



## THE CHILD MARRIAGE RESTRAINT ACT, 1929



### CONTENTS

---

#### PREAMBLE.

1	Short title, extent and commencement
2	Definitions
3	[Omitted]
4	Punishment for male adult above twenty-one years of age marrying a child
5	Punishment for solemnising a child marriage
6	Punishment for parent or guardian concerned in a child marriage.
7	Imprisonment not to be awarded for offences under section 3
8	Jurisdiction under this Act
9	Mode of taking cognizance of offences
10	Preliminary inquiries into offences under this Act
11	[Omitted]
12	Power to issue injunction prohibiting marriage in contravention of this Act

# THE CHILD MARRIAGE RESTRAINT ACT 1929

<sup>1</sup>ACT NO. XIX OF 1929.

[1<sup>st</sup> October, 1929]

## An Act to restrain the solemnisation of child marriages

WHEREAS it is expedient to restrain the solemnisation of child marriages ; It is hereby enacted as follows:—

**1.Short title, extent and commencement.**— (1) This Act may be called the Child Marriage Restraint Act, <sup>2</sup>[1929].

<sup>3</sup>[(2) It extends to the whole of Pakistan and applies to all citizens of Pakistan wherever they may be.]

(3) It shall come into force on the 1<sup>st</sup> day of April , 1930.

**42. Definitions.** In this Act, unless there is anything repugnant in the subject or context,—

(a) “child” means a person who, if a male, is under 18 years of age, and if a female, is under <sup>5</sup>[sixteen] years of age;

(b) “child marriage” means a marriage to which either of the contracting parties is a child;

(c) “contracting party” to a marriage means either of the parties whose marriage is <sup>6</sup>[or is about to be] thereby solemnized; \*<sup>7</sup>

(d) “minor” means a person of either sex who is under eighteen years of age [;] <sup>8</sup>

<sup>9</sup>[(e) “Union Council” means Union Council or Town Committee constituted under the law relating to local government for the time being in force.]

---

<sup>1</sup>For Statement of Objects and Reasons, see Gazette of India, 1927, Pt.v, p.28; for Reports of Select Committees, see *ibid.* 1928, Pt.v, pp.111 and 165. The Act has been applied to phulera in the Excluded Area of Upper Tanawal to the extent the Act is applicable in the N.W.F.P., and extended to the Excluded Area of Upper Tanawal (N.W.F.P) other than phulera with effect from such date and subject to such modifications, as may be notified, see N.W.F.P. (Upper Tanawal) (Excluded Area) Laws Regulation, 1950. It has also been extended to the Leased Areas of Baluchistan, see the leased Areas (Laws) Order, 1950 (G.G.O.3 of 1950), and applied in the Federated Areas of Baluchistan, see Gazette of India, 1937, Pt.I, p.1499.

<sup>2</sup>Subs. by the Repealing and Amending Act, 1930 (8 of 1930), s.2 and 1st Sch., for “1928”

<sup>3</sup>Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s.3 and 2nd Sch. (with effect from the 14th October, 1955), for the original sub-section (2), as amended by the Child Marriage Restraint (Amdt.) Act, 1938 (7 of 1938), s.2, A.O., 1949, and the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), s.8.

<sup>4</sup>The Section, in so far as it applies to the Muslim citizens of Pakistan, has been amended by the Muslim Family Laws Ordinance, 1961. (8 of 1961), s.12 (with effect from the 15th July, 1961).

<sup>5</sup>Subs. by the Muslim Family laws ordinance, 1961 (8 of 1961) s.12, for “Fourteen”, (with effect from the 15th July, 1861).

<sup>6</sup>Ins. by the Child Marriage Restraint (Second Amdt.) Act, 1938 (19 of 1938), s.2.

<sup>7</sup>The words “and” omitted *ibid.*, (with effect from 15th July, 1961).

<sup>8</sup>Subs. *ibid.*, for full-stop.

<sup>9</sup>Subs. by the Federal Laws (Revision and Declaration) Ordinance, 1981 (27 of 1981), s.3 and Sch.,II, for clause (e), which was previously amended by Ord.8 of 1961, s.12.