NATIONAL ASSEMBLY

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO. 907**

**DATE OF PUBLICATION: FRIDAY, 22 MAY 2020**

**INTERNAL QUESTION PAPER 17 – 2020**

**907. Mr V Zungula (ATM) to ask the Minister of Home Affairs:**

Whether, with reference to the unemployment rate of nearly 30% before the outbreak of the Covid-19 pandemic and the likelihood that it will be higher after the pandemic passes, he will declare all persons who are not South African citizens and who are not in the Republic for their critical or scarce skills, illegal in the Republic; if not, what is the position in this regard; if so, by what date is it envisaged that such a declaration will be made? NW1196E

**REPLY:**

In terms of the Immigration Act, 2002 (Act No 13 of 2002), as amended, a visa or permanent residence may be withdrawn if good cause exists to do so, for example if the holder fails to comply with the provisions of the Act or terms and conditions of the visa or permanent residence permit. Such person must be notified in writing that the visa or permanent residence shall be cancelled for the reasons disclosed in the notice and that the holder is thereby ordered to leave the Republic within a period stated in that notice. Such person has a right to make representations to the Director-General which must be considered before making a decision. Furthermore, a permanent residence permit may be withdrawn if its holder is convicted of any of the offences listed in Schedules 1 and 2, or has been absent from the Republic for more than three years. The Act does not make provision for foreign nationals with valid work visas to be declared illegal on grounds of increased unemployment rate.

**END**