

# Uganda

## National Child Protection Legislation

### National Legislation

- **Age of Child – Persons below the age of 18 years**  
[The Children \(Amendment\) Act 2016](#)  
**Sec. 2 – Definition of child**  
A child is a person below the age of eighteen years
- **Age of Consent – 18 years of age**  
[Penal Code](#)  
**Sec. 129**
  1. Any person who performs a sexual act with another person who is below the age of eighteen years, commits a felony known as defilement and is on conviction liable to life imprisonment
- **Age of Marriage – 21 years of age**  
[Marriage Act, 1904](#)  
**Sec. 17 – Consent to marriage of minors**  
If either party to an intended marriage, not being a widower or widow, is under twenty-one years of age, the written consent of the father, or if he is dead or of unsound mind or absent from Uganda, of the mother, or if both are dead or of unsound mind or absent from Uganda, of the guardian of that party, must be produced annexed to the affidavit as required by section 10 before a license can be granted or a certificate issued.
- **Age of Criminal Responsibility – 12 years of age**  
[The Children \(Amendment\) Act 2016](#)  
**Sec. 88 – Age of criminal responsibility**  
The minimum age of criminal responsibility shall be twelve years.

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- **Extraterritoriality**

[Penal Code](#)

**Sec. 4 – Extent of jurisdiction of courts**

- (1) The jurisdiction of the courts of Uganda for the purposes of this code extends to every place within Uganda.
- (2) Notwithstanding subsection (1), the courts of Uganda shall have jurisdiction to try offences created under sections 23, 24, 25, 26, 27, and 28 committed outside Uganda by a Uganda citizen or person ordinarily resident in Uganda.
- (3) For the avoidance of doubt, the offenses referred to in subsection (2) committed outside Uganda by a Ugandan citizen or person ordinarily resident in Uganda shall be dealt with as if they had been committed in Uganda.

**Sec. 5 – Offences committed partly within and partly beyond the jurisdiction**

When an act which, if wholly done within the jurisdiction of the court, would be an offence against this Code is done partly within and partly beyond the jurisdiction, every person who within the jurisdiction does or makes any part of such act may be tried and punished under this Code in the same manner as if such act had been done wholly within the jurisdiction.

▪ **Dual Criminality**

[Extradition Act, 1964](#)

**Sec. 1 – Interpretation**

“fugitive criminal” means any person accused or convicted of an extradition crime committed within the jurisdiction of any other country who is in or is suspected of being in Uganda; ...

**Sec. 3 – Restrictions on surrender of criminals**

The following provisions shall be observed with respect to the surrender of fugitive criminals—

a fugitive criminal shall not be surrendered if the offence in respect of which his or her surrender is demanded is one of a political character or if it appears to a court or the Minister that the requisition for his or her surrender has in fact been made with a view to try or punish him or her for an offence of a political character;

a fugitive criminal shall not be surrendered to any country unless provision is made by the law of that country, or by arrangement, that the fugitive criminal shall not, unless he or she has been restored or had an opportunity of returning to Uganda, be detained or tried in that country for any offence committed prior to his or her surrender other than the extradition crime proved by the facts on which the surrender is grounded;

a fugitive criminal who has been accused of some offence within the jurisdiction of Uganda, not being the offence for which his or her surrender is asked, or is undergoing sentence under any conviction in Uganda, shall not be surrendered until after he or she has been discharged, whether by acquittal or on the expiration of his or her sentence or otherwise;

a fugitive criminal shall not be surrendered until the expiration of fifteen days from the date of his or her being committed to prison to await his or her surrender.

**Sec. 6 – Liability of criminal to surrender**

Where this Part of this Act applies in the case of any country, every fugitive criminal of that country who is in or suspected of being in Uganda shall be liable to be apprehended and surrendered in the manner provided by this Part of this Act—

whether the crime in respect of which the surrender is sought was committed before or after the commencement of this Act or the application of this Part of this Act to that country; and

whether there is or is not any concurrent jurisdiction in a court of Uganda over that crime.

**Sec. 7 – Liability of accessories to be surrendered**

Every person who is accused or convicted of having counselled, procured, commanded, aided or abetted the commission of an extradition crime or of being an accessory before or after the fact to any extradition crime shall be deemed, for the purposes of this Part of this Act, to be

accused or convicted of having committed that crime and shall be liable to be apprehended and surrendered accordingly.

### **Sec. 28 – Extradition crimes**

For the purposes of this Act, “extradition crime” means a crime which, if committed within the jurisdiction of Uganda, would be an indictable offence described in the Schedule to this Act.

The Minister may, by statutory instrument, amend the Schedule to this Act by the insertion of further offences, the deletion of any offence or the alteration of any description of any offence.

*Note: The extradition crimes specified in the relevant Schedule include among other crimes: rape, defilement, carnal knowledge; indecent assault; and child-stealing.*

## ■ **Mandatory reporting requirements**

### [The Children \(Amendment\) Act 2016](#)

#### **Sec. 11 – Duty to report infringement of child’s rights**

- (1) Any member of the community who has evidence that a child’s rights are being infringed or that a parent, a guardian or any person having custody of a child is able to but refuses or neglects to provide the child with adequate food, shelter, clothing, medical care or education shall report the matter to the local government council of the area.
- (2) The secretary for children’s affairs may, upon receiving the report, summon the person against whom the report was made under subsection (1) to discuss the matter and a decision shall be made by the secretary for children’s affairs in the best interest of the child.
- (3) Where the person against whom the report was made refuses to comply with the decision made under subsection (2), the secretary of children’s affairs shall refer the matter to the village executive committee court which shall adjudicate the matter and may:
  - (a) Give any relief or order allowed by the law; and
  - (b) In the case of a parent, in addition to the reliefs orders given under paragraph (a), order the parent to execute a bond to exercise proper care and guardianship by signing an undertaking to provide the child with any or all of the requirements of the child.

#### **Sec. 42A – Protection of children from all forms of violence**

- (1) Every child has a right to be protected against all forms of violence including sexual abuse and exploitation, child sacrifice, child labour, child marriage, child trafficking, institutional abuse, female genital mutilation, and any other form of physical or emotional abuse.
- (2) A person who on reasonable grounds believes that a child has been abused or is in imminent danger which may result in physical injury, sexual abuse, deliberate neglect, or is in need of care and protection may report to a designated child protection organisation or authority.
- (3) Notwithstanding subsection (2), it shall be mandatory for the following persons to report on any matter which affects the well-being of a child under their charge-
  - (a) A medical practitioner;
  - (b) A social worker;
  - (c) A teacher; or
  - (d) Local Councillor at LC I level
- (4) The designated child protection organisation, probation and social welfare officer, or police officer or any other responsible person to whom a report has been made must-

- (a) Ensure the safety and well-being of the child concerned, if the child's safety or well-being is at risk;
  - (b) Make an initial assessment of the report;
  - (c) Unless the report is frivolous or obviously unfounded, investigate the truthfulness of the report or cause it to be investigated; and
  - (d) If the report is substantiated by such investigation, initiate proceedings in terms under this Act for the protection of the child.
- (5) A designated child protection organisation to which a report has been made must report the matter to the probation and social welfare officer.
- (6) Notwithstanding subsection (4), the probation and social welfare officer shall monitor the progress of all matters reported.
- (7) The designated child protection organisation, probation and social welfare officer or a police officer who has conducted an investigation may-
- (a) Take measures to assist the child, or refer the child to protective services including counselling, mediation, prevention and early intervention services, family reconstruction and rehabilitation, behaviour modification, and problem solving; or
  - (b) Initiate action for the long term protection of the child if it is assessed that the current environment in which the child lives poses significant threat or risk to the child.
- (8) The designated child protection organisation or probation and social welfare officer who has conducted an investigation must report the findings to the Police.
- (9) For the purpose of this section, the designated child protection organisation includes Local Council, medical practitioner, probation and social worker.

▪ **Obligations of Educational Institutions**

[Education \(Pre-Primary, Primary and Post-Primary\) Act, 2008](#)

**Sec. 11 – Persons who may teach**

No person shall teach in any public or private school of any description unless he or she is registered as a teacher or licensed to teach under this Act

**Sec. 15 – Removal of a teacher's name from the register**

- (1) The Director of Education shall, on the advice of the Education Service Commission, or may, on his or her own motion, where the teacher concerned is not employed in the public service, remove from the register of teachers the name of any teacher who,
- ...
- (c) is convicted of a criminal offence involving moral turpitude for which a fine of not less than five currency points or term of imprisonment of not less than three months has been imposed;
  - (d) has been found guilty of misconduct which, in the opinion of the Education Service Commission or the Director of Education, render the teacher an unsuitable person for employment as a teacher;
- ...
- (2) For the purposes of subsection (1) (d) of this section, "misconduct" includes professional misconduct, and conduct prejudicial to the physical, mental or moral welfare of any pupil in any school.
- (3) The Education Service Commission shall not recommend the removal of the name of any teacher from the register, nor shall the Director of Education remove the name of any teacher from the register on his or her own motion under sub-section (1) (d) or (f) of this section, unless the Education Service Commission or the Director of Education has given to such a teacher an opportunity of answering any charge of misconduct which has been

made against him or her.

- (4) When the Director of Education removes the name of any teacher from the register in accordance with the provisions of this section, he or she shall forthwith serve or cause to be served upon such a teacher and upon the board of governors or committee of management of the school in which such teacher is teaching a written notice of such removal.
- (5) As soon as a teacher has been served with the notice referred to in subsection (4), that teacher shall return to the Director of Education his or her certificate of registration.
- (6) Any teacher whose name has been removed from the register who fails to return his or her certificate of registration to the Director of Education within thirty working days from the day of receipt of the notice, commits an offence and is liable on conviction to a fine not exceeding five currency points.
- (7) Every teacher, other than a teacher employed in the public service, whose name is removed from the register under this section, may, if he or she is dissatisfied with the action taken by the Director of Education, appeal within forty five working days beginning with the day on which such decision was communicated to him or her, to the Appeals Tribunal.

#### **Sec. 20 – Cancellation of licence**

- (1) The Director of Education may cancel any license to teach of any person who—
  - (a) has died;
  - (b) applies for the cancellation of his or her license;
  - (c) is convicted of a criminal offence involving moral turpitude for which a fine of not less than five currency points or imprisonment for not less than two and a half months has been imposed;
  - (d) is found guilty of misconduct as, in the opinion of the Director of Education renders the teacher an unsuitable person for employment as a teacher; or
  - (e) has contravened or failed to comply with any condition of his or her license to teach.
- (2) For the purpose of subsection (1) (d), “misconduct” includes professional misconduct and conduct prejudicial to the physical, mental or moral welfare of any pupil in any school.

#### **Sec. 23 – Offences relating to teaching after cancellation of registration or licence**

Any person who—

- (a) continues to teach in a public or private school after he or she has been notified of the cancellation of his or her registration or licence to teach;
- (b) permits any person to teach or continues to employ any teacher in his or her school after he or she has been notified of the cancellation of the registration or to teach;
- (c) contravenes in any way the conditions of his or her registration or licence to teach;
- (d) knowingly employs any person as a teacher in contravention of any provision of this Act, commits an offence and shall be liable on conviction to a fine not exceeding twenty currency points or to a term of imprisonment not exceeding ten months.

#### ▪ **Prohibition to hold certain positions**

No relevant information found.

#### ▪ **Employment Law**

[Employment Act, 2006](#)

##### **Sec. 75 – Reasons for Termination or Discipline**

The following shall not constitute fair reasons for dismissal or for the imposition of a disciplinary penalty –

- (a) A female employee’s pregnancy, or any reason connected with her pregnancy;

- (b) The fact that an employee took, or proposed to take, any leave to which he or she was entitled under the law or a contract;
- (c) An employee's membership or proposed membership of a labour union;
- (d) Participation or proposed participation in the activities of a labour union outside working hours or, with the consent of the employer, within working hours ;
- (e) An employee's seeking of office as, or acting on having acted in the capacity of, an officer of a labour union or a worker's representative;
- (f) An employee's refusal or proposed refusal to join or withdraw from a labour union;
- (g) An employee's race, color, sex, religion, political opinion or affiliation, national extraction, nationality, social origin marital status, HIV status or disability;
- (h) An employee's imitation or proposed imitation of a complaint of other legal proceedings against his or her employer, except where the conduct is, in the opinion of the labour officer, wholly irresponsible and without foundation; and
- (i) An employee's temporary absence from work for any period up to three months on reliable grounds, including illness or injury.

- **Criminal Law – Defamation**

- [Penal Code](#)

- Sec. 179 – Definition of libel**

- Any person who, by print, writing, painting, effigy or by any means otherwise than solely by gestures, spoken words or other sounds, unlawfully publishes any defamatory matter concerning another person, with intent to defame that other person, commits the misdemeanour termed libel.

- Sec. 180 – Definition of defamatory matter**

- (1) Defamatory matter is matter likely to injure the reputation of any person by exposing that person to hatred, contempt or ridicule, or likely to damage any person in his or her profession or trade by an injury to his or her reputation.
  - (2) It is immaterial whether at the time of publication of the defamatory matter the person concerning whom such matter is published is living or dead.
  - (3) No prosecution for the publication of defamatory matter concerning a dead person shall be instituted without the consent of the Director of Public Prosecutions.

- **Private Fostering**

- [The Children \(Amendment\) Act 2016](#)

- Sec. 43D – Appointment of a guardian by agreement**

- (1) The parent of a child may, by agreement or deed, appoint any person to be a guardian.
  - (2) The appointment made under subsection (1) shall not have effect unless the agreement or deed is dated and signed by the parent in the presence of two witnesses, one of whom must be a probation and social welfare officer, and the other must be a local councillor at LC I level.

## Sexual Offenses Against Children

### [Penal Code](#) & [Penal Code Amendment Act 2007](#)

#### **Sec. 123 – Definition of Rape**

Any person who has unlawful carnal knowledge of a woman or girl, without her consent, or with her consent, if the consent is obtained by force or by means of threat or intimidation of any kind or by fear of bodily harm, or by means of false representations as to the nature of the act, or in the case of a married woman, by personating her husband, commits the felony termed rape.

#### **Sec. 128 – Indecent assaults**

- (1) Any person who unlawfully and indecently assaults any woman or girl commits a felony and is liable to imprisonment for fourteen years, with or without corporal punishment.
- (2) It shall be no defence to a charge for an indecent assault on a girl under the age of eighteen years to prove that she consented to the act of indecency.
- (3) Any person who, intending to insult the modesty of any woman or girl, utters any word, makes any sound or gesture or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen by such woman or girl, or intrudes upon the privacy of such woman or girl, commits a misdemeanour and is liable to imprisonment for one year.

#### **Sec. 129 – Defilement of persons under eighteen years of age**

- (1) Any person who performs a sexual act with another person who is below the age of eighteen years, commits a felony known as defilement and is on conviction liable to life imprisonment.
- (2) Any person who attempts to perform a sexual act with another person who is below the age of eighteen years commits an offence and is on conviction, liable to imprisonment not exceeding eighteen years.
- (3) Any person who performs a sexual act with another person who is below the age of eighteen years in any of the circumstances specified in subsection (4) commits a felony called aggravated defilement and is, on conviction by the High Court, liable to suffer death.
- (4) The circumstances referred to in subsection (3) are as follows—
  - (a) where the person against whom the offence is committed is below the age of fourteen years;
  - (b) where the offender is infected with the Human Immunodeficiency Virus (HIV);
  - (c) where the offender is a parent or guardian of or a person in authority over, the person against whom the offence is committed;
  - (d) where the victim of the offence is a person with a disability; or
  - (e) where the offender is a serial offender.
- (5) Any person who attempts to perform a sexual act with another person below the age of eighteen years in any of the circumstances specified in subsection (4), commits an offence and is liable on conviction, to imprisonment for life.
- (6) Where a person is charged with the offence under this section that person shall undergo a medical examination as to his or her Human Immuno Deficiency Virus (HIV) Status.
- (7) In this section—

“disability” means a substantial functional limitation of daily life activities caused by physical, mental or sensory impairment and environment barriers resulting in limited participation;

“serial offender” means a person who has a previous conviction for the offence of defilement or aggravated defilement;

“sexual act” means—

  - (a) penetration of the vagina, mouth or anus, however slight, of any person by a sexual organ;
  - (b) the unlawful use of any object or organ by a person on another person’s sexual organ;

“sexual organ” means a vagina or a penis.



**Sec. 129A – Child to child sex**

- (1) Where the offender in the case of any offence under section 129 is a child under the age of twelve years, the matter shall be dealt with as required by Part V of the Children Act.
- (2) Where an offence under section 129 is committed by a male child and a female child upon each other when each is not below the age of twelve years of age, each of the offenders shall be dealt as required by Part X of the Children Act.

**Sec. 129B – Payment of compensation to victims of defilement**

- (1) Where a person is convicted of defilement or aggravated defilement under section 129, the court may, in addition to any sentence imposed on the offender, order that the victim of the offence be paid compensation by the offender for any physical, sexual and psychological harm caused to the victim by the offence.
- (2) The amount of compensation shall be determined by the court and the court shall take into account the extent of harm suffered by the victim of the offence, the degree of force used by the offender and medical and other expenses incurred by the victim as a result of the offence”.

**Sec. 131 – Procurement**

- (1) Any person who—
  - (a) procures or attempts to procure any girl or woman under the age of twenty-one years to have unlawful carnal connection, either in Uganda or elsewhere, with any other person or persons;
  - (b) procures or attempts to procure any woman or girl to become, either in Uganda or elsewhere, a common prostitute;
  - (c) procures or attempts to procure any woman or girl to leave Uganda, with intent that she may become an inmate of or frequent a brothel elsewhere; or
  - (d) procures or attempts to procure any woman or girl to leave her usual place of abode in Uganda, such place not being a brothel, with intent that she may, for the purposes of prostitution, become an inmate of or frequent a brothel either in Uganda or elsewhere, commits an offence and is liable to imprisonment for seven years.
- (2) No person shall be convicted of any offence under this section upon the evidence of one witness only, unless that witness is corroborated in some material particular by evidence implicating the accused.

**Sec. 144 – Knowledge of Age of Female Immaterial**

Except as otherwise expressly stated, it is immaterial in the case of any of the offense committed with respect to a woman or girl under a specified age that the accused person did not know that the woman or girl was under that age, or believed that she was not under that age.

**Sec. 147 – Indecent Assault on Boys under Eighteen**

Any person who unlawfully and indecently assaults a boy under the age of eighteen years commits a felony and is liable to imprisonment for fourteen years, with or without corporal punishment.

**Sec. 149 – Incest**

- (1) Any person who has sexual intercourse with another person with whom, to his or her knowledge, any of the following relationships exists—

mother	father
mother’s daughter	father’s son
daughter	son
father’s mother	father’s father
mother’s mother	mother’s father
son’s daughter	son’s son
daughter’s daughter	daughter’s son



sister	brother
wife's mother	husband's father
wife's daughter	husband's son
father's sister	father's brother
mother's sister	mother's brother
brother's daughter	brother's son
sister's daughter	sister's son
father's brother's daughter	father's brother's son
mother's sister's daughter	mother's sister's son
son's wife	daughter's husband
father's wife	mother's husband

commits an offence and is liable to imprisonment for seven years or, if that other person is under the age of eighteen years of age, to imprisonment for life.

- (2) It is immaterial that sexual intercourse took place with the consent of the other person.
- (3) Where a person is convicted of an offence under this section in relation to a person under the age of twenty-one years, the court may divest the offender of all authority over that person, and if the offender is the guardian of such person the court may order the termination of the guardianship and appoint another person as guardian.

### [The Children \(Amendment\) Act 2016](#)

#### **Sec. 8 – Harmful Employment**

- (1) A person shall not employ or engage a child in any activity that may be harmful or hazardous to his or her health, or his or her physical, mental, spiritual, moral, or social development.
- (2) Subject to subsection (1), the minimum age of employment of a child shall be 16 years.
- (3) For the purpose of this section, “harmful or hazardous employment” includes work which exposes a child to physical or psychological torture, sexual abuse, work underground, work at dangerous heights or in confined spaces, work with dangerous equipment and tools, or manual handling or transportation of heavy loads, work with chemicals and dangerous substances, work under extreme temperatures, high levels of noise, or working for longer hours; or any other form of child labour which includes slavery, trafficking in persons, debt bondage and other forms of forced labour, forced recruitment for use in armed conflict, prostitution, pornography and illicit activities.

#### **Sec. 8A – Prohibition of sexual exploitation**

- (1) A person shall not engage a child in any work or trade that exposes the child to activities of sexual nature whether paid for or not.
- (2) For avoidance of doubt, it shall be unlawful for any person to use-
  - a) Inducement or coercion in the encouragement of a child to engage in any sexual activity;
  - b) Children in prostitution or other unlawful sexual practices; and
  - c) Children in pornographic performances or materials.

A person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to a term of imprisonment not exceeding five years.

### [Prevention in Trafficking of Persons Act, 2009](#)

#### **Sec. 3 – Offence of trafficking in persons**

- (1) A person who –
  - (a) recruits, transports, transfers, harbours or receives a person, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation;

- (b) recruits, hires, maintains, confines, transports, transfers, harbours or receives a person or facilitates the aforementioned acts through force or other forms of coercion for the purpose of engaging that person in prostitution, pornography, sexual exploitation, forced labour, slavery, involuntary servitude, death bondage, forced or arranged marriage;  
commits an offence and is liable to imprisonment for fifteen years.
- (2) Notwithstanding the provisions of subsection (1), where the offender is a legal person, it shall be liable to a fine of one thousand currency points, and temporary or permanent closure, deregistration, dissolution, or disqualification from practice of certain activities.
- (3) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall constitute “trafficking in persons” even if this does not involve any of the means set forth in subsection (1) of this Section.
- (4) The consent of the victim of trafficking or if a child, the consent of his or her parents or guardian to the acts of exploitation shall not be relevant.

#### **Sec. 4 – Aggravated trafficking in persons.**

A person commits the offence of aggravated trafficking where—

- (a) the victim of trafficking is a child;
- (b) adoption, guardianship, fostering and other orders in relation to children is undertaken for the purpose of exploitation;
- (c) the offence is committed by a syndicate, or on large scale;
- (d) the offender is an organization engaged in the activities of organizing, directing or protecting the vulnerable persons in society;
- (e) the offender is engaged in organizing or directing another person or persons to commit the offence;
- (f) the offence is committed by a close relative or a person having the parental care, authority or control over the victim or any other person;
- (g) the offence is committed by a public officer;

...

and shall be liable to imprisonment for life.

#### **Sec. 5 – Trafficking in children**

A person who—

- (a) does any act referred to under Section 3 in relation to a child;
- (b) uses a child in any armed conflict;
- (c) removes any part, organ or tissue from the body of a child for purposes of human sacrifice;
- (d) uses a child in the commission of a crime;
- (e) abandons a child outside the country;
- (f) uses a child or any body part of a child in witchcraft, rituals and related practices;

commits an offence of aggravated trafficking in children and may be liable to suffer death.

#### **Sec. 10 – Duty to report trafficking in persons**

- (1) Every member of the community, who knows that any person has committed or intends to commit an offence under this part of the Act, shall report the matter to the police or other authority for appropriate action.
- (2) A person who knowing or having reason to believe that a person has committed or intends to commit an offence and does not report to police or other relevant authority, commits an offence and is liable to a fine of five thousand currency points or imprisonment for six months.

#### **Sec. 19 – Extra-Territorial Jurisdiction**

This Act shall apply to offences committed outside Uganda where—

- (1) A person who, while being a citizen of, or permanently residing in Uganda, commits an act outside Uganda, which act would constitute an offence had it been committed in Uganda.
- (2) The victim was a citizen of Uganda at the time of commission of the offence.

- (3) The offence was committed partly inside and partly outside Uganda.
- (4) A substantial proportion of the effects of the offence have occurred or taken place within the territory of Uganda.

Provided that—

- (a) no proceedings shall be instituted under this section without the written consent of the Attorney General;
- (b) if the consent of the Attorney General is received under (a) proceedings may be instituted in any appropriate court and such court shall have jurisdiction to try the matter as if the offence or offences had been committed within its jurisdiction;
- (c) a person shall not be tried for an offence under this section if that person has been acquitted or convicted of the same offence in another country.

### **Sec. 20 – Extradition**

A person charged with an offence under this Act shall be liable to extradition under the existing Extradition laws.

### **[Prohibition of Female Genital Mutilation Act, 2010](#)**

#### **Sec. 2 – Offence of female genital mutilation**

A person who carries out female genital mutilation commits an offence and is liable on conviction to imprisonment not exceeding ten years.

#### **Sec. 3 – Aggravated female genital mutilation**

- (1) A person commits the offence of aggravated female genital mutilation where—
  - (a) death occurs as a result of female genital mutilation;
  - (b) the offender is a parent, guardian or person having authority or control over the victim;
  - (c) the victim suffers disability;
  - (d) the victim is infected with HIV as a result of the act of female genital mutilation; or
  - (e) female genital mutilation is done by a health worker.
- (2) A person who commits the offence of aggravated female genital mutilation is liable on conviction to life imprisonment.

#### **Sec. 5 – Attempt to carry out female genital mutilation**

A person who attempts to carry out female genital mutilation commits an offence and is liable on conviction to imprisonment not exceeding five years. 6. Procuring, aiding, abetting, etc. female genital mutilation. A person who procures, counsels, aids, abets, induces, coerces, threatens or under false pretence carries out female genital mutilation commits an offence and is liable on conviction to imprisonment not exceeding five years. 7. Participation in events leading to female genital mutilation. A person who participates in any event leading to female genital mutilation commits an offence and is liable on conviction to imprisonment not exceeding five years.

#### **Sec. 9 – Consent of the victim to female genital mutilation**

Consent of the victim to female genital mutilation shall not be a defence under this Act.

#### **Sec. 10 – Culture and religion not a defence to female genital mutilation**

Any culture, custom, ritual, tradition, religion or any other nontherapeutic reason shall not be a defence under this Act.

#### **Sec. 15 – Extra-territorial jurisdiction**

This Act shall apply to offences under this Act committed outside Uganda where the girl or woman upon whom the offence is committed is ordinarily resident in Uganda.

**Sec. 16 – Duty to report female genital mutilation**

- (1) A person, who knows that a person has committed or intends to commit an offence under this Act, shall report the matter to Police or other authority for appropriate action.
- (2) A person who knowing that a person has committed or intends to commit an offence under this Act, does not report to the Police or other person in authority within twenty four hours of having such knowledge, commits an offence and is liable on conviction to a fine not exceeding twelve currency points or imprisonment not exceeding six months or both.
- (3) A person who threatens, harms or in any way inhibits a person who is reporting or about to report an offence under this Act commits an offence and is liable on conviction to a fine of twelve currency points or imprisonment not exceeding six months or both.