



REPUBLIC OF NAMIBIA

MINISTRY OF HOME AFFAIRS AND IMMIGRATION

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Windhoek

Your Ref: _____

24 July 2015

Ms. Maria Kapere
Council of Churches
WINDHOEK

SUBJECT: NEW REQUIREMENTS FOR FOREIGNERS MARRYING NAMIBIAN
CITIZENSHIP

The above mentioned subject has references.

The Ministry of Home Affairs and Immigration wishes to inform your good office that new requirements on the above mentioned have been set by the Department of Immigration. It is now required that all foreigners marrying Namibians must present themselves to Immigration officials before the marriage is solemnized so their visa/permits can be validated.

The new requirement follows the rise in bad faith marriages in Namibia.

According to the Namibian Constitution, for purposes of citizenship by marriage, requires for the marriage to have been entered into a good faith (Article 4(3) (a) (aa) thereof). Thus, Section 22(1) (c) of the Immigration Control Act, Act 7 of 1993, which provides for domicile of people married to Namibians, also requires the marriage to have been entered into in good faith.

No lawful consequences can flow from a marriage entered into while a person is illegal in the country. In this regard we refer to Supreme Court judgement of Republic of Namibia v Getachaw 2008(1) NR 1 (SC) which discusses this concept.

I therefore request your good offices to convey the message to all Marriages Officers, who are approached to solemnize a marriage, where one or both of the intending spouses are foreigners must be referred to the nearest Immigration Authority for verification of his/her visa or permit status in Namibia.

I trust that above is found to be in order.

MS LYDIA KANDEU
ACTING PERMANENT SECRETARY

