



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

**KANDYAN MARRIAGE AND DIVORCE
(AMENDMENT)**

A

BILL

to amend the Kandyan Marriage and Divorce Act (Chapter 113)

*Presented by the Minister of Justice, Prison Affairs and
Constitutional Reforms on 03rd of October, 2022*

(Published in the Gazette on September 07, 2022)

Ordered by Parliament to be printed

[Bill No. 153]

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 12.00

Postage : Rs. 15.00

This Bill can be downloaded from www.documents.gov.lk



STATEMENT OF LEGAL EFFECT

Clause 2 : This clause repeals Part II of the Kandyan Marriage and Divorce Act (Chapter 113) (hereinafter referred to as the “principal enactment”) and the legal effect thereof is to eliminate the requirement of consent of a competent authority for a marriage of a minor and thereby making the age of eighteen years as the minimum age of marriage for all persons subject to Kandyan Law.

Clause 3 : This clause amends section 16 of the principal enactment and is consequential to the amendment made by clause 2.

Clause 4 : This clause amends section 18 of the principal enactment and is consequential to the amendment made by clause 2.

Clause 5 : This clause amends section 19 of the principal enactment and is consequential to the amendment made by clause 2.

Clause 6 : This clause amends section 20 of the principal enactment and is consequential to the amendment made by clause 2.

Clause 7 : This clause amends section 29 of the principal enactment and is consequential to the amendment made by clause 2.

Clause 8 : This clause replaces section 60 of the principal enactment and is consequential to the amendment made by clause 2.

Clause 9 : This clause amends section 66 of the principal enactment and the legal effect of this section as amended is to remove the definition of the expression “minor” consequent to the amendment made by clause 2.

*Kandyan Marriage and Divorce
(Amendment)*

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:-

- 1.** This Act may be cited as the Kandyan Marriage and Divorce (Amendment) Act, No. of 2022. Short title
- 5 **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. Repeal of
Part II of
Chapter 113
- 10 **3.** Section 16 of the principal enactment is hereby amended as follows:- Amendment
of section 16
of the
principal
enactment
- (1) by the repeal of sub-paragraph (b) of paragraph (6) thereof; and
- (2) in paragraph (7) thereof-
- 15 (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
- 20 (c) by the repeal of sub-paragraphs (c) and (d) thereof.
- 25 **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:- Amendment
of section 18
of the
principal
enactment
- “(5) (a) Any party to the marriage who desires to obtain a marriage notice certificate from a District Registrar

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

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

*Kandyan Marriage and Divorce
(Amendment)*

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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-

5 (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

10 (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

15 (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

20 "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."

25 **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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that-

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11. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text
to prevail in
case of
inconsistency

