

Covid-19 Regulatory Update

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Covid-19 Regulatory Update: 25 June 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/>

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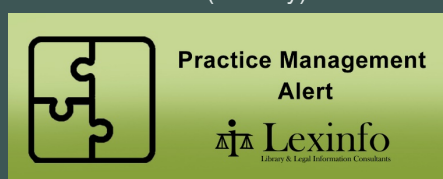
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BUDGET

Media Comment

Merten, Marianne. More questions than answers in Tito Mboweni's grim emergency Budget.

2020 Jun 25 Daily Maverick

"Finance Minister Tito Mboweni pulled no stops to ram home his message – South Africa must act now to ensure bankruptcy is staved off, and deal with its debt that will hit R4-trillion in 2020.

The proper financial jargon is sovereign debt crisis, or the point at which South Africa can no longer fund its spending. Pegged to occur in 2024, Mboweni made a case for a roadmap that would prevent this scenario – debt would reach just 87.4% of gross domestic product (GDP) that year, after hitting 81.8% in 2020, up from the just over 65% predicted in February 2020."

<https://www.dailymaverick.co.za/article/2020-06-25-more-questions-than-answers-in-mbowenis-grim-emergency-budget/#gsc.tab=0>

Speech

Minister Tito Mboweni: 2020 Supplementary Budget Speech. 24 Jun 2020.

<https://www.gov.za/speeches/minister-tito-mboweni-2020-supplementary-budget-speech-24-jun-2020-0000>

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CONFIRMED CASES

Reports

National Institute for Communicable Diseases. Covid-19 Daily Report: 24 June 2020.

<https://www.nicd.ac.za/latest-confirmed-cases-of-covid-19-in-south-africa-24-june-2020/>

National Institute for Communicable Diseases. Latest confirmed cases of COVID-19 in South Africa: 24 June 2020.

<https://www.nicd.ac.za/wp-content/uploads/2020/06/COVID19-Daily-Report-National-Public-24June2020.pdf>

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EDUCATION

Media Statement

Minister Angie Motshekga on Coronavirus COVID-19 safety measures Gazetted for Basic Education Sector. 24 June 2020.

The media statement refers to: GenN343 GG 43465 p3 23Jun2020

http://www.gpwonline.co.za/Gazettes/Gazettes/43465_23-6_BasicEdu.pdf

"Minister of Basic Education emphasizes safety in new Directions Gazetted for the Basic Education Sector

The Department of Basic Education has issued a set of directions to further provide clarity and guidance on variety of matters affecting the basic education sector in the COVID-19 environment."

<https://www.gov.za/speeches/minister-basic-education-emphasizes-safety-new-directions-gazetted-basic-education-sector>

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LOCKDOWN

Media Comments

Judgment reserved in lockdown rules case

2020 Jun 24 eNCA

"Judgment has been reserved in the lockdown regulations case brought by the Liberty Fighters Network against Cogta Minister Nkosazana Dlamini-Zuma. They opposed an application for leave to appeal by Dlamini-Zuma. The organisation is claiming that lockdown regulations are no longer legally valid."

<https://www.enca.com/news/lockdown-regulations-are-legally-over-liberty-fighters-network>

Karrim, Azarrah. Madonsela and Co: Govt should have considered social impact of Covid-19 regulations.

2020 Jun 24 News24

- "Professor Thuli Madonsela, on behalf of the Social Justice and Covid-19 Policy and Relief Monitoring Alliance (SCOPRA), has written to the presidency following a high court ruling which declared some Covid-19 regulations irrational and unconstitutional.

- In the letter, she recommends how best government can implement the Disaster Management Act, saying there is a lack of communication on reasons behind certain regulations.
- Madonsela also recommends government perform a risk assessment on the impact of laws or policies on society before making them official.”

<https://www.news24.com/news24/southafrica/news/madonsela-and-co-govt-should-have-considered-social-impact-of-covid-19-regulations-20200624>

Mabuza, Ernest. Dlamini-Zuma hires top lawyer Wim Trengove in lockdown rules challenge.

2020 Jun 24 HeraldLive

“Trengove said Davis erred when he held that some of the level 3 regulations were irrational and then, on the basis of that finding, found all of the regulations on level 3 and 4 to be invalid.

“We submit with respect that the finding that some regulations are invalid does not justify an order that all regulations are invalid,” Trengove said.”

<https://www.heraldive.co.za/news/politics/2020-06-24-dlamini-zuma-hires-top-lawyer-wim-trengove-in-lockdown-rules-challenge/>

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SOCIAL SECURITY

Court Order

Democratic Alliance; 1000 Women Trust NPO v Minister of Social Development; Minister of Cooperative Governance and Traditional Affairs; Minister of Police; National Commissioner of Police. Case No: 5812/2020. 23 June 2020 (High Court. Western Cape Division)

Food parcels – soup kitchens – right to distribute food.

1. “The First Respondent (the Minister) is interdicted and restrained from issuing paragraph 3(f) of the Draft Directions attached as annexure **A**, pursuant to the Regulations promulgated by the Minister of Cooperative Governance and Traditional Affairs in GNR 480 in GG 43258 on 29 April 2020 (DMA Regulations) in terms of section 27(2) of the Disaster Management Act 27 of 2002.
2. The Minister is directed to give the Applicants three court days’ notice of her intention to issue any Directions in terms of the DMA Regulations which will limit existing rights to distribute or receive food, and to furnish the Applicants with a copy of such directions.”

<https://press-admin.voteda.org/wp-content/uploads/2020/06/2020-06-23-DA-Food-Parcels-Draft-Order-final.docx>

Media Comment

Williams, Murray. Second victory for DA and soup kitchens against govt rules on distributing food.

2020 Jun 24 News24

- “Soup kitchen Samaritans have won a second court victory, to have national rules overturned.
 - The Democratic Alliance and the 1 000 Women Trust challenged Social Development Minister Lindiwe Zulu.
 - The charity hopes national government will now focus on helping to feed the poor, instead of making more rules.
- The Western Cape High Court on Tuesday interdicted Minister of Social Development Lindiwe Zulu from implementing draft directions that would expand on measures required to distribute food under lockdown.

These protocols were first gazetted back on 29 April, in terms of the Disaster Management Act (DMA).”

<https://www.news24.com/news24/southafrica/news/second-victory-for-da-and-soup-kitchens-against-govt-rules-on-distributing-food-20200624>

Media Release

Lorimer, James (Democratic Party). Court squashes Minister Zulu’s latest food distribution restrictions. 24 June 2020.

“The Western Cape High Court yesterday granted a Democratic Alliance (DA) bid to stop the latest food relief regulations put forward by Social Development Minister Lindiwe Zulu. This is the second set of regulations put forward by the Minister and the second time the DA has won against her in court.

The judgment stops the regulations from being implemented, says she has to give the DA three days’ notice if she wants to bring any new food distribution regulations and awards costs to the DA.

The latest regulations were published last Thursday and sought to set up a complicated system of planning and reporting that would need to be complied with by all NGOs and food relief charities before they operated soup kitchens or distributed food parcels.”

<https://www.da.org.za/2020/06/court-squashes-minister-zulus-latest-food-distribution-restrictions>

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TRADE AND INDUSTRY

Government Gazette

International Trade Administration Act 71 of 2002

Guidelines for Rebate Item 412.11/00.00/01.00: Amendment. Invitation to comment by 29 June 2020 on Guidelines, Rules and Conditions Pertaining to Certificates Issued Under Paragraph (A) of Rebate Item 412.11/00.00/01.00 for Goods Imported for the Relief of Distress of Persons in Cases of Famine or Other National Disaster ("the Amended Guidelines").

GenN345 GG 43470 p3 25Jun2020

http://www.gpwonline.co.za/Gazettes/Gazettes/43470_25-6_TradeIndCompetition.pdf

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