



# Covid-19 Regulatory Update

 **Lexinfo**  
Library & Legal Information Consultants

Covid-19 Regulatory Update: 03 June 2020

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

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## AGRICULTURE

### Media Statement

#### SA Government News Agency. Hunting, game drives, fishing and wildlife auction now allowed.

2020 Jun 2 SA News

“Outdoor enthusiasts now have something to smile about as hunting, self-drive visits to private or public game reserves and national parks, as well as recreational fishing is now permitted under lockdown level 3. The directions that guide marine and freshwater fisheries, forestry and biodiversity sectors, have since been gazetted in terms of the Disaster Management Regulations published on 29 April. “Self-drive excursions in public and private game reserves are permitted,” said Environment, Forestry and Fisheries Minister Barbara Creecy.”

<https://www.sanews.gov.za/south-africa/hunting-game-drives-fishing-and-wildlife-auction-now-allowed>

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## CONFIRMED CASES

### Media Statement

#### SA Government News Agency. COVID-19 cases surpass 35 000 mark.

2020 Jun 2 SA News

“Confirmed COVID-19 cases have now reached 35 812 -- an increase of 1 455 in the last 24 hours. According to Health Minister, Dr Zweli Mkhize, the Western Cape still has the majority number of cases with 23 583, followed by the Eastern Cape with 4 324, Gauteng with 4 276, and then KwaZulu-Natal with 2 637. Free State has a record of 299, North West 271, Limpopo 193, Mpumalanga 132, Northern Cape 91 and six are unknown. Speaking in the Western Cape where he was assessing the readiness of intervention teams in the province, Mkhize said he believes that the community is the heart of fighting the spread of the disease. He urged people to forget about the blame game and pointing fingers but support each other in the fight against COVID-19.”

<https://www.sanews.gov.za/south-africa/covid-19-cases-surpass-35-000-mark>

### Report

#### National Institute of Communicable Diseases. Covid-19 Daily Report: 2 June 2020.

<https://www.nicd.ac.za/wp-content/uploads/2020/06/COVID19-Daily-Report-National-Public-2-June-2020.pdf>

#### National Institute of Communicable Diseases. Covid-19 Daily Update: 2 June 2020.

<https://www.nicd.ac.za/covid-19-update-75/>

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## COURTS

### Government Gazette

#### Disaster Management Act 57 of 2002

Directions issued in terms of Regulation 4(2) of the Regulations to address, prevent and combat the spread of COVID-19 in all courts, court precincts and justice service points in the Republic of South Africa.

GN623 GG 43383 p3 02Jun2020

[http://www.gpwonline.co.za/Gazettes/Gazettes/43383\\_2-6\\_JustConDev.pdf](http://www.gpwonline.co.za/Gazettes/Gazettes/43383_2-6_JustConDev.pdf)

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## EDUCATION

### Media Comment

#### Evans, Jenni. Motshekga, Schäfer face SAHRC court battle over Covid-19 back-to-school instructions.

2020 Jun New24

“The South African Human Rights Commission (SAHRC) says it may take Basic Education Minister Angie Motshekga and Western Cape Education MEC Debbie Schäfer to court over the way the return to schools during the Covid-19 lockdown is being handled.”

<https://www.news24.com/news24/southafrica/news/motshekga-schafer-face-sahrc-court-battle-over-covid-19-back-to-school-instructions-20200602>

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## EMPLOYMENT LAW

### Media Statement

#### SA Government News Agency. UIF COVID-19 fund pays out R16.5 billion.

2020 Jun 2 SA News

“Having already paid out R16.5-billion in Covid-19 Temporary Employee/Employer Relief Scheme (TERS), the Unemployment Insurance Fund (UIF) has vowed to ensure that outstanding payments are promptly processed. In a statement on Monday, the Department of Employment and Labour, of which the UIF is an agency of, reiterated that the Fund is making good progress on its promise to capture and process May COVID-19 relief benefit applications. “Payments this time around should be a lot quicker as the UIF already has the details for most of the claimants,” said the department. On Monday, a total R1 billion had already been processed for payment for 252 378 workers represented by 26 648 employers.”

<https://www.sanews.gov.za/south-africa/uif-covid-19-fund-pays-out-r165-billion>

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## FINANCIAL LAW / RELIEF FUNDS

### Media Releases

#### KwaZulu-Natal Finance. MEC Ravi Pillay tables KwaZulu-Natal Provincial Treasury 2020/2021 budget, 3 Jun. 02 June 2020.

“KwaZulu-Natal MEC for Finance, Mr Ravi Pillay, will tomorrow (Wednesday the 3rd of June 2020) table the R719 million budget of the Provincial Treasury for the 2020/2021 financial year.

Among other things, the budget will reflect on:

The economic outlook of the province and the impact Covid-19 has had on the economy;

The impact of Covid-19 on the Provincial Treasury; and

Various programmes to be undertaken by the department including those geared towards providing support to municipalities and enhancing internal control environment of departments.”

<https://www.gov.za/speeches/mec-ravi-pillay-tables-kwazulu-natal-provincial-treasury-20202021-budget-3-jun-2-jun-2020>

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## HOME AFFAIRS

### Media Statement

#### SA Government News Agency. Tying the knot under level 3 of lockdown.

2020 Jun 2 SA News

“Under level 3, the department will also receive late registrations of birth. These services will be provided by appointment. This is in addition to the services rendered in level 4, namely:

- Issuance of uncollected Identity Documents;
- Issuance of temporary identity certificates;
- Registration of births and deaths;
- Reissue of birth and death certificates and
- Issuance of passports to those in export and cargo transport.

Home Affairs offices will continue opening Monday to Friday, from 08h30 to 15h30.

“For marriages, couples are required to book an appointment by calling their nearest Home Affairs office.”

<https://www.sanews.gov.za/south-africa/tying-knot-under-level-3-lockdown>

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## LOCKDOWN REGULATIONS

### Case

#### De Beer and Others v Minister of Cooperative Governance and Traditional Affairs (21542/2020) [2020] ZAGPPHC 184 (2 June 2020)

Regulations issued under Alert Level 3 and 4 declared unconstitutional and invalid. Declaration of invalidity suspended for 14 days. This means that the Alert Level 3 regulations remain in operation for now. Minister of Cooperative Governance and Traditional Affairs directed to review, amend and republish the regulations.

<http://www.saflii.org/za/cases/ZAGPPHC/2020/184.pdf>

*Media Statement*

**The Presidency. Government studies judgement on Alert Level 4 and Alert Level 3 Regulations. 2 Jun 2020.**

“Government has taken note of the judgement delivered by the Gauteng Division of the High Court today, 2 June 2020, declaring the Alert Level 4 and Alert Level 3 Lockdown regulations unconstitutional and invalid. The court suspended the declaration of invalidity for a period of 14 days. This means that the Alert Level 3 regulations remain in operation for now.”

<https://www.gov.za/speeches/government-studies-judgment-alert-level-4-and-alert-level-3-regulations-2-jun-2020-0000>

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## REFUGEES

*Internet Article*

**Washinyira, Tariro. Covid-19: Bank accused of freezing asylum seekers' accounts during lockdown.**

2020 June 3 GroundUp

“A Zimbabwean asylum seeker says First National Bank (FNB) froze his account when his asylum papers expired during lockdown in spite of explanations from the Department of Home Affairs that refugee offices are closed. According to People Against Suffering and Oppression (PASSOP), his is one of at least ten accounts which have been frozen in the same way.”

<https://www.groundup.org.za/article/covid-19-bank-accused-of-freezing-asylum-seekers-accounts-during-lockdown/>

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## SAFETY AND SECURITY

*Media Statement*

**SA Government News Agency. Protecting children during COVID-19 and beyond.**

2020 Jun 2 SA News

“The Department of Social Development, in partnership with the Nelson Mandela Foundation, aims to improve the standard of Early Childhood Development (ECD) across the country, as part of this year’s Child Protection Week campaign. This year’s campaign is being held under the theme: ‘Let Us All Protect Children, During Covid-19 and Beyond’. The partnership between the department and the Nelson Mandela Foundation will culminate with the launch of Vangasali-Every Child Counts Campaign, which is targeting unregistered ECD centres, with the view of assisting them to meet the minimum norms and standards for registration, as stipulated in the Children’s Act (Act No. 38 of 2005).”

<https://www.sanews.gov.za/south-africa/protecting-children-during-covid-19-and-beyond>

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## SOCIAL SECURITY

*Internet Article*

**Broughton, Tania. Gauteng government drops “peanut butter ban”.**

2020 Jun 2 Groundup

“Faced with an urgent court action brought by NPO Cradle of Hope, the Gauteng provincial government has withdrawn its “guidelines” which effectively banned the distribution of food, unless done by one of its own agencies. Cradle of Hope and other charitable organisations went to court saying the need for food among poor people was increasing daily, but regulations had prohibited them from helping.

With the court action set down for 2 June, Gauteng’s social development department late last week issued a statement “withdrawing” its guidelines after “extensive engagement with the Premier’s Office” about the challenges raised by the organisations over distributing food.

<https://www.groundup.org.za/article/gauteng-government-drops-peanut-butter-ban/>

*Media Statement*

**South African Social Security Agency. SASSA on payment of Coronavirus COVID-19 Grant, 2 June 2020.**

“The South African Social Security Agency (SASSA) has kept the promise to pay at least 100 000 clients who applied for the Special COVID-19 Social Relief of Distress. By 31 May 2020, 116 867 clients were paid for the Special COVID-19 SRD Grant. In addition, to date, over 3,5 million were checked to confirm if they are either active SASSA grant recipients, are on the UIF database or receive an NSFAS stipend.”

<https://www.gov.za/speeches/sassa-payment-coronavirus-covid-19-grant-2-jun-2020-0000>

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## TAXATION

### *Media Release*

#### **National Treasury. Treasury on gazetting of notices on expanding access to living annuity funds. 02 June 2020.**

“The Notices on Expanding Access to Living Annuity Funds were gazetted on Monday 1 June 2020. These Notices give effect to the legislative framework required to implement the tax measures in this regard to combat the COVID-19 pandemic, following the President’s address to the nation on 21 April 2020 and the announcement by the Minister of Finance on further tax measures to combat the COVID-19 pandemic. Included in the further tax measures was the expansion of access to living annuity funds as outlined in the Treasury’s Media Statement published on 23 April 2020. This relief measure will result in individuals who receive funds from a living annuity being temporarily allowed to immediately either increase (up to a maximum of 20 percent from 17.5 percent) or decrease (down to a minimum of 0.5 percent from 2.5 percent) the proportion they receive as annuity income.”

<https://www.gov.za/speeches/treasury-gazetting-notices-expanding-access-living-annuity-funds-2-jun-2020-0000>

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## TOBACCO

### *Media Comment*

#### **Maughan, Karyn. Government makes second attempt to delay tobacco ban court case. 2020 June 2 Business Day**

<https://www.businesslive.co.za/bd/national/2020-06-02-government-makes-second-attempt-to-delay-tobacco-ban-court-case/>

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## TRADE AND INDUSTRY

### *Case*

#### **Sakeliga NPC v President of South Africa and others. Case no. 22352/20**

Declaration that Directions issued by the Minister of Small Business Development on 12 May 2020 under [Government Notice R522 in Government Gazette 43306](#) are illegal and invalid.

<https://www.sakeliga.co.za/wp-content/uploads/2020/06/SAKELIGA-v-THE-PRESIDENT-et-al-ORDER-AND-REASONS.pdf>

### *Media Comment*

#### **Businesses are now free trade with only their self-issued permits, and without government licences relating to the State of Disaster.**

2020 June 2 Citizen

While several types of businesses, as announced in the Level 3 regulations, remain prohibited, all other businesses are free to operate without first obtaining some new government licence from national, provincial, or local government, or any other organ of state. This is according to a recent judgment in favour of business group Sakeliga who filed a case in the High Court against President Cyril Ramaphosa and eight others.

<https://citizen.co.za/business/business-news/2295427/businesses-no-longer-need-state-of-disaster-licences-to-operate/>

Judgment: <https://www.sakeliga.co.za/wp-content/uploads/2020/06/SAKELIGA-v-THE-PRESIDENT-et-al-ORDER-AND-REASONS.pdf>

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## WATER & SANITATION

### *Media Release*

#### **Department of Water and Sanitation. Water and Sanitation on 2 211 water tanks delivered in Gauteng to break the spread of COVID-19 Coronavirus. 02 June 2020.**

“The Department of Water and Sanitation (DWS) has notched up the rollout of water tanks to needy communities to 2 211 and going all out to improve their plight as the numbers of novel coronavirus increase daily. As part of the frontline departments that seek to ease the impact of the coronavirus, DWS is geared to continue efforts to a more effective contribution to mount the fight against the spread of the virus. President Cyril Ramaphosa urged government

departments to implement extraordinary measures to ensure that, amongst other interventions, impoverished communities have access to clean water supply to enable them to wash hands to ward- off the spread of the virus.”

<https://www.gov.za/speeches/water-and-sanitation-2-211-water-tanks-delivered-gauteng-break-spread-covid-19-coronavirus>

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