

Declaration of your Marriage Status

CONFIDENTIAL

A client wishing to enter into an agreement must confirm his/her marital status. This form sets out the different types of marriages. The client must indicate the marriage that applies to him/her.

Client name

Account number

Agreement type

How to fill in this form

- 1 Find the marital status that applies to you and tick (✓) the box alongside it.
- 2 Where there is an *, please delete the option that does not apply to you.
- 3 Attach certified copies of the marriage certificate, antenuptial contract (ANC) and court order, where applicable.
- 4 Sign in the signature section at the end of the document. Your spouse may also have to sign.
- 5 Give the form with the documents back to us.

Please note that “the bank” means Absa Bank Limited in its capacity as a credit provider, a seller or lessor (as the case may be)

Types of marriages

A Unmarried

I confirm that I am unmarried:

I have never been married.

I am legally divorced.

I am a *widow/widower.

B Married out of community of property

(i) I confirm that I am married out of community of property and that I entered into an ANC, which *excludes/includes the accrual system.

(ii) I will notify the bank immediately if I change the way in which I am married or my marital status.

C Married in community of property

(i) I confirm that I am married in community of property and that I will notify the bank immediately if I change the way in which I am married or my marital status.

(ii) By signing this document, I consent to my spouse, the *borrower/buyer/lessee entering into the above agreement with the bank. I understand that I am not entitled to withdraw this consent.

D Married in a *monogamous/polygamous customary marriage before 15 November 2000, with marriage property system under customary law

(i) I confirm that I am married according to customary law under the Recognition of Customary Marriages Act 120 of 1998 [Section 7(1)].

(ii) I will notify the bank immediately if I change the way in which I am married or my marital status.

E Married in a polygamous customary marriage after 15 November 2000, with marriage property system by court order

(i) I confirm that I am married according to customary law under the Recognition of Customary Marriages Act 120 of 1998 [Section 7(6)].

(ii) My matrimonial property is governed by order of court dated _____.

(iii) I will notify the bank immediately if I change the way in which I am married or my marital status.

F Married in a monogamous customary marriage after 15 November 2000 in community of property

(i) I confirm that I am married in community of property according to customary law under the Recognition of Customary Marriages Act 120 of 1998 [Section 7(2)].

(ii) I have not entered into an ANC.

(iii) I will notify the bank immediately if I change the way in which I am married or my marital status.

(iv) By signing this document, I consent to my spouse, the *borrower/buyer/lessee entering into the above agreement with the bank. I understand that I am not entitled to withdraw this consent.

- G Married in a monogamous customary marriage after 15 November 2000 out of community of property**
- (i) I confirm that I am married out of community of property according to customary law under the Recognition of Customary Marriages Act 120 of 1998 [Section 7(2)].
 - (ii) I have entered into an ANC which *excludes/includes the accrual system.
 - (iii) I will notify the bank immediately if I change the way in which I am married or my marital status.
- H Married according to Muslim or Hindu rites**
- (i) I confirm that I am married according to *Muslim/Hindu rites.
 - (ii) I will notify the bank immediately if I change the way in which I am married or my marital status.
- I Civil partnership in community of property with no ANC**
- (i) I confirm that I am a partner in a civil partnership in community of property, registered according to the Civil Union Act 17 of 2006.
 - (ii) I have not entered into an ANC.
 - (iii) I will notify the bank immediately if I change the way in which my civil partnership is set up.
 - (iv) By signing this document, I consent to my spouse, the *borrower/buyer/lessee entering into the above agreement with the bank. I understand that I am not entitled to withdraw this consent.
- J Civil partnership out of community of property with an ANC**
- (i) I confirm that I am a partner in a civil partnership out of community of property, registered according to the Civil Union Act 17 of 2006.
 - (ii) I entered into an ANC which *excludes/includes the accrual system.
 - (iii) I will notify the bank immediately if I change the way in which my civil partnership is set up.
- K Married outside of South Africa under foreign law**
- (i) I confirm that I am married in terms of the law of _____ (insert name of country where marriage was concluded) and that my matrimonial property system is governed by the law of _____. [Note: This must be the country of the husband's permanent home (domicile) at the time of the marriage.]
 - (ii) I confirm that I have the due assistance of my spouse to the extent that I need to for this type of transaction. [Note: Spouse to sign this document as well.]
 - (iii) I will notify the bank immediately if I change the way in which I am married or my marital status.

Signature section

Signed at _____ on _____

Signature of *Borrower/Buyer/Lessee

*Spouse's/Partner's signature

Witness name

Witness signature

Witness name

Witness signature