

Don't panic! There's still time to submit for new critical skills list

By [Marisa Jacobs](#)

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In September last year, then-Minister of the Department of Home Affairs, Malusi Gigaba announced that a new critical skills list is expected to be released in April 2019.



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The industry is in turmoil as business and providers scramble to submit visa applications prior to the list being published and certain categories removed.

But there is no need to panic, yet!

Don't panic

The Department of Home Affairs confirms the critical skills list will first be published in draft format and distributed for public consultation prior to finalising and legislating the new list.

The draft list is expected to be signed off by the Minister and distributed in April 2019.

Cooperation with business to ensure a comprehensive new list

On the one hand, there is no list that will always be absolutely complete and comprehensive in a specific place and time.

The requirements always evolve with time. Such as with the new oil and gas opportunities, we know there will be expansion in this area on the critical skills list.

We have never failed to obtain a work permit for a foreigner where we can show that a local job is not taken and there is valid commercial rationale.

The critical skills list is but one of various categories of obtaining a work visa. Where a category is not added under critical skills list, there are other categories under which a valid work permit can always be obtained.

Preview of anticipated draft list

The new list is much shorter than the current list, probably as Home Affairs saw many of the old categories not being used.

A positive development is that the draft version of the new list is more concentrated, by adding certain categories together.

The removal of the Corporate General Manager category has received much attention.

We believe this category has been largely abused by many, giving rise to the proposed removal thereof. In its current form it is in need of a revamp.

We agree that this category will or should not be removed in its entirety and the consultative process will provide the input required for the Department of Home Affairs to more directly and suitably define this skill and the form it should take on this list to curb abuse.

Submissions

Where anyone can foresee a category not catered for, they are welcome to email Marisa Jacobs on marisa@xpatweb.com with motivation and we will ensure that Home Affairs is made aware hereof before the list is finalised.

ABOUT MARISA JACOBS

Marisa Jacobs is a director at Xpatweb and has a wealth of knowledge on immigration, specialising in the application of temporary and permanent residence applications.
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