

Short notes on:

MARRYING A FOREIGNER - HOW TO MAKE IT OFFICIAL

Introduction

Since South Africa is a highly sought after tourist destination, home to many asylum seekers and with many South Africans working abroad, we encounter foreigners on a daily basis. These encounters more often than not develop into great relationships, strong bonds and sometimes even into marriage. So for those whose love expands across oceans and borders, it is essential to make sure you are equipped to make your marriage official.

What Is Required For South Africans Marrying Foreigners

The process can be fairly simple if you plan and prepare correctly, and your preparation can also save you a great deal of time and money. To simplify, we have broken it down into 5 easy steps, so before sending out those invites and making those bookings, make sure you are well prepared.¹

-Your Marital Status Must Be Checked

The first step in the process of formalising your union with the one you love is to check your marital status. Due to the high amount of South Africans falling victim to corrupt officials marrying them without their knowledge to desperate foreigners attempting to get into South Africa, it is crucial that you make sure your status has not been tampered with. In addition, many countries in which you want to get married, including South Africa, requires proof that you are not married already.

-Letter Of No Impediment

¹ Marriage Certificates. Available at: <http://www.dha.gov.za/index.php/marriage-certificates> (accessed on: 20 October 2021).

As mentioned previously mentioned, many countries require proof that you are not married already to approve your marriage taking place. This brings us to the next step in the process, which is the letter of no impediment. This is a document that you will acquire from the Department of Home Affairs if you are a South African citizen, and this document states that nothing stops you from getting married. This document may go by other names in other countries, and you will be required to register this with these other countries.

-Tying The Knot

This is the fun part, and although it may differ from country to country, the concept remains the same. The important thing here is to be extremely certain to gather and keep any and all documents relating to the marriage process or wedding. In South Africa, the most important document is the marriage register; without this, the Department of Home Affairs will be unable to generate your marriage certificate.

-Registering Your Marriage And Obtaining Your Certificate

The last two steps in the process are to register the marriage and obtain an unabridged marriage certificate. It is important to note that if you get married in another country, the marriage will be registered there, but in South Africa, you will still be unmarried unless you register your marriage. Therefore, all the above-mentioned documentation is vital for the registration process, as well as an indication as to what surname you want or not. Once the marriage has been registered, an unabridged marriage certificate should be applied for. This will serve as proof that your marital status has been changed on the South African Department of Home Affairs' system, and your union is officially noted.

Conclusion

In conclusion, though it appears simple, this process can also be very strenuous, time-consuming, and can also place a severe burden on you and your future spouse. Therefore, it is essential to know what the process entails and that you plan accordingly. Consult with a legal professional before attempting to start this process yourself.

Contact an attorney at SchoemanLaw for your legal needs!

