

Home Affairs outlines measures to deal with immigration

The Department of Home Affairs has outlined temporary measures that have been put in place to address immigration matters during the lockdown period.



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The temporary measures were introduced after President Cyril Ramaphosa declared a National State of Disaster on 15 March and subsequently a national lockdown from 27 March, extended until the end of April 2020, to contain the spread of Covid-19.

These temporary measures will remain valid until 31 July 2020, unless extended officially by the department. They apply only to foreign nationals, who have been legally admitted into the country.

The visa concessions are contained in the Directions, which have been issued by the department in terms of the Disaster Management Act, 2002.

“Visa concessions listed below apply to those with visas that expired from 15 February 2020, unless a person has proof that he/she had already submitted an application for a visa extension prior to 15 February 2020 and the outcome is pending,” the department said.

Expiry of visas

Holders of temporary residence visas, which expired from mid-February 2020, who did not renew their visas before the lockdown, will not be declared illegal or prohibited persons.

“Any person whose visa expired before or during the lockdown will not be arrested or detained for holding an expired visa. Those who opt to return to their countries of origin or residence after the lockdown, instead of renewing their visas, will not be declared undesirable upon departure,” the department said.

During the lockdown, the department is not receiving or adjudicating applications for visas and for permanent residence permits.

“Foreign nationals, whose visas expired after 15 February 2020, may reapply for their respective visas or relevant visa exemption while in the Republic, immediately after the lockdown has been lifted. They will not be required to apply for authorisation to remain in the country (Good Cause/Form 20),” the department said.

Foreign nationals, whose visas expired after 15 February 2020, who had scheduled appointments on dates which fall within the lockdown period, should reschedule their appointments to an available date after the lockdown has been lifted.

Work, study and business

People whose visas expired during the lockdown and those who have submitted their applications before the lockdown but their applications are still pending will be allowed to work, study or conduct business after the lockdown while waiting for the outcome of their applications.

“Visas issued to nationals of high risk countries, who were outside the Republic on 15 March 2020, were revoked - as per the Directions issued by the department in terms of the Disaster Management Act, 2002. These visas remain revoked,” the department said.

During the lockdown, except for cases relating to expatriation initiated by another State, all foreign nationals, who are currently in South Africa, may not depart.

Holders of the Lesotho Special Permit have up to 15 June 2020 to submit their applications for the Lesotho Exemption Permit.

The Lesotho Special Permits, which expired on 31 December 2019, remain valid until 15 June 2020. No new applications will be taken.

“Any asylum seeker, whose visa expired from 16 March 2020 to the end of the lockdown period, will not be penalised or arrested, provided that they legalise their visa within 30 calendar days of the lockdown being lifted,” the department said.