

NATIONAL ASSEMBLY

**QUESTION FOR WRITTEN REPLY**

# QUESTION NO. 578

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## INTERNAL QUESTION PAPER 9 OF 2017

**578. Ms N I Tarabella Marchesi (DA) to ask the Minister of Home Affairs:**

(1) Whether he shared an image of a certain letter (details furnished) on Twitter on Friday, 24 February 2017, creating the impression that it is fake news; if not, what is the position in this regard; if so,

(2) Is he aware that the letter is authentic; if so, when did he become aware of its authenticity;

(3) Whether officials of his department visited the school prior to the letter being issued; if so, was there a threat of a R25 000 fine for each foreign national pupil without proper documents at the school leveled against the school’s principal;

(4) Does his department have any policy allocating responsibility to principals for ensuring that foreign nationals who are pupils at their school have proper documentation; if so, what are the details of this policy? NW636E

**REPLY:**

1. I am not aware of my predecessor circulating an image of a certain letter.
2. I cannot respond to the authencity or otherwise of the letter mentioned.
3. I have been informed that officials from the Department visited the school on 7 February 2017 as per the invite from the school. No threats of R25 000 fine were made by officials who attended the briefing session.
4. Yes. Section 39 of the Immigration Act 13 of 2002 as amended stipulate the duties and obligations of the learning institution of which the principal is responsible:

*Learning institutions*

1. *No learning institution shall knowingly provide training or instruction to-*
2. *An illegal foreigner;*
3. *A foreigner whose status does not authorise him or her to receive such training or instruction by such person; or*
4. *A foreigner on terms or conditions or in a capacity different from those contemplated in such foreigner’s status*
5. *If an illegal foreigner is found on any premises where instruction or training is provided, it shall be presumed that such foreigner was receiving instruction or training from, or allowed to receive instruction or training by, the person who has control over such premises, unless prima facie evidence to the contrary is adduced.*