

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

## DEPARTMENT OF TRANSPORT

NO. 1032

01 OCTOBER 2020

**DISASTER MANAGEMENT ACT, 2002****AMENDMENT OF DIRECTIONS ISSUED IN TERMS OF REGULATIONS 4(7) AND 20(2) OF THE REGULATIONS MADE UNDER SECTION 27(2) OF THE DISASTER MANAGEMENT ACT, 2002 (ACT NO. 57 OF 2002): MEASURES TO ADDRESS, PREVENT AND COMBAT THE SPREAD OF COVID-19 IN THE AIR SERVICES FOR ALERT LEVEL 1**

I, Fikile Mbalula, Minister of Transport, after consultation with the Cabinet members responsible for cooperative governance and traditional affairs, health, police, trade and industry, justice and correctional services, in terms of regulation 4(7), read with regulation 75(2), (3), (4), (5) and (8) and regulation 76(2)(a) and (5) of the Regulations made under section 27(2) of the Disaster Management Act, 2002 (Act No. 57 of 2002), hereby amend the directions published under Government Notice No. 415, in Government Gazette No. 43160 of 26 March 2020, as amended, as set out in the Schedule.

**Mr F.A. MBALULA, MP****MINISTER OF TRANSPORT****DATE:** 30/09/2020

## SCHEDULE

### Definitions

1. In these directions, the "Directions" means the Directions on measures to address, prevent and combat the spread of COVID-19 in the Air Services, published under Government Notice No. 415, in *Government Gazette* No. 43160 of 26 March 2020 as amended under—
  - (a) Government Notice No. 423, published in *Government Gazette* No. 43176 of 27 March 2020;
  - (b) Government Notice No. 438, published in *Government Gazette* No. 43189 of 31 March 2020
  - (c) Government Notice No. 615, published in *Government Gazette* No. 43375 of 30 May 2020;
  - (d) Government Notice No. 726, published in *Government Gazette* No. 43493 of 2 July 2020;
  - (e) Government Notice No. 814 published in *Government Gazette* No. 43550 of 24 July 2020;
  - (f) Government Notice No. 662, published in *Government Gazette* No. 43651 of 25 August 2020;
  - (g) Government Notice No. 969, published in *Government Gazette* No. 43695 of 9 September 2020; and
  - (h) Government Notice No. 997, published in *Government Gazette* No. 43717 of 16 September 2020.

### Substitution of direction 5 of Directions

2. Direction 5 of the Directions is hereby substituted for the following direction:

**"5 International flights and domestic flights**

- (1) International flights to and from the Republic, as well as domestic flights within the Republic, are permitted in terms of regulation 75, read with regulation 76(2)(a) of the Regulations.
- (2) With effect from 01 October 2020, international passenger flights, inbound to the Republic from the African Continent and from other countries outside the African Continent, as determined in accordance with the list contemplated in regulation 75(4)(b) of the Regulations, are permitted, subject to the following conditions:
  - (a) A foreign Operator is required to submit procedures that show the level of compliance with South African COVID-19 legislation for approval to the South African Civil Aviation Authority;
  - (b) foreign Air Ambulance Services are permitted to transport COVID-19 positive patients: Provided that they obtain approval from the Department of Health, obtain a permit issued by the Department of Transport, and comply with the Department of Health Protocols and the Air Ambulance Guidelines issued by the Minister;
  - (c) passengers are required to wear face masks at all times, may only remove face masks during emergencies or when instructed by cabin crew to take them off and must observe social distancing, hand washing and sanitize regularly;
  - (d) a child under the age of two years may be exempted from wearing a face mask;
  - (e) a passenger who is unable to wear a face mask due to an underlying medical condition, must submit a medical certificate from a registered medical practitioner to the Operator prior to departure;
  - (f) crew members are required to wear face masks at all times, except when conducting a safety briefing and during an emergency;
  - (g) a passenger must provide to the Operator a negative Polymerase Chain Reaction ("PCR") test certificate or a valid COVID-19 negative test certificate, obtained not more

- than 72 hours before the date of travel, from an accredited laboratory and in line with the World Health Organization requirements: Provided that South African Authorities reserve the right to verify the authenticity of presented PCR or COVID-19 test certificates;
- (h) if a passenger is symptomatic, the necessary protocols of the Department of Health will be followed;
  - (i) in the event of the passenger's failure, for whatever reason, to submit a certificate as proof of a negative PCR test certificate or a valid COVID-19 negative test certificate upon arrival in South Africa, the passenger shall be subjected to a compulsory quarantine at a government designated facility as contemplated for in Health Directions, at his or her own cost;
  - (j) an "immunity passport", "risk-free certificate" or "passport immunity" in respect of COVID-19 is not acceptable;
  - (k) an Operator shall not board any passenger without a valid negative PCR or a valid COVID-19 negative test certificate;
  - (l) international travel from countries listed as having a high COVID-19 infection and transmission rate, is prohibited, except for business travel, which may be allowed with the approval of the Cabinet member responsible for Home Affairs, in which case such passengers must comply with the requirements listed in paragraphs (c), (e), (g) and (h);
  - (m) crew members shall upon arrival in South Africa be subjected to health protocols as contemplated for in Health Directions.
  - (n) an Operator must ensure the following risk mitigation measures for crew members:
    - (i) Conduct risk assessments to ensure that crew members are fit and proper before they undertake their travel duties and mitigate the risk of COVID-19 crew infections; and



- (ii) ensure that crew members are protected whilst on duty;
- (o) Operators are allowed to provide catering on-board an aircraft: Provided that they take all risk mitigation, health and safety measures to contain the spread of COVID-19, including the provision of pre-packed meals;
- (p) a passenger in transit—
  - (i) must be in possession of a negative PCR test certificate or a valid COVID-19 negative test certificate, obtained not more than 72 hours before the date of travel, from an accredited laboratory;
  - (ii) who displays symptoms of COVID-19 must, upon arrival and under the direction of Ports Health—
    - (aa) be taken through primary and secondary screening, including COVID-19 testing, where applicable;
    - (bb) be quarantined, at own cost, if a positive test result is obtained. All Department of Health protocols and Department of Transport guidelines must be followed; and
    - (cc) if travelling with family, be quarantined. at own cost, with the whole family;
- (q) international scheduled and Charter flights carrying passengers are allowed through the following airports:
  - (i) OR Tambo International Airport;
  - (ii) King Shaka International Airport; and
  - (iii) Cape Town International Airport; and
- (r) Charter Operators conducting cargo operations from outside the Republic are permitted to operate at the following airports with Ports Health capacity:
  - (i) Bram Fischer International Airport;
  - (ii) Cape Town International Airport;
  - (iii) King Shaka International Airport;
  - (iv) Kruger Mpumalanga International Airport;

- (v) Lanseria International Airport;
  - (vi) OR Tambo International Airport;
  - (vii) Polokwane Airport;
  - (viii) Port Elizabeth International Airport; and
  - (ix) Upington International Airport.
- (3) With regard to international outbound flights—
- (a) subject to the travel requirements of a country of destination, a passenger must provide to the Operator a negative PCR test certificate or a valid COVID-19 negative test certificate from an accredited laboratory certified by the South African Health Products Regulatory Authority (“SAHPRA”); and
  - (b) an Operator is responsible to ensure that passengers comply with COVID-19 requirements of the country of destination.
- (4) Domestic passenger flights are permitted at the following domestic airports, as approved:
- (a) Bram Fischer International Airport;
  - (b) Cape Town International Airport;
  - (c) East London Airport ;
  - (d) George Airport;
  - (e) Hoedspruit Airport;
  - (f) Kimberly Airport;
  - (g) King Shaka International Airport;
  - (h) Kruger Mpumalanga International Airport;
  - (i) Lanseria International Airport;
  - (j) Margate Airport;
  - (k) Mthatha Airport;
  - (l) OR Tambo International Airport;
  - (m) Phalaborwa Airport;
  - (n) Pietermaritzburg Airport;
  - (o) Plettenberg Bay Airport;
  - (p) Polokwane Airport;
  - (q) Port Elizabeth International Airport;
  - (r) Richards Bay Airport;

- (s) Sishen Airport;
- (t) Skukuza Airport; and
- (u) Upington International Airport.”.

#### **Amendment of direction 5A of Directions**

3. Direction 5A of the Directions is hereby amended by the deletion of subdirection (5).

#### **Deletion of direction 5C of Directions**

4. Direction 5C of the Directions is hereby deleted.

#### **Amendment of direction 6 of Directions**

5. Direction 6 is hereby amended by the substitution for subdirection (3) of the following subdirection:

“(3) The loading and off-loading of air cargo in and out of International Airports, Designated as Ports of Entry, is permitted.”.

#### **Commencement**

6. This amendment comes into effect on the date of publication thereof in the *Government Gazette*.