

New SA Regulations for Travelling with Kids

Dear Sir/Madam,

We trust this email finds you well.

We inform you that South Africa has make known the new immigration regulations concerning travelling with children as you find below.

Please note that the Immigration Practice Group of Sal e Caldeira Advogados can provide assistance to the requirements on a), b) c) or d) when the child was born in Mozambique, including the certified translation when the birth certificate is in Portuguese language.

Should you have any queries, please do not hesitate do contact us.

Kind Regards,

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<http://www.news24.com/Travel/South-Africa/New-SA-regulations-for-travelling-with-kids-20140609>

Cape Town - South Africa's immigration laws have recently undergone an intense revision with newly appointed Home Affairs Minister Malusi Gigaba saying the amendments are "in the best interest of South Africa's security and allows for efficient management of migration". The department also expressed concern about the growing issue of child trafficking and has announced new requirements for adults travelling with children.

UPDATE: Department of home affairs extends start date of new travel regulations for kids.

What you need to know

Parents travelling internationally with children would now be requested to provide an unabridged birth certificate (including the details of the child's father as well as the mother) of all travelling children. This applies even when both parents are travelling with their children and it also applies to foreigners and South Africans alike.

When children are travelling with guardians, these adults are required to produce affidavits from parents proving permission for the children to travel.

It is important for parents to note that unabridged birth certificate applications can take anything from six to eight weeks to complete. The new requirement comes into effect from 1 July 2014 for all travel to and from South Africa.

Following are the new South African immigration regulations concerning travelling with children:

Regulation 6: (12)

(a) Where parents are travelling with a child, such parents must produce an unabridged birth certificate of the child reflecting the particulars of the parents of the child.

(b) In the case of one parent travelling with a child, he or she must produce an unabridged birth certificate and-

(i) consent in the form of an affidavit from the other parent registered as a parent on the birth certificate of the child authorising him or her to enter into or depart from the Republic with the child he or she is travelling with;

(ii) a court order granting full parental responsibilities and rights or legal guardianship in respect of the child, if he or she is the parent or legal guardian of the child; or

(iii) where applicable, a death certificate of the other parent registered as a parent of the child on the birth certificate;

Provided that the Director-General may, where the parents of the child are both deceased and the child is travelling with a relative or another person related to him or her or his or her parents, approve such a person to enter into or depart from the Republic with such a child.

(c) Where a person is travelling with a child who is not his or her biological child, he or she must produce-

(i) a copy of the unabridged birth certificate of the child;

(ii) an affidavit from the parents or legal guardian of the child confirming that he or she has permission to travel with the child;

(iii) copies of the identity documents or passports of the parents or legal guardian of the child; and

(iv) the contact details of the parents or legal guardian of the child, Provided that the Director-General may, where the parents of the child are both deceased and the child is travelling with a relative or another person related to him or her or his or her parents, approve such a person to enter into or depart from the Republic with such a child.

(d) Any unaccompanied minor shall produce to the immigration officer-

(i) proof of consent from one of or both his or her parents or legal guardian, as the case may be, in the form of a letter or affidavit for the child to travel into or depart from the Republic: Provided that in the case where one parent provides proof of consent, that parent must also provide a copy of a court order issued to him or her in terms of which he or she has been granted full parental responsibilities and rights in respect of the child;

(ii) a letter from the person who is to receive the child in the Republic, containing his or her residential address and contact details in the Republic where the child will be residing;

(iii) a copy of the identity document or valid passport and visa or permanent residence permit of the person who is to receive the child in the Republic; and (iv) the contact details of the parents or legal guardian of the child.