



APPLICATION FOR PERMANENT RESIDENCE VISA

PLEASE SUBMIT YOUR APPLICATION IN THE ORDER OUTLINED BELOW:

Requirements: (All Forms to be Completed in Black Ink)

- **Completed DHA-947 application form, completed and signed by the applicant before submission.**

Each applicant must complete and sign a separate application form. For applicants under the age of 18, the application form must be signed by a parent or legal guardian on the minor's behalf.

- **Non-refundable Application Fee: US\$160.00**

Fee is per applicant. All fees must be paid in either cash (exact change), a certified bank check or postal money order made payable to the South African Embassy.

Personal checks or Credit Cards are not acceptable.

- Certified/Notarized Copy of the Bio Page of the Applicants Valid Passport.
- Two passport photos (US standard size).

- Certified copy of valid Proof of Residence in USA

Acceptable Forms of Proof of Residence which must be valid for duration of stay in South Africa include Green Card, A, G, NATO, H1 B, J1, L1 visas).

(B1/B2 USA Visa Holders are not eligible to apply in any of the Missions based in the USA – you must apply in your Country of Permanent Residence).

- Proof of Tentative Flight Itinerary for round-trip air tickets.

Do not purchase air tickets prior to obtaining your South African visa.

- Proof of sufficient Financial Means, consisting of unaltered Bank Statements for the last three (3) months. The first page of each month of the statements must either be stamped by the issuing bank **OR** where no bank stamp is present, be accompanied by a bank-issued verification letter confirming the account holder's details.

Notarized statements will not be accepted.

- Proof of Tentative Accommodation.
 - If Hosted by South African Citizen or Permanent Resident the following must be presented:
 - ✓ a letter of invitation.
 - ✓ a copy of hosts Certified RSA ID document.
 - ✓ Proof of Residence of Host (in the form of a utility bill, bank statement).
 - If Hosted by non-South African, the following must be presented:
 - ✓ a letter of invitation.
 - ✓ a copy of hosts bio page of passport.
 - ✓ A copy of the hosts current status (visa/PR) in the RSA.
 - ✓ Proof of Residence of Host (in the form of a utility bill, bank statement).

The above documents must be duly certified by the South African Police Service (SAPS).

- **Yellow Fever Certificate** is required only for Applicants traveling through the *Yellow Fever Belt Countries* before entering South Africa.
To be submitted on request by Border Control upon entry into South Africa.
- **Original FBI Identity History Summary (full criminal background check report)** issued no more than six (6) months prior to the date of application.
- **Original Police Clearance Certificate(s)** from the **most recent country in which the applicant resided for a cumulative period of twelve (12) months or longer after attaining the age of 18 years**. The Certificate must relate to the applicant's criminal record or character and must have been issued **no more than six (6) months prior to the date of application**.

Objectives and Structures of Immigration Control:

The Objectives and Functions of Immigration Control are as follows (with special reference to Section 2 of the Immigration Act, 2002 (Act 13 of 2002):

Section 2(1)

In the Administration of this Act, the Department shall pursue the following objectives:

- Facilitating and simplifying the issuance of Permanent and Temporary Residence to those who are entitled to them and concentrating resources and efforts in enforcing this Act at community level and discouraging illegal foreigners.
- Facilitating Foreign Investments, Tourism and Industries in the Republic which are reliant on international exchanges of people and personnel.
- Enabling exceptionally skilled or qualified people to sojourn in the Republic.

- Administering the prescribed fees, fines and other payments it exacts or receives in such a fashion as to defray the overall cost of its operation.

Section 2(2)

In order to achieve the Objectives set out in Subsection (1), the Department shall monitor and exact compliance from any person or entity exercising responsibilities or bearing duties or obligations in terms of this Act.

Immigration Categories are divided into 2 major Categories. Section 26 and Section 27.

Section 26 - Direct Residence

Which Subject to Section 25 of the Immigration Act (2002), the Department shall issue Permanent Residence Permits to four categories of Foreigners who are dealt with in Section 26(a-d).

26 (a) Refers to a Foreigner

- Who has been in South Africa on a Work Permit for 5 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.
- In Respect of whom the Department of Labor certified that the Terms and Conditions of the Person's Employment are not inferior to those applicable to South African Citizens/Permanent Residents in the same field.
- Should a Foreigner meet the above requirements, his/her spouse and children under the age of 21 years will likewise qualify for Permanent Residence in the Republic of South Africa in Terms of Section 27 (g).

26(b) Refers to a Spouse of a South African Citizen/Permanent Resident provided that:

- A Good Faith Relationship exists.
- A Permanent Residence Permit shall lapse if, within 3 years after the date of application, the relationship no longer exists, except in the case of death.

26(c) Refers to a Child of a Citizen or Permanent Residence under the age of 21 provided that:

A Permit shall lapse if the child does not submit an application to the Department within 2 years of his/her 21st birthday for confirmation of his/her residential status.

26(d) Refers to a Child of a Citizen above the age of 21.

Section 27: Residence on Other Grounds

The Department may issue a Permanent Residence Permit to Foreigners of good character who qualify for permanent residence status in terms of one of the categories in Section 27 (a-g) of the Act.

The above applications may be submitted at any regional office of Department of Home Affairs. Except for persons mentioned in Sections 27 (a) and (c), who must submit their applications at a Regional Office in the province where they are employed or where the business is established/invested into.

Section 27(a) Refers to a Foreigner:

- Who can submit an offer of employment.
- Whose Employer's-Chartered Accountant submitted a Certification that the post exists, the position and related job description was advertised in the prescribed manner and that no qualified South African Citizen or Resident was available to fill the position.
- In Respect of whom the Department of Labor certified that the Terms and Conditions of such offer, including salary and benefits, are not inferior to those prevailing in relevant market segment for citizens/residents, taking into account the applicable collective bargaining agreements and other applicable standards, if any.
- Whose application falls within the yearly limits of available permits prescribed from time to time for each sector of industry, trade and commerce, following consultation with the Department of Trade & Industry, Labor and Education.

Should a foreigner meet the above requirements, his/her spouse and children under the age of 21 years will likewise qualify for Permanent Residence status in the Republic of South Africa in Terms of Section 27(g).

Section 27(b) Refers to a Foreigner who has demonstrated to the Department's satisfaction, his/her possessing extraordinary skills or qualifications.

Should a foreigner meet the above requirements, his/her immediate family members will likewise qualify to apply for Permanent Residence in the RSA in Terms of Section 27(g).

Section 27(c) Refers to a Foreigner who:

- Intends to establish a business in the Republic of South Africa; or
- Already holds a Business Permit to Conduct a Business in RSA; or
- Intends to Invest in an existing business in the Republic of South Africa.

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

The Business to be established must be in line with one of the following Sectors:

- Information and Communication Technology.
- Clothing and Textiles.
- Chemicals and Biotechnology.
- Agro Processing.
- Metals and Minerals.
- Automotives and Transport.

Once Permanent Residence status has been acquired under this Section of the Act, the person concerned must renew the Certification of the Chartered Accountant two (2) years after Permanent Residence status has been granted, and again three (3) years later. Failure to do so shall result in the Permanent Residence Permit to lapse. Should a Foreigner meet these requirements, his/her spouse and children under the age of 21 will likewise qualify for Permanent Residence in Terms of Section 27(g).

Section 27(d) Refers to Refugees as referred to in Section 27(c) of the Refugee's Act, 1998 (Act 130 of 1998).

Should a Refugee meet these requirements, his/her spouse and children under the age of 21 will also qualify to Permanent Residence in the Republic of South Africa in Terms of Section 27(g).

Section 27(e) Refers to Foreigners who intend to Retire in the Republic of South Africa (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 a person a minimum prescribed amount for the rest of his/her life or that person has a minimum prescribed net worth of R12m and up on approval a further R120,000 shall be paid to the Director-General.

Should a Foreigner meet these requirements, his/her spouse and children under the age of 21 will likewise qualify for Permanent Residence in the RSA in Terms of Section 27(g).

Should a retired person wish to work in the RSA, he/she must submit a Contract of Employment and Proof that a South African Citizen/Resident is not available for the Occupation applied for.

Should a Refugee meet these requirements, his/her spouse and children under the age of 21 will also qualify for Permanent Residence in the RSA in Terms of Section 27(g).

Section 27 (f) Refers to a Foreigner who has provided a Certification by a Chartered Accountant:

That he/she has a prescribed minimum net worth of R12m and has paid a prescribed fee of R120,000.00 to the Department.

Should a Person meet the above requirement, his/her spouse and children under the age of 21 will also qualify to apply for Permanent Residence in the RSA in Terms of Section 27(g).

Section 27(g) Refers to a Relative or a Citizen/Resident within the first step of Kinship (parents, children and spouses).

Specific Regulations to be considered are Regulations 2, 33(8), 33(20) 33 (21) and 33 (22).

Interview

A personal interview is required for all Applicants, 21 years and above. Interviews will be conducted by this office or by other South African Missions in North America depending on applicant's point of residence. If a personal interview is not feasible for the reason that applicant's point of residence is of great distance from/to the respective South African Mission, a telephonic interview will be considered.

Interviews will be arranged by the respective Missions provided that all requirements have been duly complied with by the applicant.

Application Fees

US\$160.00: Administrative Fee in respect of a formal application for an Immigration Permit per individual.

The fee is non-refundable irrespective of whether the application is approved or not. This is payable upon submission of the formal immigration application.

All fees must be paid in either cash (exact change) money order or a certified bank check or postal money order payable to the South African Embassy/Consulate.

Personal checks or Credit Cards are not acceptable.

Processing Time:

Formal Applications: 12-18 Months

Issuance and validity of an Immigration Permit:

Immigration Permits are issued by the Regional Offices of the Department of Home Affairs in South Africa. These Permits are forwarded to these offices for onward transmission to applicants. The validity period of an immigration permit is twelve (12) months. If the person is unable to arrive into the Republic within this period, an application for extension must be submitted to this office prior to the expiration date.

Extensions are granted for a maximum period of six (6) months and require a fee of **US\$255.00**.

Withdrawal of an Immigration Permit:

The Minister may withdraw an Immigration Permit by notice in writing and will order the holder of such Permit to leave the Republic within the period indicated in the notice on the following basis:

- The Application contains false information.
- The Holder fails to comply with a condition imposed under Section 25(3).
- The Holder, within a period of three (3) years from date of issue of such permit, engages in an occupation other than the occupation stated in the Permit, without the consent of the Minister.
- The Holder obtained the Permit based on a marriage entered into less than two (2) years prior to the date of the issue of the Permit and such marriage is judicially annulled or terminated within two years subsequent to the said date.
- The Holder did not enter the Republic for the purpose of Permanent Residence therein, and upon the expiration of the period mentioned in said notice, the Permit shall become null and void.

Important Notice:

Changes relative to policy matters, legislation and regulations may eventuate at any time subsequent to the above information. It is the responsibility of the reader of this document to always make sure that the information contained herein is still relevant. It is therefore suggested that enquiries be made at regular intervals to this office, or at the nearest south African Mission abroad or the Department of Home Affairs in South Africa.

- **Where to Submit your Application in Person:**

For Residents of:

Alabama, Arkansas, District of Colombia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota and South Dakota, Ohio, Oklahoma, Texas, Virginia, Puerto Rico, Virgin Islands and Wisconsin:

- **The South African Embassy in Washington, DC
3051 Massachusetts Avenue NW
Washington, DC 20008**

Tel: (240) 937 5792

Email: info.saembassydc@dirco.gov.za

Website: <https://www.saembassy.org>