

REPUBLIC
OF
SOUTH AFRICA



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VAN
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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HOME AFFAIRS DEPARTEMENT VAN BINNELANDSE SAKE

No. R. 447

26 March 1997

ALIENS CONTROL ACT, 1991 (ACT No. 96 OF 1991)

FIRST AMENDMENT OF THE REGULATIONS ON ALIENS CONTROL, 1997

The Minister of Home Affairs, has in terms of section 56 of the Aliens Control, 1996 (Act No. 96 of 1991), made the regulations in the Schedule.

SCHEDULE

Definitions

1. In this Schedule "the Regulations" shall mean the Regulations on Aliens Control, 1996, published under Government Notice No. R. 999 of 28 June 1996.

Amendment of regulation 5 of the Regulations

2. Regulation 5 of the Regulations is hereby amended by the substitution for subregulation (3) of the following subregulation:

"(3) Whenever a person calls at a port of entry for the purposes of entering in or departure from the Republic outside the official hours determined in terms of subregulation (1), he or she shall be liable to pay an overtime fee calculated at the following rate:

- (a) R40 per each hour or part thereof in respect of each immigration officer who has to render such overtime services, provided that such person has informed the immigration officer in control of the port of entry concerned beforehand during the official hours of that port of entry, of the date and time of the intended call at that port, and provided further that he or she call at the port concerned within the hours and the date so arranged; or

- (b) R80 for each hour or part thereof for each immigration officer who has to render such overtime services in all other cases.”.

Amendment of regulation 15 of the Regulations

3. Regulation 15 of the Regulations is hereby amended by the substitution for paragraph (d) of the following paragraph:

- “(d) The Chairperson of the Central Committee must within 14 days after receipt of the documents referred to in paragraph (c), convene a meeting of the Central Committee to consider the decision of the regional committee, whereafter the Central Committee must take the steps as contemplated in section 25 (13) (a) of the Act.”.

Amendment of regulation 18 of the Regulations

4. Regulation 18 of the Regulations is hereby amended by—

- (a) the substitution for subparagraph (ii) of paragraph (b) of subregulation (1) of the following subparagraph:

“(ii) if it has reference to an alien who is already in the Republic (excluding first applications for work, workseekers and study permits which must be made from outside the country)—

(aa) must be submitted at the regional committee of the Immigrants Selection Board which has jurisdiction, to consider the application if application is made for an immigration permit in terms of section 25 of the Act; or

(bb) must be submitted at the regional or district office of the Department of Home Affairs which is situated nearest to the home or business address of the applicant or the home or business address of the person holding power of attorney; and”;
and

- (b) the substitution for paragraph (c) of subregulation (1) of the following paragraph:

“(c) the application must be signed by the applicant personally.”.

Substitution of Annexure 16 to the Regulations

5. Annexure 16 to the Regulations is hereby substituted by the following Annexure:

“ANNEXURE 16

REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF HOME AFFAIRS

GUARANTEE: DEPOSIT-TAKING INSTITUTIONS

[Sections 26 (4) and 41 (2) of Act No. 96 of 1991: Regulations 16 (3) and 22 (2)]

THE DIRECTOR-GENERAL: HOME AFFAIRS

We, the undersigned (1).....
and (2)
in our respective capacities of..... and.....
of the..... branch of.....(hereinafter referred to as “the Bank”)
bind the Bank as guarantor and co-principal debtor in favour of and in relation to the Director-General:
Home Affairs (hereinafter referred to as “the Director-General”) for the full payment by (name)
.....
.....(hereinafter referred to as “the principal debtor”) of
(address).....
of amount of R.....(in words.....)
in respect of the admission to/residence in the Republic of South Africa

of * (hereinafter referred to as the alien)
 Date of birth Passport No. which can be claimed from the principal debtor as owing and payable to the Director-General on account of the alien failing to comply with the purpose for which or conditions subject to which a temporary residence permit was issued to him/her in terms of section 26 (1) of the Aliens Control Act, 1991 (Act No. 96 of 1991).

This guarantee is valid during the period in which the said* resides in the Republic on a temporary basis and the responsibility of the bank is terminated—

- (i) once the alien and his/her family/dependants have left the country at their own expense or if immigration permits are issued to them; or
- (ii) if the Director-General releases the Bank in writing from its responsibilities in respect of this guarantee.

This guarantee must be returned to the Bank on compliance with its responsibility or on written advice by the Director-General to the Bank that the alien and his/her family/dependants have left the Republic of South Africa.

Done and signed at on this day of 19.....
 in the presence of undersigned:

Stamp of financial institution

1.
 Official capacity

2.
 Official capacity

Witnesses:

†Revenue stamp

1.

2.

* State full names of alien to whom temporary residence permit must be issued.

† Stamp duty payable in terms of Schedule 1 of the Stamp Duties Act, 1968 (Act No. 77 of 1968).

TAKE NOTE:

This document is a security in terms of Treasury Instruction Q3.1 which must be dealt with in terms thereof.”.

Short title

6. These regulations shall be called the First Amendment of the Aliens Control Regulations, 1997, and shall come into operation on **1 April 1997**.

No. R. 447

26 Maart 1997

WET OP VREEMDELINGE-BEHEER, 1991 (WET No. 96 VAN 1991)

EERSTE WYSIGING VAN DIE REGULASIES OP VREEMDELINGE-BEHEER, 1997

Die Minister van Binnelandse Sake het, kragtens artikel 56 van die Wet op Vreemdelinge-beheer, 1991 (Wet No. 96 van 1991), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordskrywing

1. In hierdie Bylae beteken “die Regulasies” die Regulasies op Vreemdelinge-beheer, 1996, afgekondig by Goewermenskennisgewing No. R. 999 van 28 Junie 1996.

Wysiging van regulasie 5 van die Regulasies

2. Regulasie 2 van die Regulasies word hierby gewysig deur subregulasie (3) deur die volgende subregulasie te vervang:

"(3) Wanneer 'n persoon by 'n toegangspoort vir die doeleindes van binnekoms in of vertrek uit die Republiek buite die ure wat ingevolge subregulasie (1) bepaal is aanmeld, is hy of sy aanspreeklik vir die betaling van oortydgelde wat teen die volgende koers bereken word:

- (a) R40 vir elke uur of gedeelte daarvan ten opsigte van elke immigrasiebeampte wat oortyd-diens moet verrig, met dien verstande dat daardie persoon die immigrasiebeampte in beheer van die toegangspoort voor die tyd, gedurende die kantoorure van daardie toegangspoort, van die datum en tyd van die voorgenome besoek by daardie poort in kennis gestel het en met dien verstande voorts dat hy of sy by die betrokke poort binne die ure en datum aldus gereël, aanmeld; of
- (b) R80 vir elke uur of gedeelte daarvan ten opsigte van elke immigrasiebeampte wat sodanige oortyddiens in alle ander gevalle moet verrig."

Wysiging van regulasie 15 van die Regulasies

3. Regulasie 15 van die Regulasies word hierby gewysig deur paragraaf (d) deur die volgende paragraaf te vervang:

- "(d) Die voorsitter van die Sentrale Komitee moet binne 14 dae na ontvangs van die dokumente bedoel in paragraaf (c) 'n vergadering van die Sentrale Komitee belê om die beslissing van die streekkomitee te oorweeg, waarna die Sentrale Komitee die stappe beoog in artikel 25 (13) (a) van die Wet moet neem."

Wysiging van regulasie 18 van die Regulasies

4. Regulasie 18 word hierby gewysig deur—

- (a) subparagraaf (ii) van paragraaf (b) van subregulasie (1) deur die volgende subparagraaf te vervang:

"(ii) indien dit betrekking het op 'n vreemdeling wat alreeds in die Republiek is (met die uitsondering van eerste aansoeke om werk-, werksoekers-, en studiepermitte wat van buite die land gedoen moet word)—

(aa) ingedien word by die streekkomitee van die Immigrantekeorraad wat jurisdiksie het om die aansoek te oorweeg, indien aansoek om 'n immigrasiepermit ingevolge artikel 25 van die Wet gedoen word; of

(bb) ingedien word by die streek- of distrikkantoor van die Departement van Binnelandse Sake wat die naaste geleë is aan die huis- of besigheidsadres van die applikant of die huis- of besigheidsadres van die persoon wat die houer van die volmag is; en"

- (b) paragraaf (c) van subregulasie (1) in die Engelse teks deur die volgende paragraaf te vervang:

"(c) the application must be signed by the applicant personally."

Vervanging van Aanhangsel 16 tot die Regulasies

5. Aanhangsel 16 tot die Regulasies word hierby deur die volgende Aanhangsel vervang:

"AANHANGSEL 16

REPUBLIEK VAN SUID-AFRIKA

DEPARTEMENT VAN BINNELANDSE SAKE

BANKWAARBORG

[Artikels 26 (4) en 41 (2) van Wet No. 96 van 1991: Regulasies 16 (3) en 22 (2)]

DIE DIREKTEUR-GENERAAL: BINNELANDSE SAKE

Ons, die ondergetekendes (1).....
 en (2)
 in ons hoedanigheid van en.....
 van die tak van (hierna "die Bank" genoem)
 verbind die Bank as borg en medehoofskuldenaar ten gunste van en teenoor die Direkteur-generaal:
 Binnelandse Sake (hierna die "Direkteur-generaal" genoem) vir die volle betaling deur

(naam)
 (hierna die "hoofskuldenaar" genoem) van (adres)
 van die bedrag van R (in woorde)
 in verband met die toelating tot die Republiek van *
 (hierna genoem die vreemdeling) geboortedatum paspoortnommer
 wat van die hoofskuldenaar geëis kan word as verskuldig en betaalbaar aan die Direkteur-generaal
 vanweë die vreemdeling se versuim om aan die doel waarvoor of die voorwaardes waarop 'n tydelike
 verblyfpermit aan hom/haar kragtens artikel 26 (1) van die Wet op Vreemdeling-beheer, 1991 (Wet
 No. 96 van 1991), uitgereik is, na te kom.

Hierdie waarborg is geldig tydens die periode waarin die genoemde*
 op 'n tydelike basis in die Republiek woonagtig is en die verantwoordelikheid van die bank beëindig—

- (i) sodra die vreemdeling en sy/haar gesin/afhanklikes op eie koste die land finaal verlaat het
 of indien immigrasiepermitte aan hulle uitgereik is; of
- (ii) indien die Direkteur-generaal die Bank skriftelik van sy aanspreeklikheid van hierdie
 waarborg onthef het.

Hierdie waarborg moet aan die Bank teruggestuur word by nakoming van sy aanspreeklikheid
 daarkragtens of op skriftelike advies deur die Direkteur-generaal aan die Bank dat die vreemdeling en
 sy/haar gesin/afhanklikes die Republiek van Suid-Afrika verlaat het.

Gedoen en geteken te op hierdie dag van 19.....
 in die teenwoordigheid van ondergetekende getuies:

**Stempel van finansiële
instelling**

1.....
 Amptelike hoedanigheid

2.....
 Amptelike hoedanigheid

Getuies:

†Inkomsteseël

1.....

2.....

* Verstrek volle name van vreemdeling aan wie tydelike verblyfpermit uitgereik moet word.

† Seëlreg betaalbaar ingevolge Bylae 1 van die Wet op Seëlregte, 1968 (Wet No. 77 van 1968).

LET WEL:

Hierdie dokument is ingevolge Tesourie-instruksie Q3.1 'n sekuriteit waarmee daarvolgens gehand
 moet word."

Kort titel

6. Hierdie regulasies heet die Eerste Wysiging van die Vreemdelinge-beheer Regulasies, 1997, en tree in
 werking op 1 April 1997.

No. R. 448

26 March 1997

ALIENS CONTROL ACT, 1991 (ACT No. 96 OF 1991)

THIRD AMENDMENT OF THE ALIENS CONTROL REGULATIONS (FEES)

The Minister of Home Affairs has, in terms of section 56 of the Aliens Control Act, 1991 (Act No. 96 of 1991), made the regulations in the Schedule.

SCHEDULE**Definition**

1. In this Schedule the Regulations mean the Aliens Control Regulations (Fees), published under Government Notice No. R. 1000 of 28 June 1996, as amended by Government Notices Nos. R. 1524 of 18 October 1996 and R. 170 of 31 January 1997.

Substitution of regulation 2 of the Regulations

2. The following regulation is hereby substituted for regulation 2 of the Regulations:

"Fees

2. The fees which may be charged in respect of the application for permits, certificates and visas issued in terms of the provisions of the Act, are set out in the following Annexure:

ANNEXURE

		*R Fee	*\$
1.	A visa in terms of section 11 of the Act.....	R 138	\$ 30
2.	A permit in terms of section 26 (1) (a), read with section 27, of the Act	R 138	\$ 30
3.	A permit as referred to in section 11 (3), read with section 26 (1), of the Act.....	R 460	\$ 100
4.	A temporary permit to a person not exempt in terms of section 11 (5) of the Act and allowed in the Republic without a visa	R 276	\$ 60
5.	A transit visa in terms of section 12 (2) of the Act.....	R 138	\$ 30
6.	An immigration permit(s) in terms of section 25 (3) of the Act, per individual or per family: Provided that this fee is not payable by an applicant who is the spouse, a dependent child, or a destitute, aged or infirm member of the family of a person permanently and lawfully present in the Republic.....	R7 130	\$ 1 550
7.	Extension of validity of an immigration permit in terms of section 25 (7) of the Act.....	R 460	\$ 100
8.	An extension/alteration of a temporary residence permit in terms of section 26 (6) of the Act.....	R 460	\$ 100
9.	Permission to a permanent resident to change occupation in terms of section 30 (2) of the Act.....	R 460	\$ 100

* The local tariff is applicable when the service is rendered in the Republic of South Africa, whilst the foreign tariff (if not the United States dollar, then the corresponding amount in the local currency) is applicable for services rendered outside the Republic of South Africa at missions. The Rand/US Dollar exchange rate is calculated at \$1 = R4,60 and is stipulated so as to avoid the daily recalculation of fluctuating foreign exchange rates."

Short title

3. These regulations shall be called the Third Amendment of the Aliens Control Regulations (Fees), 1997, and shall come into operation on 1 April 1997.

No. R. 448

26 Maart 1997

WET OP VREEMDELINGE-BEHEER, 1991 (WET No. 96 VAN 1991)

DERDE WYSIGING VAN DIE REGULASIES OP VREEMDELINGE-BEHEER (GELDE)

Die Minister van Binnelandse Sake het, kragtens artikel 56 van die Wet op Vreemdelinge-beheer, 1991 (Wet No. 96 van 1991), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies" die Regulasies op Vreemdelinge-beheer (Gelde), afgekondig by Goewermmentskennisgewing No. R. 1000 van 28 Junie 1996, soos gewysig deur Goewermmentskennisgewings Nos. R. 1524 van 18 Oktober 1996 en R. 170 van 31 Januarie 1997.

Vervanging van regulasie 2 van die Regulasies

2. Regulasie 2 van die Regulasies word hierby deur die volgende regulasie vervang:

"Gelde

2. Die gelde wat ten opsigte van aansoeke om permitte, sertifikate en visums kragtens die bepalings van die Wet gevorder kan word, is soos uiteengesit in die volgende Aanhangsel:

AANHANGSEL

		*R Gelde	*\$
1.	'n Visum ingevolge artikel 11 van die Wet.....	R 138	\$ 30
2.	'n Permit ingevolge artikel 26 (1) (a), saamgelees met artikel 27, van die Wet.....	R 138	\$ 30
3.	'n Permit soos bedoel in artikel 11 (3), saamgelees met artikel 26, van die Wet.....	R 460	\$ 100
4.	'n Tydelike permit aan 'n persoon nie vrygestel kragtens artikel 11 (5) van die Wet nie en sonder 'n visum in die Republiek toegelaat.....	R 276	\$ 60
5.	'n Deurreisvisum kragtens artikel 12 (2) van die Wet.....	R 138	\$ 30
6.	'n Immigrasiepermit(te) kragtens artikel 25 (3) van die Wet, per individu of per familie: Met dien verstande dat hierdie gelde nie deur 'n applikant wat die gade, 'n afhanklike kind, of 'n behoeftige, bejaarde of verswakte familielid van iemand is wat permanent en wettig in die Republiek woonagtig is, betaalbaar is nie	R7 130	\$1 550
7.	Verlenging van die geldigheid van 'n immigrasiepermit kragtens artikel 25 (7) van die Wet	R 460	\$ 100
8.	Die verlenging/wysiging van 'n tydelike verblyfpermit kragtens artikel 26 (6) van die Wet	R 460	\$ 100
9.	Toestemming aan 'n permanente inwoner ter verandering van beroep kragtens artikel 30 (2) van die Wet.....	R 460	\$ 100

* Die plaaslike tarief is van toepassing wanneer die diens in die Republiek van Suid-Afrika gelewer word, terwyl die buitelandse tarief (indien nie die Verenigde State Dollar nie, dan die ooreenstemmende bedrag in die plaaslike geldeenheid) van toepassing is vir dienste wat buite die Republiek van Suid-Afrika by missies gelewer word. Die Rand/Dollar-wisselkoers is bereken teen \$1 = R4,60 en word aangetoon ten einde die daaglikse herberekening van skommende wisselkoerse te voorkom."

Kort titel

3. Hierdie regulasies heet die Derde Wysiging van die Regulasies op Vreemdelinge-beheer (Gelde), 1997, en tree in werking op 1 April 1997.

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