Local Governments (Tororo District) (Regulation of the Exchange of Bridal Gifts) Ordinance 2009


ARRANGEMENT OF SECTIONS

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An Ordinance to provide for the regulation of the giving and receiving of bridal gifts.

BE IT ORDAINED by the Council of Tororo District as follows:

1. **Title**
   This Ordinance may be cited as the Local Governments (Tororo District) (Regulation of the exchange of Bridal Gifts) Ordinance, 2009.

2. **Application of the Ordinance**
   This Ordinance shall apply to all persons within the jurisdiction of Tororo District.

3. **Interpretation**
   In this Ordinance unless the context otherwise requires—

   “bride price” also commonly referred to as bridal gift, dowry, or bridewell, means marriage gifts including but not limited to nywom, welo mweha or mich ma nywom in Jophadhola and Iboro lu emanyit or Ainakineta nu edukone in Ateso and such other names used to describe a gift in cash or kind demanded by the parents of the bride as a condition precedent for the marriage from the groom or his family;

   “cohabitation” means a man and woman living together as husband and wife;

   "Council" means Tororo District Council;
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"currency point" has the value assigned to it in Schedule 1 to the Local Governments Act Cap. 243;

"customary marriage" means a customary marriage celebrated according to the rites of an African community and one of the parties to which is a member of that community within the meaning of the Customary Marriages (Registration) Act, Cap. 248;

"family" includes nuclear family, extended family, and clan members as well as any relative, in-law and interested party to the marriage;

"gift" means a grant or transfer of property not made for monetary consideration or something given or received freely whether in cash or in kind;

"L.C" means Local Council; and

"person of authority" includes but is not limited to any member of the executive committee from L.C. 1 to L.C. V, a parish chief, a police officer, a probation and social welfare officer, and a court of law.

4. Recognition of certain cultural practices

This Ordinance shall recognize good cultural practices, which do not prevent any person from making an offer of bridal gifts to the parents of the bride by his free will and consent and which does not contravene the Constitution.

5. Bridal gifts not refundable

(1) A person shall not demand for the refund of bridal gifts as a condition precedent to the dissolution of a marriage.

(2) A person who demands for the refund of bridal gifts as a condition precedent to the dissolution of a marriage commits an offence.

6. Requirement for signing a document before marriage

A person who demands for "a contract" or "an agreement" or any other documentation to be signed upon receiving bridal gifts, commits an offence.
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7. **Demand for payment of bridal gifts at the demise of the woman**
   (1) A person shall not demand for bridal gifts to be paid as a condition precedent to the burial of a deceased woman who at the time of her death was cohabiting with a man who had not paid bridal gifts.

   (2) A person who demands that bridal gifts be paid as a condition precedent to the burial of a deceased woman who at the time of her death was cohabiting with a man who had not paid bridal gifts commits an offence.

8. **Registration**
   (1) A customary marriage and dissolution of a customary marriage shall be registered at the sub-county headquarters under the authority of the sub-county chief.

   (2) Registration under Subsection (1) shall be concluded with the issuance of a marriage certificate or dissolution of a marriage certificate which will be witnessed by the parents of the parties to the marriage or other person that the parties to the marriage may name.

9. **Penalties**
   A person who contravenes sections 5, 6, or 7 of this Ordinance, commits an offence and is liable on conviction to fine not exceeding two currency points or a term of imprisonment not exceeding 6 months or both.

Passed by Tororo District Council on the 17th day of September, 2008.

I hereby signify my hand this 19th day of October, 2009.

EMMUEL OSUNA,
Chairperson Tororo District Council.