

SUDAN PEOPLE'S LIBERATION MOVEMENT

INTERNAL REGULATIONS, 2015

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INTERNAL REGULATIONS

The Internal Regulations are the basic rules, roles and responsibilities upon which the Sudan People's Liberation Movement and its institutions hinges. They define the institutional relations between the organs of the Movement as well as political relations between the individual members of the Movement. The Regulations are developed in conformity with the Constitution, Manifesto, and Code of Conduct.

REGULATION 1

1. Party Membership

1.1 Conditions for Membership:

Membership of the SPLM shall be open to all South Sudanese citizens irrespective of gender, origin, race, creed or social status provided that the person satisfies the following conditions.

1.1.1 In addition, a SPLM member shall:

1.1.2 believe in, subscribe to and accept the vision, mission, objectives and programs of the Movement;

1.1.3 abide by the Constitution and regulations of Movement;

1.1.4 undertakes to actively participate in the execution of Movement's decisions and programs;

1.1.5 refrain from publication and distribution of any material or documents which tend to create division within the Movement or advance views which undermine the objectives and programs of the Movement;

1.1.6 observe and keep the confidentiality of classified information in respect of matters of the Movement;

1.1.7 be eighteen years of age and above;

1.1.8 be of sound mind; and

1.1.9 of good conduct and behaviour.

1.2 Application for membership shall be made in writing to the appropriate SPLM office.

1.3 Applications for membership shall be considered by the Movement's Cell, Boma, Payam Secretariat or the SPLM/A Chapter, and by the County Secretariat, if no Cell, Boma or Payam Secretariat exists.

- 1.4 The Movement may accept or reject any application for membership provided that in case of rejection, the applicant shall be entitled to seek review of such rejection by the Secretariat of the next higher organ of the SPLM, and if necessary up to the National Convention whose decision shall be final.
- 1.5 The Cell, Chapter, Boma, Payam or County Secretariat shall decide on any application for membership within four weeks from the date of its receipt.
- 1.6 Membership cards shall be issued to registered members of the SPLM upon payment of the prescribed fees.
- 1.7 The SPLM General Secretariat at any level may grant:
 - 1.7.1 provisional membership of three months to any person who wishes to join the SPLM/A for the first time;
 - 1.7.2 provisional membership of six months to any person re-joining the SPLM/A; and
 - 1.7.3 in the absence of any objection from the structures and/or any ruling by the General Secretariat, the applicant shall, on the expiry of the provisional period, become a full member of the Party.
- 1.8 At any time before an individual is accepted as a full member of the Party, or in exceptional circumstances after the member has been admitted, the General Secretariat may reject the membership, if it was illegally or fraudulently obtained.
- 1.9 Rejection of an application for membership shall be communicated in writing to the applicant by the Movement's Secretariat at that level.
- 1.10 A member shall pay subscription as shall be determined by the Political Bureau on the recommendation of the General Secretariat.
- 1.11 The Political Bureau may, on its own or on the recommendation of the General Secretariat grant honorary membership to those persons who have demonstrated an unwavering solidarity with the Movement.
- 1.12 Upon joining the Movement, a member shall take the following oath of allegiance:

"I,,do hereby swear by the Almighty God/ solemnly affirm that I shall abide by, respect and uphold the vision, mission, aims and objectives of the SPLM/A as set out in its Constitution and other basic documents; and that I shall respect the structures of the Movement and place my energies and skills at the disposal of the Movement and carry out any task that may be assigned to me and that I shall defend the unity and integrity of the Movement and its principles, so help me God."
- 1.13 Before assuming office, the Chairperson, Deputy Chairperson and officers of the relevant levels of the Movement shall take the following oath of office:

"I.....,do hereby swear by the Almighty God/solemnly affirm that I shall as------(title)-----abide by, respect and uphold the vision, mission, aims and objectives of the SPLM, as set out in its Constitution and other basic documents; and that I shall perform my functions and duties honestly, diligently and without fear or favour, respect the structures of the SPLM and serve the Movement to the best of my ability, and that I shall defend the unity and integrity of the Movement and its principles, so help me God."

1.14 The above mentioned oaths shall be taken in case of:

1.14.1 the SPLM Chairperson and Deputy Chairperson, before the NC;

1.14.2 the Secretary General, before the NLC;

1.14.3 Chairpersons at the State, County, Payam and Boma levels, before the relevant Congresses; and

1.14.4 in case of the other officers, before the Chairpersons of the relevant levels.

1.15 A member, who fails to pay his or her subscription for six consecutive months, and having been duly reminded, shall be deprived of some of his/her membership rights, as shall be determined by the regulations of the Movement.

1.2 Rights of a Member

A member of the Movement has the right to:

1.2.1 elect and be elected to any of the various offices and institutions of the Movement;

1.2.2 freely express his or her views, exercise his/her faith and shall not be victimized for statements made during official meetings;

1.2.3 participate in appropriate forums and meetings of the organs of the Movement and its affiliated bodies;

1.2.4 access information about policies and activities of the Movement;

1.2.5 be notified to attend meetings;

1.2.6 be issued with a membership card subject to payment of subscription fees;

1.2.7 raise questions and submit petitions either verbally or in written to the appropriate organs of the Movement and receive timely answers;

1.2.8 participate in voting when called for in meetings;

1.2.9 request where necessary the implementation of provisions of the Constitution, resolutions, decisions, directives and agreements of the Movement;

- 1.2.10 in case of a provisional member, she/he enjoy all the rights of membership except the right to vote or be elected to any position within the Movement; and
- 1.2.11 any Member who fails to pay his or her subscriptions for six consecutive months, and having been duly so reminded shall be deprived of some of his or membership rights, as shall be determined by the Secretariat concerned pending payment of the said arrears.

1.3 Duties and Obligations of a Member

In exercise of his/her duties and obligations, a member of the Movement shall carry out the following:

- 1.3.1 uphold this Constitution, abide by the regulations and code of conduct of the Movement;
- 1.3.2 combat racism, tribalism, political sectarianism, gender insensitivity, religious intolerance and all other forms of discrimination in South Sudan;
- 1.3.3 respond, when called upon, to serve in national emergencies, development activities and any other national duties;
- 1.3.4 pay membership and subscription fees regularly;
- 1.3.5 act in the spirit of self-sacrifice, dedication and selfless commitment to the SPLM/A;
- 1.3.6 report to the relevant authority any misuse of Movement or public funds or assets;
- 1.3.7 respect, and protect properties of the Movement and of the public in general;
- 1.3.8 abide and comply with the decisions of the majority;
- 1.3.9 strive to disseminate and explain the vision, objectives, policies and programs of the Movement to the people;
- 1.3.10 maintain objectivity and constructive criticism in official and public debates and exercise self-criticism;
- 1.3.11 observe and keep the confidentiality of classified information in respect to matters of the Movement;
- 1.3.12 attend regular meetings as shall be called for;
- 1.3.13 uphold the ideals of the SPLM Manifesto and abide by all the provisions of the SPLM Constitution;

- 1.3.14 refrain from publication and distribution of any material or documents of the Movement without authorization;
- 1.3.15 refrain from publication and distribution of any material or documents which tend to create division within the Movement or advance views which undermine the objectives and programs of the Movement;
- 1.3.16 ensure that he or she is registered as a voter in the constituency where he or she resides; and
- 1.3.17 when holding a constitutional executive or legislative position at any level of government, he/she shall be a member of the SPLM caucus at that level.

1.4 Loss of Membership

Membership of the Movement shall cease or be lost if a member:

- 1.4.1 dies;
- 1.4.2 resigns;
- 1.4.3 joins another political Movement or political party;
- 1.4.4 becomes mentally incapacitated;
- 1.4.5 is administratively tried and convicted of gross misconduct and dismissed by a competent disciplinary board in accordance with the provisions of these regulations;
- 1.4.6 is dismissed in accordance with the Constitution, Code of Conduct and these regulations when he or she;
- 1.4.7 is found in breach of the Constitution, Manifesto, Code of Conduct, and in particular these Internal Regulation;
- 1.4.8 campaigning for a candidate sponsored by another political movement or political party;
- 1.4.9 offering material support to a candidate sponsored by another political Movement or party;
- 1.4.10 campaigning against the official candidate of the Movement.

REGULATION 2

2. Financial and other Resources of the Movement

The Movement shall acquire its resources from:

- 2.1 membership registration fees and subscriptions;
- 2.2 return on investments and interest on deposits;
- 2.3 grants, gifts and donations;
- 2.4 income from publications of the Movement; and
- 2.5 any other legitimate proceeds from fund raising activities.

REGULATION 3

3. Budget

- 3.1 The national committee responsible for finance and administration shall prepare annual or supplementary budget proposals which shall be presented to the Political Bureau for approval.
- 3.2 SPLM State/County/Payam/Boma secretaries for administration and finance shall prepare their respective annual or supplementary budgets for approval by the appropriate Liberation Councils at each level.
- 3.3 Any expenditure should be according to budget lines.

REGULATION 4

4. Financial Procedures

- 4.1 All financial transactions by the various organs of the Movement shall observe the following:
 - 4.1.1 financial and accounting regulations and norms that are adhered to in the country;
 - 4.1.2 provisions of these internal regulations;
 - 4.1.3 approved budgets at various levels of the Movement; and
 - 4.1.4 decisions and directives of relevant organs/offices of the Movement.

REGULATION 5

5. Control of Finance

- 5.1 The National committee in charge of finance and administration shall ensure safety, custody and efficient management of financial resources and assets of the Movement.

- 5.2 All funds of the Movement shall be deposited in bank or banks as may be determined from time to time by the Secretariat at each level.
- 5.3 No bank accounts shall be opened except with a written approval of the organ in charge of resource at the various levels,.
- 5.4 At the national level, any account shall have three signatories comprising of the Secretariat for Administration and Finance and two other persons as may be determined by the General Secretariat.
- 5.5 Any account at State level shall be opened with the approval of the State Secretariat for Administration and Finance in consultation with the SPLM State Secretary and shall have three signatories.
- 5.6 Any account at County level shall be opened with the approval of the County Secretariat for Administration and Finance in consultation with the SPLM County Secretary and shall have three signatories.
- 5.7 Any account at Payam level shall be opened with the approval of the Payam Secretariat for Administration and Finance in consultation with the SPLM Payam Secretary and shall have three signatories.
- 5.8 Any account at Boma level shall be opened with the approval of the Boma Secretariat for Administration and Finance in consultation with the SPLM Boma Secretary and shall have three signatories.
- 5.9 Any account at Country Conference level shall be opened with the approval of the SPLM Country Coordinator and shall have three signatories: SPLM Country Coordinator, SPLM Deputy Country Coordinator, SPLM Country Secretary.
- 5.10 Any account at Chapter level shall be opened with the approval of the Chapter Secretariat for Administration and Finance in consultation with the SPLM Chapter Secretary and shall have three signatories.
- 5.11 The signatories shall initial cheque counter foils and ensure that cheques are supported by certified payment vouchers. On no account shall the signatories sign blank cheques without the amount to be paid fully as indicated in figures and words.
- 5.12 All unspent monies appropriated for any financial year shall lapse by the end of that financial year and unspent monies shall be surrendered to the organ in charge of finances at the appropriate level.
- 5.13 The Secretary General, SPLM Secretaries at the various levels and SPLM Country Secretary shall present quarterly financial reports to the various Councils and Country Conference, or to any organ at the appropriate level as may be required, on financial position of the Movement at that level.

REGULATION 6

6. Payments, Disbursements and Receipts

- 6.1 All obligations and payments are to be approved by the person in charge of financial at the various organ levels of the Movement before any payment or commitment can be made.
- 6.2 Payment vouchers and receipts shall be obtained for all disbursements as confirmation of receipt of payment.
- 6.3 All amounts paid and the date of payment shall be recorded in the accounts as of the date when the disbursement is made.
- 6.4 An official receipt shall immediately be issued for all monies received by the SPLM organs/offices. The receipts shall be issued by the cashier or bookkeeper or any other officer duly designated for that purpose by the appropriate organ in charge of finances and resource mobilization.
- 6.5 Receipts shall be recorded in the account, date of remittance and date of receipt. All monies received shall be banked intact on daily basis.
- 6.6 The SPLM Secretariat in charge of administration and finance at any level or SPLM Country Secretary may maintain a petty cash account with cash not exceeding at any given time an amount of SSP 10,000 (South Sudanese Pounds thousand dollar) or its equivalent as petty cash float.

REGULATION 7

7. Internal and External Audit

- 7.1 The SPLM Secretariat in charge of administration and finance at any level or SPLM Country Secretary shall ensure regular audit of accounts of the Movement including furnishing the Secretariats in charge of administration and finance at the higher levels of the Movement or any other designated officer with monthly statements and balances held in all accounts.
- 7.2 The accounts of the Movement at any level shall be audited annually by external auditors from certified auditing firms.
- 7.3 The external auditor shall examine, enquire into and audit all accounts of the Movement in conformity to general accepted auditing standards and practices.
- 7.4 The audit shall cover accounts of the Movement to ensure that all reasonable precautions have been taken to safe guard the proper use of resources.
- 7.5 The reports of the external audit shall be submitted to the Bureau, the Liberation Councils at the appropriate levels and the Country Conference for examination and appropriate action.

REGULATION 8

8. Inventory and Property Records

- 8.1 Physical inventories shall be taken of all supplies, equipment or other property of the Movement at such intervals as deemed necessary to ensure adequate control over such properties, supplies and equipment.
- 8.2 The responsibility of ensuring conduct of such physical inventories rest at all levels with the Secretary or person in charge of administration and the logistics officers serving under him/her.
- 8.3 Complete and accurate record shall be maintained of supplies, equipment or other property purchased, received, issued, remaining in hand, sold or otherwise disposed of.
- 8.4 Supplies, equipment and other property shall be issued only to authorized officials of the Movement. An issuing report shall be made for all items issued out clearly identifying the recipient and description of the items.
- 8.5 Equipment that is unserviceable, obsolete or surplus shall be disposed as follows:
 - 8.5.1 surplus equipment may be transferred to levels or affiliated bodies that may be in need, or can make use of it;
 - 8.5.2 sold by public auction if it is marketable; and
 - 8.5.3 donated to cadres of the Movement;

REGULATION 9

9. Contracts

- 9.1 In general any procurement of equipment, supplies or services shall be competitive and transparent through tendering and with due regard to expertise, quality specifications and delivery schedules.
- 9.2 The SPLM Secretariat in charge of administration and finance at any level or SPLM Country Secretary, in consultation with the Secretary General or any SPLM Secretary at any level or SPLM Country Coordinator, may authorize the use of restricted tendering or direct procurement in any of the following cases:
 - 9.2.1 supply of goods such as limited stationery and office consumables from reliable suppliers;
 - 9.2.2 the supply for additional goods or services from the original providers of such goods or services; and

- 9.2.3 the suppliers, in case of urgently needed and limited commodities, is solvent and capable to enter into, and execute, legally-binding contracts with the value not exceeding SSP20,000 (South Sudanese Pounds twenty thousand).
- 9.3 All procurements for assets and capital goods worth SSP50,000 (South Sudanese Pounds fifty thousand dollar) or above must be concluded in contracts reduced to writing and signed by the SPLM Secretariat in charge of administration and finance at any level or SPLM Country Secretary, in consultation with the Secretary General or any SPLM Secretary at any level or SPLM Country Coordinator, on behalf of the sector concerned.
- 9.4 For accounting purposes, all procurement documents must be scanned immediately and electronically kept in a secured place.

REGULATION 10

10. Vehicles and Communications

- 10.1 All vehicles of the Movement shall be used strictly for official business and functions. Each vehicle shall have a logbook kept by drivers, and indicating when the vehicle is in use, the name of the driver, the time of departure, fuel monitoring, the destination and time of arrival and condition of the vehicle.
- 10.2 When a person to whom the vehicle is not specifically designated uses the vehicle, the logbook shall also reflect on whose authority he/she uses it.
- 10.3 There shall be a central registry in each of the main offices of the Movement where all incoming mail including faxes shall be kept. The Secretary in charge of administration shall designate an official to manage the Information Communication Technology (ICT) section of the Movement.
- 10.4 All long-distance calls shall be registered in a telephone logbook and when calls are made by unauthorized person the register shall include the number called, the time of the call, the name of the caller and his or her signature and the purpose for the call. In case of private calls, the cost of such calls shall be charged to the caller.

REGULATION 11

11. Data Security

- 11.1 All efforts shall be made by all users to reduce the possibility of computer-related misuse of equipment, information, accidental loss or corruption of data.

- 11.2 Authorized officials shall be assigned in all offices of the Movement to control and monitor access to the office information system and prevent or deny such access to any unauthorized user or users.

REGULATION 12

12. Development and Management of Resources

- 12.1 Without prejudice to the provisions of the Constitution, there shall be formed by the Councils, Country Conference and Chapter Assemblies as the case may be, a Resource Development and Management Committee (RDMC) at those levels to draw up plans for the management and development of the financial resources and assets of the Movement and shall identify credible investment opportunities for those resources for approval by the Political Bureau.
- 12.2 The committee above shall be under the supervision of the Secretary General, Secretaries of the lower levels of the Movement, Country Secretary and Chapter Secretary.
- 12.3 The Secretary General, Secretaries at the lower levels of the Movement, Country Secretary and Chapter Secretary shall present reports to the appropriate Liberation Council at that level as the case may be on the work of the corresponding RDMC.
- 12.4 Notwithstanding sub-section (3) above, the Liberation Council at any level of the Movement, Country Conference and Chapter Assembly may form committees to undertake responsibilities in connection with resources management and development.

REGULATION 13

13. Disciplinary Regulations

Disciplinary measures shall be undertaken in accordance with the following principles:

- 13.1 enhance respect to regulations of the Movement;
- 13.2 promote attitude of self-discipline among members;
- 13.3 inducing members to improve their attitude and conduct;
- 13.4 measures aimed at correcting attitude and not punitive;
- 13.5 no disciplinary measures shall be taken against a member until a case alleged has been fully investigated;
- 13.6 disciplinary measures shall be taken after establishing facts, proving liability reasonably;

- 13.7 disciplinary measures shall follow fair, reasonable and consistent investigation process;
- 13.8 a member subject to a disciplinary measure, shall be notified on the specific complaint against him/her and shall be given due opportunity to respond to such complaint; and
- 13.9 any member subject to disciplinary measure has a right of an appeal against any disciplinary measure imposed against him/her.

REGULATION 14

14. Informal Counselling

Informal counselling may be constituted to any member on a minor incident that does not amount to breach of regulations in first instance; the counselling shall be guided by the following principles:

- 14.1 informal counselling that shall not be recorded in the member's file;
- 14.2 the Secretariat or Committee/Organ charged with counselling shall take note and keep a notice on date, circumstances and advice rendered and shall monitor timeline for improvement if any; and
- 14.3 the Secretariat or Committee/Organ charged with counselling shall explain to a member subject to informal counselling risk of initiating formal disciplinary measures for failing to meet any requirements indicated for future behaviour.

REGULATION 15

15. Misconducts That Warrant Disciplinary Measures

The following conduct by a member shall constitute misconduct in respect to which disciplinary measures shall be invoked and instituted against him/her:

- 15.1 conviction in a court of law for any serious offence with or without a sentence;
- 15.2 behaviour which brings the Movement into disrepute or which manifest a flagrant violation of moral integrity expected of a member or conduct unbecoming of him/her;
- 15.3 showing racism, sexual harassment, tribal chauvinism, religious and political intolerance, negative regionalism or any form of discrimination;
- 15.4 involved in corruptly or seeking, offering or accepting bribe for performing or not performing any task;
- 15.5 misappropriation of funds of the Movement or destruction of its properties;

- 15.6 behaving in such a way as to provoke divisions, violence or a breakdown of unity in the Movement;
- 15.7 undermine and showing disrespect for or impeding the functioning of the structures of the Movement;
- 15.8 supporting a political movement or party other than those in alliance with the SPLM in a manner contrary to the aims, objectives and policies of the Movement;
- 15.9 standing in an election for government institution or act as an election agent or canvasser of a person standing for such election in opposition to a candidate dully endorsed by the Movement;
- 15.10 joining another political movement or their affiliated movements;
- 15.11 fighting or behaving in grossly, disorderly or unruly manner;
- 15.12 deliberately disrupting meetings and interfering with orderly functioning of the Movement;
- 15.13 drunkenness while on duty of the Movement;

REGULATION 16

16. Misconduct

Without prejudice to the generality of misconduct as described in the SPLM Code of Conduct and Regulation 15 above such practices that may warrant summary dismissal include the following:

- 16.1 assault, bully, harassment and or threatening behaviour;
- 16.2 gross negligence of duty;
- 16.3 stealing, embezzlement or misappropriation;
- 16.4 recklessness in relations to health, safety of others, damage of people's property;
- 16.5 fraud, deception or dishonesty;
- 16.6 sexual harassment;
- 16.7 acts of discrimination due to sex, race, ethnic, gender, and disability; and
- 16.8 seeking, accepting or offering financial inducement or bribes from individuals, companies, other political movements or parties.

REGULATION 17

17. Authority To Discipline

- 17.1 Disciplinary proceedings shall be conducted at the level where the alleged violation or misconduct took place.
- 17.2 The Political Bureau, General Secretariat, State, County, Payam or Boma Secretariats, may form a disciplinary committee at its level.

REGULATION 18

18. Procedures Of Disciplinary Measures

- 18.1 Any person faced with disciplinary procedures shall:
 - 18.1.1 receive due written notice of any hearing and of basic allegations and charges against him or her and to be accorded reasonable opportunity to make his/her defence;
 - 18.1.2 be entitled to be represented by a member in good standing and who is a registered member for at least one year prior to receipt of such written notice referred to disciplinary procedures; and
 - 18.1.3 if disciplinary proceedings are instituted against a member and such a member does not appear at the venue and at the time specified for such proceedings or does not remain in attendance when required to do so, the relevant disciplinary committee if satisfied that such a member was properly and timely notified of such venue and time shall order that the proceedings continue in the absence of such member.

REGULATION 19

19. Investigation

- 19.1 Prior to disciplinary measures, any allegation shall be carefully investigated by a committee of a Secretariat of the relevant level authorized by the disciplinary committee of the appropriate level.
- 19.2 Only authorized members of a Secretariat may conduct investigation related to any complaints, conduct interviews or disciplinary hearings.
- 19.3 An authorized member of a Secretariat shall not delegate his/her authority to any other third party.

- 19.4 The authority to undertake disciplinary action shall not be delegated to a person holding a post lower than team leader.
- 19.5 Where the authorized member of a Secretariat is involved as a witness, the disciplinary Committee shall appoint other officer to carry out the investigation proceedings.
- 19.6 Where the member is subjected to an investigation and is suspended he/she shall be entitled for full payment if applicable during such investigation.
- 19.7 The Disciplinary Committee may contact any member of the Movement or committee for clarification or assistance in conducting an investigation.
- 19.8 Investigation shall be conducted within (5) five working days. When investigation cannot be completed within (5) five working days, the member subject to investigation shall be notified on the appropriate length of the investigation process.

REGULATION 20

20. Hearing Process

- 20.1 When the investigating committee/members reaches a conviction that there are enough grounds to consider a case to answer, a hearing process shall be arranged.
- 20.2 Prior to arranging disciplinary hearing in a case involving a secretariat, the investigating committee/members shall discuss the circumstances and allegations with a full time member of the relevant secretariat. This provision applies to all offences including all those warranting summary dismissal.
- 20.3 Whenever it is not possible to discuss the details of the case with any full time member of a secretariat, the investigating officer may recommend to the chair of the disciplinary committee to invoke suspension with pay if applicable to the officer subject to investigation during the interim period.
- 20.4 A member subject to investigation shall be served with a notice before (5) five working days in advance about the disciplinary hearing mentioning venue, time and date.
- 20.5 The member subject to investigation shall be informed in writing with the specific charges and allegations framed against him/her and asked to respond in writing to such complaint.
- 20.6 Investigation process shall be documented; copies of letters, notes of findings, interviews or any research for use, and signed minutes shall be kept by the investigation officer and the disciplinary committee at any relevant stage.

- 20.7 Where the investigating officer or disciplinary committee concludes that there is no case to answer, a written note on such decision shall be filed with other documents in the case report.

REGULATION 21

21. Disciplinary Measures

- 21.1 Disciplinary measures or sanctions, which may be imposed by a disciplinary committee for a proven violation of the Constitution, other relevant instruments, principles, norms, policies and decisions of the Movement, shall involve warning, reprimand, payment of compensation and or remedial actions such as suspension of membership, expulsion from the Movement and, in the case of a public representative, removal from the post.
- 21.2 Where an appeal has been lodged, the disciplinary committee may suspend the imposition of any of the above disciplinary measures or sanctions whether with or without certain conditions for a period to be determined by such disciplinary committee.
- 21.3 The disciplinary committee shall report in writing on the outcome of each disciplinary proceeding to the relevant office or structure that established it and which shall announce the decision publicly.

REGULATION 22

22. Determination of Appropriate Sanctions or Action

- 22.1 Where the disciplinary committee after hearing the proceedings considers a case has been established; the sanction shall be outlined in accordance with the disciplinary measures and sanctions listed in these regulations.
- 22.2 In deciding the appropriate disciplinary measures of sanction the disciplinary committee shall consider any previous disciplinary offenses related to the member subject to discipline, nature of time scale of the case.

REGULATION 23

23. Types of Disciplinary Measures

23.1 Informal warning

23.1.1 This measure shall be rendered verbally in minor cases and shall not be recorded in the file of member subject to discipline.

23.1.2 The disciplinary committee shall inform the member subject to discipline of the conduct expected of him/her to meet the necessary standards.

23.2 Formal written warning

23.2.1 Considered second level of sanctions and it shall be instituted in a written form and placed in the member's personal file.

23.2.2 The warning shall specify the complaint against a member's disciplinary record and any other relevant areas of improvement that are required to be achieved.

23.2.3 The verbal warning shall be disregarded for disciplinary purposes after (6) six months elapse.

23.3 Second written warning

23.3.1 Considered third level of sanction and it shall be instituted in a written form and placed in the member's personal file.

23.3.2 The warning shall specify the complaint against the member, disciplinary record of the member, and shall indicate that for further breach of conduct this warning shall warrant dismissal from the Movement.

23.3.3 Due to corrective nature of the disciplinary measures, any formal second written warning shall not be removed from the member's file and in case of any recurrence of misconduct or breach of rule and regulations it shall lead to direct dismissal.

23.4 Dismissal

23.4.1 It shall be procedurally the fourth-disciplinary measure and shall be served as a copy to the file of member subject to discipline.

23.4.2 Dismissal shall be applicable for cases of gross misconduct as provided in Regulation 16 above.

23.4.3 Without prejudice to member's right to appeal, dismissal shall be with immediate effect.

23.5 Summary Dismissal

If a member is dismissed summarily for gross misconduct the following procedures shall be followed:

23.5.1 the member shall be informed in writing of the nature of his/her gross misconduct, the decision shall specify basis and circumstances under which he or she was found guilty of the alleged misconduct; and

23.5.2 where the member wishes to appeal against the summary dismissal, he or she may inform the appeal tribunal in writing and shall be invited to a meeting in which he/she takes necessary steps to attend;

REGULATION 24

24. Appeal Procedures

- 24.1 A member may appeal against any disciplinary decision made against him or her unless otherwise stated in the decision within (7) seven working days from the date of the letter of the disciplinary committee.
- 24.2 The authority to which the appeal should be addressed shall always be specified in the decision letter.
- 24.3 A member appealing against the decision of the disciplinary committee may be represented or be accompanied by a registered member of the Movement.
- 24.4 Both disciplinary committee and the secretariat concerned shall ensure the process of appeal would not unreasonably delay the appeal proceedings.
- 24.5 Any appealing member shall inform his or her representative of the appeal hearing and ensure the attendance.
- 24.6 The decision reached in an appeal shall be communicated within (5) five working days from the end of appeal hearings.

REGULATION 25

25. Conduct of the Appeal Hearing

- 25.1 An appropriate institution as detailed in a decision of the disciplinary committee shall conduct the hearing.
- 25.2 The appealing authority shall be a higher institution as the case may be to the concerned disciplinary committee.

REGULATION 26

26. Appeal against Dismissal

- 26.1 Any member who is summarily dismissed without notice for gross misconduct, but is subsequently reinstated on an appeal, shall be paid his/her basic earnings for the period between the dismissal and reinstatement.
- 26.2 Any member, who may have been dismissed with notice, may submit his/her appeal within the notice period.

REGULATION 27

27. Appeal Review Institutional Structure

Any member who may have statutory right, in case of alleged unfair dismissal or wrongful dismissal shall pursue his/her case to the SPLM tribunal within (3) three months from the effective date of dismissal or last date of active membership.

REGULATION 28

28. Appeal Tribunal

28.1 The National Liberation Council shall institute an SPLM Appeal Tribunal as the highest appealing level to review at regular intervals or as determined by changes in relevant code of conducts.

28.2 The National Liberation Council may develop the Standard Administrative and Operating Procedure of Appeal Tribunal.

REGULATION 29

29. Appeal in Expulsion Case

29.1 If a member subject to disciplinary measures is expelled from the Movement, he/she may appeal to the Appeal Tribunal.

29.2 The decisions of the Appeal Tribunal shall be final and binding.

REGULATION 30

30. Candidacy Nomination Regulations

The purpose of these regulations is to provide regulations that guide the nomination process of candidacy of the members of the Movement for nomination in the following offices:

30.1 Fulfilling cadre position within the Movement;

30.2 Standing election on Movement cards in the national elections or any other elections as may be prescribed by law; and

30.3 Constitutional offices of the State and County.

REGULATION 31

31. Nomination Criteria

The criteria for nomination of candidates shall be made in accordance with the following criteria:

- 31.1 membership that is meeting the eligibility conditions;
- 31.2 be a citizen;
- 31.3 be able to read and write;
- 31.4 be visible and known on social and political grounds at any government level he/she may aspire to represent; and
- 31.5 have attended a minimum cadre training.

REGULATION 32

32. Eligibility Conditions

Nomination process for an aspirant shall be made in accordance with the following eligibility Conditions:

- 32.1 be a citizen;
- 32.2 not has been convicted in court of law for any offence involving dishonesty or moral turpitude;
- 32.3 secondary school certificate holder; and
- 32.4 membership that meets the following criteria:
 - 32.4.1 been a member for at least (1) One year for senior positions like Chairperson, members of the National Liberation Council, members of the Political Bureau, Secretary General, executive and legislative position at the national level;
 - 32.4.2 been a member for at least 1 year for the rest of the positions within the Movement or any electoral post specified by law;
 - 32.4.3 committed to the vision, mission and objectives of the Movement;
 - 32.4.4 paying membership fees and subscriptions and not to have accumulated arrears for more than 6 months prior to contesting nomination process;
 - 32.4.5 participates in implementing SPLM assignments;
 - 32.4.6 is disciplined and engages in criticism and self-criticism;
 - 32.4.7 combats corruption, tribalism, nepotism and any other divisive policies;

32.4.8 engages in self-education and enlightenment;

32.4.9 adherent to Internal Regulations of the Movement; and

32.4.10 a candidate for nomination shall have attended a minimum cadre training.

REGULATION 33

33. Conditions of Commitment to the Movement

33.1 A member is considered committed to the Movement if he/she fulfils the following:

33.2 participates in implementing the Movement's assignments;

33.3 is disciplined and engages in promoting Movement interest;

33.4 engages in enlightening the public about the programs of the Movement; and

33.5 promotes unity of the people and combats nepotism, corruption, tribalism, regionalism, and any divisive policies.

REGULATION 34

34. Conditions of Obedience to the Rules and Regulations

34.1 A member is considered devotee to the internal regulations of the Movement if he/she fulfils the following:

34.1.1 must enjoy capability to engage in political Movement and activities;

34.1.2 pays monthly subscription or membership fees; and

34.1.3 never been sentenced by a board of discipline for breach of Code of Conduct or Internal Regulations.

REGULATION 35

35. Rules for Candidate Nomination

The rules for nomination in running in the Primaries shall be as specified in the SPLM Constitution Article 110:

Each prospective nominee shall be required to sign an affirmation statement of the SPLM membership. This statement shall read as follows

“I -----, have read, understood and do hereby affirm my personal commitment to the vision, mission, principles and objectives of the SPLM and that I shall uphold the SPLM Constitution and its Internal Regulations.”

REGULATION 36

36. Guiding Principles of the Nomination Process

The independent electoral colleges shall be guided by the following principles in addition to the conditions set forth, as follows:

- 36.1 broad representation of the demography of the State, Counties, Payams and Bomas;
- 36.2 reflection of the liberation struggle, history and character of the Movement;
- 36.3 adequate representation of technical skills in the election;
- 36.4 fair women representation in accordance with the Movement’s constitution;
- 36.5 adequate representation of youth and other age groups in a non-discriminatory manner; and
- 36.6 fair persons with disabilities representation in accordance with the Movement’s constitution.

REGULATION 37

37. Conduct of business within the Movement structures

- 37.1 Individual SPLM members are subordinate to the Movement, the minority is subordinate to the majority, the lower Movement levels are subordinate to the higher Movement levels and all congresses, Country Conference, Chapter Assembly and members of the Movement are subordinate to the National Convention of the Movement.
- 37.2 The leading SPLM body is the national Convention and the National Liberation Council elected by it and the Political Bureau if applicable. The leading bodies of the lower levels of the Movement (state/local government) are the Congresses, Country Conference and Chapter assembly at their respective bodies and committees elected by them.
- 37.3 Higher Movement levels shall pay constant attention to the views of lower Movement activities and the rank and file of the Movement members and solve in good time the problems they raise. Lower Movement levels shall report to, and request instructions from higher Movement levels; at the same time they shall independently and in responsible manner resolve matters within their jurisdiction; higher and lower levels of Movement should support and supervise each other. The

Movement at all levels should keep members well informed on Movement matters and avail them opportunities to participate in Movement activities.

- 37.4 Movement committees at all levels shall function on the basis of collective leadership with individual responsibility based on division of labour. All major issues shall be decided upon by the Movement committee after discussion in accordance with the principle of collective leadership, democratic practice, individual consultations and by meetings. The members of Movement committee shall earnestly perform their duties in accordance with the collective decision taken based on division of labour.
- 37.5 The Movement forbids any forms of personality cult. It is necessary to ensure that the activities of the Movement leaders are subject to supervision of the Movement and the people.
- 37.6 When necessary, the national liberation council, the congresses at relevant levels, Country Conference and Chapter Assembly, may convene conferences/meetings of delegates to discuss and decide on major problems that require timely solution. The number of delegates and procedures governing their election/selection to such conferences/meeting shall be determined by the Movement committees convening them.
- 37.7 When making decisions on important issues affecting the lower levels of Movement, the higher/leading bodies of the Movement at all levels under normal circumstances, solicit opinions of lower levels of Movement. Measures should be made to ensure that the lower levels of the Movement can exercise their powers and functions normally. Except in special circumstances the higher bodies of the Movement should not interfere with matters that are at the jurisdiction of the lower bodies.
- 37.8 The national convention/national liberation council is the only body that has power to make decision on major policies that has national character. The Movement at various secretariat level and local levels may make suggestions with regard to such policies to the national liberation council, but shall not publicize their views outside the Movement structures without authorization.
- 37.9 Lower levels of the Movement must implement the decision of the higher Movement bodies. If such decision does not fit in their circumstances, they can request modification. If the higher level insists on its original decision, the lower level of the Movement must implement the decision and refrain from publicly voicing their differences but retain the right to report to the next higher level of the Movement.
- 37.10 When discussing and making decisions on any matter, the Movement must keep the principle of subordination of the minority to the majority. Secret vote must be taken when major issues are being decided on. Serious considerations should be given to differing views of a minority. In case of controversy over major issue in which the numbers of delegates/group with opposing views are almost equal in numbers, except in emergencies where decision must be taken, the decision can

be postponed to give time for more discussions followed by a another secret vote.

- 37.11 When, on behalf of the Movement, an individual SPLM member is to express views on major issues beyond the mandate/jurisdiction of existing Movement level, a written content is discussed in the Movement level or referred to the next higher Movement level for further directives. No Movement member, whatever her/his position, is allowed to make decisions on major issues on his/her own. In case of emergency when the individual decision is unavoidable, the decision must be reported to the next higher level of the Movement immediately. No leader is allowed to take decision arbitrarily or to place herself/himself above the Movement.
- 37.12 The liberation council, political bureau, congresses at all levels, Country Conferences and Chapter Assemblies shall regularly discuss the Movement's work on publicity, education, disciplinary inspection and must work as a united front and in a collegial spirit. They must study ideological and political developments inside and outside the Movement.

REGULATION 38

38. Discipline within the Movement Structures

- 38.1 Any branch/level of the Movement officials cannot register group of people or pay their registration fees or subscriptions.
- 38.2 No SPLM official shall receive gifts or favours from members seeking nomination to public offices or Movement structure offices.
- 38.3 If a Movement structure fails to uphold Movement discipline, it must be investigated.
- 38.4 In case a Movement structure seriously violates the Movement discipline or rules and is unable to rectify the mistake on its own, the next higher Movement committee shall, after verifying the facts considering the seriousness of the case may decide on the dissolution of the Movement structure and report the decision to the next level for consideration and approval and formally announce the decision.
- 38.5 The Movement offices at all levels must keep registry of names of those who have registered.
- 38.6 The Movement officials should not register new members or provide ID cards for the purposes of nomination for public or Movement offices.
- 38.7 Only registered Movement members are to be included when forming Movement committees
- 38.8 Movement shall keep a registry of affiliated members

REGULATION 39

39. GENERAL PROVISIONS

The following general provisions are:

- 39.1 These regulations shall apply to all levels of the Movement.
- 39.2 The Political Bureau shall approve these regulations by a simple majority in a queried meeting;
- 39.3 These regulations may not be amended except with a two-thirds (2/3) majority of a quorum in the Political Bureau meeting.

Signed:

Dr. Riek Macahar Teny-Dhurgon
Chairman,
Sudan Peoples' Liberation Movement (SPLM),
5 August 2015