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GENERAL NOTICE

NOTICE 383 OF 2012

DEPARTMENT OF HOME AFFAIRS BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)

PUBLICATION OF THE DRAFT REGULATIONS ON THE REGISTRATION OF BIRTHS AND DEATHS, 2012

The Department of Home Affairs ("DHA") invites public comments on the draft Regulations on the Registration of Births and Deaths, 2012

Written submissions should reach the DHA on or before 31 May 2012. Submissions should be addressed to the Chief Director: Legal Services and may be forwarded to the DHA in any of the following manners:

- (a) delivered by hand to the Department of Home Affairs, 230 Proes Street, Hallmark Building (c/o Proes and Andries Street), Pretoria, 0001, for attention Adv Tsietsi Sebelemetja (Office 1027);
- (b) mailed to the DHA at Private Bag X114, Pretoria, 0001;
- (c) faxed to 0865 144 267; or
- (d) e-mailed to <u>Tsietsi.Sebelemetja@dha.gov.za</u> and <u>Moses.Malakate@dha.gov.za</u>

Any enquiries should be directed to Adv Tsietsi Sebelemetja at 082 907 1831 or Mr Thomas Sigama at 082 809 7732.

GOVERNMENT NOTICE

DEPARTMENT OF HOME AFFAIRS

No. R. _____

2012

BIRTHS AND DEATHS REGISTRATION ACT, 1992

REGULATIONS ON THE REGISTRATION OF BIRTHS AND DEATHS, 2012

The Minister of Home Affairs intends, in terms of section 32 of the Births and Deaths Registration Act, 1992 (Act No. 51 of 1992), to make the Regulations in the Schedule.

SCHEDULE

Definitions

1. In these regulations any word or expression to which a meaning has been assigned in the Act shall have that meaning and, unless the context otherwise indicates—

"funeral undertaker" means a person who is designated as such in terms of section 22A of the Act;

"Immigration Act" means the Immigration Act, 2002 (Act No. 13 of 2002);

"informant", with regard to any information regarding a birth, still-birth or death, means a person who under section 7, 9, 10, 11, 12, 13, 14, 15, 17, 18 or 19 of the Act, has a duty or is authorised to furnish such information;

"inspectorate" means the inspectorate established in terms of section 33(1) of the Immigration Act;

"late registration of birth" means the notice of birth given after the expiry of 30 days contemplated in section 9(1) of the Act;

"national population register" means the population register contemplated in section 5 of the Identification Act, 1997 (Act No. 68 of 1997);

"proof of notice of death" means a proof of notice of death contemplated in regulation 11; and "the Act" means the Births and Deaths Registration Act, 1992 (Act No. 51 of 1992).

Powers and duties of Director-General

2. Subject to the provisions of the Act, the Director-General shall-

- (a) take charge of, and subject to the provisions of section 6(1) of the Act, preserve all books, registers, forms, notices, records and other documents of which he or she is the custodian of, or which are required to be furnished to him or her, in terms of the Act or these regulations;
- (b) keep in stock forms, certificates, notices and registers required to be used with regard to the implementation of the provisions of the Act and these regulations with a view to supply such forms, certificates, notices and registers to any person contemplated to in section 4(1) of the Act on demand;
- (c) supply persons contemplated to in section 4(1) of the Act and medical practitioners with forms, certificates, notices and registers referred to in paragraph (b); and
- (d) receive from informants and persons referred to in section 4(1) of the Act, the completed registers, forms and notices, accompanied by declarations and certificates, if prescribed, and to verify or cause to be verified the information furnished therein and to cause any deficiencies or inaccuracies appearing therein to be supplemented or rectified.

Reproduction of documents

3.(1) Notwithstanding anything to the contrary contained in any law, the Director-General may reproduce or cause to be reproduced any document submitted in terms of this Act or record mentioned in section 15(1)(b) by means of any process in accordance with the regulations which in his opinion accurately and durably reproduces such document or record, and he may preserve or cause to be preserved that reproduction in lieu of such document or record and may destroy such document or record.

(2) A reproduction mentioned in subsection (1) shall, notwithstanding anything to the contrary contained in any law, for all purposes be deemed to be the original document or record from which it was reproduced, and a copy of such reproduction certified to be a true copy of the original by the Director-General shall in any court of law be conclusive proof of the contents of the original document or record.

REGISTRATION OF BIRTHS

Notice of birth

4.(1) The notice of birth in terms of Chapter II of the Act shall be given, by the parents, or if deceased, by a legal guardian or next of kin, within 30 days of birth.

(2) A notice of birth contemplated in subregulation (1) shall be made to the Director-General in the form and contain substantially the information set out in Annexure 1A (DHA–24), together with a form containing substantially the information set out in Annexure 2C (DHA–288/B) if applicable.

(3) A late registration of birth shall be given to the Director-General, through the designated Offices of the Department—

- (a) in the form and contain substantially the information set out in Annexure 1B (DHA-24/LRB); and
- (b) accompanied by—
 - (i) an affidavit by the informant, whom shall be a South African citizen with a valid identity document, confirming the identity, status, date and place of birth of the person concerned in the form and containing substantially the information set out in Annexure 2A (DHA-288);
 - (ii) a form containing substantially the information set out in Annexure 2B (DHA-288/A); and
 - (iii) a form containing substantially the information set out in Annexure 2C (DHA-288/B), if applicable;
 - (iv) two recent identity size photos of the person whose notice of birth is being given, in the case of person who is one year and older;
 - (v) a set of fingerprints for the person whose notice of birth is being given, affixed to the appropriate space on Annexure 1B (DHA-24/LRB), in the case of person who is 15 years and older; and
 - (vi) the fingerprints verification results for the informant against the national population register.

(4) A notice of birth of a child born of parents who are not South African citizens, shall, in addition to the requirements set out in subregulations (2) and (3), be accompanied by—

- (a) proof of lawful sojourn in the Republic; and
- (b) copy of passport of the informant.

(5) If a woman gives birth to more than one child during a single confinement, the information concerning the birth of each child shall be given on a separate form (Annexure 1A (DHA–24) or Annexure 1B (DHA–24/LRB), as the case may be, and the exact time or hour (if known) of each birth shall be recorded on such form.

(6) An acknowledgement of receipt of a notice of birth referred to in section 9(5) of the Act shall be in the form and contain substantially the information set out in Annexure 3 (DHA–25).

(7) Completed notices of birth received by the head of a South African mission shall be forwarded to the Director-General.

Registration of births

5.(1) If a notice of birth is given to the Director-General, the birth shall be registered in terms of section 5(2) of the Act if the information of the parents in the notice corresponds with that of the parents included in the national population register, and a birth certificate in a form containing substantially the information set out in Annexure 4 (DHA–5) may be issued to the informant.

(2) If a notice of birth of a child born of parents whose information is not included in the national population register is given to the Director-General, the birth shall be registered in terms of section 5(3) of the Act and the informant shall be issued with an unabridged birth certificate without an identity number.

(3) The Director-General shall in respect of each notice of birth received in terms of regulation 4(7), determine the citizenship of a person in accordance with the provisions of the South African Citizenship Act, 1995 (Act No. 88 of 1995), and if such person is a South African citizen, register the birth in terms of section 5(2) of the Act and issue a birth certificate to the informant.

(4) The determination of citizenship status as contemplated in subregulation (3) shall be made on the information submitted by the informant in the form of Annexure 5 (DHA-529).

(5) The Director-General shall in respect of each notice of birth contemplated in regulation 4(2) authenticate the veracity of the information furnished to him or her for the registration of birth and—

- (i) take full set of fingerprints of the informant;
- (ii) verify the fingerprints of the informant against the national population register;
- (iii) conduct background check on the person whose birth is being given notice of; and
- (iv) interview the informant, where necessary; and
- (v) immediately register the birth in accordance with regulation 5(1) or (2), as the case may be and issue a birth certificate in a form and contain substantially the information set out in Annexure 4 (DHA-5).

(7) When considering a notice for late registration of birth contemplated in regulation 4(3), the Director-General shall adhere to the following procedure:

- (a) In respect of a person who is 31 days and older up to and including the age of one year-
 - (i) take full set of fingerprints of the informant;
 - (ii) verify the fingerprints of the informant against the national population register;
 - (iii) request reasons for the late notice of birth in the form and containing substantially the information set out in Annexure 2B (DHA–288/A);
 - (iv) request the informant to pay the applicable fee;
 - (v) authenticate the veracity of the information furnished to him or her, including the information relating to the health facility or place where the child was born;
 - (vi) interview the informant through a local screening committee established by him or her; and
 - (vii) register the birth in accordance with regulation 5(1) or (2), as the case may be and issue a birth certificate in a form and contain substantially the information set out in Annexure 4 (DHA-5) or issue an acknowledgement of receipt contemplated in regulation 4(6) if the birth certificate cannot be issued for any reason.
- (b) In respect of a person who is one year and older-
 - (i) take full set of fingerprints of the informant;
 - (ii) verify the fingerprints of the informant against the national population register;
 - (iii) verify the fingerprints of the person whose notice of birth is being given against the national population register, in respect of a person who is 15 years and older;
 - (iv) affix the biometrics of such person whose notice of birth is being given to the appropriate space on the notice in Annexure 1C (DHA-24/A), in respect of a person who is 15 years and older;
 - (v) request the informant to pay the applicable fee;
 - (vi) issue an acknowledgement of receipt contemplated in regulation 4(6);

- (vii) authenticate the veracity of the her, including the information relating to the health facility where the child or person was born;
- (viii) interview the informant and the person whose notice of birth is being given through a national screening committee established by him or her, which committee shall make recommendations on the claim for South African citizenship to the Minister;
- (ix) obtain confirmation of the claim for South African citizenship from the Minister; and
- (x) register the register the birth in accordance with regulation 5(1) or (2), as the case may be and issue a birth certificate in a form and contain substantially the information set out in Annexure 4 (DHA-5.

(8) If a birth has been registered twice, the Director-General shall direct which registration shall be cancelled.

(9) Any person who is issued with a birth certificate must verify the information contained therein and if found to be incorrect, he or she must, within seven working days of being issued with the birth certificate, return such birth certificate to the Director-General for rectification.

(10) Any particulars recorded in the national population register through a process of late registration of birth in respect of a person who is one year and older shall not in any way be amended.

Notice of birth of child born out of wedlock

6.(1) Where notice of birth is given in terms of section 10(1)(b) of the Act, the person who acknowledges that he is the father of the child shall enter the particulars regarding himself in the form containing substantially the information set out part D of Annexure 1A (DHA-24) or part D of Annexure 1A (DHA-24/LRB), as the case may be, upon the notice of birth.

(2) The person who acknowledges that he is the father of the child must-

- (a) submit an affidavit in which he-
 - (i) states his marital status or relationship to the mother; and
 - (ii) confirm the acknowledgement of paternity of the child;
- (b) have his fingerprints verified against the national population register: Provided that in the event the father is not a South African citizen, he must submit proof of lawful sojourn in the Republic issued in terms of the Immigration Act and such proof must be authenticated.

Insertion of natural father's particulars in birth register of child

7. (1) An application referred to in section 11(4) of the Act shall be submitted to the Director-General in the form and contain substantially the information set out in Annexure 6 (DHA-1682).

(2) If the Director-General is satisfied that the requirements of section 11(4) and (5) of the Act have been complied with the natural father's particulars set out in part B of Annexure 6 (DHA–1682) shall be entered in the birth register of the child concerned.

Notice of birth of abandoned or orphaned child

8. The social worker who gives a notice of birth in terms of section 12 of the Act, read with the provisions of the Children's Act, shall allocate an appropriate name and surname to the said child if a name and surname have not already been given to the child at the enquiry made in terms of the Children's Act.

Birth outside the Republic

9.(1) In the case of a birth referred to in section 13 of the Act, the informant shall submit an unabridged birth certificate or other similar document issued by the authority concerned in the country in which the birth occurred, together with the notice of birth in the form containing substantially the information as set out in Annexure 1A (DHA-24) or Annexure 1B (DHA-24/LRB),

as the case may be, irrespective of whether the notice is given to the head of a South African diplomatic or consular mission or to the district or regional representative in the Republic.

(2) A document referred to in subregulation (1) must be accompanied by the following supporting documents:

- (a) a duly completed Annexure 5 (Form DHA-529), in respect of the person whose notice of birth is given and his or her parents and DHA-9 for a person who is one year and older;
- (c) a certified copy of the death certificate of a deceased parent of the person whose notice of birth is given;
- (d) a certified copy of the marriage certificate of the parents of the person whose notice of birth is given, if his or her parents are married; and
- (e) a certified copies of the identity documents of the parents.

AMENDMENTS OR ALTERATIONS

Amendment of birth registration of child born out of wedlock

10.(1) An application referred to in section 11(1) of the Act shall be submitted to the Director-General in the form and contain substantially the information set out in Annexure 7 (DHA–59).

(2) In order to amend the registration of birth of a child born out of wedlock, the Director-General shall be satisfied that the alleged parents of the child are in fact his or her biological parents and that they are legally married to each other.

(3) The Director-General shall, if satisfied as contemplated in subregulation (2), in order to amend the registration of the birth, cancel the original notice and register the birth in accordance with the said application, and make reference on the new notice of birth to the previous registration.

(4) The conclusive proof referred to in section 11(4A) of the Act shall be in the form of paternity test results, at the cost of the applicant.

Alteration of forename, surname of minor or assumption of another surname

11.(1) Any application referred to in sections 24, 25 or 26 of the Act shall be submitted to the Director-General in the form and contain substantially the information as set out in Annexure 8 (DHA–85), Annexure 9 (DHA–193), Annexure 10 (DHA–462) or Annexure 11 (DHA–196), as the case may be.

- (2) The sufficient reasons referred to in section 26(2) of the Act shall relate to-
 - (a) a change in marital status of the parents of the applicant;
 - (b) assumption of the applicant's maiden surname;
 - (c) assumption of the applicant's mother's maiden or natural father's surname, where the father has acknowledged paternity

which assumption shall be proven by means of documentation such as copies of identity document, passport, marriage certificate or death certificate, submitted together with affidavits from the alleged father or mother of the applicant and from one member of the family bearing the particular surname that the applicant wishes to assume;

- (d) adoption in terms of the Children's Act; or
- (e) protection of a person's identity in terms of a witness protection plan lodged by the Director: Office for Witness Protection appointed in terms of section 3(1) of the Witness Protection Act, 1998 (Act No. 112 of 1998).

(3) Any alteration of a forename, surname or assumption of another surname under section 24,

- 25 or 26 of the Act shall be made---
 - (a) by entering the altered forename, surname of the minor or assumed surname in the notice of birth; and
 - (b) if the particulars of the person have been included in the national population register, by including the altered forename, surname or assumed surname in the national population register,

without erasing the previous forename or surname.

Alteration of sex description

12. An application referred to in section 27A of the Act shall be in the form and contain substantially the information set out in Annexure 12 (DHA-526).

Recording of adoption in birth register

13. An application referred to in section 27B of the Act shall be in the form and contain substantially the information set out in Annexure 13 (DHA–1773).

Publication of amplification of birth register, alterations of forenames and surnames and assumption of another surname

14.(1) In the case of an alteration or amplification of a forename or surname of a person of age referred to in section 27 of the Act, the full names of the person as they existed before the alteration or amplification, his or her identity number, his or her postal address and his or her altered or amplified forename or surname shall be published in the *Gazette*.

(2) Subregulation (1) shall not apply in terms of section 27(2) of the Act where the alteration was authorised under a witness protection plan.

REGISTRATION OF DEATHS

Notice of death

15.(1)(*a*) Any notice in respect of a death given in terms of section 14 of the Act, shall be given by the informant or a funeral undertaker to the person contemplated in section 4(1) of the Act, on the death register which shall be in the form and contain substantially the information set out in Annexure 14 (DHA-1663).

(b) No person other than the following shall complete the form Annexure 14 (DHA-1663):

- medical practitioner, in respect of death of the person he or she has examined and confirms to be deceased;
- (ii) police official, where there is an inquest report; and
- (iii) official of the department with delegated authority, in the case where there is a death report.

(2) A notice of death referred to in section 14(1)(b) of the Act shall be given to a person authorised in terms of section 4(1) of the Act to receive such notices.

(3) Any person referred to in subregulation (2) to whom a notice of death is given receives a certificate from a medical practitioner, shall—

- (a) complete the death report in the form and contain substantially the information set out in Annexure 15 (DHA–1680);
- (b) verify the identity of the deceased and attach the original identity document or card of the deceased;
- (c) affix the relevant biometrics of the deceased in the appropriate space provided in the death report and in the case where the relevant biometrics of the deceased are not affixed, attach an affidavit containing reasons why such relevant biometrics were not affixed;
- (d) affix his or her biometrics in the appropriate space provided in the death report;
- (e) attach a certified copy of the identity document of the informant; and
- (f) submit, within his or her municipal district, the death report and supporting documentation to the Director-General.
- (4) The Director-General shall, upon receipt of the notice of death—
 - (a) verify the particulars of the deceased, the informant or funeral undertaker and the person who completed the death report, on the national population register, and attach the verification report from the national population register to the death report;

- (b) in the case where the particulars of the informant are not appearing on the national population register, take a full set of fingerprints of the informant;
- (c) attach the death report to the death register, if applicable;
- (d) record the cause of death as "natural causes" if the Director-General is satisfied that the death was due to natural causes and that a medical practitioner was or is not available to examine the body;
- (e) cancel the original identity document or card of the deceased in terms of section 20 of the Identification Act, 1997 (Act No. 68 of 1997);
- (f) issue a burial order in the form and contain substantially the information set out in Annexure 16 (DHA-14A) to the informant or funeral undertaker; and
- (g) issue a death certificate in the form and contain substantially the information set out in Annexure 4 (DHA-5) or issue a proof of notice of death in the form and contain substantially the information set out in Annexure 17 (DHA-1577) to the informant or funeral undertaker.

(5) If the Director-General is not satisfied that the death was due to natural causes, he or she shall investigate, or cause to be investigated, the circumstances of the death and if satisfied after such investigation that the death was due to natural causes, deal with the death in terms of subregulation 4(e) to (g) inclusive: Provided that a report of the findings of the investigation shall be attached to the notice of death.

(6) If, after the investigation contemplated in subregulation (5), the Director-General has reason to believe that the death was due to other than natural causes, he or she shall refer the matter to a police officer who shall deal with the death in terms of the provisions of section 3 of the Inquest Act, 1959 (Act No. 58 of 1959).

(7) In the event of any notice of death given with the cause of death being due to "unnatural causes", such notice must be accompanied by information substantially corresponding to the information set out in Annexure 14 (DHA–1663).

(8) The cause of death shall be indicated as "natural" or "unnatural causes" as the case may be, on the death register and the death certificate: Provided that where the cause of death is still being investigated, it must be indicated as "under investigation".

Certificate by medical practitioner

16.(1) A certificate in respect of a death due to causes referred to in sections 15(1) and (2) and 17(1) of the Act, shall be in the form and contain substantially the information as set out in parts A, B, C, D and G of Annexure 14 (DHA-1663).

(2) The medical practitioner concerned shall on request and free of charge issue and provide a certificate referred to in subregulation (1) to the informant, funeral undertaker or to the police officer referred to in section 17 of the Act, as the case may be.

(3) The medical practitioner concerned shall preserve a copy of the certificate referred to in subregulation (1) for at least five years.

(4) The biometrics of the deceased and the informant or funeral undertaker, if the deceased was 16 years or older at the time of his or her death, shall be affixed, by a person contemplated in section 4(1) of the Act, to the appropriate space on the notice of death.

Registration of deaths

17.(1) If a notice of a death is given to the Director-General, the death shall be registered in terms of section 5(2) of the Act if the information in the death register corresponds with that of the deceased included in the population register, and a death certificate may be issued to the informant or funeral undertaker in the place of a proof of notice of death.

(2) If a notice of a death is given to the Director-General, and the information of the deceased is not included in the population register, the death shall be registered in terms of section 5(3) of the Act and an unabridged death certificate without an identity number shall be issued to the informant or funeral undertaker in the place of a proof of notice of death.

Notice of still-birth

18.(1) A notice of a still-birth contemplated in section 18(3) of the Act shall be given to the person contemplated in section 4(1) of the Act in the municipal district where such still-birth occurred.

(2) The certificate referred to in section 18(1) of the Act shall be in the form and contain substantially the information set out in parts A, B, D and F of Annexure 14 (DHA–1663).

(3) The declaration referred to in section 18(2) of the Act shall be in the form and contain substantially the information set out in Annexure 18 (DHA–6).

Death outside Republic

19.(1) A notice of the death of a person referred to in section 19(1) of the Act may be given to a head of a South African diplomatic or consular mission in the country where the person died or, if there is no South African diplomatic or consular mission in that country, to the head of any other foreign South African diplomatic or consular mission.

(2) Notwithstanding the provisions of subregulation (1), a notice of death which occurred outside the Republic may be given to a person contemplated in section 4(1) of the Act in the Republic.

(3) On receipt of the notice of a death which occurred outside the Republic, an officer at the mission authorised for this purpose in terms of section 4(1) of the Act shall complete the death register and issue a proof of notice of death in the form and contain substantially the information set out in Annexure 17 (DHA-1577) to the informant.

- (4) The head of a South African diplomatic or consular mission shall as soon as possible-
 - (a) verify the information contained in the notice of death; and
 - (b) forward to the Director-General each completed death register together with the death certificate or other similar document required in terms of section 19(1) of the Act.

(5) When a burial order is issued in terms of section 19(2) of the Act, a proof of notice of death shall, in addition to a burial order, be issued to the informant.

(6) The granting of permission in terms of section 19(3) of the Act for the issuing of a burial order shall be done in writing on the strength of a death certificate or other similar document issued by the authority concerned in the country where the death occurred and the Director-General may, in his or her discretion, request any further information in respect of the deceased, or investigate or cause to be investigated the desirability or not of the burial in the Republic.

Burial order

20. A burial order referred to in sections 14(2), 17(2), 18(3), 19(2) and 20(1) of the Act shall be in the form and contain substantially the information set out in Annexure 19 (DHA–14B).

Burial register

- 21. The particulars contemplated in section 21 of the Act are the-
- (a) names and surname of the deceased, as contained in the burial order;
- (b) date of death of the deceased;
- (c) serial number on the burial order;
- (d) details of the funeral undertaker; and
- (e) date of burial.

Death certificate

22. A death certificate referred to in section 22 of the Act shall be in the form and contain substantially the information set out in Annexure 4 (DHA-5) or Annexure 20 (DHA-20), as the case may be.

Designation of funeral undertakers

23.(1) An application for the designation as a funeral undertaker in terms of section 22A(1) of the Act, shall be on a form and contain substantially the information set out in Annexure 21 (DHA-1774).

- (2) In order to qualify for designation as funeral undertaker, a person shall-
 - (a) be a South African citizen of 18 years and older;

- (b) not be an official employed by the Department;
- (c) demonstrate to the Director-General his or her knowledge of the Act and these regulations by successfully completing the examinations required by the Director-General;
- (d) pay the relevant designation fee to the Department, if aplicable; and
- (e) in support of the application, submit the following documents:
 - (i) a licence for operating the premises issued by the relevant municipality or authority;
 - (ii) the registration number for the business issued with the Companies and Intellectual Property Commission; and
 - (iii) a tax registration certificate for the business issued by the South African Revenue Service.

(3) A designated funeral undertaker who engages in the activities relating to the registration of deaths shall submit to the person contemplated in section 4(1) of the Act, proof of appointment by the family of the deceased whose notice of death is being given by such funeral undertaker.

Issuing of certificates

24.(1) An application for the issuing of a certificate referred to in section 28(1) of the Act shall be in the form and contain substantially the information set out in Annexure 22 (DHA–154) or Annexure 21 (DHA–132), as the case may be.

(2) A certificate issued as a duplicate must be clearly marked as a "duplicate".

(3) A certificate contemplated in subregulation (1) shall be issued subject to the provisions of section 29 of the Act.

(4) No person shall, with regard to a birth, still-birth or death of which he or she is the informant issue or sign a birth certificate, acknowledgement of receipt of notice of birth, burial order, proof of notice of death, or death certificate, as the case may be.

Surrender of documents and certificates containing incorrect information and rectification

25.(1) The holder of a certificate or document referred to in section 7(3) of the Act, or his or her parent or legal guardian shall, if he or she or his or her parent or legal guardian has been requested to do so, hand such certificate or document to the Director-General or dispatch it to him or her by registered mail within 30 days of the date of such request.

(2) An application for amendment or rectification of particulars furnished in terms of section 7(4) of the Act shall be in the form and contain substantially the information set out in Annexure 12 (DHA-526).

(3) The Director-General shall, if satisfied that the particulars contained in the national population register is incorrect, amend or rectify such information by including the correct information in the national population register, and link the new particulars to the previous particulars, without erasing the previous particulars.

MISCELLANEOUS

Repeal of Regulations and savings

26.(1) The Regulations on the Registration of Births and Deaths, 1992, published by Government Notice No. R.2139 of 9 September 1992 are hereby repealed.

(2) Anything done under a provision of the regulations repealed by subregulation (1) and which could have been under a provision of these regulations, is regarded as having done under the latter provision.

Short title

27. These regulations shall be called the Regulations on the Registration of Births and Deaths, 2012.

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that a false statement is punishable under section 31 of the Births and Deaths Reg	istration Act of 1992.	ne besi or ny knowledge and bener, due and coneci, i understand
Informant	Date	
Initials and surname Signature	Place	
Relationship to the child. Father (Parent A) Mother (Parent B)	Legal guardian	Social worker
G. FOR OFFICIAL USE ONLY - OFFICE OF ORIGIN		Office stamp - Office of origin
NOTICE OF BIRTH RECEIVED BY:		
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Confirmation of Birth	ifter 30 Days, additional docu ly	Certified copy of the Foreign birth certificate
Certified copy of Father's/Parent A's ID document (if School Letter applicable) Certified copy of Mother's/Parent B's ID document Certified Copy	of School register	Citizenship determination form BI-529 (SA Parent) Citizenship determination form BI-529 (Child)
Certified copy of Legal Guardian/Social Worker's ID		
Centified copy of Marriage Certificate of parents (if married)		
BI 1658 if mamed religiously i.e. Muslim, Hindu		
Medical Report Same Sex Parents		
Online verification performed and printouts attached for following persons:	Social worker	Next of Min
		Next of Kin
H. APPLICATION VERIFIED		
Date	initials and sumame	
I hereby declare that I have verified the application and registration	Signature	
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	DEPARTMENT: HOME AFFAIRS REPUBLIC OF SOUTH AFRICA ANNEXURE 2B AFFIDAVIT GIVEN BY INFORMANT AFTER 30 DAYS	
	UPTO 1 YEAR [Births and Deaths Registration Act 51 of 1992]	
_	[Section 9(3A)]	
	rent . The parent and Commissioner of Oaths to initial each page. To be submitted together with DHA-24 form. k ink with BLOCK LETTERS. Please mark	
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A. DETAILS OF THE PAR	RENT	
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Date of birth (YYYYMMDD)	Passport no /Permanent residence permit no.	
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Previous/Maiden sumame		
Forenames in full		
Registered place of birth	Country of birth	
Relationship to the child	Father/Parent A Mother/Parent B	
B. DETAILS OF THE CHI		
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Date of birth (YYYYMMDD)	Gender	
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DHA-529

DEPARTMENT: HOME AFFAIRS

REPUBLIC OF SOUTH AFRICA

DETERMINATION OF CITIZENSHIP STATUS

INFORMATION TO BE FURNISHED IN FULL IN ORDER TO ASSIST IN DETERMINING YOUR CITIZENSHIP UNDER THE SOUTH AFRICAN CITIZENSHIP ACT, 1995 (ACT 88 OF 1995), WHICH CAME INTO OPERATION ON 6 OCTOBER 1995

Α.	PEF	ASONAL PARTICULARS
1	SUR	INAME
3.	FOR	IENAMES (in full)
4.	DAT	E OF BIRTH
6.	IDE	
7.	lf bo	orn outside South Africa, please state-
	(a)	Date on which you first entered South Africa for permanent residence
	(b)	The period(s) (dates) of your residence in South Africa.
	(c)	Number of immigration permit and date of issue
	(d)	Number of certificate of naturalisation and date of issue
8.	lf bo	rn in Namibia, please state your permanent residential address as on 1990-03-21
9.	lf yo	u were absent from South Africa state -
	(a)	Date(s) of your departure
	(b)	Reason(s) for your departure
	(c)	The date on which you returned to South Africa permanently
10.	Part	iculars in respect of foreign citizenship
	(a)	Citizenship acquired (country) (b) Date and place of acquisition
	(c)	Means of acquisition of foreign citizenship, i.e marriage, naturalisation, descent or registration? (Please attach copy/proof
		thereof)
	(d)	Did you apply for the retention/re-instatement of South African citizenship? YES/NO. If YES, attach a copy of the relevant certificate.
11.	Date	e of marriage of your parents
в.	MA	RITAL STATUS
1	Plea	se furnish the following particulars in respect of your spouse
	(a)	SURNAME
	(c)	FORENAMES (in full)
	(d)	DATE OF BIRTH
	(f)	
	(g)	Date on which he/she entered South Africa for the first time for permanent residence
	(h)	Penod(s) (dates) of residence in South Africa.
	(i)	Date of your marnage
	(i) (k)	Date of your marriage <t< th=""></t<>

STAATSKOERANT, 15 MEI 2012

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C.	FA	THER'S PARTICUL	ARS						DHA -529
1.	su	RNAME	····· · ·						·····
2.	FO	RENAMES (in full) .							<i></i>
3	DAT		•			4 PLAC	CE OF BIRTH		· · · · · · · · · · · · · · · · · · ·
5	IDE	NTITY NUMBER							
6.	(a)	If he was born outsi	de South Africa,	the date	on which he	entered S	outh Africa fo	or the first time	for permanent residence.
	(b)	Period(s) (dates) of hi	is residence in So	outh Africa	••••••••••			•• •	
	(c)	Number of immigration	n permit and date	e of issue	•• ••				
	(d)	Number of certificate	of naturalisation	and date of	issue		• • •		
7.	lf he	e was absent from Sout	h Africa state-						
	(a)	Date(s) of his departu	re		• •				
	(b)	Reason(s) for his dep	arture						
	(c)	Date on which he retu	imed to South Af	rica permar	nently .				
8	Par	ticulars in respect of for	reigri citizenship.						
	(a)	Citizenship acquired (country)			(b) Date	e and place of	f acquisition	
	(C)	Means of acquisition of	of foreign citizens	ship, i e. ma	irriage, natura	alisation, de	escent or regis	tration?	
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D.	мо	THER'S PARTICU	LARS						
1.	SU	RNAME		•		2 MAIC	DEN NAME		
3	FO	RENAMES (in full)	· ··· ·· ·· ·	• • • • •	• • •	• •	••••	• • • • • • • • • • • • • • • • • • • •	
4	DAT	re of Birth	····· ·· ··	.		5. PLAC			• • • • • • • • • •
6.	IDE	NTITY NUMBER							
7.	(a)	If she was born outs	ide South Africa	, the date	on which sh	e entered s	South Africa fo	or the first time	for permanent residence:
			·····		··· •	••••	· ·· ·· ··		
	(b)	Period(s) (dates) of he	er residence in S	outh Africa	· · · · · · · · · · · · · · · · · · ·			•••••••••••••••••••••••••••••••••••••••	•• •••
	(C)	Number of immigratio	n permit and date	e of issue	·· ···· · · · · · ·	··· · ·· ·	····	·· · ·· ·· ·· ·· ··	
	(d)	Number of certificate	of naturalisation	and date of	issue	···· ····		······	· · · · · · · · · · · · · · · · · · ·
8.	lf s	he was absent from So	uth Africa state-						
	(a)	Date(s) of her departu	Jre		•••••	···· ··	··· · · · · · · · · · · · · · · · · ·	····· ·· ·	· • · · · · · · · · · · · · · · · · · ·
	(b)	Reason(s) for her dep	oarture				• ··· • ••	• •• •• •• ••	••••••
	(c)	Date on which she rel	turned to South A	Africa perma	anently				
9.	Par	ticulars in respect of for	reign citizenship:						
	(a)	Citizenship acquired ((country)			(b) Date	e and place o	f acquisition.	
	(C)	Means of acquisition of	of foreign citizens	ship, i.e. ma	arriage, natur	alisation, de	escent or regis	stration?	
E.	CE	RTIFIED THAT TH		ION FUR	NISHED A	BOVE IS	CORRECT		
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G.P.-S. 017-0063

REPUBLIC OF SOUTH AFRICA

DHA-1682

DEPARTMENT OF HOME AFFAIRS

APPLICATION FOR INSERTION OF NATURAL FATHER'S PARTICULARS IN THE BIRTH REGISTER OF A CHILD BORN OUT OF WEDLOCK

Births and Deaths Registration Act 51 of 1992

The form to be completed in black ink with BLOCK LETTERS. Applications that are not legible shall not be accepted.

Instructions for completion

Part A and B: Natural father to complete

Part C: Natural mother to complete

Affidavits D and E: Sworn to by natural father and natural mother before an authorised Home Affairs official. Both deponents must be present at the time.
 A. CHILD

Identity number					_											
Sumame																
Forenames (in full)		Γ														
Place of birth																

PREVIOUS CORRECTIONS OR ALTERATIONS TO CHILD'S PARTICULARS

Please indicate any previous corrections or alterations to the applicant's particulars (such as sumame, forename, place of birth, date of birth, gender) or any changes to such particulars of the applicant's parents

Previous particulars	Particulars after correction or alteration	Date corrected or altered	Reason for correction or alteration

B. NATURAL FATHER (Applicant)

Identity number (passport if foreigner)																			ıer
Sumame		[Ī	[.														f fath
Forenames (in full)																			int o
Place of birth																			nddr
Country of birth	-																		thun
Citizenship							Реп	тапег	nt resi	idence	e perm	nit no.						 	19J

C. NATURAL MOTHER

Identity number	[1	1]		1	[]]									
Sumame	-		İ		i	T			†-	Ť	Γ	T			<u> </u>	[1	 	 	 	
Maiden/previous surname		<u> </u>	ĺ.		<u> </u>	Γ					Ī											t of	
Forenames (in full)						[.				Γ	Γ											nind	9
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D. AFFIDAVIT BY NATURAL FATHER

I, the undersigned, hereby certify that I am the person whose particulars appear under B above and that the particulars furnished are to the best of my knowledge and belief true and

correct and in case it is not true, I shall be guilty of an offence and on conviction liable to a fine or to imprisonment for a period not exceeding five years or to both such fine and such imprisonment (Section 31(1)(b) of Act 51 of 1992.)

· I wish to be recorded as the natural father of the said child in his/her birth register.

Signed	ont	this			da	ay of				Yea	ar									
	_		 				 			-			-	 	Si	ignət	ure		 _	
Residential address Street												1								
Town/Village														Code				Province		
Telephone no., incl. area code							с	ell p	hone	e no.										

E. AFFIDAVIT BY NATURAL MOTHER

I, the undersigned, hereby certify that I am the person whose particulars appear under C above and that the particulars furnished are to the best of my knowledge and belief true and correct and in case it is not true, I shall be guilty of an offence and on conviction liable to a fine or to imprisonment for a period not exceeding five years or to both such fine and such imprisonment (Section 31(1)(b) of the Act 51 of 1992.)

· I am the natural mother of the child referred to in A above and

· I have no objection to the natural father referred to in B above being recorded as the natural father in my child's birth register.

Signed at				on t	his						_ da	iy oʻ	f				_Ye	ear																	
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Residential address Str	eet																													Τ		Γ			
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Telephone no., incl. area o	code								Γ]		c	ell p	hone	no). []	-					_
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a) Do you know and unde	rstan	id the	con	ntent	ts of	this	dec	clara	tion?]
Father:	Mother:																																		
b) Do you have any objec	ive any objection to taking the prescribed oath? Mother:																																		
Father:	ave any objection to taking the prescribed oath? Mother: nsider the prescribed oath to be binding on your conscience? Mother:																																		
c) Do you consider the pres	Mother:																																		
Father:	sider the prescribed oath to be binding on your conscience? Mother: t the deponents have acknowledged that they know and understand the contents of this declaration																		_		Offi	ce s	tamp)											
	nsider the prescribed oath to be binding on your conscience?															ratio	n wf	lich v	vas	swoi	'n to/	affiri	med	befo	re m	ne a	ınd th	e de	pon	ents'					
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D. PREVIOUS CORRECTIONS OR ALTERATIONS TO APPLICANT'S PARTICULARS

Please indicate any previous corrections or alterations to the applicant's particulars (such as surname, forename, place of birth, date of birth, gender) or any changes to such particulars of the applicant's parents

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E. CONSENT OF BIOLOGICAL FATHER (complete if applicable)

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Signature

Q.PS. 09/09							
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Residential address Stree Town / Villag				┿┿┿┿		<u></u>	dquma
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C. PREVIOUS CORRECTION							
					as sumame, forenam	ne, place of b	irth, date of birth, gender) or any
Previous particulars		Partic	ulars after correct	ion or alteration	Date corrected of	or altered	Reason for correction or alteration
	055105						
D. FOR OFFICIAL USE ONLY APPLICATION RECEIVED BY:	· OFFICE C	FORGIN					
Identity number	ттт	r					CUMENTS SUBMITTED WITH THIS PLICATION
Sumame	+ + +				r	PLE	
Forenames (in full)	+++						Proof of payment
Persal Number							Copy of applicant's identity
Date Y	YYY	MM	DD				document Copy of applicant's permanent
Reason for recommendation							residence permit (if applicable)
							Marriage certificate (if applicable)
Signature				Rank			Other, specify
							· · · · · <u> </u>
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STAATSKOERANT, 15 MEI 2012

G. FOR OFFICIAL	USE ONLY - OFFICE OF ORIGIN	
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Persal No		
Date	Y Y Y Y M M D D	
DOCUMENTS SUE	MITTED WITH THIS APPLICATION:	Office Stamp
PLEASE TICK 🗹		
Proof of payment		New DHA-24 in case of false registration
Copy of applicant	's birth certificate	Medical reports in case of gender re-assignment (2 separate doctors)
Copy of child's bi	th certificate (if applicable)	Proof of guardianship (if applicable)
Affidavits by all p	arties concerned in case of false registration	Other, specify
Parentage test(s)	if available	
H. HEAD OFFICE		
Identity number		
Sumame		Status: Approved Rejected
Forenames in full		
Persal No.		
Date	YYYY MM DD	Signature

G.P.-S. 09/09

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4.2 Province of Deat	h/still birth																													5
5. Place of Registrat	tion of Death / sti	ill birth	י																											ĕ
6 If death occurred w	ithin 24 hours af	ter bir	th, nư	nber	of hou	rs ati	ve] ;	7. Hon	ne tele	ephor	ne no.															
8. Identity No (Passp	ort No. if foreign	er)															9. Ag	je at la	est bir	thday	if DO	Bisun	nknow	n						
10. Date of Birth if the	ne is no 10 rumb	per	Y	Y	Y	Y	м	м	D	D]		11. G	iende	or .		11 1	Male			11.2	Fema	le	ĺ		11.3	Indete	erminat	ole	
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or Country of Birth, if a		ye;															L												. 1	
16.2 Province of Birth	L																													
17 Manital Status of th	ne deceased		17.1	Single	e			17.2	Marrie	bđ				17.3	Wido	wed				17,4	Divor	ed								
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19 Usual occupation							-								1-1								_				_			\neg
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hunting, forestry and fishing	quarrying	Mar	ufactu	nng		water							retaal mo mo Pou	l tradi otor v itor cy xerso xerso iseho hotel	e, repa vehicle vcies a nai ani ilo goo is and urants	aurof es, and d ods,		comn			inter insu es b	media rance, tate a usine: ervice	ation, , real ind ss	so p	ersona ersona	nd at	o rep: forei & ot	externit rganisa resenta gn gow her actr quately	olds, ional ations, atives o emme vites o	of ents not

21.2 No

21 3 Do not know 21 4 Not applicable (minor)

21 Was the deceased a regular** smoker five years ago? (mark with a 🗹)

* Where the deceased lived on most days **Smoking tobacco on most days

STAATSKOERANT, 15 MEI 2012

G.P.-S. 09/09

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25 Forenames						<u> </u>																							-
26 Name of Health Facility / Practice																	2/	. rac	any / F	ractic	8 NO						_		4
28 Business Address. Street															<u> </u>			-									-+	<u> </u>	4
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31 Date of Post-mortem	-	Y	Y	Y	Y	м	м	D	D																				
32 Name of Medico-legat Montuary / M	Aortua	iry																33. N	lortua	ry No.									
34 Montuary Reference Number of De	eceas	ed	_																										_
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Particulars of the Medical Practitio	ner i	Forer	nsic P	athol	ogiat	who	filled	out t	he foi	rm:			HF	CSA	Regis	tratio	n No.		- · ·										
37 Sumame																													
38. Forenames																													
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46 The Deceased is my:			Pare				•					•					-									_			
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G.P.-S. 09/09



REPUBLIC OF SOUTH AFRICA DEPARTMENT OF HOME AFFAIRS DHA-1663 A Page 3 of 3 BARCODE

NOTICE OF DEATH / STILL BIRTH Births and Deaths Registration Act 51 of 1992]

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57 Place of Burial (City / Town / Villag	e)																				Pro	vince							
58. Date of Burial		Y	Y	Y	Y	м	м	D	D]		59. G	Grave	No. (i	(avail	able)													
Name of person who collected the	dece	ased:																			Office	ə stan	np of	funera	al und	ertake	r	-	
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F. FOR OFFICIAL USE ONLY	,				1	Jigh	aiu c										•												
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STAATSKOERANT, 15 MEI 2012

NOTICE OF DEATH / STILL BIRTH

Confirmation for Medical and Health use Only

(After completion seal to ensure confidentiality)

To be completed in full and submitted at the Department of Home Affairs' office by the informant or authorised party. The form to be

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14 Facily Context Texphane No. Inc. Area Code	72. Place of Death	72.1	Hospital	Inpatie	nt		i			ent	<u> </u>	í			Ī		72.4	Nur	sing	lome	Ē						72.6	Othe	r (sp	ecify)	
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75 Patient F4e No	74. Facility Contact Teleph	one No. inc	al. Area C	ode	<u> </u>	t		<u> </u>	 		<u>†</u>		t	1				-			_										
76. Control Person in Factor: Summinic Person in Factor: 61. FOR DELTHE OCCURRING ATTER ONE WEEK OF BIRTH Introduction: Section 0.1 is to be completed for all death that occurred after on week of birth 77. CALLES OF DEATH Put1 Same factor: Basematic Completed for all death that occurred after on week of birth 77. CALLES OF DEATH Put1 Same factor: Segurital Scott Control Data (or origonical or set) Segurital Scott Control Data (or origonical or set) Segurital Scott Control Data (or origonical or set) Segurital scotting: Data (or origonical or set) Other significant controllon: Data (or origonical or origonical or origonical or origonical or origonical or origonical or origonical origonic				—	┢━	f		┢	<u> </u>		+	<u> </u>	<u>†</u>	†	T I	-	1	Г		Т	Т						<u> </u>		1	- 	
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DHA-1683 B Page 1 of 1

GOVERNMENT GAZETTE, 15 MAY 2012

G.P -S. 017-0081

REPUBLIC OF SOUTH AFRICA DEPARTMENT OF HOME AFFAIRS DHA-1680

Page 1 of 2

NOTICE OF DEATH BY TRADITIONAL LEADER

[Births and Deaths Registration Act 51 of 1992]

No. A

(Section 14 (1) (b):

To be completed in full and submitted at the Department of Home Affairs' office by the informant or funeral undertaker. The form must be completed in black ink with BLOCK LETTERS and the fingerprints must be attached. Please mark the CORRECT box with Ø, where required. All fields are COMPULSORY. Incomplete, unclear and unreadable applications may not be accepted for registration.

Instructions: Section A to be filled out by traditional leader. Thumbprints of the deceased are compulsory and must be taken by the traditional leader in the presence of the informant. If no fingerprint could be taken, please submit reasons. The informant must verify, and where necessary, complete in full the personal particulars of the deceased. A. PARTICULARS OF DECEASED

Identify number (passport if foreigner)
Cilizenship Sumame Suma
Province
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Town Province Postal code Postal code Province Postal code Postal code Postal code Marital status Single Married Widowed Divorced Education level of deceased, Specify only the highest class (mark with a tick []) No Gr R Gr 1 Gr 2 Gr 3 Gr 4 Gr 5 Gr 6 Gr 7 Gr 8 Gr 9 Gr 10 Gr 11 Gr 12 Univ Unknown (mark with a tick []) Image: Complete the second se
Town Province Postal code Postal code Province Postal code Postal code Postal code Marital status Single Married Widowed Divorced Education level of deceased, Specify only the highest class (mark with a tick []) No Gr R Gr 1 Gr 2 Gr 3 Gr 4 Gr 5 Gr 6 Gr 7 Gr 8 Gr 9 Gr 10 Gr 11 Gr 12 Univ Unknown (mark with a tick []) Image: Complete the second se
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(mark with a tick) NTC 1 NTC 2 NTC 3 Usual occupation of deceased:
(mark with a tick Usual occupation of deceased: work done during most of working life Type of business / industry: Was the deceased a smoker five (5) years before death? Yes No Do not know Not applicable (minor) B. CAUSE OF DEATH '(Completed by Informent) 1. Provide full description of circumstances that led to the cause of death
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B. CAUSE OF DEATH *(Completed by Informant) 1. Provide full description of circumstances that led to the cause of death
3. If yes, for how long?
4. What was the nature of the Iliness?
C. PARTICULARS OF INFORMANT (* Completed by Informant)
Identity number (passport if foreigner)
Citizenship
Citizenship Image: Citizenship </td
Previous / Maiden surname
Forenames
Residential address: Street
Town Code Code
Telephone number (home)
Relationship to the deceased: Parent Spouse Child Other
I, the undersigned, hereby declare under oath that the information submitted in this form and supporting documents is true and correct. I understand that a false statement is punishable under section 31 of the Births and Deaths Registration Act 51 of 1992. Date signed VYYYAMACO

No. 35346 39

DHA-1680

Page 2 of 2

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STAATSKOERANT, 15 MEI 2012

G.P.-S. 09/09

Designation (Rank)

DEPARTMENT	OF HOME AFFAIRS
REPUBLIC OF	SOUTH AFRICA

DECLARATION RELATING TO A STILL BIRTH BY A PERSON OTHER THAN A MEDICAL PRACTITIONER

> [Births and Deaths Registration Act 51 of 1992] [Section 9]

Quote DHA 1663 Serial Number

To be completed in full and submitted at the Department of Home Affairs' office or to a South African Embassy or Consulate. The form to be completed in black ink with BLOCK LETTERS. Please mark the CORRECT box with Ø, where required. Applications that are incomplete or not legible shall not be accepted.

A. PARTICULARS OF THE STILL BORN CHILD																															
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DEPARTMENT OF HOME AFFAIRS																		
APPLICATION FOR DESIGNATION AS FUNERAL UNDERTAKER																		
[Births and Deaths Registration Act 51 of 1992]																		
[Section 22A(1)]																		
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