

Buying Property as a Non South African

IMMIGRATION

The South African Immigration Act

The South African Immigration Amendment Act number 19 of 2004 and the new immigration Regulations came into operation in the 1st of July 2005 and herald in different sets of criteria for temporary and permanent residence in South Africa.

South African immigration law does not operate on a structures point system such as Australia, Canada and some other countries do, but rather on a skills and investment driven set of criteria, catering also for persons wishing to retire in South Africa or live in South Africa seasonally.

There are three predominant ways of entering South Africa and these are the following:

- On a **visitors permit** for periods up to 90 days for the purpose of taking a holiday, conducting business, for medical treatment and host of other defined short-term activities;
- To enter South Africa on a **temporary residence permit** for periods of up to four years, depending on the type of permit applied for;
- To apply for **permanent residence** in South Africa in an appropriate category.

TEMPORARY RESIDENCE IN SOUTH AFRICA

The following are the predominant categories available:

- To **take up employment** in South Africa, which will in most cases have to be done on the basis of a job offer, in line with the skills, qualifications and experience of the applicant;
- To **retire** in South Africa on a pension or irrevocable retirement annuity or as a financially independent person;
- To acquire an existing **business** or start a new business on the Business Permit category.
- To enter South Africa on the basis of a family reunion scheme in the **relatives permit** category. This applies to relatives within two degrees of kinship to a South African citizen or permanent resident by blood or marriage.

Immigration Continued

PERMANENT RESIDENCE IN SOUTH AFRICA

The following are the predominant categories available:

- **“Worker”** category based on a permanent job offer;
- **Retired persons category** on the basis of a pension or an irrevocable retirement annuity or financial net worth of the applicant;
 - o It is important to note that the regulations pertaining to retired persons have changed somewhat since the regulatory changes which took place on the 1st of July 2005.
 - A retirement annuity or lifelong pension delivering ZAR 20 000-00 per capita per month; or
 - A “combination of assets” which could include property, investments, rental income and so forth, delivering a transferable income to South Africa of ZAR 20 000-00 per month per capita; or
 - An investment of R7.5 million coupled to a payment of ZAR75 000-00 to the Director-General of Home Affairs for the privilege of being admitted to this category.
- To enter South Africa in the **relatives permit category** where the applicant is within one degree by blood or marriage to a South African citizen or permanent resident;

A safe bet on determining eligibility to qualify for residence in South Africa would be to avail yourself of an assessment:

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