



Frequently asked questions

1. WHAT IS AN ANC AND ITS PURPOSE?



An antenuptial contract is an agreement that arranges the matrimonial property system of spouses and is concluded before getting married if they wish to exclude the community of property and profit or loss as well as to include or exclude the accrual system from the marriage.

It must be in writing and executed before a Notary before date of marriage. The contract must be followed by a marriage to have any force and effect.

2. CAN PARTIES INCLUDE ANY PROVISION IN AN ANC?

Yes, as long as it is not against nature, reason, morality, public policy or prohibited by law and does not conflict with the essential consequences of marriage or is not calculated to lead to separation or divorce or to take over the powers of the court.





3. CAN CSI ATTORNEYS ASSIST US NO MATTER WHERE WE RESIDE?

Yes, an ANC may be registered in any Deeds office irrespective of where the contract was executed or where the parties reside.



To make sure an Antenuptial Contract is valid and that the selected marital regime applies to your marriage, it must be signed prior to entering into your legal wedding (either before your wedding day, before lobola is paid, or before your marriage is registered at the Department of Home Affairs)



4. WHEN SHOULD AN ANC BE SIGNED?

Yes, an Antenuptial Contract must be registered at the Deeds Office. However, the Notary has 3 months (or 6 months if the parties signed outside of South Africa) from date of execution (signature in front of the Notary) to register same. Therefore, registration may take place after the marriage, as long as registration is effected within the aforementioned prescribed period.



5. SHOULD AN ANC BE REGISTERED TO BE VALID?



6. WHAT ARE THE COSTS INVOLVED TO EXECUTE AND REGISTER AN ANC?

Our fee is R1,600.00 (One Thousand Six Hundred Rand).

This amount includes: a 30 minute online consultation, drafting, executing, and registering an ANC. This amount also includes the Deeds Office disbursement fee of R445.00.

NB: Please take note that an additional courier fee might be applicable if the couple resides outside of Boksburg or is unable to collect the final registered ANC in person. However, the parties can use a courier or family member of their choice to collect the original ANC.

7. IS IT NECESSARY TO WAIT FOR THE REGISTRATION OF THE ANTENUPTIAL CONTRACT BEFORE GETTING MARRIED?

No. Once the signed Antenuptial Contract or power of attorney is received, your notary will provide a certificate for you to give to the marriage officer. The Antenuptial Contract will be registered within three months from the date it was signed in front of the notary.

8. DOES THE MARRIAGE OFFICIANT REQUIRE A COPY OF THE REGISTERED ANC BEFORE OUR WEDDING DAY?

No. It has become more common for marriage officiants to ask couples for a copy of the registered ANC, but this is not correct. If the registered contract is available, the couple may choose to provide it, but the notary will issue a notarial certificate immediately after the ANC has been signed, confirming that the contract has been executed. The marriage officiant must accept this certificate and cannot refuse to marry a couple.

9. WHAT IS THE PROCESS TO OBTAIN OUR ANC AFTER IT HAS BEEN REGISTERED?

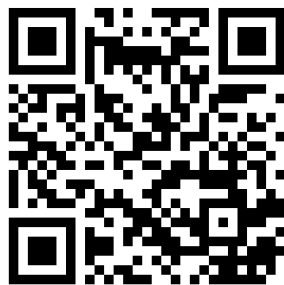
We will inform you once we have received the original registered ANC from the Deeds office, whereafter, you can either collect the document in person from our office or we can arrange to have it couriered to you (for those located outside of East Rand). Please be aware that courier fees will apply.



CARISCA SLABBERT INC



Thank you



Please do not hesitate to contact us
should you have any more questions.