



Covid-19 Regulatory Update

**Lexinfo**
Library & Legal Information Consultants

Covid-19 Regulatory Update: 08 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/>

Lexinfo Attorney Alert



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COMMUNICATIONS

Government Gazette

Disaster Management Act 57 of 2002

Directions issued by Acting Minister of Communications and Digital Technologies on Zero-Rating of Websites for Education and Health issued under Regulation 4 (10) of the Regulations made under the Act. The purpose of these Directions is to provide a framework for the zero-rating of websites (sites) as contemplated in paragraphs 9.1 and 10.2 of the Electronic Communications, Postal and Broadcasting Directions published in [GN417 in GG 43164 of 26 March 2020](#), as amended by [GN451 of 6 April 2020](#) and [GN516 of 8 May 2020](#).

GN650 GG 43412 p3 05Jun2020

http://www.gpwonline.co.za/Gazettes/Gazettes/43413_05-06_ComDigTechnologie.pdf

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CONFIRMED CASES

Reports

National Institute for Communicable Diseases. Covid-19 Daily Report: 7 June 2020.

<https://www.nicd.ac.za/wp-content/uploads/2020/06/COVID19-Daily-Report-National-Public-7June2020.pdf>

National Institute for Communicable Diseases. Latest confirmed cases of COVID-19 in South Africa (7 June 2020).

<https://www.nicd.ac.za/latest-confirmed-cases-of-covid-19-in-south-africa-7-june-2020/>

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EDUCATION

Speech

Department of Basic Education. Minister Angie Motshekga: State of readiness for the reopening of schools, 7 Jun 2020.

“We can now say with confidence that about 95% of our schools have been ably provided with the COVID-19 related imperatives. The Sector, with the assistance of our partners, will strive to deal with the remaining 5% to ensure that the unfettered rights to health, safety and basic education for all South African children are protected. The golden rule is, there will be no school that will resume, if not ready to do so. For the remaining 5% or so learners alternative measures have been developed by different districts such as temporarily using neighboring schools, using underutilized spaces in boarding schools and putting other learners in camps.”

<https://www.gov.za/speeches/minister-angie-motshekga-state-readiness-reopening-schools-7-jun-2020-0000>

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EMPLOYMENT LAW

Internet Article

Broughton, Tania. Zoom can be used to negotiate retrenchments.

2020 Jun3 5 Groundup

“The Johannesburg Labour Court has ruled that retrenchment negotiations can take place over Zoom or using other video conferencing facilities. This was in light of the Covid-19 pandemic and the “new normal”, Judge Graham Moshona said in a judgment handed down in an urgent application brought by the Food and Allied Workers Union (FAWU) against South African Breweries (SAB). The union claimed that the ongoing Section 189A consultation process, which began in January this year with face-to-face talks and continued using Zoom during the lockdown, was procedurally unfair.”

<https://www.groundup.org.za/article/zoom-can-be-used-negotiate-retrenchments/>

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ENVIRONMENTAL LAW

Government Gazettes

Disaster Management Act 57 of 2002

- Directions issued by Minister of Forestry, Fisheries and the Environment regarding Measures to address, prevent and combat the spread of COVID-19 relating to the Biodiversity Sector. The purpose of these Directions is to:
 - (a) ensure fair processes relating to permits, registrations, and certificates during Alert Level 3; and
 - (b) provide direction in respect of the carrying out of certain activities by the biodiversity sector in terms of the National Environmental Management Biodiversity Act, the National Environmental Management: Protected Areas Act 57 of 2003 and any applicable provincial conservation legislation during Alert Level 3.GN647 GG 43409 p3 05Jun2020
http://www.gpwonline.co.za/Gazettes/Gazettes/43409_05-06_EnvirAffForFish.pdf
- Directions issued by Minister of Forestry, Fisheries and the Environment regarding Measures to address, prevent and combat the spread of COVID-19 relating to the Freshwater and Marine Fishing Sectors. The purpose of these Directions is to curtail the threat posed by the COVID -19 pandemic and to alleviate, contain and minimise the effects of the national state of disaster, and in particular, to provide directions to the freshwater and marine fishing sectors.
GN648 GG 43410 p3 05Jun2020
http://www.gpwonline.co.za/Gazettes/Gazettes/43410_05-06_EnvirAffForFish.pdf
- Directions issued by Minister of Forestry, Fisheries and the Environment regarding Measures to address, prevent and combat the spread of COVID-19 relating to the Forestry Sector. The purpose of these Directions is to curtail the threat posed by the COVID -19 pandemic and to alleviate, contain and minimise the effects of the national state of disaster, and to ensure fair processes, especially with regard to specified licencing, evaluation of licence applications, inspections and issuing of licenses in terms of the National Forests Act.
GN649 GG 43411 p3 05Jun2020
http://www.gpwonline.co.za/Gazettes/Gazettes/43411_05-06_EnvirAffForFish.pdf
- Directions issued by Minister of Forestry, Fisheries and the Environment regarding Measures to address, prevent and combat the spread of COVID-19 relating to National Environmental Management Permits and Licences. The purpose of these Directions is to curtail the threat posed by the COVID -19 pandemic and to alleviate, contain and minimise the effects of the national state of disaster, and in particular to provide directions to ensure fair licensing processes and public participation processes as required by the laws contemplated in paragraphs 5 to 8 of these Directions.
GN650 GG 43412 p3 05Jun2020
http://www.gpwonline.co.za/Gazettes/Gazettes/43412_05-06_EnvirAffForFish.pdf

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LOCKDOWN

Media Comment

Ensor, Linda. Political week ahead: Lockdown levels and cigarette ban in the spotlight.

2010 Jun 7 Business Day

<https://www.businesslive.co.za/bd/politics/2020-06-07-political-week-ahead-lockdown-levels-and-cigarette-ban-in-the-spotlight/>

Opinion

Sibanda, Omphemetse S. High Court ruling on lockdown throws up intriguing questions on the limits of state paternalism.

2020 Jun 8 Daily Maverick

“The Pretoria High Court judgment in the case of *De Beer v Minister of Co-operative Governance and Traditional Affairs* has thrown a cat among the pigeons with its ruling regarding the constitutionality of Covid-19 regulations currently imposed in terms of the Disaster Management Act (DMA), and elicited mixed reactions. Two articles in Daily Maverick described the ruling as flawed and a disturbing judicial overreach respectively.”

<https://www.dailymaverick.co.za/opinionista/2020-06-08-high-court-ruling-on-lockdown-throws-up-intriguing-questions-on-the-limits-of-state-paternalism/#gsc.tab=0>

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STATISTICS

Media Comment

DA to appeal rejection of PAIA bid to get provincial stats from govt.

2020 Jun 7 Citizen

“The DA is expected to launch an internal appeal to get access to a provincial breakdown of Covid-19 statistics from the government, following the rejection of their Promotion of Access to Information Act application.”

<https://www.news24.com/news24/southafrica/news/covid-19-data-da-to-appeal-rejection-of-paia-bid-to-get-provincial-stats-from-govt-20200607>

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TOBACCO

Media Comment

Ensor, Linda. Political week ahead: Lockdown levels and cigarette ban in the spotlight.

2010 Jun 7 Business Day

<https://www.businesslive.co.za/bd/politics/2020-06-07-political-week-ahead-lockdown-levels-and-cigarette-ban-in-the-spotlight/>

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TOURISM

Media Statement

Department of Tourism. Tourism on relief funds for registered freelance tourist guides impacted by Disaster Management Measures to mitigate the COVID-19 Coronavirus pandemic. 6 June 2020.

“This follows an announcement by Tourism Minister Mmamoloko Kubayi-Ngubane of a R30 million fund that will provide financial relief of R1500.00 for each eligible Tourist Guide for a period of three (3) months. The relief will be applicable to registered freelance tourist guides who operate independently (without any formal employment), without formal businesses in place. “The Covid-19 pandemic continues to have a devastating effect on tourism, and many Tourist Guides have been left destitute without any form of income.”

“We have put aside R30 million to financially assist tourist guides over the next three (3) months as the country slowly begins to ease Disaster Management regulations, and re- open some sectors of our economy,” said Minister Kubayi-Ngubane.”

<https://www.gov.za/speeches/tourism-relief-funds-registered-freelance-tourist-guides-who-have-been-impacted-countrywide>

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