



home affairs

Department:
Home Affairs
REPUBLIC OF SOUTH AFRICA

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DEPARTMENT OF HOME AFFAIRS:

HEAD OFFICE

FOREIGN MISSIONS

IMMIGRATION DIRECTIVE NO 1 OF 2019

SECTION 11(2) VISITORS VISA WITH ENDORSEMENT TO CONDUCT WORK

Section 11(2) of the Immigration Act, No. 13 of 2002 stipulates that "the holder of a visitor's visa issued in terms of subsection (1)(a) or (b)(iv) may be authorised by the Director-General in the prescribed manner and subject to the prescribed requirements and terms and conditions to conduct work".

The prescribed requirements for authorization to conduct work on a section 11(2) visa are, amongst others, a submission of a statement or documentation confirming the -

- (i) purpose or necessity of the work;
- (ii) nature of the work;
- (iii) qualification and skills required for the work;
- (iv) duration of the work;
- (v) place of work;
- (vi) duration of the visit;
- (vii) proof of remuneration or stipend that the foreigner will receive from the employer; and
- (viii) identity and contact details of the prospective employer or relevant contact person from the host institution;

If approved, the authorization to work shall not be extended beyond the validity period of the visa issued in terms of section 11 (1)(a) of the Act. In line with the above provisions, Officials at the Missions are advised that on first issue a section 11(2) visa may be issued for not more than 3 months. Where a further extension is required within the Republic an extension may be allowed for a final period not exceeding 3 months.

Any person who has been issued with a section 11(2) visa and had it extended for another 3 months shall not qualify for a section 11(2) visa within the same calendar year. If a visa was issued with dates that overlap into a new calendar year, the dates falling into the new calendar year will be calculated as part of the new calendar year.

Applicants should be informed, and reminded, that a section 11(2) is not a work visa and should not be used for an ongoing regular work activity. In the case of technicians for Original Equipment Manufacturers (OEM's) who are required to travel to RSA on a year on year basis to maintain and repair equipment, such applicants will have to re-apply for authorization each year. Back to back 11(2) applications within the same year by the same applicant at the Mission should not be accepted. Within the Republic, extension or renewals not exceeding 3 months will only be accepted once per calendar year.

In adjudicating an applicant for extension as made within the Republic, adjudicators must ensure that a person does not end up having more than 180 days on a section 11(1)(a) visitor's visa, which being the main visa cannot exceed 180 days in a year. This principle must be strictly adhered to.

This immigration directive replaces Immigration Directive 29 of 2011 and is effective from the date of signing. The contents of this Immigration Directive must please be brought to the attention of all officials concerned.



BT MAVUSO
ACTING DEPUTY DIRECTOR-GENERAL

DATE: 10/4/2019

This Immigration Directive follows Immigration Directive No 27 of 2018 which deals with: "Fraudulent South African visas"