

Immigration Insights

by CDH Employment Law

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Updates to the new visa regime and potential reforms ahead

Operation Vulindlela, which was established in October 2020, is a joint initiative of the Presidency and National Treasury aimed at accelerating the implementation of structural reforms and support for the national economy's recovery from the devastation of the COVID-19 pandemic.

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Updates to the new visa regime and potential reforms ahead

Operation Vulindlela, which was established in October 2020, is a joint initiative of the Presidency and National Treasury aimed at accelerating the implementation of structural reforms and support for the national economy's recovery from the devastation of the COVID-19 pandemic.

The reforms are aimed at the electricity, digital communications, water, and transport sectors as well as the current visa regime with a view to attracting required skills.

The reforms relating to the current visa regime primarily involve reducing the hurdles experienced by companies who seek to employ foreign nationals to not only fill the existing skills gap, but to also take advantage of the skills transfer that would occur to South Africans if the relevant foreign nationals were permitted to work in South Africa.

In respect of these reforms, it has been announced that three significant changes to the South African visa regime may shortly be presented to the public for comment. These are:

- **Creating new visa categories for remote workers and start-ups** –The creation of a new visa category for remote workers and startups is not only aimed

at attracting "*digital nomads*" to South Africa by allowing the "*digital nomad*" to live in and work remotely from South Africa, but to also facilitate and ease the administrative burden faced by foreign businesses wanting to start up in South Africa;

- **Establishing a points-based system for work visa application routes** - During President Ramaphosa's State of the Nation Address this year, he had made a commitment for the establishment of a more flexible points-based system to urgently attract foreigners with critical skills to South Africa by making the visa application process simpler; and
- **Introduction of a trusted employer scheme** - This scheme allows for a company to be vetted and approved prior to an application being made, thereby streamlining the process and avoiding unnecessary delays.

It is proposed that the implementation of these steps will further support the reforms which have already been rolled out and which relate to expanding the option for visa waivers to more countries. The publication of a revised critical skills list has already taken place in August 2022.

It is anticipated that these reforms will make the process less onerous and urgently address the need for critical skills by encouraging and attracting foreign nationals and companies to South Africa.

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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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