

## **MARRIAGE ACT, 1961**

### **FIFTEENTH AMENDMENT OF THE REGULATIONS MADE UNDER THE MARRIAGE ACT, 1961**

The Minister of Home Affairs has, in consultation with the Minister of Finance, under section 38 of the Marriage Act, 1961 (Act No. 25 of 1961) made the regulations in the Schedule.

#### **SCHEDULE**

##### **Definition**

1. In this Schedule “the Regulations” means the Regulations made under the Marriage Act, 1961 (Act No. 25 of 1961), published under Government Notice No. R. 2207 of 24 October 1986, as amended by Government Notice Nos. R. 883 of 21 May 1993, R. 1577 of 27 August 1993, R. 726 of 19 May 1995, R. 462 of 15 March 1996, R. 485 of 9 April 1998, R. 249 of 14 March 2000, R. 410 of 23 March 2002, R. 477 of 31 March 2003, R. 431 of 31 March 2004, R. 320 of 1 April 2005, R. 476 of 19 May 2006, R. 66 of 28 January 2008; R. 2 of 2 January 2009 and R 344 of 27 March 2009.

**Substitution of regulation 5B of the Regulations**

2. The following regulation is hereby substituted for regulation 5B of the Regulations:

**“Issuing of marriage certificates and confirmation of marital status**

**5B.** (1) The marriage officer who solemnizes a marriage shall, after the register referred to in section 29A(1) has been signed, issue to the parties, free of charge, a marriage certificate containing substantially the information prescribed on form DHA-27, in respect of the marriage.

(2) The Director-General may upon application in writing on a form containing substantially the information prescribed on form DHA-130, issue—

- (a) an abridged marriage certificate, containing substantially the information prescribed on form DHA-41;
- (b) an unabridged marriage certificate; or
- (c) a letter of confirmation of an applicant's marital status based on the particulars contained in a marriage register which is preserved by him or her under the Act or any other law, or of which the particulars are included in the population register mentioned in the Identification Act, 1997 (Act No. 68 of 1997), on receipt of—
  - (i) an amount of R20-00 in respect of a re-issue of a handwritten abridged or computerized abridged marriage certificate: Provided that no fees shall be payable for the issuing of the certificate at the time of the registration of the marriage;
  - (ii) an amount of R75-00 in respect of an unabridged marriage certificate or a reproduction of the relevant register or a reproduction of any supporting documentation which is coupled to the register concerned, or the verification of information contained in a marriage register: Provided that where the reproduction or verification is required for official

- purposes by a Government institution, it shall be free of charge; or
- (iii) an amount of R50-00 in respect of a letter of confirmation of an applicant's marital status."

**Short title and commencement**

3. These Regulations shall be called the Fifteenth Amendment of the Regulations made under the Marriage Act, 1961, and shall come into operation on 1 April 2011.

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