

# Mobility: Immigration alert

July 2023

## South Africa

### Third extension for Zimbabwe Exemption Permit holders to change immigration status

#### Executive summary

On 28 June 2023, the Pretoria High Court in South Africa ordered the Department of Home Affairs (DHA) to further extend the deadline for Zimbabwe Exemption Permit (ZEP) holders to change to another immigration status until 30 June 2024.

#### Background

The DHA introduced the ZEP in 2017 for eligible Zimbabwean nationals who were living in South Africa at the time on a Zimbabwean Dispensation Permit. In December 2021, the DHA discontinued the ZEP and set a deadline of 31 December 2022 for holders of valid ZEPs to switch to another South African immigration category. The DHA then extended the deadline until 30 June 2023 and again until 31 December 2023.

#### Key developments

Less than one month after the DHA's [announcement](#) on 7 June 2023 that it would extend the deadline until 23 December 2023, the Pretoria High Court ruled that the discontinuation of the ZEP is "unconstitutional, unlawful and invalid" and ordered the DHA to extend the deadline until at least 30 June 2024. Pursuant to the court's decision, the DHA may also be required to implement a renewal process for ZEPs. The DHA or another relevant government department may appeal the ruling.

#### Impact on employers

Employers that hire ZEP holders now have additional time to assist impacted employees with converting to another

immigration status in South Africa and mitigate related work disruptions.

#### Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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