




10 things you should know about the Marriages Bill.

MarriagesBillZw

1 The Bill sets the minimum age at 18 and this minimum age also applies to those in customary marriages and in civil partnerships. It clearly prohibits child marriages.



2 A marriage can only be registered or solemnised when there is free and full consent from each of the parties



Every chief shall be a marriage officer in customary law marriages


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4 Parties to any marriage ie civil marriage or customary have equal rights and obligations during the subsistence and at dissolution of the marriage



5 A civil partnership is a relationship between a man and woman who are both over 18 and have lived together without legally being married to each other and have a relationship as a couple living together on a genuine domestic basis.



A civil partnership exists despite that one or both of the persons are legally married to someone else, or are in another civil partnership.


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To determine if a civil partnership exists, the following may be considered; the duration of the relationship, the extent of their common residence, whether a sexual relationship exists, degree of financial dependence, ownership use and acquisition of their property degree of mutual commitment to a shared life, care and support of children and the reputation and public aspects of the relationship.

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8 Every marriage contracted according to customary law including wife inheritance (kugara nhaka) must be solemnised before the appropriate marriage officer of the district in which either party resides.



9 A marriage contracted solely according to customary law and not solemnised in terms of the Act must be registered within 3 months of the date of union & the PARTIES to the union must provide the register the required information to register the union.



The bill recognises a civil marriage which is contracted in terms of general law & no other marriage can be contracted during the subsistence of a monogamous marriage. A person cannot be married under general law and customary at the same time. However, parties to a customary marriage may convert their marriage to a civil law marriage.

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