

IMMIGRATION TO SOUTH AFRICA

The permanent residence permit can be issued to the following categories of foreigners:

1. A FOREIGNER

- who has been in SA on a work permit for five years;
- who has received a permanent offer of employment;
- whose employer's chartered accountant submitted a certification that the post exists and is intended to be filled by such foreigner; and
- in respect of whom the Department of Labour certified that the terms and conditions of the person's employment are not inferior to those applicable to South African citizens/residents in the same field.

THE APPLICATION MUST BE SUBMITTED AT A REGIONAL OFFICE OF THE DEPARTMENT OF HOME AFFAIRS IN THE PROVINCE WHERE THE APPLICANT IS EMPLOYED.

Should a foreigner meet these requirements, his/her spouse and children under the age of 21 years will likewise qualify for permanent residence status in the RSA.

2. A FOREIGNER WHO-

- intends to establish a business in SA; **or**
- already holds a business permit to conduct a business in SA; **or**
- intends to invest in an existing business in SA

all three of which must invest, or have already invested the prescribed financial contribution which shall be part, or is part, of the (intended) book value of the business, as certified by a chartered accountant. The Department may waive or reduce the specific capitalisation requirements for business which shall from time to time be published, if such a step will be in national interest, or if and when the Department of Trade & Industry makes a request to this effect.

Once permanent residence status has been acquired, the person concerned has to renew the certification of the chartered accountant two years after permanent residence status has been granted, and again three years later. Failure to do so, shall result in the permanent residence permit lapsing.

Should a foreigner meet these requirements, his/her spouse and children under the age of 21 years will likewise qualify for permanent residence status in the RSA.

REQUIREMENTS :

With regard to the business aspect:

1. Business still to be established

- i. Proof of availability of funds for transfer from abroad;
- ii. Undertaking to register with the appropriate statutory body, if required by the nature of the business;
- iii. Certification by a chartered accountant that the applicant invested at least R 2 500 000 as part of the book value of the business and meet one of the following criteria:
 - a) business track record to prove entrepreneurial skills;

- b) proof that business contributes to the geographical spread of economic activity;
- c) proof that at least 5 citizens/residents shall be employed;
- d) proof that the business in question is in one of the following sectors:
 - Information and communication technology;
 - Clothing and textiles;
 - Chemicals and biotechnology;
 - Agro-processing;
 - Metals and minerals;
 - Automotives and transport;
 - Tourism; or
 - Crafts.
- e) the export potential of the business;
- f) calls for or involves a transfer of technology not previously generally available in SA;
- g) proof of valid temporary residence status; where applicable.

2. Business has already been established and is being conducted

- i. Certification from the applicant's chartered accountant that the requirements as set out in 1(i)(a-h) above were met when the business was established.
- ii. Proof of a valid business permit to conduct the specific business.
- iii. Proof of registration with the South African Revenue Service.
- iv. Proof of registration with the appropriate statutory body, if any.

3. Existing business is to be invested into

- i. Documentation proving the investment, such as shareholder or partnership agreements.
- ii. Details of partners or directors.
- iii. Proof of compliance with requirements as set out in 1(a-g).
- iv. Proof of valid temporary residence status, if applying in SA.

3. A FOREIGNER WHO-

- has provided a certification by a chartered accountant that s/he has a prescribed minimum net worth of R 20 000 000; and
- has paid R 100 000 to the Department

Should a person meet these requirements, his/her spouse and children under the age of 21 years also qualify to apply for permanent residence status in the RSA.

4. FOREIGNERS WHO INTEND TO RETIRE IN SA (no specific age limit), provided that a chartered accountant certifies that the person concerned has-

- the right to a pension, or
- an irrevocable annuity, or

- a retirement account

any of which will give the person a minimum prescribed amount for the rest of his/her life

OR

that the person concerned has a minimum prescribed net worth of not less than R 12 000 000 providing an income of at least R 20 000 per month.

Should a foreigner meet these requirements, his/her spouse and children under the age of 21 years will likewise qualify for permanent residence status in the RSA.

Should a retired person wish to work, he/she must submit a contract of employment and proof that a South African citizen or resident is not available for the occupation applied for.

5. A SPOUSE OF A SOUTH AFRICAN CITIZEN OR PERMANENT RESIDENT, provided that:

- a good spousal relationship exists;
- the permanent residence permit shall lapse if, within three years after the date of application, the relationship no longer exists, except in the case of death.

THE APPLICANT MAY APPLY AT ANY REGIONAL OFFICE OF THE DEPARTMENT OF HOME AFFAIRS , OR AT A SOUTH AFRICAN MISSION ABROAD.

FEES

Work permit	EUR	152
Permanent residence permit	EUR	152

Please note that the fees are not refundable to unsuccessful applicants.

Additional documentation to be submitted

All documents should be in English and where copies are attached, it should be certified copies.

1. All applicants, application for permanent residence, (BI-947), which is available from the Embassy or from the following website in PDF-format:
<http://home-affairs.pwv.gov.za/documents/bi947.pdf>
2. Two (2) passport photos, all applicants
3. Valid passport or Identity document
4. Written consent of both parents in the case of minor children where only one of the parents is emigrating
5. A comprehensive curriculum vitae, where applicable
6. Medical Report (BI-811), all applicants
7. Radiological Report (BI-806), all applicants who are 16 years of age and older, except pregnant women
8. Police Clearance Certificate(s), all applicants 21 years and older. (In respect of all countries where applicant/s has resided one year or longer.)
9. Birth Certificate, or extract from birth record

10. Final divorce decree(s) and all relevant court orders regarding custody and maintenance of children, where applicable. Proof of legal separation, where applicable. Written consent of parents, where applicable.
11. Change of name document i.e. Statutory Declaration or Deed Poll/or Adoption Certificate, where applicable
12. An affidavit with regard to all aliases used by the applicant, where applicable.
13. Marriage Certificate, or extract from marriage record, where applicable Documentary proof of customary union, where applicable, prescribed affidavit and notarial contract where applicable
14. Death Certificate of late spouse, where applicable
15. Highest educational, trade and/or professional certificates, where applicable
16. Work references or certificates of service (covering at least the last 5 years), where applicable
17. Proof of registration with the relevant professional body, board or council in SA, where applicable
18. Letter of approval (recommendation in respect of persons employed by the relevant organ of state), where applicable
19. Offer of permanent employment, where applicable
20. Certification by a chartered accountant, where applicable
21. Certification by the Department of Labour, where applicable
22. Proof of five years continuous work permit status, where applicable
23. Proof of valid temporary residence status, where applicable
24. Additional information, which the Department may request to satisfy itself about the existence of a good faith spousal relationship, where applicable
25. Identity document or permanent residence permit of spouse, where applicable
26. Declaration of support for the applicant by the spouse who is a citizen or resident, where applicable
27. In respect of spousal partners; Proof of communal accounts or other documents reflecting cohabitation, where applicable
28. Payment of the prescribed fee, where applicable

All applications should be complete and all translations of documents and/or certificates must be attached to the applications before it will be accepted by the Embassy.

Please note that it is not the fault of the Department of Home Affairs if delays are experienced when the applications are incomplete.