**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO. 1744**

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**INTERNAL QUESTION PAPER 29 – 2020**

**1744. Mr M G E Hendricks (Al Jama-ah) to ask the Minister of Home Affairs:**

Whether he will consider an instruction that in cases where women were married by way of a Nikah or Muslim marriage the proposed entry widowed instead of the present entry never married should be used on Muslim death certificates; if so, by what date can the specified proposal be implemented? NW2130E

**REPLY:**

I wish to point to the honourable member that the designation of “never married” does not affect people in Nikah or Muslim marriages only.

A broad range of South Africans are affected by this problem.

* Prior to 1994 various laws were used by the different self governing territories or Bantustans wherein each had their own act. When they were amalgamated in the broader South Africa after 1994, they were not on National Population Register.
* Unfortunately when a marriage does not appear on the National Population Register (NPA) the person’s marital status is technically unknown. Hence their death certificates at death, their certificate reflected as never married.
* This affects people who stayed in Bantustans and those from the Indian Community whose marriages were never re-registered on the NPA after 1994.
* Since the introduction of Recognition of Customary Marriages Act. Act 102 of 1998 the government managed to re-register some. Those not yet re-registered still have this unfortunate designation.
* The Department acknowledges this problem but opted for a wholesale change in the entire marriage regime by developing a totally new policy. We don’t believe a piece meal solution will help.

**END**