



# Covid-19 Regulatory Update

 **Lexinfo**  
Library & Legal Information Consultants

Covid-19 Regulatory Update: 15 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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## COMMUNICATIONS

### Government Gazette

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

Directions issued by Minister of Communications and Digital Technologies on the Risk-Adjusted Strategy for the Communications and Digital Technologies Sector published in [GN484 in GG 43263 of 3 May 2020](#), as amended by the Directions published in [GN590 in GG 43351 of 26 May 2020](#): Amendment.

GN671 GG 43439 p3 12Jun2020

[http://www.gpwonline.co.za/Gazettes/Gazettes/43439\\_12-06\\_ComDigTechnology.pdf](http://www.gpwonline.co.za/Gazettes/Gazettes/43439_12-06_ComDigTechnology.pdf)

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## CRIMINAL LAW

### Media Comment

#### **Mabuza, Ernest. Guard tackled to ground in mask row, man banned from mall: criminal case opened.**

2020 Jun 14 TimesLive

“A security guard who was violently tackled to the ground, after insisting a female shopper wear a face mask, has laid a charge of assault against the man who accosted him...Mall management said police will conduct their investigation, as it had dealt a month ago with another case, where a member of the public was arrested for assault and being in contravention of the Disaster Management Act, by not wearing a mask when he entered the mall.”

<https://www.timeslive.co.za/news/south-africa/2020-06-14-watch-guard-tackled-to-ground-in-mask-row-man-banned-from-mall/>

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## EDUCATION

### Internet Article

#### **Broughton, Tania. Motshekga taken to court for “backtracked” promise to reinstate feeding programme.**

2020 Jun 14 Groundup

“In some households it's a choice between buying food or the data needed to study online.

- Education activists are taking the Minister of Education to court because the national school nutrition programme is still not running.
- The urgent application has been brought in the Pretoria High Court.
- Equal Education is asking a judge to declare that all learners must receive a daily meal and that the minister and eight MECs for education are in breach of their constitutional duties.
- The Western Cape government has committed to running the programme and no order is sought against it.
- The minister and eight MECs have until 17 June to respond.”

<https://www.groundup.org.za/article/motshekga-taken-court-backtracked-promise-roll-out-school-feeding-programme/>

### Media Comment

#### **Student union Cosas threatens to shut down schools across SA over Covid-19.**

2020 Jun 14 TimesLive

“The Congress of SA Students (Cosas) says it will be “shutting down all schools” from Monday.

“We want to put it on record that we are not giving anyone an option but we are taking a radical approach, we will save the lives of innocent scholars by hook or crook,” it said in a statement.

Cosas said it would mobilise at a school in Cape Town where it believed a Covid-19 case had been reported, “from there we will move to any other school that is operating”.”

<https://www.timeslive.co.za/news/south-africa/2020-06-14-student-union-cosas-threatens-to-shut-down-schools-across-sa-over-covid-19/>

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## EMPLOYMENT LAW

### Media Comment

#### **Nxesi must withdraw extension of bargaining deal that will destroy hair salons, says DA.**

2020 Jun 13 IOL

“Employment and Labour Minister Thulas Nxesi has effectively dealt the beauty and haircare sector a death blow, and must immediately withdraw the collective bargaining deal he extended to “non-parties” in the sector on Friday, the DA

said. The sector, which had been shuttered since the beginning of the coronavirus (Covid-19) lockdown on March 27 and still could not open for business, was already on its knees, DA employment and labour spokesperson Michael Cardo said on Saturday.”

<https://www.iol.co.za/news/south-africa/nxesi-must-withdraw-extension-of-bargaining-deal-that-will-destroy-hair-salons-says-da-49335674>

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## HAIRDRESSING AND PERSONAL CARE INDUSTRY

### *Media Comments*

#### **Miya, Nozintombi. Hair and beauty industry awaits court ruling amid lockdown regulations.**

2020 Jun 14 SABCNews

“Many of these owners had no choice but to either close or sell their businesses.

The lockdown was aimed at flattening the curve and prepare the health sector for the rising number of infections, but its impact on business has been disastrous.

For many business owners, it’s difficult to get financial relief.

A full bench of the High Court in Cape Town is set to hear an application against the ban on the hairdressing and personal care industry under Level 3 of the lockdown. The matter will be heard on the 22nd of June.”

<https://www.sabcnews.com/sabcnews/hair-and-beauty-industry-awaits-court-ruling-amid-lockdown-regulations/>

#### **Nxesi must withdraw extension of bargaining deal that will destroy hair salons, says DA.**

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“Employment and Labour Minister Thulas Nxesi has effectively dealt the beauty and haircare sector a death blow, and must immediately withdraw the collective bargaining deal he extended to “non-parties” in the sector on Friday, the DA said. The sector, which had been shuttered since the beginning of the coronavirus (Covid-19) lockdown on March 27 and still could not open for business, was already on its knees, DA employment and labour spokesperson Michael Cardo said on Saturday.”

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## INSURANCE

### *Media Comment*

#### **Henderson, Roxanne. SA probing insurance policies over unpaid virus claims.**

2020 Jun 13 IOL

“A South African regulator is studying insurance contracts after customers complained that claims related to the coronavirus were unfairly rejected.

One outcome from the process could include an order from the Financial Sector Conduct Authority on the fairness of wording used in policies, Kedibone Dikokwe, the divisional executive for conduct of business supervision at the FSCA, said in an email response to questions on Friday. It may also choose to exercise its other powers, she said, which could include penalties.”

<https://www.iol.co.za/business-report/companies/sa-probing-insurance-policies-over-unpaid-virus-claims-49317315>

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## LAND AND PROPERTY

### *Government Gazette*

#### **Evans, Jenni. Court orders Cape Town deeds office to reopen amid severe Covid-19 closure delays.**

2020 Jun 12 IOL

“The deeds office in Cape was ordered to open on Monday after delays caused by the coronavirus meant only around 17% of lodgments have been completed.

This after an application by the Cape Town Attorneys Association (CTAA), Tygerberg Attorneys' Association and Institute of Estate Agents of South Africa on Friday for the order to open.

The order was granted in the Western Cape High Court.”

<https://www.news24.com/news24/southafrica/news/court-orders-cape-town-deeds-office-to-reopen-amid-severe-covid-19-closure-delays-20200612>

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## LOCKDOWN

### Media Comment

#### **Davis, Rebecca. Social solidarity may be the only way through for SA in Covid-19 times.**

2020 Jun 15 Daily Maverick

“Just over 100 days after South Africa’s Covid-19 lockdown began, the worst is almost certainly yet to come. At a Daily Maverick webinar assessing the country’s handling of the pandemic so far, panellists were in agreement that the crisis will require individual South Africans to dig deep – and help each other.”

<https://www.dailymaverick.co.za/article/2020-06-15-social-solidarity-may-be-the-only-way-through-for-sa-in-covid-19-times/#gsc.tab=0>

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## SOCIAL SECURITY

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- Education activists are taking the Minister of Education to court because the national school nutrition programme is still not running.
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<https://www.groundup.org.za/article/motshekga-taken-court-backtracked-promise-roll-out-school-feeding-programme/>

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## SPORT

### Government Gazette

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

Directions relating to the extension of term of office of Councils and Boards of Public Entities and suspension of sport, arts and cultural events as measures prevent and combat the spread of Covid-19: Amendment of Directions published in [GN461 in GG 43226 of 9 April 2020](#).

The amendment Direction relates to the resumption of playing and training of Professional Non-contact Sport. All sporting bodies must provide the Minister within 14 days of publication of this notice with an operation plan; and the date of resumption of training and matches before resumption of training and matches.

Amendments include the following:

- Amendments and insertions of definitions.
- Amendment of Paragraph 2 regarding the Purpose of the Directions.
- Paragraph 3 regarding the Scope and Application of the Directions are substituted.
- Paragraph 6 on the Suspension of Sporting, Arts, Cultural and Religious Events are substituted and the following subparagraphs inserted:
  - 6A: The resumption of non-contact sport and training.
  - 6B: Screening and testing of players and support staff.
  - 6C: Disinfection and cleaning of the sporting venue.
  - 6D: Control measures.
  - 6E: Monitoring and compliance.
  - 6F: Appointment of compliance officer.
- Annexure A: A list of non-contact sports.
- Annexure B: Codes allowed to train.
- Annexure C: Non-contact sport matches and professional athletes training. [The plan to be compiled by the sporting bodies must comply with the provisions of Annexure C.]

Commencement on 11 June 2020.

GN669 GG 43434 p3 11Jun2020

[https://www.gov.za/sites/default/files/gcis\\_document/202006/43434gon669.pdf](https://www.gov.za/sites/default/files/gcis_document/202006/43434gon669.pdf)

*Media Statements*

**Department of Arts and Culture. Sport, Arts and Culture on release of Coronavirus COVID-19 Level 3 sector directions. 12 Jun 2020.**

“The Minister announced the staggered opening of professional non-contact sport and professional athletes training as outlined in the Regulations published on the 28 May 2020. The directions which Minister Nathi Mthethwa announced, focused primarily on sectoral implications in relation to the Government Level 3 Risk adjustment strategy to be employed in preventing and combating the spread of COVID- 19.”

<https://www.gov.za/speeches/sport-arts-and-culture-release-coronavirus-covid-19-level-3-sector-directions-12-jun-2020>

**SA Government News Agency. Submissions process for resumption of sports outlined.**

2020 Jun 12 SANews

“Sports bodies have until 26 June 2020 to make submissions to the Department of Sport, Arts and Culture on the staggered opening of professional non-contact sport and professional athletes training. Last month, Minister of Sport, Arts and Culture Nathi Mthethwa announced details of the Directions for Sport, Arts and Culture under the Disaster Management Act No. 57 of 2002. “The Minister announced the staggered opening of professional non-contact sport and professional athletes training as outlined in the Regulations published on the 28 May 2020.”

<https://www.sanews.gov.za/south-africa/submissions-process-resumption-sports-outlined>

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## TRANSPORT

*Media Comment*

**Cele, S'thembile and Shoba, Sibongakonke. 'Where will government find R4bn?': Taxis demand Covid-19 billions.**

2020 Jun 14 TimesLive

“Taxi bosses have rejected a R1.1bn Covid-19 relief payment from the government and are threatening to bring SA to a halt unless they get billions more....Taxi owners are demanding R20,000 per taxi for each month of the lockdown. With an estimated 200,000 taxis across SA, a bailout on these terms could cost up to R4bn a month.

<https://www.timeslive.co.za/sunday-times/news/2020-06-14-where-will-government-find-r4bn-taxis-demand-covid-19-billions/>

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