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DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

NO. R. 432

30 MARCH 2020

DISASTER MANAGEMENT ACT, 2002

DIRECTIONS ISSUED IN TERMS OF  
SECTION 27(2) OF THE DISASTER MANAGEMENT ACT, 2002  
(ACT NO. 57 OF 2002)

I, Dr Nkosazana Dlamini Zuma, the Minister of Cooperative Governance and Traditional Affairs, hereby, in terms of section 27(2) of the Disaster Management Act, 2002 (Act No. 57 of 2002), issue the directions in the schedule hereto, to address, prevent and combat the spread of COVID-19 in South Africa.

*NC Zuma*

DR NKOSAZANA DLAMINI ZUMA, MP  
MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

*30.03.2020*

## SCHEDULE

### Definitions

1. In these directions, "Directions" means the directions published by Government Notice No. 399 of 25 March 2020.

### Amendment of the Directions

2. **Direction 6.7 of the Directions is hereby amended by the substitution with the following Direction:**

#### **"6.7. Municipal operations and governance**

6.7.1 Municipalities are required to perform various legislated functions, including consultation processes, the passing of budgets and the adoption of integrated development plans (IDPs).

6.7.2 Only meetings of the Metropolitan and District Command Centres may be undertaken during the initial 21 Day Lockdown period, or any other extended period of Lockdown that may be declared.

#### **6.7.3 Municipalities are directed to:**

- (a) Suspend all council meetings during the initial 21 Day Lockdown period, or any other extended period of Lockdown that may be declared.
- (b) Not convene any meetings, including the IDP community and consultation processes and the consideration and passing of budgets, during the initial 21 Day Lockdown period, or any other extended period of Lockdown that may be declared.
- (c) Ensure that after the Lockdown period or any other extended period of Lockdown, but still during the national state of disaster, meetings requiring more than 100 persons to be present, make appropriate alternative arrangements for meetings to proceed. These arrangements may include the viewing of proceedings from different venues, and then casting their votes in the council chambers in groups, which do not exceed the 100-person limit at any given time, or counting the

votes made in the different venues and then such votes added to inform decision-making.

- (d) Undertake emergency procurement within the framework of the Disaster Management Act, 2002 and the transversal contracts issued by the National Treasury, that have been finalised by the Municipal Infrastructure Support Agent prior to the pandemic. (please just make sure that these are indeed transversal contracts) see PFMA and MFMA.
- (e) Adhere to all applicable National Treasury Regulations and MFMA Circular 100, *Emergency Procurement in Response to COVID-19 Pandemic*, that were issued by the National Treasury in terms of the *Municipal Finance Management Act, 2003* (Act No. 56 of 2003).
- (f) Ensure that during the initial 21 Day Lockdown period, or any other extended period of Lockdown that may be declared, notwithstanding any requirements in terms of any systems of delegation of municipalities, decision-making that would have required the approval of councils, council committees, mayoral or executive committees, will be made by the Municipal Manager on written recommendation of the Chief Financial Officer and with approval or concurrence of the mayor or executive mayor.
- (g) Ascertain that decisions taken in respect of paragraph (f) above must be of an emergency nature and which may not be able to be deferred to after the Lockdown, are reported and ratified in the first meeting of the relevant structure as per the systems of delegation of the municipality.
- (h) Report all procurement undertaken during the period of the state of disaster to the first council meeting after the lapsing or the termination of the state of disaster.

#### **6.7.4 Municipal entities are directed to:**

- (a) Ensure that during the initial 21 Day Lockdown period, or any other extended period of Lockdown that may be declared, notwithstanding any requirements in terms of any systems of delegation of municipalities, decision-making that

would have required the approval of councils, council committees, mayoral or executive committees, will be made by the Accounting Officer of the Entity on written recommendation of the Chief Financial Officer and with approval or concurrence of the Chairperson of the Board of the Entity.

- (b) Ascertain that decisions taken in respect of paragraph (a) above must be of an emergency nature and which may not be able to be deferred to after the Lockdown, are reported and ratified in the first meeting of the relevant structure as per the systems of delegation of the municipality.