

## Immigration Act 2002

### Extract from the Publication of the Draft Immigration Regulations, 2014

#### **Regulation 6: (12)**

**(a) Where parents are travelling with a child, such parents must produce an unabridged birth certificate of the child reflecting the particulars of the parents of the child.**

**(b) In the case of one parent travelling with a child, he or she must produce an unabridged birth certificate and-**

(i) consent in the form of an affidavit from the other parent registered as a parent on the birth certificate of the child authorising him or her to enter into or depart from the Republic with the child he or she is travelling with;

(ii) a court order granting full parental responsibilities and rights or legal guardianship in respect of the child, if he or she is the parent or legal guardian of the child; or

(iii) where applicable, a death certificate of the other parent registered as a parent of the child on the birth certificate;

Provided that the Director-General may, where the parents of the child are both deceased and the child is travelling with a relative or another person related to him or her or his or her parents, approve such a person to enter into or depart from the Republic with such a child.

**(c) Where a person is travelling with a child who is not his or her biological child, he or she must produce-**

(i) a copy of the unabridged birth certificate of the child;

(ii) an affidavit from the parents or legal guardian of the child confirming that he or she has permission to travel with the child;

(iii) copies of the identity documents or passports of the parents or legal guardian of the child; and

(iv) the contact details of the parents or legal guardian of the child, Provided that the Director-General may, where the parents of the child are both deceased and the child is travelling with a relative or another person related to him or her or his or her parents, approve such a person to enter into or depart from the Republic with such a child.

**(d) Any unaccompanied minor shall produce to the immigration officer-**

(i) proof of consent from one of or both his or her parents or legal guardian, as the case may be, in the form of a letter or affidavit for the child to travel into or depart from the Republic:

Provided that in the case where one parent provides proof of consent, that parent must also provide a copy of a court order issued to him or her in terms of which he or she has been granted full parental responsibilities and rights in respect of the child;

(ii) a letter from the person who is to receive the child in the Republic, containing his or her residential address and contact details in the Republic where the child will be residing;

(iii) a copy of the identity document or valid passport and visa or permanent residence permit of the person who is to receive the child in the Republic; and (iv) the contact details of the parents or legal guardian of the child.