**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO. 1677**

**DATE OF PUBLICATION: FRIDAY, 29 APRIL 2022**

**INTERNAL QUESTION PAPER 15 – 2021**

**1677. Ms L L van der Merwe (IFP) to ask the Minister of Home Affairs:**

(1) Whether, with regard to the Naki 2018 judgment and the 2021 Constitutional Court judgment on the rights of unmarried fathers to register the births of their children in the absence of the mother, and noting that the Deputy Director-General (DDG) of Civic Service reported to the Portfolio Committee on Social Development on 2 March 2022 that his department had sent communication to local offices informing them of the Naki 2018 and Constitutional Court 2021 judgments, he will furnish Ms L L van der Merwe with a copy of the letter sent to local offices, in which his department communicated the judgments; if not, why not; if so, what are the relevant details;

(2) whether, with reference to the report by the DDG of Civic Service in his department to the Portfolio on Social Development on 2 March 2022, that his department had revised their Standard Operating Procedure (SOP) in line with the Naki 2018 and Constitutional Court 2021 court judgments, and that his department had already begun training officials in KwaZulu-Natal using the revised SOP, he will furnish Ms L L van der Merwe with a copy of the revised SOP; if not, what is the position in this regard; if so, what are the relevant details;

(3) whether, with regard to the report of the DDG of Civic Service who reported to the Portfolio Committee on Social Development on 2 March 2022, that the directive explaining the above judgments for officials was not yet finalised but would be soon, it has since been finalised; if not, (a) why not and (b) on what date will it be (i) finalised and (ii) sent to the Portfolio Committee on Social Development and all local offices; if so, will he furnish Ms L L van der Merwe with a copy of the final directive? NW2005E

**REPLY:**

1. The Naki 2018 and Constitutional Court 2021 judgment was brought to the attention of all Provincial Managers for further communicating to local offices via WhatsApp on 23 September 2021. Print out of the WhatsApp communication is hereto attached. WhatsApp is one of the various communication channels the Civic Services Branch has established to deal with urgent matters that affect daily operations.
2. The revised Birth Registration Standard Operating Procedures (SOP) is hereto attached. Training on the new SOP took place between 17 January 2022 to 4 April 2022.
3. As indicated in response 1 above, the Home Affairs front offices have been informed as per the attached WhatsApp message and the court order is being implemented by offices as alluded to in slide 9 of the presentation made to the Portfolio Committee on 2 March 2022. Further to this, the department is in the process of drafting regulations on the registration of births and deaths with the view to align it to the court order.

**END**