

14 June 2006

INPUTS FROM THE DEPARTMENT OF HOME AFFAIRS ON THE PROPOSED SECTIONS 1 AND 5 OF THE 2010 FIFA WORLD CUP SOUTH AFRICA SPECIAL MEASURES BILL [B13—2006]

INTRODUCTION

1. The aim of section 5 of the Bill is to, as far as possible, ensure that with regard to—
 - (a) visas and temporary residence permits (i.e. work permit and business permit in the present scenario) are issued as expeditiously as possible and that exemptions are approved for distinguished guests to facilitate admission into the Republic; and
 - (b) applications for the waiver of certain prescribed requirements, such applications are considered and finalized in order to process work permits and business permits.

PROPOSED AMENDMENT TO SECTION 1 OF THE BILL

2. Proposed that the Immigration Act, 2002 (Act No. 13 of 2002), be defined as “the Immigration Act” in section 1 of the Bill.

PROPOSED AMENDMENTS TO SECTION 5 OF THE BILL

Subsection (1)

3. Proposed that subsection (1) should be amended to read as follows:

“(1) Subject to [sections 29 and 30 of] the provisions of the Immigration Act, [2002 (Act No. 13 of 2002),] the—

 - (a) Minister of Home Affairs [**must**] may issue a visa in terms of section 10A(3)(a) of [**that**] the Immigration Act to a person from a country that is not exempt from complying with visa requirements to attend the 2010 FIFA World Cup South Africa as a spectator for the requested period if that person lodges an application for a visa with the Minister of Home Affairs at least 14 days before departing for the Republic; and

- (b) Director-General of Home Affairs [must] may issue a visitor's permit in terms of section 11(1) of [that] the Immigration Act to a person from a country that is exempt from complying with visa requirements upon entry into the Republic in order to attend the 2010 FIFA World Cup South Africa as a spectator for the period which that person is exempt from complying with visa requirements.

Subsection (2)

4. Proposed that subsection (2) be drafted as follows:

“(2) Any person, including team members, who [wishes] intend to conduct work in the Republic in connection with and for the duration of the 2010 FIFA World Cup South Africa [must] shall submit a letter to the Minister of Home Affairs from FIFA approving the work to be conducted in order to qualify for an authorisation in terms of section 11(2) of the Immigration Act[, 2002 (Act No. 13 of 2002)]: Provided that persons who intend to conduct work for a period exceeding the period for which he or she enjoys exemption from having to comply with visa requirements, shall be required to be in possession of a valid visa for the intended period and purpose prior to proceeding to the Republic: Provided further that the period of the intended visit shall not exceed 6 months.

Subsection (3)

5. In view of the proposed amendments to subsection (2), subsection (3) may be deleted from the text.

Subsection (4)

6. No amendment necessary.

New subsection (5)

7. Proposed that new subsection (5) be inserted in section 5 of the Bill, which subsection is to read as follows:

“(5) If any person intends to conduct work in the Republic for a period exceeding six months in connection with the 2010 FIFA World Cup South Africa, FIFA and such person shall provide the Department with—

- (a) proof of the accreditation in support of each application at least 30 days prior to proceeding to the Republic;
- (b) a description of the activities that will be undertaken in the Republic; and
- (c) the duration of the intended stay;

Provided that the Minister of Home Affairs has received an application in terms of section 31(2)(c) of the Immigration Act for the waiver of certain prescribed requirements for a work permit or business permit at least sixty days prior to him or her proceeding to the Republic: Provided further that such application is approved by Minister prior to lodging an application for a work permit or business permit.