

STATEMENT BY HOME AFFAIRS MINISTER MALUSI GIGABA ON THE IMPLEMENTATION OF CABINET CONCESSIONS ON IMMIGRATION REGULATIONS, 25 November 2015

We have taken note of recent statements concerning actions taken regarding concessions that Cabinet had made to ease the implementation of the amended immigration legislation and regulations. Let me hasten unreservedly to express our commitment to the success of the process.

To reiterate the actions that must be taken within three months – 1 November 2015 to 31 January 2016 – as articulated by Cabinet, we are to,

- Implement the capturing of biometrics at ports of entry starting with a pilot at OR Tambo, King Shaka and Cape Town airports,
- Look at introducing an Accredited Tourism Company Programme for countries like China, India and Russia,
- Consider a long-term Multiple Entry Visa for a period exceeding 3 months and up to 3 years for frequent travellers (for business meetings), business people and academics,
- Ensure that principals issue letters confirming permission for children to travel on school tours,
- Extend the validity of the parental consent affidavit to 6 months.

As mandated by Cabinet, the department is also urgently looking at the legal instrument, to facilitate the requirement of birth certificates for non-visa requiring countries being replaced by a strong advisory. This requires a legal instrument as our current laws do not draw distinctions between children from different countries.

If we proceed carelessly without that legal instrument, we will be undermining our own legislation and placing ourselves in a constitutionally compromising situation for which we will be legally liable.

It is important to remember that the Department of Home Affairs also played a key role in the IMC, and we therefore fully support the recommendations. Contrary to some public sentiments, these recommendations are still a step forward in promoting the Children's Act and introducing basic but critical national security measures.

Even with the envisioned birth certificate, and a strong advisory for non-visa requiring countries, our immigration officers are better empowered to act against the illicit movement of children.

The recommendations around biometrics afford better measures to keep South Africans and those within the republic safer from the evils that evidently exist globally. These are progressive interventions and we welcome them.

In the meantime, the status quo will remain until such time that the necessary actions have been taken, including the capacity at the main ports of entry to capture biometric data. These changes must unfold within the framework of what is permissible by law.

Other concessions are for implementation in a year and beyond. We are hard at work to ensure implementation of these concessions, starting with those prioritized for the first three months, ending 31 January 2016, understanding this to be in the interest of the country and various stakeholders.

The regulations took effect in 2014 when there were already concerns about the state of tourism, not only in our country, but globally.

The child-specific travel requirements in the immigration regulations came into operation only this year, in June. We have heard the concerns of the tourism sector, and the IMC

has balanced those concerns with national interests. We carry the mandate of being the first line of defence in this regard for the country and therefore must be willing to risk some measure of unpopularity to ensure national security is not forsaken.

The Department of Home Affairs has fulfilled its mandate to facilitate safe movement while extending non-visa requirements to the top tourism generating countries.

As you would know tourism issues reside specifically with our Department of Tourism, with which we will continue working closely to address those concerns that were raised by our stakeholders. That notwithstanding, I have directed the department to meet with the tourism sector. In this meeting I expect them to further share with stakeholders the timelines of concessions and also hear from them on their role in assisting government to keep South Africa safe and prosperous.

The challenge going-forward is to work with all our partners and stakeholders to make the new visa regime work for the country, ensuring child safety, national security and economic development. [Ends]

For media enquiries kindly contact Mayihlome Tshwete on 072 869 2477 or Thabo Mokgola on 060 962 4982