

Mobility: Immigration alert

January 2024



South Africa

South Africa announces extension of Zimbabwean Exemption Permits (ZEPs) and Lesotho Exemption Permits (LEPs)

Executive summary

On 1 December 2023, the Department of Home Affairs (DHA) announced that individuals holding Zimbabwe Exemption Permits (ZEPs) and Lesotho Exemption Permits (LEPs) may apply for new ZEPs and LEPs that will allow them to remain in South Africa until 29 November 2025. Details regarding the application process are still to be communicated.

Background

The DHA introduced the ZEP in 2017 for eligible nationals of Zimbabwe who were living in South Africa 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. ZEP holders subsequently took the DHA to court to challenge their decision to terminate the ZEP category. In response, the DHA extended the deadline to [30 June 2023](#) and then [31 December 2023](#) and announced that it would not grant any further extensions. In [June 2023](#), the Pretoria High Court ruled that the discontinuation of the ZEP was “unconstitutional, unlawful and invalid” and ordered the DHA to extend the deadline until at least 30 June 2024 pending the conclusion of a “fair process” that includes an adequate public participation process. [In response](#), the DHA appealed the High Court’s decision, but their application was dismissed. Meanwhile, LEPs were valid for a maximum period of four years, from 1 January 2020 to 31 December 2023.

Key developments

Individuals holding ZEPs and LEPs that expired on or before 31 December 2023 are now eligible to apply for new ZEPs and LEPs that will allow them to remain and work in South Africa until 29 November 2025. Nationals of Zimbabwe who applied for waivers or other visas may continue to conduct activities authorized under the terms of their current visas, as their status will remain protected while they await the outcome of their applications.

Impact on employers

Organizations in South Africa may continue to employ ZEP and LEP holders until further notice.

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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