

Law of Succession Amendment Act (2021) No. 11 of 2021 update

We refer to our earlier newsletter, which can be accessed [here](#). The Law of Succession (Amendment) Act, was assented to on 17th November 2021 and brought into force on 7th December 2021 pursuant to Special Issue Kenya Gazette Supplement No. 211 (Acts No.11).

We bring to your attention that only one of the amendments under the Law of Succession (Amendment) Act was retained under the Special Issue Kenya Gazette. None of the other amendments came into effect.

The amendment, which now forms part of the Law of Succession Act (“**The Act**”) defines ‘*spouse*’ as a ‘*husband or a wife or wives recognized under the Marriage Act*’. As the definition of ‘*dependant*’ under the Act has not been amended, a former wife is still recognized as a *dependant* for purposes of succession under the Act.

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