

## SECTION: FAQ - Revised November 2018

### **FAQ**

#### **PLEASE NOTE:**

If there are questions that arise for which the answers are not included in the list below, kindly forward your enquiry to [brussels.consular@dirco.gov.za](mailto:brussels.consular@dirco.gov.za)

Owing to a high volume of telephone enquiries directed to the Consulate, telephoning may require a lengthy wait before the call is answered. Should it, however, be necessary to make a telephone enquiry, it is encouraged that such calls should be made during 13:30 to 16:00 (excluding on Weekends and Embassy Public Holidays).

#### **CONSULAR SECTION: BUSINESS HOURS AND CONTACT DETAILS**

**09:00 – 12:00** Consular Hours for public (Monday to Friday – excluding Public Holidays observed by Embassy)

**13:30 – 16:00** Telephone enquiries (Monday to Thursday)

**13:30 – 15:00** Telephone enquiries (Friday)

+32 2 285 4453 or +32 2 285 4464 or +32 2 285 4492

**E-mail** [brussels.consular@dirco.gov.za](mailto:brussels.consular@dirco.gov.za)

#### **ADD: PUBLIC HOLIDAYS OBSERVED BY THE SOUTH AFRICAN EMBASSY**

To ease the process of finding the correct questions/answers amongst those listed below, the questions/answers have been listed in the following clusters:

- Civic Affairs
- Immigration

#### **FREQUENTLY ASKED QUESTIONS (FAQs)**

##### **CIVIC AFFAIRS**

1. *Question: Do I need to make an appointment for a South African passport application?*

Answer: Yes. It is important to make an appointment to apply for South African passport as biometrics (fingerprints) has to be taken for all applicants over the age of 16.

2. *Question: I would like to have documents certified as true copies and signed before a Commissioner of Oaths, what procedure do I need to follow?*

Answer: Documentation may be certified or signed before a Commissioner of Oaths at the Embassy of the Republic of South Africa in Belgium. The relevant documentation to be certified and a photo identification i.e Passport or Identity Document must be submitted in person. If you have an instruction from an entity in South Africa (Lawyer for example) the instruction should also be printed out and handed to the Commissioner of Oaths. An

appointment should be made for this purpose by contacting the Embassy by email at [brussels.consular@dirco.gov.za](mailto:brussels.consular@dirco.gov.za)

3. *Question: I need to apply for a Police Clearance Certificate for the Republic of South Africa. Can I do this through the Embassy in Belgium?*

Answer: No. Persons living outside of the Republic of South Africa must apply for a South African Police Clearance Certificate directly from the Criminal Record Centre of the South African Police Service (SAPS) in Pretoria.

[https://www.saps.gov.za/services/applying\\_clearance\\_certificate.php](https://www.saps.gov.za/services/applying_clearance_certificate.php)

As indicated on the website of the Department of International Relations and Cooperation <http://www.dirco.gov.za/consular/index.htm> the Consular Section of the South African Embassy merely facilitates with the taking of a full set of fingerprints and certifying of a copy of the applicant's Passport or Identity Document and documentary proof of maiden or other surname if different from Passport and/or Identity Document. An appointment should be made for this purpose by contacting the Embassy by email at [brussels.consular@dirco.gov.za](mailto:brussels.consular@dirco.gov.za)

4. *Question: Can I renew my South African Drivers License at the Embassy?*

Answer: No. A South African Drivers License cannot be renewed at the Embassy. For further information regarding such renewal please contact the Department of Transport.

[http://www.dirco.gov.za/consular/2017/driving\\_licence1123.pdf](http://www.dirco.gov.za/consular/2017/driving_licence1123.pdf)

5. *Question: Can the Embassy legalise official public documents for use abroad?*

Note: South African diplomatic or consular representatives abroad can legalise official documents only if these were legalised by the relevant foreign competent authority in their country of accreditation, **for use within South Africa**. South African diplomatic or consular representatives abroad cannot issue Apostille Certificates, only Certificates of Authentication. The Department of International Relations and Cooperation (DIRCO) in South Africa render Consular notarial services to South African citizens and foreign nationals requiring *South African official (public) documents* to be legalised for use abroad. These services are rendered to provide legal validity to South African official (public) documents to enable a person to use the documents outside the Republic of South Africa. Legalising documents means that official (public) documents executed within the Republic of South Africa for use outside the Republic of South Africa are affixed, sealed and signed either with an Apostille Certificate (*where countries are signatory to the Apostille Convention*) or with a Certificate of Authentication (*where countries are not signatory to the Apostille Convention*). For more information kindly visit the website of the Department of International Relations and Cooperation <http://www.dirco.gov.za/consular/legalisation.htm>

6. *Question: What are the requirements for getting married in South Africa?*

Answer: Marriages are governed by the Department of Home Affairs. For more information kindly visit the website of the Department of Home Affairs in South Africa

<http://www.dha.gov.za/index.php/civic-services/marriage-certificates>

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## **IMMIGRATION**

7. Question: Which passport holders are exempt from visas for South Africa?

Answer: <http://www.dha.gov.za/index.php/immigration-services/exempt-countries>

8. Question: Do I need to make an appointment for a Visa or Permit application?

Answer: Yes. The Consular section is open to public on Monday to Friday (excluding public holiday observed by the Embassy, from 09:00 to 12:00 by appointment only. To schedule an appointment and to request the requirements for visa categories kindly forward an email to: [brussels.consular@dirco.gov.za](mailto:brussels.consular@dirco.gov.za) providing the following information:

- (a) Nationality of Passport
- (b) Purpose of visit – visa categories can be find in the link to the Department of Home Affairs <http://www.dha.gov.za/index.php/immigration-services/types-of-visas>
- (c) Duration of stay

The requirements as well as application fees will be confirmed by return email.

9. Question: Can I pay for my application with a bank card?

Answer: No. Cash payments are not accepted and the Embassy does not have a Pin System Machine. The prescribed application fee must be paid directly into the Bank Account of the South Africa Embassy:

**Account Number: BE20 7350 2551 7856**

**BIC: KREDBEBB**

**Reference: Surname and Initials of applicant and purpose (visa, passport, birth certificate etc).**

A copy of the transfer / deposit details must be submitted as proof of payment.

Payment must be made at least four (4) days before submitting the application.

Some countries are required to apply for visas for South Africa but are exempt from visa fees; please contact the Embassy to determine whether you are required to pay application fees.

*Application fees are subject to change at any time and fees are revised during April of each year.*

10. What are the requirements for travelling to and from South Africa with minor children under the age of 18?

A suggested format of the Parental Consent Affidavit (translated into Flemish and French) can be used for signing at the Local Townhall can be find here: Suggested parental Affidavit Consent ([add link to translated document in .pdf](#))

Answer:

## **REQUIREMENTS FOR CHILDREN TRAVELLING THROUGH SOUTH AFRICAN PORTS OF ENTRY**

**Published: 30 November 2018**

*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 3 shall upon request be produced at a port of entry by South African children entering and leaving the Republic, as well as all unaccompanied minors, regardless of their nationalities.
- 1.2 Children who are foreign nationals and who are visa exempt are strongly advised to carry these documents since they may be requested to produce them when travelling through a port of entry of the Republic.
- 1.3 Children who apply for a South African visa at any mission or VFS service point shall be required to submit, as part of the application, documents listed hereunder at paragraph 3, prior to such visa being issued.

### **2. EXEMPTIONS**

- 2.1 Children who are South African citizens travelling to South Africa with South African passports may be accepted by conveyors for travel without presenting birth certificates. Such children will be assisted by Immigration Services on arrival at South African ports of entry.
- 2.2 Children in possession of valid South African visas would not be required to produce the documents listed in paragraph 3 when travelling through a port of entry of the Republic.
- 2.3 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 minor.
- 2.4 In the case of school tours, the parental consent affidavit may be replaced with an affidavit from the school principal confirming that all consent letters are held by the school. Upon producing this affidavit, 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 and its equivalent abroad. ***Download the prescribed format for this affidavit here.***

### **3. DOCUMENTS REQUIRED FOR TRAVEL THROUGH A PORT OF ENTRY OF THE REPUBLIC OF SOUTH AFRICA**

- 3.1 Where both parents are travelling accompanied by one or more of their children, such children have to produce valid passports and a Birth Certificate (BC) or Equivalent Document for each child travelling.

- 3.2 Where only one parent is travelling with a child, (or children), each child has to produce a valid passport, a BC or Equivalent Document for each travelling child and the **Parental Consent Affidavit** from the non-travelling parent whose details are recorded on the BC or Equivalent Document.
- 3.3 An unaccompanied child has to produce a valid passport, a BC or Equivalent Document; Parental Consent Affidavit, letter from the person who is to receive the child in the Republic containing such person's residential and work address and full contact details in the Republic, a copy of the identity document or valid passport and visa or permanent residence permit of the person who is to receive the minor in the Republic. Where applicable, an adoption order, court order granting full parental responsibilities or a death certificate must be produced.
- 3.4 When a person is travelling with a child who is not his or her biological child, such child must produce a valid passport, a BC or Equivalent Document and Parental Consent Affidavit or adoption order.
- 3.5 A child in alternative care shall produce: a valid passport and a 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).

### **3.6 Explanatory Notes:**

One of the following documents may be presented in the absence of a Parental Consent Affidavit referred to above:

- A court order granting full parental responsibilities and rights or full legal guardianship of the child exclusively to the travelling parent;
- A court order granted in terms of section 18(5) of the Children's Act, 2015, (Act No. 38 of 2005) which is a court order granting permission for the child to travel in the event that there is a dispute or no consent forthcoming from the parent/s of a child; or
- A death certificate of the deceased parent.

Where only one parent's particulars appear on the UBC or equivalent document, no parental consent affidavit is required when that parent travels with the child.

In the case of divorce, where custody of child/children is shared, parental consent by both parents is required.

Where a Parental Consent Affidavit is presented, also required are full contact details and copies of the identity documents or passports of the parents or legal guardian/s of the child.

The consent of parents recorded as such on the Birth Certificate or Equivalent Document shall be required regardless of the marital status of the parents of the child or children.

## **4. DEFINITIONS**

#### **4.1 Alternative Care**

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:

- foster care;
- 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
- temporary safe care.

#### **4.2 Birth Certificate**

In South Africa, a Birth Certificate (BC) is an extract from the Birth Register containing the particulars of a minor and those of his or her parent or parents. BCs are official documents issued by the Department of Home Affairs in terms of the Births and Deaths Registration Act, 1992 (Act No. 51 of 1992). All birth certificates containing the details of a child as well as the parents of the child shall be accepted for the purposes of these Requirements as BCs, regardless of the country of issue.

In the case of countries that do not issue BCs, an 'Equivalent Document' containing the particulars of the child and his or her parent or parents, issued by the competent authority of that country or an embassy of that country may be used instead of a BC. A suggested format for such an ***Equivalent Document is available at here\_***

#### **4.3 Child**

South African law regards any person younger than 18 years as a child.

#### **4.4 Equivalent Document**

Any official document (Example: child passport containing the particulars of the parents or guardians) issued by the relevant authority of any country) or letter issued by a foreign government (including a foreign embassy) or a letter issued by the Director-General of Home Affairs of the Republic of South Africa, recording the identity of the parents of a child shall be accepted in lieu of a Birth Certificate. These instruments shall serve to identify the parents of the child intending to travel through a port of entry of the Republic.

#### **4.5 Parent**

Unless the context indicates otherwise, the word "parent" includes adoptive parents and legal guardians.

#### **4.6 Parental Consent Affidavit**

Parental Consent Affidavit is an affidavit which must accompany a Birth Certificate or Equivalent Document when any parent is not travelling with his or her child.

A South African Embassy in the traveller's country of residence may be approached to commission the oath or solemn declaration required in the Affidavit free of charge.

The Affidavit must not be older than 6 months when presented.

The prescribed format of the Parental Consent Affidavit is available here:

[\*\*ParentalConsentAffidavit\*\*](#)

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

- 5.1 Where any parent/s recorded in a BC, or 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 the parental consent affidavit by directing a request and full motivation, together with all supporting documents (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)

**5.2 Explanatory Note:**

This dispensation only applies to incapacity, and does not apply 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 such parental consent.

*11. Question: Can I travel to South Africa with a temporary Belgian or Luxembourg passport?*

Answer: Any Passport other than a biometric passport is not accepted/recognised for travelling purposes in/out of South Africa this includes Non-machine readable/handwritten travel documents and manually extended machine-readable travel documents.

*12. Question: How long should my passport be valid before applying for a Visa or travel to South Africa?*

All passports should have a validity of no less than thirty (30) days after the foreigner's intended departure from the Republic of South Africa. Passports must have at least two (2) unused (empty) pages when presented for the purpose of endorsing a port of entry visa, visa, permanent residence permit or entry or departure stamp. You should enquire the entry requirements for the validity of your passport for the onward/return country.

*13. Question: Do I need a visa for tourism or business purposes with a Belgian/Luxembourg passport?*

Answer: No. Holders of ordinary national Passport of Belgium and Luxembourg are exempted from visa requirements for a period of 90 days.

Holders of Travel Documents issued by Belgium and Luxembourg are however required to apply for a visa for all purposes and periods of visit.

*14. Question: I am travelling with my children using my Belgium/Luxembourg passport. Will they be allowed to enter South Africa while registered on my passport?*

Answer: No – each traveler is required to have their own passport.

15. *Question: How do I find the Visa Facilitation Centre of the Department of Home Affairs where I can, inter alia, go to receive an extension on certain visas, transfer and rectification of visa?*

Answer: Address list of Visa Facilitation Centre:

<http://www.dha.gov.za/index.php/immigration-services/vfs-global-offices>

Website of Visa Facilitation Centre: <http://www.vfsglobal.com/dha/southafrica/>