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GOVERNMENT NOTICE

DEPARTMENT OF HOME AFFAIRS

No. R. 2207 **24 October 1986**

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

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.

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", for the purposes of these regulations concerning the designation of marriage officers, means—

(i) with regard to the White population group, the Director-General of the Administration: House of Assembly and also any person in the service of the State, or the holder of a post in the Public Service, acting by virtue of delegation by or under the control or by direction of the Director-General of the Administration: House of Assembly;

(ii) with regard to the Coloured population group, the Director-General of the Administration: House of Representatives and also any person in the service of the State, or the holder of a post in the Public Service, acting by virtue of delegation by, or under the control or by direction of the Director-General of the Administration: House of Representatives;

(iii) with regard to the Indian population group, the Director-General of the Administration: House of Delegates and also any person in the service of the State, or the holder of a post in the Public

GOEWERMENTSKENNISGEWING

DEPARTEMENT VAN BINNELANDSE SAKE

No. R. 2207 **24 Oktober 1986**

REGULASIES KRAGTENS DIE HUWELIKSWET, 1961 (WET 25 VAN 1961)

Die Minister van Binnelandse Sake het kragtens artikel 38 van die Huwelikswet, 1961 (Wet 25 van 1961), die regulasies in die Bylae uiteengesit, uitgevaardig.

BYLAE

1. (1) In hierdie regulasies het 'n woord of uitdrukking waaraan in die Wet 'n betekenis geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

(a) "beheerliggaam" die sentrale liggaam of die persoon wat die sake van 'n godsdienstige denominasie of organisasie bedoel in artikel 3 (1) van die Wet, bestuur;

(b) "Direkteur-generaal", met betrekking tot die toepassing van hierdie regulasies op die benoeming van huweliksbevestigers—

(i) ten opsigte van die Blanke bevolkingsgroep, die Direkteur-generaal van die Administrasie: Volksraad en ook iemand in diens van die Staat, of die bekleër van 'n pos in die Staatsdiens, wat optree kragtens delegasie deur, of onder die beheer of in opdrag van die Direkteur-generaal van die Administrasie: Volksraad;

(ii) ten opsigte van die Kleurlingbevolkingsgroep, die Direkteur-generaal van die Administrasie: Raad van Verteenwoordigers en ook iemand in diens van die Staat, of die bekleër van 'n pos in die Staatsdiens, wat optree kragtens delegasie deur, of onder die beheer of in opdrag van die Direkteur-generaal van die Administrasie: Raad van Verteenwoordigers;

(iii) ten opsigte van die Indiërbevolkingsgroep, die Direkteur-generaal van die Administrasie: Raad van Afgevaardigdes en ook iemand in diens van die Staat, of die bekleër van 'n pos in die

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Service, acting by virtue of delegation by, or under the control or by direction of the Director-General of the Administration: House of Delegates;

(iv) with regard to Black persons, and other population groups than those referred to in items (i), (ii) and (iii) of this definition and for the purposes of these regulations concerning the solemnisation of marriages between persons of any population group, the Director-General of Home Affairs and also any person in the service of the State or the holder of a post in the Public Service acting by virtue of delegation by, or under the control or by direction of the Director-General of Home Affairs;

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

(d) "the marriage laws" means the Marriage Act, 1961 (Act 25 of 1961), and the Births, Marriages and Deaths Registration Act, 1963 (Act 81 of 1963).

(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 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 marriage laws and these regulations.

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.

Staatsdiens, wat optree kragtens delegasie deur, of onder die beheer of in opdrag van die Direkteur-generaal van die Administrasie: Raad van Afgevaardigdes;

(iv) ten opsigte van Swart persone en ander bevolkingsgroepe as dié bedoel in items (i), (ii) en (iii) van hierdie omskrywing en met betrekking tot die toepassing van hierdie regulasies op die voltrekking van huwelike tussen persone van enige bevolkingsgroep, die Direkteur-generaal van Binnelandse Sake en ook iemand in diens van die Staat, of die bekleër van 'n pos in die Staatsdiens, wat optree kragtens delegasie deur, of onder die beheer of in opdrag van die Direkteur-generaal van Binnelandse Sake;

(c) "die huwelikswette" die Huwelikswet, 1961 (Wet 25 van 1961), en die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle, 1963 (Wet 81 van 1963);

(d) "die Wet" die Huwelikswet, 1961 (Wet 25 van 1961).

(2) Tensy uit die samehang anders blyk, word 'n verwysing in hierdie regulasies—

(a) na 'n artikel met 'n bepaalde nommer uitgelê as 'n verwysing na die artikel met daardie nommer in die Wet;

(b) na 'n vorm met 'n bepaalde nommer uitgelê as 'n verwysing na die vorm met daardie nommer in die Aanhangsel.

2. (1) 'n Aansoek om die benoeming van 'n persoon as huweliksbevestiger kragtens artikel 3 moet aan die Direkteur-generaal gerig word.

(2) So 'n aansoek moet skriftelik gedoen word deur die beheerliggaam van die godsdienstige denominasie of organisasie waaraan die persoon ten opsigte van wie aansoek gedoen word, behoort.

3. Die Direkteur-generaal kan gelas dat enige huweliksbevestiger, of enige persoon ten opsigte van wie kragtens regulasie 2 aansoek gedoen is, 'n mondelinge of skriftelike toets, of albei, aflê sodat vasgestel kan word of sodanige huweliksbevestiger of persoon oor voldoende kennis van die huwelikswette en hierdie regulasies beskik.

4. Die Direkteur-generaal moet—

(a) 'n lys hou van persone wat kragtens artikel 3 benoem is, waarin ten opsigte van elke sodanige persoon sy volle name, posadres, godsdienstige denominasie of organisasie, datum van benoeming en enige beperking in sy benoeming bedoel in artikel 3 (2), aangeteken is; en

(b) in sodanige lys enige verandering van adres of verandering van die naam van die godsdienstige denominasie of organisasie waarvan hy in kennis gestel is, aanteken en die name en ander besonderhede van enigeen wat om enige rede opgehou het om 'n huweliksbevestiger te wees, skrap.

5. (1) 'n Beheerliggaam moet die Direkteur-generaal onverwyld in kennis stel van die verandering van adres, die aftrede of dood van enige huweliksbevestiger wat tot sy godsdienstige denominasie of organisasie behoort, en die naam van enige huweliksbevestiger wat om enige rede opgehou het om 'n leraar te wees van, of om iemand te wees wat 'n verantwoordelike posisie beklee in sodanige godsdienstige denominasie of organisasie.

(2) Iemand wat kragtens artikel 3 as huweliksbevestiger benoem is, moet die beheerliggaam van sy godsdienstige denominasie of organisasie onverwyld in kennis stel van enige verandering van sy adres.

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6. (1) Any marriage officer shall, in respect of every marriage solemnised by him, forward the documents referred to in subregulation (2), where applicable, together with the register and duplicate of the register mentioned in section 40 of the Registration of Births, Marriages and Deaths Act, 1963 (Act 81 of 1963), to the regional or district representative of the Department of Home Affairs for forwarding to the Director-General as contemplated in subregulation (3).

(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) if applicable, for the purposes of the Black Administration Act, 1927 (Act 38 of 1927)—

(i) the written declaration by the masculine party in terms of section 22 (3) of the latter Act;

(ii) the certificate signed by a Commissioner or a magistrate, referred to in section 22 (3) of the latter Act; and

(iii) the written declaration by the parties in terms of section 22 (6) of the latter Act; and

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

(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 B-I 31.

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

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 Child Welfare referred to in section 25, shall apply therefor on form B-I 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.

6. (1) 'n Huweliksbevestiger moet ten opsigte van elke huwelik wat hy bevestig, die dokumente bedoel in subregulasie (2), waar van toepassing, saam met die register en duplikaat van die register genoem in artikel 40 van die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle, 1963 (Wet 81 van 1963), aan die streek- of distriksverteenwoordiger van die Departement van Binnelandse Sake stuur vir deursending aan die Direkteur-generaal soos beoog in subregulasie (3).

(2) Die volgende dokumente moet, waar van toepassing, saam met die register en duplikaat van die register bedoel in subregulasie (1) aan die streek- of distriksverteenwoordiger van die Departement van Binnelandse Sake gestuur word:

(a) Enige beëdigde verklaring bedoel in artikel 12;

(b) enige skriftelike toestemming van die ouers, voog, Minister, Kommissaris van Kindersorg of regter van die Hooggeregshof van Suid-Afrika, na gelang van die geval;

(c) enige sertifikaat of dokument vir die doeleindes van 'n huwelik verkry kragtens die Boedelwet, 1965 (Wet 66 van 1965), en enige beëdigde verklaring deur 'n party by 'n huwelik aangaande die boedel van 'n afgestorwe eggenoot of eggenote van sodanige party;

(d) indien van toepassing, by die toepassing, van die Swart Administrasie Wet, 1927 (Wet 38 van 1927)—

(i) die skriftelike verklaring deur die manlike party ingevolge artikel 22 (3) van laasgenoemde Wet;

(ii) die sertifikaat onderteken deur 'n Kommissaris of 'n magistraat, bedoel in artikel 22 (3) van laasgenoemde Wet; en

(iii) die skriftelike verklaring deur die partye ingevolge artikel 22 (6) van laasgenoemde Wet; en

(e) die huweliksbevestiger se sertifikaat bedoel in artikel 6 (5).

(3) Die streek- of distriksverteenwoordiger van die Departement van Binnelandse Sake, na gelang van die geval, moet al die dokumente gemeld in subregulasie (2) wat hy ontvang, saam met die betrokke registers aan die Direkteur-generaal van Binnelandse Sake stuur vir bewaring.

7. (1) Die Direkteur-generaal van Binnelandse Sake moet—

(a) enige skriftelike verlof bedoel in artikel 26 (1) en enige lasgewing bedoel in artikel 26 (2) bewaar; en

(b) enige lasgewing bedoel in paragraaf (a) aan die register en 'n afskrif daarvan aan die duplikaat van die register van die betrokke huwelik heg.

(2) Die betrokke Direkteur-generaal moet enige lasgewing bedoel in artikel 6 bewaar.

8. 'n Beëdigde verklaring bedoel in artikel 12 moet gedoen word op vorm B-I 31.

9. Die toestemming van 'n ouer of 'n voog tot die huwelik van 'n minderjarige bedoel in artikel 24, moet verstrek word op vorm B-I 32.

10. 'n Huweliksbevestiger wat ingevolge artikel 23 'n skriftelike beswaar teen 'n voorgenome huwelik ontvang, moet sodanige beswaar bewaar en moet aantekeninge hou van sy ondersoek en sy beslissing ten opsigte van die beswaar.

11. (1) 'n Minderjarige wat die in artikel 25 bedoelde toestemming van 'n Kommissaris van Kindersorg verlang, moet daarom aansoek doen op vorm B-I 34.

(2) Na ontvangs van sodanige aansoek kan genoemde Kommissaris benewens enige ondersoek wat hy nodig ag, 'n verslag van die betrokke proefbeampte oor die een of die ander van die partye by die voorgenome huwelik, of oor albei, verkry en in aanmerking neem.

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(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.

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 Births, Marriages and Deaths Registration Act, 1963, (Act 81 of 1963), shall be signed by the marriage officer and shall be phrased as follows:

"CERTIFICATE BY MARRIAGE OFFICER

(Section 6 of Act 25 of 1961)

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.

.....

Signature of marriage officer".

13. Where applicable—

(a) the written declaration referred to in regulation 6 (2) (d) (i) shall be filled in on form B-I 168;

(b) the certificate referred to in regulation 6 (2) (d) (ii) shall be filled in on form B-I 169;

(c) the written declaration referred to in regulation 6 (2) (d) (iii) shall be filled in on form B-I 170.

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.

(3) Genoemde Kommissaris moet sodanige aansoek en enige verslag wat hy ontvang, bewaar en aantekeninge hou van enige navrae, sy besluit in die saak en sy redes vir sodanige besluit.

12. Die sertifikaat bedoel in artikel 6 (5) wat onderaan die huweliksregister gedruk of geskryf moet word soos voorgeskryf deur die Direkteur-generaal ingevolge die regulasies uitgevaardig kragtens die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle, 1963 (Wet 81 van 1963), moet deur die huweliksbevestiger onderteken word en moet soos volg bewoord word:

"HUWELIKSBEVESTIGERSERTIFIKAAT

(Artikel 6 van Wet 25 van 1961)

Hierby verklaar ek dat ek ten tyde van die bevestiging van hierdie huwelik uit hoofde van die Huwelikswet, 1961, of 'n vorige wet bevoeg was om hierdie huwelik te bevestig.

.....

Handtekening van huweliksbevestiger".

13. Waar van toepassing, moet—

(a) die skriftelike verklaring bedoel in regulasie 6 (2) (d) (i) op vorm B-I 168;

(b) die sertifikaat bedoel in regulasie 6 (2) (d) (ii) op vorm B-I 169;

(c) die skriftelike verklaring bedoel in regulasie 6 (2) (d) (iii) op vorm B-I 170,

ingevul word.

14. Die regulasies afgekondig by Goewermentskennisgewing R. 1779 van 8 Oktober 1971, soos gewysig by Goewermentskennisgewing R. 11 van 8 Januarie 1982, en Goewermentskennisgewing R. 115 van 28 Januarie 1972, soos gewysig by Goewermentskennisgewings R. 71 van 18 Januarie 1974 en R. 849 van 16 April 1981, word hierby herroep.

ANNEXURE

B-I 31E

Vir Afrikaans kyk keersy

DECLARATION FOR THE PURPOSE OF A MARRIAGE
[Section 12 (b) of the Marriage Act, 1961]

N.B.—Print clearly

Note:

(a) Marriage officers should note that section 12 (a) of the Marriage Act provides that if an identity document has been issued to a prospective husband/wife such identity document must be requested by the marriage officer for perusal.

(b) This declaration must therefore be completed by a prospective husband/wife only if an identity document has NOT been issued to him/her in terms of the Population Registration Act, 1950.

Particulars of applicant:

1. Surname.....
2. Maiden name .....
3. First name(s) in full.....
4. Date of birth ..... 5. Country of birth .....
6. Marital status .....
7. Sex.....
8. Permanent residential address.....

.....

*Particulars of prospective *husband/wife:*

9. Surname.....
10. Maiden name .....
11. First name(s) in full.....
12. Date of birth .....

I *declare under oath/solemnly declare that the particulars given above are to the best of my knowledge and belief true and correct and that there is no lawful impediment to our prospective marriage.

..... 19..... .....

Signature

*Delete whichever is not applicable

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I certify that before administering the prescribed oath/solemn declaration I asked the deponent the following questions and wrote down his/her answers in his/her presence:

(1) Do you know and understand the contents of the above 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 .....

I certify that the deponent has acknowledged that he/she knows and understands the contents of the above declaration which was sworn to/affirmed before me and that the deponent's signature/thumbprint/mark was placed thereon in my presence.

Signed .....
Commissioner of Oaths

First name(s) and surname .....

Address .....

Designation (rank) ..... Date .....

B-I 32E
Vir Afrikaans kyk keersy

CONSENT TO THE MARRIAGE OF A MINOR

*We, the parents/I, the *father/*mother/*guardian of:

Full name of minor .....
.....

Date of birth ..... Identity number | | | | | | | | | | | | | |

hereby consent to *his/her marriage to:

Full name .....
.....

Date of birth ..... Identity number | | | | | | | | | | | | | |

Full name of *father/guardian .....
.....

Signature of *father/guardian ..... (Date) .....19.....

Full name of *mother/guardian .....
.....

Signature of *mother/guardian ..... (Date) .....19.....

Remarks .....

* Delete whichever is not applicable

NOTE

1. The written consent of both parents to the marriage of a minor is necessary.
2. If one of the parents is deceased the consent of the surviving parent must be obtained and in such case "father deceased" or "mother deceased", as the case may be, must be stated clearly under the item "Remarks".
3. If the parents are divorced and sole guardianship (as distinct from custody or ordinary guardianship, which implies only care, custody, supervision and control) has not been awarded to one parent, the written consent of both parents must be obtained. If sole guardianship has been awarded to one parent, consent to the marriage of that parent must be obtained. In such case "sole guardianship awarded to father" or "sole guardianship awarded to mother" must be stated clearly under the item, "Remarks" and the name of the court and the date must be stated, e.g. O.F.S. Provincial Division—1-5-1960. The court order or the decree of divorce must state clearly that sole guardianship has been awarded to the parent concerned.
4. In the case of a minor born out of wedlock only the mother's consent to the marriage must be obtained.
5. A person can give consent as guardian only if he/she has been nominated testamentarily or appointed legal guardian of the minor by a competent court.
6. If a minor has no parent or guardian or for any good reason is unable to obtain the consent of his/her parent(s) or guardian, application may be made to the Commissioner of Child Welfare of the district where the minor resides for the necessary consent: Provided that such Commissioner may in his discretion grant or refuse consent. The Commissioner of Child Welfare may not give his consent if the minor is a pupil or child as mentioned in section 59 of the Children's Act, 1960, or if either parent of the minor whose consent is required by law, or his guardian refuses to consent to the marriage.
7. No boy under the age of 18 years and no girl under the age of 15 years is capable of contracting a valid marriage except with the written consent of the Minister of Home Affairs. Applications for such consent may be submitted to any regional office or district office of the Department of Home Affairs.
8. Where any doubt exists as to whose consent to a marriage must be obtained, any regional or district representative of the Department of Home Affairs may be consulted in this regard.

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AANHANGSEL

B-I 31A
For English see reverse

VERKLARING VIR DOELEINDES VAN 'N HUWELIKSBEVESTIGING

[Artikel 12 (b) van die Huwelikswet, 1961]

L.W.—Vul duidelik in in drukskrif

Opmerking:

(a) Huweliksbevestigers moet daarop let dat artikel 12 (a) van die Huwelikswet bepaal dat indien 'n identiteitsdokument aan 'n voornemende eggenoot/eggenote uitgereik is, daardie identiteitsdokument deur die huweliksbevestiger ter insae aangevra moet word.

(b) Hierdie verklaring moet derhalwe slegs deur 'n voornemende eggenoot/eggenote ingevul word indien 'n identiteitsdokument NIE aan hom/haar kragtens die Bevolkingsregistrasiewet, 1950, uitgereik is nie.

Besonderhede van applikant:

1. Van.....
2. Nooiensvan .....
3. Volle voorname .....
4. Geboortedatum..... 5. Land van geboorte .....
6. Huwelikstaat.....
7. Geslag .....
8. Permanente woonadres.....

.....

*Besonderhede van aanstaande *eggenoot/eggenote:*

9. Van.....
10. Nooiensvan .....
11. Volle voorname .....
12. Geboortedatum.....

Ek *verklaar onder eed/verklaar plegtig dat die besonderhede hierbo verstrek na my beste wete en oortuiging waar en juis is en dat daar regtens geen beletsel teen ons voorgenome huwelik is nie.

..... 19..... .....
Handtekening

*Skrap wat nie van toepassing is nie.

Ek sertifiseer dat, voordat ek die voorgeskrewe eed/plegtige verklaring afgeneem het, ek die volgende vrae aan die verklaarder gestel het en sy/haar antwoorde in sy/haar teenwoordigheid neergeskryf het:

(1) Is u vertroud met die inhoud van bostaande verklaring en begryp u dit?
Antwoord .....

(2) Het u enige beswaar teen die aflê van die voorgeskrewe eed?
Antwoord .....

(3) Beskou u die voorgeskrewe eed/plegtige verklaring as bindend vir u gewete?
Antwoord .....

Ek sertifiseer dat die verklaarder, erken dat hy/sy verklaarder erken dat hy/sy vertroud is met die inhoud van bostaande verklaring en dit begryp. Die verklaring is voor my beëdig/bevestig en die verklaarder se handtekening/duimafdruk/merk is in my teenwoordigheid daarop aangebring.

Geteken.....
Kommissaris van Ede

Voornaam/voorname en van.....
Adres .....
Amp (rang)..... Datum .....

B-I 32A
For English see reverse

TOESTEMMING TOT DIE HUWELIK VAN 'N MINDERJARIGE

Hiermee verleen *ons, die ouers/ek, die *vader/*moeder/*voog van:

Volle naam van minderjarige.....
.....

Geboortedatum..... Identiteitsnommer | | | | | | | | | | | | | |

hierby toestemming tot *sy/haar huwelik met:

Volle naam.....
.....

Geboortedatum..... Identiteitsnommer | | | | | | | | | | | | | |

Volle naam van *vader/voog .....
.....
Handtekening van *vader/voog ..... (Datum) .....19.....
*Volle naam van *moeder/voog .....
.....
*Handtekening van *moeder/voog ..... (Datum) .....19.....
Opmerkings.....

* Skrap wat nie van toepassing is nie.

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LET WEL

1. Die skriftelike toestemming van albei die ouers tot die huwelik van 'n minderjarige is nodig.
2. Indien een van die ouers oorlede is, moet die oorlewende ouer se toestemming verkry word en in so 'n geval moet daar duidelik op die vorm teenoor die item "Opmerkings" gemeld word "vader oorlede" of "moeder oorlede", na gelang van die geval.
3. Indien die ouers geskei is en die uitsluitlike voogdy (in teenstelling met gewone voogdy, wat net sorg, bewaring, toesig en beheer behels) nie aan een ouer toegeken is nie, moet albei die ouers se skriftelike toestemming verkry word. Indien die uitsluitlike voogdy egter aan een ouer toegeken is, moet daardie ouer se toestemming tot die huwelik verkry word en moet daar teenoor die item "Opmerkings" gemeld word "uitsluitlike voogdy aan vader toegeken" of "uitsluitlike voogdy aan moeder toegeken" asook die naam van die hof en die datum, bv OVS Plaaslike Afdeling—1-5-1960. Die hof- of egskeidingsbevel moet duidelik meld dat die uitsluitlike voogdy aan die betrokke ouer toegeken is.
4. In die geval van 'n buite-egtelike minderjarige moet net die moeder se toestemming tot die huwelik verkry word.
5. 'n Persoon kan net as voog toestemming verleen indien hy/sy by tesamentêre benoeming of deur 'n bevoegde hof as wettige voog van die minderjarige aangestel is.
6. Indien 'n minderjarige nie 'n ouer of voog het nie of om die een of ander voldoende rede nie in staat is om die toestemming van sy/haar ouer(s) of voog te verkry nie, kan by die Kommissaris van Kindersorg van die distrik waarin die minderjarige woonagtig is, aansoek gedoen word om die nodige toestemming: Met dien verstande dat sodanige Kommissaris na goeddunke toestemming tot die huwelik kan verleen of weier. 'n Kommissaris van Kindersorg mag sy toestemming nie verleen nie indien die minderjarige 'n leerling of kind is soos vermeld in artikel 59 van die Kinderwet, 1960, of indien die een of die ander ouer van die minderjarige wie se toestemming regtens vereis word, of sy voog weier om toestemming tot die huwelik te verleen.
7. Geen seun onder die ouderdom van 18 jaar en geen meisie onder die ouderdom van 15 jaar is bevoeg om 'n geldige huwelik aan te gaan nie, sonder die skriftelike toestemming van die Minister van Binnelandse Sake. Aansoeke om sodanige toestemming kan gedoen word by enige streek of distrikskantoor van die Departement van Binnelandse Sake.
8. Indien daar enige twyfel bestaan oor wie se toestemming tot 'n huwelik verkry moet word, kan enige streek- of distriksverteenwoordiger van die Departement van Binnelandse Sake in dié verband geraadpleeg word.

B-I 34

APPLICATION FOR THE CONSENT OF A COMMISSIONER OF CHILD WELFARE IN TERMS OF SECTION 25 OF THE MARRIAGE ACT, 1961

AANSOEK OM DIE TOESTEMMING VAN 'N KOMMISSARIS VAN KINDERSORG KRAGTENS ARTIKEL 25 VAN DIE HUWELIKSWET, 1961

A. PARTICULARS OF APPLICANT—BESONDERHEDE VAN APPLIKANT

1. Identity number / Identiteitsnommer ☐☐☐☐☐☐ ☐☐☐☐ ☐☐ ☐
2. Surname / Van.....
3. First names in full / Volle voorname .....
4. Date of birth / Geboortedatum.....
5. Permanent residential address / Permanente woonadres.....
   .....

B. PARTICULARS OF PROSPECTIVE HUSBAND/WIFE / BESONDERHEDE VAN AANSTAANDE EGGENOOT/EGGENOTE

6. Identity number / Identiteitsnommer ☐☐☐☐☐☐ ☐☐☐☐ ☐☐ ☐
7. Surname / Van.....
8. First names in full / Volle voorname .....
9. Date of birth / Geboortedatum.....
10. Marital status / Huwelikstaat.....
11. Permanent residential address / Permanente woonadres.....
    .....

C. REASON WHY THE CONSENT OF THE PARENT(S)/GUARDIAN CANNOT BE OBTAINED: / REDE WAAROM DIE OUER(S)/VOOG SE TOESTEMMIG NIE VERKRY KAN WORD NIE:

.....

.....

.....

I hereby certify that the particulars given above are true and correct and apply for consent to marry the person mentioned under B above/Ek sertifiseer hierby dat die besonderhede hierbo verstrek waar en juis is en doen aansoek om toestemming om te trou met die persoon gemeld by B hierbo.

..... 19..... .....

Signature of applicant
Handtekening van applikant

Consent granted in terms of section 25 of Act 25 of 1961.
Toestemming verleen kragtens artikel 25 van Wet 25 van 1961.

(Official date stamp/ Amptelike kantoor-datumstempel)

.....

Commissioner of Child Welfare
Kommissaris van Kindersorg

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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 gebruiklike verbinding tussen my en 'n ander vrou as die bogenoemde bestaan nie/* 'n gebruiklike 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.

B-I 169

DEPARTMENT OF HOME AFFAIRS
DEPARTEMENT VAN BINNELANDSE SAKE

CERTIFICATE UNDER SECTION 22 (3) OF THE BLACK ADMINISTRATION ACT, 1927 (ACT 38 OF 1927)
SERTIFIKAAT KRAGTENS ARTIKEL 22 (3) VAN DIE SWART ADMINISTRASIE WET, 1927 (WET 38 VAN 1927)

I certify that
Ek sertifiseer dat .....

Identity number/Identiteisnommer .....

at present residing at
tans woonagtig te.....

in the District of has, in connection with his intended
in die distrik....., in verband met sy voorgenome

marriage to
huwelik met.....

Identity number/Identiteitsnommer.....

at present residing at
tans woonagtig te.....

in the District of complied with the
in die distrik....., voldoen het aan die

provisions of section 22 (1) of the Black Administration Act, 1927 (Act 38 of 1927), by making the required declaration before me with regard to the bepalings van artikel 22 (1) van die Swart Administrasie Wet, 1927 (Wet 38 van 1927), deur voor my die nodige verklaring af te lê ten opsigte van die customary union subsisting between him and any woman other than the above-named.
gebruiklike verbinding wat tussen hom en enige ander vrou as die bogenoemde bestaan.

Date
Datum .....

.....
* COMMISSIONER/MAGISTRATE
* KOMMISSARIS/LANDDROS

N.B.—This form must accompany the marriage register and copy of the register when those documents are forwarded to the relevant regional office/ district office of the Department of Home Affairs.

L.W.—Hierdie vorm moet die huweliksregister en duplikaat van die register vergesel wanneer daardie dokumente aangestuur word na die betrokke streekkantoor/distrikskantoor van die Department van Binnelandse Sake.

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

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B-I 170

DEPARTMENT OF HOME AFFAIRS
DEPARTEMENT VAN BINNELANDSE SAKE

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

HUWELIK WAT BINNE GEMEENSKAP VAN GOEDERE VOLTREK WORD: VERKLARING INGEVOLGE ARTIKEL 22 (6) VAN DIE SWART ADMINISTRASIE WET, 1927 (WET 38 VAN 1927)

I,
Ek, ...

Identity number and I,
Identiteitsnommer ..... , en ek, ...

....., Identity number
Identiteitsnommer .....

declare jointly in terms of section 22 (6) of the Black Administration Act, 1927 (Act 38 of 1927), that it is our intention and desire that community of property and of profit and loss shall result from our marriage.

verklaar gesamentlik kragtens die bepalings van artikel 22 (6) van die Swart Administrasie Wet, 1927 (Wet 38 van 1927), dat dit ons voorneme en begeerte is dat ons huwelik gemeenskap van goedere en van wins en verlies ten gevolge moet hê.

Signature/Handtekening:

1. .....

2. .....

In my presence/Voor my.

.....

As witnesses/As getuies:

1. .....

2. .....

Date
Datum .....

*Marriage Officer/Huweliksbevestiger
*Regional/District Representative: Home Affairs
*Streek-/Distriksverteenwoordiger: Binnelandse Sake
*Magistrate/Landdros

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

THE FLOWERING PLANTS OF AFRICA

This publication is issued as an illustrated serial, much on the same lines as Curtis's Botanical Magazine, and for imitating which no apology need be tendered.

The desire and object of the promoters of the publication will be achieved if it stimulates further interest in the study and cultivation of our indigenous plants.

The illustrations are prepared mainly by the artists at the Botanical Research Institute, but the Editor welcomes contributions of suitable artistic and scientific merit from kindred institutions.

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CONTENTS

No.		*Page No.*	*Gazette No.*
	GOVERNMENT NOTICE		
Home Affairs, Department of			
Government Notice			
R. 2207	Marriage Act (25/1961): Regulations	1	10500

INHOUD

No.		*Bladsy No.*	*Staats-koerant No.*
	GOEWERMENTSKENNISGEWING		
Binnelandse Sake, Departement van			
Goewermentskennisgewing			
R. 2207	Huwelikswet (25/1961): Regulasies.....	1	10500

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