

THE KHYBER PAKHTUNKHWA MARRIAGE FUNCTIONS (PROHIBITION OF OSTENTATIOUS DISPLAYS AND WASTEFUL EXPENSES) ACT, 2018.

(KHYBER PAKHTUNKHWA ACT NO. VIII OF 2018)

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(Extraordinary), dated the 6th March, 2018].

AN
ACT

To establish an effective systems to regulate marriage functions and provide restrictions on ostentatious displays and wasteful expenses.

It is hereby enacted as follows:

1. "Short title and commencement"(1) This act may be called The Khyber Pakhtunkhwa Marriage Functions (Prohibition of Ostentatious Displays and Wasteful Expenses) Bill, 2018.

(2) It shall extend to the whole of Khyber Pakhtunkhwa Province.

(3) It shall come into force at once.

2. "Definition" In this act, unless there is anything repugnant in the subject or context;

(a) "Bridal Gift" means any property given as a gift on the eve of the marriage ceremony either directly by the parents of bridegroom or parents of bride or any other member of the family or any other person, friend to either party or their parents in connection with the marriage but it does not include Mehr;

(b) "Government" means Government of Khyber Pakhtunkhwa;

(c) "House" means a private residence;

(d) "Marriage Ceremony" means any gathering under nikkah, baarat and valima solemnized under any sect and religion;

(e) "Menu" means one rice dish, one gravy/salan dish, one dry dish, Nan/Roti, Salad and sweet dish;

(f) "Parents" include the guardian of a party to a marriage and any

person who provides for dowry or bridal gifts and in the case of a party to a marriage who has no parents or whose marriage is

solemnized in circumstances in which or at a place at which no parent is present such party.

(g) "Public place" means a wedding hall, club, restaurant, community centre, community park or any open space, a private residence, farm house or any other private property hired for a marriage.

3. "Restrictions on bridal gift and Presents" The aggregate value of the gift amount or articles given to bride by her parents or any other family member shall not exceed the amount of one hundred thousand rupees.

4. "Restrictions"..... (a) Usage of Loud Speaker: In case of usage of loud speaker in rukhsati/barat, valima or nikkah the sound should be restricted to the indoor premises as possible of the house or public place.

(b) A person or family celebrating an engagement, mehndi or nikkah shall not serve or allow anyone to serve anything except beverages to the people/persons participating in the ceremony:

Provided that on rukhsati, barat and valima ceremony, menu will be the same as defined in clause 2(e) of this Act.

5. "Prohibition of Ostentatious celebrations" No person celebrating his marriage or marriage of any other person shall:

(i). Decorate or cause to be decorated any house or building any space appertaining thereto, street, road or other place whether owned by him or otherwise with lights or illuminations;

(ii). | Explode or allow anyone to explode cracker or other explosive device including firing by fire-arm;

(iii). Nothing contained in subsection (i) shall prohibit the use of such lights as are ordinarily necessary to lit the house or any other place being the site of marriage.

6. "Function Time" The nikkah, baarat and valima ceremony and any other engagements shall not continue after eleven O'clock in the night, person owning, managing or running a public place, being the site of marriage, shall ensure conclusion of all ceremonies relating to the marriage on or before, 11.00 p.m.

7. "Punishment" Whoever contravenes, or fails to comply with, any provision of this act shall be guilty of an offence punishable with fine which shall not be less than two hundred thousand rupees or imprisonment for a term which may not exceed three months or both.

Provided that bridal gift given by husband is absolute property of the wife under the provision of this Act and cannot be snatched away. Violation of this provision would entail a penalty in the form of a fine of rupees two hundred thousand and imprisonment of three months".

Provided that any one from bridegroom family or any one on their behalf ask or force bride's family for dowry amount or articles shall be punished with imprisonment for term not exceeding two months and fine not less than three hundred thousand rupees or both.

Provided further that if both the parents of a party to the marriage contravene, or fail to comply with, any provisions of this act or rules made there under, action under this section, shall be taken only against father or male guardian.

8. "Complaint and Procedure" An offence under this act shall be a bailable offence triable by a Magistrate of 1st class summarily. A complaint shall be made in writing to the Magistrate of 1st class under whose jurisdiction the offence under this act committed by any one witnessed the ceremony within one month from date of Nikkah and if Rukhsati took place from the date of such Rukhsati.

9. "Power to make rules" The Provincial Government may by notification make rules for carry out the purposes of this Act.