



DIPLOMATIC IMMUNITIES AND PRIVILEGES (DIAP) CIRCULAR NOTE NO 09 OF 2026

The Department of International Relations and Cooperation of the Republic of South Africa (DIRCO) presents its compliments to Diplomatic Missions and International Organisations accredited to the Republic of South Africa and has the honour to refer to the Diplomatic Immunities and Privileges (DIAP) Circular No 10 of 2023 dated 15 November 2023 informing Foreign Missions of the Immigration Amendment Act, 2007(Act 3 of 2007).

The Department wishes to remind Foreign Missions that accredited diplomats and members of their household are regularised through the issuance of a substitution of a Temporary Residence Visa (TRV) by the Department on behalf of the Department of Home Affairs (DHA). The Department of Home Affairs has requested the Department to further remind Foreign Missions of the following regulations:

- Section 31 (3) (b) of the Immigration Act, No. 13 of 2022 stipulates that the provisions of sections 10 and 25 shall not apply to a foreigner who by virtue of the Diplomatic Immunities and Privileges Act (DIPA), 2001 (Act No.37 of 2001 as amended by DIPA 35 of 2008), enjoys any immunities and privileges in the Republic. This implies that no person who has been admitted into the Republic on any passport that affords them any immunities and privileges derived from the DIPA Act, may be issued with any of the visas provided for in sections 10 and 25 of the Immigration Act, No. 13 of 2002 within the Republic.
- With reference to the above, no person holding a Substitution of a Temporary Residence Visa (TRV) issued by DIRCO may apply for a change of status to his or her visa in the Republic. Diplomats whose tour of duty has ended and their family members, including any person whose passport is endorsed with a Temporary Residence Visa, will have to depart to their country of origin or permanent residency to apply for an Immigration Act temporary residence visa, using a private passport for ordinary citizens.

- DIRCO will thus not issue release letters to accredited diplomats and family members wishing to remain in the RSA beyond the expiry date of the tour of duty or contract.
- Diplomatic Passport holders are not subject to the provisions of the Immigration Act and as such may not extend their stay in the country using such a passport. Additionally, such persons may not use any other passport other than the one with whose status they were admitted into the country. An ordinary passport will not be accepted when such a person's entry and status was recorded as Diplomatic.

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 2026

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