

IMMIGRATION SERVICES FEES

The fees for an immigration lawyer:

- *Consultation: R 1 000.00 to R 3 000.00*
- *Visa facilitating process for DIASPORA: Between R10 000.00 to R30 000.00*

The fees of an immigration agent or consultant INCLUSIVE of VFS FEES:

- Critical Skills Visa fee – R4 690.00 (SAVE R3 000)
- Corporate Visa fee – R4 690.00 (SAVE R3 000)
- Business Visa – R6 990.00
- General Work Visa – R4 990.00 (SAVE R3 000)
- Intra-Company visa – 4 980.00 (SAVE R3 000)
- Life Partner Visa – R4 980.00 (SAVE R3 000)
- Permanent Residency – R8 990.00. (SAVE R3 000)
- Relatives Visa – R4 990.00 (SAVE R3 000)
- Retirement Visa – R8 990.00 (SAVE R3 000)
- Spousal – R4 990.00 (SAVE R3 000)
- Student Visa – R4 790.00 (SAVE R3 000)
- LESOTHO EXEMPTION PERMIT (LEP PERMIT) – R3 590.00
- WAIVER LETTER WITH ZIMPABWE EXEMPTION PERMIT -R3 333.00
- WAIVER LETTER WITH ANY VALID LEGAL STATUS – R3 990.00

##LEGALISE YOUR STATUS NOW##

General information about temporary residence visas

*The objectives of the **Immigration Act, 2002 (Act No 13 of 2002)**, which was implemented on 7 April 2003, include:*

- Facilitating and simplifying the issuance of temporary residence visas and permanent residence permits.
- Promoting economic growth by facilitating foreign investment and attracting exceptionally skilled and qualified foreigners to South Africa.
- Promoting tourism to South Africa.

Documents required to apply for a long-term temporary residence visa, except medical treatment visa

*The following general documentation must be submitted with all temporary residence visa applications on form **DHA-1738**, except in the event of an application for a medical treatment visa:*

- A passport valid for no less than 30 days after the expiry of intended visit
- A photocopy of all temporary residence visas endorsed in the passport
- Processing fee
- 1 recent passport size colour photograph
- A yellow fever vaccination certificate (if the applicant has travelled through or intends travelling through the yellow fever belt area)
- Police clearance certificates in respect all countries where the applicant has resided for a period of twelve months or longer since having attained the age of 18 years.

- Medical and radiology reports (radiology reports are not required for children under the age of 12 years and pregnant women)
- An unabridged birth certificate
- Proof of custody or adoption of a minor, where applicable
- Consent from the parents of a minor, where applicable
- A marriage certificate, where applicable
- Proof of a spousal relationship by means of an affidavit, where applicable
- A divorce decree or proof of legal separation, where applicable
- A death certificate in respect of a late spouse, where applicable

Supporting documents, in addition those mentioned above, are applicable to every category of temporary residence visa. These supporting documents are listed on the **DHA-1738** application form under each visa category.

Where to apply for a temporary residence visa

Any foreigner who wants to enter South Africa must apply for the appropriate temporary residence visa at:

- the South African diplomatic representative in his/her country of origin, or
- at a South African diplomatic representative in a neighbouring country if there is no South African diplomatic representation in the applicant's country of origin

Applications for temporary residence visas are processed and finalised at the foreign offices of the Department of Home Affairs. Arrangements to travel to South Africa must only be made once the temporary residence visa has been issued.

Extending the validity of a temporary residence permit or applying for change of status or conditions

An application for the extension of the validity of a temporary residence visa must be done at least 60 days prior to the expiry of the visa by submitting an application online at www.vfsglobal.com/dha/southafrica. There is a fee payable when applying for an extension of the validity of a temporary residence visa.

Applying for a change of status or change of conditions relating to an existing temporary residence visa

An application for a change of status or change of conditions relating to an existing temporary residence visa must be submitted online at www.vfsglobal.com/dha/southafrica within the validity period of the visa.

It is important to take note that the Immigration Act prohibits an application for change of status or change of conditions relating to an existing temporary residence visa, where the foreigner is the holder of a visitor's visa or medical treatment visa. Such foreigners are required to return to their countries of origin or of permanent residence in order to submit an application for an appropriate temporary residence visa. Exceptions are only allowed where the foreigner is in need of lifesaving medical treatment, or where the foreigner is required to remain in the Republic in order to testify as a state witness in a criminal court case, or where the applicant is the spouse or dependent child of a work visa or business visa holder who wish to apply for a work visa or study visa.

Business Visas

Foreigners who are contemplating investing in the South African economy by establishing a business or by investing in an existing business in the country must apply for a business visa, if it is his or her intention to be employed in the business.

The following documents must form part of a business visa application:

- A certificate issued by a Chartered Accountant or a Professional Accountant registered with the South African Institute of Professional Accountants to the effect that you have at least R5 000 000 available in cash, or at least R5 000 000 in cash and capital to be invested in the Republic.
- A recommendation from the Department of Trade and Industry regarding the feasibility of the business and the contribution of the business to the national interest of the Republic.
- An undertaking that at least 60% of the total staff compliment to be employed in the operations of the business shall be South African citizens or permanent residents employed permanently in various positions.
- An undertaking to register with the-
 1. South African Revenue Service;
 2. Unemployment Insurance Fund;
 3. Compensation Fund for Occupational Injuries and Diseases;
 4. **Companies and Intellectual Properties Commission (CIPC)**; where legally required; and
 5. Relevant professional body, board or council recognised by SAQA in terms of section 13(1)(i) of the **National Qualifications Framework Act**, where applicable.

The holder of a business visa is entitled to study part-time, without the need to apply for permission from the Department of Home Affairs in the form of an application for change of conditions to an existing business visa.

General Work Visas

General Work Visas are issued to foreigners where it has been proven beyond reasonable doubt that South African citizens and permanent residents with the relevant qualifications or skills and experience are not available for appointment. Prior to submitting an application for a general work visa, the applicant's prospective employer is required to apply to the Department of Labour for a certificate confirming that-

- despite diligent search, the prospective employer has been unable to find a suitable candidate with qualifications or skills and experience equivalent to those of the applicant;
- the applicant has qualifications or proven skills and experience in line with the job offer;
- the salary and benefits of the applicant are not inferior to the average salary and benefits of citizens or employees occupying similar positions in the Republic;
- a contract of employment stipulating the conditions of employment and signed by both the employer and the applicant is in line with the labour standards in the Republic and is made conditional upon the general work visa being approved;
- proof of qualifications evaluated by SAQA and translated by a sworn translator into one of the official languages of the Republic was submitted; and
- full particulars of the employer, including, where applicable, proof of registration of the business with the [Commission on Intellectual Property and Companies \(CIPC\)](#).

Critical Skills Work Visas ([Click here for requirements](#))

From time to time the Minister of Home Affairs publishes a **Critical Skills list** in a Government Gazette. Prior to submitting an application for a Critical Skills Work Visa, the applicant is required to have his or her foreign qualification(s) translated by a sworn translator into one of the official languages of the Republic and to have such qualification(s) evaluated by the **South African Qualifications Authority (SAQA)**. The applicant is also required to obtain written confirmation(s) from a **professional body**, council or board recognised by SAQA or any relevant government department confirming the skills or qualifications of the applicant and appropriate post qualification experience. In the event that any law in South Africa requires of you to be professionally registered in order to practice your profession, your application must contain proof of an application made for a certificate of registration with the **professional body**, council or board recognised by SAQA.

Intra-company Transfer Work Visas

Occasionally, multi-national companies may decide to transfer an existing employee in a key position from a foreign branch to a branch, subsidiary or an affiliate of that company in South Africa. These employees must apply for intra-company transfer work permits. In such cases, no proof of steps taken to obtain the services of a South African citizen or permanent residence will be required. However, it is required that the applicant must have been employed in the company abroad for at least six months prior to his or her transfer to the South African operations and the South African branch, subsidiary or affiliate company must provide a skills transfer plan as proof that the transfer of skills to a South African citizen or permanent resident will take place. Intra-company transfer work visas are issued for a maximum period of four years and are not renewable or extendable. Should the continued services of the applicant for some or other reason be required by

the South African operations at the end of the four year term, an application for a new intra-company transfer work visa must be applied for from the applicant's country of origin or of permanent residence.

The holder of a general-, critical skills- or intra-company transfer work visa is entitled to study part-time, without the need to apply for permission from the Department of Home Affairs in the form of an application for change of conditions to an existing work visa.

Study Visas

Study visas are only issued for studies at the following learning institutions-

- a school contemplated in section 1 of the *South African Schools Act, 1996 (Act No 84 of 1996)*; or
- a college established in terms of the Further *Education and Training Colleges Act, 2006 (Act No 16 of 2006)*, but excluding a school offering further education and training programmes under the South African Schools Act or a college under the authority of a government department other than the Department of Higher Education and Training; or
- an institution of higher education established in terms of the *Higher Education Act, 1997 (Act No 101 of 1997)*.

Students are required to provide proof of medical cover renewed annually for the period of study with a medical scheme registered in terms of the Medical Schemes Act. However, where a student is attending a school contemplated in section 1 of the South African Schools Act as the dependent child of a parent holding a visa issued in terms of section 11, 13, 14, 15, 17, 18, 19, 20 or 22 of the Immigration Act and is registered on the medical aid or international health insurance of such parent, proof of South African medical cover is not required.

Exchange Visas

Applications for exchange visas to take part in a programme administered or organised by a learning institution in South Africa in conjunction with a learning institution/organ of a foreign state, requires a confirmatory letter from the Department of Basic Education or the Department of Higher Education and Training, as the case may be, confirming that it is responsible for organising or administering the programme, outlining the activities and duration thereof, as well as confirming that it will take full responsibility for the student whilst he or she is in the country. Furthermore, the foreign state institution or learning institution must confirm in writing the particulars of the applicant, the applicant's enrolment with a learning institution abroad and the date on which the programme shall commence.

Retired Persons' Visa

A persons who wish to retire in South Africa may apply for a retired person visa, provided that he or she receives at least R37 000 per month from a pension fund or an irrevocable retirement annuity or has a net worth or a combination of assets realising a minimum monthly income of R37 000.

Relative's Visa

A relative's visa may be issued for the prescribed period by the Director-General to a foreigner who is a member of the immediate family of a citizen or a permanent resident, provided that such citizen or permanent resident provides the prescribed financial assurance.

The financial assurance contemplated in section 18(1) of the Act shall be an amount, per person and per month, as determined from time to time by the Minister by notice in the Gazette, to be proven by means of a current salary advice or a certified bank statement not older than three months at the time of application: Provided that the financial assurance shall not be required

where the South African citizen or permanent resident is a dependent child.

The current amount determined by Minister is R8 500.00

Medical Treatment Visa

Any foreigner who needs to undergo medical treatment in the Republic is required to apply for a medical treatment visa, which visa may be issued for periods of six months at a time. An application for a medical treatment visa must be accompanied by a letter from the applicant's registered medical practitioner or medical institution within the Republic confirming that space is available at the medical institution; the estimated costs of the treatment; whether or not the disease or ailment is treatable or curable; the treatment schedule and the period of intended treatment in the Republic. Details must also be submitted by the person or institution responsible for the medical expenses and hospital fees and where the applicant's medical scheme or employer is not liable for expenses incurred, proof of financial means to cover the medical costs and costs indirectly related to the treatment must be submitted.