



DIPLOMATIC IMMUNITIES AND PRIVILEGES (DIAP) CIRCULAR NO 3 OF 2022

The Department of International Relations and Cooperation of the Republic of South Africa presents its compliments to Diplomatic Missions and International Organisations accredited to the Republic of South Africa and has the honour to refer to the Department's State Protocol Circular No 02 of 2021 dated 23 June 2021 informing Foreign Missions of administrative clarifications regarding the definition of dependent family members of accredited diplomatic, consular and international organisation officials.

In terms of the Diplomatic Immunities and Privileges Act (Act 37 of 2001) the following is stated:

A family member means:

- The spouse;
- Any dependent child under the age of 18 years of age; and
- Any other dependent family members officially recognised as such by the sending State or the United Nations, a specialised agency or an international organisation.

The Department wishes to again inform of the following administrative arrangements:

- Any dependent child over the age of 18 years up to the age of 23 years will be accredited provided that the dependent child is residing full time with the parent(s) in South Africa and studying at a South African educational institution or studying online while resident in South Africa, on condition that proof of study has been submitted. In the case of online study, the educational institution will have to confirm that it is online study. The dependent child will only be registered and issued with a Temporary Residence Visa (TRV) valid for 12 months or less depending on the dates of study, and a new application must be submitted annually with proof of registration. Missions are therefore requested to submit under cover of a Note Verbale proof of study (a letter from the relevant tertiary

institution confirming enrollment and the method of study) by no later than **31 March 2022**.

- Missions are further informed that all children of diplomats above the age of 23 will be de-registered and their TRVs cancelled by **31 March 2022**.
- If a dependent child over the age of 18 years is not studying, reasons as to why the child must be considered as a dependent, must be given. For example, due consideration for older dependent children will be given in cases where a qualified medical practitioner confirms physical disability or special needs, that may qualify children as financially dependent;
- The Department wishes to further clarify that a dependent child cannot perform remunerative work in the Republic. If a child wishes to work they must apply for a work permit through the relevant South African Mission;
- Kindly note that only dependent parents and parents-in-law will qualify to be registered based on a letter of recognition by the sending State; dependent parents and parents-in-law may not perform remunerative work in the Republic. If they wish to work, they must apply for a work permit through the relevant South African Mission; Dependent parents and parents-in-law will not be conferred with any immunities or privileges but a TRV will be issued.
- Only immediate family members, within the first step of kinship, residing full time in the Republic with the diplomat will be registered and accredited. No other family members, e.g. uncles, aunts, nieces, nephews, cousins, brothers, sisters, etc. will be registered and accredited. Other family members must apply for visas at the relevant South African Mission. It should be noted that a visa status may not be amended within South Africa.
- Upon accreditation of qualifying family members, the required Temporary Residence Visa will be issued by DIRCO; and

- No diplomatic identity card will be issued to dependent parents – only spouses, registered life partners and registered dependent children above the age of 16 years, provided they are studying, will be issued with diplomatic identity cards.

The Department of International Relations and Cooperation of the Republic of South Africa avails itself of this opportunity to renew to Diplomatic Missions and International Organisations accredited to the Republic of South Africa the assurances of its highest consideration.



PRETORIA
23 February 2022

Diplomatic Missions and International Organisations
accredited to the Republic of South Africa
PRETORIA