

## MINIMUM AGE OF MARRIAGE IN AFRICA

### Algeria

**19 years**

**Family Code, 2005**

**Article 7:** A marriage is deemed valid if both the male and female are 19 years of age. However, the judge may grant an exemption for reasons based on age in instances of necessity or when the eligibility of marriage between the two parties is established.

**3<sup>rd</sup> and 4<sup>th</sup> periodic report on the Convention on the Rights of the Child: Algeria, 2009, p. 53**

Since February 2005, the minimum age of marriage, which was formerly 21 years for men and 18 years for women, has been standardized to 19 years for both sexes.

### Angola

**18 years**

**Exceptionally for girls at 15 and boys at 16.**

**Initial state party report on the Convention on the Rights of the Child: Angola, 2004, p. 18**

Under the Angola Family Code, only persons over the age of 18 may marry (Art. 24). The law provides that, exceptionally, boys may marry at 16 and girls at 15 with the permission of a person having authority over the minor, or when, after a review of the circumstances and taking into account the minor's interests, the marriage appears to be in the best interests of the child in question.

### Benin

**18 years**

**Le Code de l'enfant au Bénin, 2007**

**Article 120:** A minor under eighteen (18) years cannot marry without the consent of the person exercising parental authority over him. This consent must include the designation of the two future spouses. It is given either by the statement made to an officer of civil status or before a notary prior to the marriage, is valid, even during the celebration.

**Article 123:** The marriage may be contracted only between a man who is at least eighteen (18) years and a woman who is at least eighteen (18) years, unless an exemption is granted on grounds of age by order of the presiding trial court on motion by the Crown.



<b>Botswana</b>	<p><b>18 years</b></p> <p style="text-align: center;"><b>Marriage Act, 2001</b></p> <p><b>Section 14:</b> No insane person who is incapable of giving consent to a marriage and no person below the age of 18 years may marry.</p>
<b>Burkina Faso</b>	<p><b>17 years for girls and 20 years for boys. (exemption: 15 for girls and 18 for boys)</b></p> <p style="text-align: center;"><b>Code of Persons and Family, 1989</b></p> <p><b>Article 238:</b> Marriage can only be entered between a male over the age of twenty years and woman of more than seventeen years of age, unless an exemption is granted for good cause by the civil court. This exemption may not in any case be granted for a man under eighteen and a woman under fifteen.</p>
<b>Burundi</b>	<p><b>18 years for girls and 21 years for boys</b></p> <p style="text-align: center;"><b>Code of Persons and Family, 1993,</b></p> <p><b>Article 88:</b> Man before twenty-one years and woman before eighteen years cannot enter into marriage. However, the provincial governor may grant exemption for serious reasons.</p> <p>There is a Bill to amend certain provisions of the Code of Personal and Family Affairs, which sets the age of marriage at 18 years for both sexes.</p>
<b>Cameroon</b>	<p><b>15 years for girls and 18 years for boys</b></p> <p style="text-align: center;"><b>Civil Status Registration Ordinance No 81-02, 1981</b></p> <p><b>Article 52:</b> No marriage may be celebrated:  (1) if the girl is a minor of 15 years old or the boy of 18 years old, unless for serious reasons a waiver has been granted by the President of the Republic;</p>



<b>Cape Verde</b>	<p><b>18 years</b></p> <p><b>Initial state party report on the Convention on the Rights of the Child: Cape Verde, 1999, p. 13</b></p> <p>The marriage of a minor under age 18 is invalid.</p>
<b>Central African Republic</b>	<p><b>18 years</b></p> <p><b>Initial state party report on the Convention on the Rights of the Child: Central African Republic, 1998, p. 18</b></p> <p>According to the Draft Family Code, a minor is not empowered to perform a juridical act, and under Article 214 “no person may contract marriage before the age of 18”</p> <p><b>Concluding Observation to the initial state party report on the Convention on the Rights of the Child: Central African Republic, 2000, par.3</b></p> <p>The Concluding Observations for this report states that the Draft Family Code was adopted in the same year, 1998.</p>
<b>Chad</b>	<p><b>18 years for boys and 17 years for girls.</b></p> <p><b>2<sup>nd</sup> periodic report on the Convention on the Rights of the Child: Chad, 2007, p. 17</b></p> <p>A Draft Code on the Person and the Family prepared in 1999 raises the minimum age of marriage to 18 years for boys and 17 years for girls.</p>
<b>Comoros</b>	<p><b>18 years</b></p> <p><b>Code De La Famille, 2005</b></p> <p><b>Article 8 :</b> The engagement resulted in a solemn promise of marriage when their mutual consent between a man and a woman who has reached at least the age of 18 years of age. This agreement does not require engaged couples to enter into marriage.</p> <p><b>Article 14:</b> A man and a woman below eighteen (18) years of age cannot contract into marriage.</p> <p><b>Article 15:</b> However, it is open to competent judge who may perform the marriage to grant exemptions to age for serious reasons and if there is legitimate mutual consent of the intending spouses.</p>
<b>Congo</b>	<p><b>18 years for girls and 21 years for boys</b></p>



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<p><b>Brazzaville</b></p>	<p style="text-align: center;"><b>Family Code, 1984</b></p> <p><b>Article 128:</b> The law prohibits child marriage, and the legal age for marriage is 18 years for women and 21 for men.</p> <p style="text-align: center;"><b>Child Protection Code, 2010</b></p> <p><b>Article 13:</b> The child is entitled to refuse pre-marriage or marriage arrangements;</p> <p><b>Article 37:</b> The right to refuse pre-marriage and marriage is recognized for every child. The marriage or pre-marriage contracted by a child under constraint is invalid.</p> <p><b>Article 108:</b> A penalty of three months to two years imprisonment and a fine of 150,000 to 1,500,000 CFA francs is imposed, for the commission of a forced pre-marriage or child marriage.</p>
<p><b>Cote d'Ivoire</b></p>	<p style="text-align: center;"><b>18 years for girls and 20 years for boys</b></p> <p style="text-align: center;"><b>Concluding observation to the initial state party report on the Convention on the Rights of the Child: Côte d'Ivoire, 2001, Par.20</b></p> <p><b>Article 1, Civil Code, 1983 Law No 83-800:</b> Men before twenty years, women before 18 years cannot enter into marriage. However the prosecutor may grant exemptions for serious reasons.</p>
<p><b>Democratic Republic of Congo</b></p>	<p style="text-align: center;"><b>15 years for girls and 18 years for boys</b></p> <p style="text-align: center;"><b>Family Code, 1987</b></p> <p><b>Article 352:</b> Man before 18 years, woman before 15, cannot enter into marriage. However, it is possible for the peace court to grant age exemptions for serious reasons. The Court decides on the request of any person with a legitimate interest.</p> <p style="text-align: center;"><b>Child Protection Code, Loi No 09/001 10 January 2009</b></p> <p><b>Article 48:</b> The betrothal and marriage of children is prohibited</p>
<p><b>Djibouti</b></p>	<p style="text-align: center;"><b>18 years</b></p> <p style="text-align: center;"><b>2<sup>nd</sup> Periodic Report on the Convention on the Rights of the Child: Djibouti, 2007, p. 19</b></p> <p><b>Family Code, 2002, Law No 152/AN/02/4emeL Article 13:</b> The spouses must be over 18 years to enter into marriage</p>



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<p><b>Egypt</b></p>	<p><b>18 years</b></p> <p><b>3<sup>rd</sup> and 4<sup>th</sup> periodic report on the Convention on the Rights of the Child: Egypt, 2008, p. 28</b></p> <p><b>The Child Law 126, 2008 Article 31:</b> The new amendment to the Child Law has introduced a new provision raising the age of marriage for girls from 16 to 18 years. According to Act No. 126 of 2008, a new article, 31bis, is added to the Civil Status Act No. 143 of 1994 stipulating that no marriage contract shall be authenticated if the parties have not attained the age of 18 years, and prescribes administrative punishment for failing to meet this condition.</p>
<p><b>Equatorial Guinea</b></p>	<p><b>18 years</b></p> <p><b>Economic Commission for Africa, Africans Woman’s Rights Observatory <a href="http://new.uneca.Combined Second, Third, Fourth and Fifth Periodic Reports to CEDAW: Equatorial Guinea: 2004, (Summary Record">http://new.uneca.Combined Second, Third, Fourth and Fifth Periodic Reports to CEDAW: Equatorial Guinea: 2004, (Summary Record</a></b></p> <p>The legal minimum age for civil marriage is 18 years</p> <p><b>Social Institutions and Gender Index, 2012</b></p> <p>Parties to civil marriages must be 18 years.</p>
<p><b>Eritrea</b></p>	<p><b>18 years</b></p> <p><b>2<sup>nd</sup> and 3<sup>rd</sup> periodic reports on the Convention on the Rights of the Child: Eritrea, 2007,p. 20</b></p> <p><b>Transitional Civil Code Article 581:</b> of the Transitional Civil Code of Eritrea, as amended by Article 46 of Proclamation 1/1991 states that no contract of marriage shall be valid if either of the parties is under eighteen years of age.</p>
<p><b>Ethiopia</b></p>	<p><b>18 years</b></p> <p><b>The Revised Family Code Proclamation No. 213/2000</b></p> <p><b>Article 7 (1):</b> Neither a man nor a woman who has not attained the full age of eighteen years shall conclude a marriage. Notwithstanding the provisions of Sub-Article (2) of this Article,</p> <p>2. The Minister of Justice may, on the application of the future spouses, or the parents or guardian of one of them, for serious cause, grant dispensation of not more than two years.</p>
<p><b>Gabon</b></p>	<p><b>15 years for girls and 18 years for boys.</b></p>

	<p style="text-align: center;"><b>Civil Code, 1972</b></p> <p><b>Article 203:</b> Men, before 18 years, woman, before 15 years, cannot enter into marriage. However, the President of the Republic may grant dispensation from the age requirement if there are good grounds for doing so</p> <p><b>Article 204:</b> The insane may marry only during a period of lucidity, with due authorisation of their guardian and after a favorable recommendation from a psychiatrist or, failing that, a doctor.</p> <p><b>Article 205:</b> Even if the conditions required by section 203 are met, the young man or the young women who has not already reached the age of 21 cannot enter into marriage without the consent of his/her father and mother. In case of refusal by the father or the mother, the consent of only one of the two is sufficient. In case of divorce or separation, the consent of the person who has the custody of the child is always required. If one of the parents is dead or unable to express his will, the consent of the other is enough. It will be the same for children whose paternity has not been established.</p>
<b>The Gambia</b>	<p><b>18 years</b></p> <p style="text-align: center;"><b>Children's Act, 2005</b></p> <p><b>Section 2(1):</b> child is a person under the age of 18</p> <p><b>Section 24:</b> ...no child is capable of contracting a valid marriage and a marriage so contracted is voidable.</p>
<b>Ghana</b>	<p><b>18years</b></p> <p style="text-align: center;"><b>Children's Act, 1998</b></p> <p><b>Section 13:</b> No person shall force a child:</p> <ul style="list-style-type: none"> <li>- To be betrothed</li> <li>- To be the subject of a dowry transaction; or</li> <li>- To be married</li> </ul> <p>The minimum age of marriage or whatever kind shall be eighteen years.</p>
<b>Guinea</b>	<p><b>18 years</b></p> <p style="text-align: center;"><b>Guinean Children Code, 2008 (Loi L/2008/011/AN, 19 August 2008)</b></p> <p><b>Article 268:</b> The Child is automatically emancipated by marriage. Boys and girls under 18 years cannot marry. Nevertheless, the President of the Republic, on report of the Minister of</p>

	Justice may, by decree, grant exemptions on age for compelling reasons. The application is made to the Public Prosecutor or the President of the Tribunal which is forwarded to the Attorney General. An expedition of this Order is then attached to the marriage certificate.
<b>Guinea-Bissau</b>	<p><b>16 years</b></p> <p><b>Combined 2<sup>nd</sup> , 3<sup>rd</sup> and 4<sup>th</sup> periodic reports on the Convention on the Rights of the Child: Guinea-Bissau, 2009,p.13</b></p> <p>For the purpose of marriage, the law has established 16 as the age limit (Art. 1602 a) CC, for both sexes in obedience to the principle of equality as established by the CRGB (Constitution of the Republic of Guinea-Bissau). Despite the fact that the law does not allow for marriage of people who are under 16 years of age, this can only be celebrated with the consent of their representatives (parents or guardians). Thus, an underage child who marries without the consent of his/her representatives remains unable to administer the assets that he/she may have taken into the union (Art. 1649 CC).</p>
<b>Kenya</b>	<p><b>18 years</b></p> <p><b>Marriage Act Chapter 150, 2009</b></p> <p>If either party to an intended marriage, not being a widower or widow, is under eighteen years of age, no license shall be granted or certificate issued unless there is produced, annexed to the affidavit referred to in section 11 of this Act, a written consent to the intended marriage signed by the person having the lawful custody of any such party.</p> <p><b>The Hindu Marriage and Divorce Act 5</b></p> <p><b>Article 35(2):</b>A marriage shall be null and void if either party thereto is under the age of sixteen years at the time of the celebration of such marriage</p> <p><b>The Hindu Marriage And Divorce Act Chapter 157, Revised edition 2008 (1984)</b></p> <p><b>Article 3(1):</b> A marriage may be solemnized if the following conditions are fulfilled –</p> <p>(c) the bridegroom has attained the age of eighteen years and the bride the age of sixteen years at the time of the marriage</p> <p>(d) where the bride has not attained the age of eighteen years, the consent of her guardian in marriage, if any, has been obtained for the marriage</p>
<b>Lesotho</b>	<p><b>21 years</b></p> <p><b>Initial state party report on the Convention on the Rights of the Child: Lesotho, 1998, p. 11</b></p> <p>The Age of Majority Ordinance stipulates the age of majority as 21 years. Any person who has therefore attained the age of 21 can freely contract and enter into marriage without seeking prior parental consent. Any person under 21 is</p>



	considered a child and a minor requiring parental consent in order to enter into a valid civil marriage or a valid contract.
<b>Liberia</b>	<p><b>18 years</b></p> <p><b>Liberian Children’s Act, 2011</b></p> <p><b>Section 4:</b> No person or society shall subject a child to any of the following practices:-  (a) Marrying any person when she or he is still under the age of 18.</p> <p><b>Section 3:</b> Child shall mean any person below the age of 18 years.</p> <p><b>Section 16.15 Subjecting a Child to Harmful Practices:</b> A person commits a felony of second degree if she or he subjects a child to any of the following practices:  (a) Facilitating the marriage to any person when she or he is still under the age of 18.</p>
<b>Libya</b>	<p><b>20 years</b></p> <p><b>Act No. 10, 1984</b></p> <p><b>Article 6:</b> a person becomes eligible for marriage on attaining 20 years of age and that the court may, with the consent of the guardian, authorizes marriage before that age if it believes it to be advantageous or beneficial to both parties.</p>
<b>Madagascar</b>	<p><b>18years</b></p> <p><b>Family Code Law No 2007-022, 20, 2007</b></p> <p><b>Article 3:</b> The minimum age of marriage is 18. However, before this age and for serious reasons, without prejudice to the criminal prosecution of offenses against morality, the President of the court of first instance may authorize the marriage upon the request of the father and the mother or the person exercising authority over the child and with their express consent as well as the consent of the child.  Consent must be given in front of the President of the Court of First Instance and recognised in the judicial decision authorizing the marriage.</p>
<b>Malawi</b>	<p><b>15 years</b></p> <p><b>Constitution, 1994</b></p> <p><b>Section 22</b>  <b>(6):</b> No person over the age of eighteen years shall be prevented from entering into marriage.  <b>(7)</b> For persons between the age of <b>fifteen and eighteen years</b> a marriage shall only be entered into with the consent of their parents or guardians.</p>



	<p><b>(8)</b> The State shall actually discourage marriage between persons where either of the parties is under the age of fifteen years.</p> <p style="text-align: center;"><b>Child Care, Protection, and Justice Act, 2010</b></p> <p><b>Section 81:</b> No person shall</p> <p>a) Force a child into marriage or</p> <p>b) Force a child to be betrothed</p> <p><b>Section 83:</b> A person who contravenes section 81 commits an offence and shall be liable to imprisonment for 10 years</p>
<b>Mali</b>	<p><b>16 years for the woman and 18 years for the man</b></p> <p style="text-align: center;"><b>Code of Persons and the Family, 2011</b></p> <p><b>Section 282:</b> The minimum age for marriage is eighteen years for men and sixteen for women. The head of the administrative unit may, nevertheless, by a decision may be appealed in front of the civil court, grant an age waiver for serious reasons. This authorisation can be issued only for the future spouses aged fifteen years. A copy of the decision is annexed to the act of celebration.</p>
<b>Mauritania</b>	<p><b>18 years</b></p> <p style="text-align: center;"><b>Personal Status Code, 2001</b></p> <p><b>Article 6:</b> The legal capacity to marry is possessed by all persons of sound mind aged at least 18 years.</p>
<b>Mauritius</b>	<p><b>18years</b></p> <p style="text-align: center;"><b>Civil code</b></p> <p><b>Article 144:</b> No one can marry before the age of eighteen.</p> <p><b>Article 145:</b> Nevertheless, a minor 18 years of age but over 16 years may marry with the consent of his father and mother or the one who solely exercises parental authority.</p>
<b>Morocco</b>	<p><b>18 years</b></p> <p style="text-align: center;"><b>The Moroccan Family Code, (Moudawana) Royal Edict N° 1.04.22</b></p> <p><b>Article 19:</b> Men and women acquire the capacity to marry when they are of sound mind and have completed eighteen full Gregorian years of age.</p> <p><b>Article 20:</b> The Family Affairs Judge in charge of marriage may authorise the marriage of a girl or boy below the legal age of marriage as stipulated in preceding Article 19, in a well-substantiated decision explaining the interest and reasons</p>

	<p>justifying the marriage, after having heard the parents of the minor who has not yet reached the age of capacity or his/her legal tutor, with the assistance of medical expertise or after having conducted a social enquiry. The decree granting the petition to marry for a minor who has not reached the age of legal capacity for marriage is not open to appeal.</p>
<b>Mozambique</b>	<p><b>18 years</b></p> <p><b>The Family Law Act (Law 10/2004)</b></p> <p><b>Section 19(2):</b> A promise of marriage is null if any of the prospective couples is under 18 years. <b>Section 261(1):</b> Any person who is 18 years or older, if not prohibited by a mental disorder or who is not notoriously insane at the time of profiling, has capacity to marry.</p>
<b>Namibia</b>	<p><b>18 years</b></p> <p><b>Amendment of section 26 of the Marriage Act, 1961, by the Married Persons Equality Act (Act 1 of 1996)</b></p> <p>(1) No boy or girl under the age of 18 years [and no girl under the age of 15 years] shall be capable of contracting a valid marriage except with the written permission of the [Cabinet] Minister or any [officer] staff member in the [Government Service] Public Service authorized thereto by the [Cabinet] Minister, which [it or] he or she may grant in any particular case in which [it or] he or she considers such marriage desirable: Provided that such permission shall not relieve the parties to the proposed marriage from the obligation to comply with all other requirements prescribed by law: Provided further that such permission shall not be necessary if by reason of any such other requirement the consent of a judge or court having jurisdiction in the matter is necessary and has been granted.</p>
<b>Niger</b>	<p><b>15 years for girls and 18 years for boys</b></p> <p><b>2<sup>nd</sup> periodic report on the Convention on the Rights of the Child: Niger, 2007</b></p> <p>For persons with legal status, the Civil Code sets the minimum age of marriage at <b>18 for men and 15 for women</b>. For persons with customary status, on the other hand, the minimum age of marriage is <b>14 for girls and 16 for boys</b> pursuant to the Decree of 13 July 1939.</p>
<b>Nigeria</b>	<p><b>18 years</b></p> <p><b>Child Rights Act, 2003</b></p> <p><b>Article 21:</b> No person under the age of 18 years is capable of contracting a valid marriage and accordingly a marriage so</p>

	<p>contracted is null and void with no legal effect what so ever. The Nigerian Child Rights Act of 2003 set the minimum age of marriage at 18 years of age, but as of March 2013, only 23 of Nigeria's 36 states have adopted the Act. As a result, state laws on the minimum age of marriage vary: in Southern Nigeria, the minimum age of marriage is between 18 and 21 years of age, depending on the region. In the North it ranges from 12 to 15 years.</p>
<b>Rwanda</b>	<p><b>21 years</b></p> <p><b>Rwanda Civil Code Article 171</b> <b>Consolidated 3<sup>rd</sup> and 4<sup>th</sup> periodic report on the Convention on the Rights of the Child: Rwanda, 2011</b> Rwanda Civil Code Article 171, states that Marriage between a man and a woman less than twenty-one years of age is prohibited. However, for persons less than twenty-one years, on serious grounds, a waiver of age can be granted by the Minister of Justice or his/her representative, provided the person involved is 18 years old.</p>
<b>Sao Tome &amp; Principe</b>	<p><b>18 years</b></p> <p><b>Initial state party report on the Convention on the Rights of the Child: Sao Tome &amp; Principe, 2003</b> Article 3 of Act No. 2/77 states that the minimum age of consent to marry is <b>18</b>, for both men and women Minors under 18 may enter into marriage, under exceptional circumstances, for a justified cause, from the age of <b>14 for a woman</b> and the age of <b>16 for a man</b>, but require authorisation from their parents or legal representative.</p>
<b>Senegal</b>	<p><b>16 years for girls, and 18 years for boys</b></p> <p><b>2<sup>nd</sup> periodic report on the Convention on the Rights of the Child: Senegal, 2006</b> <b>Article 111, Family Code, 1973:</b> Marriage can only be contracted between a man over 18 years and a woman over 16 years unless granted exemption of age for a serious reason by the President of the Regional court after investigation.</p>
<b>Seychelles</b>	<p><b>15 years for girls and 18 years for boys</b></p> <p><b>Initial state party report on the Convention on the Rights of the Child: Seychelles, 2001</b> <b>Section 40 Civil Status Act 1895:</b> A male person under the age of eighteen years or a female under the age of fifteen years cannot contract marriage. But the Minister may for grave causes authorise any person under the above age to contract marriage.</p> <p><b>Concluding observation for the consolidated 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> periodic report Convention on the Rights of the Child, Seychelles, 2011</b> The Committee is concerned that certain relevant and important legislation such as on the minimum age of marriage for</p>



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	boys and girls has not yet been amended.
<b>Sierra Leone</b>	<p><b>18 years</b></p> <p><b>Child Right Act, 2007</b></p> <p><b>Article 34 (1):</b> The minimum age of marriage of whatever kind shall be eighteen years.</p>
<b>Somalia</b>	<p><b>18 years</b></p> <p><b>Family Code, 1975 (No. 23/75)</b>  <a href="http://www.law.emory.edu/ifl/legal/Somalia.htm">http://www.law.emory.edu/ifl/legal/Somalia.htm</a></p> <p>The minimum marriage age is 18 years for both parties; female party may marry at 16 with guardians consent; Court may grant exemption from minimum age requirements in case of necessity</p>
<b>South Africa</b>	<p><b>18years</b></p> <p><b>The Marriage Act 25, 1961.</b></p> <p><b>Girls under 18 years but older than 15 years need</b> their parents' consent to get married. If they are <b>under the age of 15</b>, they also need the consent of the Minister of Home Affairs.</p>
<b>South Sudan</b>	<p><b>18 years</b></p> <p><b>The Transitional Constitution of the Republic of South Sudan, 2011</b></p> <p><b>Article 15 - Right to found a family:</b> Every person of marriageable age shall have the right to marry a person of the opposite sex and to found a family according to their respective family laws, and no marriage shall be entered into without the free and full consent of the man and woman intending to marry.</p> <p><b>The Child Act, 2009</b></p> <p><b>Section 23:</b> Every child has the right to be protected from early marriage,  <b>Section2:</b> A child is a person below the age of 18</p>
<b>Sudan</b>	<p><b>Puberty for girls and 10 for boys - for Islamic marriages</b>  <b>13 for girls and 15 for boys - for non-Islamic marriages</b></p> <p><b>2<sup>nd</sup> periodic report on the Convention on the Rights of the Child: Sudan, 2002</b></p> <p><b>Article 34 of the Personal Status of Muslims Act of 1991</b> states that a guardian may give a mature woman in marriage if she consents to the husband and to the dowry. Her statement of her maturity is accepted unless it is conspicuously false. Maturity is determined on the attainment of puberty or the appearance of unmistakable physical signs. Article 40 of the Act permits the marriage of a person of discretion; in accordance with paragraph 2 of the article, discretion is acquired at 10 years of age. <b>A 10-year-old male is therefore permitted to marry</b> if it is demonstrated that</p>

	<p>the marriage is likely to be in his best interest. A guardian may not, however, give a 10-year-old girl in marriage without the consent of the judge, which is based on the considerations of advantage and good reason, provided that the husband is suitable and the dowry equals that of the girl's peers.</p> <p><b>The marriage of non-Muslims is regulated by the Marriage of Non-Muslims Act of 1926.</b> Article 10 stipulates that the competent court may invalidate a marriage entered into under the Act by a male under 15 years of age or a female under 13 years of age.</p> <ul style="list-style-type: none"> <li>- As for minors, the Act stipulates that their consent is required for marriage. Article 29 provides that if either one of the couple to be married is under 21 years of age and is not widowed or divorced, it is essential to obtain the written and signed consent of the father, or of the mother if the father is deceased, delinquent or outside the country, or of the guardian if both parents are deceased, delinquent or outside the country.</li> </ul>
<b>Swaziland</b>	<p><b>18 years</b></p> <p style="text-align: center;"><b>Children's Protection and Welfare Act of, 2012</b></p> <p style="text-align: center;">See <a href="http://www.times.co.sz/News/79502.html">http://www.times.co.sz/News/79502.html</a></p> <p>Child marriages have been banned by the new Child Protection and Welfare Act of 2012.</p> <p>Although the Act does not stipulate a specific fine or jail term for committing the offence, offenders will be liable, on conviction, to a fine not exceeding the monetary jurisdiction of a magistrate or to an appropriate term of imprisonment. A child, according to the Act, is a person under the age of 18.</p>
<b>Tanzania</b>	<p><b>15 years for girls and 18 years for boys</b></p> <p style="text-align: center;"><b>Law of Marriage No 5, 1971</b></p> <p><b>Section 13(1):</b> No person shall marry who, being male, has not attained Minimum age the apparent age of <b>eighteen years</b> or, being female, has not attained the apparent age of <b>fifteen years</b>.</p> <p>(2) Notwithstanding the provisions of subsection (1), the court shall, in its discretion, have power, on application, to give leave for a marriage where the parties are, or either of them is, below the ages prescribed in subsection (1) if-</p> <ul style="list-style-type: none"> <li>(a) each party has attained the <b>age of fourteen years</b>; and</li> <li>(b) the court is satisfied that there are special circumstances which make the proposed marriage desirable</li> </ul>
<b>Togo</b>	<p><b>18 years</b></p>

	<p style="text-align: center;"><b>Code de l'enfant Act No 2007-017</b></p> <p><b>Article 267 :</b> Child marriage is prohibited. The age of nuptiality is fixed at eighteen (18) years of age.</p> <p><b>Initial state party report to the African Committee of Experts on the Rights and Welfare of the Child: Togo, 2009</b> The age of the court of first instance may grant exemptions to children of both sexes above sixteen for serious reasons.</p>
<b>Tunisia</b>	<p><b>18 years</b></p> <p style="text-align: center;"><b>Code of Personal Status, 1956 Amended by Act No. 2007-32 of 14 May 2007</b></p> <p><b>Article 5:</b> Each spouse who has not attained the age of eighteen cannot marry. Below this age, the marriage cannot be contracted except by a special permission from the judge who will grant the permission only for serious reasons and in the best interest of both spouses.</p>
<b>Uganda</b>	<p><b>18 years</b></p> <p style="text-align: center;"><b>Constitution, 1995</b></p> <p><b>Article 31 Rights of the family:</b> (1) Men and women of the age of <b>eighteen years</b> and above have the right to marry and to found a family and are entitled to equal rights in marriage, during marriage and at its dissolution.</p>
<b>Zambia</b>	<p><b>16 years</b></p> <p style="text-align: center;"><b>Marriage Act, 1964</b></p> <p><b>Article 33 (1):</b> A marriage between persons either of whom is under the age of sixteen years shall be void: Provided that this section shall not apply when a Judge of the High Court has, on application being made, and on being satisfied that in the particular circumstances of the case it is not contrary to the public interest, given his consent to the marriage.</p> <p><b>Article 17:</b> If either party to an intended marriage, not being a widower or widow, is <b>under twenty-one years of age</b>, the written consent of the father, or if he be dead or of unsound mind or absent from Zambia, of the mother, or if both be dead or of unsound mind or absent from Zambia, of when consent to marriage is necessary the guardian of such party shall be produced and shall be annexed to the affidavit required under sections <i>ten</i> and <i>twelve</i> and, save as is otherwise provided in section <i>nineteen</i>, no special license shall be granted or certificate issued without the production of such consent.</p> <p style="text-align: center;"><b>Draft Constitution 2012</b></p> <p><b>Article 55(5):</b> Every child has a right (d) to be protected from discrimination, neglect, abuse and harmful cultural 33</p>

	<p>rites and practices, including female genital mutilation and body mutilation, and to be protected from marriage before attaining the age of eighteen years;</p>
<p><b>Zimbabwe</b></p>	<p><b>16 years for girls and 18 years for boys</b></p> <p style="text-align: center;"><b>Marriage Act, 1965</b></p> <p><b>Section 22: Prohibition of marriage of persons under certain ages</b></p> <p>(1) No boy under the age of eighteen years and no girl under the age of sixteen years shall be capable of contracting a valid marriage except with the written permission of the Minister, which he may grant in any particular case in which he considers such marriage desirable</p> <p><b>Article 20:</b> the provision of the section shall not apply to a person who is under the age of eighteen years and who previously contracted a valid marriage which has been dissolved by death or divorce.</p> <p style="text-align: center;"><b>Draft Constitution 2013<sup>1</sup></b></p> <p style="text-align: center;"><b>Chapter 4: Declaration of Rights</b></p> <p><b>Section 4.30 Marriage</b></p> <p>(1) Everyone who has attained the age of <b>eighteen years</b> has the right to marry a person of the opposite sex who is of marriageable age, and no such person may be prevented from entering into such a marriage.</p> <p>(2) Everyone who has attained the age of eighteen years has the right to found a family.</p> <p>(3) No one may be compelled to enter into marriage against their will.</p> <p style="text-align: center;"><b>Chapter 2: National Objectives</b></p> <p><b>Section 2.16 Marriage</b></p> <p>The State must take appropriate measures to ensure that—</p> <p>(a)no marriage is entered into without the free and full consent of the intending spouses;</p>

<sup>1</sup> The Draft Constitution was adopted in a referendum in March 2013 and it is currently awaiting the President's signature.



(b)everyone of marriageable age is free to marry another person who is of marriageable age and of the opposite sex;  
(c)there is equality of rights and responsibilities of spouses during marriage and at its dissolution; and  
(d)in the event of dissolution of a marriage, whether through death or divorce, provision is made for the necessary protection of any children and spouses.

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