



# ISASA

Independent Schools Association of Southern Africa

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## MEMORANDUM

<b>To:</b>	All member schools
<b>From:</b>	Sithembiso Ntuli
<b>Date:</b>	16/09/2014
<b>Subject:</b>	<b>Department of Home Affairs postpones the implementation of two immigration regulations on travelling minors (children under the age of 18 years)</b>

### A. What is new?

On 16 September 2014, the Minister of Home Affairs announced a postponement of the implementation of two immigration regulations concerning travelling children.

The two requirements that have been postponed are:

- a parent, or a guardian, or a person travelling with non-biological children, has to produce the Unabridged Birth Certificate of the minor; and
- where applicable, written permission or an affidavit from one or both parents is needed, in order to travel with a minor.

The provision for an Unabridged Birth Certificate was set to come into effect on 1 October 2014, for the safety and protection of children from child trafficking, abduction and kidnapping. The Department says that it has experienced challenges relating to the implementation of these two regulations.

### 1. New implementation date

The Department has decided to delay the implementation of these two regulations until **1 June 2015** and this amounts to a reprieve of approximately 8 months. It is only the implementation that has been delayed. The provisions in respect of the two regulations will still be implemented from 01 June 2015. The Department intends utilising the extension period to enhance its processes with regard to the practical implementation of the Unabridged Birth Certificate requirement in particular.

### 2. Implications of this postponement

In terms of the announcement, a parent, guardian or a person travelling with a non-biological child before 1 June 2015 will not be required to produce an Unabridged Birth Certificate or written permission when

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travelling with a child (minor). The Minister says that the postponement is inter alia aimed at encouraging citizens to apply well in advance and obtain the required Unabridged Birth Certificates for the minors they intend travelling with in the near future. The Department concedes that parents or guardians did not have much time to acquire the required documents before planned travels for the festive season.

### **3. Interim measures to protect minors**

The Department has committed itself to rigorous processes at the country's ports of entry, to ensure that the security of children is not adversely affected during the extension period. It intends using measures such as additional screening, vetting and interviews, where necessary, to ensure that people travelling with children are authorised to do so.

Where necessary, the Department encourages citizens to apply for Unabridged Birth Certificates together with passports. The Minister has clarified that while the requirements will be the same for South Africans and citizens of other countries, for foreigners' purposes, an Unabridged Birth Certificate is merely a birth certificate from the responsible authority in their country which lists the particulars of the child's parents. In the instance where this information is contained on the child's passport, this too shall be acceptable.

### **B. What does this mean for my school?**

- ISASA members are urged to inform parents about the latest developments regarding immigration regulations as outlined in this memo.
- Please note that South African citizens and foreign nationals will be able to travel with minors (children under the age of 18) before 1 June 2015 without having to produce Unabridged Birth Certificates and written permission from parents.
- Parents and guardians should use the extension period to ensure that they would be able to meet the postponed requirements by 1 June 2015.
- In particular, parents or guardians should heed the call to apply for Unabridged Birth Certificates for minors.
- Parents should also use the available time to deal with any hurdles that could hinder them from obtaining the necessary written permission from the other parent allowing them to personally travel with their child or to authorise another person to travel with the child.

For more information, please contact Department of Home Affairs official, Mayihlome Tshwete on 072 869 2477.

Should you require any assistance from ISASA, please contact Policy Analyst, Sithembiso Ntuli at [sithembison@isasa.org](mailto:sithembison@isasa.org) or Policy Manager, Mandla Mthembu at [mandlam@isasa.org](mailto:mandlam@isasa.org)