

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**DEPARTMENT OF CO-OPERATIVE GOVERNANCE****NO. R. 610****11 July 2021****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 by Government Notice No. 313 of 15 March 2020, and extended by Government Notices Nos. 646 of 5 June 2020, 765 of 13 July 2020, 889 of 15 August 2020, 995 of 14 September 2020, 1090 of 14 October 2020, 1225 of 14 November 2020, No.1341 of 11 December 2020, No. R. 15 of 13 January 2021, No. R. 86 of 11 February 2021, No. R. 193 of 11 March 2021, No. 333 of 14 April 2021, No. R. 424 of 14 May 2021, No. R. 476 of 30 May 2021 and No. R. 493 of 11 June 2021, hereby in terms of section 27(2) of the Disaster Management Act, 2002, after consultation with the relevant Cabinet members, make the Regulations in the Schedule.



DR NKOSAZANA DLAMINI ZUMA, MP
MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS
DATE: 11.07.2021

SCHEDULE**Definitions**

1. In these Regulations, "the Regulations" means the regulations published by Government Notice No. R. 480 of 29 April 2020 as amended by Government Notices Nos. R. 608 of 28 May 2020, R. 714 of 25 June 2020, R.763 of 12 July 2020, R. 846 of 31 July 2020 R. 891 of 17 August 2020, No. 999 of 18 September 2020, No. 1011 of 20 September 2020, No. 1053 of 1 October 2020, No. 1104 of 21 October 2020, No. 1199 of 11 November 2020, No. 1290 of 3 December 2020, No. 1346 of 15 December 2020, No.1370 of 17 December 2020, No. 1421 of 24 December 2020, No. 1423 of 29 December 2020, No 1435 of 29 December 2020, No. R. 11 of 11 January 2021, No. R. 69 of 1 February 2021, No. R. 92 of 13 February 2021, No. R. 93 of 13 February 2021, No. R. 152 of 28 February 2021, No. R. 284 of 30 March 2021, No. 376 of 22 April 2021, No. R. 477 of 30 May 2021, No. R. 530 of 15 June 2021, No. R. 532 of 17 June 2021, No. R. 565 of 27 June 2021 and No. R. 567 of 29 June 2021.

Amendment of regulation 17 of the Regulations

2. Regulation 17 of the Regulations is hereby amended by the substitution for subregulation (4) of the following subregulation:

"(4)(a) Until 25 July 2021 after which this subregulation will be reviewed, interprovincial travel for leisure to and from Gauteng is prohibited.

(b) Travel to and from Gauteng is permitted—

- (i) for persons doing so in the course of carrying out work responsibilities or performing any service permitted under Adjusted Alert Level 4, provided that such person is in possession of a permit issued by the employer which corresponds with Form 7 of Annexure A;

- (ii) for the attendance of a funeral in or out of Gauteng: Provided that the person wishing to travel to or from Gauteng must obtain a permit which corresponds substantially with Form 4 of Annexure A, from his or her nearest magistrate's office or police station to travel to the funeral and back;
 - (iii) for the transportation of mortal remains;
 - (iv) for learners who have to commute to and from school or higher education institutions on a daily basis during periods when those institutions are permitted to operate;
 - (v) for members of Parliament with regards to their oversight responsibilities; and
 - (vi) for members of Provincial Legislatures, councilors and the members of political parties who occupy the top five positions of the party at national, provincial and regional levels
- (c) Travelling for purposes of—
- (i) moving to a new place of residence;
 - (ii) caring for an immediate family member;
 - (iii) obtaining medical treatment;
 - (iv) returning to their place of residence from a quarantine or isolation facility; and
 - (v) transiting through Gauteng,
- is allowed: Provided that such person is in possession of an affidavit which corresponds with Form 6 of Annexure A."

Amendment of regulation 18 of the Regulations

3. Regulation 18 of the Regulations is hereby amended by the substitution for paragraph (a) of subregulation (1) of the following paragraph:

"(a) Schools and institutions of higher education will be closed for contact classes until 26 July 2021."

Substitution of regulation 21 of the Regulations

4. Regulation 21 of the Regulations is hereby substituted of the following regulation:

"Gatherings

- 21.** (1) All gatherings are prohibited, except—
- (a) for funerals;
 - (b) when at a workplace; or
 - (c) when buying or obtaining goods and services.
- (1A) The provisions of regulation 21 will apply until 25 July 2021 after which the content of regulation 21 will be reviewed.
- (2) All social gatherings, including faith-based gatherings are prohibited.
- (3) Gatherings at political events and traditional council meetings are prohibited.
- (4) Gatherings at a workplace for work purposes are allowed, subject to strict adherence to all health protocols and social distancing measures.
- (5) Gatherings at cinemas and theatres are prohibited.
 - (6) Gatherings at casinos are prohibited.
 - (7) Gatherings at museums, galleries, archives and libraries are prohibited.

(8) Gatherings at gyms, fitness centres and swimming pools are permitted, subject to a limitation of 50 persons or less and if the relevant space is too small to hold the prescribed number of persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the space may be used, subject to strict adherence to all health protocols and further subject to strict adherence to health protocols and social distancing measures, as provided for in directions issued by the relevant Cabinet member, made after consultation with the Cabinet member responsible for health.

(9) Gatherings at conferencing, exhibitions and entertainment facilities are prohibited.

(10) Gatherings at the following places are allowed, subject to the limitations set out below—

- (a) hotels, lodges, bed and breakfasts, timeshare facilities, resorts and guest houses are allowed full capacity of the available rooms for accommodation, with patrons wearing face masks and observing a distance of at least one and a half metres from each other when in common spaces; and
- (b) restaurants and other in-house dining facilities is limited to 50 persons or less and if the venue is too small to hold the prescribed number of persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used, subject to strict adherence to all health protocols, the adherence to the restrictions on the sale of alcohol and further subject to strict adherence to directions on the times of operation, health protocols and social distancing measures, as provided for in directions issued by the relevant Cabinet member, made after consultation with the Cabinet member responsible for health.

(11) An owner or manager of an establishment listed in subregulation (10)(a) and (b) must ensure compliance with these Regulations.

(12) An owner or manager of an establishment listed in subregulation (10)(a) and (b), who fails to comply with these Regulations, commits an offence and is, on conviction, liable to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(13) Gatherings at agricultural and game auctions are allowed, subject to strict adherence to all health protocols, social distancing measures and directions issued by the relevant Cabinet member, in consultation with the Cabinet member responsible for health.

(14) Sporting activities, including both professional and non-professional matches, by recognised sporting bodies are allowed, subject to strict adherence to the times of operation as provided for in regulation 17(3) and the following:

- (a) Directions for sports matches issued by the Cabinet member responsible for sport after consultation with the Cabinet member responsible for health;
- (b) only journalists, radio, television crew, security personnel, emergency medical services, and the necessary employees employed by the owners of the venue of the sport match, are allowed at the venue of the sport match;
- (c) only the required number of players, match officials, support staff and medical crew required for the sport match, are allowed at the venue of the sport match;
- (d) no spectators are allowed at the venue of the sports match; and
- (e) international sport events involving countries with a low or medium COVID-19 infection and transmission rate are allowed.

(15) An owner or operator of a sporting facility must, when sporting activities contemplated in subregulation (14) take place, ensure compliance with the prohibition on spectators contemplated in subregulation (14)(d).

(16) An owner or manager of a sporting facility who fails to comply with subregulation (15), commits an offence and is, on conviction, liable to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(17) Any person who, as a spectator, attends a sporting facility when sporting activities contemplated in subregulation (14) take place, commits an offence and is, on conviction, liable to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(18) An enforcement officer must, where a gathering in contravention of the regulations takes place—

- (a) order the persons at the gathering to disperse immediately; and
- (b) if the persons refuse to disperse, take appropriate action, which may, subject to the Criminal Procedure Act, 1977 (Act No. 51 of 1977), include the arrest and detention of any person at the gathering.

(19) A convener of a faith based, religious, social, political or cultural gathering who fails to comply with subregulation (2) and (3), commits an offence and is, on conviction, liable to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(20) Any person who attends a faith based, religious, social, political or cultural gathering and who knows or ought reasonably to have known or suspected that it is prohibited, commits an offence and is, on conviction, liable to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment."

Substitution of regulation 24 of the Regulations

5. Regulation 24 of the Regulations is hereby substituted of the following regulation:

"Places and premises closed to the public

24. (1) Until 25 July 2021 after which this provision will be reviewed, any place or premises normally open to the public where religious, cultural, entertainment, recreational, or similar activities, which are prohibited in terms of these regulations, may take place, is closed.

(2) Until 25 July 2021 after which this provision will be reviewed, the following places or premises normally open to the public or where people may gather, are closed and include—

- (a) flea markets;
- (b) fêtes and bazaars;
- (c) night clubs;
- (d) casinos;
- (e) taverns and *shebeens*, or similar establishments;
- (f) conferencing, exhibitions and entertainment facilities;
- (g) museums, libraries, archives and galleries, and
- (h) older persons' residential facilities for visits.

(3) Persons rendering security and maintenance services may continue to perform these services at the places or premises listed in this regulation.

(4) The Cabinet member responsible for cooperative governance and traditional affairs may, by direction in the *Gazette*, determine

(4) The Cabinet member responsible for cooperative governance and traditional affairs may, by direction in the *Gazette*, determine any other place or premises that must be closed, if there is a risk to any person or members of the public being exposed to COVID-19."

Amendment of regulation 30 of the Regulations

6. Regulation 30 of the Regulations is hereby amended by the addition of the following subregulation after subregulation (4):

"(5) The Cabinet member responsible for small business development will issue directions in respect of the extension of business licences and permits which expired between 29 May 2020 and 30 June 2021."

Substitution of Table 1 of the Regulations

7. Table 1 of the Regulations is hereby substituted of the following Table:

**"TABLE 1
ADJUSTED ALERT LEVEL 4**

All persons who are able to work from home must do so. However, persons will be permitted to perform any type of work outside the home, and to travel to and from work and for work purposes under Adjusted Alert Level 4, subject to—

- (a) strict adherence to health protocols and social distancing measures;
- (b) the return to work being phased-in in order to put in place measures to make the workplace COVID-19 ready;
- (c) the return to work being done in a manner that avoids and reduces risks of infection; and
- (d) the work not being listed under the specific exclusions in this Table.

SPECIFIC EXCLUSIONS

SPECIFIC EXCLUSIONS	
1.	Night vigils.
2.	After-funeral gatherings including "after-tears" gatherings.
3.	Social gatherings.
4.	Political events and traditional community meetings (<i>izimbizo</i>).
5.	Night clubs.
6.	The land borders that remain closed, excluding the land borders contemplated in regulation 26(1).
7.	Initiation practices.
8.	Post-initiation practices (<i>imigidi</i>).
9.	Passenger ships for international leisure purposes, excluding small crafts, in line with health and border law enforcement.
10.	Attendance of any sporting event by spectators.
11.	Exclusions relating to public transport services as set out in the directions issued by the Cabinet member responsible for transport.
12.	Exclusions relating to education services as set out in the directions issued by the Cabinet members responsible for education."

Substitution of Form 6 of Annexure A to the Regulations

8. Form 6 of Annexure A to the Regulations is hereby substituted of the following Form:

**"FORM 6
SWORN AFFIDAVIT BY PERSON WHO INTENDS TO TRAVEL TO AND FROM
ANOTHER PROVINCE DURING ADJUSTED ALERT LEVEL 4**

Note: This affidavit may only be sworn to or affirmed at a magistrate's court or police station.

I,

Full names:					
Surname:					
Identity number					
Address of place of residence:					
Province of residence:					
Contact details:	Cell nr		Tel No (h)		e-mail address

(Please indicate with an "X")

Hereby declare under oath that I am—

- moving to a new place of residence
- caring for an immediate family member;
- obtaining medical treatment;
- returning to their place of residence from a quarantine or isolation facility; and
- transiting through Gauteng,

that requires travel across Provinces during Adjusted Alert Level 4.

***OATH/AFFIRMATION**

I, _____ (full names), identity number _____, hereby declare under *oath/affirmation that the above-mentioned information is true and correct.

Signed at _____ on this _____ day of _____ 20____.

Signature of deponent

CERTIFICATION

I hereby certify that before administering the *oath/taking the affirmation, I asked the deponent the following questions and noted *his/her answers in *his/her presence as indicated below:

- (a) Do you know and understand the contents of the above declaration?
Answer: _____
- (b) Do you have any objection to taking the *oath/affirmation?
Answer: _____
- (c) Do you consider the *oath/affirmation to be binding on your conscience?
Answer: _____

I hereby certify that the deponent has acknowledged that *he/she knows and understands the content of this declaration which was *sworn to/affirmed before me, and the deponent's signature was placed thereon in my presence.

Signed at _____ on this _____ day of _____ 20_____.

*Justice of the Peace/Commissioner of Oaths".

Commencement

- 9. These Regulations will come into operation on the date of publication in the *Gazette*.