

# FOREIGN MARRIAGES OR DIVORCES OF SOUTH AFRICANS ABROAD

## **Preparing to get married in the Republic of Korea:**

If you are planning on getting married in Korea, follow the procedure for civil marriages governed by the Civil Act and Registration, etc. of Family Relationships Act of the Republic of Korea. Before you enter into a marriage, you must ensure that you are legally allowed to marry, understand the legal consequences of a marriage, and make sure that your marriage will comply with all the legal requirements for a valid marriage. Should you be unsure of any of these, please consult with the relevant officials at the nearest Community Center (주민센터) or Gu-Cheong (구청) in your region. Follow the link to find the contact details of your district office: <https://www.hikorea.go.kr/Main.pt?locale=en>

If you are required to submit a confirmation letter or affidavit of eligibility of marriage (혼인성립요건 구비증명서) to register a marriage, you may apply for a letter of no-impediment (or a confirmation letter of marital status) at the South African Embassy in Seoul. It is an official document confirming your marital status in the National Population Register (NPR) and issued by HQ of the Department of Home Affairs in Pretoria. Your application submitted to the Embassy will be forwarded to the Department of Home Affairs to process. It takes 3-6 months in general cases, or longer in some cases.

## **After your marriage (marriages solemnised outside the Republic of South Africa):**

Marriages solemnised outside the Republic of South Africa shall be reported to the Department of Home Affairs through the South African diplomatic missions abroad. It will be noted on the National Population Register (NPR) as a foreign marriage and the marital status will be updated accordingly. The Department does NOT issue a South African marriage certificate for a foreign marriage of South Africans, nor any acknowledgement of receipt. If you have registered a marriage with a country other than RSA, you may use a foreign marriage certificate issued by the competent authority of that country. In the case of countries that do not issue a marriage certificate, you may obtain the equivalent document containing the particulars of your marriage.

## **To report a foreign divorce to the Department of Home Affairs:**

If you have divorced in Korea, you may report it to the Department of Home Affairs through the South African diplomatic missions abroad. It will be noted on the National Population Register (NPR) as a foreign divorce and your marital status will be updated accordingly. The Department does NOT provide any document confirming your divorce report, nor any acknowledgement of receipt of your documents.

## **If you submit the application to the South African Embassy in Seoul, please read the information below:**

- All the applications submitted to the South African Embassy in Seoul are sent to HQ of the Department of Home Affairs to process. It takes 3-6 months in general cases. The Embassy does not have any influence to expedite the process.
- Applications for a letter of no-impediment (or a confirmation letter of marital status) are sent to the Department of Home Affairs electronically. The DHA's relevant official issues a letter where the application is successful. Please note that the letter will be issued in accordance with your personal particulars as they appear in the National Population Register (NPR) at the time of your application to the Department of Home Affairs. Any changes to your names or marital status must be applied for, finalised, and recorded in the NPR before you submit your application to the Embassy. We have no access to their system to check your personal information recorded in the database.
- Applications for a foreign marriage/divorce report are sent to Pretoria by our monthly diplomatic bag. We send the bag to our head office in Pretoria, the Department of International Relations and Cooperation (DIRCO), during the first week of every month. And then, the applications are forwarded from DIRCO to the HQ of the Department of Home Affairs (DHA). Upon receipt of your application, the DHA's officials in 'Marriage/Divorce Section' will process it and update your marital status on the system accordingly. The Department does not provide an acknowledgement that the marriage/divorce has been noted on the National Population Register (NPR).
- South African women may assume her husband's surname, revert to her maiden surname, or join her surname with that of her husband's as a double-barrelled surname. No application to the Department of Home Affairs is necessary in these instances, but to enable the Department to update the National Population Register (NPR), women should notify the Department of such changes in writing.
- The South African Embassy in Seoul does NOT provide an acknowledgement receipt of your marriage/divorce report. If you need a South African official document confirming your marital status updated, you may apply for a confirmation letter of marital status. The application must be submitted to the Embassy AFTER each applicant confirm with the Department that his/her marital status has been updated as 'MARRIED' or 'DIVORCED' on the National Population Register (NPR).

**How to complete the forms and prepare the documents:**

- Applicants must be prepared to provide all the relevant information to our officials on the scheduled appointment day. We advise to read and complete sample form(s) before visiting the Embassy. If you have completed the specimen form(s) provided by e-mail, it will help you a lot to complete the ORIGINAL form(s) at the Embassy that day.
- The form(s) must be completed in black ink, with block letters, and the information must be furnished in FULL. Please do not skip any question or leave it blank. All the questions must be answered appropriately. For the question which is not applicable or unknown, you may write 'N/A' or 'unknown' or further explanation. Incomplete applications are NOT processed by the Department of Home Affairs. It may be delayed or returned to the Embassy due to incompleteness. Also, applications that are not legible shall not be accepted by the Department.
- Any document issued in foreign language must be translated in English language by a sworn translator. If you cannot find a sworn translator in Korea, an authorised translator may translate a foreign document in English language. Then, the original together with its English translation must be notarised by appointed/authorised notary public from the Minister of Justice by local law. Please check the names in the English translation are correctly translated as written in their passport.
- If you submit any document issued by the Korean authorities, i.e. Marriage Relation Certificate (혼인관계증명서), Acceptance Certificate of Marriage Registration (혼인신고 수리증명서), Court Decision by the regional Family Court (가정법원의 법원판결서), Certificate of Confirmation (확정증명원), etc., make sure the identity numbers are printed in full.
- When you visit the Embassy, please submit this check-list AND all the supporting documents (IDs, passports, birth/marriage/death/citizenship certificates, etc.) in ORIGINAL. We will assist with certifying a photocopy of your documents provided that the primary documents are presented to our officials in original. The certified copies are done free of charge and we make photocopies of your original document(s) at the Embassy that day. The certified copies will be attached to your application to the Department of Home Affairs.

REQUIREMENTS FOR A LETTER OF NO-IMPEDIMENT (CONFIRMATION OF MARITAL STATUS)		Mark (v)
1	Duly completed request form for a letter of no-impediment or confirmation letter of marital status	
2	South African identity document	
3	Valid passport	
4	Korean ID or Alien Registration Card (ARC)	
5	The fee KRW5000 to be paid in cash. Credit cards or debit cards are not accepted. Please bring the exact amount of cash that day. Change is unavailable at the Embassy.	
REQUIREMENTS FOR A FOREIGN MARRIAGE REPORT TO UPDATE YOUR MARITAL STATUS		Mark (v)
1	Foreign marriage certificate –to attach the notarised translation, if issued in non-English language.	
2	A written statement confirming the place and date of your marriage (and request to change your surname after marriage, if South African women) –to be signed by both couple.	
3	Valid passport of the applicant and his/her spouse	
4	South African identity document, if South African citizen or permanent resident.	
5	Korean ID or Alien Registration Card (ARC)	
REQUIREMENTS FOR A FOREIGN DIVORCE REPORT TO UPDATE YOUR MARITAL STATUS		Mark (v)
1	Foreign divorce decree –to attach the notarised translation, if issued in non-English language.	
2	A written statement confirming the place and date of your divorce (and request to change your surname after divorce, if South African women)	
3	South African identity document	
4	Valid passport	
5	Korean ID or Alien Registration Card (ARC)	

## AFTER SUBMISSION OF YOUR APPLICATION TO THE SOUTH AFRICA EMBASSY IN SEOUL

### **If you have submitted the application to the South African Embassy in Seoul successfully, please read the information below:**

- If the application for a letter of no-impediment (confirmation letter of marital status) is completed at the Embassy, we issue a payment receipt for the fee. If you apply for a foreign marriage/divorce report, the Embassy does NOT provide an acknowledgement receipt of your application.
- When you leave the Embassy, please make sure you have all the ORIGINAL supporting documents, i.e. passports, IDs, birth/marriage/death certificates, proof of citizenship, etc. returned to you.
- Applications for a letter of no-impediment (or a confirmation letter of marital status) are sent to the Department of Home Affairs electronically. The DHA's relevant official issues a letter where the application is successful. The newly issued letter is sent to the Legalisation Section of the Department of International Relations and Cooperation (DIRCO) in Pretoria, where an apostille certificate is attached to the letter. And then, the apostilled letter of no-impediment (or a confirmation letter of marital status) is sent from DIRCO to the South African Embassy in Seoul by a diplomatic bag.
- Applications for a foreign marriage/divorce report are sent to Pretoria by our monthly diplomatic bag. We send the bag to our head office in Pretoria, the Department of International Relations and Cooperation (DIRCO), during the first week of every month. And then, the applications are forwarded from DIRCO to the HQ of the Department of Home Affairs (DHA). Upon receipt of your application, the DHA's officials in 'Marriage/Divorce Section' will process it and update your marital status on the National Population Register (NPR). The Department does not provide an acknowledgement that the marriage/divorce has been noted and updated accordingly.
- All information in the application is subject to verification and, if no proof in support thereof has been submitted upon application, i.e. identifications, birth/marriage/death certificates, proof of citizenship, or any other document, may be requested in order to substantiate any statement made in the application.
- The South African Embassy in Seoul is NOT in the position to confirm the result on your application because it is decided by the relevant officials in the Department Home Affairs, case by case. If they request additional information or documentation to process your application, they notify the Embassy in writing. In this case, we contact the applicant and advise accordingly. The outstanding document(s) can be submitted to the Embassy and we will send it to the DHA's relevant official on behalf of the applicant. It could take another few months for the result.
- Upon receipt of a letter of no-impediment (or a confirmation letter of marital status) from Pretoria, we e-mail each applicant to collect it from the Embassy. To collect the document at the South African Embassy in Seoul, applicants must bring the valid passport and payment receipt previously issued to them. When you receive the letter, please check if all the information in the document is correctly issued in accordance with your personal details.
- The Department of Home Affairs does NOT issue a South African marriage certificate for a foreign marriage of South Africans, nor any acknowledgement of receipt. If you need a South African official document confirming your marital status updated, you may apply for a confirmation letter of marital status. The application must be submitted to the Embassy AFTER each applicant confirm with the Department that his/her marital status has been updated as 'MARRIED' or 'DIVORCED' on the National Population Register (NPR). Please contact the Department of Home Affairs to verify your marital status. For more information, visit their website: <http://www.dha.gov.za/index.php/civic-services/marriage-certificates>

### **How to follow-up on your application(s):**

Please be advised that once the application is despatched to Pretoria, the South African Embassy in Seoul has no influence over the application. All civic applications are processed by the HQ of the Department of Home Affairs in Pretoria and we have no access to the Home Affairs' system to check on the current status of the application.

The Department has made available a Home Affairs Contact Centre for follow-up purposes by each applicant. Please contact the following office for progress on your application:

#### **Home Affairs Contact Centre**

Toll free No. : 0800 60 11 90  
If abroad/outside RSA : +27 12 338 8000  
Website : [www.dha.gov.za](http://www.dha.gov.za)  
E-mail Address : [hacc@dha.gov.za](mailto:hacc@dha.gov.za)