

GOVERNMENT OF ZAMBIA

ACT

No. 13 of 2023

Date of Assent: 22nd December, 2023

An Act to amend the Marriage Act.

[26th December, 2023

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Marriage (Amendment) Act, 2023, and shall be read as one with the Marriage Act, in this Act referred to as the principal Act.

Short title
Cap. 50

2. The principal Act is amended in section 2 by the insertion of the following new definition in the appropriate place:

Amendment
of section 2

“child” has the meaning assigned to the word in the Constitution;.

Cap. 1

3. The principal Act is amended by the repeal of section 33 and the substitution therefor of the following:

Repeal and
replacement
of section 33

33. A marriage between persons either of whom is a child, is void.

Void marriage

4. The principal Act is amended by the repeal of section 34 and the substitution therefor of the following:

Repeal and
replacement
of section 34

34. (1) Nothing contained in this Act shall affect the validity of any marriage contracted under or in accordance with any African customary law, or in any manner apply to marriages so contracted.

Marriage
under African
Customary
law

(2) Despite subsection (1), section 33 shall apply to a marriage contracted under or in accordance with any African customary law.

(3) Any person who is married under this Act or whose marriage is declared by this Act to be valid, shall be incapable, during the continuance of such marriage, of contracting a valid marriage under any African Customary law.
