which the civil servant, official or employee is seconded.
- (9) At the end of the period of secondment, or where secondment is terminated, the civil servant, official or employee shall have the right of reemployment as a civil servant, official or employee in the Civil Service, and re-appointment to his or her original post or appropriate post taking into consideration promotion foregone during secondment.

CHAPTER VII

REMUNERATION OF CIVIL SERVANTS, OFFICIALS AND EMPLOYEES

43. Purpose of Remuneration in the Civil Service.

Remuneration in the Civil Service shall aim, within the fiscal constraints, to support—

- (a) efficient and effective service delivery;
- (b) affordability and sustainability;
- (c) appropriate incentives for all civil servants, officials and employees;
- (d) equal pay for work of equal value;
- (e) minimise monetary and in-kind allowances; and
- (f) competitiveness and capacity to retain staff.

44. Types of remuneration.

In return for performing their duties and responsibilities, civil servants, officials and employees are entitled to pay and compensation, which includes all payments and privileges related to their personal situation or their post within the Civil Service. These payments and advantages may include—

- (a) a basic salary;
- (b) social benefits;
- (c) allowances; and
- (d) benefits in kind.

45. Basic Salary.

- (1) The Ministry of Public Service shall from time to time issue by way of circular the schedule of salary rates for the Grade Classification structure and pay grades. All civil servants, officials and employees under this Act shall be paid according to the schedule of such salary rates for the Civil Service, as set forth in the Regulation.
- (2) No Civil servant, official or employee shall receive any additional remuneration to his or her basic Civil Service salary from any other organisation, or other than as authorised by this Act.

- (3) The schedule of salary rates shall be based upon the Civil Service Grade Classification Structure set forth in Chapter IV above. Each Job Grade shall be awarded a salary range.

46. Social Benefits.

- (1) Civil servants, officials and employees shall benefit from a social security system and public pension system in accordance with the conditions set forth in the law.
- (2) Only the basic salary of civil servants, officials and employees is subject to pension contribution or shall be considered when calculating pension payments.

47. Skilled and Unskilled Worker Grades and Pensions.

Civil servants, officials and employees of Skilled and Unskilled Worker Grades are entitled to a public pension.

48. Personal Allowances.

- (1) The Government shall pay allowances to cover various activities and responsibilities regarding Public Service employment. Such allowances include—
 - (a) *Representation Allowance*: shall be paid to Grades 1 – 6 to cover additional expenses resulting from their official obligations representing the Government as officers in Leadership and Super Grade posts;
 - (b) *Responsibility Allowance*: shall be paid to civil servants, officials and employees in posts of Grade 1 – 6 to act as incentive to perform to the highest standards in posts of high responsibility;
 - (c) *Acting Allowance*: shall be paid where a civil servant, official or employee performs duties in a vacant higher post than he or she occupies for a period of one month or more. The maximum period where a person may act in a post shall be six months after which the Head of the Unit must review the need for the post, appoint or promote a civil servant, official or employee to take up the position or promote the acting staff to fill the post;
 - (d) *Statehouse Allowance*: shall be payable only to staff of the office of the President who work in the Statehouse;
 - (e) *Feeding Allowance*: shall be payable to staff of the office of the President only to compensate for long and unsocial hours of work;
 - (f) *Fuel Allowance*: a flat rate allowance shall be paid to civil servants, officials and employees who use their own private vehicles to travel between their residence and their office;
 - (g) *Bicycle Allowance*: a flat rate allowance shall be paid to civil servants, officials and employees who utilize their own private bicycle in the course of their official duties; or
 - (h) *Computer Literacy Allowance*: shall be paid to secretaries and other computer operators as an incentive to attain a high level of proficiency;

- (2) The Ministry of Public Service shall from time to time, after consultation with the Ministry of Finance and Economic Planning, issue a schedule of allowances and the rates payable against each allowance.

49. **New Appointees' and Transferees' Moving Costs.**

- (1) Moving costs for new appointees from outside the Public Service who have been residing within Sudan shall be paid by the recruiting unit. Reasonable transportation costs incurred shall be reimbursed on production of receipts, including transport costs for immediate family and personal effects.
- (2) A civil servant, official or employee can be transferred to any area within Sudan to undertake Government work. In the course of such transfers, the Government shall provide tickets for reasonable transportation of staff, their eligible dependants and personal effects but no cash shall be provided. The Government shall cover crating costs but the Government shall not insure the civil servant, official or employee's personal property for damages.

50. **Benefits in kind.**

Certain categories of civil servants, officials and employees may be entitled to certain benefits in kind in accordance with the provisions of this Act. Under no circumstances may such in-kind benefits be provided for and given in terms of money.

51. **Travel Allowances.**

Regulations shall provide for the type of accommodation, subsistence, transport, the class of travel, the number of tickets to be provided and the limits to costs for civil servants officials and employees travelling away from their usual place of work on official duty for a period exceeding 18 hours and required to spend a night away from their usual domicile.

52. **Government Housing.**

The level and conditions of the housing allowance shall be provided for and determined in the Regulations.

53. **Medical Benefits.**

The nature and form of medical benefits and the grades which are entitled to medical facilities shall be provided for in the Regulations.

54. **Overtime.**

- (1) Monetary compensation for working additional hours over and above the standard 40 hour working week shall only be available to unskilled Grades of staff. Overtime payment shall be made at the rate of 1.5 times basic salary rate except when the work occurs on public holidays when a rate of 2 times basic salary shall be payable. Overtime payments can only be made if—
 - (a) The civil servant, official or employee's supervisor has signed the requisite daily time sheet specifying the amount of overtime,

- (b) The Head of Unit has provided a written authorization for the overtime;
 - (c) There are sufficient funds available in the budget; and
 - (d) Except in exceptional circumstances, the monthly remuneration for overtime constitutes less than 30% of the civil servant, official or employee's basic monthly salary.
- (2) Civil servants, officials and employees working in all Skilled and higher grades are expected to work necessary hours over and above the standard working week without overtime reimbursement. However, where exceptional additional hours are demanded the Head of Unit, with the written authorisation of the Under Secretary may grant time off in lieu of the reimbursement.

55. Financial Advances.

- (1) Financial assistance in the form of advances may be provided to civil servants, officials and employees in difficulties arising out of unforeseen circumstances such as illness or death in the immediate family or other reasons requiring a cash advance. All such financial assistance shall be at the discretion of the Head of Unit subject to the following conditions—
- (a) the maximum amount of advance shall not exceed one month gross salary. Notwithstanding this, the actual amount shall be determined in view of other outstanding debts the applicant may have with the Government;
 - (b) the maximum repayment period shall not exceed four months and this period shall not be extended for whatever reason;
 - (c) the total deduction on a salary/wage shall not exceed one quarter of monthly salary/wage; and
 - (d) a civil servant, official or employee shall be allowed to have only one advance at a time and no other advances shall be approved within four months of repaying a previous advance.
- (2) Financial advances shall only be disbursed for genuine unforeseen and emergency circumstances, such as illness or death in the family.

56. Authority to Approve Allowances.

Allowances and advances shall be approved by the Head of Unit in the Ministry, Commission or public institution concerned in accordance with the provisions of this Act. Variations in relation to allowances, advances or overtime from the provisions of this Act may only be approved by the Minister of Public Service.

57. Salary Payment Frequency.

- (1) Civil servants, officials and employees shall be paid by equal monthly instalments of their annual salary in arrears. All Government Ministries and institutions shall pay the salaries of their civil servants, officials and employees on time at the end of each calendar month.
- (2) Pay for a part of a month shall be calculated by dividing the amount of the monthly pay by the number of working days in the part of the month.

58. Review of Government Salary Rates.

- (1) From time to time and upon the directive of the President of the Government of Southern Sudan, a Salary Review Committee shall be formed. The Committee shall be established and chaired by the Minister of Public Service and the Minister of Finance and Economic Planning with other members shall include representatives from different categories of Civil servants, officials and employees.
- (2) The Committee shall have the following responsibilities—
 - (a) advise the government on a Remuneration policy for the Public Service;
 - (b) advise on revisions to the salary structures, pay grades, rates and allowances for the Civil Service; and
 - (c) propose measures to the government to harmonise wages and remuneration between the various categories of civil servants, officials and employees.

CHAPTER VIII

AWARD OF SALARY INCREMENT

59. Basic Principle of Salary Adjustments.

Progression of civil servants, officials and employees within their grade or from one level to another shall occur in accordance with the merit principle.

60. Increment Entitlement.

All civil servants, officials and employees shall be entitled to an annual increment to their basic salary equivalent to one increment provided that, inter alia, they are judged in their annual performance evaluation to have performed their duties satisfactorily in the year prior to the award of the increment. The performance evaluation shall be undertaken by the civil servants', official's or employees' immediate supervisor at least annually.

61. Increments and Grades.

- (1) The quantum of each salary increment shall be determined by dividing the amount of the salary range between the bottom-most and top-most salary by the number of incremental steps assigned to the Grade.
- (2) Each Grade shall be sub-divided into a number of increment steps as set forth in Schedule 2. The Ministry of Public Service shall from time to time and in accordance with the Regulation provided for under Section 47 above issue the schedule of salary rates setting forth the salary rate for each increment step applicable within each grade.

62. Increments and Appointment.

- (1) All civil servants, officials and employees shall upon initial appointment be confirmed to the first step or increment of the designated salary grade except those with sufficient relevant experience elsewhere and those with post graduate degrees. The decision to appoint a new appointee on a higher increment than the first step or increment of the designated salary grade shall be approved by The Ministry of Public Service in accordance with the criteria set forth in Regulation.

CHAPTER IX

PERFORMANCE EVALUATION

63. Purpose and Principles of Performance Evaluation.

- (1) An annual assessment of individual performance of each civil servant, official and employee shall be conducted by the civil servants, official's or employee's immediate superior. The purpose and principles governing the assessment of the individual performance of civil servants, officials and employees shall be to—
- (a) identify an individual's current level of job performance;
 - (b) identify a civil servants, official's or employee's strengths and weaknesses;
 - (c) enable civil servants, officials and employees to improve their performance;
 - (d) provide a basis for rewarding civil servants, officials and employees in relation to their contribution to overall goals of the Government;
 - (e) improve communication between civil servants, officials and employees and their supervisors;
 - (f) motivate civil servants, officials and employees and identify training and development needs;
 - (g) improve both the productivity of and the quality of service delivery in the Public Service;
 - (h) make civil servants, officials and employees feel responsible for their mission;
 - (i) establish links between civil servants', officials' and employees' individual performance, the work plans of their respective units and the annual work plans of their respective Ministry, Commission or public institution;
 - (j) provide benchmarks for the development of individual and divisional capacity building plans; and
 - (k) increase individual and professional satisfaction.
- (3) Each civil servants', official's and employee's annual performance evaluation shall result in a rating accordance with the scale set forth a Schedule 3.

64. **No Performance Evaluation before Six Months.**

Supervisors shall not provide a performance evaluation to civil servants, officials or employees who have worked under them for a period less than a minimum of six months.

65. **Performance Benefit.**

- (1) Good performance shall be encouraged by means of periodic increases in the basic salary of the civil servant, official and employee, through an increment.
- (2) A Head of Unit may approve the annual increment of the basic salary of a civil servant, official or employee to the next highest increment step in the salary scale, subject to that civil servant, official or employee demonstrating in their annual performance evaluation—
 - (a) The rating of "Satisfactory Performance" of his or her duties and demonstrated effort towards continuing improvement as assessed in accordance with regulations and procedures issued by the government; or
 - (b) Appropriate conduct and behaviour consistent with the principles and values spelled out in this Act and in the Civil Service Code of Conduct.
- (3) Where the annual performance evaluation rates the civil servant, official or employee below "Satisfactory Performance" the Head of Unit shall decide whether or not the increment shall be awarded.

66. **Performance Standards and Ranking Methods.**

Civil servants, officials and employees shall be subject to annual performance assessments based on objective evaluation criteria, derived from the relevant job description and in relation to the units work plan, for the specified period. These criteria shall be selected from a general list of evaluation criteria, to be developed by The Ministry of Public Service.

67. **Performance Ranking and Seniority.**

- (1) Notwithstanding the provisions of sections 64 and 66 above, the principle of seniority shall be made a mandatory relevant consideration in determining the performance ranking of a Civil servant, official or employee, provided that it does not conflict with the principle of merit and performance.
- (2) Promotions and appointments to Super grade posts shall be based entirely on merit and performance notwithstanding that a combination of merit and seniority shall guide salary increases and career advancement at lower grades.

68. **Staff Member Input into Performance Evaluation and Reward for Performance.**

- (1) Draft and final performance assessments shall be shown to the staff member concerned. The staff member shall have the opportunity to discuss the

performance assessment prior to its finalization. comment on it in writing, and appeal its contents to higher administrative levels.

- (2) Performance and above satisfactory performance may be recognized by means including but not limited to—
 - (a) non-monetary recognition;
 - (b) accelerated increments within grade; and
 - (c) accelerated consideration for promotion when applicable.
- (3) Annual or periodic performance evaluation of individual civil servants, officials and employees shall be introduced progressively at the discretion of The Minister of Public Service as the capacity of ministries and institutions to effectively implement the system of performance evaluation.

69. Confidentiality of Performance Evaluations.

The performance evaluation of each civil servant, officials and employee shall be strictly confidential to that civil servant, official or employee subject to this Act, its Regulations and any other law.

CHAPTER X

TRAINING AND DEVELOPMENT

70. General Provisions in Relation to Training and Development.

- (1) Training programmes, sponsored by the government are defined on the basis of training needs proposed by the Capacity Building Unit of The Ministry of Public Service or the individual Ministry, Commission or public institution.
- (2) The Government shall set forth in the Regulation the terms and conditions under which civil servants, officials and employees are entitled to participate in training activities, the duration, the implications on the career and the pay and compensation of the civil servant, official or employee as well as the maximum period beyond which the post occupied by the civil servant, official or employee shall be declared vacant.
- (3) In exceptional circumstances, provided that it will contribute to the overall efficiency of the individual and the Civil Service as a whole, and with the approval of the relevant Under Secretary, leave for study purposes may be granted to a civil servant, official or employee undertaking self-sponsored training.

CHAPTER XI STAFF LEAVE

71. Leave is a Right.

- (1) Leave is a right for every civil servant, employee and official. The timing and length of any of the leave period during the year shall be determined according to demands of the service.
- (2) Leave shall include any days of public holidays and occasions. If such public holidays and such occasions fall within the leave period taken they shall be counted as leave.

72. Approval of Leave.

Unless otherwise stated in this Act or its Regulations, the Head of the Unit shall prove any leave to which a civil servant, official or employee is entitled.

73. Paid leave.

- (1) Civil servants, employees and officials shall be entitled to the following categories of paid leave—
 - (a) annual leave;
 - (b) sick leave;
 - (c) maternity leave; and
 - (d) leave to attend spouse's delivery.
- (2) The Regulations shall define the terms and conditions under which civil servants, officials and employees are entitled to the various types of paid leave. The details shall include—
 - (a) the authorities that are competent to make decisions about civil servants', employees' and officials' paid leave;
 - (b) the duration of paid leave;
 - (c) the implications on the career and the pay and compensation of the civil servant, official or employee accessing leave entitlements; and
 - (d) ~~the maximum period beyond which the period of leave results in the post occupied by the Civil servant, official or employee being declared vacant.~~

74. Leave without Pay.

- (1) Special leave without pay refers to an administrative status where the civil servant, official or employee is authorised to suspend temporarily his or her status of active service, for a legitimate personal reason.
- (2) Civil servants, officials and employees are entitled to a leave without pay in order to participate in training programmes for his or her personal development, or for the accomplishment of scientific work, or for a legitimate personal reason.

- (3) The Regulations shall define the conditions under which leave without pay can be granted as well as the implications for the administrative status, salary and allowances of the civil servant, official or employee.

75. Leave Schedule.

Every Unit shall prepare an annual schedule of leave stating the period of leave to be taken by each civil servant, official or employee working with the Unit. The schedule shall be arranged in a manner that ensures continuity of work and adequate staffing at all times of the year. The schedule shall show the names of civil servants, officials and employees who will act in the positions of those on leave and represent them in all aspects of their responsibility.

76. Public Holidays and Occasions.

- (1) A civil servant, official or employee is entitled to full pay on public holidays and occasions.
- (2) The Minister of Public Service shall issue a schedule of official public holidays and occasions that shall be observed in Southern Sudan.

77. Commencement and Expiration of Leave.

Any leave shall commence on the first day on which the civil servant, official or employee is absent from duty and shall expire on the day preceding his or her return to duty.

78. Travelling Days.

The Head of Unit may grant a civil servant, official and employee additional travelling days at the start and expiration of leave and not exceeding the normal number of days required for going and returning home by an available and reasonable means of transport, providing that—

- (a) it shall not exceed 10 days in total; and
- (b) if during the journey the civil servant, official or employee is delayed by unforeseen and unavoidable circumstances, he or she shall be granted additional travelling days equal to the days of delay and any additional travelling days necessitated by having to take a longer route.

79. Leave Certificate.

Before leaving his or her work station for leave a civil servant, official or employee must obtain the necessary leave certificate from the approving authority. The format such a leave certificate shall conform to is set forth at Schedule 4 to this Act.

80. Overspending of Leave.

The civil servant, official or employee must inform his or her Head of Unit of any delays in returning to work from leave and the Head must certify that the reason for the delay is acceptable. Persistent overspending of leave or failure to inform the Head

of Unit may result in disciplinary action being taken against the civil servant, official or employee.

CHAPTER XII

REDUNDANCY AND REDEPLOYMENT

81. Redundancy and Redeployment.

- (1) Where the Minister of Public Service is satisfied that a Ministry, Commission or Public Institution has employed more civil servants, officials and/or employees—
 - (a) than it needs for the efficient and economic performance of its functions; or
 - (b) than are specified in its Establishment Structure, the Minister of Public Service shall inform the appropriate minister and propose action to be taken within an agreed timeframe.
- (2) The action proposed by The Minister of Public Service may range from redeployment of personnel to other posts in the Public Service, to making the concerned staff redundant.
- (3) Where—
 - (a) an Under-Secretary or senior Civil servant in a Commission or public institution is of the opinion that one or more civil servants, officials or employees are potentially surplus to the requirements of the Ministry, Commission or Civil institution;
 - (b) staff reductions are imposed for budgetary reasons; or
 - (c) The Minister of Public Service proposes corrective action in accordance with the provisions of subsection 82(1) above,
- (4) The Under-Secretary shall, after obtaining written approval from The Ministry of Civil Service, redeploy civil servants, officials and employees in accordance with this Act.
- (5) Where no such deployment is possible, the civil servant, official or employee shall be made redundant as provided for in this Act and the Regulations.

CHAPTER XIII

TERMINATION OF SERVICE

82. Termination.

The service of a civil servant, official or employee of the Government of Southern Sudan shall end or be terminated for any of the following reasons—

- (a) resignation;
- (b) death;

- (c) retirement including attainment of the retirement age under the Pension Act;
- (d) dismissal;
- (e) redundancy;
- (f) medical unfitness;
- (g) appointment to a Constitutional Post;
- (h) loss or forfeiture of Sudanese nationality;
- (i) end or termination of a special service contract;
- (j) failure to perform well during the probationary period; or
- (k) conviction by a court.

83. Resignation.

A civil servant, official or employee may resign from the Civil Service at any time by means of a request by letter addressed to the Under-Secretary through his or her immediate supervisor. Civil servants, officials and employees of the rank of Under-Secretary shall address the letter to the President of the Government of Southern Sudan through the appropriate Minister. Civil servants, officials and employees employed at Grades 2-6 shall address the letter to the appropriate Minister through the Under-Secretary.

84. Retirement.

- (1) Retirement is mandatory for all civil servants, officials and employees at the age of 65.
- (2) If there is lack of a qualified staff in a specific profession whose functions are considered of high priority for the Civil Service, the Under-Secretary of the relevant Ministry, Commission or public institution may, with the approval of the Directorate of Pensions of The Ministry of Public Service, propose that the appointing authority postpones the retirement of one or more civil servants, officials or employees within the specified profession, for a maximum period of two years.
- (3) For civil servants, officials and employees in Grades 1 and 2, the request for retirement shall be submitted by the appropriate minister to the President of the Government of Southern Sudan who shall decide on the recommendation of The Minister of Civil Service.

85. Early Retirement.

- (1) Civil servants, officials and employees who have served for a period of at least 12 years of service have the right to request early retirement. A request for early retirement may be refused and postponed for a maximum of two years.
- (2) Early retirement may be mandatory in the following circumstances—
 - (a) as a result of abolition of post;
 - (b) where a civil servant, official or employee who has reached the age of 54 and is no longer able to meet the professional requirements of the job; or
 - (c) ill health or disability that renders the civil servant, official or employee incapable of performing efficiently or to meet the requirements of the job.

86. Redundancy.

Where a civil servant's, official's or employee's post is made redundant as a result of the government undergoing downsizing or administrative restructuring resulting in the abolition of a post, and where no transfer is possible, the civil servant, official or employee shall receive severance compensation after a notice as provided for under section 88 below.

87. Severance Compensation.

- (1) Civil servants, officials and employees who have been made redundant as a result of the abolition of posts or the restructuring of their Ministry, Commission or public institution are entitled to severance compensation.
- (2) Conditions for and levels of severance compensation shall be set forth in Regulations.

88. Dismissal.

Civil servants, officials and employees shall be dismissed without notice on the following grounds—

- (a) irregular or fraudulent recruitment;
- (b) loss of civil and political rights under the law;
- (c) unjustified absence for a period of 21 consecutive working days; or
- (d) unsatisfactory performance during two consecutive performance evaluations.

89. Absence from Duty without Permission.

Where a civil servant, official or employee is absent from duty without permission and has been so absent for a period of not less than 45 calendar days, the Under Secretary may send to the media and post on the notice board of the relevant Ministry, Commission or public institution, a notice informing the Civil servant, official or employee that, unless he or she returns to duty within 7 days after the notice was sent, the Under-Secretary shall recommend that the civil servant, official or employee be dismissed.

90. General Principles in Relation to Terminal Benefits.

- (1) In all cases of termination, all legal terminal benefits shall remain payable to the civil servant, official or employee.
- (2) No terminal benefits shall be disbursed without clearance by the civil servant, official or employee's Head of Unit. Any outstanding debt owed by the civil servant, official or employee to the Unit shall be deducted from terminal benefits due to the civil servant, official or employee prior to disbursement.
- (3) In cases where a civil servant, official or employee does not give adequate notice of termination (unless waiver has been sought and accepted), the sum of money equivalent to the notice to be served becomes deductible from the terminal benefits.

- (4) Where a civil servant, official or employee deserts his or her post by being absent without authority for a period exceeding 45 days and has been tried in absentia and recommended for dismissal, the civil servant, official or employee forfeit all terminal benefits

91. Separation Procedures.

- (1) All Government property must be returned to the Administration Department of the relevant Unit. This includes office equipment, keys, ID Cards, and other similar properties.
- (2) The following steps must be completed for a civil servant, official or employee's service termination—
 - (a) the Pensions Department of The Ministry of Public Service shall confirm in writing the civil servants', official's or employee's pensions entitlement;
 - (b) the civil servants', official's or employee's Department or Unit shall issue a "Free-of-Charge" certificate confirming the civil servant, official or employee is free of all obligations to his or her Ministry, Commission or public institution;
 - (c) the Department of Taxation shall issue a "Free-of-Charge" certificate confirming the civil servant, official or employee has paid all taxes due; and
 - (d) the Ministry of Housing, Land and Public Utilities shall issue a "Free-of-Charge" certificate confirming the civil servant, official or employee has no outstanding housing loan.

92. Transport for Terminated Civil Servants.

- (1) For terminated civil servants, officials or employees other than those civil servants, officials or employees terminated under the provisions of section 89 above, the Government shall provide transport to their place of domicile. Such transport shall be provided to their eligible dependants and personal effects of terminated civil servants, officials or employees other than those civil servants, officials or employees terminated under the provisions of section 89 above.
- (2) The Government shall reserve the right to use any means of transport including air, land transport by lorry/bus or the hire of a transporter to move the civil servants', official's or employee's personal effects.
- (3) The above provisions shall only be considered by the Appointing and Managing Ministry if the civil servant, official or employee in question certifies by notarized affidavit that he or she is returning to her or his place of domicile and is not taking up a post where the new employer is providing the service set forth in this section.

93. Pensions.

The provisions for pensions shall be set forth in the Southern Sudan Pensions law and this Act.

94. Authority to Approve Termination.

Authority to approve the termination of a civil servant, official or employee shall ves in the Appointing Officer as set forth in the Regulations.

CHAPTER 14 DISCIPLINE

95. Discipline.

- (1) Any civil servant, official or employee who—
 - (a) neglects or refuses to comply with any legitimate code, order, rule, regulation or law applicable to him or her;
 - (b) refuses, neglects, or obstructs his or her official duties;
 - (c) behaves unbecomingly or in a way that is incompatible with his or her duties, or commits an act which degrades the Ministry, Commission or public institution to which he or she is posted or the Civil Service or the Government;
 - (d) is convicted of a criminal charge,may have committed a breach of conduct and shall be subject to investigation and possible discipline.
- (2) Disciplinary provisions for major and minor disciplinary matters for all levels of civil servants, officials and employees of the Civil Service shall be set forth in the Regulation.

96. Code of Conduct.

- (1) The Ministry of Public Service shall issue a Code of Conduct to provide for best practice that reflects the values of the Civil Service.
- (2) The Code of Conduct shall apply to civil servants, officials and employees employed in all relevant Ministries of the Civil Service of the Government of Southern Sudan and to all civil servants, officials and employees who act for and/or on behalf of relevant Ministries of the Civil Service of the Government of Southern Sudan.
- (3) When performing their work, civil servants, officials and employees shall comply with the highest standards of honesty, integrity and ethical behaviour as set forth in the Code of Conduct.
- (4) Every Managing Ministry shall ensure that every civil servant, official and employee employed by that Managing Ministry shall—
 - (a) be made familiar with the standards of the Code of Conduct; and
 - (b) be required to work in conformity to it.
- (5) Breaches of the standards set forth in the Code of Conduct shall constitute disciplinary action against which disciplinary measures may be commenced.

- (6) Every current and future civil servant, official and employee shall sign two copies of the Code of Conduct. One signed copy shall be maintained in the personnel file of the civil servant, official or employee. The second copy shall be given to the civil servant, official or employee.

CHAPTER XV

ADMINISTRATIVE AND LEGAL GRIEVANCES

97. Grievances Concerning Decisions in Summary and Board of Discipline Proceedings.

Any civil servant, official or employee who is aggrieved by the findings or penalties imposed upon him or her by a summary or Board of Discipline hearing may lodge his or her grievance with the Southern Sudan Civil Service Commission or the Southern Sudan Employees Justice Chamber in accordance with the relevant law.

98. Violation of Rights by Public Authorities.

- (1) A civil servant, official or employee shall have the right—
- (a) to lodge a grievance concerning alleged violation by public authorities of his or her rights under this Act; and
 - (b) to have such a grievance heard and determined within his/her Managing Ministry where the grievance arises from a matter or decision for which the Managing Ministry is liable in the first instance.
- (2) Where the civil servant, official or employee is not satisfied with the outcome of a grievance hearing conducted under subsection (1) above, or the cause of grievance lies outside the Managing Ministry, the civil servant, official or employee may lodge the grievance with the Southern Sudan Civil Service Commission or the Southern Sudan Employees Justice Chamber in accordance with the relevant law.
- (3) The right to lodge grievances set forth in subsection (1) above does not apply to general decisions taken by the competent public authorities to determine salary rates and remuneration and terms and conditions of service of civil servants, officials and employees. In particular the right to lodge grievances set forth in subsection (1) above does not apply to grievances against a Salary Review Committee constituted in accordance with Section 59 above.

CHAPTER XVI

MISCELLANEOUS PROVISIONS

99. Regulations and Other Instruments.

The Minister of Labour Public Service shall make such rules, instructions, circulars, codes and regulations as may be necessary for the effective and efficient implementation of the provisions of this Act.

Schedule 1

Schedule 1

| Grade | Grade Category | Examples of Title or Post |
|--------------|---------------------------------|---|
| Special | Leadership | Secretary General Clerk to Assembly Under Secretary of Ministry Specialist Expert |
| 1 | | Executive Director of Commission/ Director General of Directorate of Ministry/ Specialist Expert e.g. Medical surgeons, senior specialized teachers, any other civil servants that have done exceptional services to the people of Southern Sudan. |
| 2 | | Director of Department of Ministry Department/Commission/Specialist Experts |
| 3 | | 1 st Deputy Director of Department of Ministry/Commission/Specialist Experts |
| 4 | Super Grade | Deputy Director/Specialist Experts of Civil institution |
| 5 | | Assistant Director/Chief Technical Officer/Expert of Civil institution |
| 6 | | Assistant Chief Technical Officer/Expert of Civil institution or Department |
| 7 | Administrative and Professional | Senior Inspector/Senior Technical Officer/Senior IT Professional |
| 8 | | Inspector/Technical Officer/ IT Professional |
| 9 | | Assistant Inspector/Assistant Technical Officer/Graduate Entry |
| 10 | Para-Professional & Technical | Head Staff Clerk/Head Accountant/Chief Cashier/ Chief Store Keeper |
| 12 | | Senior Clerk/Medical Assistant, Computer Operator/Secretary |
| 14 | | Secretary/Radio Technician/Sanitary Overseers/Artisans/Clerk/Book-Keeper, Secretary Secondary School leaver |
| 11 | Skilled Worker | Senior Technician/Senior Bookkeeper/Land Officer/Veterinary Assistant/Certified Artisan/ Head Driver/Head Mechanic |
| 13 | | Driver/Mechanic,/Artisan/Plumber/ Fitter etc |
| 15 | | Assistant Fitter, Mechanic, Driver (3rd Class)/Mason/technician |
| 16 | Unskilled Worker | Messenger, Cleaner, Unskilled Labourer/Apprentice |
| 17 | | Unskilled Labourer |

Schedule 2

| Salary Grade | Number Incremental Steps within Grade |
|--------------|---------------------------------------|
| Special | - |
| 1 | - |
| 2 | 4 |
| 3 | 4 |
| 4 | 4 |
| 5 | 5 |
| 6 | 5 |
| 7 | 5 |
| 8 | 6 |
| 9 | 9 |
| 10 | 6 |
| 11 | 6 |
| 12 | 6 |
| 13 | 6 |
| 14 | 9 |
| 15 | 6 |
| 16 | 6 |
| 17 | 6 |

Schedule 3

STAFF PERFORMANCE APPRAISAL

Ratings

In the process of performance appraisal, the evaluating staff or the head of a unit may use ratings set out below to determine staff performance. These are:

- i. **Excellent:** This rating shall be reserved for employees who throughout the year consistently go beyond the implementation level outlined in their job descriptions. Examples include:
 - Generating new practical ideas, which improve not only their own work effectiveness but also the overall working conditions; and
 - Assuming expanded responsibilities for team efforts not included in their job descriptions,
- ii. **Very Good:** This rating indicates that the individual consistently performs to the standards and expectations as defined in his/her job description. The employee demonstrates the knowledge, ability, skills and attitudes required by the job for which he/she has been hired;
- iii. **Good:** This rating indicates that the employee barely performed his/her responsibilities showing some improvement;
- iv. **Satisfactory – Needs Improvement:** This rating indicates that the employee needs to improve in one or more key areas of responsibilities as outline in his/her job description,
- v. **Low – Poor Performance:** This rating indicates that the employee consistently performed below the standards and expectations set. This is sub-satisfactory performance. Documentation needs to be provided which:
 - Shows how the performance has been unsatisfactory;
 - Indicates that the employee has been advised of his/her poor performance; and
 - Support has been given by supervisor towards correcting the deficiencies.

Schedule 4

Leave Certificate

LEAVE CERTIFICATE

Index No.....Name.....

Grade Title

Unit..... Granted..... days

To be spent in.....

Plus.....travelling

From..... To.....

Station.....

Home.....

Last leave granted.....in.....

Address of employee while on leave.....

.....

.....

Station.....

Date.....

.....
Head of Unit



Assent of the President of the Government of Southern Sudan

In accordance with the provision of Article 85 (1) of the Interim Constitution of Southern Sudan, 2005, I, Gen Salva Kiir Mayardit, President of the Government of Southern Sudan, hereby Assent to the Civil Service Act, 2011 and sign it into law.

Signed under my hands in Juba, this 7th day of the month of July
-----in the year 2011.



Gen. Salva Kiir Mayardit
President
Government of Southern Sudan
GoSS/ Juba.