

**ORDINANCE SUPPLEMENT**

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*Local Governments (Mbarara District) (Child Protection  
Ordinance 3 and Labour Recruitments) Ordinance 2015*

**THE LOCAL GOVERNMENTS (MBARARA DISTRICT) (CHILD  
PROTECTION AND LABOUR RECRUITMENTS) ORDINANCE,  
2015.**

**ARRANGEMENT OF SECTIONS.**

*Section.*

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4. Regulations of child protection.
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Schedule—Currency Point.

**The Local Governments (Mbarara District) (Child Protection  
and Labour Recruitments) Ordinance, 2015.**

*(Under sections 38, 40, 41 and Part IV of the Fifth Schedule of the Local  
Governments Act, Cap. 243)*

IN EXERCISE of the powers conferred upon District councils under section 38 of the Local Governments Act Cap.243 this Ordinance is made by the Mbarara District Council this 5th day of March, 2015.

**1. Title.**

This Ordinance may be cited as the Local Governments (Mbarara District) (Child Protection and Labour Recruitments) Ordinance, 2015.

**2. Application.**

This Ordinance shall apply to the whole of Mbarara District.

**3. Interpretation.**

In this Ordinance, unless the context otherwise requires—

“child” means any person below the age of eighteen years;

“chairman” means Mbarara District Chairman;

“the Council” means Mbarara District Council;

“the GPC” means the Standing Committee of General Purpose;

“child protection” means the full responsibility of keeping a child or children by providing for him or her all the basic necessities (be it the care given by foster parents) and ensuring their safety from harmful activities;

“child labour” means work that is undertaken by a child where the work—

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- (a) is harmful to the child’s health and development;
- (b) places a child’s health, safety at risk;
- (c) subjects the child to work routinely for long hours;
- (d) for which adults or employer exploits children and pay small wages in cash or in kind such as food, clothing or similar items; or
- (e) leads to mental exhaustion and exposes children to harm or exploitation.

“currency point” has a value assigned to it in the Schedule;

“MDLG” means Mbarara District Local Government.

**4. Regulations of child protection**

(1) A parent, guardian, foster parent or a person considered to be capable of keeping his or her child or any child under his or her care shall have full responsibility of keeping that child and shall ensure that—

- (a) the child is given necessary meals as required;
- (b) the child is sent to school;
- (c) the child is provided with treatment when sick;
- (d) the child is provided with clothing;
- (e) the child is provided with appropriate shelter;
- (f) the child is inducted culturally as it may be required;
- (g) the child is provided love and compassion; and
- (h) the child is given the chance to grow and exploit his or her full potentials.

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(2) A person who engages a child in gainful employment which is detrimental to the child's physical, mental, psychological development commits an offence and is liable on conviction to a fine not exceeding two currency points or a term of imprisonment not exceeding six months or both.

(3) Without prejudice to the general effects of subparagraph (2) the following acts shall be taken to be included among the items of work prohibited under that subparagraph—

- (a) rock quarrying;
- (b) metal scrap collection and selling;
- (c) food vending;
- (d) baby sitting;
- (e) hawking of second hand clothes, watches, radios and similar items;
- (f) bar and restaurant attendance or work in the kitchen operating a s a restaurant;
- (g) domestic servants, attendance or working in a kitchen of a restaurant;
- (h) any work that prohibits a child from attending basic educational programmes; and
- (i) any work that gives a child no opportunity to exploit his or her potentialities.

(4) A person shall not allow a child to rent his or her own house or room.

(5) A person shall not give daily food or money to any street child or voluntarily give the child money for his or her survival while on the street.

(6) A child found loitering in a place such as a bar, restaurant, market or practicing commercial sex commits an offence and shall be liable to be proceeded under the Children's Act.

(7) A person, guardian, care giver or foster parent shall not enforce excessive beating on a child as a means of punishment such as—

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- (a) prolonged beating of a child;
- (b) burning the hands, legs or any part of the body;
- (c) beating resulting in bad injury;
- (d) denying the child food; or
- (e) denying the child the right to survival, protection and development.

(8) A child has the responsibility of respecting his or her parent, care giver, guardian or foster parent and a child is still in the legal care and custody of his or her parent, guardian, caregiver or foster parent and a child who acts contrary to the cultural values and engages in acts such as—

- (a) illegal selling of domestic property;
- (b) threatening the lives of a parent, guardian, caregiver or foster parent with killing or harm;
- (c) voluntarily refuses to go to school;
- (d) has squandered the school fees given to him or her;
- (e) consuming marijuana or any other illegal drugs commits an offence and shall be sent to a remand home or rehabilitation centre.

**5. Miscellaneous offences.**

(1) A person who without reasonable cause neglects his or her child or fails to provide basic necessities of life to the child commits an offence and is liable to a fine not exceeding two currency points or imprisonment for not less than six months or both.

(2) A person found engaging a child in hazardous or harmful labour which is detrimental to a child's physical, mental, psychological or social development commits an offence and is liable to a fine not exceeding two currency points or imprisonment for not less than six months of both.

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(3) A person found giving his or her room, house or hut to a child to rent commits an offence and is liable to a fine not exceeding two currency points of imprisonment for not less than six months or both.

(4) A person who gives a child considered street child money or food commits an offence and is liable on conviction to a fine not exceeding two currency points or imprisonment of not less than six months or both.

(5) A child found aimlessly loitering in town or found in any place such as a corridor, bar, restaurant, eating place, begging for money along street or in any place in town shall be taken to a remand home or a rehabilitation centre for a period of not exceeding six months.

(6) A parent, guardian, caregiver, foster parent who excessively uses beating as a form of punishment causing body harm or injury to a child shall commit an offence and is liable on conviction to a fine not exceeding two currency points or imprisonment for not exceeding six months or both.

(7) A child in the custody of caregiver, parent, foster parent or guardian whose acts are contrary to cultural values as in paragraph 5(8) shall be liable to stay in a remand home for a period not exceeding six months.

(8) A person found hosting a child in a disco, video or film show or hall commits an offence and is liable on conviction to a fine not exceeding two currency points or imprisonment for not less than six months or both.

(9) A person who contracts a child to work in his or her company, factory or shop without authority commits an offence and is liable on conviction to a fine of not exceeding two currency points

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or imprisonment of not less than six months or both.

**SCHEDULE**

CURRENCY POINT.

One currency point is equivalent to twenty thousand shillings.

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PASSED by Mbarara District Council on the 28th day of May, 2014.

I HEREBY signify my hand this 5th day of March, 2015.



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*District Chairperson Mbarara.*