



INTERVIEW SCHEDULE FOR THE MARRIAGE POLICY

The interview **schedule is structured in 8 main themes and subthemes**. These themes and their subthemes include open-ended questions which are aimed at capturing the participants' knowledge of the framework for recognising marriages in South Africa. The input that will be provided by participants will assist the Department of Home Affairs research team in drafting the first policy on marriages in South Africa.

Thematic area 1: Solemnisation of marriages

1. Kindly share your experience on the solemnisation of the following marriages:
 - a. Civil Marriages (Marriage Act 25 of 1961)
 - b. Customary Marriages (Recognition of customary marriages 120 of 1998)
 - c. Civil Union (Civil Union Act 17 of 2006)
2. Are there any challenges that you have encountered or observed during the solemnisation of the above marriages?
3. What should be done by government and other stakeholders (solutions) in order to improve the solemnisation of the above marriages?

Thematic area 2: Registration of marriages	
4.	Kindly share your experience on the registration of the following marriages:
	a. Civil Marriages (Marriage Act 25 of 1961)
	b. Customary Marriages (Recognition of customary marriages 120 of 1998)
	c. Civil Union (Civil Union Act 17 of 2006)
5.	What do you attribute to the persistence of unregistered marriages?
6.	Are there any challenges that you have encountered or observed during the registration of the above marriages?
7.	What should be done by government and other stakeholders (solutions) in order to improve the registration of the above marriages?

Thematic area 3: Registration of marriages that involve foreign nationals	
8.	Kindly share your experience on the registration of marriages that involve foreign nationals.
9.	Are there any challenges that you have encountered or observed during the registration of the marriages that involve foreign nationals?
10.	What should be done by government and other stakeholders (solutions) in order to improve the process for the registration of marriages that involve foreign nationals?

Thematic area 4: Recognition of the equality principle in the marriage legislation

11. Section 9 of the Constitution of South Africa guarantees equality before the law and freedom from discrimination to the people of South Africa. In your view, are there elements of the current marriage legislation that do not meet this requirement? Please substantiate your response.

12. What should be done by government and other stakeholders (solutions) in order to align the marriage legislation with Section 9 of the Constitution?

Thematic area 5: Marriages that are not recognised by the current legislation

13. Kindly share your knowledge on marriages that exist but are not recognised by the law of the Republic.

14. In your view, why such marriages are not covered by the current legislation?

15. What should be done by government and other stakeholders (solutions) in order to legalise such marriages or to align such marriages with the law, including the Constitution?

Thematic area 6: Marriages that involve minors (persons under 18 years)

16. The legislation makes provision for the solemnisation of marriages that involve minors. Kindly share knowledge or experience on the solemnisation of marriages that involve minors.

17. In your view, should this practice (marriage of minors) be continued or discontinued? Please substantiate your response.

Thematic area 7: Fraudulent marriages and marriages of convenience

18. Kindly share knowledge or experience on dealing with fraudulent or marriages of convenience.

19. In your view, what gives rise to fraudulent or marriages of convenience?

20. What should be done by government and other stakeholders (solutions) in order to eliminate fraudulent or marriages of convenience?

Thematic area 8: Regulation of life and domestic partnerships

21. The current marriage legislation does not regulate life and domestic partnerships. Kindly share your thoughts on whether or not such partnerships should be regulated under the marriage legislation?

Thematic area 9: General

22. Is there any issue related to the recognition of marriages that the Department of Home Affairs should take into consideration during this study?