



# IMMIGRATION

Tailor-made solutions for corporate clients.

At Cliffe Dekker Hofmeyr, our Corporate Immigration team assists international and South African companies with immigration requirements normally associated with the import of foreign skills or relocations of ex-patriots and their families.

Our Corporate Immigration team offers best practice immigration solutions to corporate clients.

The team consists of experienced lawyers at all levels from across our various practice areas that have specialist knowledge of the immigration laws of South Africa.

Whether you wish to second an employee to a foreign entity, subsidiary or parent company or you need to import talent to provide service to a local business, our Corporate Immigration team provides tailor-made advice and assistance, at a fee appropriate to the complexity and scope of the instruction.

## OUR CORPORATE IMMIGRATION SERVICES

We are able to assist with all immigration related legal issues; in particular, the current requirements of the Department of Home Affairs.

### ■ The Section 21 Corporate Permit

In terms of Section 21 of the Immigration Act, a company may apply to the Department of Home Affairs for a Corporate Permit, which entitles the company to set out the required number of foreign citizens it wishes to employ in specific categories within its business. The Director General of Home Affairs will, after consultation with the Department of Labour and Department of Trade and Industry, approve a set number of employees for the various categories a company requires.

On receipt of the corporate permit certificates, the company may head hunt skilled foreign workers who have the specific skills set out in the corporate permit application.

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The Section 21 Corporate Permit is the most effective way of recruiting a large number of foreign employees with skills that are in short supply in South Africa.

- We are also able to advise corporate immigrants on the South African income tax and exchange control laws that are likely to affect them.
- We can identify tax exposures and advise on tax planning strategies.
- We can advise on exchange control issues and the remittance of funds.
- We can assist in drafting business plans into registration of the business in terms of the Companies Act and registering the business with the South African Revenue Services. In the event that an investment of less than R2.5 million is made, we assist in obtaining a waiver from the Director General of the Department of Home Affairs to reduce the R2.5 million capital requirement.

### Our expertise includes:

- Acquisition of work permits. The categories of work permit include:
  - General work permit: A three – five year employment contract which may be extended
  - Intra Company Transfer: A two year work permit
  - Quota work permit
  - Exchange permits to conduct work
  - Exceptional Skills work permit
  - Corporate work permit
- Application for and obtaining of all categories of visas
- Acquisition of temporary residence permits
- Acquisition of permanent residence and immigration permits
- Processes to determine status or citizenship
- Resumption of citizenship
- Acquisition of all categories of permits such as study permits, medical permits, work permits and intercompany transfers
- Acquisition of business permits to establish a new business and business permits to invest in an existing business venture
- Obtaining of immigration permits based on job offer, spousal category, self employment or own business category, categories of financially independent persons, retired persons or relatives' permits
- Assistance with:
  - Passport issues
  - Restoration of permanent residence rights
  - Obtaining abridged birth certificates and full birth certificates
  - Procuring copies of marriage certificates
  - Immigration law related applications to the High Courts and Constitutional Court
  - Reconsideration applications and appeals
  - Petitions and exemption applications to the Minister of Home Affairs
  - Chartered Accountant certifications through an associate accountant
- Preparing notarial contracts of cohabitation
- Estate planning for those who emigrate
- Assistance with the structuring of employment and tax benefits when foreign employees are employed in South Africa.

# WHY CHOOSE CLIFFE DEKKER HOFMEYR?

## Africa footprint; global reach

Cliffe Dekker Hofmeyr is one of the largest legal firms in South Africa with more than 130 directors (partners) and 300 lawyers at offices in Johannesburg and Cape Town.

Through our exclusive alliance with DLA Piper, one of the largest global legal services providers, we are able to provide international legal solutions for clients wherever they choose to do business.

With over 3,500 lawyers practising in 67 offices in 29 countries throughout Asia, Europe, the Middle East and the USA, DLA Piper extends its already substantial geographic presence through its exclusive alliances with independent law firms across Africa and Australasia.

Cliffe Dekker Hofmeyr is a member firm of DLA Piper Group. With this exclusive network of firms across the African continent, we are able to offer our clients unparalleled pan-African support and advice that is enriched by genuine knowledge of both local and international considerations.

## Full service business solutions

We are business lawyers. We help companies succeed by offering corporate and commercial legal expertise across the full range of legal service areas and industries, and providing practical and commercially focused legal solutions.

We offer the advantage of one law firm with the depth of resources, capabilities and experience tailored to a client's day-to-day business needs and long term strategy.

Our lawyers specialise in their particular field of law. We work in teams.

We advise local, national and international companies across a wide range of sectors, from emerging businesses to major brands, as well as all levels of government.

## Recognition

We value diversity, respect for the individual and equal opportunity. We contribute actively to attaining the objectives of Black Economic Empowerment and have earned a **Level 3** Contributor empowerment rating.

At Cliffe Dekker Hofmeyr, we are regularly ranked by clients and our industry peers as a first-rate firm in independent surveys and many of our lawyers are highly recommended in their respective fields in authoritative business and professional publications.

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Understanding our clients and their needs drives everything we do. We make it our priority to really get to know our clients so we can better understand their businesses and help them succeed. When it comes to our clients, **EVERYTHING MATTERS.**

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# CONTACT US

For advice, please contact a member of our Corporate Immigration team.



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