

New laws about travelling with children come into effect on 1 June 2015. To assist would-be travellers to South Africa with their plans, Cape Town Tourism has created a summary of some of the typical questions that come up for parents travelling with children or who wish to send their children on a trip.

Why is the government changing the child laws?

South African immigration authorities have noted that there is an unacceptably high volume of child trafficking over the country's borders. The new laws aim to curb child trafficking but will result in considerable paperwork and advanced planning when travelling to and from South Africa with children.

When do the new laws come into effect?

1 June 2015

Who does this affect?

Anyone wanting to travel from or to South Africa with a child under the age of 18 years, parents who are travelling with their child but not their spouse and those who wish to send their child on a trip accompanied by someone other than a parent or unaccompanied. It does not affect those travelling within South Africa (i.e. you only need these documents if you cross South Africa's borders by land, sea or air.)

What will we need?

All children under the age of 18 leaving and entering South Africa will be required to have an unabridged birth certificate to accompany their passport – along with the relevant visa if required.

Various additional documents are required in various instances as outlined below.

Note that all documents must be dated within four months of the date of departure or entry. All documents must be original or certified as a copy of an original by a commissioner of oaths or equivalent authority.

What is an Unabridged Birth Certificate?

It's a birth certificate that reflects the particulars of both parents of the child.

All children born in South Africa after 14 March 2013 were issued with a valid unabridged birth certificate automatically and free of charge.

Everyone born before that, and those from countries who do not automatically issue unabridged certificates, must apply for the document well before their travel date.

Do I need an unabridged birth certificate to travel around within South Africa?

No, but it will be required at all border controls by land, sea and air.

What about birth certificates that are not in English?

Should the birth certificate be in any language other than English, it must be translated into English in a sworn document by an authority in the country of origin. All supporting documents need to be original and duplicates must be certified.

There is no such thing as an unabridged birth certificate in our country, what must we do?

In the case of countries that do not issue unabridged birth certificates, a letter to this effect issued by the competent authority of the foreign country should be produced.

My child is adopted so our names are not on her birth certificate, what should I do?

The parents of adopted children should produce proof of adoption by means of an adoption certificate.

I am travelling with my child but not my spouse, do I need anything else?

If the child is travelling with only one of their parents, the traveller parent will be required to provide a passport and unabridged birth certificate (with particulars of the parents), as well as an affidavit from the

non-travelling parent giving express permission for the child to travel with the other parent. The parent will also be required to produce a court order giving the accompanying parent full parental responsibility.

Legally separated parents should provide a court order when the other parent does not give consent.

I am a single parent, what do I need?

If the child's unabridged birth certificate only reflects the name of one parent, parental consent from the absent parent is not required. If the parent's name does appear, the other parent must consent in an affidavit. If the absent parent cannot be traced, a letter of special circumstances must be applied for.

My wife has passed away, what will I need in lieu of her consent?

Should one of the parents be deceased, a death certificate must be produced.

We are a gay couple (two fathers) and both our names appear on the Unabridged Birth Certificate. If we are both travelling with our child, will that suffice?

Yes, same sex parents are recognised as per the names on the unabridged birth certificate. Passports and visas (if necessary) will still be required.

My child is going on holiday with her aunt, what do we need to prepare?

If a child is travelling with someone other than a parent, additional documents to be presented will include an affidavit from the parents or legal guardian to state that the child is allowed to travel with that person, the contact details of the parents or legal guardian and copies of the identity documents and passports of the parents or legal guardian.

Where both the parents of the child are deceased and the child is travelling with a relative, the Director-General must approve such a person to enter into or depart from South Africa with that child. This affidavit may not be older than 3 months, dating from the date of travel.

My 17 year old son is going to spend a holiday with relatives in South Africa, he is flying alone, what do I need to do to?

An unaccompanied child requires a passport, unabridged birth certificate and visa if needed. They will also need a parental consent affidavit or court order signed by both parents or a legal guardian stating that the child has their permission to travel.

The affidavit must also feature the parent's contact details. In addition, you will need a letter from the person the child will be staying with, featuring contact numbers and the physical address of the place where the child will stay. Documentation should also include the name and contact details as well as certified copies of the identity document or passport, visa or permanent residence permit of the person, as well as the contact details of the parents or legal guardian of the minor.

I want to send a child who is in alternative care in South Africa on an overseas programme. What do I need?

A child who is in alternative care should produce a certified copy of an authorisation letter from the Provincial Head of the Department of Social Development where the child resides on departing South Africa.

How to go about obtaining an unabridged birth certificate in South Africa?

Parents are advised to apply for an unabridged birth certificate well in advance as the process may take months (the indicated time is between 3 and 8 weeks).

Apply at any branch of Home Affairs bringing:

- R 75 in cash
- Parents' ID books, both parents ID numbers as well as the child's ID number

You will be given forms to fill in.

For a summary of the Home Affairs legislation visit
<http://www.capetown.travel/uploads/files/SummaryImmigrationMinors.pdf>

Download Cape Town Tourism's handy infographic from our website.

For more information

Contact South African Home Affairs for more: www.dha.gov.za

To speak to someone call +27 11 461 9252 (overseas callers), 0800 60 11 90 (within SA), or email csc@dha.gov.za