

Further Reading

Session 3: The laws governing possessions and inheritance in the family

1. **The Law of Succession Act (Cap 160)**- This is the main law governing inheritance in Kenya. It applies to both testate (with a will) and intestate (without a will) succession.
2. **The Matrimonial Property Act, 2013**- Defines matrimonial property as property acquired by a married couple during the marriage. Recognizes both monetary and non-monetary contributions (e.g., homemaking) in determining ownership.
3. **The Constitution of Kenya, 2010**- Article 40: Protects the right to own and inherit property. Article 27: Guarantees equal rights for men and women in property ownership and inheritance. Article 60: Ensures equitable land ownership and distribution.
4. **The Land Act, 2012 & Land Registration Act, 2012** - Regulates land ownership and transfers. Ensures land ownership is legally registered to avoid disputes. Requires family consent before land can be sold or transferred.
5. **The Children Act, 2022**- Recognizes children's right to inherit from their parents. Protects orphans and minors by ensuring their inheritance is managed by responsible guardians.
6. **The Marriage Act, 2014**- Recognizes different types of marriages (customary, civil, Christian, Hindu, and Islamic). Determines the inheritance rights of spouses depending on the type of marriage.

Assessment.

Read further on the laws governing possessions and inheritance in the family and put on your SST folder.

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