[Chap2502]CHAPTER 25:02
AFRICAN MARRIAGE (CHRISTIAN RITES) REGISTRATION
ARRANGEMENT OF SECTIONS
SECTION

1. Short title
2. Interpretation
3. Celebration of marriage Status
4. Register of African Christian Marriages
5. Penalties
6. Record by Registrar General
7. Rules

7 of 1923
G.N. 117/1928
22/1963
163/1974
An Act to make provision for the Registration of African Marriages celebrated according to Christian Rites
[18TH APRIL 1923]
[Ch2502s1]1. Short title

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

[Ch2502s2]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

[Ch2502s3]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: Cap. 25:01

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.

[Ch2502s4]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

[Ch2502s5]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.

[Ch2502s6]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.

[Ch2502s7]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.

SUBSIDIARY LEGISLATION

AFRICAN MARRIAGE (CHRISTIAN RITES) REGISTRATION RULES

under s. 7

G.N. 117/1928

163/1974

1. Citation

These Rules may be cited as the African Marriage (Christian Rites) Registration Rules.

2. Form of marriage register

The Marriage Register required to be kept by ministers under section 4 of the African Marriage (Christian Rites) Registration Act shall be in the form in the First Schedule.

3. Form of copy of register

The copy of the Register which is required to be sent to the Registrar General as soon as possible after the 31st of December in each year shall be in the form in the Second Schedule hereto and the head of each mission when preparing the said copy shall endorse the same in manner following immediately after the last copy entry therein—

"In accordance with the provisions of section 4 of the African Marriage (Christian Rites) Registration Act, I forward this copy of the Register of Marriages under the said Act, being numbers ..... to ..... inclusive celebrated between Africans according to the rites of the* during the year ending 31st December, 19.....

Signature of head of mission

Address Date "

FIRST SCHEDULE G.N. 163/1974

MALAWI

The African Marriage (Christian Rites) Registration Act

(CAP. 25:02)

Register of Marriages celebrated between Africans under the above Act according to the Rites of the*

No. Date when celebrated

Contracting parties (Man)
.....
(Woman)

Apparent age (Man)
.....
(Woman)

Nationality (Man)
.....
(Woman)

Village (Man)
.....
(Woman)

Traditional Authority (Man)
.....
(Woman)

District(Man)
.....
(Woman)

Witness (1)
.....
(2)

Signature of officiating minister .....

Address .....
Date of signature .....
(The register is in counterfoil duplicate)

SECOND SCHEDULE G.N. 163/1974
MALAWI
The African Marriage (Christian Rites) Registration Act
(CAP. 25:02)

Copy of Register of Marriages celebrated between Africans under the above Act according to the Rites of the*

No. Date Contracting Parties Apparent age Nationality Village Traditional Authorit
District Witnesses Signature of officiating minister, address and date of signature
Man
Woman

Endorsement, as in rule 2