



DIPLOMATIC IMMUNITIES AND PRIVILEGES (DIAP) CIRCULAR NO 7 OF 2022

The Department of International Relations and Cooperation presents its compliments to Diplomatic Missions and International Organisations accredited to the Republic of South Africa and as the honour to request Foreign Missions to participate in the 2022 Annual Staff Audit of all staff employed by Diplomatic and Consular Missions, and International Organisations, i.e. both Diplomatic Agents, Consular Officers and Locally Recruited Personnel (LRP).

In terms of Section 9 of Act 37 of 2001, point 2 (2) – “the Minister must cause a complete list of all persons on the register to be published on the Department of International Relations and Cooperation (DIRCO) website, and must cause the list to be updated frequently as may be necessary, and made publically available”. Furthermore in terms of point 2 (3) – “If any question arises as to whether or not any person enjoys any immunity or privilege under this Act or the Conventions, a certificate under the hand or issued under the authority of the Director-General stating any fact relating to that question, is *prima facie* evidence of that fact.” To ensure the accuracy of the Immunity List all Diplomatic Missions and International Organisations are required to complete the attached Annexure's:

Annexure A - Foreign Mission Detail Form

Annexure B – Diplomatic Agents and Consular Officers

Annexure C – Diplomatic Agents and Consular Officers (Spouse/Partner, Children, Parents, Domestic Worker)

Annexure D- Honorary Consular Officers

Annexure E must be completed in respect of LRP and is required as some Foreign Missions have incorrectly accredited LRP as diplomatic agents or consular officers, and the information is also required by SARS. In terms of the Income Tax Act 58 of 1962 all South African nationals and persons with permanent residence status in South Africa are liable to pay income tax. SARS has indicated that it prefers that Foreign Missions voluntarily register LRP for employee tax purposes, thereby deducting the tax from employees and paying over to SARS on a monthly basis.

Missions are reminded that DIAP is the custodian of all Foreign Missions data. Any amendments must be communicated to DIAP. The Department confirms that the information

is restricted to statutory corroboration purposes by the South African Government. The above to be submitted electronically to diapaccreditation@dirco.gov.za and the originals delivered to Main Reception marked for the attention of Ms LV Manuel, Deputy Director: Accreditation by no later than **24 October 2022**. Electronic copies of the Annexures can be accessed using http://www.dirco.gov.za/protocol/notes_verbale.html. No handwritten forms will be accepted.

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



PRETORIA
23 August 2022

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