

14 February 2026

FAO the Chief Director: Strategy and Institutional Performance

Written Comment on the Draft Revised White Paper on Citizenship, Immigration and Refugee Protection

Dear Minister of Home Affairs, Dr L.A. Schreiber MP,

Thank you for this opportunity to comment on the Draft Revised White Paper on Citizenship, Immigration and Refugee Protection (referred to hereafter as 'the White Paper').

Permits Foundation is a not-for-profit corporate initiative supported by [over 40](#) major global companies and other organisations. We engage with governments worldwide to recommend direct and open employment access for spouses/partners and where possible, other dependants of highly-skilled international employees. [Over 40 countries](#) have legislated in this way. South Africa is viewed by the Permits Foundation network as a priority country. Almost all of our corporate sponsors operate in South Africa, many within the Trusted Employer Scheme.

The White Paper states that *"To ensure they are not locked out of the labour market, spouses of skilled worker visa holders should be allowed to apply through the PBS immigration channel with certain requirements being relaxed."* Permits Foundation welcomes measures that would facilitate work access for this cohort. However, we request clarification regarding the requirements that would be relaxed. **We strongly recommend to:**

- **Allow spouses/partners of skilled work visa holders to receive direct work authorisation without having to satisfy points-based tests themselves.**
- **Ensure spouses/partners of intra company transferees (ICTs) are not shut out of the labour market. Allow them to receive direct work authorisation.**
- **Ensure that in both cases, family member status is retained.**

These recommendations align the White Paper with the 2025 National Labour Migration Policy while simplifying the administrative process, helping to attract and retain needed skills, providing clarity and certainty for accompanying family members, and without negatively impacting the local labour market. They also align South Africa with the countries cited in point 3.3.3.3 of the White Paper (Australia, Canada and the UK). All three have legislated to enable direct work authorisation for partners and/or spouses of skilled international employees within their points based systems.

Should the government choose to allow spouses/partners of skilled worker visa holders to apply through the PBS immigration channel themselves, we would recommend that points awarded should represent a meaningful offering, enabling South Africa to capitalise on this talent pool that is often already in country. Measures for spouses/partners of ICTs should also be considered. Please find below further evidence in support of our recommendations.¹

Yours sincerely,



Helen Frew,
Executive Director, Permits Foundation

Supporting Evidence

Why we are recommending direct and open employment access for accompanying dependants of highly-skilled international employees in South Africa.

South Africa in the global context

Globally, [42 competitive countries](#) have implemented legislation that enables the partner or spouse of highly-skilled mobile employees to access employment. They administer this directly, incident to dependant status. Eligible family members of permitted categories of skilled mobile employees can look for work for any employer as soon as they have completed their arrival or residence formalities. This is often issued with a card or passport stamp which shows e.g. their visa status, employment permission and end date.

In South Africa, accompanying dependants of a foreign national work visa holder are not at present granted this right, despite clear support for change here. In the Foundation's survey of global mobility professionals, South Africa was ranked 6th out of 62 identified countries where legislation to facilitate spouse/partner work access would be welcomed.ⁱⁱ Almost all of our corporate sponsors operate in South Africa, including companies that are participating in the Trusted Employer Scheme.

Permits Foundation values our engagement with companies and organisations that are based in South Africa on this issue, including Xpatweb. In Xpatweb's most recent [Critical Skills Survey](#) of South African employers, an overwhelming 96% of respondents agreed that the spouse/partner of a critical skills visa holder should be authorised to work in the host country upon recognition of their dependant status. 82% said that dual career and partner issues were becoming more important to their organisation.

Aligning with government policy objectives

The White Paper 3.3.8 Conclusion states that reform will align migration policies *with economic growth objectives, labour market needs, and national security policies. The existing framework will be modernised and digitally transformed to streamline processes, attract high-value investment and regulate skilled migration.*

Permits Foundation's recommendations would meet these objectives and would also align them with point 5.3.3.12 of the National Labour Migration Policy White Paperⁱⁱⁱ which stated that automatic issuance of a work visa for a spouse was a factor that played a decisive role in the retention of highly-skilled migrants. When citing the OHDOFL and the Critical Skills categories, the NLMP proposed that: *"The automatic issuance of work visas for spouses and dependants of such work visa holders should be considered. It also stated that: The same may be required in the case of spouses/dependants of inter-company transferees".*

The significance of direct spouse and partner work access – why this is our preferred policy

Predictability and certainty pre-move is vital. Where the spouse or partner knows they will have automatic employment authorisation, companies find it easier to move required talent to that country. Importantly, dual career couples look for this assurance at the **pre-move** decision phase. Employers place great value on the resulting transfer of knowledge, skills and technology.

Research data from Permits Foundation and others shows a clear link between partner employment access, talent acquisition, investment, inclusion and country reputation. Permits Foundation's international survey of employers found that for 91% of respondents, where a host country allows

partners to work directly, their organisation's ability to attract people with desired qualifications and skills increases.^{iv} 80% said that the reputation of the host country as being open for business improves. Respondents highlighted a negative impact where a country does not authorise spouse/partner direct work access. More than half of respondents reported that employees in their organisation had turned down international assignments in the prior three years due to partner employment concerns. Increasingly, families report that it is critical or significant for them to have two incomes in the host location.^v

The global picture

The White Paper references the points based system in Australia, Canada and the United Kingdom as examples of successful and flexible immigration models. In all three of these countries, the points based system applies to the principal applicant but the accompanying spouse/partner is **directly** authorised to access work and without having to satisfy points tests themselves. In these countries and in 39 others, the spouses/partners of highly-skilled international employees – including South Africans - may access employment incident to their dependant status. References to the legislation in these countries can be freely accessed via Permits Foundation's [world map of mobile spouse and partner work authorisation](#).

Governments worldwide are balancing policies to ensure protection of the local labour market while continuing to be seen as an attractive business destination and addressing future skills need. Policy makers often explicitly reference the link between partner work access and meeting national objectives. To give some recent examples:

- In December 2022, the Canadian Government cited that: *“Expanding the eligibility for work permits to family members accompanying the principal applicant to Canada will help address labour shortages by assisting employers in finding the workers they need.”*^{vi}
- The revised EU Blue Card Directive now implemented across 25 Member States, states that: *“Favourable conditions for family reunification and access to work for spouses should be a fundamental element of this Directive in order to better attract highly qualified workers from third-countries.”*^{vii}
- In 2024 the Irish Minister for Enterprise, Trade and Employment, upon announcing new legislation enabling work access for spouses and partners of intra corporate transferee holders said: *“Fundamentally, I saw this as a missed opportunity, which risked making Ireland less attractive for workers while limiting a person’s ability to contribute to the economy and provide for their family.”*^{viii}

Impact on the national labour market

Should the government extend direct employment access to spouses of skilled foreign workers, the evidence suggests that this policy would not negatively impact employment opportunities for South African citizens. Where highly-skilled international employees move with family members, the numbers involved are typically low. In South Africa, the 2023 Report of the Work Visa Review cites that only 729 ICT visas were issued in 2021.^{ix} The White Paper itself highlights the drop in work and business visas over the past decade and that between 2021 and 2025, just under 32,000 economic visas were issued.

Dependants of international employees, if authorised to work, would be unlikely to exacerbate shortages of lower-skilled employment. Permits Foundation's survey found that 88% of accompanying partners hold either a bachelor's, master's degree or PhD.^x Our survey also found that their experience is often highly compatible with the skills that South Africa seeks, including in

engineering, IT, business, finance, healthcare and education. Authorising direct employment access simply allows dependants to have the opportunity to look for work. There is no job guarantee. Yet if employed, they can make a fiscal and skills contribution to the economy. Our research shows that family integration and well-being is then improved.^{xi}

Spouse work access via the points based system

It is not clear how the White Paper proposals intend to facilitate skilled workers' dependant work access through more favourable conditions under the PBS i.e. if they might receive points themselves.

While Permits Foundation recommends direct work access for skilled workers' dependants as the preferred policy, should spouses/partners receive points, we ask that the points awarded are enough for them to be meaningful. For example, a qualified spouse who speaks English and who has worked for 5-10 years prior to relocation could still need at least 40 points to meet the 100 point threshold.

Because families move as a unit and seek security, it is also important that where dependants are given work authorisation, including under the PBS, that family member status is retained. Finally, we request that the very small but significant cohort of spouses/partners of ICTs are also covered and not shut out of the labour market.

Overarching rights

Policies enabling partner work access also help to support [Sustainable Development Goals](#) 5 and 8.8 by improving diversity, equity and inclusion in the global workplace. Around 75% of accompanying partners are women. Current expectations around global mobility mean that enforced career breaks are less and less acceptable to dual career couples who look for assurance before the move that they can stay together as a family unit and continue to work. Increasingly, relocating couples depend on the income of both partners, with the majority of of partners working pre move. Our research shows that families with dual career earners report more positive family relationships, well-being and adjustment into the host country.

Permits Foundation works to support aims to achieve a rights-based gender-sensitive approach to labour migration policy development. We congratulate the South African government for the substantial work carried out at UN level and the progress achieved. When contributing to the Global Forum on Migration and Development, Permits Foundation promoted the inclusion of reference to facilitating work authorisation for family members as seen in 21(i) of Objective 5 in the UN's Global Compact for Safe, Orderly and Regular Migration GCM to "Enhance availability and flexibility of pathways for regular migration".^{xii}

Permits Foundation would like to thank the Department of Home Affairs for this opportunity to submit feedback to the Draft Revised White Paper on Citizenship, Immigration and Refugee Protection. We applaud the transparent and inclusive nature of this consultation and would be happy to provide further information at the request of the Department.

ⁱ Our compelling dossier of evidence is also referenced in our previous submissions to the South African Government: the [White Paper on Citizenship, Immigration and Refugee Protection](#) (2024), the [Draft Second Amendment of the Immigration Regulations](#) (2024), the [draft National Labour Migration Policy](#) (2022), the [draft Critical Skills list](#) (2021) and the [White Paper on International Migration for South Africa](#) (2018).

ⁱⁱ Permits Foundation International Dual Careers Survey Report Part 1 (2022). South Africa was ranked 6th behind the US, China, India, the UK and Singapore. (available [here](#))

ⁱⁱⁱ White Paper on National Labour Migration Policy for South Africa (May 2025). (available [here](#))

^{iv} Permits Foundation International Dual Careers Survey 2021 Report Part 1 (2022). (available [here](#))

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- ^v The NetExpat EY Relocating Partner Survey Report (2023) found that the importance of a second income to families increased from 69% to 74% since 2018 (available [here](#))
- ^{vi} Government of Canada (2 December, 2022). *Employers and temporary workers to benefit from family work permits to address labour shortages*. [Press Release]. (available [here](#))
- ^{vii} Recital 50, Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment, and repealing Council Directive 2009/50/EC (2021) (available [here](#))
- ^{viii} Department of Justice, Home Affairs and Migration. (15 May, 2024). *Ministers McEntee and Burke welcome agreement on actions to increase the competitiveness of Ireland in attracting key skills*. [Press Release]. (available [here](#))
- ^{ix} Operation Vulindlela Report of the Work Visa Review 2023 (available [here](#))
- ^x Permits Foundation International Dual Careers Survey Report Part 2 (2022) (available [here](#))
- ^{xi} Partners of international employees who were not working were more likely to report a negative impact on their adjustment to the host country (44%), family relationships (36%), general health or well-being (47%). Permits Foundation International Dual Careers Survey Report Part 2 (2022). (available [here](#))
- ^{xii} [Global Compact for Migration \(2018\)](#). (available [here](#))