

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

NO. R. 419

26 MARCH 2020

**DISASTER MANAGEMENT ACT, 2002: AMENDMENT OF REGULATIONS ISSUED IN
TERMS OF SECTION 27(2)**

I, Dr Nkosazana Dlamini-Zuma, Minister of Cooperative Governance and Traditional Affairs, designated under section 3 of the Disaster Management Act, 2002 (Act No. 57 of 2002), having declared a national state of disaster, published in Government Gazette No. 43096 on 15 March 2020, hereby in terms of section 27(2) of the Disaster Management Act, 2002, after consultation with the relevant Cabinet members, made the Regulations in the Schedule.

**DR NKOSAZANA DLAMINI-ZUMA, MP****MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

DATE: 26.03.2020

SCHEDULE**Definitions**

1. In these regulations, "the Regulations" means the regulations published by Government Notice No. 318 of 18 March 2020, as amended by Government Notice No. R. 398 of 25 March 2020.

Substitution of heading of the Regulations published in Government Notice No. R. 398 of 25 March 2020

2. The heading of the Regulations published in Government Notice No. R. 398 of 25 March 2020 is hereby substituted for the following heading:

" I, Dr Nkosazana Dlamini-Zuma, Minister of Cooperative Governance and Traditional Affairs, designated under section 3 of the Disaster Management Act, 2002 (Act No. 57 of 2002), having declared a national state of disaster, published in Government Gazette No. 43096 on 15 March 2020, hereby in terms of section 27(2) of the Disaster Management Act, 2002, after consultation with the relevant Cabinet members, made the Regulations in the Schedule."

Amendment of regulation 11B of the Regulations

3. Regulation 11B of the Regulations is hereby amended by—
- (a) substitution for subregulation (1) paragraph (b) of the following paragraph:

"(b) During the lockdown, all businesses and other entities shall cease operations, except for any business or entity involved in the manufacturing, supply, or provision of an essential good or service, save where operations are provided from outside of the Republic or can be provided remotely by a person from their normal place of residence."; and

(b) the insertion of the following subregulations after subregulation (4):

"(4A) (a) All workplaces or premises must have care and maintenance that is essential to the prevention of the destruction or significant impairment of working areas, plant, machinery or inventory, or to permit orderly shutdown arrangements, on such conditions as may be issued by means of directions by the Cabinet members responsible for trade, industry and for employment and labour.

(b) Services in relation to international markets and which provide or maintain essential services as it relates to health, social support, government and financial services, which the Cabinet members responsible for health and trade and industry are satisfied are crucial to such services, may be provided for in directions issued by the said Cabinet members.

Amendment of regulation 11C of the Regulations

3. Regulation 11C of the Regulations is hereby amended by the substitution for subregulation of the following subregulation:

"(1) All commuter transport services including passenger rail services, bus services, taxi services, e-hailing services, maritime and air passenger transport are prohibited, except bus services, taxi services, e-hailing services and private motor vehicles for purposes of rendering essential services, obtaining essential goods, seeking medical attention, funeral services and to receive payment of grants: Provided that—

(a) bus services, taxi services and e-hailing services shall not carry more than 50% of the licensed capacity; and

(b) private vehicles shall not carry more than 60% of the licensed capacity, and that all directions in respect of hygienic conditions and the limitation of exposure of persons to COVID-19, are adhered to."

Deletion of regulation 11E of the Regulations

4. Regulation 11E of the Regulations is hereby deleted.

Amendment of Annexure A to the Regulations

5. Annexure A to the Regulations is hereby amended by the substitution for the word "warrant" wherever it appears with the word "order"

Amendment of Annexure B to the Regulations

6. Annexure B to the Regulations is hereby amended by—
- (a) the insertion of the following subparagraphs under paragraph 2 of Part A:
- "(iv) Products for the care of babies and toddlers.
 - (v) Personal toiletries, including haircare, body and face washes, roll-ons, deodorants, toothpaste.";
- (b) the substitution for paragraph 1 of Part B of the following paragraph:
- "1. Medical, Health (including Mental Health), Laboratory and Medical services and the National Institute for Communicable Diseases;"
- (c) the substitution for paragraph 3 of Part B of the following paragraph:
- "3. Financial services necessary to maintain the functioning of the banking and payments environment, including the JSE and similar exchanges, as well as insurance services and medical scheme administration;"
- (d) the substitution for paragraph 6 of Part B of the following paragraph:
- "6. Electricity (including vital demand management services), water, gas and fuel production, supply and maintenance;" and
- (e) the addition of the following paragraphs after paragraph 28 of Part B:
- "29. Tow trucks and vehicle recovery services;
 - 30. Call centres necessary to provide health, safety, social support, government and financial services;
 - 31. Harvesting and storage activities essential to prevent the wastage of primary agricultural goods;
 - 32. Implementation of payroll systems to the extent that such arrangement has not been made for the lockdown, to ensure timeous payments to workers; and
 - 33. Critical maintenance services which cannot be delayed for more than 21 days and are essential to resume operations after the lockdown."

Amendment of Annexure D to the Regulations

7. Annexure D to the Regulations is hereby amended by the insertion of subparagraph (iiiA) after subparagraph (iii) of paragraph (c):

"(iiiA) restaurants;"