

# Relative and Spousal Visas

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## Preface

All visa categories are regulated under the South African Immigration Act No. 13 of 2002 (as amended) (“**the Act**”) and its associated Regulations, as published in Government Gazette No. 37679 (22 May 2014), No. 42071 (29 November 2018), and No. 50675 (20 May 2024).

## Overview

Relative visas for temporary or permanent residence of family members of South African citizens or permanent residents, whether for work or a sojourn in the Republic.

- ❖ **Relative's Visa:** In accordance with **Section 18 of the Immigration Act**, a Relative's Visa may be issued to a foreign national who is an **immediate family member** of a South African citizen or permanent resident, subject to the condition that the citizen or permanent resident furnishes the **prescribed financial assurance** of **ZAR 8,500.00 per month** in support of the applicant.
- ❖ **Spousal Visa:** In accordance with **Section 11(6) of the Immigration Act**, a Spousal Visa may be issued to a foreign national who is the **lawful spouse** of a South African citizen or permanent resident and who does not otherwise qualify for any visa category provided under **Sections 13 to 22** of the Act.

## Relative's Visas

### 1. Purpose

Allows **foreign relatives** of South African citizens or permanent residents to live in South Africa.

### 2. Eligibility

- The applicant must be an immediate or close family member, including but not limited to:
  - Parents or legal guardians,
  - Minor children,
  - Siblings (ordinarily in cases of dependency or orphanhood).
- The South African citizen or permanent resident (the sponsor) shall assume full financial responsibility for the applicant. Applicants must satisfy all prescribed character and health requirements, including the submission of valid police clearance certificates and medical reports.

### 3. Advantages

- Promotes and strengthens family reunification.
- Grants' lawful temporary residence in South Africa for the duration of the visa.
- Provides access to healthcare services as afforded under applicable laws.
- Establishes a pathway to permanent residence following the requisite qualifying period.

### 4. Disadvantages

- Employment is not authorised under this visa category; a separate work permit must be obtained.
- Application and adjudication processes may be protracted.
- Financial and legal dependency on the sponsor is a prerequisite condition.
- Eligibility is confined to “close relatives” as defined in the Immigration Act and its Regulations.

#### **5. Visa Validity and Renewal**

- The initial validity period is ordinarily up to two (2) years, subject to the discretion of the Department of Home Affairs (DHA).
- Renewal:
  - Applications for renewal must be submitted no less than sixty (60) days prior to the expiry date of the existing visa.
  - Renewals must include updated evidence of the familial relationship, continued sponsor support, and full compliance with immigration requirements.
  - Renewal remains a discretionary process and is contingent upon the applicant's ongoing eligibility and adherence to all statutory provisions.

### **Spousal Visas**

#### **1. Purpose**

Allows a foreign spouse of a South African citizen or permanent resident to live in South Africa.

#### **2. Eligibility**

- The applicant must be a lawfully married spouse or a recognised life partner in accordance with South African law. The marriage or partnership must be legally valid and substantiated through the required documentation:
  - Official marriage certificate or verified proof of partnership,
  - Proof of the South African citizenship or permanent residence status of the sponsoring spouse,
  - Medical and police clearance certificates as prescribed.

#### **3. Advantages**

- Confers the right to lawful residence in South Africa and may be endorsed for work authorisation, whether for employment or self-employment purposes.
- May extend to include minor dependent children under the same visa category.
- Establishes a pathway to permanent residence upon completion of the requisite qualifying period.
- Upholds the constitutional value of maintaining family unity.

#### **4. Disadvantages**

- Visa status is contingent upon the continuity of the spousal relationship; divorce or legal separation may result in the cessation of status.
- Employment is subject to prior authorisation under a valid endorsement or work visa.
- The application process is administratively intensive and may be subject to extended processing times.
- Periodic renewals are required until permanent residence is formally conferred.

## 5. Visa Validity and Renewal

- The initial validity period is generally up to three (3) years, or as otherwise determined by the Department of Home Affairs (DHA).
- Renewal:
  - Renewal applications must be submitted no less than sixty (60) days prior to the expiry of the current visa.
  - Applicants must provide updated documentary evidence confirming the continued validity of the marriage or partnership and ongoing eligibility under the provisions of the Immigration Act.
  - Renewal decisions remain at the discretion of the DHA; however, successive renewals may be granted until the applicant qualifies for permanent residence.

## Application Process

1. **Lodge** the visa application at the nearest [South African Foreign Mission Abroad](#) (hereinafter referred to as the “Embassy”) or at an accredited Visa Facilitation Centre within the applicant’s country of habitual residence or origin.
2. The **estimated processing** timeframe, calculated from the date of submission to the Embassy, is approximately eight (8) to twelve (12) weeks or longer, subject to operational circumstances. Processing durations may vary based on the specific Embassy, prevailing application volumes, staffing capacity, and other administrative factors.
3. Applicants may be requested **to attend an interview** for the purpose of verifying the authenticity of the claimed relative or spousal relationship. The physical presence of the South African citizen or permanent resident sponsor is required at the time of submission.
4. Depending on the jurisdiction of application, **additional supporting documentation** may be requested at the discretion of the designated consular or immigration officer at the respective Embassy.

## Expert Assistance for Immigration Compliance

Engaging qualified professionals can help ensure that visa and immigration applications meet all regulatory requirements, minimising delays and the risk of rejection.

[Wesgro’s](#) services include facilitation of visa processes for prospective investors and local businesses. Foreign applicants can also consider seeking assistance directly from a member of the **Forum of Immigration Practitioners of South Africa (FIPSA)** for guidance on compliance with procedural requirements. Attorneys and recognized Immigration Specialists may also assist with documentation and ensuring that applications meet all regulatory obligations. Obtaining professional advice can help reduce the likelihood of delays or rejections by ensuring submissions align with legislative criteria.

## About Relocation Africa

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Contact

- Website: <https://www.relocationafrica.com/>
- For expert Immigration support: [immigration@relocationafrica.com](mailto:immigration@relocationafrica.com)
- For expert Mobility support: [info@relocationafrica.com](mailto:info@relocationafrica.com)

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