

**SOUTH AFRICAN PASSPORTS AND TRAVEL DOCUMENTS
ACT
NO. 4 OF 1994**

[ASSENTED TO 5 JULY, 1994]
[DATE OF COMMENCEMENT: 13 JULY, 1994]

(Afrikaans text signed by the President)

This Act has been updated to <i>Government Gazette</i> 19214 dated 4 September, 1998.

as amended by

South African Passport and Travel Documents Amendment Act, No. 49 of 1997

South African Passports and Travel Document Amendment Act, No. 42 of 1998

ACT

To provide for the vesting of certain powers and duties in respect of the issue of and control over South African passports and travel documents in the Government of the Republic of South Africa; and to provide for matters connected therewith.

ARRANGEMENT OF SECTIONS

1. Definitions
2. Powers and duties in respect of issue of and control over South African passports and travel documents
3. South African citizen entitled to South African passport
4. Regulations
5. Saving
6. Short title

1. Definitions.—In this Act, unless the context otherwise indicates—

“**Minister**” means the Minister of Home Affairs;

“**minor**” means any person who has not yet attained the age of 18 years, excluding a person who has been declared a major in terms of the Age of Majority Act, 1972 (Act No. 57 of 1972), or who has contracted a legal marriage or who is emancipated;

[Definition of “minor” inserted by s. 1 of Act No. 49 of 1997.]

“**South African citizen**” means any person who is a South African citizen in terms of the South African Citizenship Act, 1949 (Act No. 44 of 1949);

“**South African passport**” means a passport issued in terms of this Act to a South African citizen;

“**this Act**” includes a regulation made under this Act;

“**travel document**” means any travel document other than a passport, issued in terms of this Act to a person who is not a South African citizen.

2. Powers and duties in respect of issue of and control over South African passports and travel documents.—The powers and duties in respect of the issue of and control over South African passports and travel documents which immediately prior to 27 April 1994 were vested in the State President of the Republic of South Africa under the provisions of the Republic of South Africa Constitution Act, 1983 (Act No. 110 of 1983), shall, subject to the provisions of this Act, vest in the Government of the Republic of South Africa with effect from 27 April 1994.

3. South African citizen entitled to South African passport.—Subject to the provisions of this Act, every South African citizen shall be entitled to a South African passport.

4. Regulations.—(1) The Minister may make regulations regarding—

- (a) the manner in which application is to be made for the issue of a South African passport or travel document, or for the renewal thereof, including—
 - (i) any particulars or information which is to be furnished in the application;
 - (ii) any documents which are to accompany any such application or are to be produced when making any such application;
 - (iii) any forms which are to be used in any such application; and
 - (iv) the taking of fingerprints;
[Sub-para. (iv) added by s. 1 of Act No. 42 of 1998.]
- (b) endorsements on South African passports and travel documents, periods of validity and other restrictions;
- (c) the circumstances under which the issue of a South African passport or travel document may be refused or such passport or travel document may be withdrawn;
- (d) the provision of different categories of South African passports and travel documents and the circumstances under which each category may be issued;
- (e) the fees payable for the issue of a South African passport or travel document;
- (f) the circumstances under which a South African passport or travel document may be issued to a minor; and
- (g) generally, all matters which the Minister deems necessary or expedient to be prescribed in order to attain the objects of this Act:

Provided that regulations under paragraph (e) shall only be made in consultation with the Minister of Finance.

(2) Any regulation made under subsection (1) may provide that any person who contravenes a provision thereof or fails to comply therewith shall be guilty of an offence and on conviction be liable to a fine, or to imprisonment for a period not exceeding five years.

5. Saving.—Anything done, whether under a law or otherwise, prior to the commencement of this Act, and which can be done under a provision of this Act, shall be deemed to have been done under this Act.

6. Short title.—This Act shall be called the South African Passports and Travel Documents Act, 1994.

