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HEAD OFFICE VISA FACILITATION CENTRES CONSULAR SERVICES

DEPARTMENT OF INTERNATIONAL RELATIONS & COOPERATION

MINISTERIAL IMMIGRATION DIRECTIVE NO. 10 OF 2024

IMPLEMENTATION OF THE POINTS BASED SYSTEM.

- 1. The Minister of Home Affairs ("the Minister") has, under Proclamation No. R5398, *Government Gazette* No. 51366, in terms of section 7 of the Immigration Act, 2002 (Act No. 13 of 2002) (the "Immigration Act") published the Third Amendment of the Immigration Regulations, 2014 (the "Third Amendment"). The Minister has further, by Notice in Proclamation No. R5397, *Government Gazette* No. 51365, determined, and introduced, the points-based system applicable to general work visa, as well as critical skills work visa.
- 2. This Directive must be read together with Immigration Directive No. 9 of 2024: Port of Entry visas: Adherence to requirements dated 08 October 2024.
- 3. The Immigration Act obligates the Department of Home Affairs ("the Department") to, in adjudicating application for visas and permits, contribute to an environment in which economic growth is promoted through the employment of needed foreign labour, facilitating foreign investment and enabling the entry of exceptionally skilled or qualified people.
- 4. Officials are advised that any critical skills work visa or general work visa validly issued by the Department as at the date of signature of this Directive, shall continue to be in force and effect in accordance with terms and conditions attached to the visa.
- 5. Applications, including visa extension, renewal or change of conditions or status, received after the publication of the Notice on the points-based system must be adjudicated using the points-based system.
- 6. The partial waiver of the South African Qualification Authority ("SAQA") evaluation certificate is only applicable to critical skills work visa and general work visa applications submitted on or after the date of signature of the Directive.

- 7. Any critical skills work visa application submitted in line with the revised Critical Skills List of October 2023, as well as any general work visa application currently pending as at the date of signature of this Directive, including appeal applications, shall be adjudicated in accordance with the law and adjudication process applicable at the time the application was received by Home Affairs, prior to the introduction of the points-based system. In cases where applicants have secured an appointment at a Visa Application Centre ("VFS") or the South African High Commission ("Mission") prior to the date of signature of this Directive, but have not yet submitted an application, the points-based system will also not apply. In order to verify, all critical skills work visa and general work visa applications must be accompanied by the applicant's VFS/Mission application appointment letter.
- 8. Officials are advised that the points-based system is not applicable to holders of Zimbabwe Exemption Permits who have applied for, or are applying for, mainstream critical skills work visas or general work visas. Such applications will continue to be processed in line with the terms and conditions of the special dispensation.
- 9. Heads of offices, Managers at VFS, Consular Services, High Commissions and officials of the Department of International Relations and Cooperation must ensure that all officials, reporting to them, are aware and familiar with the contents of this Directive.
- 10. Should offices have any enquiries regarding the above, please contact Mr Phindiwe Mbhele at (012) 406 7068, alternatively by email directed at Phindiwe.Mbhele@dha.gov.za.

DR. L.A. SCHREIBER, MP MINISTER OF HOME AFFAIRS DATE: 18 October 2024