**SOCIAL DEVELOPMENT COMMITTEE HEARS SUBMISSION FROM DEPARTMENT OF HOME AFFAIRS ON CHILDREN’S AMENDMENT ACT BILL**

In a briefing on the Children’s Amendement Act Bill, the Portfolio Committee on Social Development heard that the Department of Home Affairs is considering allowing fathers to register the births of their children born out of wedlock, if there is sufficient proof of their fatherhood.

The Department of Home Affairs made its submission to the committee on the amendment bill virtually yesterday. Among the issues highlighted by the department were the minimum age to enter into a marriage; children born to foreign nationals; migrant status of children; children born to South African and foreign spouses; inter-country adoptions; and caregivers without certificates for the children in their care.

Committee member Ms Laetitia Aries said the last issue gives rise to challenges when caregivers try to register these children in school. “In terms of the Schools Act, children should be at school until they are 16. How is the department assisting in that regard, as many children are not in schools?”

She also asked why, if a father is South African and the mother a foreign national, the department refuses the children entry into the country. Committee member Ms Alexandra Abrahams wanted details and statistics about South African children who have been abandoned in foreign countries. She also asked how long it took to issue the necessary documentation for adopted children when they want to leave the country. Other issues that the committee sought clarity on were inter-country adopting and the attitude of countries who are not signatories to international conventions.

The Deputy Minister of the Department of Home Affairs, Mr Njabulo Nzuza, said the aim of the amendment bill is to align legislation to the Children’s Act. Undocumented children are allowed to be at school and, although there is a need to tighten legislation, single fathers are assisted. Documentation for children born to foreign nationals takes up to eight weeks to process.

Committee member Ms Liezel van der Merwe called on the department to register all children born to migrants, whether the parents are documented or not. “How many are on the database, documented or not? We would like to see a situation where there is a partnership between the department and Sassa [the South African Social Security Agency] when it comes to records.” If there is synergy between the department and Sassa, vulnerable people would be spared from queueing unnecessarily, Ms van der Merwe believes.

The department said it was desirable that adoptive parents are made to change the details of the children they are adopting before they leave the country, so that both parties can be traced if the parents abandon them.

The department said it is working with the Council for Scientific and Industrial Research on a biometrics system that is close to being finalised. The department hopes the identity management policy will secure the identity of a child when about six hours old and that the associated policy will be approved by 2023.

Mr Nzuza said children cannot be denied access to education on the basis that they do not have birth certificates. “Whoever is doing that is wrong; they are not allowed to block children.” He noted that some 5 000 children born to foreign nationals wrote matric exams last year. He said the department will not register the marriages of children. If this did occur, the law would have to take its course.

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