GOVERNMENT NOTICES

DEPARTMENT OF HOME AFFAIRS

No. 1122

28 December 2012

SOUTH AFRICAN CITIZENSHIP ACT, 1995

REGULATIONS ON THE SOUTH AFRICAN CITIZENSHIP ACT, 1995

The Minister of Home Affairs has, under section 23 of the South African Citizenship Act, 1995 (Act No. 88 of 1995), hereinafter referred to as "the Act", and under section 23(e), in consultation with the Minister of Finance, made the regulations in the Schedule.

SCHEDULE

Definitions

- **1.** In this Schedule, a word or expression to which a meaning has been assigned in the Act shall bear the meaning so assigned to it, and unless the context otherwise indicates—
- "Director-General" means the Director-General of the Department of Home Affairs; and
- "the Act" means the South African Citizenship Act, 1995 (Act No. 88 of 1995).

Registration of birth that occurred outside Republic

- **2.**(1) If a child of a South African citizen is born outside the Republic, an application for the registration of the birth of that child must be submitted to the office of a South African Diplomatic or Consular Mission or to any office of the Department in the Republic within 30 days after the birth of such child.
- (2) When a birth is registered in terms of section 13 of the Births and Deaths Registration Act, 1992 (Act No. 51 of 1992), the Director-General must issue a birth certificate to acknowledge South African citizenship.

Certificate of naturalisation

- **3.**(1) An application for naturalisation as a South African citizen in terms of section 5(1) of the Act must be in a form containing substantially the information indicated in Annexure 1 (DHA—63), and must be accompanied by the following supporting documents:
 - (a) The applicant's permanent residence permit;
 - (b) a police report, not older than six months from the date of issue;
 - (c) the applicant's foreign passport;
 - (d) if the marital status has changed, the marriage or death certificate; and
 - (e) the original identity document, or, in the case a of a child, an original birth certificate.
- (2)(a) The period of ordinary residence referred to in section 5(1)(c) of the Act is 10 years immediately preceding the date of application for naturalisation.
- (b) Any person who lodges an application for naturalisation must, at the time of his or her application, not have been absent from the Republic for a period of more than 90 days in any year during the five-year period of ordinary residence immediately preceding the date of application for naturalisation.
- (c) Any person who has been absent from the Republic for a period of more than 90 days in any year during the five-year period of ordinary residence immediately preceding the date of application for naturalisation does not qualify for naturalisation.

- (3) An application for naturalisation as a South African citizen with regard to a minor child in terms of section 5(4) of the Act, must be made by completing Part E of Annexure 1 (DHA—63), as part of an application for a family.
- (4) All members of the family of the applicant included in the application for naturalisation, including the applicant, must qualify to be issued with a certificate of naturalisation.
- (5) A certificate of naturalisation as a South African citizen in terms of section 5 of the Act must be in a form containing substantially the information indicated in Annexure 2 (DHA-64E).
- (6) A South African citizen by naturalisation may be deprived of his or her citizenship in terms of section 8 of the Act.

Proof of renunciation of citizenship of country of origin

- **4.**(1) The proof of renunciation of citizenship of the country of origin in terms of section 5(1)(h) of the Act, must be in the form of an official letter by that country, confirming that the applicant renounced his or her citizenship of that country, and indicating the date when the applicant ceased to be a citizen of such country.
- (2) The proof of renunciation, referred to in subregulation (1), must be submitted within a period of six months from the date of receipt of a letter of conditional approval of South African citizenship.

Citizenship by marriage

- **5.**(1) The period of ordinary residence referred to in section 5(5)(b) of the Act is 10 years immediately preceding the date of application for naturalisation.
- (2) A spouse or surviving spouse referred to in section 5(5) of the Act must, at the time of his or her application for naturalisation, not have been absent from the Republic for a period of more than 90 days in any year during the five-year period of ordinary residence immediately preceding the date of application for naturalisation.
- (3) A spouse or surviving spouse who has been absent from the Republic for a period of more than 90 days in any year during the five-year period of ordinary residence immediately preceding the date of application for naturalisation does not qualify for naturalisation.

Loss of South African citizenship

6. An application for retention of South African citizenship, contemplated in section 6(2) of the Act, must be in a form containing substantially the information in Annexure 3 (DHA—1664).

Declaration of renunciation of South African citizenship

- **7.**(1) A declaration of renunciation of South African citizenship in terms of section 7(1) of the Act, must be in a form containing substantially the information in Annexure 4 (DHA—246).
- (2) The form referred to in subregulation (1) must be completed and subsequently forwarded, in duplicate, to the Director-General.
- (3) On receipt of the form referred to in subregulation (1), the Director-General must confirm that it has been duly registered, and provide the person who made the declaration with a copy and file the other copy on that person's records.

Application for resumption of South African citizenship

- **8.**(1) An application for resumption of South African citizenship in terms of section 13(2) of the Act, must be in a form containing substantially the information in Annexure 5 (DHA—175).
- (2) The form referred to in subregulation (1) must be completed and forwarded to the Director-General, together with proof of permanent residence in the Republic for a period of not less than one year.
- (3) On receipt of the form referred to in subregulation (1), the Director-General must confirm by way of a certificate, in a form containing substantially the information in Annexure 6 (DHA—237), that an application for resumption of South African citizenship has been approved.

Certificates with regard to South African citizenship

- **9.**(1) A certificate of confirmation of South African citizenship issued in terms of section 16(2) of the Act, must be in a form containing substantially the information in Annexure 7 (DHA—66E).
- (2) A certificate of South African citizenship issued in terms of section 15 of the Act, must be in a form containing substantially the information in Annexure 7 (DHA—66E).

Application for exemption from the loss of South African citizenship

10. An application referred to in section 26(4) of the Act, must be in a form containing substantially the information in Annexure 8 (DHA—1666).

Fees

- **11.** The following fees are payable in the respective cases:

Repeal of regulations and savings

12.(1) The regulations made in terms of the Act, published under Government Notice No. R.1794 of 17 November 1995, are hereby repealed.

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

Short title

13. These regulations are called the Regulations on the South African Citizenship Act, 1995, and come into operation on 1 January 2013.

Annexures

Annexure 1	Application for certificate of naturalisation (DHA—63)
Annexure 2	Certificate of naturalisation (DHA—64E)
Annexure 3	Application for retention of South African citizenship (DHA—1664)
Annexure 4	Renunciation of South African citizenship (DHA—246)
Annexure 5	Application for resumption of South African citizenship (DHA—175)
Annexure 6	Certificate of resumption of South African citizenship (DHA—237)
Annexure 7	Certificate of South African citizenship (DHA—66E)
Annexure 8	Application for exemption in regard to loss of South African citizenship
	(DHA—1666)

DEPARTMENT OF HOME AFFAIRS
REPUBLIC OF SOUTH AFRICA
APPLICATION FOR NATURALISATION

Bar Code

DHA-63

[Section 5 of the South African Citizenship Act, 1995]

To be completed in full and submitted, together with DHA-1620, at the Department of Home Affairs' Office. The form MUST be completed in BLACK INK with BLOCK LETTERS. Please tick with \Box the CORRECT box, where required a questions MUST be answered in FULL. Applicants must have, at the time of application, spent five years continuous period of ordinary residence in the Republic. Applications that are not legible shall not be accepted. Incomplete application will not be accepted. Should the space provided not be adequate, please attach an addendum. Kindly note that this application may take a period of (twelve) 12 months to consider and finalise. Upon conditional approval, should your country or countries of citizenship not allow dual citizenship, you will be required to renounce your citizenship or citizenships prior to signing of

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G P.S 017-0040





#### **DEPARTMENT: HOME AFFAIRS**

REPUBLIC OF SOUTH AFRICA

## Declaration of Allegiance

[Section 5 (6): South African Citizenship Act, 1995]

I,, do hereby solemnly declare that I will be loyal to the Republic of South Africa, promote all that will advance it and oppose all that may harm it, uphold and respect its Constitution and commit myself to the furtherance of the ideals and principles contained therein.
Signed at on thisday of
year
Signature
In the presence of the following two witnesses who are South African citizens:
1and Identity Number
2 and Identity Number

G.P.-S. 83/81-64E

DHA-64E



A0105998

# Certificate of Naturalization Republic of South Africa

(Section 5: South African Citizenship Act, 1995)

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F	the holder of this certificate shall bfrican citizen by naturalisation. By Order of the Nanister
PRETORIA	Director-General: Home Affairs
	Certificate number
	Reference number

DEPARTMENT OF HOME AFFAIRS
REPUBLIC OF SOUTH AFRICA
APPLICATION FOR RETENTION OF SOUTH AFRICAN CITIZENSHIP
[Section 6(2) of the South African Citizenship Act, 1995]

**Bar Code** 

DHA-1664

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Please provide reasons why you require to retain South African citizenship and attach proof that any other country or countries to which you intend applying for citizens dual citizenship. (if space is insufficient, please attach page containing reasons)	hip, permits
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D. DECLARATION	
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Certified copy or copies of citizenship of other country or countries (if applicable)	
Designated official's Initials and surname Persal number	
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F. APPLICATION VERIFIED AND APPROVED	
F. APPLICATION VERIFIED AND APPROVED	
Application approved / rejected:	
Authorising Officer: Initials and Surname	
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### DEPARTMENT OF HOME AFFAIRS REPUBLIC OF SOUTH AFRICA

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My spouse is a South Africa	an citi	zen I	by re	ason	of_																												

I am the mother / father / legal guardian	of the following minor child	ren:																		
Initials and Surname	Identity number		Dat	e of I	birth				Place o	f birtl	h					Citize	nshi	ip		
			Y	Υ	М	м	D	D												
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			Y	Υ	М	М	D	D												
			Y	Υ	М	М	D	D												
E. APPLICATION FOR RENUNC NOTE: Please attach a copy or copies (if one or both parents are deceased), We/l, above and whose unabridged birth certifit	of unabridged birth certi	ficate or certific	ates and	pro	of le	galg	uardi he pa	ans	s / parer	nt / le	egal e	guard	lian c							
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Place:				ce:				-	_					-						
Mother (Signature) Date:	Fathe	r (Signature)	Dat	e:				-	Leç	gal gi	uard	ian (S	Signa	iture)		Date:	_			
I, understand that a false statement is pun	nishable under the law of pe	hereby declare t erjury of the Repu	that the in ublic.	iform	ation	prov	/ided	is to	the bes	t of n	ny k	nowle	edge	and I	belief	true a	nd c	orrec	t and	that I
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F. FOR OFFICIAL USE ONLY - I	REGISTRATION OF D	ECLARATIO	N										T			Office	e ste	amp		
Registered with the Department of Home	e Affairs under registration r	number																		
It is hereby certified that  South African citizen in terms of section  20  and that his /her minor child or ch section 7(3) of the South African Citizens	nildren whose particulars ap									n in t										
Certified copy or copies of:													L							
Unabridged birth certificate or certic	ficates of child or children		use's Ide	•				oplic	able)											
Order for legal guardianship (if appli	icable)	$\overline{}$	orce order																	
Mother's Identity Document		Dea	th certific	ate (	if app	olicat	ole)													
Father's Identity Document																				
VERIFIED BY																				
Designated official's Initials and surname	9																$\perp$	$\Box$		
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G. REGISTRATION																				
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His or her minor child(ren) whose particu (Act No. 88 of 1995).	ılars appear in Part D herec	of ceased to be (a	a) South A	Africa	ın citi	izen(s	s) in t	erm	s of secti	ion 7	7(3)	of the	e Sou	ith Af	rican	Citizer	nship	o Act,	199	5
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DEPARTMENT OF HOME AFFAIRS
REPUBLIC OF SOUTH AFRICA

Bar Code

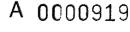
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B. CITIZENSHIP DETAILS			ANT																														
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D. REASONS FOR APPLYING FOR RESUMPTION																														
Explain and Motivate why you wish to resume South African citizenship (if space provided is insufficient, please attach separate page containing ressons):																														
		·····																												
Where applicable explain the circumstances under which you renounced South African citizenship previously (if space provided is insufficient, please attach separate page containing reasons):																														
Have you, while you were a citizen of another country, worked for that State in any capacity?  Yes  No (If yes, provide details below) (If space provided is insufficient, please attach separate page containing details)																														
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Have you served in any armed forces or security services of any other country other than the Republic of South Africa?  Yes No (If yes, provide details below) (If space provided is insufficient, please attach separate page containing details)																														
Do you intend to reside in the Republic of South Africa permanently henceforth?	г	Yes No																												
Do you intend to reside in the Republic of South Arrica permanently nencerorin?  Do you have an objection to taking an oath of allegiance to the Republic of South	1 Cries to the o	ш Ш		- Hon	•					Г	一,		-		No															
Note: Declaration of allegiance to be signed after approval of this application)	Affication is 5.	exclusion or an outer	10 y 01 000	TU IO	ir					L		res	-		NU															
E. DECLARATION						_	_	_																						
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correct and that I understand that any false statement is punishable	a under the	e law of perjury of th	Republi	ic.														I,, hereby declare that the information provided is to the best of my knowledge and belief, true and correct and that I understand that any false statement is punishable under the law of perjury of the Republic.												
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## REPUBLIC OF SOUTH AFRICA DEPARTMENT OF HOME AFFAIRS

No. R

File No.

## CERTIFICATE OF RESUMPTION OF SOUTH AFRICAN CITIZENSHIP

[Section 13 (2) and (3): South African Citizenship Act, 1995]

WHEREAS the requirements laid down in section 13 of the South African Citizenship Act, 1995, for the granting of a Certificate of Resumption of South African citizenship, have been complied with by

NOW, THEREFORE, in pursuance of the powers conferred on him by the said Act, the Minister grants this Certificate and declares that he/she shall henceforth be a South African citizen by

	BY ORDER OF THE MINISTER.
PRETORIA	
Date	
	Director-General: Home Affairs
	Marie Marie Constitution (Million and Million #### PARTICULARS RELATING TO HOLDER

Name (in full):

Date of birth:

Place of birth:

Address:

Occupation:

Nationality hafora recumntion of South African citizenshin-

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# Republic of South Africa Department of Home Affairs

# Certificate of South African Citizenship

(Section 16: South African Citizenship Act, 1995)

This certificate is issued for the sole purpose of indicating the status of the person concerned on the date of issue.

## It is hereby certified that

	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	***************************************
	se particulars are set	
African citizen	by birth/descent/nat	uralisation.
	By order o	f the Minister

Department of Home Affairs	
PRETORIA	Director-General: Home Affairs

#### PARTICULARS RELATING TO HOLDER

Name
Place of birth
Date of birth
Identity number
Particulars
Reference number



### DEPARTMENT OF HOME AFFAIRS REPUBLIC OF SOUTH AFRICA

REPUBLIC OF SOUTH AFRICA

APPLICATION FOR EXEMPTION IN REGARD TO LOSS OF

**Bar Code** 

DHA-1666

SOUTH AFRICAN CITIZENSHIP [Section 26(4) of the South African Citizenship Act, 88 of 1995]

To be completed in full and submitted at any Department of Home Affairs Office, Embassy or Mission. The form MUST be completed in BLACK INK with BLOCK LETTERS. Please tick with ☑ the CORRECT box, where required. All questions MUST be answered in FULL. Incomplete

with BLOCK LETTERS. Please tick with ☑ the CORRECT box, where required. All questions MUST be answered in FULL. Incomplete applications will not be accepted. This application applies to South African citizens who failed to apply for retention of citizenship prior to acquisition of another citizenship prior to 6 October 1995.																																	
Date of application	Υ	¥	Y	Y	М	ы	Đ	0																									
A. DETAILS OF THE APPLICANT																																	
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B. PARTICULARS IN RESPECT OF OTHER CITIZENSHIP																																	
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C. REASONS FOR APPLY	/ING F	OR E	XEM	PTIO	N	<u> </u>		<u> </u>				-	-																				
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Please provide reasons for no	t havir	ng app	olied f	or rete	ention	of S	outh /	Africa	n citiz	zensh	ip, pr	ior to	loss o	of citiz	ensh	ip (if s	space	is ins	uffici	ent, p	lease	attac	h sep	arate	page	cont	taining	reas	ons):				
Does your country or countries	s of pr	esent	citize	nship	allow	dual	citize	nship	? (pro	ovide	proof	f)							Yes			No											
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Have you, while you were a citizen of another of	country, worked for that State in any capacity?	Yes	No (If yes, provide details below attach separate page conta	w) (If space provided is insufficient, pleas ining details)
Have you served in any armed forces or securi Republic of South Africa?	ty services of any other country other than the	Yes	No (If yes, provide details below attach separate page conta	w) (If space provided is insufficient, pleas ining details)
	No. of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of the Control of			
Do you intend to reside in the Republic of Sout	h Africa permanently henceforth?	Yes No		
Do you have an objection to taking an oath of a	allegiance to the Republic of South Africa to the e	exclusion of all other country or co	untries?	Yes No
(Note: Declaration of allegiance to be signed a	fter approval of this application)			
D. DECLARATION				
I, correct and that I understand that any	false statement is punishable under th	declare that the informatior e law of perjury of the Rep	nprovided is to the best of my ublic.	knowledge and belief, true and
Applicant		_		
		Date	YYYYMM	D D
Initials and surname	Signature	Place		
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F. APPLICATION VERIFIED AND APPROVE	D			
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