

Global Immigration alert

October 2024



South Africa

South Africa introduces new points-based system for certain work visas, amends requirements for remote workers

Executive summary

Effective 9 October 2024, the Department of Home Affairs (DHA) announced two major legislation updates: a points-based system for certain Work Visas and amended requirements for qualifying remote workers.

Points-based system

Critical Skills and General Work Visa applications submitted on or after 9 October 2024 must qualify under a new points-based system. Under this system, applications will be assessed on the following criteria:

- ▶ **Occupation:** 100 points if the applicant's occupation is included in South Africa's Critical Skills List
- ▶ **Educational qualification:** 50 points if the applicant holds a qualification at National Qualifications Framework (NQF) Levels 9 or 10 (master's or doctorate degrees); 30 points if they hold a qualification at NQF Levels 7 or 8 (bachelor's degree or postgraduate diplomas)
- ▶ **Work experience:** 30 points if the applicant has more than 10 years of experience; 20 points if they have five to 10 years of experience
- ▶ **Language proficiency:** 10 points if the applicant is proficient in one official South African language
- ▶ **Income:** 50 points if the applicant's annual income is above ZAR 976,194 (approx. USD 55,100); 20 points if it is between ZAR 650,796 (approx. USD 37,000) and ZAR 976,194 (approx. USD 55,100)
- ▶ **Type of job offer:** 20 points if the applicant has a job offer from a Trusted Employer

Individuals must score at least 100 points to qualify for a Critical Skills or General Work Visa. If they score 100 points based on holding an occupation that is included in the Critical Skills List, they will be issued a Critical Skills Visa and be eligible for fast-track application processing. In other cases, they will be issued a General Work Visa and will not be eligible for fast-track processing.

All individuals who apply for Work Visas under the points-based system are exempt from the requirement to submit a letter of recommendation issued by the Department of Labour. They are also partially exempt from the requirement to submit a South African Qualifications Authority (SAQA) certificate and can submit their visa application along with proof that they have applied for a SAQA certificate (instead of the SAQA certificate itself). In these cases, they will be issued a visa with a validity of up to 12 months. In cases where individuals submit a SAQA certificate with their visa application, the visa will be issued for the full duration applicable to the relevant visa type.

Remote worker visas

The DHA announced the following changes for remote workers:

- ▶ **Salary requirement:** Applicants will be required to demonstrate a gross annual income of at least ZAR 650,976 (approx. USD 37,200). This amends the salary requirement of ZAR 1,000,000 (approx. USD 52,000) that the authorities had announced in May 2024.

- **Tax compliance:** If the visa holder is a tax resident of a country with which South Africa has a relevant agreement under its Income Tax Act for the prevention of or relief from double taxation, they will be required to register with the South African Revenue Service (SARS) if they stay in South Africa for more than a total of 183 days in any 12-month period. If the visa holder is not a tax resident of such a country, they will be required to register with the SARS irrespective of the number of days spent in South Africa. Previously, the authorities had announced that the requirement to register with the SARS will apply to all remote work visa holders who stay in the country for more than six months in any 36-month period.

South Africa introduced [Section 11\(2\) Visas for eligible remote workers](#) earlier this year.

Impact on employers

These changes are expected to benefit employers by enabling them to further attract and retain skilled individuals. Employers may inform their impacted employees of these changes and support them with complying with the new requirements to mitigate business 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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EYG no. 008715-24Gbl
2101-3682263
ED None

ey.com

Michelle Kotze
Partner/Principal - People Advisory Services
Tel: +27 82 870 4870
Email: michelle.kotze1@ey.com

Chantelle Mulligan
Associate Director - People Advisory Services, Global Immigration
Tel: +27 71 200 9022
Email: chantelle.mulligan@za.ey.com

Valerie Chigodora
Senior Manager - People Advisory Services, Global Immigration
Tel: +27 66 486 1220
Email: valerie.c.chigodora@ey.com

Ben Willis
Partner - People Advisory Services, EMEA Immigration Leader
Tel: +44 20 7951 9589
Email: ben.willis@uk.ey.com

Seema Farazi
Partner - People Advisory Services, EMEA Immigration Leader
Tel: +44 20 7951 7122
Email: seema.farazi@uk.ey.com