

LEGITIMACY [Cap.77]

CHAPTER 77

LEGITIMACY

Act
No. 3 of 1970.

AN ACT TO CHANGE THE LAW RELATING TO THE LEGITIMIZATION OF CERTAIN
ILLEGITIMATE CHILDREN.

[21st January, 1970.]

Short title.

1. This Act may be cited as the Legitimacy Act.

Provided, however, that where at any time before the date of the commencement of this Act any rights of any description whatsoever did not vest in the child of any marriage, but did in fact vest in any other person, by reason only of the fact that such child, having been procreated in adultery, was the illegitimate child of the parties, the subsequent legitimization of such child, by virtue of the operation of the preceding provisions of this section, shall not be deemed or construed—

This Act
not to apply
to certain
marriages.

2. (1) This Act shall not apply to—

- (a) a marriage between persons professing Islam; or
- (b) a marriage, under the Kandyan Marriage and Divorce Act, between persons subject to Kandyan law.

(2) For the purposes of this Act, the expression " a valid marriage to which this Act applies " does not include a marriage referred to in subsection (1).

Legitimization
of illegitimate
children.

3. A valid marriage to which this Act applies shall be deemed at all times, whether before or on or after the date of the commencement of this Act, to have rendered, and to render, legitimate any child procreated by the parties prior to such marriage, whether or not such child was so procreated in adultery:

- (a) to have prejudiced or affected, or to prejudice or affect, in any manner, or to any extent, whatsoever the rights so vested, or such other person's claim or title to such rights; and
- (b) to have conferred, or to confer, on such child any claim or title to such rights.