

Department of Home Affairs

The re-publication of the Immigration Regulations, made necessary by previous failure to publish the presidential proclamation bringing the Act into force, has offered the opportunity to make certain minor amendments to correct defects identified by the Department during the training process or in response to criticisms raised in public debates flowing from the Regulations. Such Amendments are as follows:

1. **Introductory paragraph on page 1 of the Regulations**
Change "read with section 7" to "read with section 51". Technical amendment requested by Senior Counsel,
2. **Regulation 1(1)**
Change "contexts" to "context". Typographical error.
3. **Regulation 2(1 6)**
Change "of these Regulations" to "or these Regulations". Typographical error.
4. **Regulation 9(3)**
The financial thresholds have been lowered to respond to public criticism.
5. **Regulation 10(2)**
The effect of paragraph (2)(a) and (b) has been delayed for eight months in terms of an amendment to Regulation 48(2) so as to enable the Department to come to terms with this new procedure which, albeit desirable for our customers, presents administrative difficulties.
6. **Regulation 10(6)**
Insert "in" before "Annexure". Typographical error.
7. **Regulation 16(2)**
Change "The notification of a decision envisaged in section 8(4) to "the notification of an effective decision envisaged in sections 6(2) and 8(4)". Technical amendment.
8. **Regulation 19(6)(b)**
Delete "not" before the word "satisfied" (penultimate line). Typographical error.
9. **Regulation 19(7)**
Insert "for reasons other than being an illegal foreigner" after "imprisoned". Technical amendment.

10. **Regulation 22(6)**
Insert additional sub-regulation (6) to provide for documentation to be used when a diplomatic permit is issued by the Department rather than by Foreign Affairs.
11. **Regulation 24(2)**
Insert "the one contemplated in paragraph (a)" after "one of which shall be". Typographical error.
12. **Regulation 26(5)**
Change "13(1)(b) to "17(1)(b)". Typographical error.
13. **Regulation 28(4)(a)(ii)(bb)**
Change "this sub-regulation" to "section 19(1) of the Act", This technical error was already corrected when the Minister re-issued the Regulations on December 6.
14. **Regulation 28(4)(c)**
Change "month" to "months" (third line). Typographical error.
15. **Regulation 29(2)and (3)**
Financial thresholds have been lowered to respond to public criticisms.
16. **Regulation 29(3)**
Change "and" to "an". Typographical error.
17. **Regulation 32(2)**
Change "2(1)(a)" to "21(1)". Typographical error.
16. **Regulation 33(23)**
Change "28(1)(c)(i) to "27(c)(i)". Typographical error.
19. **Regulation 34(2)**
Change "shall need a visa to enter the Republic" to "shall be deemed not exempted from visa requirements to enter the Republic" (in the proviso).
Technical amendment.
20. **Regulation 37(2)**
Change "38(17)" to "39(17)". Typographical error.
21. **Regulation 47(1)(a)**
Change "not more than five days" to "more than five days". Typographical error.

- 22. Regulation 49(1)(a)**
Change "Regulation" to "Regulations"(penultimate line). Typographical error.
- 23. Schedule A: Item 9(2)(c)**
The financial threshold has been lowered to respond to public criticisms and provision has been made to clarify that the value of housing can be taken into account in it.
- 24. Schedule A: Item 16**
Delete "and transit visa, if required" (column 4(a)). Technical error.
- 25. Schedule A: Item 45**
Change "(c), (d)in the case of a foreign marriage" to "(f),(g) in the case of a foreign marriage" (column 4). Typographical and technical error. 25, Schedule C, paragraph 4 Taiwan has been added to the list of visa exempt countries.
- 27. Schedule F, Part A, paragraph 2 (2)**
Change "exists" to "exist" (last line). Typographical error.
- 28. Schedule F, Part A, paragraph 2(3)**
Change "satisfactory" to "satisfactorily" (second line). Typographical error.
- 29. Schedule F, Part A, paragraph 2(7)**
Change "(9)(c)" to "(10)(c)". Typographical error.
- 30. Schedule F, Part A, paragraph 2(11)**
Change "5(f)" to "10(f)". Typographical error.
- 31. Schedule F, Part A, paragraph 5(2)**
Change "Alien Control Act, 1997" to "Aliens Control Act, 1997" (third line). Typographical error.
- 32. Schedule F, Part B, paragraph 4**
Delete "the" after "render". Typographical error.
- 33. Schedule F, Part B, paragraph 13(e)**
Change "Departemental" to "Departmental". Typographical error.
- 34. Schedule G, Fees, Item 2**
Change "Application for a visitor's permit in terms of section 11(1)(b) of the Act" to "Application for a visa in terms of section 11(1)(a),or for a visitor's permit in terms of section 11(1)(b)(II) of the Act". Technical error.

35. Schedule G, Fees, Item 4

Delete Item 4 and renumber items consecutively. Technical error.

36. Schedule G, Fees, Item 5

Change "granting of 8 visitor's permit to an illegal foreigner in terms of section 11 (3) of the Act" to "Application for a visitor's permit by an illegal foreigner at a port of entry". Incorrect language. Change "850"to "800", Department's preference. Delete "74".Inapplicable.

37. Schedule G, Fees, Item 7

Delete "for holiday and commercial activities other than work". Pleonastic.

e.c. I. Lambinon,Acting Director-General
R.Malatji,Acting Deputy Director-General
C.Sehravesande,Acting Chief Director

No. R. 1527**6 December 2002**

IMMIGRATION ACT, 2002 (ACT No. 13 OF 2002)

IMMIGRATION REGULATIONS

The Minister of Home Affairs has, in terms of section 52 read with section 7 of the Immigration Act, 2002 (Act No. 13 of 2002), made the Regulations set out in *Regulation Gazette* No. 7524, Vol. 449 as contained in the *Government Gazette* No. 24100 of 25 November 2002, except that the text of Regulation 28 (4) (a) (ii) (bb) is hereby amended by replacing the words "this sub-regulation" with the words "section 19 (1) of the Act".

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