



# Covid-19 Regulatory Update

 **Lexinfo**  
Library & Legal Information Consultants

Covid-19 Regulatory Update: 21 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/>

## Lexinfo Practice Management Alert



### Practice Management Alert

 **Lexinfo**  
Library & Legal Information Consultants

This newsletter is published bi-monthly and focuses on issues such as client care, innovation, legal technology, management, leadership, remote working, work-life balance, knowledge management, libraries, succession, management, skills development, artificial intelligence, human resources, libraries, marketing and branding.

The latest edition, March to April 2020, is now available. This edition contains valuable references to various international resources and case studies on the challenges and possible solutions for legal practices in view of the Covid-19 pandemic. The March to April 2020 edition can be purchased for only R99 including VAT.

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## CONFIRMED CASES

### *Media Statements*

#### **SA Government News Agency. COVID-19 cases rise to 17 200.**

2020 May 20 SA News

“South Africa’s COVID-19 cases rose to 17 200, with the Northern Cape which has the least number of infections in the country, recording its first death. “Regrettably we report a further 26 COVID-19 related deaths. This brings the total national deaths to 312,” Health Minister, Dr Zweli Mkhize, said on Tuesday. On Tuesday, South Africa recorded 767 new confirmed cases. The Western Cape remained as the epicentre of the virus with 10 639 cases followed by Gauteng with 2 361, Eastern Cape with 2 135 and KwaZulu-Natal sitting with 1 616 infections. Free State had 168 cases, Limpopo 94, Mpumalanga 78, North West 72 and the Northern Cape 37 cases. Meanwhile, 488 609 tests have been conducted with 13 538 tests done in the last 24-hour cycle. South Africa’s total number of recoveries to date is 7 960.”

<https://www.sanews.gov.za/south-africa/covid-19-cases-rise-17-200>

#### **Western Cape. Premier Alan Winde. Statistical update on the coronavirus by Premier Alan Winde - 20 May.**

“Total confirmed Covid-19 cases: 11072

Total recoveries: 5105

Total deaths: 211

Total active cases (currently infected patients): 5967

Total number of tests: 100 721

Patients in hospital

- Hospitalizations- 470
- High care/ICU- 143”

<https://coronavirus.westerncape.gov.za/news/statistical-update-coronavirus-premier-alan-winde-20-may>

### *Report*

#### **National Institute for Communicable Diseases: National COVID-19 daily report, 18 May 2020.**

[https://www.nicd.ac.za/wp-content/uploads/2020/05/COVID19-Daily-Report-National-18-May-2020\\_public.pdf](https://www.nicd.ac.za/wp-content/uploads/2020/05/COVID19-Daily-Report-National-18-May-2020_public.pdf)

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## CONSTITUTIONAL LAW

### *Media Comment*

#### **City of Cape Town vs SAHRC court matter postponed after legal rep tests positive.**

2020 May 20 Citizen

“The court matter between the City of Cape Town and the South African Human Rights Commission (SAHRC) has been postponed after a legal representative of one of the parties tested positive for Covid-19, the Legal Resources Centre (LRC) has said. The Western Cape High Court was on Wednesday set to hear an application by the city, seeking to prevent human rights monitors from accessing the Strandfontein shelter.”

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## COURTS

### *Media Comment / Opinion*

#### **Bernstein, Darry and Lafleur, Jackie. Covid-19 accelerates the courts’ electronic case management system.**

2020 May 20 Business Day

<https://www.businesslive.co.za/bd/opinion/2020-05-20-covid-19-accelerates-the-courts-electronic-case-management-system/>

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## EDUCATION

### *Media Releases*

#### **Parliament of South Africa. Committees on education concerned about Umalusi’s Funding Challenges. 20 May 2020.**

“A joint meeting of the Portfolio Committee on Basic Education and the Select Committee on Education and Technology, Sports, Arts and Culture has raised concerns with the underfunding of the Council for Quality Assurance

and Training (Umalusi). The meeting heard that Umalusi has over the Medium Term Expenditure Framework (MTEF) period in December 2019, experienced a budget cut of 2 percent, which means that there is a shortage of R7.07 million in its baseline allocation. "Quality assurance will bleed if the budget cuts are not confronted," Umalusi's Chief Executive officer, Dr Mafu Rakometsi, told the meeting. Umalusi and the Department of Basic Education is currently looking at alternative funding models."

<https://www.gov.za/speeches/umalusi%E2%80%99s-funding-challenges-20-may-2020-0000>

#### **Western Cape. Early Childhood Development and Partial Care Centres to remain closed. 20 May 2020.**

"The provincial Department of Social Development has received confirmation from the National Department that despite the easing of the lockdown, all ECDs must remain closed until further notice.

All provincial departments must adhere to the Regulations issued by the Department of Cooperative Governance and Traditional Affairs, and the Directions issued by National Department of Social Development Minister, Lindiwe Zulu. Minister Zulu has reiterated that all ECDs will remain closed until further notice. This announcement and other information has been communicated by the Department via Social Service Organisations, and the network of ECD forums across the province to the sector."

<https://coronavirus.westerncape.gov.za/news/early-childhood-development-and-partial-care-centres-remain-closed>

#### **Western Cape Education. MEC Debbie Schäfer on Western Cape Education Coronavirus Covid 19 preparations for re-opening of schools. 20 May 2020.**

"Following the announcement of the dates for the start of the return of learners to schools by the Minister of Basic Education, the various reactions and questions posed serve to illustrate the complexity of the decisions to be taken and plans to be made. We are facing an unprecedented challenge which could not have been anticipated, with no blueprint. There is much anxiety among all sectors of our population, which is understandable given the nature of the coronavirus."

Preparation of school premises - Learners and staff with comorbidities - Screening of staff and learners for Covid-19 symptoms - Physical distancing – Curriculum – Transport.

<https://www.gov.za/speeches/mec-debbie-sch%C3%A4fer-western-cape-education-coronavirus-covid-19-preparations-re-opening>

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## HEALTH AND SAFETY

### *Media Statement*

#### **SA Government News Agency. Tshwane to get COVID-19 field hospital.**

2020 May 20 SA News

"Plans to establish a field hospital to treat COVID-19 patients in Tshwane are underway. "We are finalising the details of a field hospital...it will be done. When we have a field hospital here [Rosslyn] it will not just be for the employees but will also assist the community in Soshanguve when we get to the peak because the peak is still coming," Gauteng Premier David Makhura said. The Premier was on Wednesday assessing compliance with the regulations of level 4 of the lockdown at the BMW and Nissan manufacturing plants in Rosslyn, Tshwane. "We are working with BMW, Nissan, the German and Japanese embassies to put up a field hospital here...to prepare for the worst," Makhura said. As of Tuesday, South Africa had 17 200 confirmed COVID-19 cases and 312 deaths. The total number of recoveries to date is 7 960."

<https://www.sanews.gov.za/south-africa/tshwane-get-covid-19-field-hospital>

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## HOME AFFAIRS

### *Media Releases*

#### **Department of Home Affairs. Home Affairs on Civic Services rendered at Front Offices during Coronavirus Covid-19 Level 4. 20 May 2020.**

"The Department of Home Affairs wishes to outline civic services that are rendered at front offices in alert level 4 of the national state of disaster which had commenced on 1 May 2020. The limited services were published in Government Notice No. [R. 518 of 9 May 2020](#) together with directions on temporary measures regulating entry and exit from South Africa for emergency medical attention, return of SA citizens and repatriation of foreign nationals."

<https://www.gov.za/speeches/civic-services-rendered-front-offices-during-level-4-national-state-disaster-20-may-2020>

#### **Government Activities. Deputy Minister Njabulo Nzuza to monitor service delivery at Pinetown Home Affairs Office, 21 May. 20 May 2020.**

"The Deputy Minister of Home Affairs, Mr Njabulo Nzuza, will tomorrow, Thursday 21 May 2020, visit the Home Affairs office in Pinetown, Ethekwini, in KwaZulu-Natal. The purpose of the visit is to assess how essential services are provided to citizens during the lockdown."

<https://www.gov.za/speeches/deputy-minister-njabulo-nzuza-monitor-service-delivery-pinetown-home-affairs-office-21-may>

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## LEGAL PRACTITIONERS

### *Media Comment*

#### **Financier creates funding pool for legal fraternity.**

2020 May 20 Legalbrief

With many SA law firms under financial strain due to the current delays and limitations at the courts, deeds office, Road Accident Fund and other legal bodies, specialist financier, Taurus Capital, has created a R300m capital pool which is exclusively available to the legal fraternity, it notes in a media release. Says Elad Smadja, CEO of Taurus Capital, 'We understand the inner workings of all types of law firms because our business was built on an appreciation of the commercial intricacies applicable to this sector. This allows us to consider value which traditional lenders overlook. Our solutions are tailored to each firm's needs, with facilities from R250 000 to R30m available to firms ranging in size from boutique to large multi-partner firms.'

<https://tauruscapital.co.za/2020/05/18/r300-million-finance-available-for-sa-law-firms/>

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## LOCKDOWN REGULATIONS

### *Internet Article*

#### **GroundUp and Spotlight staff. Covid-19 Report 4: Massive UK analysis of deaths from virus: And a Spanish study suggests what the real infection death rate is.**

2020 May 20 GroundUp

<https://www.groundup.org.za/article/covid-19-report-4-massive-uk-analysis-who-dying-covid-19/>

### *Media Releases*

#### **Department of Transport. Minister Fikile Mbalula visits Rea Vaya depot, 21 May. 20 May 2020.**

"Transport Minister Fikile Mbalula Will tomorrow, 21 May 2020, visit the Rea Vaya Dobsonville Depot, to inspect compliance to COVID-19 Regulations. It follows a previous inspection during which the Minister found discrepancies with regard to social distancing. The Minister will now check whether or not recommendations on how to improve safety measures, have been applied."

<https://www.gov.za/speeches/minister-fikile-mbalula-visits-rea-vaya-depot-21-may-20-may-2020-0000>

#### **Gauteng Provincial Legislature. MEC Faith Mazibuko briefs Gauteng Provincial Legislature on Community Safety on enforcement of Coronavirus Covid-19 Lockdown regulations, 21 May. 20 May 2020.**

"The Gauteng Provincial Legislature's Portfolio Committee on Community Safety will on Thursday, 21 May 2020 at 13h00 during a virtual meeting be briefed by the Gauteng MEC for Community Safety Ms Faith Mazibuko and the Provincial Police Commissioner Lt Gen. Elias Mawela on the enforcement of the National Disaster Regulations and related matters during the nationwide lockdown. The briefing will focus on the positive strides made by law enforcement authorities in enforcing these regulations as well as concerns around the abuse of power by authorities in the course of enforcing these regulations."

<https://www.gov.za/speeches/enforcement-lockdown-regulations-20-may-2020-0000>

#### **North West Finance, Economy and Enterprise Development. MEC Kenetswe Mosenogi leads Compliance Inspection in Lichtenburg as part of Coronavirus Covid-19 regulatory requirements. 20 May 2020.**

"The team, which comprised of Departmental consumer and liquor inspectors, Municipal Environmental Health Practitioners, South African Police Services, South African Defence Force, and Home Affairs visited over thirty (30) businesses to check adherence to various trading regulations and legislations in terms of the current lockdown. During the visits, it was observed that some of the shops including whole-sales and big chain stores were found not adhering to R638 of Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972 general hygiene conditions such as overstocking, improper packing of goods, mixing of disinfectants and food products, limited storage of stock, lack of pest control, product labelling, failure to display prices and provide sales records."

<https://www.gov.za/speeches/economic-development-mec-kenetswe-mosenogi-leads-compliance-inspection-lichtenburg-20-may>

### *Media Statement*

#### **SA Government News Agency. President engages political parties on COVID-19.**

2020 May 20 SA News

"President Cyril Ramaphosa will today engage leaders of political parties represented in Parliament to discuss the national response to the COVID-19 pandemic and matters related to the national lockdown. The virtual meeting will be the third consultative meeting the President will be holding with leaders of political parties on this public health

challenge. "The President has held a series of meetings and consultation with leaders across various sectors of society since the beginning of the COVID-19 pandemic to ensure that the national effort to combat the crisis is inclusive and enjoys the support of all stakeholder groups," said the Presidency on Wednesday."

<https://www.sanews.gov.za/south-africa/president-engages-political-parties-covid-19>

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## PUBLIC ENTERPRISES

### *Media Release*

**Parliament. Committees on Public Enterprises call for Covid-19 recovery plan for state owned entities. 20 May 2020.**

<https://www.parliament.gov.za/press-releases/committees-public-enterprises-call-covid-19-recovery-plan-state-owned-entities>

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## TAXATION

### *Covid-19 Draft Bill*

**Draft Disaster Management Tax Relief Bill. 19 May 2020.**

"To amend the Employment Tax Incentive Act, 2013, so as to amend certain provisions to provide for tax relief in respect of the COVID-19 pandemic; to make new provision for the tax treatment of certain organisations for disaster relief in respect of the COVID-19 pandemic and of donations to such organisations; to provide for a temporary exemption from liability to pay skills development levies under the Skills Development Levies Act, 1999; and to provide for matters incidental thereto."

<https://www.sars.gov.za/AllDocs/LegalDoclib/RespDocs/LAPD-LPrep-Resp-2020-04%20-%20Draft%20Disaster%20Management%20Tax%20Relief%20Bill%20-%2019%20May%202020.pdf>

**Draft Explanatory Memorandum on the Revised Draft Disaster Management Tax Relief Bill. 19 May 2020.**

<https://www.sars.gov.za/AllDocs/LegalDoclib/RespDocs/LAPD-LPrep-Resp-2020-05%20-%20Draft%20EM%20on%20the%20Revised%20Draft%20Disaster%20Management%20Tax%20Relief%20Bill%20-%2019%20May%202020.pdf>

### *Draft Gazette Notices*

**Income Tax Act, 1962. Notice in respect of method or formula for purposes of determination of amount for purposes of paragraph (b) of definition of living annuity in section 1(1) of Income Tax Act, 1962. 19 May 2020.**

<https://www.sars.gov.za/AllDocs/LegalDoclib/RespDocs/LAPD-LPrep-Resp-2020-06%20%20-%20Notices%20-%20Expanding%20access%20to%20living%20annuities%20-%2019%20May%202020.pdf>

**Income Tax Act, 1962. Notice in respect of amount of value of assets that may be paid in lump sum for purposes of paragraph (c) of definition of living annuity in section 1(1) of Income Tax Act, 1962. 19 May 2020.**

<https://www.sars.gov.za/AllDocs/LegalDoclib/RespDocs/LAPD-LPrep-Resp-2020-06%20%20-%20Notices%20-%20Expanding%20access%20to%20living%20annuities%20-%2019%20May%202020.pdf>

### *Media Statement*

**National Treasury. Publication of the 2nd revised COVID-19 Draft Tax Bill and extension of time for public comments on specific 2020 tax proposals. 19 May 2020.**

"National Treasury and SARS publish the 2nd revised 2020 Draft Disaster Management Tax Relief Bill and revised Draft Notice on Expanding Access to Living Annuity Funds. These are published to provide early feedback on issues raised through public comment on the revised COVID-19 Draft Tax Bills published on 1 May 2020 that are time critical for payroll and other aspects to be implemented in May 2020.

The 3rd revised 2020 Draft Disaster Management Tax Relief Bill and 2020 Draft Disaster Management Tax Relief Administration Bill, as well as the Notice on Expanding Access to Living Annuity Funds, will be published by the end of May to take into account all public comments received on the revised COVID-19 Draft Tax Bills published on 1 May 2020. They provide the necessary legislative amendments required to implement the tax measures to combat the COVID-19 pandemic."

<https://www.sars.gov.za/AllDocs/LegalDoclib/RespDocs/LAPD-LPrep-Resp-2020-03%20-%2020200519%20Media%20statement%20-%202nd%20Revised%202020%20Draft%20Disaster%20Management%20Tax%20Relief%20Bill.pdf>

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## TRADE AND INDUSTRY

### Media Release

#### Statistics South Africa. Statistics South Africa on respondents losing jobs or businesses due to Coronavirus Covid-19 Lockdown. 20 May 2020.

“8,1% of respondents reported that they lost their jobs or had to close their businesses and 1,4% became unemployed, according to the Wave 2 survey on the impact of the COVID-19 pandemic on employment and income in South Africa released by Statistics South Africa. According to the report, almost nine in ten (89,5%) respondents who were employed before the national lockdown remained employed during the lockdown. The survey also found a decrease in the proportion of respondents who usually derive their income from salaries and wages, as well as from own business during the lockdown. On the other hand, the results indicated an increase in the proportion of those who derived their incomes from savings and investments (increasing from 4,8% prior to the lockdown to 6,0% during the lockdown), loans from friends, family and/or businesses (increasing from 1,7% to 3,3%), and claims from UIF (increasing from 0,3% to 2,1%).”

<https://www.gov.za/speeches/respondents-lost-jobs-20-may-2020-0000>

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## TRANSPORTATION

### Government Gazette

#### Disaster Management Act 57 of 2002

Directions issued in terms of Regulation 4 (7) of the Regulations made under section 27(2) of the Act: Measures to address, prevent and combat spread of COVID-19: Determination of Commencement of Services and Extension for Validity Period of Learner's Licences, Driving Licence Cards, Licence Discs, Professional Driving Permits and Registration of Motor Vehicles. Directions published under GN491 in GG 43270 of 4 May 2020 are hereby repealed. GN544 GG 32339 p3 20May2020

[http://www.gpwnline.co.za/Gazettes/Gazettes/43339\\_20-5\\_Transport.pdf](http://www.gpwnline.co.za/Gazettes/Gazettes/43339_20-5_Transport.pdf)

### Media Statement

#### SA Government News Agency. DIRCO to brief on COVID-19 repatriations.

2020 May 20 SA News

“International Relations and Cooperation Minister, Dr Naledi Pandor, is expected to brief media on the repatriation of stranded South Africans abroad amid the COVID-19 pandemic. The virtual briefing is expected to take place on Thursday at 9am. The briefing comes as South Africans stranded in Burkina Faso, Mauritania, Morocco, Côte d'Ivoire and Congo returned home on Sunday, 17 May. Earlier this month, South African Airways (SAA) reassured customers and stakeholders that it would continue to operate repatriation and cargo flights during the month of May and beyond.”

<https://www.sanews.gov.za/south-africa/dirco-brief-covid-19-repatriations>

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## WATER & SANITATION

### Media Release

#### Department of Water and Sanitation. Minister Lindiwe Sisulu on continuation of water delivery to Alfred Nzo District Municipality. 20 May 2020.

“The Minister of Human Settlements, Water and Sanitation, Ms Lindiwe Sisulu, directed the Department of Water and Sanitation (DWS), to respond accordingly to the advent of the Coronavirus pandemic in South Africa. Minister Sisulu did so as per the pronouncements of His Excellency the President, Matamela Ramaphosa of the country being in a State of National Disaster. Minister Sisulu set the ball rolling towards bringing relief to the communities in water and sanitation distress by directing the DWS to roll out the necessary intervention in about 2 000 communities that were identified as being in need across the country. The Alfred Nzo District Municipality in the Eastern is one such community.”

<https://www.gov.za/speeches/water-community-alfred-nzo-district-municipality-20-may-2020-0000>

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