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REGULATORY GUIDELINES

and Legislative Proposals (Regulations) for Private
Employment Agencies for The Republic of South Sudan

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► FOREWORD

Labour migration continues to play a central role in shaping the economic and social landscapes of countries across the East and Horn of Africa. In an increasingly interconnected world, many workers seek employment opportunities beyond their national borders, driven by the desire to improve their livelihoods, support their families, and contribute to the development of their home and destination countries. At the same time, countries of origin, transit, and destination are faced with the shared responsibility of governing migration in a manner that is safe, regular, orderly and rights based.

In this context, the International Labour Organization (ILO) Better Regional Migration Management (BRMM) programme, funded by the UK Foreign, Commonwealth and Development Office, is supporting countries in the East and Horn of Africa region in strengthening their labour migration governance frameworks. Through collaboration with governments, workers' and employers' organizations, and other key stakeholders, the BRMM programme seeks to enhance policy coherence, promote fair recruitment practices, and protect the rights of migrant workers throughout the migration cycle.

In the Republic of South Sudan, labour migration governance remains at a nascent stage. Despite the country's strong potential to harness the benefits of migration, several challenges persist, particularly in regulating recruitment practices. The absence of a comprehensive legal and institutional framework to govern the operations of Private Employment Agencies (PrEAs) has left many migrant workers vulnerable to exploitation, deception, and abuse. Without clear regulations, recruitment processes that often lack transparency, accountability, and adequate safeguards to protect migrant workers.

In response to these gaps, and with the support of the ILO under the BRMM programme, the Ministry of Labour of the Republic of South Sudan has taken significant steps to develop regulatory guidelines and legislative proposals that aim to govern the operations of PrEAs in the country. This provides a set of proposed

regulations and operational frameworks to guide the registration, licensing, monitoring, and supervision of private employment agencies, with a strong emphasis on protecting the rights of migrant workers and promoting fair recruitment standards.

The development of these regulatory guidelines and proposals was informed by extensive consultations with a wide range of stakeholders, including government ministries and agencies, representatives of workers and employers, civil society organizations, private employment agencies, development partners and regional experts. This participatory approach has ensured that the proposed regulations are not only technically sound and aligned with international labour standards but also grounded in the realities and priorities of the South Sudanese context.

This regulation represents an important step forward in South Sudan's commitment to establishing a fair and transparent labour migration system. By establishing a regulatory framework for private employment agencies, the government is laying the groundwork for a more accountable and protective system, one that promotes regular migration pathways, deter exploitative practices, and ultimately contribute to national development and regional integration.

It is our hope that this regulatory guidelines and legislative proposal will serve as a valuable resource not only for South Sudan but also for other countries in the region that seek to strengthen fair recruitment practices and promote the rights and welfare of migrant workers.

We would like to take this opportunity to extend our gratitude and appreciation to the institutions that provided the valuable information used for this report. We would also like to thank Mr. Okech-Owiti, the consultant who worked on this document. Our appreciation also goes to the Foreign, Commonwealth and Development Office (FCDO) of the United Kingdom for funding the Better Regional Migration Management, through which this data sources assessment study was conducted.


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Minister of Labour
The Republic of South Sudan



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▶ PREAMBLE

These Regulations are made under section 37 of the South Sudan Labour Act, 2017 and are issued under the authority of the Minister responsible for labour matters.

▶ 1. Title and Commencement

1. These Regulations may be cited as “Labour (Private Employment Agencies) Regulations” (hereinafter referred to as “the Regulations”).
2. The Regulations shall come into force on the date notified by the Minister.

▶ 2. Purpose

The purpose of the Regulations is to recognise the role of the private sector in the recruitment and placement of workers for local and foreign employment and to provide for the establishment, registration, licensing, operation, and oversight of private employment agencies, as well as the protection of workers using their services.

▶ 3. Interpretations

1. For the avoidance of doubt, any term used in these Regulations that is defined in the South Sudan Labour Act, 2017 (hereinafter referred to as “the Act”), shall have the same meaning as in the Act.
2. In these Regulations:
 - a. The term ‘worker’ shall have the same meaning as the term “employee” as defined and used in the Act
 - b. The terms “migrant” and “migrant worker”, as used in reference to non-South Sudanese working in South Sudan, have the same meaning as “foreign employee”, as defined and used in the Act.

▶ 4. Qualifications and Disqualifications

1. An applicant for a license to operate a private employment agency must:
 - a. Be a citizen of the Republic of South Sudan if a sole proprietor, or have at least one partner or director who is a citizen of a partnership or incorporated company. incorporated company, be a citizen of the Republic of South Sudan
 - b. Be registered as a business entity with the necessary legal personality, with recruitment and placement as one of the objects of the entity.

- c. Have, or employ, a General Manager/Managing Director who has:
 - i. A Master's degree with at least, 5 years' experience; or
 - ii. A Bachelor's degree with at least 7 years' experience in a field related to recruitment and placement; and
 - iii. A certificate of good conduct.
 - d. Have, or employ, a person with demonstrable knowledge of marketing recruitment and placement services and the legal framework for protecting employees' basic rights, evidenced by academic or professional qualifications or proven experience.
 - e. Have a registered, fully equipped physical office with the capacity to handle recruitment and placement business, and, if recruiting for foreign countries, have a counterpart or associate with an office in the country of destination.
 - f. Have a minimum net worth or paid-up capital of:
 - i. 10,000,000 SSP for a licence for placement of South Sudanese within the country; and
 - ii. 100,000,000 SSP for a general licence.
 - g. If a foreign-owned partnership or incorporated company:
 - i. Have foreigners owning not more than 69% and citizens owning not less than 31% of the shares; and
 - ii. Have a board of directors composed of not more than 65% foreigners and not less than 35% citizens.

In a national partnership or company:

 - i. Have at least 70% of the shares owned by citizens and not more than 30% of the shares owned by foreigners; and
 - ii. Have a board of directors composed of at least 70% citizens and not more than 30% foreigners.
 - h. Have executed a guarantee or bond with a reputable bank or insurance agency in South Sudan:
 - i. Of USD 100,000 or equivalent in South Sudanese pounds for agencies placing workers outside South Sudan or within South Sudan for non-South Sudanese; and
 - ii. Of USD 25,000 or equivalent in South Sudanese pounds for agencies placing South Sudanese within South Sudan.
 - i. Have paid the requisite licence application fee.
 - j. Have complied with all tax requirements.
 - k. Have executed a commitment to observe the provisions of the legal framework and code of conduct for recruitment and placement agencies.
2. An application for a grant or renewal of a licence to operate a private employment agency must not be granted if the applicant:
- a. Has been convicted of or charged with unauthorised or illegal recruitment; human trafficking; smuggling of migrants; organized crime; smuggling, conveyance, sale, purchase, or transfer of narcotic substances; money laundering; crimes involving moral turpitude; or breach of laws against child labour or has been charged with any of these crimes or breach, and the case is pending before a court of law.

- b. Has breached the conditions for grant of licence or the provisions of these Regulations or has had a previous authorisation or licence revoked or suspended for such breach, and the revocation has not lapsed or been reversed or the suspension lifted.
- c. Has transferred a previously granted authorisation or licence without authority.
- d. Has, since the grant of a previous licence, ceased to be qualified

► 5. Application for a Licence

1. An application to the Labour Commissioner for a licence to operate a private employment agency and recruit persons for placement with an employer may be made by a person who is registered as a sole proprietor, a general or limited partnership, or an incorporated company.
2. The application must be made in the form provided under these Regulations and must be accompanied by the following:
 - a. Evidence that the applicant, if a sole proprietor, or one of the partners if a partnership, or one of the directors if an incorporated company, is a citizen of the Republic of South Sudan.
 - b. A copy of the document evidencing registration as a business entity.
 - c. A copy of a document showing that recruitment and placement is one of the objects of the applicant.
 - d. A certified list of all partners, if a partnership, or board of directors or such officials if an incorporated company, showing their respective positions and academic and professional qualifications
 - e. A certified list of all the employees showing their respective positions, academic and professional qualifications, and experience, including knowledge and capacity to manage and or engage in the business of recruitment and placement and the roles they play in relation to recruitment and placement, and their respective curriculum vitae.
 - f. A copy of the receipt showing payment of the licence application fee.
 - g. A copy of a document evidencing the posting of a bond is required under these Regulations.
 - h. A copy of a document evidencing operating capital required under these Regulations.
 - i. A tax clearance certificate.
3. The Commissioner may request the applicant to provide further information deemed necessary and must explain the need for such information to the applicant.
4. An applicant for a licence must indicate whether the licence applied for is for:
 - a. Recruitment of South Sudanese for placement within South Sudan.
 - b. Recruitment of South Sudanese for placement in foreign countries generally, or a specified foreign country.
 - c. Recruitment of foreigners for placement in South Sudan.
 - d. A combination of any of the listed types of recruitment and placement.
 - e. A general licence for recruitment and placement.

5. The applicant must notify the Commissioner, within seven (7) days of any future material change in the information or documents provided to the Commissioner at the time of application for a licence.
6. An applicant for a licence must pay a fee of 200,000 SSP, or such other fee as the Commissioner may, from time to time, determine.
7. The Commissioner may vary the fee charged based on the scope of licence applied for and/ or granted, and on the provisions of the prevailing financial regulations.

► 6. Consideration of Application and Issuance of a Licence

1. Prior to issuing a licence, the Commissioner must conduct due diligence to confirm the correctness of the information and documents provided by the applicant.
2. In considering the application, the Commissioner may take into account such matters as gender, disability, age or social exclusion in order to avoid or eliminate any bias or discrimination that may exist in the business of recruitment and placement. The Commissioner must, however, explicitly state that he or she has taken such matters into consideration, and explain the effect such consideration has on the decision to issue or not issue a licence.
3. The Commissioner may conduct such inspection or search as is necessary to confirm the correctness of the information or documents provided by the applicant, where necessary. The applicant must facilitate such inspection or search.
4. The Commissioner must make a determination and issue a licence or reject the application within a period of thirty (30) days after receipt of the application.
5. Where the Commissioner considers the application and determines that the information or documentation is incomplete, or that further information or clarification is required from the applicant, the Commissioner must inform the applicant, giving the applicant a reasonable period within which to provide the information, document or clarification. In this case, the period of thirty (30) days within which the Commissioner must make a determination begins to run from the date of receipt of such information, document or clarification.
6. Where the Commissioner rejects the application, the Commissioner must inform the applicant, in writing, of:
 - a. The decision and the reasons for such rejection;
 - b. The applicant's right to apply to the Labour Court within thirty (30) days if the applicant is dissatisfied with the decision.
7. The Commissioner may issue a general licence for recruitment and placement or a licence which authorises the applicant to:
 - a. Recruit South Sudanese for placement within South Sudan only;
 - b. Recruit South Sudanese for placement in foreign countries generally, or a specified foreign country;
 - c. Recruit foreigners for placement within South Sudan;
 - d. A combination of any of the types of recruitment and placement;
 - e. Recruit generally.
8. Each licence issued by the Commissioner must contain a unique identifying serial number.

9. Apart from the information provided for in section 38 (1) of the Act, the licence must specify:
 - a. The scope of the licence as provided in regulation 6(7) of these Regulations;
 - b. The serial number of the licence as provided in regulation 6(8) of these Regulations;
 - c. The date on which the licence is issued and the date on which it is set to expire.
10. A licence duly issued by the Commissioner, without more, operates as, and is conclusive evidence of, an authority to engage in recruitment and placement by the private employment agency.

► 7. Display of the Licence

1. Apart from the display of the licence in the premises of the private employment agency as required by section 38(3) of the Act, the license serial number and dates of issue and expiration must also be inserted on the official letterhead of the private employment agency in the following or similar terms: 'Licence No. ... of ... (date). Expiring on ... (date)'.
2. Where the private employment agency sends official communication or prepares brochures, advertisements or some other document for public consumption without the use of the official letterhead, similar information must be inserted within the communication or document.

► 8. Register of Private Employment Agencies

1. The register of private employment agencies that the Commissioner is required to keep under section 38(4) of the Act, must contain the following information:
 - a. Serial number of the licence
 - b. Whether the licence is the original issue or a renewed one
 - c. Name of the private employment agency to which the licence is issued
 - d. Premises at which the business of the private employment agency is to be conducted
 - e. Contact information of the private employment agency
 - f. Scope of the licence and any other conditions attached to the licence
 - g. Date on which the licence is issued and the date on which it is set to expire
 - h. Date on which a copy of the licence was collected and by who, or dispatched if virtual, by whom and to which contact address
 - i. Respective signatures.
2. The Commissioner may include any other information in the register as the Commissioner may deem necessary.
3. The register is open to inspection by any person at any official working hour and at any time when it is virtual.
4. Where a person requests for a copy of any entries in the register, the Commissioner may charge a reasonable fee to cover the reproduction.

► 9. Renewal of Licence

1. A licence for which the private employment agency does not apply for renewal at the expiration of the two (2) years provided for in section 38(2) of the Act lapses, is void and cannot be renewed thereafter unless the Commissioner determines that there are reasonable grounds for the delay in the application. In the absence of such determination by the Commissioner, the private employment agency must apply afresh for a licence.
2. A private employment agency wishing to renew the licence must apply for such renewal not earlier than sixty (60) days and not later than thirty (30) days prior to the expiration of the licence.
3. Prior to the renewal of a licence, the Commissioner must:
 - a. Confirm the status of the private employment agency with respect to the qualifications and disqualifications provided in these Regulations
 - b. Review the performance of the private employment agency during the period that it has held a licence and confirm that the licence holder has complied with all the conditions of the licence and other legal requirements
 - c. Confirm that there has not been any serious complaint against, or breach of the rights of workers or employers by, the private employment agency which warrants rejection of the application for renewal.
4. The Commissioner may renew the licence under the same terms as the original licence or vary the terms of the licence where necessary, or reject the application for renewal for good cause. In the case of variation or rejection, the Commissioner must notify the private employment agency in writing of:
 - a. The rejection or variation and the reasons for the same
 - b. The applicant's right to apply to the Labour Court.
5. Where the Commissioner renews the licence, the validity of the new licence starts on the date of expiration of the previous licence.

► 10. Transfer of Licence

1. A private employment agency must not transfer, convey or assign the licence to any other person or entity except with the authority of the Commissioner.
2. A private employment agency applying for transfer of a licence must disclose to the Commissioner:
 - a. Reasonable grounds for the proposed transfer
 - b. Full nature of the proposed transfer
 - c. Proposed transferee
 - d. Adequate information on the transferee to enable the Commissioner to make a determination on the qualifications and suitability, or otherwise, of the transferee with respect to the nature of the transfer.

3. The Commissioner may accept the transfer unconditionally, or subject to specified conditions, or reject the application for transfer, and must inform the private employment agency of:
 - a. The decision and the reasons for the decision
 - b. The right of the private employment agency to apply to the Labour Court where the agency is dissatisfied with the decision or the reasons.
4. Where the Commissioner accepts the application, the Commissioner must enter the necessary information in the Register.
5. Where there is a change of ownership of the private employment agency, the licence expires with immediate effect, and the new owner(s) must apply for a licence, unless the Commissioner, for good cause, authorises the use of the licence for a specified period and for specific and limited purposes during the change of ownership and prior to the grant of a licence to the new owners.

► 11. Cancellation, Variation or Suspension of Licence

1. In determining whether to cancel, vary or suspend a licence as provided for under section 39 of the Act, the Commissioner may consider:
 - a. Qualifications and disqualifications provided under these Regulations
 - b. Performance of the private employment agency in respect of recruitment and placement within the scope of the licence
 - c. Compliance with the conditions of the licence
 - d. Reporting under these Regulations and provision of any necessary information or documentation
 - e. Compliance with any notices or notifications issued by the Commissioner
 - f. Any prior complaints that have been made against the private employment agency and how they were resolved.
2. Prior to such cancellation, variation or suspension, the Commissioner must:
 - a. Notify the private employment agency of the intention to cancel, vary or suspend the licence and the reasons for the intended action
 - b. Give the private employment agency a reasonable opportunity to respond
 - c. Make a determination on the basis of all the available information, including the response
 - d. Notify the private employment agency of the decision, the reasons for the decision and the right to apply to the Labour Court
 - e. Update the Register to reflect the cancellation, variation or suspension, subject to the decision of the Court.
3. Any suspension must be for a definite period, which must be communicated to the private employment agency.

▶ 12. List and Database of Licenced Private Employment Agencies

1. The Commissioner must publish, on the Ministry's website, a list of all the private employment agencies which have been granted licences. Such list must be updated monthly to reflect the situation in the Register.
2. The Commissioner must create a database reflecting the content of the Register to the extent that it contains basic information on the licenced private employment agencies.
3. Apart from the information from the Register, the database must also contain information generated from the reports that private employment agencies are required to submit to the Commissioner under these Regulations, and other information generated by the Commissioner's office as part of its functions.
4. The Commissioner must ensure that the database is in line with the right to privacy and personal data protection laws.
5. The database must be freely accessible to the public.

▶ 13. Advertisements

1. Private employment agencies must advertise the jobs for which they are recruiting.
2. The advertisement must have the following details:
 - a. Name of the agency and its licence number and dates of issue and expiry
 - b. Physical and other addresses of the agency
 - c. Prospective employer, where situated and registration details
 - d. Title and nature of the job and the number of positions available
 - e. Summary of basic or essential terms and conditions of employment
 - f. Qualifications and any documents required of or from applicants
 - g. Mode of application and relevant timelines.
3. The advertisements must not contain any requirement, and nothing should be done in the course of short-listing, interviews or selection and placement, that amounts to discrimination or exclusion on the basis of race, tribe or place of origin; national extraction; colour; sex; pregnancy or childbirth; marital status; family responsibilities; age; religion; political opinion; disability or persons with special needs; health status, including human immunodeficiency virus/Acquired immune deficiency syndrome (HIV/AIDS) or COVID-19, or membership in a trade union or participation in trade union activities.
4. The advertisements may be placed within the premises of the private employment agency, in public offices or noticeboards, or through accessible media.
5. All advertisements must be submitted to the Commissioner for approval. The Commissioner must make a determination within five (5) working days from the date of receipt of the advertisement. In the event that the Commissioner does not communicate his or her decision within the period, the private employment agency is entitled to proceed with the advertisement.

► 14. Recruitment Fees and Related Costs

1. A private employment agency must not charge a worker or jobseeker, directly or indirectly, in whole or in part, any fees or costs in relation to recruitment.
2. Any service fees or costs for the recruitment, documentation and placement of workers, are charged by the private employment agency to the employer.
3. The employer is also responsible for the travel, lodging and subsistence costs associated with the transfer of the worker from the place of residence to the place of work within or across national borders.
4. The fees and costs referred to in the preceding paragraphs (2) and (3) must not be deducted from the worker's salary.
5. Any contract of employment entered into under the preceding paragraph must be notified to the Commissioner, and the Commissioner has the authority to call for the adjustment, or order reasonable adjustment, of the terms generally or the worker's responsibility in specific cases, in line with the Act.

► 15. Contracts of Employment

1. A private employment agency must ensure that any contract of employment entered into between a worker and an employer contains provisions which are equivalent to or better than the minimum terms and conditions and other standards provided under the Act.
2. A copy of such contract must be deposited with the Commissioner, who shall ascertain that it complies with all the requirements of the Act, these Regulations and any other relevant laws.

► 16. Data Collection and Reporting

1. Every private employment agency is required to submit an annual report to the Commissioner at the end of twelve (12) months and fifteen (15) days from the date when its first licence was issued. Subsequent reports must be submitted to the Commissioner after every six (6) months. Such reports must be detailed enough to enable the Commissioner to be informed of the structure and activities of the respective private employment agencies, and to compile statistical information.
2. It is the responsibility of the private employment agency to keep such records as are necessary for the compilation and submission of the reports.
3. It is the responsibility of the private employment agency to ensure that the collection and submission of such information does not breach the privacy of workers or personal data protection laws and regulations.
4. The Commissioner must issue an appropriate reporting template to assist private employment agencies in the generation, collection and submission of the necessary information.
5. Such information must, where available, include:
 - a. Information on the private employment agency, including name, contact information, internal organization and personnel, and licence details
 - b. Number of job advertisements produced by the agency within the scope of its licence

- c. Total number of applications received and the race/ethnicity, national extraction, sex, age and educational and professional composition of the applicants
 - d. Total number of persons recruited and placed with employers categorized as follows:
 - i. Race/ethnic and national extraction, sex, age and educational and professional composition
 - ii. South Sudanese placed within the country and in foreign countries and foreigners placed within South Sudan
 - iii. Respective countries of destination and origin
 - iv. Respective employers
 - v. Duration of placement/contracts
 - e. Summary of terms and conditions of employment.
- 6. The Commissioner may require the private employment agencies to provide information other than that listed above if it is deemed necessary for the purposes stated in rule 16(1).
 - 7. On receipt of this information, the Commissioner must compile it, conduct a statistical analysis and insert it in the database provided for under Regulation 12 above.
 - 8. Where the database is accessible to the public, it is the Commissioner's responsibility to ensure that disclosure does not compromise the privacy of any individual or breach any personal data protection laws and regulations.

► 17. Undertakings

Every private employment agency undertakes:

- a. To abide by the provisions of the Act, these Regulations and any other relevant policies, laws and regulations
- b. To assume full responsibility for all acts of its officers, employees and representatives in connection with recruitment and placement activities
- c. To report to the Commissioner any activities in its knowledge that are contrary to the requirements of the Act, these Regulations or any other relevant laws and regulations
- d. To facilitate and not obstruct inspection by the Commissioner or duly authorised representatives
- e. To provide the Commissioner with periodic reports in sufficient detail as required by these Regulations
- f. To engage in recruitment and placement only when it holds a valid licence covering the scope of its activities
- g. To carry out recruitment, including the selection, transport, placement into employment and, for migrant workers, return to the country of origin, in accordance with the law, with respect for the workers' human rights and without discrimination, and in a manner that protects workers from abusive situations, in order to:
 - i. Promote access to decent work, transparency, access to services and understanding of the employment contract, including working conditions

- ii. Ensure that no recruitment debt is incurred by the worker
 - iii. Reduce vulnerability.
- h. To collect only such fees or costs from the applicants as are authorised
 - i. To record, in files or registers, only such personal data as are required for judging the aptitude of applicants for jobs for which they are being or could be considered, and to store such personal data only for so long as it is justified by the specific purposes for which they have been collected, or so long as the worker wishes to remain on a list of potential job candidates
 - j. To provide such orientation or training to those it recruits as is necessary for them to understand fully the nature of the job, the terms and conditions of work, and the environment in which they will work, depending on whether they are being employed in South Sudan or in a foreign country
 - k. To scrutinize the employment contracts of those it recruits to ensure that they are in accordance with the relevant laws
 - l. To follow up recruitment and placement to ensure that the worker is enjoying the terms and conditions and other benefits in the contract of employment
 - m. To provide support for the worker in case of dispute with the employer during employment and to ensure that the worker gets appropriate remedies in case of breach of the worker's rights
 - n. Not to give any false or misrepresented information or document for the purpose of securing a licence
 - o. Not to publish any false notice or information in relation to recruitment or employment
 - p. Not to engage in discriminatory or exclusionary practices in advertisements, recruitment or placement
 - q. Not to engage in the recruitment or placement of workers in jobs with unacceptable hazards or risks or where they may be subjected to abuse or discriminatory treatment of any kind, or jobs that are harmful to their or public health, safety, morality or dignity
 - r. Not to engage in or support acts involving illegal recruitment, trafficking in persons, child labour, money laundering or other crimes, and to avoid unethical conduct such as corruption and conflict of interest
 - s. Not to influence or induce an employer not to employ any worker who has not applied for employment through the specific agency, or prevent an employer from hiring an employee of the agency assigned to it
 - t. Not to induce or entice a worker to leave the current employment in order to be recruited and placed by the specific agency, restrict the occupational mobility of an employee, or impose penalties on an employee accepting employment in another enterprise
 - u. Not to induce a worker into a contract whose provisions do not meet the requirements of the Act, these Regulations or other relevant laws or regulations
 - v. To cooperate with public employment institutions and organizations of employers and workers in order to:
 - i. Ensure compliance with regulations, guidelines and codes; performance by employers and workers of their respective obligations; and protection of the rights of workers recruited and employed
 - ii. Prevent violations by employers and pursue redress where necessary

- iii. Assist workers during and at the end of employment and, for those who are employed outside South Sudan or in South Sudan from outside, during repatriation
- iv. Facilitate pooling of information, exchange of vacancy notices, joint programmes, training of staff and regular consultations, among other potential collaboration.

► 18. Guiding Principles

1. Every private employment agency must be guided by the following principles in its recruitment and placement activities:
 - a. Protection of the right of every worker to freedom of association and the right to bargain collectively
 - b. Promotion of equality of opportunity and treatment in access to employment and to particular occupations
 - c. Treatment of workers without discrimination on the basis of race, colour, sex, religion, political opinion, national extraction, social origin, disability, health status or sexual orientation, or any other form of discrimination
 - d. Provision of special services or targeted programmes designed to assist the most disadvantaged workers in their job-seeking activities and promotion of equality in employment through affirmative action programmes
 - e. Processing personal information in a manner that protects the data and ensures respect for workers' privacy
 - f. Ensuring that data collected is limited to matters related to the qualifications and professional experience of the workers concerned and any other directly relevant information
 - g. Ensuring that workers have access to all their personal data as processed by automated or electronic systems, or kept in a manual file, including the right of workers to obtain and examine a copy of any such data and the right to demand that incorrect or incomplete data be deleted or corrected
 - h. The need to do whatever is in its power to provide adequate protection for and prevent abuses of migrant workers recruited by the agency, and to report to the Commissioner those private employment agencies which engage in fraudulent practices and abuses
 - i. Respect for, and operating within, any bilateral agreements entered into by South Sudan and other countries to prevent abuses and fraudulent practices in recruitment, placement and employment
 - j. Ensuring that any contracts or agreements entered into by the workers it recruits and places have adequate protection in relation to freedom of association and collective bargaining; minimum wages; working time and other working conditions; statutory social security benefits; access to training; occupational safety and health and compensation in case of occupational accidents or diseases; compensation in case of insolvency and protection of workers' claims; maternity protection and benefits, and parental protection and benefits in line with the Act and South Sudan's international obligations
 - k. Prevention of any form of gender-based violence, sexual harassment and sexual exploitation and abuse, and pursuit of appropriate and confidential reporting and redress in respect of such incidents.

2. Where there is a breach of fundamental undertakings or guiding principles, the Commissioner may give notice to the private employment agency to remedy the breach within a specified reasonable period, failure to which the Commissioner may use the framework provided by the Act to take action to remedy such breach.

► 19. Awards

1. The Commissioner may establish such awards or other form of reward or ranking as the Commissioner deems necessary for purposes of according recognition to private employment agencies which excel in recruitment and placement, the protection of the rights of workers, whether employed in South Sudan or elsewhere, and compliance with the policy and regulatory framework.
2. The Commissioner must inform private employment agencies, and the public in general, of the establishment of such award, reward or ranking, and the criteria upon, and the process through, which, it may be given or done.

► 20. Organization and Self-Regulation

1. Private employment agencies may establish a body that brings all of them together. Such a body:
 - a. Could be in the form of an association, but which is registered and has a legal personality
 - b. Should form a platform for exchange of ideas; coordination; contributing to policies and laws; lobbying and advocacy, and development of codes of conduct for private employment agencies
 - c. Could ensure compliance with the relevant laws, these Regulations and any codes of conduct it develops among its members; take disciplinary measures, and impose legally acceptable sanctions for breach by its members
 - d. Could form a consultative forum for engaging with the government, especially the ministry for the time being in-charge of labour matters and employers, or for seeking support for its activities.
2. The formation of such a body and its form, objectives and activities is the constitutional right and prerogative of the private employment agencies.
3. The Commissioner must put in place modalities for assisting private employment agencies to establish such organization if they wish to.

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