



SOUTH AFRICAN CHAMBER OF COMMERCE IN THE USA

Develop and grow South African business interest in the USA

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URGENT NOTICE TO SOUTH AFRICANS LIVING IN THE UNITED STATES REGARDING PASSPORT REQUIREMENTS FOR TRAVEL TO SOUTH AFRICA

Issued by the South African Chamber of Commerce in the USA (SACCUSA)

Date: 16 July 2025

Subject: IMPORTANT NOTICE – Entry and Exit Requirements for South African Citizens Traveling to South Africa

Dear Fellow South Africans and United States Citizens born in South Africa,

SACCUSA shares this urgent and important update concerning travel to South Africa for all citizens by birth or naturalisation, including those who also hold citizenship in another country including the USA. There is a lot of misinformation and fearmongering doing the rounds and as SACCUSA we would like to provide clarity on the matter.

1) Legal Requirement to Travel on a South African Passport

Please note it has always been of provisions in the **South African Citizenship Act, 1995 (Act No. 88 of 1995)**, particularly **Section 26B(1)**, as amended by the **Citizenship Amendment Act of 2004** any South African citizen who enters the Republic or departs from the Republic must make use of an official South African travel document - making use of the passport of another country is an offence.

Please refer to Section 26B(1) : “Any South African citizen who enters the Republic or departs from the Republic making use of the passport of another country is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding 12 months, or to both such fine and such imprisonment.”

2) Recent Legal and Policy Developments

On **6 May 2025**, the **Constitutional Court of South Africa** ruled that **Section 6(1)(a)** of the Act—which previously resulted in automatic loss of South African citizenship when acquiring another nationality—was unconstitutional. This ruling reaffirms the legal status of dual citizenship and that any person born in South Africa is a South African Citizen.

However, it is critical to note that **this ruling does not alter the requirement to enter and exit South Africa using a valid South African passport**. This legal obligation remains fully in force and the Government of South Africa has intensified enforcement of provisions in the **South African Citizenship Act, 1995 (Act No. 88 of 1995)**, particularly **Section 26B(1)**, as amended by the **Citizenship Amendment Act of 2004**.

3) Penalties for Non-Compliance

South African citizens attempting to enter or exit South Africa using a foreign passport may face penalties as stipulated in the Act, but this may not always be enforced automatically, they are entirely at the discretion of the South African Border Management Authority and individual immigration officers on duty. In some cases, travelers may pass through without incident; in others, they may face serious consequences. It is highly unlikely that you will be prosecuted for a first offence, and you may receive nothing more than a warning to regularize your travel document.



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Repeat offenders are however at risk and may be prosecuted to the full extent of the law. Penalties for repeat offenders may include, a) **Arrest and detention** upon arrival or departure, b) **Criminal charges**, with **finances ranging from R80,000 to R100,000**, c) A **permanent criminal record**, d) **Interrogation** and **flight delays**.

4) Who is Affected?

- Any person born in South Africa, or who acquired South African citizenship through naturalisation.
- This includes dual nationals who are also citizens of the United States or any other country.

5) Exceptions and Clarifications

You are exempt only if:

- You have **formally renounced** your South African citizenship.
- You have received **written confirmation from the Department of Home Affairs** acknowledging that renunciation has been completed.

To renounce South African citizenship, visit the official Home Affairs website at:

🔗 <https://www.dha.gov.za/index.php/civic-services>

Scroll down to "**Renunciation of South African Citizenship**" and follow the prescribed steps.

You are **not** exempt if:

- You assumed you lost citizenship when obtaining a foreign nationality.
- You have not received official confirmation of renunciation.
- You hold only a foreign passport without a valid South African passport.

6) FREQUENTLY ASKED QUESTIONS

1. What should people with existing travel tickets do?

If you hold confirmed bookings to South Africa and do not have a valid South African passport:

- **Contact the SA Consulate immediately** to renew or obtain one.
- If you no longer wish to hold South African citizenship, begin the renunciation process before travel.
- Travelling without a valid SA passport puts you at risk of **detention, fines, or missed flights**.
- Avoid panic. Take action based on your status and consult directly with consular authorities.

2. Will South Africans need a visa to travel to South Africa after September 2025?

- **No visa is required** for South African citizens, including dual nationals.

New border control technologies and systems may be introduced by **September 2025**, including **electronic passenger verification**, so we encourage all travellers to remain updated through official channels.



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Recommendations for Travellers

- **Do not travel** without a valid South African passport if you are a citizen.
- **Apply early:** Passport issuance can take **6–9 Months when applying from the U.S.**
- If unsure of your status, request a **citizenship verification letter** from Home Affairs.
- **Never assume dual citizenship overrides border control laws.**
- If no longer wishing to retain citizenship, **begin renunciation early** and keep written confirmation with you.

3. What is the process to renounce South African citizenship?

To renounce your South African citizenship:

- Submit Form **BI-246**, available via the South African consulate or online.
- Include your naturalisation certificate of the foreign country.
- Provide certified ID documents and supporting materials.
- Pay the required fee (varies per consulate).
- Await written confirmation from the **Department of Home Affairs**, which may take several months.

Link: [Renunciation Process – Department of Home Affairs](#)

4. Can children born in the USA with dual citizenship travel to South Africa?

Yes—however:

- If **either parent is South African**, the child may have automatically acquired **citizenship by descent**.
- Children who are South African citizens must use a **South African passport** to enter or leave South Africa.
- Parents must ensure the child has been registered and has a valid SA passport.

Key Contacts

South African Consulate-General – New York

☎ +1 212-213-4880 | ✉ nycg.consular@dirco.gov.za

South African Consulate-General – Los Angeles

☎ +1 323-651-0902 | ✉ sacgla@dirco.gov.za

Department of Home Affairs – South Africa

🌐 www.dha.gov.za

We urge all South Africans living abroad to verify their travel documents and comply with the law to avoid unnecessary hardship at South African ports of entry and exit.

REFERENCES



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- **South African Citizenship Act, 1995 (Act No. 88 of 1995):** <https://www.gov.za/documents/south-african-citizenship-act>
- **Citizenship Amendment Act, 2004**
- **Constitutional Court Judgment: *Fritz v Minister of Home Affairs* (CCT 02/24), Delivered 6 May 2025**
- **Renunciation Procedures – Home Affairs:** <https://www.dha.gov.za/index.php/civic-services>
- **Department of Home Affairs Travel Notices:** www.dha.gov.za

Please share this communication within your networks, community forums, to raise awareness

