

## GENERAL NOTE

These Regulations are repealed by GNR.1988 published in *Government Gazette* 46197 of 4 April 2022, except regulations 67, 69 and 75 which continue to operate and be of force and effect for a period of one month from 4 April 2022, whereupon they will automatically lapse with effect from 4 May 2022 and Chapter 8 which continues to operate and be in force until terminated in terms of Regulation 100 of Chapter 8.

**GNR.480 of 29 April 2020: Regulations issued in terms of section 27 (2) of the Act  
(Government Gazette No. 43258)**

	as amended by	
Notice	<i>Government Gazette</i>	Date
608	43364	28 May 2020 w.e.f. 1 June 2020
714	43476	25 June 2020
763	43521	12 July 2020
846	43577	31 July 2020
891	43620	17 August 2020
999	43725	18 September 2020 w.e.f. 21 September 2020
1011	43727	20 September 2020 w.e.f. 21 September 2020
1053	43763	1 October 2020
1104	43825	21 October 2020 w.e.f. 22 October 2020
1199	43897	11 November 2020 w.e.f. 12 November 2020
1290	43964	3 December 2020 w.e.f. 4 December 2020
1346	43997	15 December 2020
1370	44009	17 December 2020
1421	44042	24 December 2020
R.1423	44044	29 December 2020
R.1435	44051	29 December 2020
R.11	44066	11 January 2021
R.69	44130	1 February 2021
R.92	44158	13 February 2021
R.93	44159	13 February 2021
R.152	44201	28 February 2021
R.284	44367	30 March 2021
376	44485	22 April 2021
R.477	44642	30 May 2021
R.530	44715	15 June 2021 w.e.f. 16 June 2021
R.532	44721	17 June 2021
R.565	44772	27 June 2021 w.e.f. 28 June 2021
R.567	44778	29 June 2021
R.610	44838	11 July 2021
R.612	44844	14 July 2021
R.614	44850	14 July 2021
R.651	44895	25 July 2021
669	44911	30 July 2021
R.869	45156	12 September 2021 w.e.f. 13 September 2021
R.953	45222	26 September 2021
R.960	45253	30 September 2021
R.1024	45297	11 October 2021
R.1633	45674	17 December 2021
R.1646	45697	21 December 2021
R.1659	45715	30 December 2021
R.1715	45855	1 February 2022

R.1759  
R.1915  
R.1986

45922  
46078  
46195

15 February 2022  
22 March 2022  
4 April 2022

DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL  
AFFAIRS

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 in *Government Gazette* No. 43096 on 15 March 2020, 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.

(Signed)

**DR NKOSAZANA DLAMINI ZUMA, MP**

**MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**DATE: 29.04.2020**

**SCHEDULE**  
**CLASSIFICATION OF REGULATIONS**

[Classification of Regulations amended by GNR.1986 of 4 April 2022.]

**CHAPTER 6**  
**ADJUSTED ALERT LEVEL 1**

- 67. Mandatory protocols when in a public place
- 69. Gatherings
- 75. Partial re-opening of borders

**CHAPTER 8**  
**COVID-19 VACCINE INJURY NO-FAULT COMPENSATION SCHEME**

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- 89. Establishment of COVID-19 Vaccine Injury No-Fault Compensation Scheme
- 90. Administration of the Scheme
- 91. Financial management and oversight of the Scheme
- 91A. Governance and Oversight
- 92. Adjudication Panel and Appeal Panel
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- 97. Causality determination
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- 99. Appeal
- 100. Duration and termination of Scheme
- 101. Condonation
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**67. Mandatory protocols when in a public place.**—(1) For the purposes of these Regulations, a “face mask” means a cloth face mask or a homemade item that covers the nose and mouth, or another appropriate item to cover the nose and mouth.

(2) The wearing of a face mask is mandatory for every person when in an indoor public place, excluding a child under the age of six years.

(3) No person will be allowed to—

- (a) use, operate, perform any service on any form of public transport; or
- (b) enter or be in a building, place or premises, including government buildings, places or premises, used by the public to obtain goods or services,

if he or she is not wearing a face mask.

(4) (a) All persons in an open public space need not wear a face mask but must maintain a distance of at least one metre from another person.

(b) The school environment is excluded from the requirement of maintaining a distance of at least one metre from another person.

(5) An employer may not allow any employee to perform any duties or enter the employment premises if the employee is not wearing a face mask while performing his or her duties.

[Reg. 67 amended by GNR.1915 of 22 March 2022 and substituted by GNR.1986 of 4 April 2022.]

(Editorial Note: Reg. 67 continues to operate and be of force and effect for a period of one month from 4 April 2022, whereupon it will automatically lapse with effect from 4 May 2022.)

**69. Gatherings.**—(1) All gatherings, including faith-based or religious, social, political and cultural, gatherings at restaurants, bars, *shebeens* and taverns; gatherings at conferencing, exhibitions, dining, gyms, fitness centres, casinos and entertainment facilities, gatherings at venues hosting auctions including agricultural auctions, sporting activities, including both professional and non-professional matches, by recognised sporting bodies, where persons who are—

- (a) fully vaccinated and in possession of a valid vaccination certificate; or
- (b) unvaccinated but in possession of a valid certificate of a negative COVID-19 test, recognised by the World Health Organisation, which was obtained not more than 72 hours before the date of the gathering,

are allowed at up to 50% of the capacity of the venue: Provided that entry to the venue is conditional upon production of a valid certificate as referred to in paragraph (a) or (b) and subject to strict adherence to all health protocols and social distancing measures.

(2) All gatherings, including faith-based or religious, social, political and cultural, gatherings at restaurants, bars, *shebeens* and taverns; gatherings at conferencing, exhibitions, dining, gyms, fitness centres, casinos and entertainment facilities, gatherings at venues hosting auctions including agricultural auctions, sporting activities, including both professional and non-professional matches, by recognised sporting bodies, where persons who are—

- (a) not fully vaccinated or in possession of a valid vaccination certificate; or
- (b) unvaccinated and not in possession of a valid certificate of a negative COVID-19 test, recognised by the World Health Organisation, which was obtained not more than 72 hours before the date of the gathering,

are allowed but limited to 1000 persons or less for indoor venues and 2000 persons or less for outdoor venues and if the venue is too small to hold the prescribed number of persons observing a distance of at least one metre 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 and social distancing measures.

(3) An owner or operator of any indoor or outdoor facility where gatherings are held must display the certificate of occupancy which sets out the maximum number of persons the facility may hold.

(4) Gatherings at a workplace for work purposes are allowed, subject to strict adherence to all health protocols and social distancing measures.

(5) 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 metre from each other when in common spaces.

[Reg. 69 amended by GNR.1024 of 11 October 2021 and substituted by GNR.1659 of 30 December 2021, by GNR.1915 of 22 March 2022 and by GNR.1986 of 4 April 2022.]

(Editorial Note: Reg. 69 continues to operate and be of force and effect for a period of one month from 4 April 2022, whereupon it will automatically lapse with effect from 4 May 2022.)

**75. Partial re-opening of borders.**—(1) (a) The 21 land borders which are fully operational, will remain as such and the 32 land borders which were closed, will remain closed.

(b) The Cabinet member responsible for Home Affairs may, from the date of commencement of this amendment to the Regulations, issue directions regarding the opening and closing of any further Ports of Entry.

(2) Traveling to and from the Republic from neighbouring countries is allowed: Provided that travellers who are—

- (a) fully vaccinated must upon arrival at the land border produce a valid vaccination certificate; and
- (b) unvaccinated must upon arrival at the land border, provide a valid certificate of a negative COVID-19 test, recognised by the World Health Organisation, which was obtained not more than 72 hours before the date of travel.

(3) (a) International air travel is restricted to the following airports—

- (i) OR Tambo International Airport;
- (ii) King Shaka International Airport;
- (iii) Cape Town International Airport;
- (iv) Lanseria International Airport; and
- (v) Kruger Mpumalanga International Airport.

(b) All international travellers arriving at the Ports of Entry listed in paragraph (a) who are—

- (i) fully vaccinated must upon arrival at the Port of Entry, produce a valid vaccination certificate; and
- (ii) unvaccinated must upon arrival at the Port of Entry, provide a valid certificate of a negative COVID-19 test, recognised by the World Health Organisation, which was obtained not more than 72 hours before the date of travel.

(c) Outbound travellers from South Africa must comply with the requirements of the country of destination.

(4) All commercial seaports will remain open and small crafts, and all passenger ships, including cruise ships, will be allowed entry into seaports, in-line with all health and border law enforcement protocols.

[Reg 75 amended by GNR.1633 of 17 December 2021, by GNR.1646 of 21 December 2021, by GNR.1659 of 30 December 2021 and by GNR.1915 of 22 March 2022 and substituted by GNR.1986 of 4 April 2022.]

(Editorial Note: Reg. 75 continues to operate and be of force and effect for a period of one month from 4 April 2022, whereupon it will automatically lapse with effect from 4 May 2022.)

## CHAPTER 8

### COVID-19 VACCINE INJURY NO-FAULT COMPENSATION SCHEME

[Ch. 8 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

(Editorial Note: Chap. 8 continues to operate and be in force until terminated in terms of Regulation 100 of Chap. 8.)

**88. Definitions.**—For the purposes of this Chapter, unless the context otherwise indicates—

“**AEFI**” means any untoward medical occurrence that may present after vaccination, whether or not it has a causal relationship to the administration of the vaccine concerned;

“**claim**” means a claim made in terms of regulation 95;

“**claimant**” means a person who makes a claim in terms of regulation 95;

“**COVID-19 Vaccine Injury**” means a serious injury as referred to in regulation 93 (1) and specified as contemplated in regulation 93 (3);

“**dependant**” means the spouse of the deceased person; the permanent life partner of the deceased person; the child of the deceased person; a person to whom the deceased person is legally liable for maintenance; or a person who is factually dependent upon the deceased person for maintenance;

“**NISEC**” means the National Immunisation Safety Expert Committee, a non-statutory, standing, advisory committee of independent experts, appointed by the Cabinet member responsible for Health;

“**Promotion of Administrative Justice Act, 2000**” means the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000);

“**Public Finance Management Act, 1999**” means the Public Finance Management Act, 1999 (Act No. 1 of 1999); and

“**the Scheme**” means the COVID-19 Vaccine Injury No-Fault Compensation Scheme established by regulation 89.

[Reg. 88 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**89. Establishment of the COVID-19 Vaccine Injury No-Fault Compensation Scheme.**—(1) A COVID-19 Vaccine Injury No-Fault Compensation Scheme is hereby established in terms of section 27 (2) (c), (m) and (n) of the Act.

(2) The Scheme is an essential part of the COVID-19 vaccination roll-out, which is a critical component of the national plan and response to alleviate, contain and minimise the effects of the disaster, and ultimately to end the national state of disaster.

(3) The purpose of the Scheme is to provide expeditious and easy access to compensation, for persons who suffer from a COVID-19 Vaccine Injury caused by the administration of an approved COVID-19 vaccine, which was administered at an authorised facility within the Republic, as specified in directions issued by the Cabinet member responsible for Health in terms of regulation 93 (3), without having to establish fault.

(4) In order to ensure the effective and efficient administration of the Scheme in a manner that ensures fairness in the assessment and administration of claims, and respects the constitutional rights of claimants, the Cabinet member responsible for Health must issue directions in consultation with the Cabinet member responsible for Finance in respect of—

- (a) the requirements relating to the administration of the Scheme;
- (b) the policy in respect of the administration of the Scheme;
- (c) the reporting of a COVID-19 Vaccine Injury;
- (d) the claims system;
- (e) the eligibility requirements of the Scheme;
- (f) the size of the Adjudication Panel, and the Appeal Panel;
- (g) the qualifications for appointment of members of the Adjudication Panel, and members of the Appeal Panel; and
- (h) any other matter relevant to the effective, efficient and fair administration of the Scheme.

[Reg. 89 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**90. Administration of the Scheme.**—(1) The National Department of Health is responsible for the administration of the Scheme and its funds.

(2) The Director-General of the National Department of Health must establish administration of the scheme and its funding arrangements, in consultation with the National Treasury.

[Reg. 90 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**91. Financial management and oversight of the Scheme.**—(1) The funds of the Scheme consist of—

- (a) funds appropriated by an Act of Parliament to the vote of Health or from contingencies in terms of appropriation legislation or the Public Finance Management Act; and
- (b) funds donated to the Scheme in accordance with existing donor procedures and requirements.

(2) The Cabinet member responsible for Finance may, in consultation with the Cabinet member responsible for Health, issue directions in respect of the requirements relating to the financial management and oversight of the Scheme that are in accordance with the Public Finance Management Act, 1999.

(3) The funds identified for the Scheme may not be utilised for purposes other than payment of compensation in terms of the Scheme; the implementation and administration of the Scheme; and as provided in regulation 100 (3).

[Reg. 91 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**91A. Governance and Oversight.**—The Director General of Health, as the accounting officer, is responsible for overseeing the implementation of the Scheme in terms of this Chapter and the directions issued in terms hereof, and to provide advice to the Cabinet member responsible for Health and the Cabinet member responsible for Finance in respect of the implementation of the Scheme.

[Reg. 91A added by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**92. Establishment of the Adjudication Panel and Appeal Panel.**—(1) The functionaries of the claims adjudication process of the Scheme hereby established are—

- (a) the Adjudication Panel; and
- (b) the Appeal Panel.

(2) (a) The Adjudication Panel shall comprise of at least 3, but no more than 5 members.

(b) The Cabinet member responsible for Health must appoint the members of the Adjudication Panel, following a nomination process, and subject to the criteria set out in directions and the call for nominations, relating to qualifications, expertise and experience.

(c) The members of the Adjudication panel must between them have appropriate medical expertise, financial expertise, and expertise in the adjudication of compensation of injuries.

(3) (a) The Appeal Panel shall comprise of 3 or more permanent members and 2 additional members, who may be appointed if additional expertise is required, who all may be appointed by the Cabinet member responsible for Health following a nomination process, and subject to the criteria set out in the directions and the call for nominations, relating to qualifications, expertise and experience.

(b) The Appeal Panel must be chaired by an advocate or attorney with at least 15 years' experience.

(c) At least one of the permanent members of the Appeal Panel must have medical expertise and at least one of the permanent members of the Appeal Panel must have expertise in finance or in the assessment of damages.

(4) (a) The members of the Adjudication Panel and Appeal Panel must be independent from each other and possess appropriate expertise to fulfil their functions in respect of the implementation of the Scheme.

(b) The members of the Adjudication Panel and the permanent and additional members of the Appeal Panel are appointed for the period, and on the terms and conditions, determined in writing by the Cabinet member responsible for Health.

(c) The Director-General of the National Department of Health must provide necessary administrative support to the Adjudication Panel and Appeal Panel.

(d) The Adjudication Panel and Appeal Panel shall take their decisions independently in terms of these Regulation and the Directions thereunder, and no person shall interfere with their decisions.

(5) The Adjudication Panel and Appeal Panel must take decisions and make assessments in accordance with—

- (a) the requirements contained in regulation 93 and the directions issued in terms of regulation 93 (3); and
- (b) the directions issued in terms of regulation 94.

(6) The Adjudication Panel must further comply with regulation 98 in the adjudication of claims.

(7) The Appeal Panel must further comply with regulation 99 in the adjudication of appeals.

[Reg. 92 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**93. Eligibility.**—(1) A person—

- (a) who was vaccinated with a COVID-19 vaccine that was procured and distributed by the National Government and administered as part of the national vaccination programme as specified in directions as contemplated in subregulation (3) (c); and
- (b) who suffers from or has suffered from a serious COVID-19 Vaccine Injury as specified in directions as contemplated in subregulation (3); and
- (c) whose serious COVID-19 vaccine injury is determined by NISEC to be causally related to the administration of the COVID-19 vaccine concerned,

is eligible for compensation from the Scheme subject to the provisions of regulation 94 and the directions issued in terms of these regulations, and in particular directions contemplated in subregulation (3) and regulation 94.

(2) A dependant of a deceased person, whose death was caused by a COVID-19 Vaccine Injury, where the requirements of subregulations 93 (1) (a) to (c) are met, is eligible for compensation from the Scheme, subject to the provisions of regulation 94 and the directions issued in terms of these regulations, and in particular directions contemplated in subregulation (3) and regulation 94.

(3) The Cabinet member responsible for Health, in consultation with the Cabinet member responsible for Finance, must issue directions specifying—

- (a) the types of injury that constitute a COVID-19 Vaccine injury that is covered by the Scheme;
- (b) the types of loss or damage covered;
- (c) the specific approved vaccines to be covered, which must be registered or otherwise approved by the South African Health Products Regulatory Authority and initially procured and distributed by the National Government;
- (d) authorised sites in the Republic where COVID-19 vaccinations are officially administered;
- (e) the duration of the COVID-19 Vaccine Injury after the administering of the vaccination that the Scheme will cover; and
- (f) the period in respect of which claims for compensation may be submitted to the Scheme.

(4) A person who has submitted a claim for compensation under the Compensation for Occupational Injuries and Diseases Act, 130 of 1993 for an AEFI arising from vaccination is not eligible for compensation under the Scheme.

[Reg. 93 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**94. Compensation.**—(1) The Cabinet member responsible for Health, in consultation with the Cabinet member responsible for Finance, must issue directions specifying the compensation that will be provided under the Scheme.

(2) Such compensation shall—

- (a) be a capped amount to be outlined in the directions, in respect of the type of injury listed under a COVID-19 Vaccine Injury; and
- (b) make provision for lump sum compensation payments.

(3) The categories of compensation which may be awarded are for:

- (a) death;
- (b) permanent disability; and



(c) temporary disability.

(4) Compensation in terms of the Scheme shall only include those types of compensation specified in terms of directions.

[Reg. 94 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**95. Submission of claims and procedure.**—(1) Any person who maintains that he or she meets the requirements for claiming compensation from the Scheme in terms of regulation 93 (1) or regulation 93 (2) must report the AEFI in the manner and within the time period set by the directions, so as to allow for a causality determination by NISEC in terms in terms of regulation 97.

(Editorial Note: Wording as per original *Government Gazette*.)

(2) Where a person seeks to claim from the Scheme without complying with regulation 95 (1), the Scheme must direct the person's attention to the provisions of regulation 95 (1) and provide the details of the process to report the AEFI.

(3) Following the communication of a causality determination by NISEC in terms of regulation 97, a claim to the Scheme must be submitted by an eligible person, or a person duly authorised to act on behalf of an eligible person, to the Scheme and must be submitted in the manner and within the time period set by the directions.

(4) The Cabinet member responsible for Health must, after consultation with the Director General of the National Department of Health, issue directions specifying—

- (a) procedures for instituting and submitting claims to the Scheme, including the form to be used for submitting claims;
- (b) procedures for claims to be adjudicated by the adjudication panel, including the period in which a claim must be adjudicated; and
- (c) procedures for appealing any decision of the adjudication panel or any determination of NISEC, including the periods in which a claim must be appealed and in which the appeal must be decided.

[Reg. 95 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**96. Effect of submission of claims on right to claim damages in court proceedings.**—(1) Any person who elects to submit a claim to the Scheme in terms of these Regulations thereby agrees to follow and abide by the procedure for the adjudication and appeal of claims set out in these regulations.

(2) Any person who elects to submit a claim to the Scheme in terms of these regulations and is awarded compensation from the Scheme thereby abandons their right to institute a damages claim in a Court against any party arising from harm, loss or damage allegedly caused by a COVID-19 Vaccine Injury.

(3) The provisions of this regulation shall not affect the right of any claimant to review an adverse decision in the High Court in terms of the Promotion of Administrative Justice Act, 2000.

(4) The Cabinet member responsible for Health must ensure that the form for submitting a claim contemplated in regulation 95 (4) (a) explains in plain language the effect of regulations 96 (1) to 96 (3).

[Reg. 96 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**97. Causality determination.**—(1) NISEC must determine the causality between the administration of a COVID-19 vaccine and the injury allegedly caused by the COVID-19 vaccine.

(2) To determine causality, NISEC must apply the World Health Organisation Methodology for Causality assessment of adverse events following immunisation, as may be published from time to time by the World Health Organisation.

(3) (a) The determination on causality on an AEFI and relevant information by NISEC must be communicated to the person concerned in terms of the directions.

(b) In the event of NISEC finding causality, the Scheme must refer the claim to the Adjudication Panel for adjudication in terms of regulation 98.

(c) If NISEC makes a determination of non-causality, the claimant may refer the matter to the Appeal Panel in terms of regulation 99 (1) (a).

[Reg. 97 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**98. Adjudication of claims.**—A claim contemplated in regulation 97 (3) (a) will be adjudicated by the designated members of the Adjudication Panel, who must determine compensation in accordance with regulation 94 and the directions issued by the Cabinet member responsible for Health.

[Reg. 98 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**99. Appeals.**—(1) A claimant who is dissatisfied by—

(a) a determination of non-causality by NISEC as contemplated by regulation 97 (3) (b); or

(b) a decision of the adjudication panel as contemplated by regulation 98,

may appeal such decision to the Appeal Panel within the specified period.

(2) The Appeal Panel hearing an appeal in terms of subregulation (1) may—

(a) confirm, vary or set aside the determination of NISEC or the decision of the Adjudication Panel, whichever is applicable;

(b) where it deems it is necessary for the proper adjudication of an appeal, call for and receive new information or evidence relevant to the claim; and

(c) where it deems it is necessary for the proper adjudication of an appeal, appoint appropriately qualified persons (if already not part of the panel) to assist in the determination of the claim.

(3) Any decision of the Appeal Panel is final and binding, but may be reviewed under the Promotion of Administrative Justice Act, 2000.

[Reg. 99 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**100. Duration and termination of Scheme.**—(1) This Chapter, the directions issued in terms hereof, and the existence of the Scheme—

(a) will not cease to operate or cease to be of force and effect merely because the national state of disaster comes to an end; and

(b) will continue to operate and be of force and effect until a notice is published by the Cabinet member responsible for Health, in consultation with the Cabinet member responsible for Finance, in the *Gazette* terminating the Scheme.

(2) The Scheme shall not be terminated until—

(a) the period prescribed in the directions for the submissions of claims to the Scheme has expired; and

- (b) all claims lodged with the Scheme within the period prescribed in the directions have been finalised.

(3) Any funds which remain in the Scheme immediately before it is terminated shall be deposited into the National Revenue Fund, or shall otherwise be dealt with in terms of an Act of Parliament.

[Reg. 100 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**101. Condonation.**—(1) A person who—

- (a) is affected by a vaccine injury which manifested on or before the date of publication of this amendment to the Regulations; and
- (b) contends that he or she has been unfairly precluded from obtaining compensation from the Scheme by virtue of these amendments to the Regulations,

may apply to the Appeal Panel for condonation in order to have his or her claim fairly dealt with and adjudicated.

(2) The Appeal Panel may grant condonation to a person envisaged in subregulation (1) where it is of the view that to do so would be justified in all the circumstances and would promote the aims of the Scheme.

(3) In cases other than those envisaged in sub-regulations (1) and (2) above, the Appeal Panel may grant condonation for a failure to comply with a time period set by these Regulations or the Directions issued thereunder where:

- (a) good cause has been shown for the failure to comply with the time period;
- (b) granting condonation would not preclude a proper assessment of the claim, including the question of causality; and
- (c) granting condonation would promote the aims of the Scheme.

[Reg. 101 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]

**102. Contact details of Scheme.**—The contact details of the Scheme are as follows:

The Director General  
National Department of Health  
A B Xuma Building  
128 Voortrekker Rd  
Raslow AH  
PRETORIA  
0157  
eMail: dg@health.gov.za  
Tel (012) 395 8402.

[Reg. 102 added by GN 376 of 22 April 2021 and substituted by GNR.1986 of 4 April 2022 deemed to have come into operation on 22 April 2021.]