

PERMANENT RESIDENCE FOR SOUTH AFRICA

A foreigner, who intends to immigrate to the Republic of South Africa, may apply for a permanent residence permit. A permanent residence permit for the Republic of South Africa can only be issued upon application from a foreigner, and such an application can only be considered if the applicant qualifies for either direct residence or qualifies for residence on other grounds. A permanent residence permit shall be issued on condition that the applicant is neither a [prohibited person](#) nor [undesirable person](#), in terms of the Immigration Act as amended.

DIRECT RESIDENCE (SECTION 26)

Subject to section 25 of the Immigration Act as amended, the Director-General of the Department of Home Affairs may issue a permanent residence permit to a foreigner who:

a) has been the holder of a work permit, including one issued under a corporate permit, in terms of the Immigration Act for five (5) years and has proven to the satisfaction of the Director-General that he or she has received an offer of permanent employment;

b) has been the spouse* of a South African citizen or permanent resident for five (5) years and the Director-General is satisfied that a good faith spousal relationship exists, provided that such permit shall lapse if at any time within two (2) years from the issuing of that permit, the good faith spousal relationship no longer subsists, save for the case of death;

*A spouse means a person who is a party to:

1. a marriage, or a customary union; or
2. a permanent homosexual or heterosexual relationship, as prescribed.

Please note that the holder of a permanent residence permit issued under this category shall, after a period of two (2) years since the issuing of that permit, inform the Director-General whether or not the good faith spousal relationship still exists by submitting to the Director-General an affidavit in the prescribed manner.

c) is a child under the age of 21 of a South African citizen or permanent resident, provided that such permit shall lapse if such foreigner does not submit an application for its confirmation within two (2) years of his or her having turned 21 age; or

Please note that in the case of an application under this category, the South African citizen or permanent resident shall satisfy the Director-General that he or she is able and willing to support and maintain the foreign applicant.

d) is a child of a South African citizen

Please note that in the case of an application under this category, the South African citizen or permanent resident shall satisfy the Director-General that he or she is able and willing to support and maintain the foreign applicant.

RESIDENCE ON OTHER GROUNDS (SECTION 27)

The Director-General of the Department of Home Affairs may issue a permanent residence permit to a foreigner of good and sound character who:

a) has received an offer for permanent employment, provided that:

- i. such foreigner has proven to the satisfaction of the Director-General that the position exists and that the position and related job description was advertised in the prescribed form and no suitably qualified South African citizen or permanent resident was available to fill it.;
- ii. the application falls within the yearly limits of available permits prescribed for each sector of industry, trade and commerce, after consultation with the Departments of Trade and Industry, Labour and Education; and

- iii. the permit may be extended to such foreigner's spouse and children younger than 21 years of age;

Please note that the permanent residence permit under this category shall be issued on condition that the holder of that permit shall remain employed for a period of five (5) years in the field in respect of which the offer of employment was made.

b) taking into account any prescribed requirement, has demonstrated to the satisfaction of the Director-General that he or she possesses extraordinary skills and qualifications*, and to those members of such foreigner's immediate family determined by the Director-General under the circumstances or as may be prescribed;

*Extraordinary skills and qualifications shall be proven by:

- i. a letter from a foreign or South African organ of state or from an established South African academic, cultural or business body, confirming the exceptional skills or qualifications of the applicant;
- ii. testimonials from previous employers and a comprehensive *curriculum vitae*;
- iii. other proof to substantiate exceptional skills or qualifications, such as publications and testimonials;
- iv. a letter of motivation indicating that the exceptional skill possessed by the applicant will be to the benefit of the South African environment in which he or she intends to operate.

c) intends to establish or has established a business in the Republic of South Africa and investing in it or in an established business the prescribed financial contribution*, and to members of such foreigner's immediate family;

*The prescribed financial contribution shall be in the form of a certificate issued by a chartered accountant registered with the South African Institute of Chartered Accountants to the effect that:

- i. at least R2,5 million in cash;
- ii. a capital contribution of at least R2,5 million; or
- iii. at least R2 million in cash and a capital contribution of at least R500.000,-,

originating from abroad, is available to be invested as part of the book value of the business; The Director-General may waive or reduce such capitalisation requirements in the national interest or when so requested by the Department of Trade and Industry.

APPLICATION PROCESS

Prospective immigrants who are lawfully residing in Austria, the Slovak Republic and Slovenia may contact this office with regard to all matters relating to an application for a permanent residence permit for the Republic of South Africa, including requesting application forms:

Consular Section
Embassy of the Republic of South Africa
Sandgasse 33
1190 Vienna, Austria
Tel: +43 1 320 64 93
Email: vienna.consular@dirco.gov.za

Applicants, who wish to submit a **complete application** for permanent residence permits are requested to contact our office to arrange an appointment for this purpose. The application will be inspected and only in cases where there are no outstanding documents, will a personal interview, as stipulated by the Immigration Act, be granted to the applicants. A compulsory interview must be done at the Embassy which should be arranged beforehand.

APPLICATION FEE

The prescribed fee of €152,- in respect of a formal application for a permanent residence permit per individual or per family, except in respect of an application by the spouse or dependent child of a South African citizen or permanent resident, is payable upon submission of the application. Please

note that the application fee is non-refundable irrespective of whether the application is refused or withdrawn by the applicant.

PROCESSING TIME

After the compulsory interview, applications for permanent residence permits are forwarded to the Department of Home Affairs in the Republic of South Africa, where they will be finalised. According to official information from the Department of Home Affairs the processing period of an application for permanent residence permits is 8 months (or longer) from the date of referral from our office. However this period cannot be guaranteed when an application is lodged from a South African Mission abroad. Applicants who wish to await the outcome of their application for permanent residence permits may contact our office with regard to applying for a relevant temporary residence permit.

ISSUANCE AND VALIDITY OF A PERMANENT RESIDENCE PERMIT

Permanent residence permits are issued by the Director-General of the Department of Home Affairs in the Republic of South Africa. In the case of applicants who are still residing in the Federal Republic of Germany, certificates of arrival that authorise the applicant(s) to enter the Republic of South Africa for the purpose of permanent settlement, will be issued and forwarded to the applicants via the Embassy of the Republic of South Africa in Berlin.

Please note that unless the applicant(s) enter(s) the Republic of South Africa for the purpose of permanent settlement within twelve (12) months after its date of issue, the permanent residence permit(s) shall lapse. After entering the Republic of South Africa for the purpose of permanent settlement, the applicant must report within seven (7) days to the Department of Home Affairs with his/her certificate of arrival to collect his/her original permanent residence permit and to have his/ her passport endorsed as confirmation of his/ her permanent settlement.

Kindly forward your postal address to the consular section to have all the relevant requirements forwarded to you under Vienna.consular@dirco.gov.za