

# Covid-19 Regulatory Update

 **Lexinfo**  
Library & Legal Information Consultants

Covid-19 Regulatory Update: 07 May 2020

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Covid-19 related guidelines and regulations: <https://www.gov.za/coronavirus/guidelines>  
Covid-19 Directives and notices relating to legal practitioners: <http://www.derebus.org.za/directives-covid-19/> /  
<https://lpc.org.za/>

The following alerting services are available from Lexinfo CC. Email [alert@lexinfo.co.za](mailto:alert@lexinfo.co.za) for more information.



Attorney Alert (weekly)



Construction Law Alert (monthly)



Employment Law Alert (weekly)



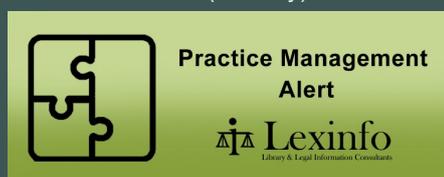
Energy, Mining and Engineering Law Alert (monthly)



Health Law Alert (monthly)



Insurance Law Alert (monthly)



Practice Management Alert (monthly)

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## Events Calendar

12 May	Law Firm Management and Ethical Considerations	Webinar	<a href="#">View here.</a>
18-29 May	Virtual Entrepreneurship Conference Black Swan Ruling – Entrepreneurship and the Economy Under and After the Pandemic	Webinar	<a href="#">View here.</a>
25 May	Infected deals: M&A in times of Covid-19	Webinar	<a href="#">View here.</a>
27 May	Locking the deal-making gates: the world turns protectionist	Webinar	<a href="#">View here.</a>
29 May	Being a young partner or a senior associate in times of Covid-19: first sacrificial offering - or big opportunity?	Webinar	<a href="#">View here.</a>

See [www.lexinfo.co.za](http://www.lexinfo.co.za) for more events information.

## CONFIRMED CASES

### Media Release

**The Presidency. Presidency confirms a positive case of Coronavirus COVID-19 on one of its essential staff. 06 May 2020.**

“Public and staff access to the Union Buildings is currently limited following the confirmation that a staff member has tested positive for COVID-19. In line with government’s guidelines on the management of COVID-19 cases, steps have been taken to secure treatment of the relevant staff member and to provide support to the member’s family. Steps have also been taken to ensure that officials who have contact with the staff member are screened.”

<https://www.gov.za/speeches/presidency-confirms-positive-case-coronavirus-covid-19-one-its-essential-staff-6-may-2020>

### Media Statement

**SA Government News Agency. 511 healthcare workers test positive for COVID-19.**

2020 May 6 SA News

“A total of 511 healthcare workers in the country have tested positive for the Coronavirus (COVID-19), says Minister of Health, Dr Zweli Mkhize. Addressing the media in Rustenburg on Wednesday at Job Shimankana Tabane Hospital, the Minister said of those who have tested positive for COVID-19, 149 have recovered, 26 were hospitalised and two have lost their lives. Mkhize, together with the Minister of Mineral Resources and Energy, Gwede Mantashe, received personal protective equipment (PPE) from Sibanye-Stillwater and Old Mutual. The donation from Sibanye-Stillwater is part of the mining sector’s support in containing the spread of COVID-19.”

<https://www.sanews.gov.za/south-africa/511-healthcare-workers-test-positive-covid-19>

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## CONSTRUCTION

### Guidance Document

**The South African Institution of Civil Engineering. Dealing with the effects of COVID-19 in the ambit of the SAICE Suite of GCC Contracts. April 2020.**

<https://saice.org.za/wp-content/uploads/2020/04/COVID-19-and-SAICE-GCC-contracts-Notice-dated-1-April-2020-1.pdf>

### Guidance Memorandums

**International Federation of Consulting Engineers. FIDIC Covid-19 Guidance Memorandum to Users of FIDIC Standard Forms of Works Contract. April 2020.**

<https://fidic.org/sites/default/files/COVID%2019%20Guidance%20Memorandum%20-%20PDF.pdf>

**International Federation of Consulting Engineers. Coronavirus (COVID-19): FIDIC Guidance for Global Consulting Engineering Businesses. March 2020.**

[https://mcusercontent.com/b2d4de85982c2d1149046b241/files/cf491425-3f2d-4d7a-b2f1-edcd5df25941/FIDIC\\_Sector\\_Guidance\\_Final.pdf?fbclid=IwAR24Kg\\_x-W8m4EO9DIqvZ4UabrZf4uqMk8jtH93\\_dR57eJTVR05uPB9bkgY](https://mcusercontent.com/b2d4de85982c2d1149046b241/files/cf491425-3f2d-4d7a-b2f1-edcd5df25941/FIDIC_Sector_Guidance_Final.pdf?fbclid=IwAR24Kg_x-W8m4EO9DIqvZ4UabrZf4uqMk8jtH93_dR57eJTVR05uPB9bkgY)

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## COURTS

### Government Gazette

#### Superior Courts Act 10 of 2013

Directives issued by Chief Justice Mogoeng Mogoeng in terms of section 8(3) for the management of courts during the National State of Disaster period. Directives shall apply to the remainder of the national state of disaster period. The purpose of the Directives is to–

- 1.1. provide guidance in relation to how judicial functions are to be managed and performed during the remaining period of the national state of disaster; and
- 1.2. delegate, to all Heads of Court, the authority to take such action and issue such Directions as may be necessary to give effect to these Directives.

GenN254 GG 43283 p3 6May2020

[http://www.gpwonline.co.za/Gazettes/Gazettes/43283\\_6-5\\_OfficeChiefJustice.pdf](http://www.gpwonline.co.za/Gazettes/Gazettes/43283_6-5_OfficeChiefJustice.pdf)

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## ENERGY AND MINING

### Media Statement

#### SA Government News Agency. Mantashe urges mines to comply with regulations.

2020 May 6 SA News

“Mineral Resources and Energy Minister, Gwede Mantashe, has warned that government will shut down any mining operation found not complying with Level 4 regulations. “At the heart of our programmes is the protection of people's lives and livelihoods. When we agreed that mines should operate at reduced capacity, we highlighted the importance of protecting and saving the economic infrastructure beyond the lockdown period. “It is in the interest of mining operations to comply with the lockdown regulations. We are not going to put people at risk for production,” Mantashe said on Wednesday.”

<https://www.sanews.gov.za/south-africa/mantashe-urges-mines-comply-regulations>

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## FINANCIAL LAW

### Media Statement

#### SA Government News Agency. Disability organisations receive donations.

2020 May 6 SA News

“Women, Youth and Persons with Disabilities Deputy Minister, Hlengiwe Mkhize, has today handed over food parcels, sanitary pads and masks to disability organisations. This is to help mitigate the compounded risks that people with disabilities continue to experience during the COVID-19 lockdown. The donations were made to the Blind SA Association and the Deaf Federation of South Africa. The Ministry said people with disabilities should be supported through extraordinary measures to ensure their safety.”

<https://www.sanews.gov.za/south-africa/disability-organisations-receive-donations>

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## LOCKDOWN REGULATIONS

### Media Comment

#### Jordaan, Nomahlubi. Break these lockdown rules and you can expect a R5,000 fine.

2020 May 6 TimesLive

<https://www.timeslive.co.za/news/south-africa/2020-05-06-break-these-lockdown-rules-and-you-can-expect-a-r5000-fine/>

### Media Releases

#### Business for South Africa supports accelerated transition to phased restart of the economy. 6 May 2020

“At a briefing of stakeholders today, Business for South Africa said that there is an urgent need to advance the phased approach to the restart of the economy, while supporting the national response to minimise the broader societal impacts of COVID-19. Evidence-based policy making, together with an accelerated risk-adjusted release of the lockdown, will enable a successful return to work while saving lives and livelihoods and reinvigorating full economic activity in a coordinated and integrated way. This follows the extensive work undertaken to tackle the crisis since B4SA's formation in mid-March 2020.”

<https://www.businessforsa.org/business-for-south-africa-supports-accelerated-transition-to-phased-restart-of-the-economy/>

**KwaZulu-Natal Economic Development, Tourism and Environmental Affairs. MEC Nomusa Dube-Ncube attends meeting with members of chambers. 06 May 2020.**

"I am in constant contact with the Minister of Trade, Industry and Competition Ebrahim Patel. He has been very helpful in ensuring that we have a clear understanding of lockdown regulations. We continue to receive enquiries from retailers and consumers regarding what to sell and buy. We can confirm that members of the public are allowed to purchase essential goods such as winter clothing, bedding, stationery, cell-phones and essential food items - including hot food. Regarding e-commerce, restrictions on products to be purchased online and home deliveries - we will be guided by the minister and the national government on when this will be permitted."

<https://www.gov.za/speeches/mec-nomusa-dube-ncube-attends-meeting-members-chambers-6-may-2020-0000>

*Media Statement*

**SA Government News Agency. Mantashe urges mines to comply with regulations.**

2020 May 6 SA News

"Mineral Resources and Energy Minister, Gwede Mantashe, has warned that government will shut down any mining operation found not complying with Level 4 regulations. "At the heart of our programmes is the protection of people's lives and livelihoods. When we agreed that mines should operate at reduced capacity, we highlighted the importance of protecting and saving the economic infrastructure beyond the lockdown period. "It is in the interest of mining operations to comply with the lockdown regulations. We are not going to put people at risk for production," Mantashe said on Wednesday."

<https://www.sanews.gov.za/south-africa/mantashe-urges-mines-comply-regulations>

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## MEDICAL LAW

*Media Release*

**Business for South Africa Health Workgroup. B4SA partners with EM Guidance to drive digital COVID-19 resource platform for SA health care professionals. 6 May 2020.**

"Business for South Africa's (B4SA) Health Workgroup has partnered with Essential Medical Guidance (EMGuidance), the country's largest free digital health care platform and community, which has launched a dedicated COVID-19 Support Channel for South African health care professionals (HCPs) in both the public and private sectors."

[https://www.businessforsa.org/wp-content/uploads/2020/05/B4SA-EMG-press-release\\_FINAL.pdf](https://www.businessforsa.org/wp-content/uploads/2020/05/B4SA-EMG-press-release_FINAL.pdf)

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## RISK ASSESSMENT FINDINGS

*Report*

**Business for South Africa. COVID-19 Response Dynamic Risk Assessment Findings. April 2020**

"Fifteen major strategic risks were identified by Business for South Africa (B4SA) in the fight against COVID-19. These risks were assessed by B4SA survey participants for severity and likelihood but it soon became apparent that there was considerable interconnection between them and they formed a network of risks. As such, mitigation cannot be approached on a piece-meal basis: it needs to be addressed as an interactive, dynamic environment in which each component's effect on the others is taken into account."

<https://www.businessforsa.org/wp-content/uploads/2020/04/B4SA-COVID-19-Risk-Findings-Report.pdf>

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## SAFETY AND SECURITY

*Internet Article*

**De Vos, Pierre. Collins Khosa case and the failure of leadership by the Chief of the SANDF and Defence Minister.**

2020 May 6 Constitutionally Speaking

"Since the Covid-19 lockdown took effect 41 days ago, members of the South African National Defence Force (SANDF) and the South African Police Service (SAPS) have been implicated in several cases of brutality and torture, many of these captured on video. The most shocking of these cases remain the death of Mr. Collins Khosa, who died from blunt force trauma to the head after allegedly being assaulted and tortured by members of the SANDF. A case brought by the Khosa family before the High Court raises questions about the commitment of the Minister of Defence and senior leadership of the SANDF to protect the public against lockdown brutality."

<https://constitutionallyspeaking.co.za/collins-khosa-case-and-the-failure-of-leadership-of-the-chief-of-the-sandf-and-defence-minister/>

*Media Release*

**Western Cape Community Safety. MEC Albert Fritz requests assistance with social distancing during level four lockdown. 06 May 2020.**

“The Minister of Community Safety, Albert Fritz, has again requested that the Minister of Police, Bheki Cele, respond to Neighbourhood Watches’ (NHW) request to assist in social distance management during the level four lockdown. On 23 April, Minister Fritz wrote to Minister Cele requesting that accredited NHW members be permitted to assist in social distance management and the enforcement of these restrictions. To date, Minister Cele has failed to respond to this request. Accredited NHWs can assist by promoting social distancing at supermarket (and other shop) queues, clinics, and at transport interchanges. Additionally, NHWs can be used to patrol school grounds to prevent vandalism.”  
<https://www.gov.za/speeches/mec-albert-fritz-requests-assistance-social-distancing-during-level-four-lockdown-6-may>

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## TRADE AND INDUSTRY

*Media Release*

**Business for SA. The obligations on businesses operating during Covid-19 alert level 4. 5 May 2020.**

“Regulation 16(6)(b) of the Regulations in terms of the Disaster Management Act issued on 29 April 2020 places four obligations on each business, industry and entity in both the public and private sector which are permitted to operate during Alert Level 4.”

<https://www.businessforsa.org/the-obligations-on-businesses-operating-during-covid-19-alert-level-4/>

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## TRANSPORTATION

*Government Gazette*

**Disaster Management Act 57 of 2002**

Directions issued in terms of Regulation 4(7), 20(1) and (2) of the Regulations made under Section 27 (2): Measures to prevent and combat the spread of COVID-19 in the Public Transport Services. Amendment of [GN493 published in GG 43272 of 4 May 2020](#) by substitution of Direction 8(1).

GN504 GG 43284 p3 6May2020

[http://www.gpwnline.co.za/Gazettes/Gazettes/43284\\_6-5\\_Transport.pdf](http://www.gpwnline.co.za/Gazettes/Gazettes/43284_6-5_Transport.pdf)

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