DEPARTMENT OF HOME AFFAIRS

No. R. 463 25 April 2008

BIRTHS AND DEATHS REGISTRATION ACT, 1992

SEVENTH AMENDMENT OF THE REGULATIONS ON THE REGISTRATION OF BIRTHS AND DEATHS, 1992

The Minister of Home Affairs has, in terms of section 32(1) of the Births and Deaths Registration Act, 1992 (Act No. 51 of 1992), made the regulations in the Schedule.

SCHEDULE

Definition

1. In these Regulations "the Regulations" means the regulations published under Government Notice No. R. 2139 of 9 September 1992, as amended by Government Notice Nos. R. 1503 of 2 September 1994, R. 1635 of 11 October 1996, R. 879 of 3 July 1998, R. 117 of 1 February 1999, R. 956 of 13 August 1999 and R. 1338 of 26 September 2003.

Amendment of regulation 1 of the Regulations

- 2. Regulation 1 of the Regulations is hereby amended by—
 - (a) the deletion of the definition "immigration officer"; and

(b) the insertion after the definition "informant" of the following definition:

"inspectorate' means the inspectorate contemplated in section 33

of the Immigration Act, 2002 (Act No. 13 of 2002);".

Amendment of regulation 3 of the Regulations

- **3.** Regulation 3 of the Regulations is hereby amended by the substitution for paragraph (c) of the following paragraph:
 - "(c) to receive from informants and from persons referred to in paragraph (a), the completed registers, forms and notices, accompanied by declarations and certificates, if prescribed, and to verify or cause to be verified the information furnished therein and to cause any deficiencies or inaccuracies appearing therein to be supplemented or to be corrected."

Amendment of regulation 4A of the Regulations

- **4.** Regulation 4A of the Regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:
 - "(2) If the customary union or marriage is recognised in terms of section 1(2) of the Act, the relevant application must be attached to a duly completed notice of birth form contemplated in Annexure 1A.".

Amendment of regulation 5 of the Regulations

- **5.** Regulation 5 of the Regulations is hereby amended by—
 - (a) the substitution for subregulation (1) of the following subregulation:
 - "(1) A notice of birth in terms of Chapter II of the Act shall be in the form and contain substantially the information set out in Annexure 1A."; and
 - (b) the substitution for subregulation (2) of the following subregulation:
 - "(2) The information concerning a birth shall be given by the informant in writing to any person authorized for this purpose under section 4(1) of the Act.".

Amendment of regulation 6 of the Regulations

- Regulation 6 of the Regulations is hereby amended by—
 - (a) the substitution for subregulation (6) of the following subregulation:
 - "(6) If a notice of birth is given after the expiration of thirty days, but before the expiration of one year from the date of birth, written reasons shall be submitted to the Director-General for the late notice, and if he or she is satisfied that the child whose birth is being given notice of is a child referred to in section 9 of the Act, the birth shall be registered accordingly.";
 - (b) the substitution for subregulation (7) of the following subregulation:
 - "(7) A notice of birth of a person of one year and older shall be accompanied by—
 - (a) an affidavit by the informant who shall be a South African citizen or a permanent residence holder with a valid identity document confirming the identity and status of the person concerned in the form and containing substantially the information set out in Annexure 1C: Provided that in the case of a person who is one year old, but less than 15 years old, the informant must submit a valid clinic card or other conclusive proof of the identity and status of that person;
 - (b) two recent passport size photos of the person whose notice of birth is being given where the person concerned is 15 years and older; and
 - (c) written reasons for the late notice.":
 - (c) the substitution for subregulation (8) of the following subregulation:
 - "(8) The Director-General may, if satisfied that the person referred to in subregulation (7) is a South African citizen, a South African permanent residence holder or a non-South African referred to in section 5(3) of the Act, as the case may be, register the birth accordingly: Provided that if the Director-General is in

doubt about the identity and status of the person concerned, he or she shall refer the matter to the Inspectorate to investigate and deal with it in terms of the provisions of the Immigration Act, 2002 (Act No. 13 of 2002).";

- (d) the insertion after subregulation (8) of the following subregulation:
 - "(8A) The Director-General or an authorised officer shall, subject to section 7 of the Act, verify the information furnished to him or her for the registration of birth by careful questioning of—
 - (i) the deponent of the affidavit referred to in subregulation (7); and
 - (ii) if possible, the person whose birth is being given notice of.":
- (e) the substitution for subregulation (9) of the following subregulation:
 - "(9) If a person whose birth is being given notice of is 15 years or older, his or her fingerprints shall be affixed to the appropriate space on the form contemplated in Annexure 1B."; and
- (f) the substitution for subregulation (10) of the following subregulation:
 - "(10) An informant giving notice of the birth of a person after the expiration of one year from the date of birth shall affix his or her fingerprints to the appropriate space on the form contemplated in Annexure 1B: Provided that in the case of a notice of birth of a person who is older than one year, but less than 15 years of age, fingerprints of the informant may be taken if no valid clinic card or conclusive proof of identity and status has been submitted."

Substitution of regulation 7 of the Regulations

7. The following regulation is hereby substituted for regulation 7 of the Regulations:

"Notice of birth of child born out of wedlock

7. Where notice is given in terms of section 10(1)(b) of the Act, the person who acknowledges that he is the father of the child shall enter the particulars regarding himself as set out in Annexure 1A upon the notice of birth.".

Substitution of regulation 10 of the Regulations

8. The following regulation is hereby substituted for regulation 10 of the Regulations:

"Birth outside the Republic

10. In the case of a birth referred to in section 13 of the Act, the informant shall submit a birth certificate issued by the authority concerned in the country in which the birth occurred, together with the notice of birth in the form and contain substantially the information set out in Annexure 1A and Annexure 1B respectively, irrespective of whether the notice is given to the head of a South African mission or to a regional representative in the Republic.".

Short title and commencement

 These Regulations shall be called the Seventh Amendment of the Regulations on the Births and Deaths Registration, 1992, and shall come into operation on 1 May 2008.

Annexure 1A

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Annexure 1B

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Annexure 1C

G.P.-S.

DHA-288



DEPARTMENT: HOME AFFAIRS REPUBLIC OF SOUTH AFRICA

AFFIDAVIT IN SUPPORT OF NOTICE OF BIRTH

[Births and Deaths Registration Act 51 of 1992] [Section 9(3A) and Regulation 6(7)]

[(),															
To be completed by the informant . The informant and Commissioner of Oaths to initial each page. To be submitted together with DHA-24 and DHA-24/A forms. The form must be completed in black ink with BLOCK LETTERS. Please mark with I the CORRECT box, where required. Applications that are not legible shall not be accepted.															
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Town/Village								Province							
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Registered place of birth							C	Country of t	oi rt h						
Relationship to the child	Parent 1 (Father)			Parent	2 (Moth	er)		Family me please spe						$oxed{oxed}$	
	Legal gua	ardian				r author Case N									
	Other, ple specify	ease											Ш		
If you are not the parent or the legal guar	dian, provid	le the reaso	n why y	ou are	giving (he notic	e of birti	h [COMPUI	LSORY S	ECTION]:				
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	•••••••		•••••				•••••								
B. DETAILS OF THE CHI	LD														
Surname as at birth							\coprod								
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Language (mother tongue)			T	П	T	П	7	Second			П			T	

DHA-288

O DETAILS OF LIFE EVI															.—									-				
C. DETAILS OF LIFE EVEN C1. INSTITUTION OF BIRTH - C					CI	HIL	D																					
Place of birth Public hosp	oital			Priva	te h	ospita				Clin	ic [At	hom	• [Oth	er	••••			••••		******	••••••	
Name of place of birth				\mathbb{I}															L		I	I	Ι	I				
Full address Street				1	L			<u> </u>															\prod					
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Contact person name				\mathbb{I}																L			Ţ	I				
C2. RELIGIOUS CEREMONY PE	RFC	RM	ED O	N TH	IE (HIL	D	-																				
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Date of ceremony (YYYY/MM/DD)			\Box	L							Na	ame (of th	e cer	emo	ny						I		\prod	\prod			$\exists $
C3. PRE-SCHOOL OR CRECHE	ATT	ENI	ED																									
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Period of attendance (YYYY/MM/DD)	From	Į																	То									$\exists $
C4. PRIMARY SCHOOL ATTEND	ED																											
Did the child attend more than one primar	y sch	lool '	, []	II ye:	s, pl	ease	due	mit d	etails	ofs	schoo	ol wit	h m	ost a	vall	able	infor	mati	on						
School name																								\perp		\prod		
Contact address Street																						L	I	I				
Town/Village			\square	L									P	rovin	се											\Box		
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Telephone No., incl. area code			\mathbb{I}											Cell	pho	ne N	lo.					L	\mathbb{L}			\Box	\Box	
Contact person name				L																	L	Γ	Ι	I	\int	\prod		
Period of attendance (YYYY MM:DD)	From																		То			Γ	Ι	Ι	I	\prod	\Box	미
Grade at admi	ssion		Ι	\prod								F	lighe	est g	ade	pas	sed				L	Γ	Ι				\Box	

DHA-288

C5. SECONDARY SCHOOL ATT	END	ΕĐ	_			_																					
Did the child attend more than one second	lary sc	hool	?				If ye	∍s. p	lease	sub	omit o	letail	6 of	scho	ol wi	lh m	ost a	vaila	ıble	infor	matic	on					
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Town/Village			\Box										F	Provi	nce										\mathbb{L}		
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Telephone No., incl. area code]				Се	ll pho	ne N	10.										
Contact person name				\prod																						\prod	
Period of attendance (YYYY/MM/DD)	From			\prod			L]									То								
Grade at adm	ission		\perp	L]	Н	lighe	st gr	ade	ass	ed									\coprod	
C6. EMPLOYMENT RECORD -	THE	MO:	ST R	ECEI	VT (EMP	LO	YEF	}																		
Employer																											
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Town/Village	\Box												F	rovir	nce											\prod	
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Telephone No., incl. area code		\prod												Cell	phon	e no	.										
Contact person name	\Box	Ι		L																							
Period of employment (YYYY/MM/DD)	From																		То								
Nature of work performed																											
C7. REFERENCE PERSON TO TI	HE CI	HILI	D · C	ОМР	ULS	SOR	Y IF	NC	ONE	OF	SE	CTIC	ONS	s Ca	? – 0	6 V	VEF	RE C	ON	1PLE	TE	D					
The reference to the birth is: Witness to the birth Family r	nenibe	er					Leg	jal gi	uardi	ап	Г	Pa	stor/	Prie	st												
Tribal authority Person	who ra	aised	the ch	nild		┢	Soc	ial w	vorke	r	\vdash] O#	her. j	pleas	e spe	city						[Γ-	T	Γ	П
Identity number	П	Т	T	Ţ	Γ				Γ				Cit	izens	ship	-						_			 	Γ	님
Date of birth (YYYY/MM/DD)		\pm	\perp		L 				L	L	لـــا 		ass	port :	no./				_						I T	<u></u> T	
Surname		_	\pm	1 <u> </u>	 				erma	anen	it resi	aena	e pe	ermit	no. [<u> </u>						 	П	<u> </u>	E		H
Previous/Maiden surname	П	÷	$\frac{1}{1}$	T	L 			_				<u>_</u> _							_			L		二	<u> </u>		
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Registered place of birth		Ī	Ī	Ĺ								T			Cour of b										_		
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DHA-288

D. DECLARATION NOTE: Commissioner of Oaths must be	ne an authorised DHA official at the office where application is submitted
I,(the informant), hereby declare under and correct, and I understand that a false statement is punishable under section.	der oath that the information submitted in this Affidavit and the Notice of Birth is true on 31 of the Births and Deaths Registration Act 51 of 1992.
Signature of deponent	Date (YYYY/MM/DD)
I certify that before administering the eath I asked the deponent the following of	questions and wrote down his/her answers in his/her presence:
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 as binding on your conscience?	Answer:
I certify that the deponent has acknowledged that he/she knows and understar deponent's signature or mark was affixed to the declaration in my presence.	nds the contents of this declaration which was sworn to/affirmed before me and that the
Signature of the Commissioner of Oaths Full first names and surname	Office stamp - OFFICE OF ORIGIN
Designation (rank)	
Business Address	
DatePlace	
The deponent and the Commissioner of Oaths to initial each page of the A	
The deponent and the commissioner of Garlis to limital cach page of the A	
FOR OFFICIAL USE ONLY - OFFICE OF ORIGIN	
NOTICE OF BIRTH RECEIVED BY:	Office stamp - OFFICE OF ORIGIN
Date (YYYY/MM/DD)	Stat Birth O S M
Initials and surname	
Signature	
Persal number	