

Immigration Law

16 February 2026

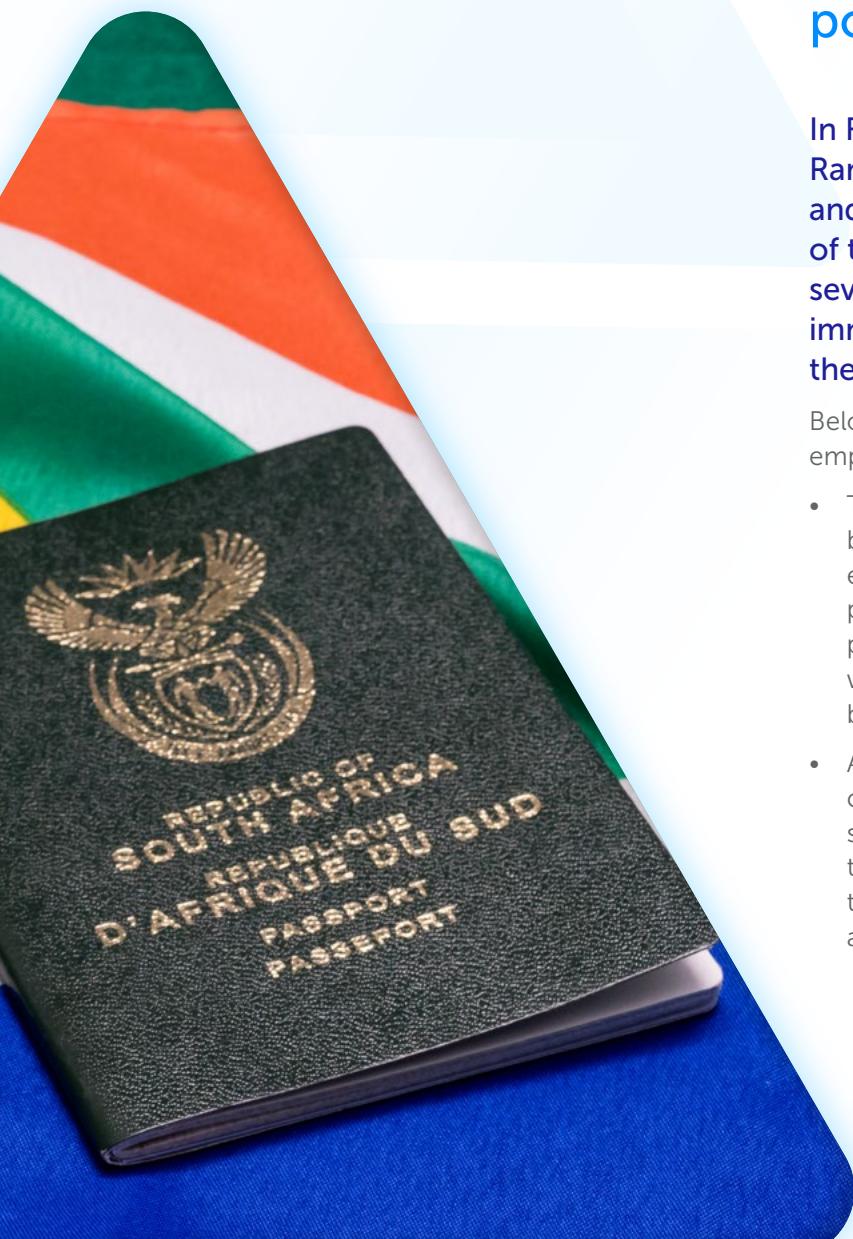
South Africa

- South Africa's immigration policy outlook for 2026



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South Africa's immigration policy outlook for 2026

In February 2026 both President Cyril Ramaphosa and the Minister of Employment and Labour (Minister), following the State of the Nation Address (SONA), highlighted several aspects related to South Africa's immigration laws and policy and how these will be shaped going forward.

Below we highlight the key points that impact both employers and employees:

- The Electronic Travel Authorisation (ETA) will be rolled out to all countries that require a visa, enabling visa applications for tourists to be processed digitally within 24 hours. Key border posts will be redeveloped, and the use of the ETA will be extended to all international airports and the busiest land ports of entry.
- Additional steps will be taken to secure the country's borders. Funding to strengthen border security will be prioritised, covering infrastructure, technology and people. Drones and other technology are already being used to greater effect along the country's borders.

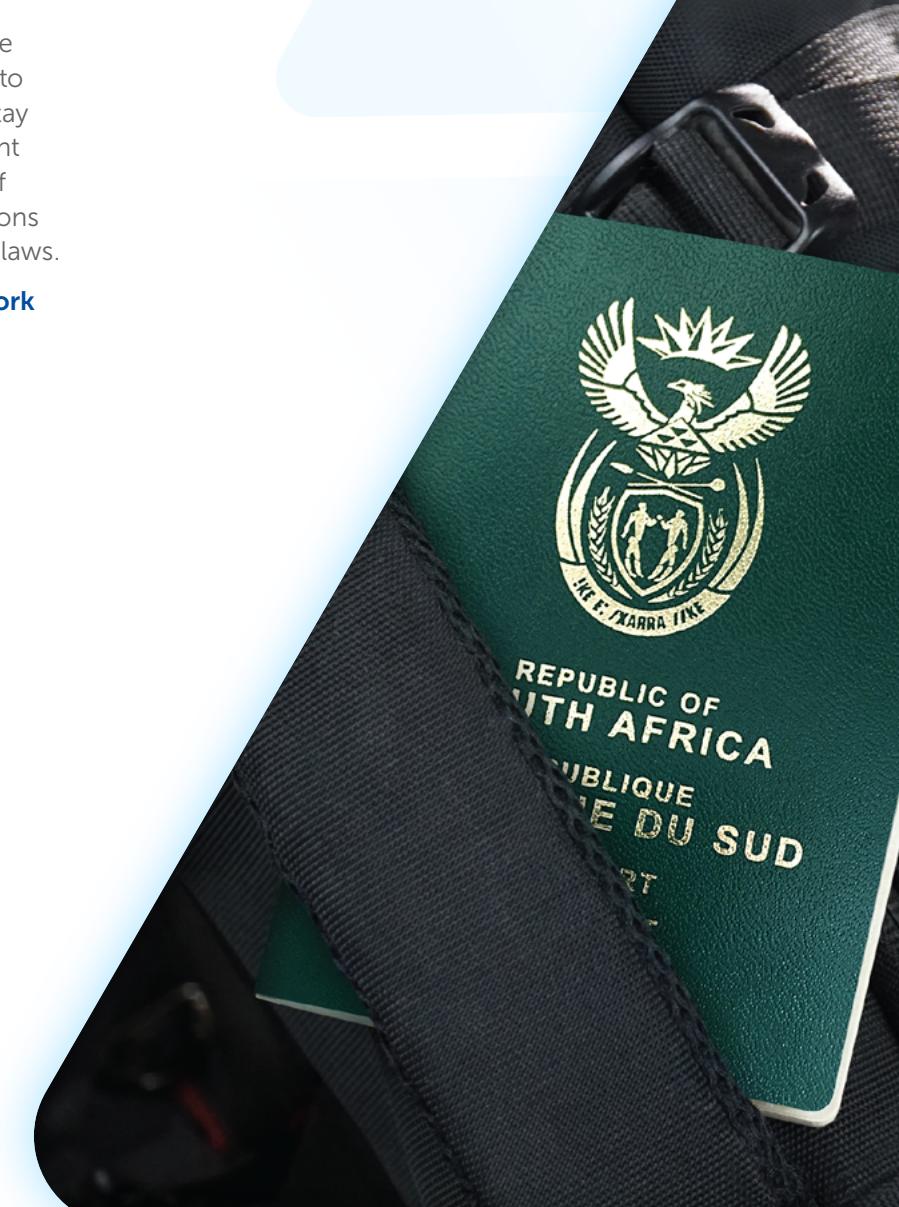
- Illegal immigration affects security, stability and economic progress. As a result, the South African Police Service (SAPS), the Department of Home Affairs (DHA) and labour inspectors will enforce immigration and labour laws. Employers hiring foreign nationals without visas will be prosecuted and enforcement measures will increase, with 10,000 new labour inspectors to be appointed. The intention is to increase and strengthen enforcement, protect vulnerable workers, and promote fair labour practices with more inspectors to tackle non-compliance and unlawful employment while supporting a stable labour market.
- The DHA will launch a Digital ID to enable the safe and secure use of digital services for all South African citizens. All these services will be made available on the MyMzansi platform. In addition, more bank branches are set to offer Smart ID and passport services.

- Addressing foreign national employment, the Department of Employment and Labour (DEL) will continue to work with other agencies like the DHA and the SAPS to deal with undocumented migrants.
- The DEL is finalising the National Labour Migration Policy and the framework on the regulation of immigration, which will empower the Minister to:
 - prescribe employment quotas for foreign nationals in specific sectors; and
 - ring-fence certain sectors wholly or partially for the employment of South Africans.
- In addition, amendments to the Employment Services Act 4 of 2014 will be introduced to strengthen the regulation of the employment of foreign nationals.
- In relation to the agricultural sector, the Minister noted that given the sector's reliance on vulnerable workers and its economic importance, the DEL has classified agriculture as a high-risk sector from an enforcement perspective. What this means is that the DEL has intensified all pillars of its intervention in the agricultural sector, being advocacy, inspections and enforcement. The Minister stated that the DEL will continue to work closely with employers and organised formations, such as AgriSA, to strengthen compliance and protect workers.

What to look out for

With developments in South Africa's immigration framework being front of mind at the SONA, immigration compliance has never been more critical. Employers are therefore encouraged to keep an eye on these developments and to stay ahead of any DHA, SAPS and DEL enforcement initiatives by ensuring that the employment of foreign nationals does not fall foul of obligations under applicable employment and migration laws.

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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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