New Rules for Traveling with Children into and out of South Africa

The Department of Home Affairs in South Africa has announced new, strict procedures for parents traveling with children under the age of 18 years in and out of South Africa.

With effect from 1 October 2014, all adults traveling with children will need to produce a copy of an unabridged birth certificate for each child they are traveling with, among other documents. This new regulation is line with the DHA efforts to limit the incidents of child trafficking.

Applying for an unabridged birth certificate
The application process for an unabridged certificate is simple, but clients need to know that although there has previously been a six to eight week waiting period, this process could take anything from three to six months.

One parent traveling with a child
In instances where one parent is travelling with a child for any reason, whether as a single parent, or merely in the absence of the other parent, the following documents must be produced for immigration officials:

- A copy of an unabridged birth certificate
- An affidavit from the other parent or legal guardian of the child, confirming their consent for the accompanying adult to travel with the child
- Single parents are required to produce a court order (and not just an affidavit) 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, and
- If applicable, a death certificate of a deceased parent must be produced

Adult traveling with a child who is not his or her biological child

We live in a society of extended family and there are many instances where adults may need to travel with children who are not their biological children. This could be for family, school or religious reasons. In instances where an adult is traveling with a child who is not his or her biological child, the following documents must be produced for immigration officials:

- A copy of an unabridged birth certificate
- An affidavit from the parents or legal guardians of the child, confirming their consent for the accompanying adult to travel with the child
- Copies of the identity documents or passports of the parents or legal guardians of the child
- Contact details of the parents or legal guardians of the child.

Where one or two adults are traveling with a large group of children, the adults must have these documents for each child traveling. Although not required, it may be a good idea for the adults to have a letter from the trip organisers, giving authority to these adults to attend to these children.

An unaccompanied minor
Even though a child of 16 or 17 can travel comfortably on their own from one country to another, the DHA requires that an unaccompanied minor produce the following documents to the immigration officials:
• Proof of consent from one or both his or her parents or legal guardian, in the form of a letter or affidavit for the child to travel into or depart from South Africa;
• 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;
• A letter from the person who is to receive the child in the destination country, containing his or her residential address and contact details where the child will be residing;
• 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 destination country; and
• The contact details of the parents or legal guardian of the child in the country of origin.

These regulations should be considered when children want to apply for exchange programmes, or even when visiting family within southern Africa or neighbouring countries.

Given that the legal age in South Africa is 18, all children below this age fit into the new regulations. They are also applicable to all parents, regardless of whether both parents are accompanying the children at the time of traveling or not, and to non-South African passport holders traveling in and out of the country.

Customers preparing to travel out of the country with their children should make urgent plans to apply for the relevant documents to ensure that they are prepared to travel under these new regulations.

The Department urges citizens and foreign nationals to heed the call to apply for unabridged birth certificates for children. An unabridged birth certificate of the child reflecting the particulars of the parents is required in terms of the Immigration Regulation 6 (12) (a) for children traveling with parents.

Customers can also visit the DHA website for further clarity on the new regulations, and to locate their closest DHA office.

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