

**Commencement of the new Regulations:**

- 26 May 2014

**Visa Fees:**

- No change in the fee that the Department of Home Affairs (DHA) charges, which is dependent on the category of visa and the country of application;
- Working visas ZAR 1,520.00 or similar currency equivalent at embassy;
- All other visas ZAR 425.00 or similar currency equivalent at embassy;
- Spouses of SA Citizens or PR holders do not have to pay an application fee for their Relative's Visa.

**Applications in South Africa - VFS & fees:**

- All applications in SA must be done at VFS offices at a processing cost of ZAR 1,350.00 per passport – This fee is separate of the DHA Fee;
- All immigration offices within the DHA closed on 2 June 2014;
- VFS offices opened on 18 – 20 June 2014 around the country;
- Applicants must load applications on VFS website, book interview and make payment of DHA applicant fee and VFS fee;
- Premier lounge service for additional R 500.00 per applicant to submit on same day; □  
Website is <http://www.vfsglobal.com/dha/southafrica/>

**1<sup>st</sup> Time Applications:**

- All 1<sup>st</sup> time applications must be done at embassy or consulate;

**Applications done in SA:**

- Change of status or extension must be submitted no less than 60 days prior to the expiry date of the visa;
- No person holding a visitor's or medical treatment visa may apply for a change of status to the visa while in the Republic, unless exceptional circumstances;
- Exceptional circumstances if on Visitor's visa - is an accompanying spouse or child of a holder of the business or work visa, who wishes to apply for a study or work visa;

□

**General Work Visa (GWV):**

- The inclusion of the **Department of Labour** (DOL) report;  
The requirements of the DOL report is extremely cumbersome on employers and will cause undue delays;
- DOL report is expected to take anything from 6 weeks to 3 months;
- See attached DOL requirements;
- There is no extension of GWV, employer must re-advertise the position and look for a local SA candidate;
- Maximum duration of visa is 5 years.

**Intra-Company Transfer Visa (ICT):**

- Must be employed by foreign entity for at least 6 months;
- Maximum duration of visa is 4 years, non-renewable;
- Applicants cannot apply for a change of status while present in SA. They must leave when the visa expires;
- DHA have requested that applicants show how skills will be transferred to SA citizens;

**The Critical Skills Visa (CSV):**

- The Quota and Exceptional skills work permits have been replaced by the Critical Skills visa;
- Critical skills list published on 03 June 2014 – as attached;
- Applicant will need a written confirmation from the professional body, council or board; or Any relevant government Department confirming the skills or qualifications of the applicant and Appropriate post qualification experience;
- If required by law, proof of application for a certificate of registration with the professional body, council or board;
- Can apply for CSV without offer of employment, must find employment within 12 months; □  
Maximum duration is 5 years.

**Business Visa:**

- Currently ZAR 5,000,000.00 must be invested from outside SA;
- The Regulations state business must be considered a desirable (and in the interests of the South African economy).

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- Undesirable business activity will not be approved – as per government gazette;
- Chartered Accountant or Accountant may issue letter;
- Letter from **Department of Trade and Industry (DTI)** required - will cause undue delays;
- Within 12 months business owner must confirm 60% of employees are SAC or PR holders;  
Maximum duration 3 years;

#### **Section 11(2) Visa:**

- Must apply for visa at Embassy or Consulate;
- Section 11 (2) authorisation is not a casual work visa , but rather a once-off non-renewable permission, that addresses an immediate short term or urgent need of a limited duration of work activity that cannot be met by an application for a work visa.
- The authorisation cannot be used in lieu of a work visa for an on-going regular work activity.
- When granted, the authorisation should be for specified limited time-frame, to work for a specific entity and at a specific place, for instance, economic, medical, academic, sporting, cultural or social (e.g. religious) application.
- The specific entity referred to above must identify itself and be a bona fide corporate body, medical or academic institution, sports body, social entity or cultural body, and in case of a sports body, cultural body or event, account must be taken of the bona fide of the advertised fixtures or performances and furnish proof.
- An application must be made in writing to the Director-General by the entity for which the applicant will be carrying out work, making the case for why the person cannot make an application for a work visa and furthermore provide reasons why the limited work envisaged is urgent and necessary.

#### **Study Visa:**

- Will be granted for the duration of study;
- Most embassies require repatriation deposit even if parent employed with repatriation guarantee;
- Must have medical cover and proof of funding;

#### **Corporate Work Visa:**

- A corporate worker may no longer renew their visa or apply for a change of status whilst in South Africa.

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**Life Partner Visa:**

- Relatives Visa - Spouses will have to prove existence of relationship for no less than two years;
- SA Citizen must show R 8,500.00 income per month as proof of ability to support application and spouse;

Applicants must show (i) the financial support to each other; and (ii) the extent to which the related responsibilities are shared; and (iii) proof of cohabitation;

- Foreign Spouse cannot work – unless applies for work authorisation under S11(6)

**Married to SA Citizen / Permanent Resident:**

- Relatives Visa – Same as old regulations;
- SA Citizen must show R 8,500.00 income per month as proof of ability to support application and spouse;
- Foreign Spouse cannot work – unless applies for work authorisation under S11(6)

**S 11(6) Work Authorisation for Spouses of SA citizen / PR Holder:**

- Spouses can apply for work authorisation – same as old regulations;
- Cannot apply for S11(6) visa at the embassy, must first apply for relatives visa at embassy and then apply for change of conditions when in SA.

**Visa's at the Border:**

- Visa exempt nationals will only receive visitors' visa of 7 days if travelling from neighbouring country into South Africa.

**Retirement Visa:**

- Must show proof of income of R 37,000.00 per month per person; or
- Minimum net worth (unconfirmed – only PR amount confirmed);
- Section 20(2) – May apply to conduct work; □ Maximum Period 4 years.