



**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)
Act, No. 37 of 2022*

[Certified on 17th of November, 2022]

L.D.-O. 73/2021

AN ACT TO AMEND THE KANDYAN MARRIAGE AND DIVORCE
ACT (CHAPTER 113)

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

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|--|---|
| <p>1. This Act may be cited as the Kandyan Marriage and Divorce (Amendment) Act, No. 37 of 2022.</p> | <p>Short title</p> |
| <p>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of the Kandyan Marriage and Divorce Act (Chapter 113) (hereinafter referred to as the “principal enactment”) is hereby repealed.</p> | <p>Repeal of Part II of Chapter 113</p> |
| <p>3. Section 16 of the principal enactment is hereby amended as follows:-</p> <p style="margin-left: 40px;">(1) by the repeal of sub-paragraph (b) of paragraph (6) thereof; and</p> <p style="margin-left: 40px;">(2) in paragraph (7) thereof-</p> <p style="margin-left: 80px;">(a) by the substitution, in sub-paragraph (a) thereof, for the word “correct;”, of the words “correct; and”;</p> <p style="margin-left: 80px;">(b) by the substitution, in sub-paragraph (b) thereof, for the word “marriage;”, of the word “marriage.”; and</p> <p style="margin-left: 80px;">(c) by the repeal of sub-paragraphs (c) and (d) thereof.</p> | <p>Amendment of section 16 of the principal enactment</p> |
| <p>4. Section 18 of the principal enactment is hereby amended, by the repeal of paragraph (5) thereof and the substitution therefor, of the following paragraph:-</p> <p style="margin-left: 40px;">“(5) (a) Any party to the marriage who desires to obtain a marriage notice certificate from a District</p> | <p>Amendment of section 18 of the principal enactment</p> |

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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.

- (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.”.

Amendment of
section 19 of
the principal
enactment

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.

Amendment of
section 20 of the
principal
enactment

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

- (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 amended as follows:-

Amendment of
section 29 of the
principal
enactment

- (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.

8. Section 60 of the principal enactment is hereby repealed and the following section is substituted therefor:-

Replacement of
section 60 of the
principal
enactment

“False
declarations,
&c. 60. Any person who, for the purpose of
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.”.

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

Amendment of
section 66 of
the principal
enactment

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Avoidance of
doubt

10. For avoidance of doubt, it is hereby declared that-

- (a) the provisions of this Act shall not apply to any 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).

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.

