

Meeting with Director Immigration Services

Summary:

- **Director's key concern was security; he is however implementing a number of changes which should streamline the issue of permits;**
- **New employees should be brought in under a Special Pass (3 months, a second pass can be issued) whilst work permits are processed – the aspiration is to process passes in under 3 months (working towards under 1 month);**
- **Too many applications were incomplete – especially in the case of Annex D (employees), where the case has to be made to use an expat;**
- **He advised not to use agents – better to use company employees/reputable organisations.**

I attended a briefing and Q&A session with the Director Immigration Services and his key officers at the offices of KEPISA on 2 March 2015. This is a summary of the issues that were raised:

1. The Director explained that his overriding remit was security of the Nation.
2. There are a number of new measures being implemented to streamline processes, in the interim they are working to clear the backlog:
 - a. All passports now being issued from one office, not several (cuts down on fraud)
 - b. E passport and e-visa (from 8 March) application process
 - c. Cashless payments (cuts down on fraud; credit cards will be accepted for visas)
 - d. Recruiting additional staff
 - e. Restructuring regional staff
 - f. Digitising processes
3. Advice for applying for work permits:
 - a. Apply for a special pass first (15,000 KSH per month lasts for three months, second special pass can be issued);
 - b. Do **not** bring employees in on tourist visa and then apply for a work permit;
 - c. If applying for Annex D (employee), ensure you explain why the individual has skills and experience that mean the job cannot be done by a Kenyan (people often only provide this on Appeal);
 - d. Ensure all documents are complete;
 - e. Types of permit and application forms are all on the website, along with a checklist (<http://immigration.go.ke/index.html>);
 - f. Ensure you apply for initial/renewal three months ahead;
 - g. Do **not** use an agent – go to Nyaho yourself/someone from work/use a reputable company;
 - h. Information for a family is in one hard copy file (for the moment), so do not apply for several things at once as this will slow the system down.
4. Other:
 - a. 2012 and 2013 – 16,000 work permits issued; 2014 – 21,000 issued, 497 rejected.

- b. Very few applications for **permanent residency** so far (404, another 100 about to be completed. This is available for those who have held work permits for more than 7 years and have been continuously resident for more than 3 years; spouses who have been married to citizens for more than 3 years – see website for other categories. Can own property and can be employed.
- c. **Citizenship** applications backlog should be cleared in next two months.
- d. Cost of permits is based on EAC wide agreement.
- e. **Renewals**. Director promised to investigate whether renewals were being dated when the permit was due for renewal, not the date the renewal application was made.
- f. **Transparency**. Those present raised the imperative for business of having a clear time frame of how long it should take to process work permits [intention is less than 3 months, aspiration under 1 month]; the criteria for granting [Director wants to avoid quotas but is happy to accept any application that demonstrates an individual has skills not available in Kenya]; and a mechanism to easily check progress status [digitisation process will help achieve this].
- g. **Time taken for security checks**. Director acknowledged this is a major hold up and is engaging other agencies to get them to speed up.

5. **Summary**. The Director was extremely articulate and clearly had a good grasp of the challenges he has to face and how these can be overcome. Although he hopes to be able to process work permits in less than a month, he was reluctant to publicly promise this, as he does not want to set himself up for a fall and seems happy to keep a low profile (he also added that he did not volunteer for the job but was appointed). He acknowledged that it will take time to change the culture amongst individual officers.

6. **Comment**. Clearly there are some very positive changes in the offing, although this may not be much solace for those with ongoing individual issues. KEPSA plan to hold a follow up meeting in about three months time.