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THE MINIMUM STANDARD OF WAGES ACT, 1974

ARRANGMENT OF SECTIONS

Section:

1. Title.
2. Interpretation.
3. Application and Exemption.
4. The minimum standard of wages.
5. Increase of wage of workers that exceed the minimum standard of wage.
6. Benefits more favourable than minimum wage.
7. Dispute concerning the payment of or entitlement to the minimum wage increase or the wage increase.
8. Making of Regulations.

SCHEDULE NO. 1

SCHEDULE NO. 2

THE MINIMUM STANDARD OF WAGES ACT, 1974
(1974 Act No. 83)

(1.10.1974)

1. This Act may be cited as "The Minimum Standard of Wages Act, 1974".⁽¹⁾ Title.

2. In this Act, unless the context otherwise requires:— Interpretation.
"Commissioner" means the Commissioner of Labour;

"Establishment" means every scheme administered by a natural or a corporate person whoever engages for wage whatsoever its kind may be a number of workers fixed from time to time by the Minister by an order published in the Gazette;⁽²⁻³⁾

"Minister" means the Minister of Finance and Economic Planning;

"Specified Date" means the first day of October, 1974;

"Wage" means any monetary remuneration paid to any worker for his work whether in cash or in kind; irrespective of whether such wage is paid monthly, half-monthly, weekly, daily or in any other manner;⁽²⁾

"Workers" means the workers and officials who are subject to the provisions of this Act.

3. (1) This Act shall apply to all workers, men and women, who are not less than eighteen years of age, and who work in any establishment within the regions specified from time to time by the Minister by order published in the Gazette, provided that in the case of establishments the main headquarters of which fall within one of the regions specified by any of these orders, the provisions of this Act shall apply to all workers in the branches of these establishments even if these branches are outside the specified regions.⁽⁴⁾ Application and exemptions.

(2) The following are exempted from the provisions of this Act:—

- (a) workers employed by the Central or Regional Government, the People's Local Government Bodies and the Public Corporations and Institutions with the exception of the employees

(1)—1974 P.O. NO. 14 confirmed and became 1974 Act No. 83.

(2)—1979 Act No. 38.

(3)—See 1974 C.R.O. No. 52.

(4)—See L.R.O. No. 53.

appointed outside the scope of chapter (1) of the Budgets of the Central Government, the Regional Governments, the Public Corporations and organizations and the institutions of the People's Local Government; ⁽⁵⁾

- (b) persons subject to the Industrial Apprenticeship and Vocational Training Act, 1974;
- (c) categories subjected to wage orders made in accordance with the Wages Tribunals Ordinance, 1952, or any other Act that replaces it;
- (d) seasonal agricultural workers;
- (e) members of the family of the employer who work in his establishment for wages;
- (f) domestic servants.

The minimum standard wage.

4. The minimum wage shall be equal to a sum of twenty eight pounds per month and shall be applied to employees who may be appointed after the date of coming into force of this Act. In the manner shown in Schedule No. (1) attached thereto. ⁽⁶⁾

The wages of the employees shall be increased.

5A. (1) The wages of the employees who have been appointed before the date of coming into force of this Act shall be increased in accordance with the percentages corresponding to the segments shown in Schedule No. (2) attached hereto.

(2) Half of the increase provided for in Schedule No. (2) attached hereto shall be due as from the first of July, 1978, and the remaining half shall be due as from the first of July, 1979.

The system of annual increment.

5B. (1) The system of annual increments shall be applied to the employees for the satisfactory performance of duties during the year provided that the increment shall not be less than 5% of the salary.

(2) The system of annual increment shall be applied as from the first of July, 1979 and the payment thereof shall be due for satisfactory performance for each full year as from that date. ⁽⁷⁾

(5)—1979 Act No. 38.

(6)—1979 Act No. 38.

(7)—1979 Act No. 38.

6. (1) Nothing in this Act shall be construed as preventing any establishment from paying any benefits or concessions to any worker which are more favourable to such worker than the minimum standard of wage or the wage increase prescribed by this Act.

Benefits more favourable than minimum wage.

(2) Nothing in this Act shall be construed as affecting the acquired rights or concessions of wages or any other benefits of workers which exceed the minimum standard of wage or the wage increase prescribed in this Act.

7. (1) Any dispute concerning the payment of or the entitlement to the minimum standard of wage or the wage increase shall be referred to the Commissioner or any person acting on his behalf to make a decision upon it in accordance with Schedule No. (3) annexed to this Act. And he shall make his decision within a period of one week from the date on which the dispute is referred to him. ⁽⁸⁾

Dispute concerning the payment of or entitlement to the minimum wage or the wage increase.

(2) The decision of the Commissioner or any person acting on his behalf may be appealed against within two weeks from the date of its declaration, to the competent Province Judge, whose judgement shall be final.

(3) The decision of the Commissioner or any person acting on his behalf shall be enforced by the competent Civil Court and the procedure for the enforcement of judicial decisions shall be followed in its case.

8. The Minister may make the necessary regulations for the execution of the objects of this Act.

Making of Regulations.

(8)—1979 Act No. 40.

SCHEDULE NO. (1) ⁽⁹⁾

Date of appointment	The minimum wage per month
(1) The period from 29.11.1978 up to 30.6.1979	22,250mms.
(2) as from 1.7.1979	28,000mms.

SCHEDULE NO. (2) ⁽¹⁰⁾

Segments of wage	percentage of increase
(1) The first ten pounds	76%
(2) The second ten pounds	60%
(3) The following fifty pounds	20%
(4) The following fifty pounds	10%
(5) The following fifty pounds	5%

(9)—1979 Act No. 38.
(10)—1979 Act No. 38.

SCHEDULE NO. (3)

(See Section 7)

Decision on disputes, regarding minimum wage-rates or wage increase according to section 7 (1) Minimum Standard of Wages Act, 1974.

This dispute has been referred to me and it is between:

and

about

After carrying out required investigation I hereby declare the following:—

Issued under my Signature on the _____

H. Month _____ H. Year and _____

Day _____ Month _____ Year _____ 19 ____ A.D.

Commissioner of Labour