

IMMIGRATION DIRECTIVE NO. 12 OF 2021

TEMPORARY MEASURES IN RESPECT OF FOREIGN NATIONALS IN LIGHT OF THE IMPOSITION OF TRAVEL BANS IN AN UNPRESIDENTED ATTEMPT TO CURB THE SPREAD OF THE OMICRON VARIANT OF THE COVID-19 VIRUS

As the international community has taken a decision to close their borders, airlines have restricted flights to several destinations and H.E. President M C Ramaphosa's call on 27 November 2021 to lift these travel bans have been met with golden silence, I, in my capacity as Minister of Home Affairs, have had to introduce some temporary measures on all foreign nationals who need to enter the Republic of South Africa, or who have already entered the Republic and are awaiting the outcome of waiver and visa applications, or those who cannot return to their respective countries of embarkation due to travel bans and whose visas have expired or are due to expire. The following temporary measures will apply with immediate effect.

- a) **Applicants whose waiver application outcomes are still pending:** Foreign nationals whose waiver applications are still pending are hereby granted a blanket temporary extension until 31 March 2022 in order for the Department to process these applications and for applicants to collect their outcomes and submit applications for appropriate temporary residence visas. Applicants, who wish to abandon their waiver applications and depart the country when able to do so, will be allowed to exit at a port of entry before or on 31 March 2022 without being declared undesirable.
- b) **Applicants whose visa applications are still pending:** Foreign nationals who are awaiting the outcome of visa applications are granted a blanket temporary extension until 31 March 2022 of the current visa status. Those who wish to abandon their visa applications and depart from the country when able to do so, will be allowed to exit at a port of entry before or on 31 March 2022 without being declared undesirable. Applicants are not allowed to engage in any activity other than what the visa conditions provide for. Applicants with pending long-term visa applications who originate from countries that are exempt from port of entry visa requirements and who wish to travel over the festive season may do so by presenting their VFS receipts on arrival back at the port of entry for admission purposes and to collect their visa outcomes. However, those applicants with pending long-term visa applications who originate from countries that are visa restricted, would require a port of entry visa and their VFS receipt in order to be re-admitted at a port of entry.
- c) **Visitor's visas:** Foreign nationals who have been legally admitted through a port of entry with effect from 01 October 2021 when the country moved to alert level 1, whose visas have expired or is due to expire and who are affected by the international travel bans, are granted a blanket temporary extension valid until 31 March 2022 in order to depart from the country without being declared undesirable.
- d) **Permanent residence permit holders:** In order to accommodate foreign nationals who have been granted permanent residence status, but who are either unable to enter the Republic before or on 31 December 2021, as per my previous temporary blanket concession, are granted a blanket temporary extension until 31 July 2022. My reason for granting this category of persons until 31 July 2022 to enter the Republic, is to accommodate persons who have school going children whose academic calendar runs from July to June.

The temporary measures mentioned in paragraphs a to d above will apply only to foreign nationals who have been legally admitted into the Republic. Any further extension or modification or amendments to the terms of these concessions will be communicated in writing.

This Immigration Directive follows Immigration Directive No.11 of 2021, which deals with: Exemption Permit Holders (ZEP) (Withdrawal).