

GOVERNMENT NOTICE

DEPARTMENT OF HOME AFFAIRS

No. R. 806

13 October 2014

IMMIGRATION ACT, 2002 (Act No. 13 of 2002)

[Section 10(5) as amended, read with Regulation 7(8) of the repealed Immigration Regulations, 2005]

FORFEITURE OF REPATRIATION DEPOSITS

Regulation 7(8) of the repealed Immigration Regulations, 2005 ('Immigration Regulations, 2005') made under the Immigration Act, 2002 (Act No. 13 of 2002) ('Immigration Act') prior to its amendment by the Immigration Amendment Act, 2011 (Act No. 13 of 2011) ('the Immigration Amendment Act, 2011') prescribed, in accordance with section 10(5) of the immigration Act, the reasonable individual terms and conditions that may be attached to a temporary residence permit which amongst others related to payment of a deposit, which deposit shall be refunded to the depositor after the final departure of the applicant or after a permanent residence permit as contemplated in section 25 of the Immigration Act has been issued to the applicant. The Department is, in terms of the new requirements under the Immigration Amendment Act, 2011, no longer requiring repatriation deposits as a term or condition for issuing temporary residence visas.

In the light of the provisions of regulation 7(8)(d) of the Immigration Regulations, the Director-General invites any person who, prior to the coming into operation of the

Immigration Amendment Act, 2011 on 26 May 2014, paid deposit as a guarantee of the return to his or her country of origin, to approach, within a period up to 28 February 2015, any South African Mission in his or her country of origin for a refund of his or her deposit. The Department of Home Affairs' Offices within the Republic may issue refunds only in exceptional circumstances where a person has acquired permanent residence permit or has changed his or her status in the Republic prior to 26 May 2014.

Any person who claims a refund must submit the following documents:

- (a) Application for refund of repatriation deposit form (available at South African Foreign Missions or Department of Home Affairs Local Offices);
- (b) Original Passport (for verification purposes);
- (c) Original receipt of the deposit;
- (d) Proof of banking details / warrants vouchers (cheques);
- (e) Proof of final departure from the Republic of South Africa on or before the expiry of the temporary residence permit; and
- (f) In the case where an application for refund is made in the Republic, proof of change of status prior to 26 May 2014 or proof of permanent residence permit.

(NOTE: Anyone who had overstayed his or her permit shall not qualify for a refund, as he or she would have violated the terms and conditions of his or her temporary residence permit.

Failure to claim a refund by 28 February 2015 will result in the deposit forfeited to the State as unclaimed.

Any enquiries regarding this Notice may be directed to Mr George Gorekwang at (012) 406 2668 during office hours.


MR MKHUSELE APLENI
DIRECTOR-GENERAL
DEPARTMENT OF HOME AFFAIRS

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