GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

NO. 318 **18 MARCH 2020**

DISASTER MANAGEMENT ACT, 2002

REGULATIONS ISSUED IN TERMS OF SECTION 27(2)() OF THE DISASTER MANAGEMENT ACT, 2002.

I, Dr Nkosazana Dlamini Zuma, the Minister of Cooperative Governance and Traditional Affairs, designated under Section 3 of the Disaster Management Act, 2002 (Act No. 57 of 2002) ("the Act"), having declared a national state of disaster, published in Government Gazette No. 43096 on 15 March 2020, in terms of Section 27(2) of the Act, after consulting the relevant Cabinet members, hereby make the Regulations set out in the schedule hereto regarding the steps necessary to prevent an escalation of the disaster or to alleviate, contain and minimise the effects of the disaster.

NC Zuma

DR NKOSAZANA DLAMINI ZUMA, MP
MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS
DATE: 17. 03. 2020.

SCHEDULE

Definitions

1. In these Regulations, unless the context otherwise indicates—

'adequate space' means not more than one person per square meter of floor space;

'COVID-19' means the Novel Coronavirus (2019-nCov) which is an infectious disease caused by a virus, which emerged during 2019 and was declared a global pandemic by the WHO during the year 2020 that has previously not been scientifically identified in humans;

Criminal Procedure Act' means the Criminal Procedure Act, 1977 (Act No. 51 of 1977);

'enforcement officer' includes a member of the South African Police Service, the South African National Defence Force and a peace officer as defined in section 1 of the Criminal Procedure Act;

'donor' means an individual, corporation or organisation that is a contributor of cash, kind and/or other assets;

'gathering' means any assembly, concourse or procession of more than 100 persons, wholly or partially in open air or in a building or premises;

'isolation' means separating a sick individual with a contagious disease from healthy individuals without that contagious disease in such a manner as to prevent the spread of infection or contamination;

'liquor' means—

(*a*) any liquor product, as defined in section 1 of the Liquor Products Act, 1979 (Act No. 60 of 1989);

(*b*) beer or traditional African beer; or

(*c*) any other substance or drink declared to be liquor under the Liquor Act, 2003 (Act No. 59 of 2003), but does not include methylated spirits;

'national state of disaster' means the national state of disaster declared by Government Notice No. R. 313 of 15 March 2020;

'partial care facility' means a facility offering partial care as defined in section 1 of the Children's Act, 2005 (Act No. 38 of 2005);

'quarantine' means separating asymptomatic individuals potentially exposed to a disease from non-exposed individuals in such a manner as to prevent the possible spread of infection or contamination;

'school' means a school as defined in section 1 of the South African Schools Act, 1984 (Act No. 84 of 1996); and

'the Act' means the Disaster Management Act, 2002 (Act No. 57 of 2002).

'WHO' means the World Health Organisation.

Release of resources

2. (1) The Department of Defence must, for the duration of the declared national state of disaster, within its available resources—

(a) release and mobilise any available resources, including human resources, stores, equipment, ships, aircraft platforms, vehicles and facilities; and

(b) ensure the delivery of essential services,

as may be required, to prevent, limit, contain, combat and manage the spread of COVID-19.

(2) National organs of state must, within their available resources release their personnel for the rendering of emergency services, as contemplated in section 27(2)*(b)* of the Act.

(3) Institutions within national, provincial and local government must make resources, other than funding, available to implement these Regulations or directions issued in terms of section 27(2) of the Act regarding the national state of disaster.

(4) Institutions within national, provincial and local government must—

(*a*) make funding available; and

(*b*) as far as possible, without affecting service delivery in relation to the realisation of the rights contemplated in sections 26 to 29 of the Constitution of the Republic of South Africa, 1996, shift funding,

within its budget to implement these Regulations or directions issued in terms of section 27(2) of the Act, regarding the national state of disaster.

(5) The National Treasury and provincial treasuries must take the necessary steps in terms of applicable legislation to implement these Regulations or directions issued in terms of section 27(2) of the Act, in relation to the national state of disaster.

(6) Donor funding received to assist with the national state of disaster must be—

(*a*) paid into the Reconstruction and Development Fund, established by the Reconstruction and Development Fund Act, 1994 (Act No. 7 of 1994); and

(*b*) used strictly for purposes of implementing these Regulations and directions issued in terms of section 27(2) of the Act in relation to the national state of disaster.

Prevention and prohibition of gatherings

3. (1) In order to contain the spread of COVID-19, a gathering is prohibited.

(2) An enforcement officer must, where a gathering takes place—

(*a*) order the persons at the gathering to disperse immediately; and

(*b*) if they refuse to disperse, take appropriate action, which may, subject to the Criminal Procedure Act, include arrest and detention.

(3) The assembly of more than 50 persons at premises where liquor is sold and consumed is prohibited.

Refusal of medical examination, prophylaxis, treatment, isolation and quarantine

4. (1) No person who has been clinically, or by a laboratory, confirmed as having COVID-19, or who is suspected of having contracted COVID-19, or who has been in contact with a person who is a carrier of COVID–19, may refuse consent to an enforcement officer for—

(*a*) submission of that person to a medical examination, including but not limited to the taking of any bodily sample by a person authorised in law to do so;

(*b*) admission of that person to a health establishment or a quarantine or isolation site; or

(*c*) submission of that person to mandatory prophylaxis, treatment, isolation or quarantine or isolation in order to prevent transmission:

Provided that if a person does not comply with the instruction or order of the enforcement officer, that person must be placed in isolation or quarantine for a period of 48 hours, as the case may be, pending a warrant being issued by a magistrate, on application by an enforcement officer for the medical examination contemplated in paragraph (*a*).

(2) A warrant contemplated in subregulation (1) may be issued by a magistrate, if it appears from information on oath or affirmation by an enforcement officer —

(*a*) that a person is confirmed as having been infected with COVID-19;

(*b*) who is on reasonable grounds suspected of having contracted COVID-19, or who has been in contact with, or on reasonable grounds suspected to have been in contact with a person who is a carrier or infected with COVID–19.

(3) The warrant may impose restrictions on the powers of the enforcement officer as the magistrate may deem fit.

(4) A warrant issued in terms of this regulation remains in force until —

(*a*) it is executed;

(*b*) it is cancelled by the person who issued it or, if such person is not available, by any person with like authority;

(*c*) the expiry of ninety days from the date of its issue; or

(*d*) the purpose for the issuing of the warrant has lapsed,

whichever occurs first.

(5) No person is entitled to compensation for any loss or damage arising out of any *bona fide* action or omission by an enforcement officer under this regulation.

Places of quarantine and isolation

5. (1) The Minister of Public Works and Infrastructure must identify and make available sites to be used as isolation and quarantine facilities as the need arises.

(2) The Members of the Executive Council responsible for public works must identify and make available sites to be used as isolation and quarantine facilities within each province, as the need arises.

(3) The accounting officers of municipalities must identify and make available sites to be used as isolation and quarantine facilities within their local areas, and provide the list to the Department of Health for resourcing.

Closure of schools and partial care facilities

6. Schools and partial care facilities must be closed by 18 March 2020 until 15 April 2020, which period may be extended for the duration of the national state of disaster by the cabinet member responsible.

Suspension of visits

7. All visits by members of the public to—

(*a*) Correctional Centres;

(*b*) Remand Detention Facilities;

(*c*) Holding Cells;

(*d*) Military Detention Facilities; and

(*e*) Department of Social Development facilities, including Child and Youth Care Centres, shelters, One Stop Centres, and Treatment Centres,

are suspended for a period of 30 days from the date of publication of this Notice, which period may be extended for any period, but not beyond the duration of the national state of disaster by the cabinet member responsible.

Limitation on the sale, dispensing or transportation of liquor

8. (1) All on-consumption premises selling liquor, including taverns, restaurants and clubs, must be closed with immediate effect, or must accommodate no more than 50 persons at any time: Provided that adequate space is available and that all directions in respect of hygienic conditions and limitation of exposure to persons with COVID-19, are adhered to.

(2) All premises selling liquor which provide accommodation must implement measures to stop the spread of COVID-19: Provided that adequate space is available and that all directions in respect of hygienic conditions and limitation of exposure to persons with COVID-19 are adhered to.

(3) No special or events liquor licenses may be considered for approval during the duration of the national state of disaster.

(4) All on-consumption premises selling liquor referred to in subregulation (1) must be closed —

(i) between 18:00 and 09:00 the next morning on weekdays and Saturdays; and

(ii) from 13:00 on Sundays and public holidays.

(5) All off-consumption premises selling liquor must be closed —

(i) between 18:00 and 09:00 the next morning on weekdays and Saturdays; and

(ii) from 13:00 on Sundays and public holidays.

Emergency Procurement Procedures

9. Emergency procurement for institutions is subject to —

(*a*) the Public Finance Management Act, 1999 (Act No. 1 of 1999), and the applicable emergency provisions in the Regulations or Instructions made under section 76 of that Act; and

(*b*) the Municipal Finance Management Act, 2003 (Act No. 56 of 2003), and the applicable emergency provisions in the Regulations made under that Act.

Authority to issue directions

10. (1) The Minister of Health may—

(*a*) issue directions to address, prevent and combat the spread of COVID-19 in any area of the Republic of South Africa, which directions may include the—

(i) recruitment and training of human resources from the Department of Health, and other entities responsible for the handling of COVID-19 mortal remains;

(ii) deployment of human resources from the Department of Health to identified sites to render services;

(iii) sourcing of human resources from the Expanded Public Works Programme retired health professionals and Non-Governmental Organisations to render services in identified sites;

(iv) provision of health equipment, sanitation materials and medical supplies;

(v) identification and establishment of mortuaries that will accommodate all COVID-19 mortal remains;

(vi) disposal of COVID-19 mortal remains; and

(*b*) vary the directions referred to in paragraph (*a*) as the circumstances require.

(2) The Minister of Justice and Correctional Services may—

(*a*) issue directions to address, prevent and combat the spread of COVID-19 in all Correctional Centres and Remand Detention Facilities in the Republic of South Africa;

(*b*) after consultation with the Chief Justice, where appropriate, issue directions to address, prevent and combat the spread of COVID-19 in all courts and court precincts in the Republic of South Africa; and

(*c*) vary the directions referred to in paragraphs (*a*) and (*b*) as the circumstances require.

(3) The Ministers of Basic and Higher Education may —

(*a*) issue directions to address, prevent and combat the spread of COVID-19 in all schools and institutions of higher learning; and

(*b*) vary the directions referred to in (*a*) as the circumstances require.

(4) The Minister of Police may—

(*a*) issue directions to address, prevent and combat the spread of COVID-19 in all police stations, police precincts, and holding cells; and

(*b*) vary the directions referred to in paragraph (*a*) as the circumstances require.

(5) The Minister of Social Development may—

(*a*) issue directions to address, prevent and combat the spread of COVID-19 in all Department of Social Development facilities; and

(*b*) vary the directions referred to in paragraph (*a*) as the circumstances require.

(6) The Minister of Trade and Industry may —

(*a*) issue directions to—

(i) protect consumers from excessive, unfair, unreasonable or unjust pricing of goods and services during the national state of disaster; and

(ii) maintain security and availability of the supply of goods and services during the national state of disaster;

(*b*) issue directions to address, prevent and combat the spread of COVID-19; and

(*c*) vary the directions referred to in paragraphs (*a*) and (*b*) as the circumstances require.

(7) The Minister of Transport may—

(*a*) issue directions to address, prevent and combat the spread of COVID-19 in matters falling within his mandate; and

(*b*) vary the directions referred to in paragraph (*a*) as the circumstances require.

(8) Any Minister may issue and vary directions, as required, within his or her mandate, to address, prevent and combat the spread of COVID-19, from time to time, as may be required, including—

(*a*) disseminating information required for dealing with the national state of disaster;

(*b*) implementing emergency procurement procedures;

(*c*) taking any other steps that may be necessary to prevent an escalation of the national state of disaster, or to alleviate, contain and minimise the effects of the national state of disaster; or

(*d*) taking steps to facilitate international assistance.

Offences and penalties

11. (1) For purposes of regulation 3, any person who—

(*a*) convenes a gathering;

(*b*) permits more than 50 persons at premises where liquor is sold and consumed; or

(*c*) hinders, interferes with, or obstructs an enforcement officer in the exercise of his or her powers, or the performance of his or her duties in terms of these Regulations,

is guilty of an offence and, on conviction, liable to a fine or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(2) A person is guilty of an offence if that person fails to comply with or contravenes the provisions of regulations 6 and 9 of these Regulations.

(3) A person convicted of an offence mentioned in subregulation (2) liable on conviction to a fine or to imprisonment not exceeding six months or to both a fine and imprisonment.

(4) Any person who intentionally misrepresents that he, she or any other person is infected with COVID-19 is guilty of an offence and on conviction liable to a fine or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(5) Any person who publishes any statement, through any medium, including social media, with the intention to deceive any other person about—

(*a*) COVID-19;

(*b*) COVID-19 infection status of any person; or

(*c*) any measure taken by the Government to address COVID-19,

commits an offence and is liable on conviction to a fine or imprisonment for a period not exceeding six months, or both such fine and imprisonment.

(6) Any person who intentionally exposes another person to COVID-19 may be prosecuted for an offence, including assault, attempted murder or murder.

Commencement

12. These Regulations come into operation on the date of publication.

This gazette is also available free online at **www.gpwonline.co.za**

DEPARTEMENT VAN SAMEWERKENDE REGERING EN TRADISIONELE SAKE

NO. 318 **18 MAART 2020**

WET OP RAMPBESTUUR, 2002

REGULASIES UITGEREIK INGEVOLGE ARTIKEL 27(2) VAN DIE WET OP RAMPBESTUUR

Ek, Dr Nkosazana Dlamini Zuma, die Minister van Samewerkende Regering en Tradisionele Sake, aangewys kragtens artikel 3 van die Wet op Rampbestuur, 2002 (Wet No. 57 van 2002) ("die Wet"), nadat 'n nasionale ramptoestand afgekondig is in *Staatskoerant* No. 43096 op 15 Maart 2020, ingevolge artikel 27(2) van die Wet, ná oorleg met die tersaaklike Kabinetslede, vaardig hierby die Regulasies luidens die bylae hierby uit oor die noodsaaklike stappe om 'n verergering van die ramp te voorkom of om die uitwerking van die ramp te verlig, te stuit en te minimaliseer.

DR NKOSAZANA DLAMINI ZUMA, LP

MINISTER VAN SAMEWERKENDE REGERING EN TRADISIONELE SAKE

DATUM: 17-03-2020

BYLAE

Woordomskrywing

1. In hierdie Regulasies, tensy dit uit die samehang anders blyk, beteken—

"afdwingingsbeampte" ook 'n lid van die Suid-Afrikaanse Polisiediens, 'n lid van die Suid-Afrikaanse Nasionale Weermag en 'n vredesbeampte, soos omskryf in artikel 1 van die Strafproseswet;

"afsondering" die skeiding van 'n siek persoon of 'n persoon wat met 'n oordraagbare siekte besmet is, van gesonde individue wat nie daardie oordraagbare siekte het nie, op so 'n wyse dat die verspreiding van infeksie of besmetting voorkom word;

"byeenkoms" enige vergadering, samedromming of optog van meer as 100 persone heeltemal of gedeeltelik in die opelug of in 'n gebou of perseel;

"COVID-19" die Nuwe Koronavirus (2019-nCov) wat 'n oordraagbare siekte is wat deur 'n virus veroorsaak word wat in 2019 verskyn het en tydens 2020 deur die WGO tot 'n globale pandemie verklaar is, wat voorheen nie wetenskaplik in mense geïdentifiseer is nie;

"die Wet" die Wet op Rampbestuur, 2002 (Wet No. 57 van 2002);

"drank" —

(a) enige drankproduk, soos omskryf in artikel 1 van die Wet op Drankprodukte, 1989 (Wet No. 60 van 1989);

(b) bier of tradisionele Afrika-bier;

(c) enige ander stof of drank tot sterk drank verklaar kragtens die "Liquor Act", 2003 (Wet No. 59 van 2003), maar sluit brandspiritus uit;

This gazette is also available free online at www.gpwonline.co.za

“gedeeltelikesorgfasiliteit” ’n fasiliteit waar gedeeltelike versorging verskaf word, soos in artikel 1 van die “Children’s Act”, 2005 (Wet No. 38 van 2005), omskryf;

“genoegsame spasie” nie meer as een persoon per vierkante meter vloerspasie nie;

“Grondwet” die Grondwet van die Republiek van Suid-Afrika, 1996;

“inrigtings vir hoër onderwys” ’n “kollege vir hoër onderwys” en “inrigting vir hoër onderwys” soos omskryf in artikel 1 van die Wet op Hoër Onderwys, 1997 (Wet No. 101 van 1997);

“kwarantyn” die skeiding van asimptomatiese individue, moontlik blootgestel aan ’n siekte, van nieblootgestelde individue, op so ’n wyse dat die moontlike verspreiding van infeksie of besmetting voorkom word;

“nasionale ramptoestand” die nasionale ramptoestand by Goewermentskennisgewing No. R. 313 van 15 Maart 2020, afgekondig;

“skenker” ’n individu, korporasie of organisasie wat kontant, goedere of ander bates bydra;

“skool” ’n skool soos in artikel 1 van die Suid-Afrikaanse Skolewet, 1984 (Wet No. 84 van 1996), omskryf; en

“Strafproseswet” die Strafproseswet, 1977 (Wet No. 51 van 1977).

“WGO” die Wêreldgesondheidsorganisasie.

Vrystelling van hulpbronne

2. (1) Die Departement van Verdediging moet, vir die duur van die afgekondigde nasionale ramptoestand, binne die departement se beskikbare hulpbronne—

(a) enige beskikbare hulpbronne, met inbegrip van menslike hulpbronne, voorrade, toerusting, skepe, lugvaartuigplatforms, voertuie en fasiliteite vrystel; en

(b) die lewering van noodsaaklike dienste verseker,

soos vereis mag word om die verspreiding van COVID-19 te voorkom, te beperk, te stuit, te bekamp en te bestuur.

(2) Nasionale staatsorgane moet binne hul beskikbare hulpbronne hulle personeel vrystel vir die lewer van nooddienste, soos in artikel 27(2)*(b)* van die Wet beoog.

(3) Instellings binne nasionale, provinsiale en plaaslike regering moet hulpbronne, behalwe fondse, beskikbaar stel om hierdie Regulasies of voorskrifte uitgereik ingevolge artikel 27(2) van die Wet aangaande die nasionale ramptoestand, in werking te stel.

(4) Instellings binne nasionale, provinsiale en plaaslike regering moet—

(*a*) fondse beskikbaar stel; en

(*b*) sover moontlik, sonder om dienslewering in verband met die verwesenliking van die regte beoog in artikels 26 tot 29 van die Grondwet van die Republiek van Suid-Afrika, 1996, te raak, fondse skuif,

binne hul begrotings om hierdie Regulasies of voorskrifte ingevolge artikel 27(2) van die Wet aangaande die nasionale ramptoestand uitgereik, in werking te stel.

(5) Die Nasionale Tesourie en provinsiale tesourieë moet die nodige stappe ingevolge toepaslike wetgewing doen om hierdie Regulasies of voorskrifte ingevolge artikel 27(2) van die Wet in verband met nasionale ramptoestand uitgereik, in werking te stel.

(6) Skenkerfondse ontvang vir bystand met die nasionale ramptoestand—

(*a*) moet in die Heropbou en Ontwikkelingsfonds, ingestel ingevolge die Wet op die Heropbou- en Ontwikkelings- programfonds, 1994 (Wet No. 7 van 1994), inbetaal word; en

(*b*) moet streng gebruik word vir die doeleindes van die inwerkingstelling van hierdie Regulasies of voorskrifte ingevolge artikel 27(2) van die Wet in verband met die nasionale ramptoestand uitgereik, in werking te stel.

Voorkoming van en verbod op byeenkomste

3. (1) Ten einde die verspreiding van COVID-19 te stuit, word ’n byeenkoms verbied.

(2) ’n Afdwingingsbeampte moet, waar ’n byeenkoms plaasvind—

(*a*) die persone by die byeenkoms beveel om onmiddellik uitmekaar te gaan; en

(*b*) as hulle weier om uitmekaar te gaan, gepaste stappe doen, wat, onderworpe aan die Strafproseswet, inhegtenisname en detensie kan insluit.

(3) Die vergadering van meer as 50 persone by ’n perseel waar sterk drank verkoop en verbruik word, word verbied.

Weiering van mediese ondersoek, profilakse, behandeling, afsondering en kwarantyn

4. (1) Niemand wat klinies, of deur ’n laboratorium bevestig is as iemand wat COVID-19 opgedoen het, of vermoedelik COVID-19 opgedoen het, of in direkte aanraking was met iemand wat ’n draer van COVID-19 is, mag toestemming aan ’n afdwingingsbeampte weier nie vir—

(*a*) onderwerping van daardie persoon aan ’n mediese ondersoek, met inbegrip van maar nie beperk nie tot die neem van enige liggaamlike monster deur iemand wat wetlik gemagtig is om dit te doen;

(*b*) opname van daardie persoon in ’n gesondheidsinstelling of kwarantynterrein of afsondertingsterrein; of

(*c*) onderwerping van daardie persoon aan verpligte profilakse, behandeling, afsondering of kwarantyn of afsondering ten einde oordrag te voorkom:

Met dien verstande dat indien iemand nie voldoen aan die instruksie of opdrag van die afdwingingsbeampte nie, daardie persoon vir 48-uur in afsondering of kwarantyn, na gelang van die geval, geplaas moet word hangende die uitreiking van 'n lasbrief deur 'n bevoegde landdros, by aansoek deur 'n afdwingingsbeampte vir die mediese ondersoek in paragraaf *(a)* beoog.

(2) 'n Lasbrief in subregulasie (1) beoog, kan deur 'n landdros uitgereik word, indien dit uit inligting onder eed of plegtige verklaring deur 'n afdwingingsbeampte blyk—

(a) dat bevestig is dat 'n persoon met COVID-19 besmet is;

(b) dat 'n persoon op redelike gronde vermoed word COVID-19 op te gedoen het, of wat in kontak was met, of op redelike gronde vermoed word in kontak te gewees het wat 'n draer van of besmet is met COVID-19.

(3) Die lasbrief kan beperkings oplê op die bevoegdhede van die afdwingingsbeampte soos die landdros gepas ag.

(4) 'n Lasbrief ingevolge hierdie regulasie uitgereik bly van krag totdat—

(a) dit uitgevoer is;

(b) dit deur die persoon wat dit uitgereik het, gekanselleer word of, indien sodanige persoon nie beskikbaar is nie, deur enige persoon met soortgelyke gesag;

(c) die verstryking van negentig dae vanaf die datum van uitreiking daarvan; of

(d) die doel van die uitreiking van die lasbrief verstryk het,

wat ook al eerste geskied.

(5) Niemand is geregtig op vergoeding vir enige verlies of skade na aanleiding van enige *bona fide* handeling deur 'n afdwingingsbeampte kragtens hierdie regulasie nie.

Plekke van kwarantyn en afsondering

5. (1) Die Minister van Openbare Werke en Infrastruktuur moet, waar nodig, terreine identifiseer en beskikbaar stel vir gebruik as afsonderings- en kwarantynfasiliteite.

(2) Die Lede van die Uitvoerende Raad verantwoordelik vir openbare werke moet, waar nodig, terreine identifiseer en beskikbaar stel vir gebruik as afsonderings- en kwarantynfasiliteite in elke provinsie.

(3) Die rekenpligtige beamptes van munisipaliteite moet terreine wat as afsonderings- en kwarantynfasiliteite gebruik gaan word binne hul plaaslike gebiede identifiseer en beskikbaar stel en die lys aan die Departement van Gesondheid voorsien vir hulpbronvoorsiening.

Sluiting van skole en gedeeltelikesorgfasiliteite

6. Skole en gedeeltelikesorgfasiliteite moet vanaf 18 Maart 2020 tot 15 April 2020, gesluit wees, welke tydperk vir die duur van die nasionale ramptoestand deur die verantwoordelike kabinetslid verleng kan word.

Opskorting van besoeke

7. Alle besoeke deur lede van die publiek aan—

(*a*) korrektiewe sentrums;

(*b*) uitstel-aanhoudingsfasiliteite;

(*c*) selle;

(*d*) militêredetensiefasiliteite; en

(*e*) fasiliteite van die Departement van Maatskaplike Ontwikkeling, met inbegrip van kinder- en jeugsorgsentrums, skuilings, eenstopsentrums en behandelingsentrums,

word vir 'n tydperk van 30 dae vanaf die datum van publikasie van hierdie Kennisgewing opgeskort, welke tydperk deur die verantwoordelike Kabinetslid vir enige tydperk, maar nie langer as die duur van die nasionale ramptoestand nie, verleng kan word.

Beperking op die verkoping, uitdeel of vervoer van drank

8. (1) Alle binneverbruikpersele waar drank verkoop word, met inbegrip van tavernes, restaurante en klubs, moet onmiddellik gesluit word, of moet hoogstens 50 persone 50 persone te eniger tyd akkommodeer: Met dien verstande dat genoegsame spasie beskikbaar is en dat aan alle voorskrifte ten opsigte van higiëniese toestande en die beperking van blootstelling aan persone met COVID-19 voldoen word.

(2) Alle persele waar drank verkoop word wat akkommodasie voorsien, moet maatreëls instel om die verspreiding van COVID-19 te stop: Met dien verstande dat genoegsame spasie beskikbaar is en dat aan alle voorskrifte ten opsigte van higiëniese toestande en beperking van blootstelling aan persone met COVID-19 voldoen word.

(3) Geen spesiale of geleentheidsdranklisensie mag vir die duur van die nasionale ramptoestand vir goedkeuring oorweeg word nie.

(4) Alle binneverbruikpersele waar drank verkoop word in subregualsie (1) moet toe wees—

(i) tussen 18:00 en 09:00 die volgende oggend op weeksdae en Saterdae; en

(ii) van 13:00 op Sondae en openbare vakansiedae.

(5) Alle buiteverbruikpersele waar drank verkoop word moet toe wees—

(a) tussen 1800 en 09:00 die volgende oggend op weeksdae en Saterdae; en

(b) van 13:00 op Sondae en openbare vakansiedae.

Noodverkrygingsprosedures

9. Noodverkryging vir instellings is onderworpe aan—

(*a*) die Wet op Openbare Finansiële Bestuur, 1999 (Wet No. 1 van 1999), en die toepaslike noodbepalings in die Regulasies of Instruksies uitgevaardig kragtens artikel 76 van daardie Wet; en

(*b*) die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003), en die toepaslike noodbepalings in die Regulasies kragtens daardie Wet uitgereik.

Gesag om voorskrifte uit te reik

10. (1) Die Minister van Gesondheid—

(*a*) mag voorskrifte uitreik om die verspreiding van COVID-19 in enige area van die Republiek van Suid-Afrika te die hoof te bied, te voorkom en te bekamp, welke voorskrifte kan insluit—

(i) die werwing en opleiding van menslike hulpbronne van die Departement van Gesondheid, en ander entiteite verantwoordelik vir die hantering van COVID-19- stoflike oorskot;

(ii) ontplooiing van menslike hulpbronne van die Departement van Gesondheid na geïdentifiseerde terreine om dienste te lewer;

(iii) verkryging van menslike hulpbronne van die Uitgebreide Openbarewerkeprogram, afgetrede gesondheidsberoepslui en nieregeringsorganisasies om dienste in geïdentifiseerde plekke te lewer;

(iv) voorsiening van gesondheidstoerusting, materiaal vir sanitasie en mediese voorrade;

(v) identifikasie en stigting van lykshuise wat alle COVID-19- stoflike oorskot sal huisves;

(vi) beskikking oor COVID-19- stoflike oorskot; en

(*b*) mag die voorskrifte bedoel in paragraaf *(a)* verander soos omstandighede vereis.

(2) Die Minister van Justisie en Korrektiewe Dienste—

(*a*) mag voorskrifte uitreik om die verspreiding van COVID-19 in alle korrektiewe sentrums en uitstel-aanhoudingsfasiliteite in die Republiek van Suid-Afrika die hoof te bied, te voorkom en te bekamp;

(b) in oorleg met die Hoofregter, waar gepas, voorskrifte uitreik om die verspreiding van COVID-19 in alle howe en hofgebiede in die Republiek van Suid-Afrika die hoof te bied, te voorkom en te bekamp; en

(c) mag die voorskrifte in paragraaf *(a)* verander soos omstandighede vereis.

(3) Die Ministers van Basiese en Hoër Onderwys—

(*a*) mag voorskrifte uitreik om die verspreiding van COVID-19 in alle skole en inrigtings van hoër onderwys die hoof te bied, te voorkom en te bekamp; en

(*b*) mag die voorskrifte bedoel in *(a)* verander soos omstandighede vereis.

This gazette is also available free online at **www.gpwonline.co.za**

(4) Die Minister van Polisie—

(*a*) mag voorskrifte uitreik om die verspreiding van COVID-19 in alle polisiestasies, polisiegebiede en selle die hoof te bied, te voorkom en te bekamp; en

(*b*) mag die voorskrifte bedoel in paragraaf *(a)* verander soos omstandighede vereis.

(5) Die Minister van Maatskaplike Ontwikkeling—

(*a*) mag voorskrifte uitreik om die verspreiding van COVID-19 in alle fasiliteite van die Departement van Maatskaplike Ontwikkeling die hoof te bied, te voorkom en te bekamp; en

(*b*) mag die voorskrifte bedoel in paragraaf *(a)* verander soos omstandighede vereis.

(6) Die Minister van Handel en Nywerheid—

(*a*) mag voorskrifte uitreik om—

(i) verbruikers te beskerm teen uitermatige, onbillike, onredelike of onregverdige prysbepaling op goedere en dienste tydens die nasionale ramptoestand; en

(ii) sekuriteit en beskikbaarheid van die voorsiening van goedere en dienste voortspruitend uit die nasionale ramptoestand, handhaaf;

(b) voorskrifte uitreik om die verspreiding van COVID-19 aan te spreek, te voorkom en te bekamp; en

(*c*) die voorskrifte bedoel in paragraaf *(a)* verander soos omstandighede vereis.

(7) Die Minister van Vervoer—

(*a*) mag voorskrifte uitreik om die verspreiding van COVID-19 in aangeleenthede wat in sy mandaat val, die hoof te bied, te beperk en te bekamp; en

(*b*) mag die voorskrifte bedoel in paragraaf *(a)* verander soos omstandighede vereis.

(8) Enige Minister kan van tyd tot tyd, soos nodig, voorskrifte in sy of haar mandaat uitreik en verander om die verspreiding van COVID-19 die hoof te bied, te voorkom en te bekamp, met inbegrip van—

(*a*) verspreiding van inligting wat nodig is vir die hantering van die nasionale ramptoestand;

(*b*) inwerkingstelling van noodverkrygingsprosedures;

(*c*) die doen van enige ander stappe wat nodig mag wees om ’n verhewiging van die nasionale ramptoestand te voorkom, of om die uitwerking van die nasionale ramptoestand te versag, te stuit en te minimaliseer; of

(*d*) die doen van stappe om internasionale bystand te fasiliteer.

Misdrywe en strawwe

11. (1) By die toepassing van regulasie 3, is iemand wat—

(*a*) ’n byeenkoms saamroep;

(*b*) meer as 50 persone toelaat by ’n persoon waar drank verkoop en verbruik word; of

(*c*) ’n afdwingingsbeampte in die uitvoer van sy of haar bevoegdhede, of die verrigting van sy of haar pligte ingevolge hierdie Regulasies hinder, inmeng, of dwarsboom,

is skuldig aan ’n misdryf en, by skuldigbevinding, strafbaar met ’n boete of gevangenisstraf vir ’n tydperk van hoogstens ses maande of met beide daardie boete en daardie gevangenisstraf.

(2) Iemand is skuldig aan ’n misdryf indien daardie persoon versuim om te voldoen aan die bepalings van regulasies 6 en 9 van hierdie Regulasies of dit oortree.

This gazette is also available free online at **www.gpwonline.co.za**

(3) Iemand wat aan 'n misdryf in subregulasie (2) bedoel skuldig bevind word, is by skuldigbevinding strafbaar met 'n boete of met gevangenisstraf van hoogstens ses maande of met beide n boete en gevangenisstraf.

(4) Iemand wat doelbewus 'n wanvoorstelling maak dat hy, sy of enigiemand anders met COVID-19 besmet is, is skuldig aan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide daardie boete en gevangenisstraf.

(5) Iemand wat 'n verklaring, deur enige medium, ook sosiale media, publiseer met die bedoeling om enige ander persoon te mislei oor—

(a) COVID-19;

(b) COVID-19-infeksiestatus van iemand; of

(c) enige maatreël deur die Regering geneem om COVID-19 die hoof te bied,

pleeg 'n misdryf en is by skuldigbevinding strafbaar met 'n boete of gevangenisstraf vir 'n tydperk van hoogstens ses maande, of beide sodanige boete en gevangenisstraf.

(6) Iemand wat doelbewus iemand anders aan COVID-19 blootstel, kan vir 'n misdryf vervolg word, met inbegrip van aanranding, poging tot moord of moord vervolg word.

Inwerkingtreding

12. Hierdie Regulasies tree op die datum van publikasie in werking.

This gazette is also available free online at **www.gpwonline.co.za**