

NATIONAL ASSEMBLY

**QUESTION FOR WRITTEN REPLY**

# QUESTION NO. 2146

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## INTERNAL QUESTION PAPER 30 OF 2016

**2146. Mr M H Hoosen (DA) to ask the Minister of Home Affairs:**

With reference to his reply to question 1007 on 25 April 2016, what are the full details of the exceptional circumstances under which he granted citizenship to certain persons (names and details furnished)?

NW2464E

**REPLY:**

Section 5(9) of the South African Citizenship, 1995 (Act No. 88 of 1995) (‘the Citizenship Act”) stipulates that the Minister may under exceptional circumstances grant a certificate of naturalisation as a South African citizen to an applicant who does not comply with the requirements of subsection (1)(*c*) relating to the residence or ordinary residence in the Republic. Furthermore, subsequent to the refusal of an application for naturalisation, an applicant may approach the Minister and submit a motivation containing material information for consideration as to the existence of exceptional circumstances justifying the granting of citizenship by means of naturalisation.

Mr Gupta and family submitted their motivation which presented exceptional circumstances for the consideration of the applications. This included presenting the company Oakbay Investments (Pty) Ltd which has interests in various sectors such as media, information technology, real estate, mining and related activities. The supporting documents submitted included the Department of Trade and Industry (DTI) company registration, as well as the formal registration and shareholding coupled with tax payments to and registration with the South African Revenue Services (SARS). The company also submitted supporting documents reflecting employment of approximately 7000 permanent employees.

The fact that Mr Gupta and family contribute to the economy of South Africa, provided substantive grounds for consideration of their application for naturalisation under exceptional circumstances as stipulated in section 5(9) of the Citizenship Act.