

Malawi

## African Marriage (Christian Rites) Registration Act Chapter 25:02

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## Malawi

# African Marriage (Christian Rites) Registration Act

## Chapter 25:02

Commenced on 18 April 1923

*[This is the version of this document at 31 December 2014.]*

*[Note: This version of the Act was revised and consolidated in the Fifth Revised Edition of the Laws of Malawi (L.R.O. 1/2018), by the Solicitor General and Secretary for Justice under the authority of the Revision of the Laws Act.]*

*[Repealed by [Marriage, Divorce and Family Relations Act \(Act 4 of 2015\)](#) on 3 July 2015]*

### An Act to make provision for the Registration of African Marriages celebrated according to Christian Rites

#### 1. Short title

This Act may be cited as the African Marriage (Christian Rites) Registration Act.

#### 2. Interpretation

For the purposes of this Act—

“**minister**” means any person duly ordained, appointed or authorized by any Christian Church, Denomination or Body to celebrate marriage between Africans according to the rites of such Church, Denomination or Body;

“**Registrar General**” means the officer for the time being appointed to be Registrar General under the Marriage Act.

*[Cap. 25:01]*

#### 3. Celebration of marriage status

Notwithstanding anything contained in the Marriage Act it shall be permissible for any minister and at any place to celebrate marriage according to the rites of the Church, Denomination or Body to which he belongs between any two Africans:

Provided that the celebration of marriage under this Act shall not as regards the parties thereto alter or affect their status or the consequences of any prior marriage entered into by either party according to customary law or involve any other legal consequences whatever.

*[Cap. 25:01]*

#### 4. Register of African Christian Marriages

Every minister who celebrates a marriage between two Africans under this Act and otherwise than in conformity with the Marriage Act, shall keep a register of the same in such form as the Minister may from time to time prescribe, and shall make and sign in such register an entry of every marriage so celebrated by him, and the Head of each Church, Denomination or Body, ministers of which celebrate marriages under this Act shall as soon as possible after the 31st December in each year, send to the Registrar General a copy of the register of all the marriages so celebrated during the past year by ministers of the Church, Denomination or Body of which he is the Head.

*[Cap. 25:01]*

## **5. Penalties**

The Head of every Church, Denomination or Body refusing or wilfully neglecting to send such copy shall be liable to a penalty of K10 in respect of each omission.

## **6. Record by Registrar General**

The certified copies of the register so transmitted shall be filed by the Registrar General and transcribed into a book to be kept by him for the purpose.

## **7. Rules**

The Minister may make Rules for the better carrying into effect of this Act, and by such Rules may prescribe fees to be levied and taken by the Registrar General in respect of the furnishing of copies of any document filed by him or entry in his register or in respect of any service rendered by him in giving effect to the provisions of this Act or any Rule made thereunder.