



**THE APOSTOLIC FAITH MISSION OF SOUTH AFRICA
DIE APOSTOLIESE GELOOF SENDING VAN SUID-AFRIKA**

(PBO no/WO nr: 930004069)

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4 May 2021

The Secretary
South African Law Reform Commission
Private Bag X668
Pretoria
0001

PVanWyk@justice.gov.za

RE: PROPOSED SINGLE MARRIAGE STATUTE.

Dear Mr Van Wyk

On the issue of the possible adoption of a single marriage statute, the AFM of SA has the following comments:

As stated before, we would prefer the existing marriage law dispensation to continue. However, if the principle of simplifying or integrating the different marriage acts into one act based on the reasoning in the SALRC's documents, is deemed to be the only workable option, we would expect that it would recognize and protect the constitutional right of freedom of expression, as well as the religious freedom of all members of our diverse society.

To accommodate everybody, as the proposed statute is said to attempt, we propose an omnibus or umbrella marriage statute: A single act which contains different sub statutes or -chapters which reflect the current diverse set of legal requirements for, and consequences of civil marriages, civil unions, customary marriages, Muslim and other religious marriages.

The scope of the subsections should be clearly defined and distinguishable as it currently is in the three different marriage statutes.

We also note with concern that the SALRC's proposed Bill, does not include a clause that expressly protects the right of religious marriage officers to refuse to solemnise marriages that do not conform to their religious convictions freedom of conscience, religion, thought, belief and opinion (section 15 of the Country's Constitution).

Many of our pastors are concerned that it might lead to a situation where religious marriage officers will be compelled to solemnize unions that conflict with their beliefs and understanding of Biblical principles.

Any new marriage law must accommodate the constitutional right of freedom of religion and expression. -Thus, ensuring that everybody have a choice, and that no Religious grouping feels insulted, or their tights being infringed upon.

Kind regards



Dr. HJ Weideman
GENERAL SECRETARY