

DHA- Form 48



**DEPARTMENT OF HOME AFFAIRS  
REPUBLIC OF SOUTH AFRICA**

**APPLICATION FOR WAIVER OF PRESCRIBED REQUIREMENTS  
[Section 31(2)(c) and regulation 29]**

**REFERENCE NUMBER** \_\_\_\_\_

**PERSONAL DETAILS OF APPLICANT**

1.1 Title: \_\_\_\_\_ 1.2 Surname: \_\_\_\_\_

1.3 First names: \_\_\_\_\_

1.4 Maiden name (if applicable): \_\_\_\_\_

1.5 Other former surnames: \_\_\_\_\_

1.6 Date of birth: \_\_\_\_\_ 1.7 Country of birth: \_\_\_\_\_

1.8 Nationality at birth \_\_\_\_\_

1.9 Present Nationality: \_\_\_\_\_

1.10 Passport No: \_\_\_\_\_ Expiry date: \_\_\_\_\_ Issued by (Country): \_\_\_\_\_

1.11 Marital Status: \_\_\_\_\_ Date: \_\_\_\_\_

1.12 Present Residential Address: \_\_\_\_\_  
\_\_\_\_\_

1.13 Postal Address: \_\_\_\_\_  
 \_\_\_\_\_

1.14 Tel. No.: Home: \_\_\_\_\_ Work: \_\_\_\_\_  
 Cell: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

1.15 Occupation: \_\_\_\_\_

1.16 Type of temporary permit held (if applicable): \_\_\_\_\_

1.17 Valid until: \_\_\_\_\_ Issuing office: \_\_\_\_\_

1.18 Date and place where you entered the RSA: \_\_\_\_\_

**2. DETAILS OF APPLICANTS SPOUSE (If applicable):**

Title: \_\_\_\_\_ Surname: \_\_\_\_\_  
 Maiden name: \_\_\_\_\_  
 First names: \_\_\_\_\_  
 Place of birth: \_\_\_\_\_ Country: \_\_\_\_\_  
 Nationality at birth: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 Passport Number: \_\_\_\_\_

**3. DETAILS OF CHILDREN ACCOMPANYING YOU:**

Surname	First names	Date of birth	Relation-ship	Country and place of birth	Present nationality	Occupation

**4. EMPLOYMENT RECORD OF APPLICANT (to cover full period of employment):**

Name of employer	Address: Town/City	From	To	Nature of work

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**5. DETAILS REGARDING APPLICANT AND (if applicable) SPOUSE AND CHILDREN:**

- Have you or any of your dependants accompanying you ever been convicted of any crime? \_\_\_\_\_
- Is a criminal or civil case pending against you or any of your dependant accompanying you? \_\_\_\_\_
- Are you or any of your dependants suffering from tuberculosis or any other infectious or contagious disease or any mental or physical deficiency? \_\_\_\_\_
- Are you a member of, or adherent to an association or organisation advocating the practice of social violence, or racial hatred? \_\_\_\_\_

If you replied to any of the questions above in the affirmative, please furnish full details.

**6. SECTIONS OF THE REGULATION THAT MUST BE WAIVED**

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**NOTE: Any incorrect or misleading information or false documents furnished in support of this application may result in the application being rejected or if discovered after the issuing of the waiver the applicant shall not be allowed to sojourn in the Republic.**

I/We the undersigned, declare that the details reflected in this application and supporting documents are true and correct and that it is my/our intention to reside/ work in the Republic. I undertake to inform the Department of any change of address whilst the application is being processed, with the understanding that in the event of failure to do so the Department will not be responsible for any breakdown in communication. I/we, furthermore, undertake to inform the Department of any change in relevant information or circumstances that could influence the outcome of this application.

Signature of applicant: \_\_\_\_\_ Date: \_\_\_\_\_

**FOR OFFICIAL USE;**

Application checked and all supporting documents verified.

Application tracked and traced.

.....  
**Signature of official accepting the application**  
**(Department of Home Affairs)**

*Official stamp*

**Name and Surname:** \_\_\_\_\_

**Designation:** \_\_\_\_\_ **Persal No:** \_\_\_\_\_

**PLEASE READ THE FOLLOWING**

In providing for the regulation of admission of foreigners to and their residence in the Republic, the Immigration Act, 2002 (Act No 13 of 2002), inter alia, aims to promote economic growth through the employment of needed foreign labour which does not adversely impact on existing labour standards and rights and expectations of South African workers.

**Temporary residence permits**

In order to satisfy the Director-General that the issuing of a work permit to a foreigner would promote economic growth and would not be to the disadvantage of South African citizens or permanent residents, documentary proof must be submitted that a diligent search had been done and that the employer had been unable to employ a local candidate with qualifications or skills and experience equivalent to those of the applicant. This requirement is satisfied by means of an advertisement in the national printed media, which would afford South African citizens and permanent residents the opportunity to compete for the position.

In terms of section 31(2)(c) of the Act, the Minister may, for good cause, waive any prescribed requirement or form. Should a foreigner thus not be able to comply with the above requirements, he/she or the employer may request the Minister to exempt the applicant from submitting the relevant document(s). The following documents have to accompany this application:

- (a) A letter signed by the employer, citing the requirements to be waived and a comprehensive motivation for each requirement.
- (b) A copy of the applicant's curriculum vitae.
- (c) A copy of the applicant's passport and all temporary residence permits affixed therein.
- (d) A copy of the employment contract signed by both the employer and the employee.
- (e) Background on the company/institution for record purposes.

Should the request be considered favourably, a letter will be forwarded to the applicant or his/her employer, which has to be submitted with the application and remaining requirements at the nearest Regional Office of the Department or South African foreign office if the applicant is still abroad.

**Permanent residence permits**

In terms of section 31(2)(c) read with section 27 of the Immigration Act, 2002 (Act No 13 of 2002), and the permanent residence application form BI-947, the Minister may, for good cause, waive any prescribed requirement or form. Should a foreigner thus not be able to comply with any of the requirements, he/she may request the Minister to exempt the applicant from submitting the relevant document(s). The following documents have to accompany this application:

- (a) A letter signed by the applicant, citing the requirements to be waived and a comprehensive motivation for each requirement.
- (b) A copy of the applicant's curriculum vitae.
- (c) A copy of the applicant's passport and all temporary residence permits affixed therein.
- (d) A copy of the employment contract signed by both the employer and the employee, if applicable.
- (e) Background on the company/institution for record purposes.
- (f) Business Plan, Bank or financial statements, if applicable
- (g) Recommendation from the Department of Trade and Industry, if the application is made in respect of a business being conducted in the Republic.