



Covid-19 Regulatory Update

31 March 2020

Covid-19 related guidelines and regulations available at <https://www.gov.za/coronavirus/guidelines>.

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AGRICULTURE

Legal Opinion

SAAI. Advice to wine producers in Western Cape. 26 Mar 2020.

“Writer has been requested to provide an urgent legal opinion in this matter... It is generally accepted that alcohol cannot be sold in terms of the regulations and this aspect is not relevant to this opinion and will not be focussed on. It is however worth mentioning that there is a contradiction in this regard in the regulations (after amendment). Regulation 8 of the initial publication of 18 March 2020 has not been deleted by the amendments. It essentially provides that liquor may be sold until 18h00 on weekdays and 13h00 on Sundays. The amendments, to the contrary, prohibit the premises selling liquor from being open. It should however be noted that in this case of inconsistency, the amendments will prevail. I could not in any of the regulations find a prohibition against transporting of liquor, as was announced by the Minister of Police.”

<https://cms.groupeditors.com/Documents/FroalaFiles/5c9745aa-9c65-409a-bd89-6554388cd24d.pdf>

Media Release

MEC Ivan Meyer on Western Cape agriculture’s export certification services during Coronavirus Covid-19 lockdown. 30 Mar 2020.

“Following the implementation of the COVID-19 Lockdown and the subsequent announcement that the Agriculture sector has been declared an essential service in terms of Regulation No. 398 of the Disaster Management Act, I confirm that the Western Cape Veterinary Export Certification Office (VECO) remains open during this lockdown period. The Western Cape Department of Agriculture’s Veterinary Export Certification Office plays a crucial role in supporting agricultural export in our Province. The VECO issues approximately 1600 export permits per month with a total value of R5billion per annum thereby underlining the significant role agriculture plays in the economy of the Western Cape. The service remains open during office hours.”

<https://www.gov.za/speeches/mec-ivan-meyer-western-cape-agriculture%E2%80%99s-export-certification-services-during-covid-19>

COMMUNICATIONS

Media Release

Communications and Digital Technologies on DSTV Easter weekend channel during Coronavirus Covid-19 lockdown. 30 Mar 2020.

"In responding to a rallying call from the Department of Communications and Digital Technologies to assist the religious sector, DStv has decided to launch a new, pop up channel catering for various Christianity groupings that is set to launch on 9 April with rich content aimed at viewers who are home over the Easter weekend. The channel, named Africa Easter Channel, is in collaboration with the renowned TBN Africa, DStv Channel 343. Across South Africa, over 80% worshippers observe and celebrate the Easter period, hence different and various Christian denominations will be looked after by the channel. Minister Stella Ndabeni-Abrahams made the call for MultiChoice to setup a dedicated pop-up channel for various religious groups in the country during this Easter Weekend."

<https://www.gov.za/speeches/communications-and-digital-technologies-dstv-easter-weekend-channel-30-mar-2020-0000>

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COURT ACTIONS

Internet Article

Rickard, Carmel. Thumbs down from Constitutional Court for COVID-19 lockdown challenge.

2020 Mar 30 Carmel Rickard Writes

"The Hola Bon Renaissance Foundation really had no chance that this application would fly. The shoddy legal papers filed last week, the wild claims on which the application was based, the fact that it (once again) gave no reason for why it should be allowed to start at the top, as it were, rather than taking the case through the normal court system – all of this, put together, meant the bizarre petition was never going to make it."

<http://carmelrickard.co.za/thumbs-down-from-constitutional-court-for-covid-19-lockdown-challenge/>

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EMPLOYMENT

Media Release

MEC Nomusa Dube-Ncube on workers in mask manufacturing factory in Umhlanga. 30 Mar 2020.

"Yesterday, I issued a statement regarding the plight of 14 workers who were rescued after I had assigned officials from the department's Consumer Protection Unit. The workers had been locked up in a mask manufacturing factory in Umhlanga since Monday last week. I wish to report that the workers have been paid their salaries. At this stage we wish to allow the Department of Employment and Labour to continue with their investigation in relation to the violation of the Conditions of Employment; and Occupational and Safety Act. I have instructed officials from my department to move with speed in processing hundreds of complaints from workers across the province. Unannounced visits have been planned for this afternoon."

<https://www.gov.za/speeches/mec-nomusa-dube-ncube-workers-mask-manufacturing-factory-umhlanga-30-mar-2020-0000>

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EDUCATION

Media Release

MEC Debbie Schäfer on eLearning in the Western Cape during Coronavirus COVID-19 lockdown. 30 Mar 2020.

"Given the current situation we are all faced with, we have escalated the work that has been done over the past 5 years on e-learning to make our learning environment digital. E-learning is an important part of our vision to ensure Quality Education to all learners, and a means to "Leapfrog inequality". It is also a skill required for the 21st century. The WCED has been working hard to ensure that our teachers are trained in e-learning, that our learners are exposed to a variety of learning platforms and that e-Resources are made available to suit their curriculum needs. Our strategy over the past five years has been aimed at ensuring that learning can take place at anytime, anywhere."

<https://www.gov.za/speeches/mec-debbie-sch%C3%A4fer-elearning-western-cape-30-mar-2020-0000>

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LOCAL GOVERNMENT

Government Gazette

Local Government: Municipal Finance Management Act 56 of 2003

Exemption from Act and Regulations: Subject to the condition in paragraph 3, municipalities and municipal entities are exempted from a provision of the Act which requires any action to be taken between the date of publication of this notice and the date that the national state of disaster lapses or is terminated in terms of section 27(5) of the Disaster Management Act, 2002.

GN429 GG 43181 p3 30Mar2020

http://www.gpwoonline.co.za/Gazettes/Gazettes/43181_30-3_NatTreas.pdf

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MEDICAL LAW

Media Releases

Minister Blade Nzimande: UNESCO Virtual Ministerial Dialogue on Coronavirus COVID-19 and open science. 30 Mar 2020.

"In South Africa, our President has ordered a 21-day lockdown and directed that science be at the forefront of the national fight against COVID-19. We have reprioritized some of our national research and innovation programmes, mobilized our data scientists (including our capacity in theoretical physics and astronomy) and government has made some resources available to enable all this. Much as we understand that some of the scientific interventions will take some time to provide answers, some immediate interventions are necessary. As South Africa we are developing a central data base as a means of tracking the effects of the virus and provide appropriate responses; the need to understand the local epidemiology and natural history of the virus; and strengthening our 3D capabilities to support manufacturing of assistive devices like ventilators."

<https://www.gov.za/speeches/minister-blade-nzimande-unesco-virtual-ministerial-dialogue-coronavirus-covid-19-and-open>

President Cyril Ramaphosa: update on Coronavirus COVID-19 lockdown. 30 Mar 2020.

"It is now four days since our country went into a nation-wide lockdown for the first time in the history of our democracy. This is an extreme measure we had to embark upon in response to the COVID-19 pandemic. As government, we are aware that the lockdown has caused great disruption to all our lives and caused upheaval in our economy. But we all know and agree that this nation-wide lockdown is absolutely necessary to save the lives of thousands, even tens of thousands, of our people. Many countries on our continent and in our own region SADC have embarked on similar measures. The disease is spreading rapidly in many countries around the world with some 740,000 people infected worldwide. Over 35,000 people have lost their lives. The health systems of many countries, including hospitals and clinics, are under tremendous stress as they deal with the pandemic."

<https://www.gov.za/speeches/president-cyril-ramaphosa-update-coronavirus-covid-19-lockdown-30-mar-2020-0000>

Media Statements

COVID-19 case confirmed in Alexandra.

2020 Mar 30 SA News

"The Gauteng Health Department has confirmed a COVID-19 case in Alexandra, Johannesburg. "The confirmed case, was tested and was instructed to remain under self-isolation while awaiting results," said the department on Monday. According to the provincial department, the man who has tested and was subsequently found to be infected with the virus, disregarded instructions to self-isolate and travelled to outside of the province before the lockdown. "Upon positive confirmation of results, our team of tracers working with law enforcement agencies tracked the confirmed case to Limpopo," said the department. The man is currently under isolation in a health facility in Limpopo."

<https://www.sanews.gov.za/south-africa/covid-19-case-confirmed-alexandra>

Government rolls out massive COVID-19 testing drive.

2020 Mar 30 SA News

"Government will in the coming days roll out a large-scale screening, testing, tracing and a medical management programme, to manage the Coronavirus (COVID-19). "We are now entering a new phase in the fight against the COVID-19 pandemic. Around 10 000 field workers will be visiting homes in villages, towns and cities to screen residents for COVID-19 symptoms," President Cyril Ramaphosa said. The President was addressing the nation on Monday for the first time since he declared the National State of Disaster to combat the pandemic. His address comes as South Africa went into a nation-wide lockdown for the first time in the history of its democracy last Thursday at midnight."

<https://www.sanews.gov.za/south-africa/government-rolls-out-massive-covid-19-testing-drive>

WHO: Balance essential services amid COVID-19.

2020 Mar 30 SA News

“The World Health Organisation (WHO) has published guidelines to help countries balance the demands of responding directly to COVID-19, while maintaining essential health services. The guidelines are an effort by WHO to ensure that while health systems across the globe deal with the COVID-19 outbreak, vaccine-preventable deaths and treatable conditions are prevented. Previous outbreaks have demonstrated that when health systems are overwhelmed, deaths due to vaccine-preventable deaths and treatable conditions increase dramatically. “Even though we're in the midst of a crisis, essential health services must continue. Babies are still being born, vaccines must still be delivered, and people still need life-saving treatment for a range of other diseases,” said WHO Director General Tedros Ghebreyesus on Monday.”

<https://www.sanews.gov.za/south-africa/who-balance-essential-services-amid-covid-19>

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SAFETY AND SECURITY

Media Release

Premier Alan Winde provides update on Western Cape Coronavirus COVID-19 lockdown. 30 Mar 2020.

“The Western Cape Government is hard at work to ensure that we are able to mitigate the impact of Coronavirus on our residents and communities, from a health, economic and humanitarian perspective. The safety of our residents is our number one priority. It is for this reason that we once again call on all residents to abide by the lockdown regulations. It is only if we all stay at home, that we will be able to stop the spread and ensure our systems are able to respond to this global pandemic.”

<https://www.gov.za/speeches/premier-alan-winde-30-mar-2020-0000>

Media Statements

Minister addresses allegations of abuse by SANDF members.

2020 Mar 30 SA News

“Minister of Defence and Military Veterans, Nosiviwe Mapisa-Nqakula, has condemned any form of abuse committed by soldiers during the 21-day nationwide lockdown. The Minister’s remarks follow various allegations of abuse by members of the South African National Defence Force (SANDF) deployed in support of government efforts to contain the Coronavirus (COVID-19) pandemic. “The Minister wishes to strongly reiterate the message delivered by the Commander-in-Chief of the SANDF [President Cyril Ramaphosa] to desist from using excessive force against citizens of the country regardless of the level of provocation they may face whilst deployed.”

<https://www.sanews.gov.za/south-africa/minister-addresses-allegations-abuse-sandf-members>

SANDF calls reserve force members for COVID-19 deployment.

2020 Mar 30 SA News

“The South African National Defence Force (SANDF) is calling on members of the Reserve Force to complement the already deployed SANDF in the fight against the COVID-19 virus. The call is in line with the National Disaster Management Act of 2002 Section 27, sub-section 2, which provides that the SANDF must release its personnel to a national Organ of State for rendering of emergency services. Sub-section 2(f) provides for the SANDF to assist with the movement of persons and goods to and from or within the disaster stricken or threatened area(s). The SANDF has appealed to civilian employers to release staff members called up for the Reserve Force Service. The SANDF will be deployed in various capacities in the implementation of the national lockdown in order to execute a broad plan of urban and rural operations.”

<https://www.sanews.gov.za/south-africa/sandf-calls-reserve-force-members-covid-19-deployment>

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SOCIAL SERVICES

Government Gazette

Disaster Management Act 57 of 2002

Directions issued by Minister of Social Development in terms of regulation 10(5) of the Regulations published in GG 43107, RGN318 of 18 March 2020: Measures to address and combat the spread of COVID-19.

The purpose of the directions is to–

- (a) prescribe temporary measures or steps currently necessary to manage COVID-19 in order to reduce its impact in the Republic, by preventing the importation of, and minimising the local transmission of the virus; and
- (b) provide directions to officials of the Department of Social Development and other organs of State, responsible for the implementation of the Social Development mandate, and to the extent possible, disseminate information to all affected persons, on applicable measures as set out in these Directions..

RGN430 GG 43182 p3 30Mar2020

http://www.gpwonline.co.za/Gazettes/Gazettes/43182_30-3_SocialDev.pdf

Media Statement

Social grant payments underway on Day 4 of lockdown.

2020 Mar 30 SA News

“Social grant payments for the elderly and people with disabilities is in full swing as South Africa enters Day 4 of the 21-day lockdown to curb COVID-19. In preparation for the lockdown, social security agency - SASSA - announced that grants for the elderly and people with disabilities will be paid from 30 - 31 March 2020. The Social security agency’s decision to pay grants earlier is in response to the State of National Disaster, as announced by President Ramaphosa on 15 March 2020. On Monday, Social Development Minister Lindiwe Zulu, together with SASSA CEO Totsie Memela, Acting MEC Panyaza Lesufi and Communications and Digital Technologies Minister Stella Ndabeni-Abrahams, visited SASSA pay points around Gauteng to ensure that precautions are in place for the protection of beneficiaries against COVID-19.”

<https://www.sanews.gov.za/south-africa/social-grant-payments-underway-day-4-lockdown>

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TRANSPORTATION

Government Gazette

Disaster Management Act 57 of 2002

Measures to prevent and combat the spread of COVID-19 in the public transport services published in GN412 GG 43157 of 26 March 2020: Amendment. Addition of Direction 6(4): Buses and taxis shall be permitted to operate from 05h00 until 20h00 in order to cater the transportation needs of South Africans most vulnerable which is effective from 30 March 2020 until 03 April 2020.

GN431 GG 43183 p3 30Mar2020

http://www.gpwonline.co.za/Gazettes/Gazettes/43183_30-3_Transport.pdf

Media Release

Minister Fikile Mbalula provides day 3 update on implementation of transport regulations during Coronavirus COVID-19 lockdown. 30 Mar 2020.

“Law enforcement – Roads – Maritime – Aviation.”

<https://www.gov.za/speeches/minister-fikile-mbalula-provides-update-implementation-transport-regulations-during>

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