

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

## DEPARTMENT OF TRANSPORT

NO. 1034

01 OCTOBER 2020

**DISASTER MANAGEMENT ACT, 2002****DIRECTIONS ISSUED IN TERMS OF REGULATION 4(7), READ WITH REGULATION 75(1) AND REGULATION 76(5), OF THE REGULATIONS MADE UNDER SECTION 27(2) OF THE DISASTER MANAGEMENT ACT, 2002 (ACT NO. 57 OF 2002): MEASURES TO PREVENT AND COMBAT THE SPREAD OF COVID-19 IN CROSS-BORDER ROAD TRANSPORT 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 and justice and correctional services, in terms of regulation 4(7), read with regulation 75(1) and regulation 76(5) of the Regulations made under section 27(2) of the Disaster Management Act, 2002 (Act No. 57 of 2002), hereby issue the directions set out in the Schedule hereto, to address, prevent and combat the spread of the COVID-19 in cross-border road transport.

**MR F.A. MBALULA, MP****MINISTER OF TRANSPORT**

DATE: 30/09/2020

## SCHEDULE

### 1. Definitions

In these directions, any other word or expression bears the meaning assigned to it in the Disaster Management Act, the Act or in the Regulations, and, unless the context otherwise indicates—

**“Disaster Management Act”** means the Disaster Management Act, 2002 (Act No. 57 of 2002);

**“passenger”** means any person conveyed by way of a public transport service as defined in the National Land Transport Act, 2009 (Act No. 5 of 2009);

**“the Act”** means the Cross-Border Road Transport Act, 1998 (Act No. 4 of 1998); and

**“the Regulations”** means the Regulations made under section 27(2) of the Disaster Management Act, published under Government Notice No. 480, in Government Gazette No. 43258 of 29 April 2020, as amended.

### 2. Authority

- (1) Section 26(2)(b) of the Disaster Management Act provides that a national disaster, once declared, must be managed in accordance with existing legislation, as well as contingency arrangements as amplified by disaster management regulations or directions issued in terms of section 27(2) of the Disaster Management Act.
- (2) These directions are issued pursuant to the provisions of section 27(2) of the Disaster Management Act and specifically in terms of Regulation 4(7), read with regulation 75(1), of the Regulations, to provide for measures necessary to manage COVID-19.
- (3) These directions are valid for the duration of the declared national state of disaster.

### **3. Purpose of Directions**

The purpose of the directions is to provide for—

- (a) cross-border road transport services;
- (b) the provision of improved access to hygiene and disinfection control at all cross-border road transport facilities; and
- (c) the embarkation of cross-border road transport passengers vehicles.

### **4. Application of Directions**

These directions are applicable to all cross-border road transport services within the Republic and must be read with the Directions made by the Minister of Health dealing with measures to address, prevent and combat the spread of COVID-19.

### **5. Cross-border road transport services**

- (1) Cross-border road transport passenger services are permitted to operate from 1 October 2020.
- (2) Cross-border freight transport and logistics in respect of specified cargo and permitted retail goods to neighbouring countries, which include goods imported through the South African Ports of Entry for re-export to neighbouring countries, is permitted.

### **6. Provision of improved access to hygiene and disinfection control at cross-border public transport facilities**

- (1) All owners of cross-border road transport facilities must, at regular intervals, for the duration of the national state of disaster, sanitise their facilities, and provide adequate sanitisers or other hygiene dispensers for washing of hands and disinfection equipment for users of public transport services.
- (2) Owners of cross-border road transport facilities must put measures in place to adhere to social distancing to curb the spread of COVID-19.

## **7. Embarkation of cross-border road transport vehicles**

- (1) All cross-border road transport operators must—
  - (a) ensure that cross-border road transport passenger vehicles are sanitised before picking up and after dropping off passengers;
  - (b) ensure that all cross-border road transport vehicles are clean and tidy;
  - (c) ensure that all cross-border road transport vehicles' doors and window handles, arm rests and hand rails are sanitised after every load;
  - (d) encourage cross-border road transport passengers to sanitise after entering the vehicle and after getting off the vehicle;
  - (e) put measures in place to adhere to social distancing to curb the spread of COVID-19; and
  - (f) provide disinfection information materials and procedures.
- (2) All drivers of cross-border transport vehicles must wear a cloth face mask or a homemade item that covers the nose and mouth.
- (3) Any marshal or security officer who interacts with members of the public in a cross-border road transport facility must wear a cloth face mask or a homemade item that covers the nose and mouth.
- (4) The sanitisers used to sanitise all cross-border road transport vehicles must have a minimum of 70% alcohol content.
- (5) No person will be allowed to use any form of cross-border road transport or enter a cross-border road transport facility, building, place or premises if they do not wear a cloth face mask or a homemade item that covers the nose and mouth.

## **8. Short title and commencement**

These Directions are called the Measures to, prevent and combat the spread of COVID-19 in cross-border road transport, 2020, and come into operation on the date of publication by the Minister in the *Gazette*.