

(1 April 2011 – to date)

## **MARRIAGE ACT 25 OF 1961**

*(Gazette No. 6670, Notice No. 613 dated 21 April 1961. Commencement date: 1 January 1962 [Proc. No. 180, Gazette No. 145]*

## **REGULATIONS IN TERMS OF THE MARRIAGE ACT, 1961 (ACT 25 OF 1961)**

*Government Notice R2207 in Government Gazette 10500, dated 24 October 1986. Commencement date: 24 October 1986*

### **As amended by:**

*First Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R883 in Government Gazette 14813. Commencement date: 21 May 1993*

*Second Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R1577 in Government Gazette 15084. Commencement date: 27 August 1993*

*Third Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R726 in Government Gazette 16418. Commencement date: 19 May 1995*

*Fourth Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R462 in Government Gazette 17049. Commencement date: 1 April 1996*

*Fifth Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R488 in Government Gazette 18817. Commencement date: 9 April 1998*

*Sixth Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R249 in Government Gazette 20988. Commencement date: 1 April 2000*

*Seventh Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R410 in Government Gazette 23291. Commencement date: 1 April 2002*

*Eighth Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R477 in Government Gazette 24680. Commencement date: 1 April 2003*

*Ninth Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R431 in Government Gazette 26210. Commencement date: 1 April 2004*

*Tenth Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R320 in Government Gazette 27450. Commencement date: 1 April 2005*

*Eleventh Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R476 in Government Gazette 28857. Commencement date: 19 May 2006*

*Twelfth Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R66 in Government Gazette 30702. Commencement date: 1 February 2008*

*Thirteenth Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R2 in Government Gazette 31750. Commencement date: 2 February 2009*

*Twelfth Amendment (error – should be 14th) of the Regulations in terms of the Marriage Act, 1961 - Government Notice R344 in Government Gazette 32044. Commencement date: 1 April 2009*

*Fifteenth Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R699 in Government Gazette 33444. Commencement date: 13 August 2010 – Withdrawn by Government Notice R781 in Government Gazette 33523 dated 3 September 2010*

*Fifteenth Amendment of the Regulations in terms of the Marriage Act, 1961 - Government Notice R26 in Government Gazette 33941. Commencement date: 1 April 2011*

The Minister of Home Affairs has, in terms of section 38 of the Marriage Act, 1961 (Act 25 of 1961), made the regulations as set out in the Schedule hereto.

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## SCHEDULE

### 1.

- (1) In these regulations any word or expression to which a meaning has been assigned in the Act has that meaning and, unless the context otherwise indicates

(a) **"controlling body"** means the central body or the person administering the affairs of a religious denomination or organisation referred to in section 3(1) of the Act;

(b) **"Director-General"** means the Director-General of Home Affairs;  
*(Definition of "Director-General" substituted by regulation 2(a) of GN R2, Gazette No.31750 dated 2 January 2009)*

(c) **"the Act"** means the Marriage Act, 1961 (Act 25 of 1961);

(d) .....

*(Definition of "the marriage laws" repealed by regulation 2(b) of GN R2, Gazette No.31750 dated 2 January 2009)*

- (2) Unless the context otherwise indicates, a reference in these regulations-

(a) to a section by a specific number shall be interpreted as a reference to the section of that number in the Act; and

(b) to a form by a specific number shall be interpreted as a reference to the form of that number in the Annexure.

### 2.

- (1) An application for the designation of any person as a marriage officer under section 3 shall be directed to the Director-General.

- (2) Such an application shall be made in writing by the controlling body of the religious denomination or organisation to which the person, with regard to whom application is being made, belongs.

3. The Director-General may direct that any marriage officer, or any person in respect of whom an application is made in terms of regulation 2, be subjected to an oral or written test, or both, for the

purpose of ascertaining whether such marriage officer or person has an adequate knowledge of the Act and these regulations.

*(Regulation 3 substituted by regulation 3 in GN R2, Gazette No.31750 dated 2 January 2009)*

**4. The Director-General shall -**

- (a) maintain a list of persons designated in terms of section 3 in which is stated in respect of each such person his full names, postal address, religious denomination or organisation, date of designation and any limitation in his designation referred to in section 3(2); and
- (b) in such list note any change of address or change of the name of the religious denomination or organisation of which he has been advised and delete the names and other particulars of any person who has for any reason whatever ceased to be a marriage officer.

**5.**

- (1) A controlling body shall notify the Director-General immediately of the change of address, the retirement or death of any marriage officer who belongs to its religious denomination or organisation and the name of any marriage officer who has for any reason whatever ceased to be a minister of religion of, or a person holding a responsible position in such religious denomination or organisation.
- (2) Any person designated a marriage officer in terms of section 3, shall immediately notify the controlling body of his religious denomination or organisation of any change of address.

**5A. Marriage register**

The marriage register referred to in section 29A shall contain substantially the information prescribed on form DHA -30.

*(Regulation 5A inserted by regulation 2 of GN R883, Gazette No.14813 dated 21 May 1993)*

*(Regulation 5A substituted by regulation 4 of GN R2, Gazette No.31750 dated 2 January 2009)*

**5B. Issuing of marriage certificates and confirmation of marital status**

- (1) The marriage officer who solemnizes a marriage shall, after the register referred to in section 29A(1) has been signed, issue to the parties, free of charge, a marriage certificate containing substantially the information prescribed on form DHA-27, in respect of the marriage.

*(Regulation 5B(1) substituted by regulation 5(a) in GN R2, Gazette No.31750 dated 2 January 2009)*

- (2) The Director-General may upon application in writing on a form containing substantially the information prescribed on form DHA-130, issue -

*(Regulation 5B(2) substituted by regulation 5(b) in GN R2, Gazette No.31750 dated 2 January 2009)*

*(Regulation 5B(2) substituted by regulation 2 in GN R344, Gazette No.32044 dated 27 March 2009)*

*(Regulation 5B(2) substituted by regulation 2 in GN R699, Gazette No.33444 dated 13 August 2010 -*

*Withdrawn by GN R781 in Government Gazette 33523 dated 3 September 2010)*

- (a) an abridged marriage certificate, containing substantially the information prescribed on form DHA-41;

*(Regulation 5B(2)(a) substituted by regulation 5(c) in GN R2, Gazette No.31750 dated 2 January 2009)*

- (b) an unabridged marriage certificate; or

*(Regulation 5B(2)(b) substituted by regulation 5(d) in GN R2, Gazette No.31750 dated 2 January 2009)*

*(Regulation 5B(2)(b) substituted by regulations 2 in GN R344, Gazette No.32044 dated 27 March 2009)*

*(Regulation 5B(2)(b) substituted by regulation 2 in GN R699, Gazette No.33444 dated 13 August 2010 -*

*Withdrawn by GN R781 in government Gazette 33523 dated 3 September 2010)*

- (c) a letter of confirmation of an applicant's marital status based on the particulars contained in a marriage register which is preserved by him or her under the Act or any other law, or of which the particulars are included in the population register mentioned in the Identification Act, 1997 (Act No. 68 of 1997), on receipt of-

- (i) an amount of R20,00 in respect of a re- issue of a handwritten abridged or computerized abridged marriage certificate: Provided that no fees shall be payable for the issuing of the certificate at the time of the registration of the marriage;
  - (ii) an amount of R75,00 in respect of an unabridged marriage certificate or a reproduction of the relevant register or a reproduction of any supporting documentation which is coupled to the register concerned, or the verification of information contained in a marriage register: Provided that where the reproduction or verification is required for official purposes by a Government institution, it shall be free of charge; or
  - (iii) an amount of R50,00 in respect of a letter of confirmation of an applicant's marital status.

*(Regulation 5B inserted by regulation 2 in GN R883, Gazette No.14813 dated 21 May 1993)*

*(Regulation 5B substituted by regulation 2 in GN R1577, Gazette No. 15084)*

*(Regulation 5B substituted by regulation 2 in GN R726, Gazette No. 16418)*

*(Regulation 5B substituted by regulation 2 in GN R462, Gazette No. 17049)*

*(Regulation 5B substituted by regulation 2 in GN R249, Gazette No. 20988)*

*(Regulation 5B substituted by regulation 2 in GN R410, Gazette No.23291)*

*(Regulation 5B substituted by regulation 2 in GN R477, Gazette No.24680)*

*(Regulation 5B substituted by regulation 2 in GN R431, Gazette No.26210)*

*(Regulation 5B substituted by regulation 2 in GN R320, Gazette No.27450)*

*(Regulation 5B substituted by regulation 2 in GN R476, Gazette No.28857)*

*(Regulation 5B substituted by regulation 2 in GN R66, Gazette No.30702)*

*(Regulation 5B substituted by regulation 2 in GN R344, Gazette No.32044 dated 27 March 2009)*

*(Regulation 5B(2) substituted by regulation 2 in GN R699, Gazette No.33444 dated 13 August 2010 -*

*Withdrawn by GN R781 in government Gazette 33523 dated 3 September 2010)*

*(Regulation 5B substituted by regulation 2 in GN R26, Gazette No.33941 dated 19 January 2011)*

## **5C. Supplementation and rectification of particulars in the marriage register**

If it comes to the attention of the Director-General that any particular in respect of any person in any marriage register completed or preserved in terms of, the Act or these regulations, are not correctly reflected, the Director-General may supplement and rectify such particular.

*(Regulation 5C inserted by regulation 2 in GN R883, Gazette No.14813 dated 21 May 1993)*

## **5D. Completion of marriage register**

Where a marriage has allegedly been solemnized in terms of the Act but the marriage register referred to in section 29A has for some reason or other not been completed or cannot be found, the Director-General may, after consideration of such proof and after such inquiry as he may deem necessary, direct that the marriage register referred to in regulation 5A with regard to such marriage be completed.

*(Regulation 5D inserted by regulation 2 in GN R883, Gazette No.14813 dated 21 May 1993)*

## **6.**

- (1) Any marriage officer shall, in respect of every marriage solemnized by him, forward the documents referred to in subregulation (2), where applicable, together with the register and duplicate of the register referred to in regulation 5A, to the regional or district representative of the Department of Home Affairs for forwarding to the Director-General as contemplated in subregulation (3).

*(Regulation 6(1) substituted by regulation 3 in GN R883, Gazette No.14813 dated 21 May 1993)*

- (2) The following documents shall, where applicable, be forwarded to the regional or district representative of the Department of Home Affairs together with the register and duplicate of the register referred to in subregulation (1):

- (a) Any affidavit referred to in section 12;
- (b) any written consent of the parents, guardian, Minister, Commissioner of Child Welfare or judge of the Supreme Court of South Africa, as the case may be;

(c) any certificate or document for the purpose of a marriage obtained in terms of the Administration of Estates Act, 1965 (Act 66 of 1965), and any affidavit made by a party to a marriage concerning the estate of a deceased spouse of such party;

(d) ....

*(Regulation 6(2)(d) repealed by regulation 6 in GN R2, Gazette No.31750 dated 2 January 2009)*

(e) the marriage officer's certificate referred to in section 6(5).

*(Regulation 6(2) substituted by regulation 3 in GN R883, Gazette No.14813 dated 21 May 1993)*

(3) The regional or district representative of the Department of Home Affairs, as the case may be, shall forward all the documents mentioned in subregulation (2) received by him, together with the relevant registers to the Director-General of Home Affairs for safe-keeping.

## 7.

(1) The Director-General of Home Affairs shall -

(a) keep any written permission referred to in section 26(1) and any direction referred to in section 26(2); and

(b) attach any direction referred to in paragraph (a) to the register and a copy thereof to the duplicate of the register of the marriage concerned.

(2) The relevant Director-General shall keep any direction referred to in section 6.

8. An affidavit referred to in section 12 shall be made on form DHA-31.

*(Regulation 8 substituted by regulation 7 in GN R2, Gazette No.31750 dated 2 January 2009)*

9. The consent by a parent or guardian to the marriage of a minor referred to in section 24 shall be furnished on form DHA-32.

*(Regulation 9 substituted by regulation 8 in GN R2, Gazette No.31750 dated 2 January 2009)*

10. Any marriage officer who receives a written objection to a proposed marriage in terms of section 23 shall file such objection and shall keep a record of his inquiry and of his decision with regard to the objection.

## 11.

(1) Any minor who requires the consent of a Commissioner of Welfare referred to in section 25, shall apply therefor on form DHA-34.

- (2) On receipt of such application the said Commissioner may, in addition to any inquiry which he may deem necessary, obtain and take into consideration a report by the probation officer concerned on either or both of the parties to the proposed marriage.
- (3) The said Commissioner shall keep such application and any report received by him and shall keep a record of any enquiries, his decision on the matter and his reasons for such decision.

*(Regulation 11 substituted by regulation 9 in GN R2, Gazette No.31750 dated 2 January 2009)*

12. The certificate referred to in section 6(5) which is to be printed or written at the foot of the marriage register as prescribed by the Director-General in terms of the regulations made under the Act, shall be signed by the marriage officer.

*(Regulation 12 substituted by regulation 10 in GN R2, Gazette No.31750 dated 2 January 2009)*

13. ....

*(Regulation 13(b) and (c) deleted by regulation 4 in GN R883, Gazette No.14813 dated 21 May 1993)*

*(Regulation 13 repealed by regulation 11 in GN R2, Gazette No.31750 dated 2 January 2009)*

### **13A. Offences and penalties**

Any person who -


- (a) contravenes any provision of these regulations or fails to comply therewith;
- (b) makes or causes to be made any false statement relating to any of the particulars required by these regulations to be furnished; or
- (c) falsely makes or counterfeits or causes to be falsely made or counterfeited any marriage certificate mentioned in regulation 5B, any certified copy thereof or any certified extract therefrom,

shall be guilty of an offence and on conviction liable to a fine, or to imprisonment for a period not exceeding three months.

*(Regulation 13A inserted by regulation 5 of GN R883, Gazette No.14813 dated 21 May 1993)*

14. The regulations published under Government Notice R. 1779 of 8 October 1971, as amended by Government Notice R. 11 of 8 January 1982, and Government Notice R. 115 of 28 January 1972, as amended by Government Notices R. 71 of 18 January 1974 and R. 849 of 16 April 1981, are hereby withdrawn.


(Form BI-27 inserted by regulation 6 of GN R883, Gazette No.14813 dated 21 May 1993)  
(Form BI-27 substituted with Form DHA-27 by GN R2, Gazette No.31750 dated 2 January 2009)

 <b>REPUBLIC OF SOUTH AFRICA</b> <b>DEPARTMENT OF HOME AFFAIRS</b> <b>MARRIAGE REGISTER</b> Marriage Act, 1961 (Act No 25 of 1961) <b>Regulation 5A</b>		Bar-Code  Serial number	DHA-30
To be completed in full and submitted at the Department of Home Affairs' office. The form to be completed in black ink with BLOCK LETTERS. Please mark with <input checked="" type="checkbox"/> the CORRECT box, where required. Applications that are not legible shall not be accepted.			
<b>HUSBAND</b>	ID size photo	ID size photo	<b>WIFE</b>
Left thumbprint			Left thumbprint
<b>A. PARTICULARS OF HUSBAND</b> ID no. (Passport no. if foreigner) <input type="text"/> Date of birth <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Nationality <input type="text"/> Surname <input type="text"/> First names in full <input type="text"/> Previous surname <input type="text"/> Marital status (prior to this marriage) <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Widower Place of birth (City/Town) <input type="text"/> Country of birth <input type="text"/> Residential address <input type="text"/> Street <input type="text"/> Town/Village <input type="text"/> Province <input type="text"/> Code <input type="text"/> Telephone no. <input type="text"/>		<b>B. PARTICULARS OF WIFE</b> ID no. <input type="text"/> Date of birth <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Nationality <input type="text"/> Surname <input type="text"/> First names in full <input type="text"/> Previous surname <input type="text"/> Marital status (prior to this marriage) <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Widower Place of birth (City/Town) <input type="text"/> Country of birth <input type="text"/> Residential address <input type="text"/> Street <input type="text"/> Town/Village <input type="text"/> Province <input type="text"/> Code <input type="text"/> Telephone no. <input type="text"/>	
<b>C. PARTICULARS OF MARRIAGE</b> Date marriage solemnized <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Place of marriage (City/Town) <input type="text"/> Province <input type="text"/> Marriage officer: Surname <input type="text"/> Designation/Personal no. <input type="text"/> officer: First names <input type="text"/> ID no. <input type="text"/> Telephone number <input type="text"/> Denomination/ Home Affairs/Ex Officio Marriage Officer <input type="text"/>			
In terms of section 26(1) of the Births and Deaths Registration Act, 1992: (a) a woman after her marriage assumes the surname of the man with whom she concluded such marriage or after having assumed his surname, resumes a surname which she bore at any prior time; (b) a married or divorced woman or a widow resumes a surname which she bore at any prior time, and (c) a woman, whether married or divorced, or a widow adds to the surname which she assumed after marriage, any surname which she bore at any prior time.			
Signature of Husband <input type="text"/> Residential address after marriage <input type="text"/> Street <input type="text"/> Town <input type="text"/> Province <input type="text"/> Postal code <input type="text"/>		Signature of Wife <input type="text"/> Surname after marriage <input type="text"/>	
<b>D. PARTICULARS OF WITNESSES</b> This marriage between us was solemnized in the presence of the undersigned witnesses.			
<b>WITNESS 1</b> Identity No. <input type="text"/> Surname <input type="text"/> First names <input type="text"/> Telephone no. <input type="text"/> Date <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		<b>WITNESS 2</b> Identity No. <input type="text"/> Surname <input type="text"/> First names <input type="text"/> Telephone no. <input type="text"/> Date <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	
Signature of witness <input type="text"/>		Signature of witness <input type="text"/>	
<b>E. CERTIFICATE BY MARRIAGE OFFICER</b> I hereby declare that at the time of the solemnisation of this marriage I was entitled in terms of the Marriage Act, 1961, or any prior law, to solemnise this marriage. In terms of section 6 of the Marriage Act, 1961 - Must be signed by all marriage officers			
<b>FOR OFFICE USE ONLY</b> DHA OFFICIAL RECEIVING THE MARRIAGE REGISTER Surname <input type="text"/> First names <input type="text"/> Date received <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		Identity No. <input type="text"/> Personal No. <input type="text"/> Official's signature <input type="text"/>	
<b>DOCUMENTS SUBMITTED:</b>		<b>Office Stamp</b>	
Copy of ID documents <input type="checkbox"/> Copy of overseas passport(s) <input type="checkbox"/> Declaration for the purpose of marriage (DHA-31) <input type="checkbox"/> Consent to marriage of a minor (DHA-32) <input type="checkbox"/> Consent by child welfare commissioner (DHA-34) <input type="checkbox"/>	Husband <input type="checkbox"/> Wife <input type="checkbox"/>	Husband <input type="checkbox"/> Wife <input type="checkbox"/>	Letter from Minister (boy under 18 yrs / girl under 15 yrs) <input type="checkbox"/> Decree of divorce <input type="checkbox"/> Death Certificate <input type="checkbox"/>

*(Form BI-30 inserted by regulation 6 of GN R883, Gazette No.14813 dated 21 May 1993)*

*(Form BI-30 substituted with Form DHA-30 by GN R2, Gazette No.31750 dated 2 January 2009)*

## FORM DHA-31

		REPUBLIC OF SOUTH AFRICA DEPARTMENT OF HOME AFFAIRS		DHA-31						
<b>AFFIDAVIT FOR THE PURPOSE OF MARRIAGE</b> <b>BY A PERSON WITHOUT SOUTH AFRICAN IDENTITY DOCUMENT</b> Marriage Act, 1961 (Act No 25 of 1961) Regulation 8										
To be completed in full and submitted at the Department of Home Affairs' office. The form to be completed in black ink with BLOCK LETTERS. Please mark with <input checked="" type="checkbox"/> the CORRECT box, where required. Applications that are not legible shall not be accepted										
<b>Note:</b> No marriage officer shall solemnise any marriage unless: (a) each of the parties in question produces to the marriage officer his or her identity document issued under the provisions of the Identification Act, 1997 (Act No. 68 of 1997); or (b) each of the parties furnishes to the marriage officer the prescribed affidavit; or (c) one of such parties produces his or her identity document to the marriage officer and the other furnishes to the marriage officer the prescribed affidavit.										
<b>REASONS FOR NOT HAVING A SOUTH AFRICAN IDENTITY DOCUMENT</b> I am not a South African citizen <input type="checkbox"/> My birth is not registered <input type="checkbox"/> <small>If birth was never registered, the applicant must apply for the registration of birth immediately. The marriage shall only be registered on the National Population Register upon providing a proof of such application being lodged.</small> I am not able produce my South African ID document because _____ Other reasons: _____										
<b>A. PARTICULARS OF PARTY WITHOUT ID DOCUMENT</b> ID number (Passport No. if foreigner) _____ Gender _____ Date of birth _____ Y Y Y Y M M D D _____ Citizenship _____ Surname _____ Previous/Maiden surname _____ First names in full _____ Place of birth: City/Town _____ Country of birth _____ Permanent Residential address: Street _____ Town/Village _____ Province _____ Postal code _____ Residential status if not SA citizen _____ Permit number _____ <small>NB: A foreigner who is illegally in the country or who is a prohibited person or who resides temporarily in the Republic, must please note that he or she will not acquire a right to permanent residence in the Republic merely as a result of his or her marriage to a South Africa citizen or a permanent resident - see section 26(b) of the Immigration Act, 2002.</small>										
<b>B. PARTICULARS OF PROSPECTIVE HUSBAND <input type="checkbox"/> OR WIFE <input type="checkbox"/></b> ID number (Passport No. if foreigner) _____ Gender _____ Date of birth _____ Y Y Y Y M M D D _____ Citizenship _____ Surname _____ Previous/Maiden surname _____ First names in full _____ Place of birth: City/Town _____ Country of birth _____ Residential address: Street _____ Town/Village _____ Province _____ Postal code _____										
<b>C. DECLARATION:</b> I hereby declare that the information above is true and understand that any false statement or representation is punishable under section 36 of the Marriage Act, 1961. Date _____ Y Y Y Y M M D D _____ Signature of the party without ID document _____ I certify that before administering the affidavit, I asked the deponents the following questions and wrote down the deponent's answer in his/her presence: <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">1. Do you know and understand the contents of this declaration?</td> <td style="width: 40%;">Answer: _____</td> </tr> <tr> <td>2. Do you have any objection to taking the prescribed oath?</td> <td>Answer: _____</td> </tr> <tr> <td>3. Do you consider the prescribed oath/solemn declaration to be binding on your conscience?</td> <td>Answer: _____</td> </tr> </table> I certify that the deponent has acknowledged that he/she knows and understands the content of the above declaration which was sworn to / affirmed before me and that the deponent's signature or thumb print/mark was placed thereon in my presence. I also certify that the content of section A of this form was properly explained to the deponent who acknowledge that he or she understands the implications thereof.					1. Do you know and understand the contents of this declaration?	Answer: _____	2. Do you have any objection to taking the prescribed oath?	Answer: _____	3. Do you consider the prescribed oath/solemn declaration to be binding on your conscience?	Answer: _____
1. Do you know and understand the contents of this declaration?	Answer: _____									
2. Do you have any objection to taking the prescribed oath?	Answer: _____									
3. Do you consider the prescribed oath/solemn declaration to be binding on your conscience?	Answer: _____									
<b>Commissioner of Oaths:</b> Surname: _____ First names in full _____ Designation/Rank _____ Business address: Street _____ Town/City _____ Province _____ Postal code _____ Signature _____ Date _____ Y Y Y Y M M D D _____ <div style="border: 1px solid black; width: 200px; height: 100px; margin-left: auto; margin-top: 10px; text-align: center; line-height: 100px;">             Official stamp           </div>										

*(Form BI-31E substituted by regulation 2 in GN R488, Gazette No.18817 dated 9 April 1998)*

*(Form BI-31E substituted with Form DHA-31 by GN R2, Gazette No.31750 dated 2 January 2009)*

## FORM DHA-32



REPUBLIC OF SOUTH AFRICA  
DEPARTMENT OF HOME AFFAIRS

DHA-32

## CONSENT TO MARRIAGE OF A MINOR

Marriage Act, 1961 (Act No 25 of 1961)

Regulation 9

To be completed in full and submitted at the Department of Home Affairs' office. The form is to be completed in black ink with BLOCK LETTERS. Please mark with ☒ the CORRECT box, where required. Applications that are not legible shall not be accepted.

A minor is defined as a person who is under the age of 18 and has not previously been married or if married, whose marriage was dissolved by either death or divorce. Girls under the age of 15 and boys under the age of 16 years require consent from their parents as well as from the Minister of Home Affairs.

## A. PARTICULARS OF MINOR

ID number (Passport No. if foreigner)	<input type="text"/>	Date of birth	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Surname	<input type="text"/>	Marital status	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
First names in full	<input type="text"/>	Gender	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Place of birth: City/Town	<input type="text"/>	Country of birth	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Residential address: Street	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Town/Village	<input type="text"/>	Province	<input type="text"/>	<input type="text"/>	Postal code	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

## B. PARTICULARS OF OTHER PARTY TO MARRIAGE

ID number (Passport No. if foreigner)	<input type="text"/>	Date of birth	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Surname	<input type="text"/>	Marital status	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
First names in full	<input type="text"/>	Gender	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Place of birth: City/Town	<input type="text"/>	Country of birth	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Residential address: Street	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Town/Village	<input type="text"/>	Province	<input type="text"/>	<input type="text"/>	Postal code	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

## C. PARTICULARS OF FATHER / LEGAL GUARDIAN A

ID number (Passport No. if foreigner)	<input type="text"/>	Date of birth	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Surname	<input type="text"/>	Marital status	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
First names in full	<input type="text"/>	Gender	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Place of birth: City/Town	<input type="text"/>	Country of birth	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Residential address: Street	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Village / Town	<input type="text"/>	Province	<input type="text"/>	<input type="text"/>	Postal code	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

## D. PARTICULARS OF MOTHER / LEGAL GUARDIAN B

ID number (Passport No. if foreigner)	<input type="text"/>	Date of birth	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Surname	<input type="text"/>	Marital status	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
First names in full	<input type="text"/>	Gender	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Place of birth: City/Town	<input type="text"/>	Country of birth	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Residential address: Street	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Village / Town	<input type="text"/>	Province	<input type="text"/>	<input type="text"/>	Postal code	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

## E. CONSENT

I, the undersigned parent or legal guardian of the minor mentioned in section A, hereby consent to the marriage.

Signature of Father / Legal Guardian A

Date        

Signature of Mother / Legal Guardian B


Date        

Prepared by:

*(Form BI-32E substituted with Form DHA-32 by GN R2, Gazette No.31750 dated 2 January 2009)*

Prepared by:

## FORM DHA-34

		REPUBLIC OF SOUTH AFRICA DEPARTMENT OF HOME AFFAIRS		DHA-34
<b>APPLICATION FOR THE CONSENT OF A COMMISSIONER OF CHILD WELFARE FOR THE PURPOSE OF MARRIAGE OF A MINOR</b> Marriage Act, 1961 (Act No 25 of 1961) Regulation 11				
To be completed in full and submitted at the Department of Home Affairs' office. The form to be completed in black ink with BLOCK LETTERS. Please mark with <input checked="" type="checkbox"/> the CORRECT box, where required. Applications that are not legible shall not be accepted.				
<b>A. PARTICULARS OF PERSON CONCERNED (MINOR PERSON)</b>				
ID number (Passport no. if foreigner)			Date of birth	Y Y Y Y M M D D
Surname				
First names in full				
Country of birth				
Place of birth: City/Town			Province of birth	
Telephone no.			Cell phone no.	
Residential address	Street			
	City/Village			
	Province			
	Postal Code			
Father's ID number				
Father's surname				
Father's first name				
Mother's ID number				
Mother's surname				
Mother's first name				
<b>B. PARTICULARS OF PROSPECTIVE HUSBAND <input type="checkbox"/> OR WIFE <input type="checkbox"/></b>				
ID number (Passport no. if foreigner)			Date of birth	Y Y Y Y M M D D
Surname				
First names in full				
Place of birth: City/Town			Country of birth	
Province of birth				
Marital status	Single <input type="checkbox"/> Divorced <input type="checkbox"/> Widow / Widower <input type="checkbox"/>			
Residential address:	Street			
	City/Village			
	Province			
	Postal Code			
Telephone no.			Cell phone no.	
Father's ID number				
Father's surname				
Father's first name				
Mother's ID number				
Mother's surname				
Mother's first name				
<b>C. REASON WHY THE CONSENT OF THE PARENT(S) OR GUARDIAN COULD NOT BE OBTAINED</b>				
I hereby declare that the particulars given above are true and correct and apply for consent to marry the person mentioned in section B above.				
Date	Y Y Y Y	M M	D D	Signature of person concerned
<b>D. CONSENT BY THE COMMISSIONER OF CHILD WELFARE</b>				
<b>Resolution:</b>				
Consent granted	<input type="checkbox"/>	Reason:		
Consent refused	<input type="checkbox"/>	Reason:		
<b>PARTICULARS OF THE COMMISSIONER OF CHILD WELFARE:</b>				
Persal no.				
Surname				
First names in full				
Office name				
Business Address	Street			
	Town		Code	
Province			Telephone no.	
Date signed	Y Y Y Y	M M	D D	
Signature of the Commissioner of Child Welfare				
<b>DOCUMENTS SUBMITTED:</b> <input type="checkbox"/> Birth certificate of the person concerned <input type="checkbox"/> Death Certificate of Father <input type="checkbox"/> Death Certificate of Mother <input type="checkbox"/> Power of attorney (if applicable)				
<div style="border: 1px solid black; width: 200px; height: 80px; margin: 0 auto;"></div> Office stamp				

(Form BI-34 substituted with Form DHA-34 by GN R2, Gazette No.31750 dated 2 January 2009)

# **FORM BI-36** **FULL MARRIAGE CERTIFICATE**

"BI-36

REPUBLIEK VAN SUID-AFRIKA

VOLLEDIGE HUWELIKSERTIFIKAAT

Gesertifiseer 'n ware uittreksel uit die huweliksregister van:

REPUBLIC OF SOUTH AFRICA

FULL MARRIAGE CERTIFICATE

Certified a true extract from the marriage register of:

## MAN/HUSBAND

1. I.D. No.           2. Geboortedatum: Jaar    Maand   Dag    
I.D. No.           Date of birth: Year    Month   Day
3. Van  
Surname .....
4. Volle voorname  
First names in full .....
5. Huwelikstaat  
Marital status .....
6. Land van geboorte  
Country of birth .....

## VROU/WIFE

7. I.D. No.           8. Geboortedatum: Jaar    Maand   Dag    
I.D. No.           Date of birth: Year    Month   Day
9. Nooiensvan  
Maiden name .....
10. Huidige wettige van  
Present legitimate surname .....
11. Volle voorname  
First names in full .....
12. Huwelikstaat  
Marital status .....
13. Land van geboorte  
Country of birth .....

## BESONDERHEDE VAN HUWELIK/PARTICULARS OF MARRIAGE

14. Datum van huwelik: Jaar     Maand   Dag   15. Huwelik bevestig te  
Date of marriage: Year     Month   Day   Marriage solemnized at .....
16. Toestemming tot die huwelik verleen deur (net in die geval van minderjariges):  
Consent to the marriage given by (only in the case of minors):
- (a) Man (b) Vrou  
Husband ..... Wife .....

## VERKLARING DEUR EGPAAR/DECLARATION BY MARRIED COUPLE

17. Hierdie huwelik is tussen ons voltrek in die teenwoordigheid van die ondergetekende getuies:  
This marriage between us was contracted in the presence of the undersigned witnesses:

Man/Husband

Vrou/Wife

18.

Getuie/Witness

Getuie/Witness

## VERKLARING DEUR HUWELIKSBEVESTIGER/DECLARATION BY MARRIAGE OFFICER

19. Hierdie huwelik is deur my bevestig op hede die ..... dag van .....  
This marriage was solemnized by me on this the ..... day of ..... 19.....

Prepared by:



UNIVERSITEIT VAN PRETORIA  
UNIVERSITY OF PRETORIA  
YUNIBESITHI YA PRETORIA

Huweliksbevestiger/Marriage officer

Godsdienstige denominasie of organisasie/Landdros-  
of ander kantoor  
Religious denomination or organization/Magistrate's or other  
office

(AMPTELIKE KANTOORDATUMSTEMPEL)  
(OFFICIAL DATE STAMP)

Direkteur-generaal: Binneïandse Sake  
Director-General: Home Affairs

Hierdie sertifikaat word sonder uitwissings of veranderings uitgereik.  
This certificate is issued without erasures or alterations.

(Form BI-36 inserted by regulation 6 in GN R883, Gazette No.14813 dated 21 May 1993)



Prepared by:

(Form DHA-130 inserted by GN R2, Gazette No.31750 dated 2 January 2009)

# FORM BI-168

## DECLARATION UNDER SECTION 22(3) OF THE BLACK ADMINISTRATION ACT, 1927 (ACT 38 OF 1927)

**B-I 168**

DEPARTMENT OF HOME AFFAIRS  
DEPARTEMENT VAN BINNELANDSE SAKE

### DECLARATION UNDER SECTION 22 (3) OF THE BLACK ADMINISTRATION ACT, 1927 (ACT 38 OF 1927) VERKLARING INGEVOLGE ARTIKEL 22 (3) VAN DIE SWART ADMINISTRASIE WET, 1927 (WET 38 VAN 1927)

I, ..... Identity number  
Ek, ..... Identiteitsnommer .....  
at present residing at .....  
tans woonagtig te .....  
..... in the  
..... in die  
District of ..... in contemplation of a marriage  
distrik ..... is van plan om in die  
proposed to be entered into with  
huwelik te tree met .....  
Identity number ..... residing at  
Identiteitsnommer ..... woonagtig te .....  
.....  
in the District of .....  
in die distrik .....  
do hereby solemnly and sincerely declare that there is \*no customary union subsisting between me and any woman other than the above-named/  
en verklaar hierby plegtig dat daar \*geen gebruikelike verbinding tussen my en 'n ander vrou as die bogenoemde bestaan nie/\* 'n gebruikelike verbinding  
\*a customary union subsisting between me and another woman.  
tussen my en 'n ander vrou bestaan.

.....  
Signature/Handtekening

Witnesses: 1 .....  
Getuies: 2. ....

*N.B.*—This form must accompany the marriage register when that document is forwarded to the relevant regional office/district office of the Department of Home Affairs.

*L.W.*—Hierdie vorm moet die huweliksregister vergesel wanneer daardie dokument aangestuur word na die betrokke streekkantoor/distrikskantoor van die Departement van Binnelandse Sake.

- \* Delete whichever is not applicable.
- \* Skrap wat nie van toepassing is nie.

# FORM BI-169

## CERTIFICATE UNDER SECTION 22(3) OF THE BLACK ADMINISTRATION ACT, 1927 (ACT 38 OF 1927)

(Form BI-169 deleted by regulation 6 in GN R883, Gazette No.14813 dated 21 May 1993)

# FORM BI-170

## MARRIAGE SOLEMNISED IN COMMUNITY OF PROPERTY, DECLARATION IN TERMS OF SECTION 22(6) OF THE BLACK ADMINISTRATION ACT, 1927 (ACT 38 OF 1927)

(Form BI-170 deleted by regulation 6 in GN R883, Gazette No.14813 dated 21 May 1993)

Prepared by: