



**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO. 3517**

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**INTERNAL QUESTION PAPER 41 OF 2017**

**3517. Mr M Waters (DA) to ask the Minister of Home Affairs:**

- (1) What number of foreign nationals in 2016 (a) entered South Africa on (i) visitor visas and/or (ii) holiday visas, (b) departed on or before the date on which their visas expired and (c) of each nationality (i) did not depart and (ii) applied for asylum;
- (2) what (a) plans does her department have in place to find the foreign nationals who did not leave the country and (b) what steps have been taken against the specified persons;
- (3) what (a) procedures and/or (b) programmes does her department have in place to ensure that visitors depart when their visas expire and (c) is the success rate of the specified procedures and/or programmes in each case?

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**REPLY:**

- (1)(a)(i-ii) 15,256,170 (total recorded movements for traveller arrivals in 2016 on visitors and /or holiday visas.
- (1)(b) 14,988,933 (total recorded movements for traveller departures in 2016 on visitors visas.
- (1)(c)(i) The top five nationalities who's movements indicate they have not yet departed the RSA are:

1. Zimbabwe:	210,067
2. Mozambique:	47,909
3. Malawi:	44,818
4. Lesotho:	36,244
5. Nigeria:	5,509

(1)(c)(ii) The total number of asylum applications for 2016 was: 35,377

The top five nationalities that applied for asylum during 2016 are:

1. Zimbabwe:	7,964
2. DRC:	5,293
3. Ethiopia:	4,754
4. Nigeria:	3,276
5. Bangladesh:	2 834

(2)(a) The Inspectorate Unit of the department is tasked with tracing persons who remain the country illegally. They conduct regular inspections of places of employment and other institutions. They also undertake tracing projects to locate persons who have overstayed in the country.

(2)(b) Such persons are either charged criminally or deported from South Africa.

(3)(a-b) The department does not allow such persons to apply for change of status in the country. Travellers who overstay the number of allocated days are declared undesirable for a period of 12 months or up to a maximum of a 5 year prohibition depending on the number of days overstayed in terms of s30(1)(h) of the Immigration Act. The determination of the sanction is derived from the Enhanced Movement Control System (EMCS).

In terms of the prohibition, a traveller cannot under any circumstances re-enter the country unless an appeal for upliftment of the sanction is considered and accepted by the department.

(3)(c) For the period 1 April 2016 – 31 March 2017 a total of 39,894 persons were declared undesirable. Due to the department only collating overstay data from 1 April 2016, it is not possible to provide a year-on-year trend analysis. For the period in question the most common reasons cited for overstaying are based on medical grounds or applicants awaiting temporary residence visa extensions.