
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

HOME AFFAIRS, DEPARTMENT OF

NO. R. 3958

11 October 2023

IMMIGRATION ACT, 2002

INVITATION TO CORPORATE EMPLOYERS TO SUBMIT AN EXPRESSION OF INTEREST IN THE TRUSTED EMPLOYER SCHEME

BACKGROUND

During the February 2022 State of the Nation Address ("SONA"), the Honourable President Cyril Ramaphosa announced that South Africa will be reviewing its visa application system to make it easier for foreigners to travel to the country for tourism, business and work.

Operation Vulindlela, which is part of the Presidential Project Management Office (the "PMO") conducted a thorough review of the work visa framework with the aim of identifying and removing barriers to the attraction and retention of needed skills to enable economic growth and improve the efficiency of the work visa application process.

The Department of Home Affairs (the "Department") is, therefore, inviting corporate employers to submit expressions of interest in the pilot of the Trusted Employer Scheme (the "TES"). The purpose of the TES system is to allow South Africa to more easily attract

skills and manage immigration, particularly in the processing of applications for senior executives, technical personnel, corporate employees and investors.

To qualify for membership to the TES, an employer, investor, or business needs to demonstrate that it has the financial strength to employ a foreign national, that it runs training programmes for South African citizens and that it is a good corporate citizen.

Within this programme, a business, investor or corporate employer will qualify for priority processing of their visa applications due to the reduced requirements and supporting documents. The TES membership will be acceptable for local applications, as well as at all South African High Commissions abroad. Current Corporate Account Clients are encouraged to apply.

SELECTION CRITERIA

In order to ensure that the selection process of companies is fair, ethical and transparent, the Department will make use of the following score card system:

NR	FACTOR	POINTS
1	PLEDGES / PROVEN INVESTMENT	30
2	EMPLOYMENT	25
3	SECTOR	15
4	SKILLS TRANSFER/DEVELOPMENT	20
5	EQUITY EQUIVALENCE	10
TOTAL		100

For more information on the application process, the qualification criteria and the determination and awarding of points kindly visit the www.dha.gov.za website.

SELECTION PROCESS

1. Corporate companies who are registered and are operational in South Africa who are interested to be considered for registration onto the TES should submit their

expression of interest using the TES Application Form available on the www.dha.gov.za website. "Applications should be addressed to the Chief Directorate: Permits and may be forwarded to the Department in any of the following manners:

- a) delivered by hand to the Department of Home Affairs, 230 Johannes Ramokhoase Street, Hallmark Building (c/o old Proes and Andries Street), Pretoria, 0001, for attention of Mr Phindiwe Mbhele Tel.: (012) 406 7068 or;
 - b) mailed to the DHA at Private Bag X114, Pretoria, 0001; or e-mailed to trustedemployerscheme@dha.gov.za .
2. Applications must contain all information specified in the Selection Criteria set out above and supported by the documents mentioned in the TES Application Form.
 3. The applications will be assessed by a selected Inter-Departmental Committee, comprising of one or more technical Officials from, but not limited, to the Department, Departments of Employment and Labour, as well as Trade, Industry and Competition.
 4. The Department will make the final selection and the applicants will be advised of the outcome.
 5. The decision of the TES Inter-Departmental Committee shall be final. The Department reserves the right to grant or not to grant a TES status to any company.
 6. The closing date for the submission of applications will be 40 days, including weekends and public holidays, from the date of publication of this Notice.
 7. Any enquiries should be directed to **Mr. Ben Makhalemele** at ben.makhalemele@dha.gov.za or at 012 406 4572.



DR P.A. MOTSOALEDI, MP
MINISTER OF HOME AFFAIRS

DATE: 09/10/2023



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Department:
Home Affairs
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TRUSTED EMPLOYER SCHEME EXPRESSION OF INTEREST FORM

This application must be submitted in a file marked TRUSTED EMPLOYER SCHEME APPLICATION. It must contain the following documents:

1. Application Form. ALL sections to be completed fully.
2. Trusted Employer Scheme submission as follows:
 - a) A4 Format, preferably in landscape layout on a Companies Letterhead;
 - b) Should not exceed 15 pages in total (Excl. annexures);
 - c) Should contain the following details:
 - I. Brief background of the company
 - II. Pledges: Information on Pledges to the South African Investment Conference (SAIC) or information on the ZAR value of historical investment made in South Africa since 2018 to date.
 - III. Employment: Information on the total number of employees within South Africa and the % of South Africans or Permanent Residents employed as part of the permanent staff complement.
 - IV. Sector: Details of the Operations / Investment in Sectors identified as Priority Sectors by the Department of Trade, Industry and Competition (DTIC)
 - V. Skills Transfer: Information on existing Skills Transfer Programme or Graduate Development Programme for South African Citizens or Permanent Residents.
 - VI. Equity Equivalence: Contributions in lieu of a direct sale of equity. ownership element of B-BBEE made by Multinational companies or current B-BBBEE rating.
3. **Attach Annexure A:** Proof of Pledges in the form of SAIC investment pledge with a letter from the DTIC confirming the pledge OR Proof of historical investment in the form of a Declaration of investment signed by the CEO, MD of the company.
4. **Attach Annexure B:** Proof of Employment in the form of a copy of the EEA2 Report from the Department of Employment and Labour.
5. **Attach Annexure C:** Proof of Economic Sector in a form of confirmation letter from the DTIC.
6. **Attach Annexure D:** Proof of a Graduate Development Programme OR confirmation letter(s) from an Institutions of Learning or Recognised Training Facility. A Presentation of an Internal Graduate Programme will also be acceptable.
7. **Attach Annexure E:** Equity Equivalence: Proof of B-BBEE rating in a form of a BEE Certificate or Agreement with the Minister/ B-BBEE commission
8. **Attach Annexure F:** "Tax Compliance Status" (TCS). The TCS is an electronic confirmation by SARS that an employer is up to date with his or her tax affairs.
9. **Attach Annexure G:** Proof of registration with the Unemployment Insurance Fund;
10. **Attach Annexure H:** Proof of registration with Compensation Fund for Occupational Injuries and Diseases;
11. **Attach Annexure I:** Proof of registration with the Companies and Intellectual Properties Commission (CPIC).

TES: EXPRESSION OF INTEREST FORM



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SECTION A:

Title	Surname	First Names																
Maiden Surname (if Applicable)		ID No																Nationality
E-Mail Address																		

Contact Details:																		Contact Details:															
Work Tel No														Cell No																			
Province														Company																			

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SECTION B:

DECLARATION

I UNDERSTAND THAT THIS IS NOT AN APPLICATION FOR A VISA OR IMMIGRATION STATUS.

I UNDERSTAND THAT THE TRUSTED EMPLOYER SCHEME IS A PILOT PROJECT AND THAT THE DEPARTMENT OF HOME AFFAIRS RESERVES THE RIGHT TO DETERMINE THE NUMBER OF CORPORATE EMPLOYERS THAT MAY BE ENROLLED TO THE SCHEME IN ORDER TO BE ABLE TO PROVIDE SERVICE AT AN ACCEPTABLE STANDARD.

I UNDERSTAND THAT NOT BEING ACCEPTED ONTO THE TRUSTED EMPLOYER SCHEME WILL IN NO WAY LIMIT OR AFFECT THE RECRUITMENT OF FOREIGN SKILLS BY THE COMPANY AND THAT ALL OTHER VISA APPLICATION PROCESSES WILL REMAIN UNAFFECTED, OPEN AND AVAILABLE TO THE COMPANY.

I DECLARE THAT I AM FAMILIAR WITH, AND UNDERSTAND THE DUTIES AND OBLIGATIONS OF AN EMPLOYER AS STIPULATED IN SECTION 38 OF THE IMMIGRATION ACT, NO. 13 OF 2002

I DECLARE THAT I AM FAMILIAR WITH, AND UNDERSTAND THE IMPLICATION OF OFFENCES AS STIPULATED IN SECTION 49 OF THE IMMIGRATION ACT, NO. 13 OF 2002

I, _____ (FULL NAMES & SURNAME) HEREBY CONFIRM THAT I AM DULY AUTHORISED TO SUBMIT THIS APPLICATION ON BEHALF OF THE CORPORATE APPLICANT.

APPLICANT SIGNATURE: _____ DATE: _____

TES: EXPRESSION OF INTEREST FORM