

Please be aware of the referral system regarding setting up an interview at Home Affairs with an immigration officer. This is when a couple get married in South Africa where one is an SA Citizen and the other is a non SA Citizen. An interview needs to happen with an immigration officer prior to the wedding taking place

- Couple to present relevant marriage documentation to the marriage department at Home Affairs George Branch. I (Gavin Brown) will meet the couple before they go to Home Affairs to make sure all the documentation is in order
- If all documentation is correct, a representative from the marriage section will accompany the couple to immigration to make an appointment.
- Couple goes for interview with immigration officer
- Immigration officer completes an interview form and keeps it at Home Affairs George Branch

#### Notes:

Couples are not able to phone Home Affairs to set up an interview telephonically. Marriage officers are also not allowed to set up interviews on behalf of couples. Couples have to present themselves to Home Affairs in person two weeks before their wedding to allow time for Home Affairs to check and verify the entry stamp of the non SA citizen entering the country, check the authenticity of the no lawful impediment letter and to make an appointment for an interview the week prior to the wedding

#### **Why do you have to go to Home Affairs in person, two weeks before your wedding?**

Once the couple go to Home Affairs George Branch in person. The immigration officer will send a copy of the entry stamp in the passport of the non SA citizen to The Ops centre for verification. This process takes a week. Once the immigration officer at the local Home Affairs has received confirmation from the Ops Centre that the entry stamp is valid and on the movement system, the couple will then be called and a date will be set for the interview in the second week

Home Affairs have accepted this scenario: You don't necessarily have to arrive in the Garden Route two weeks before your wedding, just South Africa. I have worked with a couple who arrived in SA two weeks before their wedding and went to the Kruger for a week and then came to The Garden Route a week before their wedding. The non SA citizen sent me an email of their entry stamp as soon as they entered the country and I took that to Home Affairs along with the other relevant documentation so that the verification process could start.

Documents that are required by the couple to take to Home Affairs Marriage department at George Branch for a referral:

- Copy of the passport of the Non SA Citizen together with the copy of the page containing the entry stamp into SA
- Copy of the ID book or new ID card for the SA Citizen. If an ID card then copies of both sides please
- Bi31 Form for the non SA Citizen. I have copies of this form which I will get the non SA citizen to sign in my presence when we meet
- Where applicable – final decrees of divorce where the current marital status is divorced
- Same with death certificate where a person's marital status is widow or widower
- Letter of no lawful impediment for the non SA Citizen. If it is not in English then it will need to be officially translated – see note below

- Copies of two witnesses ID books if they are SA Citizens or passport and page containing entry stamp into SA if witnesses are non SA Citizens
- Affidavit or no lawful impediment oath where a country does not issue no lawful impediment letters
- Signed letter from marriage officer confirming he is officiating the wedding ceremony for the couple
- 3x colour ID photos of groom and bride (although this is not required for the referral for the interview) but needed by the marriage officer to complete marriage register for day of wedding

SA Citizens who do not have green SA ID Books or the new ID Card. Home Affairs requires the green ID book or the new ID card for SA Citizens getting married in SA. SA Passports are not accepted. If an SA Citizen does not have an ID book or card then they will either need to apply for one prior to their wedding or apply for a temporary ID document and this will be accepted.

#### No Lawful impediment letter

For the non SA Citizen getting married in South Africa, our Home Affairs require an official no lawful impediment letter from your relevant government department in your country of origin confirming your marital status and that there is no lawful impediment to you getting married. If they do not issue no lawful impediment letters (like for British Citizens) then you need an official letter on a letterhead signed and stamped from them stating this and only then will Home Affairs in SA accept a notarized oath which I will email you. Please note that the no lawful impediment letter will not be accepted if it is dated older than three months from your wedding date

Please note that it is the groom or bride's (whoever is the SA Citizen) responsibility to make sure that your marital status on the Home Affairs system is correct. This is not an issue if you have not been married before but if you are divorced, please make sure you have a final decree of divorce issued from SA containing a case number and the court name. Home Affairs only accept a final decree of divorce issued in SA

#### **A note about dual citizenship.**

If a person has dual citizenship for example SA and UK citizenship then that person must enter SA on their SA passport. It is an offence to enter SA on a foreign passport

As a disclaimer, the above information is the latest information (Sept 2017) we have received from Home Affairs. They can and do change policy and procedures without communicating with marriage officers. If couples are getting married in December close to Christmas or Easter where there are a number of public holidays, there could be more delays and a longer lead time might be required in terms of setting up an interview with an immigration officer. As marriage officers, we are not involved in the interview process and cannot be held accountable for Home Affairs actions in this regard. If in doubt then it is advisable to call Home Affairs George Branch and verify the above information.

When the non SA citizen arrives in South Africa at OR Tambo or Cape Town International Airport it is important for you to tell the customs official who stamps your passport that you are in South Africa to get married and that the entry stamp needs to be entered into the movement system.

It is stressful dealing with government departments generally but even more stressful a week or two before your wedding. Some couples are choosing to do the legal side of their wedding at the local registry office in the country where they live and then I would do the ceremony in South Africa. This does alleviate a lot of stress and no one on your wedding day will know because I have an alternate unofficial marriage register for you to sign.

Kind regards

Gavin