

**PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF**   
**SRI LANKA**

**KANDYAN MARRIAGE AND DIVORCE**

**(AMENDMENT) ACT, No. 37 OF 2022**

**[Certified on 17th of November, 2022]**

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| *Kandyan Marriage and Divorce (Amendment)* | 1 |

*Act, No. 37 of 2022*

[Certified on 17th of November, 2022]

L.D.–O. 73/2021

AN ACTTOAMENDTHE KANDYAN MARRIAGEAND DIVORCE   
ACT (CHAPTER 113)

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:-

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| **1.** | This Act may be cited as the Kandyan Marriage and | Short title  Repeal of Part II of Chapter 113  Amendment of section 16 of  the principal  enactment |
| Divorce (Amendment) Act, No. 37 of 2022. | |
| **2.** | Part II (sections 8, 9, 10, 11, 12, 13, 14 and 15) of the |
| Kandyan Marriage and Divorce Act (Chapter 113) (hereinafter referred to as the “principal enactment”) is hereby repealed. | |
| **3.** | Section 16 of the principal enactment is hereby |
| amended as follows:-  (1) by the repeal of sub-paragraph (*b*) of paragraph (6) thereof; and | |

(2) in paragraph (7) thereof–

(*a*) by the substitution, in sub-paragraph (*a*)   
thereof, for the word “correct;”, of the words  
“correct; and”;

(*b*) by the substitution, in sub-paragraph (*b*)   
thereof, for the word “marriage;”, of the word  
“marriage.”; and

(*c*) by the repeal of sub-paragraphs (*c*) and (*d*)   
 thereof.

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| **4.** | Section 18 of the principal enactment is hereby | Amendment of  section 18 of the principal  enactment |
| amended, by the repeal of paragraph (5) thereof and the substitution therefor, of the following paragraph:- | |

“(5) (*a*) Any party to the marriage who desires to obtain   
a marriage notice certificate from a District

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Registrar before the expiry of the period referred   
to in paragraph (3) (*a*) (i) or paragraph (4) (*a*) (i) or   
paragraph (4) (*c*) (ii) of this section shall appear in   
person before that Registrar and make and subscribe   
a declaration to the effect that there is no lawful   
impediment or other lawful hindrance to the   
marriage.

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| Amendment of section 19 of  the principal  enactment  Amendment of  section 20 of the principal  enactment | (*b*) | The declaration shall be accompanied by a receipt |
| issued by the District Registrar in proof of payment of the prescribed fee which shall be made by the party making the declaration.”. | |
| **5.** | Section 19 of the principal enactment is hereby |
| amended in subsection (3) thereof as follows:- | |
| (1) | by the substitution, in paragraph (*a*) thereof, for the |
| word “marriage;”, of the words “marriage; and ”; | |
| (2) | by the repeal of paragraph (*b*) thereof; and |
| (3) | by the re-lettering of paragraph (*c*) as paragraph (*b*) |
| thereof. | |
| **6.** | Section 20 of the principal enactment is hereby |
| amended as follows:- | |
| (1) | by the repeal of subsection (1) thereof and the |
| substitution therefor, of the following subsection:– | |

“(1) Any person, being a person who is   
interested in a Kandyan marriage may object in   
writing, to the issue of a marriage notice certificate   
in respect thereof.”; and

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| (2) | by the repeal of sub-paragraph (ii) of paragraph (*c*) of subsection (2) thereof and the substitution therefor, of the following sub-paragraph:– |

“(ii) whether the objector makes the objection in   
his capacity as a person who is interested in   
the marriage; and”.

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| **7.** | Section 29 of the principal enactment is hereby | Amendment of  section 29 of the principal  enactment |
| amended as follows:- | |
| (1) | in paragraph (1) thereof– |

(*a*) by the substitution, in sub-paragraph (*a*)   
thereof, for the words “so specified;”, of the   
words “so specified; and”;

(*b*) by the repeal of sub-paragraph (*b*) thereof; and

(*c*) by the re-lettering of sub-paragraph (*c*) as sub-  
 paragraph (*b*) thereof; and

(2) in paragraph (2) thereof–

(*a*) by the substitution, in sub-paragraph (*a*)   
thereof, for the words “so specified;”, of the   
words “so specified; and”;

(*b*) by the repeal of sub-paragraph (*b*) thereof; and

(*c*) by the re-lettering of sub-paragraph (*c*) as sub-  
 paragraph (*b*) thereof.

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| **8.** | Section 60 of the principal enactment is hereby | | | Replacement of section 60 of the principal  enactment |
| repealed and the following section is substituted therefor:- | | | |
| “False | | 60. Any person who, for the purpose of | |
| declarations,  &c. | | | procuring the solemnization or registration of a Kandyan marriage knowingly or wilfully |

makes and subscribes any false declaration or   
signs any false notice, under this Act shall be   
guilty of an offence under this Act.”.

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| **9.** | Section 66 of the principal enactment is hereby | Amendment of section 66 of  the principal  enactment |
| amended by the repeal of the definition of the expression“minor”. | |

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| Avoidance of | **10.** | For avoidance of doubt, it is hereby declared |
| doubt | that- | the provisions of this Act shall not apply to any |
| (*a*) |

Kandyan marriage contracted prior to the date of   
commencement of this Act; and

(*b*) the provisions of subsections (2) and (3) of section   
 4 of the principal enactment shall not apply to any   
 Kandyan marriage contracted on or after the date of   
 commencement of this Act, save as provided for   
 in section 112 of the Evidence Ordinance   
 (Chapter 14).

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| Sinhala text to  prevail in case  of inconsistency | **11.** | In the event of any inconsistency between the |
| Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. | |

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