



# Covid-19 Regulatory Update

 **Lexinfo**  
Library & Legal Information Consultants

Covid-19 Regulatory Update: 11 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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## CONFIRMED CASES

### Reports

#### **National Institute for Communicable Diseases. Latest Confirmed Cases of Covid-19 in South Africa (10 June 2020).**

<https://www.nicd.ac.za/latest-confirmed-cases-of-covid-19-in-south-africa-10-june-2020/>

#### **National Institute for Communicable Diseases. National COVID-19 daily report: 10 June 2020.**

<https://www.nicd.ac.za/wp-content/uploads/2020/06/COVID19-Daily-Report-National-Public-10June2020.pdf>

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## COURTS

### Media Comment

#### **Thakur, Chereese. AmaBhungane fights for media access to courts under lockdown.**

2020 Jun 10 Daily Maverick

“Since the beginning of the lockdown, amaBhungane has engaged with court officials, many of whom assured us that access would be granted upon request. To us, this was not enough.

Concerned that more than a month of lockdown had gone by without any official directive regarding court access, amaBhungane wrote to Judge President Dunstan Mlambo of the Gauteng Division of the High Court on 12 May, requesting that features that enable open justice in ordinary circumstances be replicated for virtual hearings. “

<https://www.dailymaverick.co.za/article/2020-06-10-amabhungane-fights-for-media-access-to-courts-under-lockdown/#gsc.tab=0>

### Protocol

#### **Judge President of the Gauteng Division of the High Court of South Africa. Protocol re Media Access to Court Proceedings Re: Access by the Media to Physical/In Person and Virtual Court Hearings in the High Courts of the Gauteng Division. 4 June 2020.**

“This protocol is issued to make provision for the media’s access to physical and virtual Court hearings. This protocol does not replace the provisions set out in the High Courts’ Practice Manuals relating to requests for the media’s attendance in Court proceedings unless where a deviation therefrom is specified in this protocol and only for the duration of the Covid-19 pandemic.”

[http://www.presscouncil.org.za/Files/Protocol%20-%20Media%20Access%20to%20Court%20Proceedings\\_04%2006%202020.pdf](http://www.presscouncil.org.za/Files/Protocol%20-%20Media%20Access%20to%20Court%20Proceedings_04%2006%202020.pdf)

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## EDUCATION

### Media Comments

#### **Matiwan, Zimasa. Education department spells out Covid-19 protocol as two more KZN schools temporarily close.**

2020 Jun 10 TimesLive

<https://www.timeslive.co.za/politics/2020-06-10-education-department-spells-out-covid-19-protocol-as-two-more-kzn-schools-temporarily-close/>

#### **South African schools to stay open after High Court dismisses urgent application.**

2020 Jun 10 BusinessTech

“The North Gauteng High Court has dismissed an urgent application to close South Africa’s schools over health and safety conferences around the coronavirus.

The ruling comes after the Educators’ Union of South Africa (EUSA) made an application to the courts based on concerns that the government has acted recklessly in reopening the country’s schools which could lead to the death of students and educators.”

<https://businesstech.co.za/news/government/406437/south-african-schools-to-stay-open-after-high-court-dismisses-urgent-application/>

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## EMPLOYMENT LAW

### Media Comment

#### **Mkentane, Luyolo. Public sector not complying with Covid-19 regulations, says labour department.**

2020 Jun 10 Business Day

"The public sector has recorded the highest number of workplaces not complying with the Covid-19 health and safety regulations, the employment & labour department said."

<https://www.businesslive.co.za/bd/national/labour/2020-06-10-public-sector-not-complying-with-covid-19-regulations-says-labour-department/>

### Media Release

#### **SA Government News Agency. Employees diagnosed with COVID-19 to return to work under strict conditions.**

2020 Jun 10 SANews

The Department of Employment and Labour has refuted media claims that COVID-19 patients no longer need to test negative to resume work.

"It is not correct that COVID-19 patients no longer need to test negative to resume work," said the department's Chief Inspector for Health and Safety, Tibor Szana. However, according to Szana, in terms of the new directions, if a worker has been diagnosed with COVID-19 and completed the mandatory 14 days of self-isolation as per the Department of Health guidelines, an employer may only allow a worker to return.

Other conditions include the worker undergoing a medical evaluation confirming fitness to work if they had a moderate or severe illness in relation to COVID-19, he explained.

<https://www.sanews.gov.za/south-africa/employees-diagnosed-covid-19-return-work-under-strict-conditions>

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## HEALTH AND SAFETY

### Media Comment

#### **Harmful sanitisers could lead to class action lawsuits, say underwriters**

2020 Jun 10 IOL

"A South African underwriting firm said on Wednesday retailers could potentially face a new surge of class action and personal injury claims for negligence regarding the use of harmful products such as hand sanitisers at store entrances. ... According to Bonginkosi Ntuli, a claims specialist for professional indemnity and liability claims at SHA Specialist Underwriters, said while it was debatable retailers could be held legally accountable for allergic reactions to hand sanitisers, they should nevertheless "act cautiously and ensure they have adequate cover in place". "

<https://www.iol.co.za/news/south-africa/western-cape/harmful-sanitisers-could-lead-to-class-action-lawsuits-say-underwriters-49202546>

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## HOME AFFAIRS

### Government Gazette

#### **Disaster Management Act 57 of 2002**

Directions issued in terms of Regulation 10(8) of the Regulations made under section 27(2): Measures to prevent and combat the spread of COVID-19. Amendment regarding temporary measures in respect of the entry into or exit from the Republic for emergency medical attention for a life-threatening condition, the evacuation of South African nationals to the Republic, the repatriation of foreign nationals to their countries of nationality or residence or the return of South African nationals to their place of employment or study outside of the Republic, as well as the extension of the validity period of an asylum seeker permit issued, and refugee status granted, in terms of the Refugee Act 130 of 1998.

GN664 GG 43420 p3 10Jun2020

[http://www.gpwonline.co.za/Gazettes/Gazettes/43420\\_10-06\\_HomeAffairs.pdf](http://www.gpwonline.co.za/Gazettes/Gazettes/43420_10-06_HomeAffairs.pdf)

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## LOCKDOWN

### Internet Article

#### **Stent, James. Judgment on Strandfontein camp case reserved.**

2020 Jun 10 Groundup

"Judgment in the case between the City of Cape Town and the South African Human Rights Commission (SAHRC), and ten others in the Western Cape High Court has been reserved by Justice Siraj Desai until after 15 June. This is

pending submissions from counsel for the SAHRC and Dr Gilles Van Cutsem of Médecins Sans Frontières (MSF) due on 14 June, and the City's reply to these submissions, due on 15 June. The case centres on the interdict granted to the City against the SAHRC, its Commissioner and CEO, and people appointed by the SAHRC to act as human rights monitors, which included Dr Van Cutsem of MSF. The interdict prevented all except SAHRC commissioner Chris Nissen from going to the Strandfontein camp for homeless people."

<https://www.groundup.org.za/article/judgment-on-strandfontein-camp-case-reserved/>

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## TOBACCO

### *Media Comment*

#### **Mahlakoana, Theto. Govt: Tobacco Ban may have Eased Burden on Health System.**

2020 Jun 10 EWN

"Lawyers representing the Cooperative Governance and Traditional Affairs Minister said there was a reasonable possibility that banning the sale of cigarettes had assisted in preventing the overburdening of the health system due to COVID-19. Advocate Marumo Moerane went before the Pretoria High Court on Wednesday to defend government's decision to ban the sale of cigarettes under level four of the national lockdown.

The Fair-Trade Independent Tobacco Association (Fita) applied to the court seeking to have the regulation declared invalid and unlawful."

<https://ewn.co.za/2020/06/10/govt-tobacco-ban-may-have-eased-burden-on-health-system>

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