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**DEPARTMENT OF HOME AFFAIRS** : **HEAD OFFICE  
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**DEPARTMENT OF INTERNATIONAL** : **CONSULAR SERVICES**

**RELATIONS & COOPERATION**

**IMMIGRATION DIRECTIVE NO 36 OF 2014  
RETENTION OF CRITICALLY SKILLED FOREIGN WORKERS WHO ARE ON A  
CORPORATE VISA**

South Africa has taken an executive decision to import skills to fill the critical gaps that are a major impediment to inclusive economic growth and development. DHA is required to contribute to economic development of South Africa by realizing a positive skills migration trend of critically skilled migrants who possess a skill as listed in the Critical Skills List published by the Department on the 3<sup>rd</sup> of June 2014.

In terms of Regulation 20(11) a corporate worker may not renew his or her corporate worker certificate or apply for a change of status in the Republic. Corporate workers who are on a Corporate Visa and wish to apply for a Critical Skills Work Visa will now be allowed to do so within the Republic provided they continue to be in the employment of the Corporate Visa holder. All applicants will still be expected to meet the requirements of the Critical Skills Work Visa as published in the Immigration Act, No. 13 of 2002 and its Regulations.

The provision of Regulation 20(11) will still remain effective for all other persons who are on a Corporate Visa. Corporate workers who are not critically skilled as per the Critical Skills List will not be allowed to change status within the Republic in terms of this Directive except in cases where a waiver to that effect has been granted.

This directive must be brought to the attention of all Immigration and Permitting officials.

**MR MKN GIGABA, MP  
MINISTER OF HOME AFFAIRS**

**DATE:** 2015/04/21

This Immigration Directive follows Immigration Directive Nr. 35 of 2014-12-22 "Section 50(3) Administrative fine issued incorrectly due to the Implementation of the new Regulations".