THE REPUBLIC OF UGANDA

THE DOMESTIC VIOLENCE REGULATIONS, 2011

STATUTORY INSTRUMENTS
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STATUTORY INSTRUMENTS SUPPLEMENT

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STATUTORY INSTRUMENTS

2011 No. 59.

THE DOMESTIC VIOLENCE REGULATIONS, 2011

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STATUTORY INSTRUMENTS

2011 No. 59.

The Domestic Violence Regulations, 2011

IN EXERCISE of the powers conferred on the Minister responsible for gender, labour and social development by section 19 of the Domestic Violence Act, 2010, Act No. 3 of 2010, these Regulations are made this 6th day of July, 2011.

PART I—PRELIMINARY

1. Title.
These Regulations may be cited as the Domestic Violence Regulations, 2011.

2. Interpretation.
In these regulations, unless the context otherwise requires—

"Act" means the Domestic Violence Act, Act No. 3 of 2010;

"appropriate person or Authority" includes religious leaders, traditional leaders, clan leaders and family heads;

"in camera" means to hold court proceedings in private with the exclusion of the general public other than persons authorised by Court;

"dangerous weapon" means an object or device which if adopted for offensive purposes may cause injury or death;

"Loco Parentis" means a person in the position of a parent;

"matrimonial home" means a principal residence for married persons;

"other home" means a place of residence for persons in a domestic relationship who are not married persons;

"service provider" means a governmental or nongovernmental organisation, company or institution whose objectives include the protection of the rights of victims of violence;

"shelter" means a privately or publicly operated residential facility providing victims of domestic violence with temporary refuge, lodging, food and other services including counselling and medical assistance.

PART II—LODGING COMPLAINTS.

3. Lodging complaints.
A victim of domestic violence or a person making a complaint on behalf of the victim may lodge a complaint to the—

(a) chairperson, secretary or any other official appointed by the local council court for the purpose of receiving domestic violence complaints;

(b) police; or

(c) magistrate.

4. Complaints made on behalf of the victim.
Where a complaint is made on behalf of the victim, it shall set out the following—

(a) reason why the application is made on behalf of the complainant;

(b) the grounds on which the person believes that domestic violence has been committed, is imminent or in progress;

(c) the occupation of the person; and

(d) capacity in which the person, brings the application.

5. Form of complaint.

(1) A complaint to the local council court may be oral or written.

(2) Where an oral complaint is made the person receiving it shall reduce it into writing and read the complaint to the complainant who shall sign it and the person who has received the complaint shall counter sign it.

(3) Where the complainant is unable to sign the complaint, he or she shall affix a thumb mark or acknowledge authenticity of the recorded complaint in any other way possible and the person who has received the complaint shall counter sign it.

6. Particulars of a complaint to local council courts.

A complaint lodged in the local council courts under regulation 3 shall contain the particulars set out in Form 1 of the Schedule to these Regulations.

7. Jurisdiction of local council courts.

The local council courts shall have jurisdiction for the trial and determination of the following domestic violence matters—

(a) cases and matters of a civil nature as provided under regulation 26 (2) of the Local Council Courts Regulations, namely;

(i) debts;
(ii) contracts;
(iii) assault or assault and battery;
(iv) conversion;
(v) damage to property; and
(vi) trespass.

(b) Notwithstanding sub regulation (a), the court shall only handle matters provided under sub paragraphs (i) to (v) of sub regulation (a).

(c) criminal matters involving children, namely;

(i) common assault, under section 235 of the Penal Code Act;

(ii) assault causing actual bodily harm under section 236 of the Penal Code Act;

(iii) theft, under section 254 of the Penal Code Act;

(iv) criminal trespass, under section 302 of the Penal Code Act; and

(v) malicious damage to property, under section 335 of the Penal Code Act.

(d) any other matter that may amount to domestic violence within the jurisdiction of the local council courts.

8. Service of a complaint on the respondent.

Upon the filing of a complaint, the chairperson or vice chairperson of the local council executive shall cause a copy of the complaint to be served on the respondent.

9. Service of a hearing notice.

(1) The chairperson shall cause a hearing notice to be served on the complainant and the respondent requiring them to attend the court at the time and place specified in the hearing notice for the hearing of the case.

(2) The hearing notice shall be in Form 2 of the Schedule.

(3) The chairperson may cause the complainant or respondent to be informed orally that he or she is required to attend court at a specified date and time.

(4) A person who orally informs the complainant or respondent shall be accompanied by a witness for the purposes of verifying that the parties were informed.

10. Mode of service.

(1) The service of summons, notices or any other document required to be served under these Regulations shall be made by delivering to the person named in the document a duplicate of a signed and stamped copy of the document.

(2) Where there is more than one respondent, service shall be made on each respondent.

(3) Where the complainant or respondent has failed to effect personal service of the summons, notice or any other document in the manner provided under sub regulation (1), he or she may seek permission from the chairperson to effect substituted service within 24 hours in the following ways—

(a) by leaving the duplicate for him or her with an adult member of the complainant or respondent's family or with any other adult person ordinarily residing with the complainant or respondent; or

(b) by affixing the duplicate on a conspicuous part of the house or homestead in which the person ordinarily resides, and service shall be deemed to have been duly effected.

11. Proof of service.

(1) A person served with a notice, summons or other document shall acknowledge receipt by signing on the copy of the notice, summons or other document.

(2) Where a person served can not read or write, he or she shall acknowledge receipt by affixing a thumb mark on the document.

(3) The process server shall return the original document to the court stating how he or she served the copy, the circumstances under which service was done, and the name and address of the person, if any, who witnessed the service of the documents.

12. Mediation and counselling.

(1) Where court finds it necessary, it may refer the parties for mediation and counselling to an appropriate person or authority.

(2) The mediation or counselling referred to in sub regulation (1) shall be done within 5 days after receiving the reference.

(3) The reference for mediation shall be in Form 5 of the Schedule.

(4) The mediator shall record the outcome of the mediation in writing which he or she shall sign and cause the parties to affix their signatures or thumb mark or acknowledge authenticity in any other way possible.

(5) Where the parties reach an agreement through mediation, court shall record the terms of the agreement and issue a consent order.

(6) Where the parties partially reach agreement, the court shall issue a consent order in respect of the partial agreement and proceed to hear the outstanding issues of the complaint on merit.

(7) Where the mediation process under sub regulation (1) fails, the court shall proceed to hear the complaint on its merits.

13. Hearing of complaints.

(1) The court shall hear domestic violence cases in public, except where the sensitivity of the matter requires that it be heard in camera.

(2) A member of court who has any interest in the proceedings, or any other matter which falls to be considered by the court, shall, as soon as the relevant facts come to his or her knowledge, disclose the nature of his or her interest in the matter.

(3) A disclosure made under sub regulation (2) shall be recorded in the record of proceedings.

(4) A member who makes a disclosure under sub regulation (2) shall not—

(a) be present during any deliberation of the court with respect to that matter; or

(b) take part in any decision of the court with respect to that matter.

(5) Where a party to the complaint objects to the presence of a member of the court and court finds reasonable grounds for the objection, sub regulation (4) shall apply to that member as if that member had made a disclosure under sub regulation (2).

14. Procedure for hearing.

(1) A party to a matter shall make oral presentations to the court in person or by a representative.

(2) The complainant shall state his or her case first, and call witnesses he or she may wish to rely on and he or she and his or her witnesses may be questioned by the other party or the court on any aspect of the evidence given.

(3) When the complainant closes his or her case, the respondent shall state his or her defence in the matter and call witnesses he or she may wish to rely on and he or she and his or her witnesses may be questioned by the other party or the court on any aspect of the evidence given.

(4) Where necessary, the court shall visit the place where the matter arose and make notes.

(5) Court shall issue witness summons in Form 3 of the Schedule.

(6) At the hearing, court shall make a record of the proceedings by writing the evidence of the parties and each of their witnesses.

(7) The record of the proceedings shall be signed by the secretary and the chairperson and where possible members of the court present during the proceedings.

(8) The proceedings shall be heard expeditiously.

(9) Notwithstanding the procedure under this regulation the court shall, in conducting the hearing, be as informal as possible and offer guidance to the parties.

15. Decisions of court.

All decisions of court shall be reached by consensus and where it is not by the majority, except that where there is an equality of votes, the chairperson shall have a casting vote.

16. Procedure on non appearance.

(1) Where on the day fixed for hearing—

(a) the complainant or his or her representative does not appear but the respondent appears, the court shall if satisfied that the hearing notice has been duly served upon the complainant, ask the respondent whether he or she admits the complaint and where the respondent admits the complaint, the court may give judgment against him or her on such part of the complaint as he or she admits and where the respondent does not admit the complaint, the court may dismiss the complaint;

(b) the complainant appears but the respondent does not appear, the Court may, if satisfied that the hearing notice has been duly served upon him or her proceed to hear the evidence of the complainant and his or her witnesses if any and if satisfied that the complainant has established his or her complaint in whole or in part, shall give judgement for the complainant accordingly; or

(c) neither party appears the court may dismiss the complaint.

(2) Where a complaint is dismissed, the court may reinstate the complaint where the complainant shows sufficient cause for his or her non appearance.

(3) A party against whom judgement has been given under sub regulation 1(a) and (b) may request court either orally or in writing within 7 days from the date of judgment to set aside the judgement that was given in his or her absence.

(4) The court shall set aside the judgement if it is satisfied that the party has given sufficient cause for his or her non appearance.

17. Inquiry report on matters involving children.

(1) Where a child is involved in a matter before the court, the court shall make a written Order in Form 4 of the Schedule to the Probation and Social Welfare Officer to make an inquiry and take any necessary action regarding the welfare of the child.

(2) The Probation and Social Welfare Officer shall within seven days after receiving the order, submit a report to Court on the findings and action taken or to be taken.

18. Referral of matters.

A written referral by the local council court to the police or magistrates court under section 6(6) of the Act shall be in Form 5 of the Schedule.

19. Fees.

(1) The fees payable under this part shall be those prescribed under the third schedule of the Local Council Courts Regulations, 2007.

(2) The court may under special circumstances exempt a person from paying the fees if the court is satisfied that the complainant has no means of raising the fees.

20. Application of the Local Council Courts Regulations, 2007.

Where these Regulations are silent on any procedural matter before the local council courts, the Local Council Courts Regulations, 2007 shall apply.

PART IV—COMPLAINTS TO THE POLICE.

21. Complaints.

(1) A complaint to the police may be oral or written but where an oral complaint is made, the police officer receiving it shall reduce it into writing and shall read the statement to the complainant who shall sign it or thumb mark it or acknowledge authenticity of the recorded complaint in any other way possible.

(2) A police officer who has recorded the complaint shall counter sign it.

(3) Whenever a complaint of domestic violence is lodged the police shall respond immediately.

22. Particulars of a complaint to police.

(1) A police officer receiving the complaint shall record the following particulars—

(a) name, age, sex, tribe, nationality, occupation and physical address of the victim and perpetrator;

(b) nature of the violence;

(c) relationship of the victim with the perpetrator;

(d) the place of the incident;

(e) the time and date of the incident;

(f) name, age and sex of the children involved, if any;

(g) whether the victim has previously suffered violence by the same perpetrator;

(h) whether the victim has previously filed a complaint and if yes, where;

(i) particulars of previous action taken against the perpetrator, if any; and

(j) names of witnesses and other particulars, if any.

(2) Where the victim of violence is a child the Police Officer shall record the statement in the presence of a parent or person in *loco parentis*.

(3) Where the parent or person in *loco parentis* is the perpetrator, the statement shall be recorded in the presence of any of the following—

(a) victim's representative;

(b) probation and social welfare officer of the area where the domestic violence took place;

(c) the secretary responsible for children affairs of the area where the domestic violence took place; or

(d) where possible, a police officer of the same sex as the child.

(4) Where a police officer is satisfied that there is imminent danger of further violence against the victim, he or she shall refer the victim to the nearest shelter or recommend an alternative place of temporary abode.

(5) The police shall at all material times maintain and keep a list of all available shelters and service providers of other related services.

(6) The Inspector General of Police shall issue guidelines from time to time on the handling of domestic violence complaints.

(7) The Minister responsible for gender and social development shall develop guidelines for the operationalisation and management of shelters.

23. Medical care to complainant.

(1) Where the complainant requires medical care, the police officer shall assist the complainant to obtain medical treatment and shall ensure that a medical examination form P F 3 is filled and returned to the police.

(2) A police officer handling a domestic violence case shall respect the confidentiality of the complainant.

(3) A police officer who contravenes sub regulation (2) is liable to disciplinary action under the Police Act.

PART V—COMPLAINTS IN MAGISTRATES' COURTS.

24. Complaints.

A complaint to the magistrates' courts shall be instituted in the manner prescribed by the laws relating to proceedings in the Magistrates' Courts.

25. Jurisdiction.

A complainant may lodge a complaint in the magistrates' court where—

(a) the complainant or respondent resides;

(b) the cause of action arose in whole or in part; or

(c) in the case of a dispute over immovable property, where the property is situated.

26. Service of documents.

Where a suit has been duly instituted, service of documents shall be in the manner prescribed by the laws governing civil proceedings in magistrates' courts.

27. Service outside jurisdiction.

A document which is required to be served in connection with the matter may be sent for service in another magisterial area to a court having jurisdiction in that area.

28. Mediation and counselling.

(1) Where court finds it necessary, it may refer the parties for mediation and counselling to an appropriate person or authority.

(2) The mediator shall make a report of the outcome of the mediation in writing which he or she shall sign and cause the parties to affix their signatures or thumb mark or acknowledge authenticity in any other way possible.

(3) The mediation or counselling referred to in sub regulation (1) shall be concluded within 5 days after receiving the reference and the mediator shall submit a duly authenticated copy of the report to court after concluding the mediation or counselling.

(4) Where the parties reach an agreement through mediation or counselling, court shall record the terms of the agreement and issue a consent order.

(5) Where the parties partially reach an agreement, the court shall make a consent order to the extent of the partial agreement and proceed to hear the matter in respect of what has not been agreed upon.

(6) Where the mediation or counselling process under sub regulation (1) fails, the court shall proceed to hear the complaint on merit.

29. Procedure in civil cases.

(1) Unless otherwise provided in the Act or in these Regulations, proceedings shall be conducted in accordance with the practice and procedure governing civil proceedings in the magistrates' courts.

(2) All proceedings in the magistrate's court shall be public except that the court shall have discretion to hear matters in camera depending on the circumstances of each case.

(3) The court may when conducting proceedings depart from any strict rule of practice or procedure, if it considers that departure from that practice or procedure would ensure that substantive justice is done.

30. Application for a protection order.

(1) The procedure for an application for a protection order shall be as prescribed under section 10 of the Act.

(2) An application for a protection order shall be in Forms 1 or 5 of the third Schedule to the Act.

(3) In granting a protection order, the court may consider—

(a) whether it is necessary for the protection of the applicant, a child or family property;

(b) whether the behavior in respect of which the application is made appears to be trivial when viewed in isolation or forms part of a pattern of behavior in respect of which the applicant, a child of the applicant's family or family property need protection; or

(c) any other circumstances that may be relevant.

31. Power of court to impose obligations in a protection order.

The court has the power to impose on either party obligations regarding the discharge of rent, loan repayments or other expenses where it is just and reasonable to do so taking into account the financial resources and obligations of either party.

32. Power of court in case of suspicion of mental illness.

Where court suspects that a perpetrator has a mental health problem or where a perpetrator, in his or her defence, alleges that he or she suffers from a mental health problem, the court shall refer him or her for mental examination in the manner prescribed under the Mental Treatment Act, Cap 279.

33. Order for vacating a matrimonial home or other home.

(1) The order to vacate the matrimonial home or other home shall be made in exceptional circumstances which include—

(a) where the perpetrator threatens to kill the victim; or

(b) where the perpetrator has attempted to kill the victim.

(2) Notwithstanding sub regulation (1), a protection order requiring a perpetrator to vacate a matrimonial home or other home shall be based on evidence before court and a report of the probation and social welfare officer and in particular the following circumstances—

(a) the respective housing needs of the parties and the children, if any;

(b) the financial resources of either party;

(c) the likely effect of the order on the health, safety and welfare of the parties and the children if any; and

(d) where the court considers it in the interest of justice to do so.

(3) The court shall have a duty to make an order where it appears likely that the applicant, a child or any other person shall suffer significant harm if an order is not made.

(4) The report prepared by the Probation and Social Welfare Officer shall contain the following information—

(a) place of residence of the victim and perpetrator;

(b) whether the couple lives in a rented home or not and if so, the party responsible for the payment of rent;

(c) whether the applicant is employed and has the capacity to pay the rent;

(d) the reasonable accommodation needs of all persons who may be affected by the order; and

(e) the best interests of children of the applicant's family, if any.

(5) Where an order to vacate the matrimonial home or other home is granted the court shall as soon as possible serve a copy on—

(a) the officer in charge of the police station nearest to where the complainant resides; and

(b) the local council 1 chairperson of the area in which the complainant resides.

34. Service of a protection order.

(1) A protection order issued under sections 11 and 12 of the Act shall be in Form 6 of the Schedule to these Regulations.

(2) The court shall as soon as is reasonably possible, serve a protection order on the following—

(a) the perpetrator and the complainant;

(b) the responsible local authorities in the area where—

(i) the matter arose;

(ii) the perpetrator resides; and

(iii) the complainant resides.

(3) The mode of service of documents prescribed under the Civil Procedure Rules shall apply to service of a protection order.

35. Registration of protection orders.

Where a complainant in whose favour a protection order has been issued changes residence, he or she shall register the order with the local authority or police in that area of residence.

36. Variation, revocation or discharge of a protection order.

(1) An application for variation, revocation or discharge of a protection order under section 14 of the Act shall be in Form 3 or 7 in the Third Schedule to the Act.

(2) An application for extension of a protection order shall be in Form 7 of the Schedule to these Regulations.

(3) Where court has fixed a hearing of the application under sub regulation (1), notice shall be given to the parties in Form 2 in the Schedule to these Regulations.

(4) Where a Magistrate's Court varies, revokes, or discharges a protection order, it shall issue notice of the revocation; extension or variation order granted to the parties in Form 8 of the Schedule.

37. Notice for breach of a protection order.

Where a person breaches a protection order, the party affected may give notice of the breach to the court which issued the protection order in Form 9 of the Schedule.

38. Notice to perpetrator to show cause.

(1) Where court has received a notice of breach of a protection, order under regulation 36, it shall issue a notice to the perpetrator to show cause why he or she should not be arrested.

(2) The notice to show cause shall be in Form 10 of the Schedule.

(3) Where the perpetrator fails to show cause for the breach of the protection order or where the court is not satisfied with the perpetrator's reason for breach, court shall issue an order for arrest of the perpetrator.

(4) Where court is satisfied with the reasons for the perpetrator's breach of the protection order, court shall dismiss the application or make any other orders it may deem appropriate.

39. Procedure in criminal matters.

(1) The procedure in domestic violence cases of a criminal nature shall be governed by the laws governing criminal proceedings in magistrates' courts.

(2) In pursuance of a speedy hearing, the court shall as a matter of priority place criminal cases involving a domestic violence offence on the cause list as soon as they are received.

40. Witness statements.

(1) Where a witness intends to rely on a statement he or she shall cause the statement to be filed with the pleadings and served on the other party except that leave of court may be sought to file the statements during the proceedings, in any case not later than the close of the party's case.

(2) Where a party is served with a statement in sub regulation (1) he or she shall make a reply to the statement and shall file it in court and cause it to be served on the other party.

(3) A party to the proceedings shall have a right to cross examine the witnesses in respect of a statement filed under sub regulation (1) and (2).

41. Bail in domestic violence cases.

The court in considering the grant of bail for persons accused of domestic violence may place appropriate restrictions to prevent re-occurrence of violence.

42. Publication on matter before court.

(1) A person shall not publish information on any matter before court which may prejudice the public on the outcome of the matter.

(2) The court if satisfied that it is in the interests of justice, may make on order that information relating to proceedings on domestic violence whether on going or concluded, shall not be published except that an order shall not be made in respect of the publication of a bonafide law report.

(3) Where a person contravenes sub regulation (1) and (2) he or she commits an offence and is liable on conviction to a fine of fifty currency points or imprisonment not exceeding 2 years or both.

43. Order for seizure of dangerous weapons.

(1) The court may on an application by any person, make an order for the seizure of any dangerous weapon which is in the possession or under the control of the perpetrator where the court is satisfied on the evidence placed before it that the dangerous weapon has been used or is likely to be used in domestic violence.

(2) The application for this order may be made orally or in writing.

(3) Notwithstanding sub regulation (1), the court may refer a matter involving a dangerous weapon in the possession or under the control of the perpetrator to the police for seizure and custody.

44. Admissible evidence.

(1) Notwithstanding anything contained in any other law, the following evidence is admissible in domestic violence proceedings—

(a) previous convictions as far as it pertains to acts of violence be it domestic or otherwise;

(b) records of previous protection orders granted to or against any of the parties;

(c) report of acts of violence be it domestic or otherwise reported to the police or any other authority;

(d) formal warnings issued by the police;

(e) variations or cancellations of protection orders; or

(f) court records on matters arising out of the same or related facts.

45. Fees.

The fees payable in this part shall be determined in accordance with the rules and practice governing payment of fees in the magistrates' courts.

PART VI—DUTIES OF THE PRACTITIONER.

46. Duties of a practitioner.

(1) Where a practitioner provides medical services to a patient who is a victim of domestic violence he or she shall—

(a) inquire into the circumstances of the matter;

(b) examine the victim in privacy unless the victim requests for a person, to be present;

(c) carry out the mental examination of the victim indicating the mental state and where necessary refer for psychiatric attention;

(d) carry out a medical examination detailing the location, size and the likely cause of the injuries;

(e) make a record of the examination of the victim;

(f) ensure confidentiality;

(g) advise the victim to report the matter to the police;

(h) complete P F 3 immediately after examination and submit it to the police;

(i) refer the victim to an institution offering psycho social support; and

(j) in the case of a child victim, make a report to a law enforcement agency in the jurisdiction in which the injury took place.

(2) A practitioner shall prepare and send within two working days the report referred to under sub regulation 1 (j) to the police, which shall include the victims particulars and injuries.

(3) Where death has occurred, a practitioner shall upon request by any person or authority, examine the deceased and make a detailed report of the injuries found on or in the body, the probable cause of the injuries and the link between the injuries and the death, if any.

(4) In any court proceedings physician - patient privileges do not apply to the information required to be reported.

(5) A practitioner who reports a known or suspected instance of domestic violence shall not be held civilly or criminally liable for breach of confidentiality.

(6) The Minister responsible for health shall issue guidelines for practitioners in handling domestic violence cases.

SCHEDULE

Regulation 6

FORM I

PARTICULARS OF COMPLAINT TO THE LOCAL COUNCIL COURT

Date of Complaint;

Complaint to the Local Council Court of.....

1. Particulars of Victim

Name.....

Sex..... Age..... Nationality .....

Religion..... Disability (if any).....

Tribe ..... occupation ..... Marital status.....

Physical Address.....

2. Particulars of the perpetrator

Name.....

Sex..... Age..... Nationality .....

Religion..... Disability (if any) .....

Tribe ..... occupation ..... Marital status.....

Physical Address.....

Relationship of the perpetrator(s) with the victim .....

.....

3. Persons affected by Domestic Violence

3.1 Particulars of Persons affected by Domestic Violence

No.	Name	Age	Sex	Disability (if any)	Relationship with complainant	How are these persons affected

4. Particulars of the Victim's Representative (If Applicable)

Surname	
Othernames	
Date of birth	
Physical address	
Telephone number	
Occupation	
Capacity in which the complaint is made	
State reason(s) why the complaint is made on behalf of the complaint	

5. Particulars of the Complaint

Date of the incident:.....

Time of the incident:.....

Place of the incident:.....

Details of the incident:

.....

.....

.....

.....

Whether dangerous weapons were used, if so, state the weapon.....

What injuries were sustained.....

Whether medical treatment was obtained, and if so where?

.....

.....

.....

Witnesses (if any)

1. .....
2. .....

Number-of times of the occurrence

.....

Number of times the incident has been previously reported

.....

Where and when previous incidents were reported

.....

To whom previous incidents were reported

.....

Number of attempts to settle the matter out of court

.....

Signature of victim / his or her representative

.....

Date

.....

Form 2

HEARING NOTICE

Regulations 9(2) and 36(3)

In the ..... Court held at .....

Case No. ..... of 20.....

.....

Complainant

Versus

.....

Respondent

TO:

.....

.....

Whereas the above named complainant has instituted a suit against you,

.....

.....

You are hereby required to appear in this court on the .....day of ..... 20..... at ..... .am/pm and to bring your witnesses with you.

If no appearance is made by you or a person authorised by law to act for you, the case may be heard and decided in your absence.

Dated this ..... day of ..... 20.....

.....

Chairperson/Magistrate

* as the case may be

Form 3

WITNESS SUMMONS

Regulations 14(5)

In the ..... Court held at .....

Case No. ..... of 20.....

.....

Complainant

Versus

.....

Respondent

TO:

.....

.....

.....

Your attendance is required as a witness on behalf of the..... in the above case. You are hereby required to appear before this court on the ..... day of ..... 20 ..... at..... am/pm and to bring with you all the documents if any relating to the matter.

.....

.....

.....

Dated this..... day of ..... 20 .....

.....

Chairperson

FORM 4

Regulation 17

ORDER FOR INQUIRY INTO THE WELFARE OF CHILDREN

The Republic of Uganda

In the Local Council Court of.....

Held at.....

In the matter between

Applicant.....

And

Respondent.....

Whereas the applicant has filed a complaint against the respondent and whereas it has come to the knowledge of this court that this matter involves children, court hereby orders as follows;

1. That the probation and social welfare officer makes an inquiry into the welfare of the children; and

2. That the probation and social welfare officer, within seven days, submits a copy of his findings and action taken or to be taken, to this court.

.....

Chairperson

Form 5

Regulation 12(3) and 18

LOCAL COUNCIL COURT REFERAL FORM

TO: (Mediator*/Probation and Social Welfare Officer*/Police*/Magistrates' Court*)

.....
.....
.....

Particulars of the victim .....

Nature of complaint .....
.....
..... (as detailed in the complaint attached)

Reason(s) for referral
1 .....
.....
.....
.....

Time within which report required: .....

Date.....

Name.....

Signature.....

* Delete whichever is not applicable

FORM 6

Regulation 34

PROTECTION ORDER

The Republic of Uganda

In the Magistrates' Court of .....

Held at.....

Application No..... of .....

In the matter between

Applicant.....

and

Respondent.....

1. Particulars of Respondent

Physical address.....
Work Address.....
Occupation.....

2. Particulars of application

Whereas the applicant has applied for a protection order against the respondent and whereas an interim protection order/protection order was not issued*/ issued*, After consideration of the application the court now orders as follows;

I. *That the application for a protection order is dismissed; or

II. *That an interim protection order is granted; and the respondent is ordered—

a. *Not to commit the following acts of domestic violence.....
.....

b. *Not to enlist the help of another person to commit the act of domestic violence specified above

c. *Not to enter the shared residence at.....

d. *Not to enter the following parts of the shared residence..... at .....

e. * Not to enter the complainant's residence at.....

f. * Not to enter the complainants place of employment at.....

g. * Not to prevent the complainant or any child who ordinarily live(s) or lived in. the shared residence at..... from entering or remaining in the shared residence or any part thereof.

h. * Not to commit any of the following acts, to wit
.....
.....
.....

i * To make rent or loan payments in the sum of shs..... per month/annum

4. Additional Orders

4.1 IT IS FURTHER ORDERED THAT a police officer accompanies the applicant to the following residence in order to assist with arrangements regarding the collection of personal property i.e. .....

4.1.1 A member of the Police Force at..... seizes the following dangerous weapons in the possession of the respondent i.e. .....

4.1.2 The respondent is ordered not to have contact with the following.....

4.1.3 The respondent is allowed contact with the children.....
on thefollowing conditions.....

4.2 A warrant will be issued upon non compliance by the respondent with the conditions of the protection order as stated above.

4.3 A copy of this order is hereby forwarded to the ..... Police Station.

Given under my hand and the Seal of Court this ..... day of ..... 20.....

.....
Magistrate

*Delete whichever is not applicable

Form 7

Regulation 36(2)

APPLICATION FOR EXTENSION OF THE PROTECTION ORDER

Case number .....

In the Magistrates Court of ..... Holden at .....

In the matter of..... (name of victim), a..... (state whether the victim is an adult, child, person of unsound mind, person with disability.)

And

In the matter of a protection order issued against ..... on the day of..... 20.....

I..... (name of applicant) being..... (state relationship to person againstwhom the order was issued, apply for extension of the protection order on the following grounds;

.....
.....
.....
.....

Dated this ..... day of ..... 20..... at.....

.....
Applicant

Form 8

Regulation 36(4)

ORDER TO DISCHARGE, VARY, REVOKE A PROTECTION ORDER

In the Magistrates' Court of.....

Held at.....

In the matter between

Applicant.....

and

Respondent.....

Application No. .....of..... Arising from

Application No. ..... of .....

Order against.....

Issued on the ..... of ..... 20.....

The order is hereby varied*, revoked* or discharged* as follows ..... (state the nature of variation, revocation or discharge) on the following grounds .....
.....

Given under my hand and the Seal of Court this .... day of ..... 20.....

.....
Magistrate

Form 9

Regulation 37

NOTICE FOR BREACH OF A PROTECTION ORDER

Case number .....

In the Magistrates Court of.....Holden at .....

In the matter of..... (name of victim), a..... (state whether the victim is an adult, child, person of unsound mind, person with disability.)

And

In the matter of a protection order issued against ..... on the day of ..... 20.....

I ..... (applicant) being the person in favour of whom the order was passed, do notify court of the breach of the said order.

Nature of the breach.....
.....
.....
.....

Dated this.....day of.....20.....at.....

.....
Applicant

*Delete whichever is not applicable

Form 10

Regulation 38(2)

NOTICE TO SHOW CAUSE WHY A WARRANT OF ARREST SHOULD NOT ISSUE

In the Magistrates' Court of.....

Held at.....

Application No..... of.....

In the matter between

Applicant.....

And

Respondent.....

To:.....

Whereas ..... has notified this court about breach of Protection Order issued on..... you are hereby required to appear before this court on the ..... day of ..... 20..... at.....o'clock to show cause why a warrant of arrest should not be issued against you for breach of the said protection order.

Given under my hand and the Seal of Court this..... day of..... 20....

.....
Magistrate

HON. SYDA N. BBUMBA (MP)
Minister of Gender, Labour and Social Development.