



# Covid-19 Regulatory Update

 **Lexinfo**  
Library & Legal Information Consultants

Covid-19 Regulatory Update: 22 May 2020

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Index to Covid-19 regulations and notices: <https://juta.co.za/covid-19-legislation-update/2020/05/21/index/>

## 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 Releases*

#### **Department of Health. Minister Zweli Mkhize confirms total of 19 137 cases of Coronavirus COVID-19. 21 May 2020.**

“As of today, the total number of confirmed COVID-19 cases in South Africa is 19 137.

Case data:

- Eastern Cape: 2324;
- Free State: 184;
- Gauteng: 2453;
- KwaZulu-Natal: 1693;
- Limpopo: 121;
- Mpumalanga: 95;
- North West: 77;
- Northern Cape: 37;
- Western Cape: 12153;
- Unknown: 0; and
- Total: 19137.

A total of 525 433 tests have been conducted to date with 18 572 tests done in the past 24 hours. Regrettably, we report 30 more COVID-19 related deaths- this brings the total national deaths to 369. We wish to express our condolences to the loved ones of the deceased and thank the health care workers who treated these patients.”

<https://www.gov.za/speeches/minister-zweli-mkhize-confirms-total-19-137-cases-coronavirus-covid-19-21-may-2020-0000>

#### **North West Health. North West Health on Coronavirus Covid-19 confirmed cases on 20 May. 21 May 2020.**

“Over 130 staff members tested for COVID-19 at Mahikeng Provincial Hospital The total number of COVID-19 confirmed cases in the North West Province as at Wednesday, 20 May 2020 is 72, with 28 recoveries and one death.Deaths 01.,.,.,A total of 28 COVID-19 confirmed positive persons have recovered. Twenty recoveries were recorded in Bojanala, five in Dr. Kenneth Kaunda, two in Ngaka Modiri Molema and one in Dr. Ruth Segomotsi Mompoti.”

<https://www.gov.za/speeches/covid-19-confirmed-cases-north-west-province-21-may-2020-0000>

#### **Western Cape. Premier Alan Winde. Statistical update on the coronavirus by Premier Alan Winde - 21 May 2020.**

“Total confirmed Covid-19 cases: 11810

Total recoveries: 5677

Total deaths: 235

Total active cases (currently infected patients): 5898

Total number of tests: 104347”

<https://coronavirus.westerncape.gov.za/news/statistical-update-coronavirus-premier-alan-winde-21-may>

### *Media Statement*

#### **SA Government News Agency. Two-day-old dies of COVID-19, as cases rise to 18 003.**

2020 May 21 SA News

“As the numbers of COVID-19 cases increase, South Africa has recorded its first death of an infant due to Coronavirus. According to Health Minister, Dr Zweli Mkhize, a two-day-old was born prematurely and had lung difficulties that required ventilation support immediately. “The mother had tested positive for COVID-19 and the child subsequently tested positive for COVID-19 as well,” Mkhize explained. “It is important to appreciate the complexities of the underlying condition of prematurity. We extend a special word of comfort to the mother of this child and salute the neonatologists, nurses and all allied and technical personnel who had the difficult task of caring for the neonate to the end.”

<https://www.sanews.gov.za/south-africa/two-day-old-dies-covid-19-cases-rise-18-003>

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## CONSTITUTIONAL LAW

### *Media Comments*

#### **Mitchley, Alex. Helen Suzman Foundation wants ConCourt to force Parliament to fulfil its duty as legislative authority.**

2020 May 21 IOL

“The Helen Suzman Foundation (HSF) has launched a constitutional challenge in a bid to force Parliament to reclaim its constitutionally assigned role to pass legislation which regulates the state's response to Covid-19, following President Cyril Ramaphosa's declaration of the state of disaster.”

<https://www.news24.com/SouthAfrica/News/helen-suzman-foundation-wants-concourt-to-force-parliament-to-fulfil-its-duty-as-legislative-authority-20200521>

**Jordaan, Nomahlubi. 'Concerned citizens' off to court to challenge lockdown regulations.**

2020 May 21 Times Live

“A group of “concerned citizens” has filed an urgent application at the high court in Cape Town challenging the constitutionality of the national coronavirus command council (NCCC) and the validity of the lockdown rules.”

<https://www.timeslive.co.za/news/south-africa/2020-05-21-concerned-citizens-off-to-court-to-challenge-lockdown-regulations/>

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## EMPLOYMENT LAW

### *Media Release*

**Department of Employment and Labour. Minister Thulas Nxesi briefs Portfolio Committee on employment and labour on clean governance during coronavirus COVID-19. 21 May 2020.**

“Due diligence on the number of transactions that are being made at the moment with regard to Covid-19 TERS Benefits will be subject to forensic audits where foul play is suspected. So said the Minister of Employment and Labour Thembelani (Thulas) Nxesi when he led his team appearing virtually before the Portfolio Committee on Employment and Labour last night (20/05/2020). “With these huge payments, inevitably you will attract criminals and companies colluding with employees to try and fleece the coffers. We will be engaging the services of the auditor-general and auditing firms to ensure that we comb through all the payments”, Minister Nxesi said. This comment comes at the back of the Unemployment Insurance Fund (UIF) having paid over R14-billion to workers as a relief payment in the time of lockdown that has been necessitated by COVID-19 pandemic sweeping the country and the world.”

<https://www.gov.za/speeches/minister-thulas-nxesi-briefs-portfolio-committee-employment-and-labour-clean-governance>

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## ENERGY AND MINING

### *Media Statement*

**SA Government News Agency. Reduced load shedding in winter.**

2020 May 21 SA News

“Due to the current lockdown, citizens can expect a three-day blackout during the winter, a sizeable decrease from the envisaged 31 days of stage 1 load shedding. “We don't see any stage 2 or 3 during winter,” Eskom's Generation Group Executive, Bheki Nxumalo, said on Thursday. According to Eskom's Chief Operating Officer Jan Oberholzer, while the power utility has recovered some partial losses and made improvements, the country is still not out of the woods yet. “You can only get sustainability and reliability in these units when you have done proper reliability maintenance and that we haven't done aggressively yet. “Until the end of July next year, the risk of load shedding will remain because of the unreliability and unpredictability of the system,” he said.”

<https://www.sanews.gov.za/south-africa/reduced-load-shedding-winter>

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## FINANCIAL LAW

### *Media Release*

**South African Reserve Bank. Governor Lesetja Kganyago: Statement of Monetary Policy Committee 21 March. 21 May 2020.**

“Since the April meeting of the Monetary Policy Committee (MPC), the Covid-19 pandemic continues to spread globally, with wide-ranging and deep social and economic effects. Current forecasts from the IMF show global gross domestic product (GDP) decreasing by about 3.0% this year. Economic contractions are expected to be deepest in the second quarter of 2020, with gradual recoveries in the third and fourth quarters of the year. The strength of the global economic recovery will depend in part on how quickly countries are able to open up for economic activity safely, and in particular how effectively societies comply with social distancing rules. The World Health Organisation advises that further complications from the virus are being identified and the pandemic is unlikely to end quickly, with the virus coming in waves over time.”

<https://www.gov.za/speeches/governor-lesetja-kganyago-statement-monetary-policy-committee-21-march-21-may-2020-0000>

*Media Statement*

**SA Government News Agency. Repo rate cut by 50 basis points.**

2020 May 21 SA News

“The South African Reserve Bank (SARB) has cut the Repurchase (repo) rate by 50 basis points. Effective 22 May 2020, the repo rate will be 3.75% per annum. SARB Governor Lesetja Kganyago made the announcement on Thursday following a Monetary Policy Committee (MPC) meeting. The cut is the third since the advent of COVID-19 in the country in March. In that month, the SARB Monetary Policy Committee cut the repo rate by 100 basis. A second 100 basis points cut was announced in April.”

<https://www.sanews.gov.za/south-africa/repo-rate-cut-50-basis-points>

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**HEALTH AND SAFETY**

*Media Release*

**Department of Women, Youth and Persons with Disabilities. Minister Maite Nkoana-Mashabane and Deputy Minister Hlengiwe Mkhize host webinar on Disability Inclusive Society during and beyond the Coronavirus Covid-19 pandemic, 22 May. 21 May 2020.**

“Minister in the Presidency for Women, Youth and Persons with Disabilities Maite Nkoana-Mashabane and Deputy Minister in the Presidency for Women, Youth and Persons with Disabilities Professor Hlengiwe Mkhize, will host a webinar focusing on upholding the rights of persons with disabilities under the theme, “Persons with Disabilities and COVID-19 South Africa”. The purpose of this webinar is to conduct an interface dialogue as a direct result of the disability specific interventions undertaken by government across services and infrastructure within the COVID-19 government and civil society responses.”

<https://www.gov.za/speeches/government-host-webinar-disability-sector-continue-calls-disability-inclusive-society>

*Media Statements*

**SA Government News Agency. Mahikeng Hospital decontaminated.**

2020 May 21 SA News

“The Mahikeng Provincial Hospital has been decontaminated after a hospital doctor tested positive for COVID-19. North West Department of Health said that a total of 135 staff members have been tested for COVID-19 at the hospital, of which 73 test results came back negative with 28 results still pending. “As at Wednesday, 20 May 2020, 34 staff members were yet to collect their test results. 28 staff members are in self-quarantine,” the department said in a statement on Thursday. North West has recorded a total number of 72 COVID-19 confirmed cases, with 28 recoveries and one death.”

<https://www.sanews.gov.za/south-africa/mahikeng-hospital-decontaminated>

**SA Government News Agency. WHO calls for universal access to COVID-19 vaccine.**

2020 May 21 SA News

“World Health Organisation (WHO) member states have signed a resolution that calls for COVID-19 vaccines to be classified as a global public good for health in order to bring the pandemic to an end. This follows China’s commitment made by President Xi Jinping during the two-day World Health Assembly to make the vaccine a global public good, once one is available. “The landmark resolution underlines WHO’s key role in promoting access to safe, effective health technologies to fight the pandemic,” said WHO Director-General Tedros Ghebreyesus.”

<https://www.sanews.gov.za/south-africa/who-calls-universal-access-covid-19-vaccine>

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**LOCKDOWN REGULATIONS**

*Media Statements*

**SA Government News Agency. Concerns about township levels of compliance with regulations.**

2020 May 21 SA News

“The level of awareness and compliance with the lockdown regulations in Gauteng have improved but areas in some townships remain a concern for government. Gauteng Premier David Makhura has attributed compliance with the regulations to the law enforcement agencies who have been conducting integrated operations across the province to enforce regulations and combat crime. “As a result, compliance and public awareness has significantly improved since the national lockdown on 27 March. In particular there is more compliance in the public transport system, open public spaces and shopping malls.”

<https://www.sanews.gov.za/south-africa/concerns-about-township-levels-compliance-regulations>

## **SA Government News Agency. DIRCO repatriates 5 239 South Africans stranded abroad.**

2020 May 21 SA News

“The Department of International Relations and Cooperation (DIRCO) has facilitated the repatriation by air of 5 239 South Africans stranded abroad. According to DIRCO Minister Naledi Pandor, hundreds more have also returned through the country's land borders. As several countries went into lockdown to curb the spread of COVID-19, an initial 3 637 requested repatriation. But the repatriation of citizens has not been easy given the various restrictions implemented by countries across the world.”

<https://www.sanews.gov.za/south-africa/dirco-repatriates-5-239-south-africans-stranded-abroad>

## **SA Government News Agency. Interfaith leaders consulted on preparation for level 3.**

2020 May 21 SA News

“The President held discussions with the leadership of the South African Catholic Bishops Conference, the South African Council of Churches, the National Interfaith Council of South Africa, the Muslim Judicial Council, the Jewish Board of Deputies, the South African Hindu Maha Sabha, African Independent Churches, Charismatic/Pentecostal churches, African Traditional Faiths, the National Religious Leaders Council and the Southern African Interfaith Council. “The meeting was held amid government’s planning, in partnership with civil society, for the progression of large parts of the country to alert Level 3 of the national lockdown that will enable further easing of economic activity and personal movement,” said the Presidency in a statement on Wednesday.”

<https://www.sanews.gov.za/south-africa/interfaith-leaders-consulted-preparation-level-3>

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## **SAFETY AND SECURITY**

### *Media Release*

#### **Western Cape Community Safety. MEC Albert Fritz commends Police Officer for exemplary contribution to community. 21 May 2020.**

“The MMEC of Community Safety, Albert Fritz, wishes to commend Constable Kwayo Louw (23) on his exemplary contribution to the community he lives in by delivering food parcels, out of his own pocket, to five families in need in Kraaifontein. The young officer who is based at Pinelands SAPS reached out to fellow community members in need in Kraaifontein on the Kraailove WhatsApp group to nominate needy families and they responded... MEC Fritz continued, “I further wish to commend the many police officers and law enforcement who are serving on the frontline. These are difficult times. Our officers are simultaneously working under the pressures presented by the COVID-19 Lockdown and trying to stay safe. Despite this, they show up and keep our communities safe. Many go above and beyond their call of duty to help those most vulnerable, such as Constable Louw.”

<https://www.gov.za/speeches/minister-fritz-commends-young-police-officer-exemplary-contribution-kraaifontein-community>

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## **SOCIAL SECURITY**

### *Media Release*

#### **Western Cape Government. Minister Fernandez welcomes South African Human Rights Commission (SAHRC) pronouncement. 21 May 2020.**

“The Western Cape Minister of Social Development, Sharna Fernandez welcomes the statement on ENCA by the South African Human Rights Commission (SAHRC) that any attempt by government to block food provision for those in dire need, is a human rights violation. Minister Fernandez said: “I wish to re-iterate that the draft directions in its current form will have major negative unintended consequences for any non-governmental organization(NGO), private donor or any civil society organisations wanting to distribute food relief to vulnerable people in society.”

Minister Fernandez added: “It is in the public’s best interest that the directions adopted are clear and practical, so that food aid can reach the people who are in most need. Thus, we are already seeing the food efforts of Civil Society Organizations (CSOs) being shut down, although they follow all of the Covid-19 health protocols. It is important to note that we do remain concerned about some of the other requirements highlighted in the proposed draft directions besides the ban on cooked food.””

<https://coronavirus.westerncape.gov.za/news/minister-fernandez-welcomes-south-african-human-rights-commission-sahrc-pronouncement>

## STATISTICS / PROJECTIONS

### *Presentation*

#### **South African COVID-19 Modelling Consortium. Estimating cases for COVID-19 in South Africa Update: 19 May 2020.**

[https://www.nicd.ac.za/wp-content/uploads/2020/05/SACMC\\_19052020\\_slides-for-MoH-media-briefing.pdf](https://www.nicd.ac.za/wp-content/uploads/2020/05/SACMC_19052020_slides-for-MoH-media-briefing.pdf)

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## WATER & SANITATION

### *Media Statement*

#### **SA Government News Agency. Use water wisely.**

2020 May 21 SA News

“Human Settlements, Water and Sanitation Minister Lindiwe Sisulu has called upon every citizen to start saving water in earnest and use its availability as a weapon to fight COVID-19. “The current water levels have the potential to sustain us until the next summer rains, provided we use water wisely and sparingly,” Sisulu said. She made the call as the country’s dam levels begin their downward spiral, as expected in winter. The department called on South Africans to double their water saving efforts to sustain water supply and respond to the advent of COVID-19 during the imminently dry winter season.”

<https://www.sanews.gov.za/south-africa/use-water-wisely-0>

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