THE NATIONAL SERVICE ACT 1992

In the name of God, the Compassionate, the Merciful

In accordance with the third constitutional order for the year 1989, the National Salvation Revolutionary Command Council issued the following Act:

A. The First Chapter - Preliminary Provisions: Name of the Act and its Date of Enforcement

1. This Act is called "The National Service Act for the year 1992"; it shall be effective on its endorsement date.

Cancellation

2. This Act cancels the 1989 National Compulsory Service Act.

Interpretation

3. In this Act, and unless the text stipulates otherwise:

   - The Minister shall mean the Defence Minister
   - The Council shall mean the National Service Administrative Council
   - The General Commander shall mean the Commander General of the armed forces
   - The Director shall mean the Director of the National Service Administration
   - The Administration shall mean the National Service Administration
   - The regular forces shall include all regular forces established in accordance with law
   - The service shall mean the national service carried out according to this Act
   - The recruit shall mean the person who carries out the national service according to this act

Objectives of National Service

4. National service aims for the following:

   a. To encourage the desire for struggle and encourage combatants to further develop the qualities of championship and self-assurance and to be ready for martyrdom and to dismiss inactivity and the fear of danger

   b. To encourage the desire for discipline and commitment to the organised and harmonised group, and develop qualities of obedience, co-operation, leadership and dismiss selfishness and fear of danger

   c. To encourage the desire for attachment and association to the group, the country and religion, and to overcome being fanatic to family, sector or region

   d. Preparation of organised forces for military and defence work, development activities, social service or any other activity for the general welfare

   e. To educate and train the youth to be medically fit and in good conduct, or to prepare them by educational methods, cultural methods and orientation guidance or to be trained for some profession,
educational methods, cultural methods and orientation guidance or to be trained for some profession, or job, or to develop their abilities and initiative.

Establishment of the Council and its Formation

5.1 A council shall be established and be called “The National Service Council” and contain:

a. Defence Minister. President
b. Chief of Staff. Member
c. Director of Police. Member
d. General Security Director. Member
e. Commander of Popular Forces. Member
f. Under-Secretary, Ministry of Finance and Economic Planning. Member
g. Under-Secretary, Ministry of Education. Member
h. Under-Secretary, Ministry of Health. Member
i. Under-Secretary, Ministry of Agriculture. Member
j. Under-Secretary, Ministry of Works and Public Utilities. Member
k. Under-Secretary, Chamber of Service Affairs. Member
l. Director, National Service Administration. Member and Secretary

5.2 The Council with the consent of the Minister may nominate three persons to the membership of the Council.

5.3 The regulations will organise the Council’s meetings, provision of recommendations and approval of decisions.

The Duties of the Council

6. The Council shall have the following duties:

a. To issue recommendations concerning the implementation of the recruitment plan for national service
b. To issue recommendations concerning orientation courses, training, guidance and education of the recruits and their place of employment
c. To recommend to the Minister the rules and regulations and necessary orders required for the implementation of this Act
d. To advise and give opinion on any matters presented by the Minister concerning national service.

B. The Second Chapter - Imposition of Service
7. Every Sudanese citizen aged from eighteen years to thirty three years of age is subject to national service.

The Service Places

The recruit shall do the service in any of the following places:

- The armed forces
- The police or other regular forces
- Government or public sector units
- Public projects in development, economic or social service

8.2 Division of Service, organisation, distribution of recruits to sites, shall be according to the regulations issued by the Minister.

Duration of the Service

9.1 The duration of the service is 24 months.

9.2 The duration of the service for university graduates, high institutes or equivalent shall be reduced to twelve months. It shall also be reduced to eighteen months for those who have completed secondary high school level or equivalent.

9.3 The director shall specify, with the consent of the Minister, the service period for those recruits in the previous 1989 compulsory service law or other similar service, provided that it does not exceed twenty four months.

9.4 The service reduction period for the recruit shall be considered on the basis of the academic qualification at the start of the service.

9.5 It is possible to reduce the service period by deducting any previous military service for the recruit in accordance with the law regulating and evaluating that previous service.

Exemption from Service

10. The following persons shall be exempt from the order of article 7 of this Act:

(1) The officers, sub-officers and soldiers of the armed forces, police forces and other regular forces.

(2) The students of colleges and institutes preparing for graduation of armed forces officers, police forces or other regular forces, on condition that the student shall continue in his study until graduation; or he should report within 30 days of his cancellation of his study programme to the specified recruitment region authority.

Pardon from Service

11.1 Any person who is medically unfit to do any service duty is completely pardoned from the service.

11.2 Those persons who are completely medically fit shall carry out the service that suits their abilities.

Postponement of Service

12.1 The service shall be postponed for the sole supporter of the family - the father, the husband, the son or the brother until public funds are provided for him to provide for his family.

12.2 The service may be postponed for those academics doing their scholarship until they receive their first degree on condition that they are under 32 years of age.
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12.3 The service may be postponed for a reasonable time for the following persons provided they are under 32 years of age:

a. Those holding final degrees, should the nature of their certificates require continuation of study or training.

b. Those working in any public service unit whose nature of work in that unit necessitates his stay for an orientation period according to the request of the relevant minister.

12.4 The abovementioned persons whose service period were postponed should report to the relevant recruitment region within 30 days from the cessation of the cause of postponement or upon reaching 32 years of age.

Applications for Pardon or Postponement

13.1 The director is the authority to decide on applications for full exemption, partial or temporary. The Minister decides on postponement.

13.2 Sudanese ambassadors and consulars abroad have the authority to make temporary decisions on applications for postponement of service for those residents abroad and they have to notify the Administration immediately for a final decision.

C. Third Chapter - Recruitment and Service Activities: Regions of National Service

14. For the purpose of national service, the Government of Sudan is divided into regions; the regulations will specify the region and their duties.

Presence at Recruitment Centres

15.1 Every person who is called for service should present himself to the Region Recruitment Administration in his residential area on the date specified by that authority; the Recruitment Administration should verify identity and hand him the “Service Identity Card” and inform him of the date he will be called for service and mark his ID card by the assignment prepared for him.

15.2 Under-Secretary of ministries, directors of corporations, heads of government departments, universities, institutes and school directors, company directors, business owners, employers, administration and public officials, should report to the Regional Recruitment Commander in their area with the names and addresses of those attached to them who were called for service.

The Service ID Card

16.1 Everyone who is called for service shall obtain an ID service card which he should keep and replace immediately if it has been lost and he cannot carry more than one ID card.

16.2 Holders of the service ID card should present their cards to their new area of residence service administration within two weeks from the date he changed his area of residence.

16.3 The regulations shall specify the order of the service ID card and necessary fees.

Recruitment Service Appeals

17.1 Appeals against area commander service recruitment decisions are presented to the director whose decision is final.

17.2 Appeals against the director’s decisions are submitted to a committee formed from one member from the Attorney General Chamber and two army officers. The Minister shall issue an order for the formation of
the Attorney General Chamber and two army officers. The Minister shall issue an order for the formation of this committee and its regulations. The decisions of the committee are final.

17.3 Appeals should be presented within two weeks from knowledge of the reasons for the appeal.

Medical and other Committees

18. The director shall form the necessary medical committees, cultural or professional committees, exemption and postponement verification committees. The Minister shall form higher committees to revise and regulate the work of those committees.

19. Those who are subject to national service recruitment shall be called in gradually every year according to age and sex; the regulations shall stipulate how those called in are to be called in and how to deal with those called in who do not call in. The Minister decides on the number to be recruited to give certificates for those who will join later. The service period of the recruitment will commence on the date the regional commander accepts them for national service.

The Fourth Chapter

20.1 The recruits are subject to the laws of the armed forces during their service period.

20.2 The rules and regulations of the service recruit place shall be applied in such cases as death, martyrdom, loss or any accident attributed to the service, during the service or the call-in periods.

21. Those who are called in for service are not allowed to leave the country for any reason without receiving a certificate of exemption, pardon or relief, fulfillment or postponement of service and recruitment.

Students of Universities, Institutes and Schools

22. Those who are called in for service are not allowed to join, or be attached to, or remain in any university, college, institute or schools in Sudan or receive graduation certificates, unless he is carrying an ID service card or any other certificates as stipulated in article 27 of this Act.

Employment

23. Those who are called in for service are not allowed to be employed, or remain in his job or work, or be given a licence to do any work or profession, or register in the employment cadre, unless he is carrying an ID service card or any of the other certificates stipulated in article 27 of this Act.

Reservation of the Recruits' Jobs and Positions

24.1 Institutions which employ more than 50 persons should reserve the jobs of those who were recruited from their place of work and re-employ them after the service period without the loss of any benefits or promotion because of it, and should consider it as an actual work period for after-service benefits; provided a re-employment application is presented within 30 days from the end of the service period.

24.2 Universities, institutes and schools should reserve the recruit's place, or his right to join or graduate from them, provided this does not disrupt their study system and his application is presented within reasonable time.

Continuation of Service with the Armed Forces

25. After completion of his national service period, the recruit has the right to continue his service with the armed forces as a volunteer and with new conditions prevailing in the armed forces; his period of service as a recruit shall be calculated for pension purposes. Should the recruit choose not to volunteer, he will be registered for the reserve service according to its laws.
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Priority of Nomination for the Recruit

26. The recruits who were not employed or nominated shall have the same chance as their colleagues at graduation, when taken for employment in the public sector for the first time after the completion of service, provided they prove that their recruitment has hindered their employment with their colleagues and that they fulfil the required employment conditions.

Certificates Issued by the Ministry of Defence

27. The Ministry of Defence shall provide the following certificates for holders of service ID cards who meet the conditions of this Act, after payment of fees:

   a. Exemption of service certificate according to article 10
   b. Pardon from service certificate according to article 11
   c. Postponement of service certificate according to article 12 of this Act

General Laws; Penalties

28.1 Whoever contravenes this Act shall be punished by imprisonment for a period not exceeding three years, or shall be fined, or shall be punished by imprisonment and a fine.

28.2 The above penalties apply to any person who purposely assists someone to avoid or postpone the service recruitment, either by withdrawing, deleting or dropping his name intentionally from the lists, or causing or helping to cause him a malignant accident, or by giving false information, or hiding him or using any other means for this purpose.

28.3 Any person subject to do the service shall be punished with imprisonment for a period not less than two years and not exceeding three years who does not present himself for recruitment, or tries to avoid the service through deceit, or by inflicting harm to himself. This person will immediately join the service after the completion of the penalty period upon the request of the Commander of Recruitment.

Recruitment Administration Powers

29. The director and his deputies shall have the powers and authority of the police force regarding the implementation of this Act or any regulations issued through it.

Freezing of the Criminal Accusation

30. Criminal claims will cease according to this Act against service recruits if they reach the age of 50 years.

Regulation and Orders

31. The Minister shall issue the regulations and orders necessary to implement this Act.

Issued under my endorsement on the 6 of Shaaban 1412 Hijri corresponding to 20 February 1992.