

S U M M A R Y

Customary law – customary marriages – validity and registration in terms of the Recognition of Customary Marriages Act No. 120 of 1998 – (*“the Recognition of Customary Marriages Act”*) – husband in existing customary marriage with first wife entering into second customary marriage with applicant on 8 June 2000 before the commencement of the Recognition of Customary Marriages Act on 15 November 2000 – whether non-compliance with provisions of sec 7(6) of the Recognition of Customary Marriages Act – failure by husband to make application to court to approve a written contract – invalidates second customary marriage? No penalty provision for non-compliance with the provisions of sec 7(6) of the Recognition of Customary Marriages Act bemoaned.