IMMIGRATION INSIGHTS

by CDH Employment Law

ALERT

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INCORPORATING
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Extended Validity of Zimbabwean Exemption Permits

On 29 November 2021, a directive was issued by the Director-General of the Department of Home Affairs (DHA) confirming cabinet's decision that, no further extensions would be granted to Zimbabwean nationals, who were holders of a Zimbabwean Exemption Permit (ZEP). This directive was subsequently withdrawn and replaced by a directive dated 29 December 2021.



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In terms of the newly issued directive, the validity of all ZEP's that were granted to Zimbabwean nationals were extended for a period of 12 months, until 31 December 2022, in order to allow permit holders to apply for an alternative 'mainstream' visa in terms of the Immigration Act 13 of 2002 (Act).

During this period:

- no ZEP holder is required to produce a valid exemption certificate or a letter of authorisation to remain in South Africa when applying for any category of visa;
- no ZEP holder can be arrested, ordered to depart South Africa, or deported for any reason relating to the ZEP holder not being in possession of a valid exemption certificate in his/her passport; and

 all ZEP holders are allowed to enter or depart from South Africa, subject to meeting the requisite requirements in terms of the Act.

On 2 September 2022, with the impending expiry date of the validity of ZEP's looming, the Minister of Home Affairs (Minister) announced an extension of the validity of ZEP's until 30 June 2023. This decision was made by the Minister after reviewing the progress report provided by Dr Cassius Lubisi, the head of the Departmental Advisory Committee. In terms of this report, the Minister was advised to consider extending the validity of ZEP's considering inter alia, not many ZEP holders have applied for an alternative 'mainstream' visa or waiver application, where applicable.

While this decision provides all ZEP holders with an additional 6 months to apply for a 'mainstream' visa, all ZEP holders are urged to submit their applications as soon as possible. This is partly due to the DHA's backlog in the processing of visa and waiver applications, and as the Minister reiterated that no further extensions will be granted.

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BBBEE STATUS: LEVEL ONE CONTRIBUTOR

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

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