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# Uganda Registration Services Bureau

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**Directorate of Civil Registration**



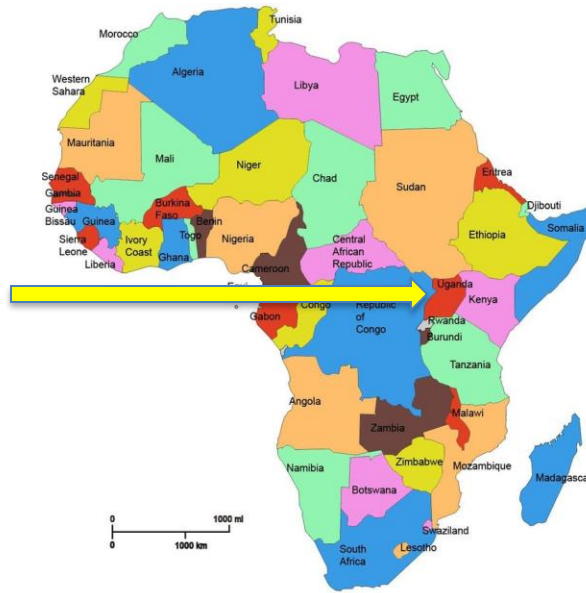
# Country Profile

**Country: Uganda**

**The “Pearl of Africa”**

**Capital City:**

**Kampala**



□ **Population: 46,205,893 (2022 est.)(48.79%male, 51.21% female (2014 Census); 0–14 years 48.21%, 65 and over, 2.38%)**

□ **Faith: Christians (Catholic, Church of Uganda, Orthodox, Seventh Day Adventists, Born Again, Baptists etc..) Muslim, Hindu, Buddhist and Traditional African Spiritualist)**

□ **No. of Licensed Churches (for celebrating marriages): 3,702**

# Defining marriage

- Marriage is the **voluntary union** between a man and woman for life under any of the existing legally recognised forms of marriages.
- A marriage creates legal rights and obligations to spouses and children.
- Does this mean that a man and a woman who are living together should be assumed to be married?
- A marriage only exists if they formalize their relationship under any of the legal types of marriage.
- Therefore, in Uganda staying together without undergoing any of the legally recognised forms of marriage is not marriage but cohabitation, you have no legal rights or responsibilities!!!

# Legal framework for marriages

## Mandate

“ The State shall register every marriage occurring in Uganda”

*Constitution of the Republic of Uganda, Article 18*

The Uganda Registration Services Bureau is an autonomous statutory body with the mandate to carry out all registrations required under the laws of Uganda.

*URSB Act, Laws of Uganda Chapter 210*

## Relevant laws

- Constitution of the Republic of Uganda, 1995, Article 18.
- Uganda Registration Services Bureau Act, Cap 210 – **1998**
- Marriage Act Cap 251 – **1904**
- The Customary Marriage Registration Act, Cap 248 – **1974**
- Marriage and Divorce of Mohammedans Act, Cap 252 – **1906**
- Hindu Marriage and Divorce Act – **1908**
- Local Governments Act, Cap 243 as amended – **1997**

# Role of URSB in Marriage Administration

URSB is mandated under the law to:

1. Solemnize civil marriages for Kampala,
2. Maintain all marriage registers (Civil, Church, Hindu, Muslim & Customary marriages that take place in Uganda),
3. Maintain Muslim & Hindu divorce registers
4. License Churches to celebrate marriages,
5. Issue Marital Status Letters
6. Charge fees for services performed.



# Types of marriages in Uganda

- ❑ **Civil marriages** - These are monogamous in nature and celebrated in the office of the Registrar General for residents of Kampala and in the offices of Chief Administrative Officers for the other 120 districts
- ❑ **Moslem marriages** - These are celebrated in accordance with the rites and observances of the Islamic faith
- ❑ **Church marriages** - They are monogamous in nature and celebrated in licensed churches in accordance with the rites of the Christian faith
- ❑ **Customary marriages** - They are potentially polygamous and are celebrated in accordance with the customs of an African community
- ❑ **Hindu marriages** - These are celebrated in accordance with the rites and observances of the Hindu faith

**Unlike Church and Civil marriages that are monogamous in nature, customary and Muslim marriages are potentially polygamous. A customary marriage can however, be converted into a Church marriage if still monogamous in nature.**

# Eligibility Criteria/Who Qualifies

- **Age** of the parties – 18 years. Article 31 (1)
- **Place of occurrence** – Uganda
- **Prohibited degrees** of marriage- persons should not be related by kindred or affinity
- **Consent** to the marriage – Article 31 (3)
- **Heterosexual**
- **Monogamous (except for Customary and Islamic)**
- **Have resided in the district for 15 days or more.**
- **Duration;** For life except by dissolution by death or order of court

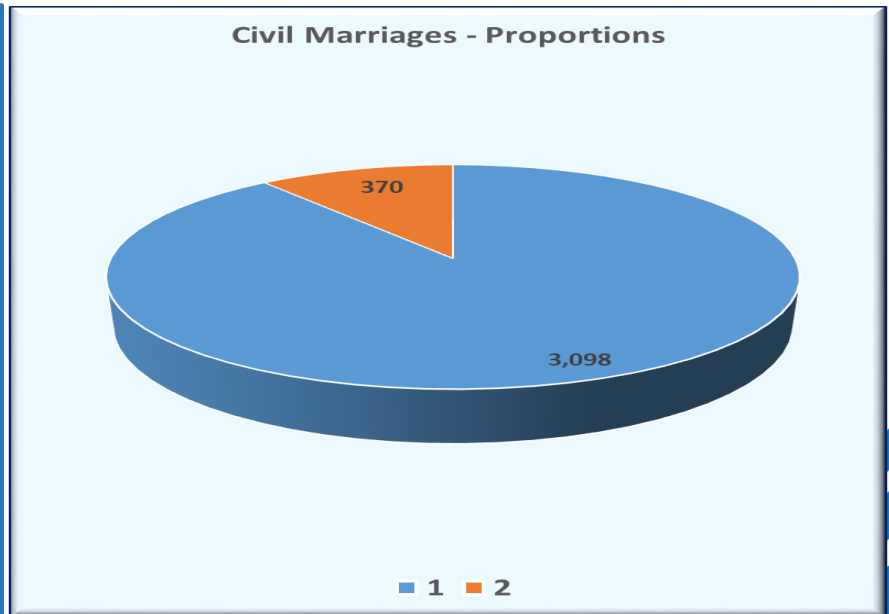
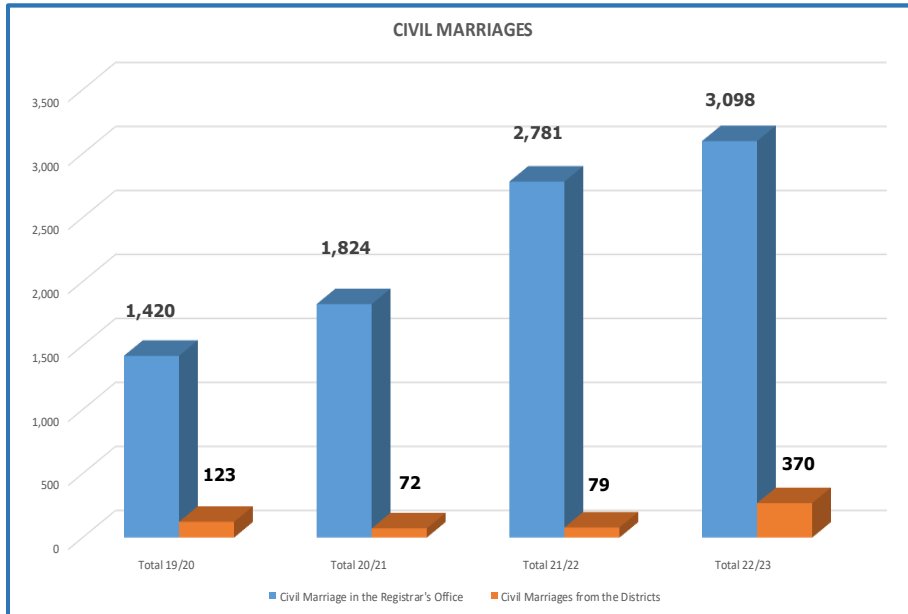
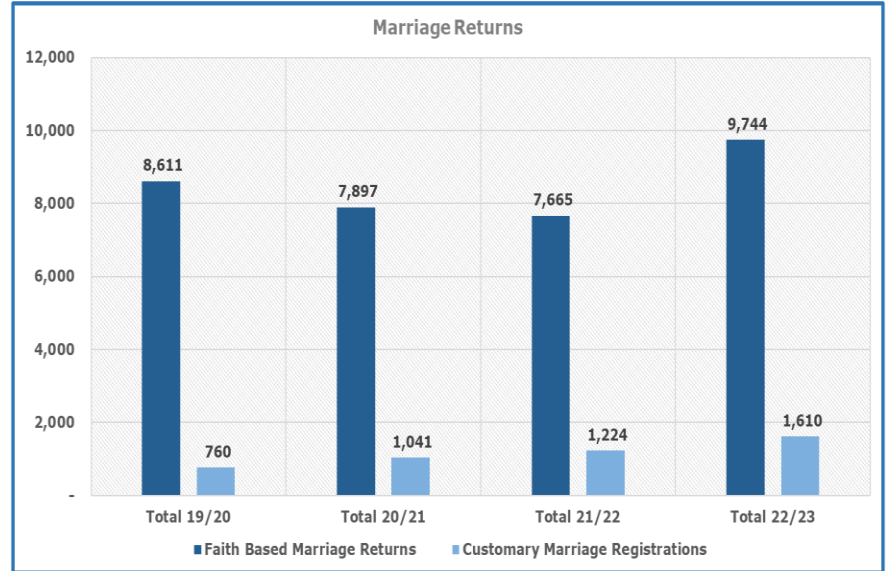
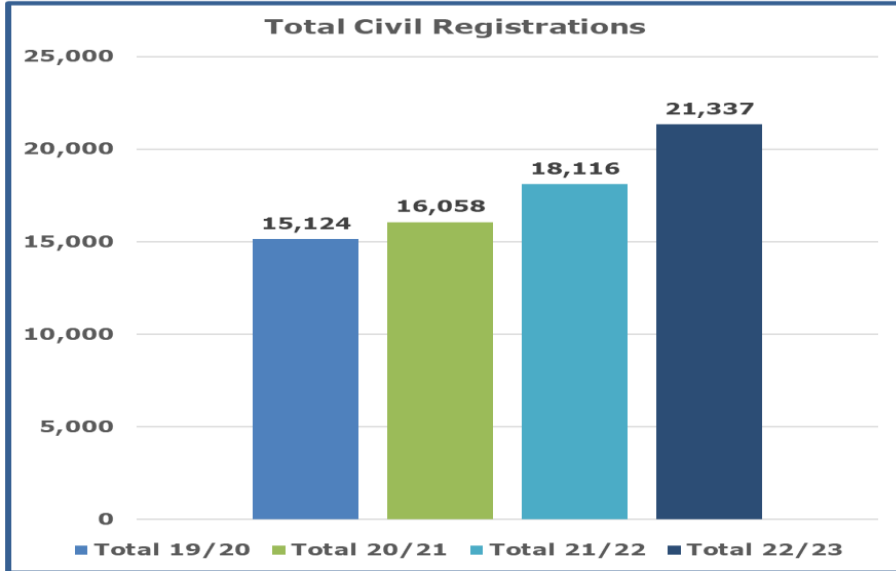
# Registrar of Marriages

- The Registrar General is designated as the Registrar of Marriages for Kampala and is appointed as the legal custodian of all marriage records in Uganda. URSB maintains the National Marriage Registry
- All Chief Administrative Officers designated as Registrars of Marriages for their respective districts
- S/C Chiefs or Town Clerks designated Registrars of Customary marriages
- Religious leaders (priests in licensed places of worship) and Imams celebrate marriages then register them with the Registrar of marriages

**The marriage celebrant should file marriage returns with the Registrar of Marriages within one month of conducting the marriage ceremony.**



# Marriage Stats



# Initiatives in Customary Marriage Registration

- Customary marriage registration is governed by The Customary Marriage (Registration) Act, Cap 248 – **1974**
- Customary marriage is celebrated according to the norms and customs of an indigenous community. There **56 Tribes** in Uganda.
- Customary marriages existed before the advent of western civilization and religion.
- Customary marriages are only registered at the **Sub County** but their celebration is the reserve of cultural institutions that is the custodian of norms and customs of an indigenous community.
- URSB has and continues to work with Traditional/cultural institutions to popularize registration of customary marriages. The collaboration includes signing MoUs with institutions to work together in areas of awareness creation, distribution of registration materials and verification of fulfillment of cultural requirements.
- The Bureau's collaboration started with the bigger institutions; Buganda, Busoga, Tooro, Lango, Acholi and Teso. It is continuing with recent engagements with Jap'Adhola, Alur and Masaba.
- **One of the key innovation is to get the cultural institutions to issue certificates after the cultural ceremonies to enable the S/C Chief get proof when registering.**

# Benefits of Registering Marriages

- The first benefit of a legal marriage is Legal Recognition as husband & wife with the attendant legal protection
- A registered marriage certificate is admissible by court as proof of marriage,
- A registered marriage is a safeguard for spousal benefits like insurance, pension, citizenship, immigration, emigration, family resettlements as well as inheritance of estates upon the demise of a spouse.
- A registered marriage is good for settling disputes in case of one party demise and land and family tree wrangles.
- Marriage registration helps in safe guarding against bigamy, polygamy and polyandry in the case of Church and Civil marriages and against early child marriages (**ECM**).
- Marriage enables the Government of Uganda to build a credible marriage data base for the population register used for planning purposes by government and private sector.

## **NB**

- ✓ Please note that a marriage that takes place in a non-licensed church is null and void and therefore doesn't exist legally.
- ✓ It is also important that after getting married a couple follows up with the church to register its marriage or go ahead and do their own registration at the URSB.

# Marriage Registration & Protection of the Girl Child

- 1 in 4 girls in Uganda aged 15-19 have a had a child or are pregnant ( source: UNFPA Population Matters Special Edition March 2022),
- 34% of girls in Uganda are 'married' by 18 years( source: UNFPA Population Matters Special Edition March 2022),
- It is illegal for a person under 18 years to get married in Uganda,
- Early Child 'marriages' occur mostly under a customary marriage arrangement and are not registrable,
- Intervention has to be at societal level via religious and cultural authorities,
- Registration of marriages puts government at the centre of marriage ceremonies,
- Relationship between registration of marriages, child marriages & BDR

# Challenges in Marriage Registration

## Data Collection & Dissemination

- Statistical definition of Household vs. Legal definition of marriage,
- Customary &/or Islamic marriage vs. Early Child Marriage,
- Statistical Data Measurement v. Administrative Data measurement – Couples get married in churches away from where they reside distorting stats.
- Data is not collected and presented disaggregated by sex as a primary and overall classification neither does it reflect/capture gender issues – questions, problems and concerns related to all aspects of women's and men's lives,
- Harnessing the Demographic Dividend through marriage formalization as protection for the girl child,
- Digitization of marriage registration,
- Marriage filing fees & processes
- Accuracy & completeness of data,
- Relationship between registration of marriages, child marriages & BDR

# Civil Registration Strategies

1. Enhance partnerships to increase registrations/usage i.e. Traditional Institutions, Users like UBA, Family Court etc...

2. Improve user experience through deployment of strategic service applications through ICT

3. Legal Reform

4. Integration of Data management bodies; URSB, NIRA (collection) & UBOS (dissemination)

5. Increase Formalization of Churches

6. Engage vulnerable and Targeted interest groups i.e PWDs, Refugees etc to promote inclusiveness



# Thank You!

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