

**FORM 4**  
**GENERAL REQUIREMENTS REGARDING PARENTAL RESPONSIBILITIES AND RIGHTS**  
**AGREEMENT**  
**(Regulation 7)**

**[SECTION 22 OF THE CHILDREN'S ACT 38 OF 2005]**

**Part A: Particulars of mother of child/children or other holders of parental responsibilities and rights/ Particulars of father or person(s) upon whom parental responsibilities and rights are being conferred**

*Mother or Holder 1.*

Surname	
Full Names	
ID No/Date of Birth/Passport no	
Residential Address	
Home telephone no	
Cell phone no	
Email address	
Work Address	
Work telephone no	
Relationship to child/children	

Father or person(s) upon whom parental responsibilities and rights are being conferred

Surname	
Full Names	
ID No/Date of Birth/Passport no	
Residential Address	
Home telephone no	
Cell phone no	
Email address	
Work Address	
Work telephone no	
Relationship to child/children	

Details of further co-holders of parental responsibilities and rights in respect of whom this parental responsibilities and rights agreement applies must be furnished on a separate page and attached to this **Form** as an annexure.

**Part B: Details of child or children in respect of whom parental responsibilities and rights agreement has been concluded**

*First Child*

Surname	
Full names	

ID No/date of birth/Passport no	
Residential address	
Contact no	

*Second Child*

Surname	
Full names	
ID No/date of birth/Passport no	
Residential address	
Contact no	

*Third Child*

Surname	
Full names	
ID No/date of birth/passport no	
Residential address	
Contact no	

Details of additional children in respect of whom this parental responsibilities and rights agreement applies must be furnished on a separate page and attached to this Form as an annexure.

**Part C: Supporting Documentation**

Please find the following supporting documentation attached:

- ☐ Particulars relating to guardianship of the child/children (NB: agreement then to be made an order of the High Court)
- ☐ Particulars relating to the care of the child/children
- ☐ Particulars relating to contact with the child/children
- ☐ Particulars relating to the financial responsibilities for the maintenance of the child/children
- ☐ Particulars relating to other matters incidental to the exercise of parental responsibilities and rights

**Part D: Agreement**

I \_\_\_\_\_ (being the mother of/person having parental responsibilities and rights in respect of (insert child or children's names) \_\_\_\_\_ hereby agree to confer those parental responsibilities and rights as set out in the attached documents upon \_\_\_\_\_ (insert name of father/other person having an interest in the care, well-being and development of the child).

**Details of parental responsibilities and rights conferred (optional)**

-----  
-----  
-----  
-----  
-----

**Part E: Details of application for registration of parental responsibilities and rights agreement to be made an order of court**

TO: The Family Advocate/Clerk of the Court/ Registrar of the High Court

Place:

Date:

We,.....  
.....  
.....(initials and surnames)

hereby apply for registration of the attached parental responsibilities and rights agreement  
at the Office of the Family Advocate to be made an order of the honorable court.

-----  
-----

Signed (Mother/other person)

-----

Signed (Father/other person)

-----  
Date

Particulars of Family advocate (where applicable)

Official stamp

Name of Family Advocate
Signature of Family advocate
Place
Date

**FORM 5**  
**STATEMENT OF FAMILY ADVOCATE CONCERNING PARENTAL RESPONSIBILITIES AND**  
**RIGHTS AGREEMENT**  
**(Regulation 7)**  
**[SECTION 22(5) OF THE CHILDREN'S ACT 38 OF 2005]**

I ..... (Name and surname), being the  
Family Advocate at the abovementioned High Court/ Divorce court/children's court  
hereby confirm that the parental responsibilities and rights agreement referred to in section  
22(3) ..... between

.....  
and  
.....

(insert names of parties)

- ☐ was prepared with my assistance (tick if applicable)
- ☐ complies with the best interests of the  
child/children..... (insert names of  
children).

I confirm that information about the contents of this parental responsibilities and rights  
agreement have been furnished to the child or children, bearing in mind the child/children's  
age, maturity and stage of development -----  
-----  
-----

I confirm that the child or children been given an opportunity to express their views, and that  
these views have been given due consideration -----  
-----  
-----  
-----

-----  
Signed

-----  
Date

Particulars of Family advocate

Official stamp

\_\_\_\_\_  
Name of Family Advocate

\_\_\_\_\_  
Signature of Family advocate

\_\_\_\_\_  
Place

\_\_\_\_\_  
Date

**FORM 6**  
**STATEMENT OF OUTCOME OF MEDIATION**  
**(Regulation 8)**  
**[SECTION 21(3) OF THE CHILDREN'S ACT 38 OF 2005]**

File No:

1. I certify that the Section 21(3) mediation between:

.....

(Applicant)

and

.....

(Respondent)

concerning the minor children:

1. ....(insert name, gender and date of birth)

2..... (insert name gender and date of birth)

3..... (insert name, gender and date of birth)

Was resolved -----

-----

----- (give details)

Remains unresolved-----

-----

----- (give details)

2. Copy of parental responsibilities and rights agreement (where applicable): (to be attached)

3.1 Details of family advocate (where applicable)

Official stamp
----------------

Name of Family Advocate
-----
Signature of Family advocate
-----
Place
-----
Date

3.2 Details of social worker, social services professional or other suitably qualified person:

- ☐ Social worker registered as such at the Social Work Council (give practice number).....

- ☐ Psychologist registered to practice at the Medical and Dental Council (give practice number).....
- ☐ Other suitably qualified person (details of reasons why suitably qualified to be furnished in the space below)\*

.....

.....

.....

.....

.....

\*Annex supporting documentation where necessary

-----  
Full name

-----  
Signature

-----  
Date

**FORM 7**  
**CONFIRMATION OF NON-ATTENDANCE OF MEDIATION**  
**(Regulation 8**  
**[SECTION 21(3) OF THE CHILDREN'S ACT 38 OF 2005]**

File No:

I confirm that as regards the Section 21(3) mediation between:

.....

(Applicant)

and

.....

(Respondent)

concerning the minor children:

1. .... (insert name, gender and date of birth)
- 2..... (insert name gender and date of birth)
- 3..... (insert name, gender and date of birth)

(A) the Respondent was notified of the mediation session to be held on -----(ive date and time)  
by means of:

-----  
-----  
-----

(B) the Respondent failed to attend the mediation session.

Details of Family Advocate (where applicable)

Official stamp
----------------

Name of Family Advocate
-----
Signature of Family advocate
-----
Place
-----
Date
-----

Details of Social worker, social service professional or other suitable qualified person

- ☐ Social worker registered as such at the Council for Social Services Professions (give ..... practice number).....
- ☐ Psychologist registered to practice at the Medical and Dental Council (give practice number).....
- ☐ Other suitably qualified person (details of reasons why suitably qualified to be furnished in the space below)\*

.....

.....

.....

.....

.....

.....

\*Annex supporting documentation where necessary

-----  
Full name

-----  
Signature

-----  
Date



**FORM 8**

**APPLICATION FOR REGISTRATION OF A PARENTING PLAN OR FOR PARENTING PLAN TO BE  
MADE AN ORDER OF COURT**

**(Regulation 9)**

**[SECTION 34(2) OF THE CHILDREN'S ACT 38 OF 2005]**

**Part A: Particulars of holders of parental responsibilities and rights to whom the  
attached parenting plan applies**

*Holder 1.*

Surname	
Full Names	
ID No/Date of Birth/passport no	
Residential Address	
Home telephone no	
Cell phone no	
Email address	
Work Address	
Work Telephone no	
Relationship to child/children	

*Holder 2.*

Surname	
Full Names	
ID No/Date of Birth/passport no	
Residential Address	
Home telephone no	
Cell phone no	
Email address	
Work Address	
Work telephone no	
Relationship to child/children	

*Holder 3.*

Surname	
Full Names	
ID No/Date of Birth/passport no	
Residential Address	
Home telephone no	
Cell phone no	
Email address	
Work Address	
Work telephone no	
Relationship to child/children	

Details of further co-holders of parental responsibilities and rights in respect of whom this application applies to be furnished on a separate page and attached to this Form as an annexure.

**Part B: Details of child or children in respect of whom parenting plan applies**

*First Child*

Surname	
Full names	
ID No/date of birth/passport no	
Residential address	
Contact no	

*Second Child*

Surname	
Full names	
ID No/date of birth/passport no	
Residential address	
Contact no	

*Third Child*

Surname	
Full names	
ID No/date of birth/passport no	
Residential address	
Contact no	

Details of additional children in respect of whom application applies to be furnished on a separate page and attached to this Form as an annexure.

**Part C: Details of application for registration of parenting plan or for parenting plan to be made an order of court**

TO: The Family Advocate/Clerk of the Court/ Registrar of the High Court

Place:

Date:

We,.....

.....

.....

(initials and surnames)

hereby apply for registration of the attached parenting plan at the Office of the Family Advocate/ hereby apply for the attached parenting plan to be made an order of the honorable court (delete whichever is not applicable).\*

-----

-----

-----

Signed:

Signed:

-----

Date

\* Attach written copy of parenting plan signed by the parties to the agreement/ attach copy of **Form 7**

**Part D:** [Note to Applicants: This Part to be completed only where a parenting plan has been prepared with the assistance of a family advocate, social worker or psychologist, or after mediation by a social worker or other suitably qualified person in instance where co-holders of parental responsibilities have experienced difficulties in exercising their responsibilities and rights [section 33(2) and (5) of the Children's Act, 2005]]

Attached to this application is:

☐ **Form 9**

☐ **Form 10**

(Tick whichever is applicable)

-----

-----

-----

Signature of applicant  
applicant

Signature of

-----

Date

FORM 9

STATEMENT OF FAMILY ADVOCATE, SOCIAL WORKER OR PSYCHOLOGIST THAT PARENTING  
PLAN WAS PREPARED AFTER ASSISTANCE

(Regulation 10)

[SECTION 33(2) AND (5) OF THE CHILDREN'S ACT 38 OF 2005]

I ..... (Name and surname)

- ☐ Family Advocate at the abovementioned High Court/ Divorce court/children's court
- ☐ Social worker registered as such at the Council for social services professions  
(give ..... practice  
number.....)
- ☐ Psychologist registered to practice at the Medical and Dental Council (give  
practice number).....

hereby confirm that the parenting plan referred to in **Form 8** between

.....

and

.....

(insert names of parties)

was prepared after assistance by myself and complies with the best interests of the  
child/children.....

..... (insert  
names of child/children)

I confirm that information about the contents of this parenting plan been furnished to the child or  
children, bearing in mind his, her or their age, maturity and stage of development -----

-----

I confirm that the child or children have been given an opportunity to express their views,  
and their views have been given due consideration -----

-----

Signed

-----

Date

Particulars of Family advocate (where applicable)

Official stamp
----------------

Name of Family Advocate/  
Social worker/Psychologist

Signature of Family  
Advocate/Social  
worker/Psychologist

Place

Date

Telephone number

Address:  
Name of organization:

**FORM 10**  
**STATEMENT OF SOCIAL WORKER OR OTHER SUITABLY QUALIFIED PERSON THAT**  
**PARENTING PLAN WAS PREPARED AFTER MEDIATION**  
**(Regulation 10)**  
**[SECTION 34(3) OF THE CHILDREN'S ACT 38 OF 2005]**

I .....(Name and surname)

- ☐ Social worker registered as such at the Council for social services professions  
(give ..... practice  
number.....)
- ☐ Other suitably qualified person (details of reasons why suitably qualified to be  
furnished in the space below)\*

.....  
.....  
.....  
.....  
.....

\*Annex supporting documentation where necessary

hereby confirm that the parenting plan referred to in **Form 8** between  
.....  
and

.....  
(insert names of parties)

was prepared after mediation by myself and complies with the best interests of the  
child/children.....  
..... (insert names of children)

The parties confirm that information about the contents of this parenting plan been  
furnished to the child or children bearing in mind the child or children's age, maturity and  
stage of development -----  
-----  
-----

The parties confirm that the child or children have been given an opportunity to express  
their views, and have given these views due consideration-----  
-----  
-----

-----

Telephone contact details:

Signed

Address:

-----

Date

Organisation:

Signature of Parties:

1.....

2.....

