



home affairs

Department:
Home Affairs
REPUBLIC OF SOUTH AFRICA

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DEPARTMENT OF HOME AFFAIRS : HEAD OFFICE
PROVINCIAL INSPECTORATE
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BORDER MANAGEMENT AUTHORITY : THE COMMISSIONER
PORTS OF ENTRY

CIRCULAR: EXTENSION OF TEMPORARY CONCESSION IN RESPECT OF FOREIGN NATIONALS IN LIGHT OF A CONTINUED BACKLOG IN PROCESSING OUTCOMES ON WAIVER APPLICATIONS, VISA APPLICATIONS AND APPEAL APPLICATIONS

1. The Department continues to battle a backlog in its visa and permitting regime. In a further attempt to address the impact that the backlog in processing outcomes on waiver-; and visa-; and appeal applications have on foreign nationals, I have approved the extension of the temporary measures to address the situation they find themselves in. The following temporary measures will apply with immediate effect.
 - 2(a) **Applicants whose waiver application outcomes are still pending:** Visa holders who have applied for a waiver and the waiver application is still pending as at 30 November 2023 to be granted a further temporary extension until 30 June 2024 to enable the Department to process the applications and for applicants to collect their outcomes and submit applications for appropriate visas. For those who wish to abandon their waiver applications and depart from South Africa, they should be allowed to exit at a port of entry before or on 30 June 2024 without being declared undesirable in terms of section 30(1)(h) of the Immigration Act, read with regulation 27(3) of the Immigration Regulations. Visa holders who need to travel, but are awaiting the outcome of a waiver application, they should be allowed to exit and re-enter at a port of entry up to and including 30 June 2024, without being declared undesirable in terms of section 30(1)(h) of the Immigration Act, read with regulation 27(3) of the Immigration Regulations. However, non-visa exempt applicants who travel out of the country with a waiver application receipt are required to apply for a port of entry visa which would allow them re-entry into South Africa.
 - (b) **Applicants whose visa applications are still pending:** Visa holders who have applied for long-term visas (Visitor's Visas in terms of section 11(1)(b) and 11(6) of the Immigration Act; Business Visas, Study Visas, Relative's Visas and Work Visas) and the visa application is still pending as at 30 November 2023, to be granted a further temporary extension until 30 June 2024 of the current visa status. Applicants are not allowed to engage in any activity other than what the visa conditions provide for. For those who wish to abandon their

visa applications, they should be allowed to exit at a port of entry before or on 30 June 2024 without being declared undesirable in terms of section 30(1)(h) of the Immigration Act, read with regulation 27(3) of the Immigration Regulations. Visa holders who need to travel, but are awaiting the outcome of a long-term visa application, they should be allowed to exit and re-enter at a port of entry up to and including 30 June 2024, without being declared undesirable in terms of section 30(1)(h) of the Immigration Act, read with regulation 27(3) of the Immigration Regulations. However, non-visa exempt applicants who travel out of the country with a long-term visa application receipt, are required to apply for a port of entry visa which would allow them re-entry into South Africa.

(c) **Applicants whose visa appeal applications are still pending:** Visa holders who have appealed a negative decision on an application for long-term visa (Visitor's Visas in terms of section 11(1)(b) and 11(6) of the Immigration Act; Business Visas, Study Visas, Relative's Visas and Work Visas) to be granted a temporary extension until 30 June 2024 of the current visa status. Applicants are not allowed to engage in any activity other than what the visa conditions provide for. For those who wish to abandon their visa appeal applications and depart from South Africa, they should be allowed to exit at a port of entry before or on 30 June 2024 without being declared undesirable in terms of section 30(1)(h) of the Immigration Act, read with regulation 27(3) of the Immigration Regulations. Visa appeal applicants who need to travel, but are awaiting the outcome of an appeal application for a long-term visa, they should be allowed to exit and re-enter at a port of entry up to and including 30 June 2024, without being declared undesirable in terms of section 30(1)(h) of the Immigration Act, read with regulation 27(3) of the Immigration Regulations. **All appeal** applicants are required to produce a copy of the rejection letter with a receipt for the appeal application on departure and re-entry into South Africa. Non-visa exempt appeal applicants who travel out of the country with an appeal application receipt, are required to apply for a port of entry visa which would allow them re-entry into South Africa.

(d) Short term visa holders issued in terms of section 11(1)(a) of the Immigration Act for 90 days or less, up to and including 30 November 2023, who have applied for a renewal of the visa but have not received their visa renewal outcome by 23 February 2024, they must make the necessary arrangements to depart from South Africa on or before 29 February 2024, to avoid being declared undesirable

3. The temporary measures mentioned in paragraph 2 above will apply only to foreign nationals who have been legally admitted into South Africa. This concession is only applicable to applicants who have submitted an application via VFS Global on or before 30 November 2023. Any further extension, modification or amendments to the terms of these concessions will be communicated in writing.



B. T. MAVUSO

ACTING DIRECTOR-GENERAL

DATE: 21/12/2023