

# Global Immigration alert

October 2024



## South Africa

### Additional clarifications regarding Zimbabwean Exemption Permits, Lesotho Exemption Permits and General Work Visas

#### Executive summary

The Department of Home Affairs (DHA) provided additional clarifications regarding the current provisions for individuals holding Zimbabwe Exemption Permits (ZEPs) and Lesotho Exemption Permits (LEPs), and qualifying individuals who seek to obtain General Work Visas (GWVs).

#### 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. [In response](#), the DHA appealed the High Court’s decision, but their application was dismissed. Meanwhile, LEPs were valid for a period of four years, from 1 January 2020 to 31 December 2023. ZEPs and LEPs were then [extended](#) again until 29 November 2025.

#### Key developments

The DHA is accepting and processing applications submitted by individuals holding ZEPs and LEPs that expired on or before 31 December 2022 who seek to apply for new ZEPs and LEPs.

Those whose ZEPs and LEPs are renewed will be able to remain and work in South Africa until December 2025. Qualifying individuals who seek to switch to another South African immigration category are allowed to do so until 29 November 2024. The authorities have clarified that ZEP holders who seek to obtain GWVs are required to apply for a waiver of the Department of Employment and Labour’s (DOL) recommendation letter and the South African Qualifications Authority (SAQA) certificate from the DHA, and if approved, they are not required to include these documents in their applications.

#### Impact on employers

Organizations in South Africa are expected to benefit from these updates as they are expected to minimize work disruptions stemming from impacted employees losing their immigration status in South Africa.

#### 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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