**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO. 2587**

**DATE OF PUBLICATION: FRIDAY, 30 OCTOBER 2020**

**INTERNAL QUESTION PAPER 42 – 2020**

**2587. Ms L L van der Merwe (IFP) to ask the Minister of Home Affairs:**

(1) Whether he has found that certain persons (names furnished) are within the borders of the Republic illegally; if not, what is the position in this regard; if so, what are the further relevant details;

(2) (a) how did the illegality arise and (b) which officials will be held accountable;

(3) what are the details of his plans to deal with the dire challenges of the immigration system such as (a) the ever-growing number of undocumented migrants within the Republic’s borders,

(b) reports that illegal migrants are favoured for jobs,

(c) corruption within his department which leads to the selling of South African documentation such as IDs and other permits and

(d) an abuse of the refugee and asylum seeker system by some individuals? NW3259E

**REPLY**

(1) They were found to have been issued in June 2016 with permanent residence permits in terms of a provision in the Immigration Act 13 of 2020 they did not qualify for, not having met its requirements. The application did not, inter alia, comprise of proof of the financial guarantees (prescribed minimum net worth in the amount of R12 million plus an undertaking that the applicant will pay R120 000 to the Director-General).

(2)(a) A Non-Profit organisation was used to process the application, despite the fact that it is not regarded as a business.

(2)(b) The investigation is proceeding into the application and adjudication methods and disciplinary proceedings will be initiated on completion of the evidence collection process.

(3)(a) Inspectorate is engaged nationally in the detection of illegal immigration activity through investigations, joint operations with other law enforcement agencies and inspections of entities including businesses.

(3)(b) It is not apparent what reports are being referred to and therefore the question is not substantiated.

(3)(c) In mitigation, the Department has prioritised modernisation of its visa and permitting system to ensure that all priority categories of face value documents are subject to independent clearance phases through the use of an electronic Visa Adjudication System (VAS). Ongoing development of the VAS system is being undertaken to incorporate all categories of visas and permits and thus eliminate manual files and work processes.

(3)(d) The abuse of the asylum system in the main stems from porous borders and the delays in finalizing asylum applications. In this regard the department is finalizing the operationalization of the BMA, whilst amendments were made on the Refugee Act to allow proper capacity at SCRA and RAASA to be able to conclude asylum applications within the prescribed turnaround times.

**END**