

# UPDATED ADVISORY: NEW REQUIREMENTS FOR CHILDREN TRAVELLING THROUGH SOUTH AFRICAN PORTS OF ENTRY

## Details

Published: 02 April 2019

**Revised: 02 April 2019**

The requirements for children travelling to or from the Republic of South Africa are aimed at giving effect to the Children's Act, 2005.

## 1. APPLICATION OF THE REQUIREMENTS

1.1. The documents listed under paragraph 2 must on request be produced at a port of entry by South African children entering and leaving the Republic, as well as by unaccompanied minors, regardless of their nationalities.

1.2. Foreign children who are visa exempt and not accompanied by both parents are strongly advised to carry these documents since they may be requested to produce them. Should the documents not be available on request, they would be granted a 24-hour period to obtain them.

1.3. Foreign children who apply for a South African visa at any mission or VFS service point must submit, as part of the applications, the documents required under paragraph 2 prior to such visa being issued.

## 2. DOCUMENTS REQUIRED FOR TRAVELLING THROUGH A PORT OF ENTRY OF THE REPUBLIC

CATEGORY	SOUTH AFRICAN CHILD	FOREIGN VISA EXEMPT CHILD
<b>CHILD ACCOMPANIED BY BOTH PARENTS</b>	<ul style="list-style-type: none"> <li>• valid passport</li> <li>• copy of a birth certificate /equivalent document or passport containing the details of the parent or parents of the child</li> </ul>	<ul style="list-style-type: none"> <li>• valid passport</li> </ul>
<b>CHILD ACCOMPANIED BY ONE PARENT</b>	<ul style="list-style-type: none"> <li>• valid passport</li> <li>• copy of a birth certificate/equivalent document</li> <li>• parental consent letter</li> <li>• copy of the passport / identity document of the absent parent</li> <li>• contact details of the absent parent</li> <li>• where applicable-               <ul style="list-style-type: none"> <li>○ copy of a court order granting full parental responsibilities and rights or legal guardianship in respect of the child.</li> <li>○ copy of a death certificate of the deceased parent</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• valid passport</li> <li>• The following may be required:               <ul style="list-style-type: none"> <li>○ Reason for the absence of the other parent</li> <li>○ copy of a birth certificate/equivalent document</li> <li>○ parental consent letter</li> <li>○ copy of the passport / identity document of the absent parent</li> <li>○ contact details of the absent parent</li> <li>○ where applicable -                   <ul style="list-style-type: none"> <li>▪ copy of a court order granting full parental responsibilities and rights or legal guardianship in respect of the child.</li> </ul> </li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>▪ copy of a death certificate of the deceased parent</li> </ul>
<b>CHILD TRAVELLING WITH PERSON WHO IS NOT HIS / HER BIOLOGICAL PARENT</b>	<ul style="list-style-type: none"> <li>• valid passport</li> <li>• copy of a birth certificate/equivalent document</li> <li>• parental consent letter(s)</li> <li>• copy of the passport(s)/ identity document(s) of the parent(s)/legal guardian(s)</li> <li>• contact details of the parent(s)/legal guardian(s)</li> <li>• where applicable- <ul style="list-style-type: none"> <li>○ copy of a death certificate</li> <li>○ copy of an adoption order</li> <li>○ copy of a court order granting full parental responsibilities and rights / legal guardianship in respect of the child.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• valid passport</li> <li>• The following may be required: <ul style="list-style-type: none"> <li>○ Reason for the absence of the parent(s)</li> <li>○ copy of a birth certificate/equivalent document</li> <li>○ parental consent letter(s)</li> <li>○ copy of the passport(s) / identity document(s) of the parent(s)/ legal guardian(s)</li> <li>○ contact details of the parent(s)/ legal guardian(s);</li> <li>○ where applicable- <ul style="list-style-type: none"> <li>▪ copy of a death certificate</li> <li>▪ copy of an adoption order</li> <li>▪ copy of a court order granting full parental responsibilities and rights /legal guardianship in respect of the child.</li> </ul> </li> </ul> </li> </ul>
<b>UN-ACCOMPANIED CHILD</b>	<ul style="list-style-type: none"> <li>• copy of his /her birth certificate</li> <li>• parental consent letters</li> <li>• copy of the passport(s)/identity document(s) of the parent(s) / legal guardian(s)</li> <li>• contact details of the parent(s)/ legal guardian(s)</li> <li>• letter from the person who is to receive the child in the Republic, containing his / her residential address and contact details in the Republic where the child will reside</li> <li>• copy of the identity document / valid passport and visa or permanent residence permit of the person who is to receive the child in the Republic</li> <li>• where applicable- <ul style="list-style-type: none"> <li>○ copy of an adoption order</li> <li>○ copy of a death certificate of the deceased parent/ parents or legal guardian;</li> <li>○ copy of a court order granting full parental responsibilities and rights or legal guardianship in respect of the child</li> </ul> </li> </ul>	
<b>CHILD IN ALTERNATIVE CARE</b>	<ul style="list-style-type: none"> <li>• valid passport</li> <li>• letter from the Provincial Head of the Department of Social Development where the child resides authorising his or her departure from the Republic as contemplated in section 169 of the Children’s Act (Act No. 38 of 2005).</li> </ul>	

### 3. EXEMPTIONS

- 3.1. South African children travelling on South African passports may travel to South Africa without birth certificates.
- 3.2. Supporting documents are not required where children are in direct transit at an international airport.
- 3.3. Children in possession of valid South African visas are not required to produce the documents already submitted as part of their visa applications when travelling through a port of entry of the Republic.
- 3.4. A child presenting a passport which contains the details of his or her parent or parents is not required to produce a birth certificate/equivalent document.
- 3.5. In the case of school tours, the parental consent letter may be replaced with a letter from the school principal confirming that all consent letters are held by the school. Upon producing this letter, immigration officers at ports of entry and South African missions abroad would not require any additional documents from individual scholars such as parental consent, birth certificates, death certificates, court orders or copies of the passports or identity documents of the parents and of the person receiving the child in SA. This special dispensation applies to all schools registered with the Department of Basic Education in South Africa and its equivalent abroad. **Download the suggested format for this letter here.**

**4. INABILITY TO CONSENT DUE TO RECENT DEATH OR MENTAL OR PHYSICAL DISABILITY:**

Where parent/s recorded in a BC/ equivalent document are unable to consent to the travel by a child due to recent death or mental or physical disability, persons acting on behalf of the child/children may apply for a special dispensation in lieu of parental consent by directing a request and full motivation, together with all supporting documents (for example, treating medical practitioners certificate), to the Office of the Director-General of Home Affairs, at the following e-mail address: [consent@dha.gov.za](mailto:consent@dha.gov.za)

*Note:*

- This dispensation only applies to incapacity, and not where a parent is either unwilling to consent or unable to be located due to separation or divorce.
- Where a parent refuses to give consent, a court order in terms of section 18(5) of the Children’s Act, 2005 (Act No. 38 of 2005), may be presented in lieu of parental consent.

**5. DEFINITIONS**

<b>Alternative Care</b>	<ul style="list-style-type: none"> <li>• Section 167 of the Children’s Act, 2005 (Act No. 38 of 2005), states that a child is in Alternative Care if the child has been placed in:             <ul style="list-style-type: none"> <li>○ foster care;</li> <li>○ the care of a child and youth care centre following an order of a court in terms of that Act or the Criminal Procedure Act, 1977 (Act No. 51 of 1977); or</li> <li>○ temporary safe care.</li> </ul> </li> </ul>
<b>Birth Certificate</b>	<ul style="list-style-type: none"> <li>• An extract from the Birth Register containing the particulars of a child and his / her parent(s). Birth certificates containing the details of a child as well as his/her parent/s are accepted for the purposes of these Requirements regardless of the country of issue.</li> <li>• In the case of countries that do not issue BC, an ‘Equivalent Document’ containing the particulars of the child and his / her parent/s, issued by the competent authority of that country, or an embassy of that country</li> </ul>

	may be produced. Suggested format for <b><u>Equivalent Document is available here</u></b>
<b>Child</b>	<ul style="list-style-type: none"> <li>• South African law regards any person younger than 18 years as a child.</li> </ul>
<b>Equivalent Document</b>	<ul style="list-style-type: none"> <li>• In the case of countries that endorse the particulars of parents in children's passports, or other official identification documents, these documents shall be acceptable for the purpose of establishing the identity of the parents of the travelling child.</li> </ul>
<b>Letter of special Circumstances</b>	<ul style="list-style-type: none"> <li>• Letter issued by the Director-General of Home Affairs in lieu of parental consent in the event of recent death or mental or physical disability.</li> </ul>
<b>Parent</b>	<ul style="list-style-type: none"> <li>• Unless the context indicates otherwise, the word "parent" includes adoptive parents and legal guardians.</li> </ul>
<b>Parental Consent Letter</b>	<ul style="list-style-type: none"> <li>• must accompany a BC when any parent is not travelling with his or her child;</li> <li>• must not be older than 6 months when presented;</li> <li>• Suggested format of the Parental Consent letter is available here: <b><u>ParentalConsentLetter</u></b></li> </ul>