



## **BRIEFING TO THE PORTFOLIO COMMITTEE ON COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS ON THE IMPLEMENTATION OF DISASTER MANAGEMENT REGULATIONS ON COVID-19**

### **1. PURPOSE**

The purpose of this report is to brief the Portfolio Committee on Cooperative Governance and Traditional affairs on the work that the department has embarked on since the announcement of the State of National Disaster was declared by the President, Mr Matamela Cyril Ramaphosa on 15 March 2020.

The Portfolio Committee on Cooperative Governance and Traditional noted and commended the Regulations, amendments and Directives emanating from the Ministry of Cooperative Governance and Traditional Affairs in the wake of the national state of disaster declared in response to the COVID 19 pandemic. The Committee requested that the Minister clarify some matters in a briefing to the committee scheduled for 21 April 2020.

In order to report on the issues highlighted by the Committee a high level introduction of the Covid-19 pandemic is provided to frame the legislative measures taken to mitigate and respond to the COVID-19 pandemic.

### **2. INTRODUCTION**

The Coronavirus disease 2019 (COVID-19) is an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2). The disease was first identified in December 2019 in Wuhan, the capital of China's Hubei province, and has since spread globally, resulting in the ongoing Covid-19 pandemic.

## **2.1 Status of Covid-19 globally**

At present, according to the World Health Organisation, 213 countries have listed 2 404 745 confirmed Covid-19 cases globally with 165 257 fatalities of which 625 257 people have recovered. A total of 1 614 231 people are still suffering from the effects of the disease and are still in need of medical care. This places a huge strain on the healthcare system of the affected countries and where the system cannot cope leads to higher mortality rates.

Globally, countries have adopted different means of dealing with the disease which have fundamentally altered their cumulative cases. The two graphs below shows the comparison of the cumulative number of cases and deaths.

## **2.2 Status of Covid-19 in South Africa**

South Africa's first COVID-19 case was confirmed on 5 March 2020. In response to this, the President, His Excellency, Mr. Matamela Cyril Ramaphosa convened a special Cabinet meeting on 15 March 2020, where it was resolved to declare a national state of disaster.

In this regard, the Minister of Cooperative Governance and Traditional Affairs (COGTA) issued a Gazette formally declaring a national state of disaster, in terms of Section 27 of the Disaster Management Act, 2002. The President, on 15 March 2020, addressed the nation and announced that extra ordinary measures had to be implemented to mitigate and combat the spread of COVID-19.

The statistics/tables below shows the number of confirmed infections, deaths as well as the number of people who have recovered. On 20 April 2020 the total number of people infected with Covid-19 is 3300 an increase of 142, with additional 4 deaths recorded from 54 on 19 April to 58. There is also a steady increase in the number of people who have recovered from 903 on 19 April to 1055.

The provincial breakdown is as follows:

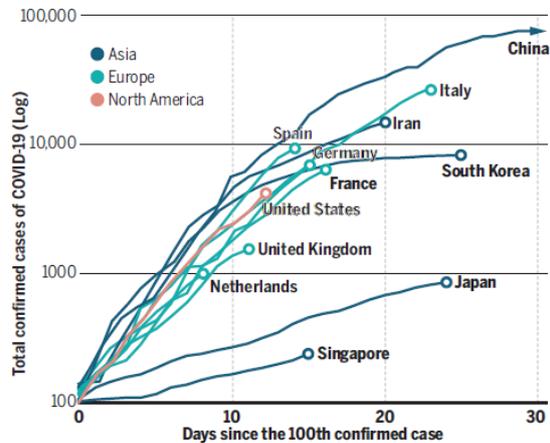
<b>PROVINCE</b>	<b>CONFIRMED CASES</b>	<b>DEATHS</b>	<b>RECOVERIES</b>
GAUTENG	1170	7	545
WESTERN CAPE	940	17	216
KWAZULU – NATAL	639	23	151
EASTERN CAPE	310	5	15
FREE STATE	105	5	74
LIMPOPO	27	1	21
NORTH WEST	25	0	13
MPUMALANGA	23	0	14
NORTHERN CAPE	18	0	6
UNALLOCATED	43	0	0
<b>TOTAL</b>	<b>3300</b>	<b>58</b>	<b>1055</b>

The table above shows that Gauteng is still has the highest number of confirmed infections followed by Western Cape and KwaZulu Natal with 940 and 693 respectively. The same is noted on the number of recoveries where Gauteng is the highest, followed by Western Cape and KwaZulu Natal being third. However, with respect to the number of deaths the highest is KwaZulu Natal recording 23, followed by Western Cape (17) and Gauteng(7) is the third. Further, Northern Cape still has the lowest number of infections. Three provinces namely; North West, Mpumalanga and Northern Cape have not recorded any deaths since the declaration of the State of Disaster.

### 2.3 Strategy to deal with the Covid-19 pandemic

While the SARS-CoV-2 virus has demonstrated a propensity to spread rapidly at a community level, the rate at which its spread occurs can be mitigated as seen in the figure where Singapore, South Korea and Vietnam have been able to curtail the spread preventing the rapid exponential growth seen in China and Europe.

Valuable lessons are being learnt from the experiences of each country dealing with the COVID-19 epidemic and some trends are emerging including essential lessons on fighting coronavirus from around the world. One of the most significant lessons to be learnt from the experiences of China and Italy is that the Coronavirus pandemic can grow very rapidly and quickly overwhelm health care services leading to large number of avoidable deaths. Singapore and South Korea were able to avoid this situation by interventions that “**flattened the curve**” i.e. mitigated the exponential growth phase of the epidemic so that the health care service was able to cope with the demand for medical care, especially ventilators.



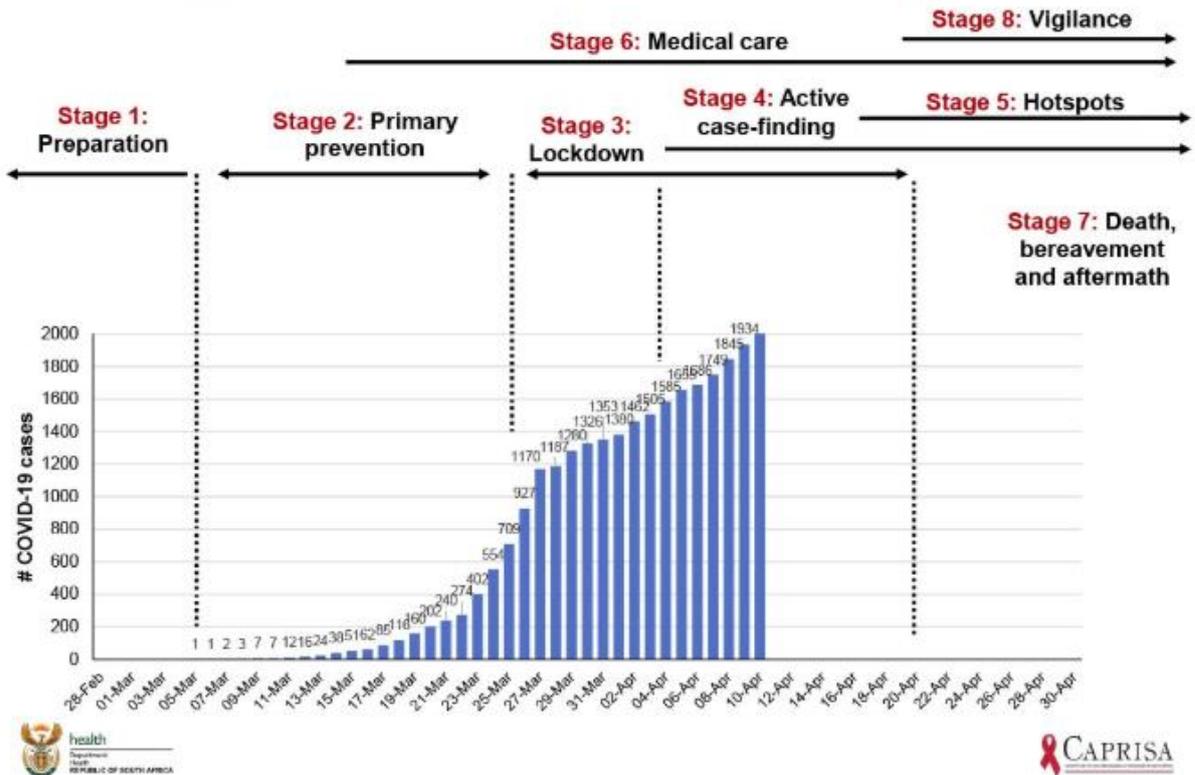
**Figure 2:** Exponential growth of the COVID-19 epidemic in selected countries

The mitigation involved the basic elements of infectious disease control – screening, diagnosing, isolating and contact tracing. Further, China’s “lock-down” approach has proven to be very successful in reducing new cases, by reducing interactions between people that maintained the chains of transmission. Several countries are now trying to emulate these interventions including South Africa.

On 25 March 2020, the second version of the Strategic Plan to manage Covid-19: Spatial Response Strategy for the Epidemic was released. The plans highlighted a number of aspects of which a 21-Day lockdown was but one element.

On 13 April 2020, a presentation was presented by the Ministerial Advisory Committee (MAC) chairman for COVID-19, Professor Salim Abdool Karim to the public. It offers data reflecting South Africa's efforts to fight COVID-19 and projections for the future. It also sets out the 7 stage plan for dealing with the Covid-19 response.

## Stages of SA's COVID-19 response



Currently South Africa is in stage 3 of the plan as the focus is moving on developing the principles underscoring the following stages. In this regards key principles emerging from the lockdown focusses on Prevention, prevention, prevention (5 key prevention strategies)

1. Hand washing, sanitizing (taxi, buses, trains, workplaces)
2. Cough and sneeze hygiene
3. Physical distancing
4. Face masks for population, medical masks for health workers

5. Health education & testing Protect districts with no/few current COVID positive individuals by rapidly attending to infections in districts/suburbs with no known positives.
6. Mitigate spread in districts/suburbs with few positives (small flames)
7. Intensify screening, testing and isolation in districts/suburbs with large number of positives (large fires)
8. Identification and management of hotspots:
  - ✓ Areas with large number of known Covid positives/deaths
  - ✓ Hospitals, Factories, Supermarkets, etc
  - ✓ Funerals
  - ✓ No mass gatherings (funerals, weddings, sports, recreational)
  - ✓ Continue with ban of alcohol sales

Post lockdown concepts still to be finalised includes measures to deal with risks associated with the following: the elderly; People with co-morbidities; Workplace;Transport; wearing Cloth Masks in public spaces; Public Gatherings; identification of hotspots; considering a Curfew at night to prevent people from gathering at night and identification of Quarantine sites for confirmed cases who are unable to self-isolate etc.

### **3. LEGISLATIVE INSTRUMENTS PUT IN PLACE**

Section 26(2)(a) of the Disaster Management Act, 2002 states that the national executive must deal with a national disaster in terms of existing legislation and contingency arrangements as augmented by Regulations or directions made or issued in terms of section 27(2) of the Disaster Management Act, 2002 if a national state of disaster has been declared.

From 15 March 2020, following the declaration of the national state of disaster, Ministers promulgated a number of Regulations, Directions, Determinations and Bills, listed below, to respond to the Covid-19 Pandemic. Copies of these legislative

instruments can be downloaded<sup>1</sup> from the dedicated government webpage set up to provide information to the public.

### **3.1 Regulations made by the Minister of Cooperative Governance and Traditional Affairs**

The Minister of Cooperative Governance and Traditional Affairs, in terms of Section 27 of the Disaster Management Act, 2002 have made the Regulations set out below.

- a) Declaration of a national state of disaster published (GN 313 in GG 43096 of 15 March 2020) (p4)
- b) Regulations regarding the steps necessary to prevent an escalation of the disaster or to alleviate, contain and minimise the effects of the disaster published in terms of s. 27 (2) (GN 318 in GG 43107 of 18 March 2020) (p3)
- c) Regulations issued in terms of s. 27 (2) of the Act published (GN 318 in GG 43107 of 18 March 2020) (p3) and amended (GN R398 in GG 43148 of 25 March 2020 (p3) and GN R419 in GG 43168 of 26 March 2020 (p3) and Tswana translation published (GN 354 in GG 43128 of 23 March 2020) (p3)
- d) Regulations issued in terms of s. 27 (2) of the Act amended (GN R446 in GG 43199 of 2 April 2020) (p3)
- e) 'Lockdown Regulations' issued in terms of s. 27 (2) of the Act amended (GN R465 in GG 43232 of 16 April 2020) (p3)
- f) Afrikaans and Setswana translations of amendments to 'Lockdown Regulations' published in GN R398 in GG 43148 of 25 March 2020, GN R419 in GG 43168 of 26 March 2020 and GN R446 in GG 43199 of 2 April 2020 published (GN R463 in GG 43228 of 14 April 2020) (p3)
- g) Regulations issued in terms of s. 27 (2) of the Act amended (GN R446 in GG 43199 of 20 April 2020) (p3)

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<sup>1</sup> <https://www.gov.za/coronavirus/guidelines>

### **3.2 Directions issued by Minister of Cooperative Governance and Traditional Affairs**

The Minister of Cooperative Governance and Traditional Affairs, in terms of Section 27 of the Disaster Management Act, 2002 also issued the Directions set out below.

- a) COGTA COVID-19 Disaster Response Directions, 2020 applicable to provinces, municipalities, and where indicated, institutions of Traditional Leadership published in GN R399 in GG 43147 of 25 March 2020 amended (GN R432 in GG 43184 of 30 March 2020) (p3).
- b) Amended COGTA COVID-19 Disaster Response Directions, 2020 applicable to provinces, municipalities, and where indicated, institutions of Traditional Leadership published (GN R432 in GG 43184 of 30 March 2020) (p3).

### **3.3 Directions issued by other Ministers authorised by the Minister of Cooperative Governance and Traditional Affairs**

Ministers authorised by the Minister of Cooperative Governance and Traditional Affairs to issue Directions in terms of Section 27 of the Disaster Management Act, 2002 issued the Directions set out below.

- a) Directions for all courts, court precincts and justice service points and GN R418 in GG 43167 of 26 March 2020 withdrawn (GN R440 in GG 43191 of 31 March 2020) (p3)
- b) Social Development Directions to prevent and combat the spread of COVID-19 published (GN R430 in GG 43182 of 30 March 2020) (p3)
- c) Tourism Directions published (GenN 235 in GG 43200 of 2 April 2020) (p3)
- d) Public Transport Services Directions, 2020 published in GN 412 in GG 43157 of 26 March 2020 amended (GN 431 in GG 43183 of 30 March 2020 (p3) and GN 436 in GG 43186 of 31 March 2020 (p3))
- e) Public Transport Services Directions, 2020: Declaration of essential services (GN 431 in GG 43183 of 30 March 2020) (p5)

- f) International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 415 in GG 43160 of 26 March 2020 amended (GN 423 in GG 43176 of 27 March 2020 (p3) and GN 438 in GG 43189 of 31 March 2020 (p3)
- g) Environmental Directions published (GN R439 in GG 43190 of 31 March 2020) (p3)
- h) Public Transport Services Directions, 2020 published (GN 412 in GG 43157 of 26 March 2020) (p3)
- i) National Ports Act (COVID-19 Restrictions on the Movement of Persons and Crew) Directions, 2020 published (GenN 216 in GG 43163 of 26 March 2020) (p3)
- j) International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published (GN 415 in GG 43160 of 26 March 2020) (p3)
- k) Covid-19 Temporary Relief Scheme, 2020 published (GenN 215 in GG 43161 of 26 March 2020) (p3)
- l) Home Affairs Directions to Prevent and Combat the Spread of COVID-19 published (GN 416 in GG 43162 of 26 March 2020) (p3)
- m) Directions to address, prevent and combat the spread of COVID-19 in all courts, court precincts and justice service points published (GN R418 in GG 43167 of 26 March 2020) (p3)
- n) Cross-Border Road Transport Special Dispensation (COVID-19 Restrictions on the movement of Cross-Border Road Transport Passengers) Directions, 2020 published (GN 413 in GG 43158 of 26 March 2020) (p3)
- o) Electronic Communications, Postal and Broadcasting Directions published (GN 417 in GG 43164 of 26 March 2020) (p3)
- p) Preventative Measures in the Railway Operations (COVID-19 Control Measures on the Operations by Rail) Regulations, 2020 published (GN 414 in GG 43159 of 26 March 2020) (p3)
- q) Directives issued by the Chief Justice published (GenN 187 in GG 43117 of 20 March 2020) (p3)
- r) Covid-19 Temporary Relief Scheme, 2020 published in GenN 215 in GG 43161 of 26 March 2020 amended (GenN 240 in GG 43216 of 8 April 2020) (p3)

- s) Electronic Communications, Postal and Broadcasting Directions published in GN 417 in GG 43164 of 26 March 2020 amended (GN 451 in GG 43209 of 6 April 2020) (p3)
- t) Health directions to address, prevent and combat the spread of COVID-19 in South Africa published (GN 457 in GG 43217 of 8 April 2020) (p3)
- u) Department of Transport: Declaration of essential services published (GN 453 in GG 43211 of 7 April 2020) (p7)
- v) Directions determining extension of the validity period of operating licence and accreditation certification for public transport operators for purposes of the COVID-19 lockdown published (GN 454 in GG 43212 of 7 April 2020) (p5)
- w) Directions regarding call centres providing essential services published (GN R459 in GG 43224 of 9 April 2020) (p3)
- x) Directions regarding Sea Cargo Operations and Air Freight Operations published (GN 453 in GG 43211 of 7 April 2020) (p6)
- y) National Ports Act (COVID-19 Restrictions on the Movement of Persons and Crew) Directions, 2020 published in GenN 216 in GG 43163 of 26 March 2020 amended (GN 453 in GG 43211 of 7 April 2020) (p3)
- z) Public Transport Services Directions, 2020 amended (GN 454 in GG 43212 of 7 April 2020) (p3)
- aa) SMME Directions on the provision of essential goods and services published (GN R450 in GG 43208 of 6 April 2020) (p3)
- bb) Social Development Directions to prevent and combat the spread of COVID-19 published in GN R430 in GG 43182 of 30 March 2020 amended (GN R455 in GG 43213 of 7 April 2020) (p3)
- cc) Directions for correctional centres and remand detention facilities published (GN 460 in GG 43225 of 9 April 2020) (p3)
- dd) Extension of term of office of councils and boards of public entities and suspension of sport, arts and cultural events published (GN 461 in GG 43226 of 9 April 2020) (p3)
- ee) Mineral Resources and Energy: Directions to ensure fair processes, relating to licensing, consultation, appeals and compliance processes and reporting requirements during the lockdown period published (GN R462 in GG 43227 of 11 April 2020) (p3)

- ff) Water and Sanitation Emergency Procurement COVID-19 Disaster Response Directions, 2020 published (GN 464 in GG 43231 of 15 April 2020) (p3)

### **3.4 Determinations and Notices**

Ministers, in terms of their legislative authority granted by legislation, issued the following determinations and Notices.

- a) National Road Traffic Act 93 of 1996: Determination of extension of the validity period of a learner's licence, driving licence card, licence disc, professional driving permit and registration of a motor vehicle for purposes of COVID-19 lockdown published (GN 431 in GG 43183 of 30 March 2020) (p4).
- b) Public Finance Management Act 1 of 1999: Exemption of relevant functionaries and institutions from certain provisions of the Act and Regulations (GN 437 in GG 43188 of 31 March 2020) (p3).
- c) International Trade Administration Act 71 of 2002: International Trade Administration Commission of South Africa: COVID-19 Export Control Regulation published in GN R91 in GG 35007 of 10 February 2012 amended (GN R424 in GG 43177 of 27 March 2020).
- d) Local Government: Municipal Finance Management Act 56 of 2003: Exemption of municipalities and municipal entities from the Act and Regulations for the duration of the national state of disaster published (GN 429 in GG 43181 of 30 March 2020) (p3).
- e) Department of Transport: Province of Kwa-Zulu Natal: Supply Chain Management: Suspension of Site Meetings and Tender Closings during the Lockdown published (GN 442 in GG 43192 of 3 April 2020) (p23).
- f) National Ports Act (COVID-19 Restrictions on the movement of persons and crew) Regulations, 2020 published in GenN 173 in GG 43103 of 18 March 2020 repealed (GenN 217 in GG 43165 of 26 March 2020) (p3).
- g) Ministerial Order regarding International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020 published in GenN 175 in GG 43105 of 18 March 2020 repealed (GenN 218 in GG 43166 of 26 March 2020) (p3).

- h) Notice on Compensation for Occupationally-Acquired Novel Corona Virus Disease (COVID-19) published (GenN 193 in GG 43126 of 23 March 2020) (p3)
- i) Covid-19 Block Exemption for the Retail Property Sector, 2020 published (GN R358 in GG 43134 of 24 March 2020) (p3).
- j) Covid-19 Block Exemption for the Banking Sector, 2020 published (GN R355 in GG 43127 of 23 March 2020) (p3).
- k) Covid-19 Block Exemption for the Hotel Industry, 2020 published (GN R422 in GG 43175 of 27 March 2020) (p3).
- l) Ministerial Order regarding International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020 published (GenN 175 in GG 43105 of 18 March 2020) (p9).
- m) Ministerial Order regarding International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020 published (GenN 175 in GG 43105 of 18 March 2020) (p11).
- n) International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020 published (GenN 175 in GG 43105 of 18 March 2020) (p3).
- o) COVID-19 Block Exemption for the Healthcare Sector, 2020 published (GN R349 in GG 43114 of 19 March 2020) (p3).
- p) Consumer and Customer Protection and National Disaster Management Regulations and Directions published (GN R350 in GG 43116 of 19 March 2020) (p3).
- q) National Ports Act (COVID-19 Restrictions on the movement of persons and crew) Regulations, 2020 published (GenN 173 in GG 43103 of 18 March 2020) (p3).
- r) Ministerial Order regarding International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020 published (GenN 175 in GG 43105 of 18 March 2020) (p13).
- s) Rules amended with effect from 23 March 2020 to provide for the exemption of foreign-going ships from the payment of duty on stores consumed on such ship in any port in the Republic or between any places in the Republic for the duration of national state of disaster (GN R458 in GG 43222 of 9 April 2020) (p3).

- t) National Textile Bargaining Council: Extension to Non-parties of the COVID-19 Lockdown Collective Agreement (GN R452 in GG 43210 of 7 April 2020) (p3)
- u) COVID-19 Block Exemption for the Healthcare Sector, 2020 published in GN R349 in GG 43114 of 19 March 2020 amended (GN R456 in GG 43215 of 8 April 2020) (p3).
- v) Tribunal Rules for Covid-19 Excessive Pricing Complaint Referrals published (GN R448 in GG 43205 of 3 April 2020) (p3).
- w) Independent Communications Authority of South Africa (ICASA): The ICT COVID-19 National Disaster Regulations published (GenN 238 in GG 43207 of 6 April 2020) (p3).
- x) Fees Payable to the South African Nursing Council published in BN 80 in GG 42496 of 31 May 2019 amended to provide for Nurse Practitioners who wish to restore to the register for the sole purpose of rendering health services during the COVID-19 national state disaster to pay a restoration fee of R0.00 (BN 52 in GG 43223 of 9 April 2020) (p3).
- y) South African Road Passenger Bargaining Council: Extension to Non-parties of the COVID-19 Temporary Relief Scheme Benefits Collective Agreement published (GN R466 in GG 43235 of 17 April 2020) (p3).
- z) Independent Communications Authority of South Africa (ICASA): Harmonisation of Short Code '111' for COVID-19 National Emergency Services published (GenN 244 in GG 43229 of 15 April 2020) (p3).

### 3.5 Bills

The Minister of Finance published the following Bills<sup>2</sup> for public comment<sup>3</sup>.

- a) Draft Disaster Management Tax Relief Bill, 2020 published for comment

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<sup>2</sup> [http://www.treasury.gov.za/comm\\_media/press/2020/20200329%20Media%20statement%20-%20COVID-19%20Tax%20Measures.pdf](http://www.treasury.gov.za/comm_media/press/2020/20200329%20Media%20statement%20-%20COVID-19%20Tax%20Measures.pdf)

<sup>3</sup> The draft explanatory notes regarding the COVID-19 tax measures can be found on the National Treasury ([www.treasury.gov.za](http://www.treasury.gov.za)) and SARS ([www.sars.gov.za](http://www.sars.gov.za)) websites. Comments on the draft explanatory notes can be made to [2020AnnexCProp@treasury.gov.za](mailto:2020AnnexCProp@treasury.gov.za)

- b) Draft Disaster Management Tax Relief Administration Bill, 2020 published for comment

#### **4. LOCAL GOVERNMENT CIRCULARS ISSUED TO DATE**

On 23 March 2020, the President announced measures concerning a nation-wide lockdown that will be implemented as part of government's intervention to curb spread of COVID-19 and will be enacted in terms of the Act for 21 days effective from 26 March 2020 midnight until 16 April 2020.

The COGTA Minister is designated to administer the Disaster Management Act, 2002 (Act No 57 of 2002), hereunder referred to as the Act. Against this background, the COGTA Minister, Dr Nkosazana Dlamini Zuma, having declared a national state of disaster on 15 March 2020 in terms of section 27(2), of the Act, issued Regulations on 18 March 2020 regarding the steps necessary to prevent an escalation of the disaster or to alleviate, contain and minimise the effects of the disaster. These Regulations covered a number of aspects including release of resources, prevention and prohibition of gatherings, places of quarantine and isolation, closure of schools and partial care facilities to name but a few. These Regulations were subsequently amended to give effect to the nation-wide lockdown announced by the President. Subsequent amendments were developed with a view to enhance and clarify measures to contain the spread of COVID-19.

On 16 April 2020, the COGTA Minister amended the Regulations to provide for the extension of the nation-wide lockdown from 16 April to 30 April 2020.

Flowing from these Regulations, the COGTA Minister issued Directions, in terms of section 27(2) of the Act to address, prevent and combat the spread of COVID-19 in South Africa. The purpose of these Directions were to direct municipalities and provinces in respect of the following matters in response to COVID -19:

- (a) Provision of water and sanitation services;
- (b) Hygiene education, communication and awareness;
- (c) Waste management;

- (d) Cleaning and sanitisation of municipal public spaces such as facilities and offices, taxi ranks;
- (e) Suspension of customary initiations and cultural practices;
- (f) Identification of isolation and quarantine sites;
- (g) Monitoring and enforcement;
- (h) Providing guidance on budgets and IDPs;
- (i) Emergency procurement;
- (j) Institutional arrangements and development of COVID -19 response plans; and
- (k) Precautionary measures to mitigate employee health and safety risks.

Additionally, COGTA issued a Circular to provide clarity in relation to basic services rendered by municipalities that are designated as essential services. All provinces and municipalities were also encouraged to prioritise sanitisation and cleaning of taxi ranks and other public facilities. From the Regulations issued by the COGTA Minister, other Ministers were empowered to issue Directions within their areas of responsibilities resulting in 34 Regulations/ Directions as of 03 April 2020. Ministers also made Regulations or Directions under their own legislation e.g. Home Affairs, Trade, Industry and Competition, Transport. In this regard, it is important to note that some Regulations/ Directions had unintended consequences, e.g. Taxi industry who argued that they were running at a loss, opening of Spaza shops, informal trading, etc.

With regard to institutional arrangements, the President has established a National Covid 19 Command Council (NCCC) that meets three (3) times a week. The NCCC led by the President is coordinating and guiding government response to the pandemic by all spheres of government and the society. The NATJOINTS has also been established to provide overall coordination of the response to CIVD-19. COGTA has activated its National Disaster Operations Centre to coordinate response to COVID-19 for local government. The COGTA Disaster Operations Centre (DOC) interfaces with the NATJOINTS and PROVJOINTS structures. All provinces have established similar institutional structures i.e. Provincial Command Councils and Provincial Command Centres to coordinate response within their areas of jurisdiction. Metros and Districts have also established/ activated similar institutional structures.

Additionally, all Disaster Management Centres in provinces, districts and metros have been established/ activated across the country. Thus, the COGTA COVID-19 DOC serves as a nerve centre for overall coordination of national, provincial and local

government operations guided by the principles of cooperative governance set out in Chapter 3 of the Constitution read with Section 154 thereof. The activities of the COGTA COVID-19 DOC as of 12 April 2020 are reflected hereunder.

## 5. INSTITUTIONAL ARRANGEMENTS

COGTA has activated its National Disaster Operations Centre to coordinate response to COVID-19. The COGTA Disaster Operations Centre (DOC) interfaces with the NATJOINTS and PROVJOINTS structures. The COGTA DOC is staffed primarily by COGTA Senior Managers as well as Managers from the NDMC. The DOC operates from 07:00 to 19:00 daily. All provinces have activated their Provincial Disaster Management Centres (PDMCs). Provincial Command Councils and Centres have been established in all provinces as depicted in Table 1 below: **Activation and Functionality of provincial COVID-19 institutional structures**

Provinces	Provincial Command Council	Provincial Command Centre	Provincial Disaster Centre
Eastern Cape	The Command Council has been established and chaired by Premier and HODS	Operational through the Prov-joints chaired by the DG. Operating at the PDMC venue	All provincial command Structures established
Free State	The Command Council to be established and chaired by Premier	Technical Structure established and Chaired by the DG	Structures established
Gauteng	Command Centre established chaired by the Premier	A war room established chaired by the DG	The structures are existing however, they are named differently
KwaZulu-Natal	Established and chaired by the Premier	Established and chaired by the DG	Structures established

<b>Limpopo</b>	Established and chaired by the Premier and attended by all MEC's	Established and chaired by the DG	5 District Disaster Management centers established
<b>Mpumalanga</b>	Command Council established and chaired by Premier	Command centre established and chaired by DG	Structures established
<b>Northern Cape</b>	Command Council established and chaired by the Premier	Command centre established and operational through PROVJOINT, chaired by DG	Structures established
<b>North West</b>	The Command Council Established and chaired by the Premier	Command centre established and operational, reporting daily on SRS System	All Structures established
<b>Western Cape</b>	Extended Cabinet and Inter-Ministerial Committee established and operational	Structure has been established and operational	The province has established clusters per sector within the provincial technical structure

## 6. ISSUES RAISED BY THE PORTFOLIO COMMITTEE

RELEVANT REGULATION	ISSUES OF CONCERN	SPECIFIC QUESTIONS/COMMENTS	COMMENTS
<p>Regulation 5(3) Gazette No. 43107, Notice.R.318, 18 March 2020</p>	<p><i>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.'</i></p>	<p>Have all municipalities complied with this provision?</p> <ul style="list-style-type: none"> <li>· What monitoring mechanisms does the Department have in place to ensure municipal compliance with this provision?</li> <li>· For those municipalities in compliance, what is the progress in terms of resourcing?</li> <li>· What does the resourcing entail?</li> <li>· What measures are in place to ensure that municipalities use the resourcing for the intended purposes, and not divert it to other ends?</li> </ul>	<ol style="list-style-type: none"> <li>1. The municipalities coordinated by the Districts have identified buildings and places e.g. stadiums as quarantine site.</li> <li>2. The provincial departments of COGTA monitors the work of municipalities in the identification of the sites and report to national COGTA through the Disaster Operation centre.</li> <li>3. The Department of Public Works inspects the sites for suitability and then provides a report to the department of Health. The slide on quarantine slides depicts those that are ready based on the assessment conducted.</li> <li>4. Resourcing refers to the provision of services and personnel such as water, laundry, catering, clinical team, security, transport.</li> <li>5. The resourcing of quarantine and isolation sites is primarily the responsibility of the Department of Health in collaboration with the Department of Public works and Infrastructure. However the majority of the sites activated are hotel rooms which do not require resourcing except funds to cater for standard costs. Provincial Departments of Health provide for</li> </ol>

			the costs. The national Department of Health is approaching National Treasury for funds..
Annexure B, Part B, Gazette No. 43148, Notice R. 398, 25 March 2020	Categorisation of essential services during lockdown	<p>What recourse can the Ministry provide to religious leaders who are critical for providing spiritual and moral support in their suffering communities, while the Regulations do not consider their interventions as an essential service?</p> <p>· Is the Department considering any amendments to the Regulations towards allaying the confusion around the provision of prepared foods? As reported in the media,</p>	<p>1. When the list of essential services was prepared, sectors of society were assessed on amongst others the degree of close contact they have, the immediate importance of their services provided to maintain a functional society and whether that service could be provided remotely. Given that church goers have regular close contact in large numbers, that pastors regularly move between different congregants, that cases of transmission was linked to church gatherings and pastors could provide services remotely for the lockdown period,. It was concluded that the risk of transmission was significant and for the purposes of the lockdown, pastoral services should not be deemed as an essential service.</p> <p>2. The sale of hot food is prohibited based on the rationale that the sale of hot food will increase the movement of people, encourage gatherings, decrease social distancing and impact on hygiene.</p> <p>3. This goes against the general intention that, to prevent the spread of Covid-19 virus close contact and poor hygiene must be reduced to</p>

		<p>some catering small businesses have been under the impression that this is an essential service, only to have their permits revoked later.</p>	<p>the minimum. The Regulations was however not explicit on the ban of prepared hot food in grocery and retail stores which lead to broad interpretations that it provides for any food or food product to be sold as an essential good. In view of this, in the Minister on 19 April 2020 amended the regulations to explicitly prohibit the sale of cooked hot food.</p> <p>4. The provisioning of catering services to essential services ito the regulations is permitted.</p>
<p>Amendment Regulation 8(d) (No Gazette and Notice Numbers yet available at time of writing) 16 April 2020</p>	<p>The deletion of paragraph (h) of sub-regulation 8. Paragraphs (h) read as follows: <i>'A person issued with a permit contemplated in paragraph (d), travelling to another metropolitan or district area, or province and who has to be in that metropolitan or district area, or province for the duration of the funeral or cremation, but not for more than 48 hours, and cannot stay at the place of residence of a relative or friend, may stay at a hotel, lodge or guest house</i></p>	<p>· Where and what is the replacement for this deleted paragraph? What is the motivation and rationale for the deletion?</p>	<ol style="list-style-type: none"> <li>1. The regulation was deleted.</li> <li>2. The challenges with this provision were twofold: the increasing rate of travel supposedly by manipulating the affidavit provisions for attending funerals and the expectation created that hotels can be used when attending funerals.</li> <li>3. In this regard, residing at members of the family rather than at a public facility was deemed to have a lower risk for local transmission, given that should a transmission occur, the close contacts of the infected person could be traced</li> </ol>

	<i>for the period of 48 hours: Provided that the permit issued in terms of paragraph (d) is presented to the owner or manager of the hotel, lodge or guesthouse.'</i>		<p>in a shorter time and more effective manner.</p> <p>4. Additionally, the provision for an affidavit has been repealed to provide only for a death certificate to be used when applying for a permit to travel on account of a funeral.</p>
<p>Amendment Regulation 14(b) (No Gazette and Notice Numbers yet available at time of writing) 16 April 2020</p>	<i>'Grocery store and wholesale produce markets, spaza shops, informal fruit and vegetable sellers and langanas, with written permission from a municipal authority to operate being required in respect of spaza shops and informal fruit and vegetable sellers: Provided that all valid permits for spaza shops and informal fruit and vegetable traders issued before or during the declared national state of disaster and which fall during the said period, will remain valid for a period of one month after the end of the national state of disaster.'</i>	<p>The amendment is convoluted and needs reconsideration.</p> <ul style="list-style-type: none"> <li>· Is the Department aware of any municipalities that are contravening this provision by refusing to issue trading permits, as reported in the media?</li> <li>· What mechanisms does the Department have at its disposal to monitor such alleged instances of noncompliance by municipalities?</li> </ul>	<ol style="list-style-type: none"> <li>1. The regulation has to accommodate a broad spectrum of formal and informal traders. As such, considering legislative drafting principles, the regulation was drafted in the least convoluted form possible.</li> <li>2. The Minister issued Circular 9 of 2020 dealing with permits for informal food traders. The circular requests all municipalities to open their sections dealing with informal trade licences and to issue the required authority to informal food traders in a standardised template. From the provincial reports received, as monitored by the LED units in the provinces, all municipalities are complying with the</li> </ol>

			<p>provision. e.g in the Eastern Cape the Department of economic development, environmental affairs and tourism is following up every municipality's status quo. In Limpopo and the Northern Cape municipalities have informed informal traders to use licences issued to them before the lockdown. In the Free State, Gauteng, North West, Western Cape, KwaZulu Natal and Mpumalanga all municipalities are issuing licences.</p> <p>3. The department in collaboration with the LED units in the provinces attends to these matters as they arise. Reports are received daily from the Provinces and the number of permits issued are updated daily.</p>
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## 7. Support to House of Traditional Leaders and priority municipalities

The department has received a donation from Tirisano Construction to supply hygiene packs to Traditional Communities and some of the municipalities. All the nine Provincial Heads of Traditional Leaders and 41 municipalities in the 9 provinces received and confirmed receipt of packs as follows:

PROV	DELIVERY TO MUNICIPALITY	DELIVERY TO TRADITIONAL LEADER	TOTAL		
	NUMBER OF MUNICIPALITIES RECEIVING	NO DELIVERED	RECIPIENT	NO DELIVERED	
EC	5 (DMs only) - Alfred Nzo DM OR Tambo DM Amathole DM Chris Hani DM Joe Gqabi DM	5500	EC HTL (Bhisho)	4765	10 265
FS	2 (LMs only) – Matjhabeng LM Tokologo LM	3000	FS HTL (Bloemfontein)	288	3288
GP	3 (LMs only) – Merafong LM Lesedi LM Emfuleni LM	9300	National House and GP HTL	519	9819
KZN	7 (1 DM and 6LMs) – Umndoni LM uMuziwabantu LM Ugu DM Umngeni LM Richmond LM Endumeni LM Uphongolo LM Mandeni LM	3000	KZN HTL (Pietermaritzburg)	5841	8841
LMP	3 (2 DMs and 2 LMs) – Mopani DM Vhembe DM Lephalale LM Mogalakwena LM	3500	LP HTL (Polokwane)	3612	7112
MP	1 (LM only) – Dr J S Moroka	3000	MP HTL (Mbombela)	1191	4191

<b>NC</b>	4(LMs only) – Phokwane, Gamagara Kai Garib Khai-Ma	3000	NC HTL (Kimberly)	173	<b>773</b>
<b>NW</b>	9 (LMs only) – Mahikeng LM Greater Taung LM Mamusa LM Kagisano Molopo LM Ratlou LM Rustenburg LM Madibeng LM Ditsobotla LM Naledi LM	3700	NW HTL (Mmabatho)	3611	<b>6611</b>
<b>WC</b>	6 (DMs and Metro only) Central Karoo DM Garden route DM Overberg DM Cape Winelands DM City of Cape town West coast DM	6000	N/A	0	<b>6000</b>
	<b>TOTAL</b>	<b>40 000</b>	<b>TOTAL</b>	<b>20 000</b>	<b>60 000</b>

In addition to the above, the Department of Traditional Affairs purchased hand sanitizers and masks, which were distributed to Traditional Councils as follows:

<b><u>Province</u></b>	<b><u>Number of Traditional Councils</u></b>	<b><u>Proportional Allocation of PPE's</u></b>	
		<b><u>Hand Sanitizers</u></b>	<b><u>Masks</u></b>
* Eastern Cape	248	506	2 249
* Free State	15	31	136
* Gauteng	2	4	18
* Kwa-Zulu Natal	304	620	2 757
* Limpopo	188	384	1 705
* Mpumalanga	62	127	562
* Northern Cape	9	18	82
* North-West	54	110	490
* Western Cape	-	-	-
<b>Total</b>	<b>882</b>	<b>1 800</b>	<b>8 000</b>

## 8. Overview of Quarantine Sites

As demonstrated in the table below, the report captures updated number of quarantine and isolation sites per province as at 17 April 2020 and presented to the various PCCCs. This table is updated daily as municipalities continue to identify sites.

PROVINCE	FACILITIES		DISTRICTS	ROOMS	BEDS	ASSESSED AND READY	NOT YET ASSESSED	NUMBER OF SITES ACTIVATED		NUMBER OF BEDS ACTIVATED	
	STATE	PRIVATE						STATE	PRIVATE	STATE	PRIVATE
EC	40	109	10	622	8441	12	137	0	0	0	0
FS	11	1	6	425	1613	4	8	0	0	0	0
GP	46	21	3	769	8950	45	22	2	1	816	136
KZN	5	12	7	1057	1057	8	9	5	3	115	182
LP	6	2	3	16	1731	2	6	2	0	80	0
MP	27	34	6	1233	12424	12	49	1	1	94	23
NC	23	55	8	1951	3078	15	63	0	4	0	183
NW	8	0	1	2260	288 without Taung Hotel School.	9	20	0	0	0	0
WC	18	25	6	1051	3869	2	41	0	2	0	391
<b>TOTAL</b>	<b>181</b>	<b>261</b>	<b>51</b>	<b>9364</b>	<b>43584</b>	<b>100</b>	<b>342</b>	<b>10</b>	<b>11</b>	<b>1105</b>	<b>915</b>

In addition, **75** Stadiums have been identified and out of these only **13** qualify (as reflected in the table below) to be regarded as possible field hospitals. A total number of **14 000** beds can possibly fit in those identified hospitals this work is still work in progress.

PROVINCE	NAME OF THE STADIUM	POSSIBLE BEDS
GAUTENG	FNB	2100
	Ellis Park	1500
	Loftus Versveld	1700
WESTERN CAPE	Newlands	1200
	Green Point	1200
KWAZULU NATAL	Moses Mabhida	1100
	Kings Park	850
FREE STATE	Bloemfontein	800
LIMPOPO	Peter Mokaba	800
EASTERN CAPE	Nelson Mandela	1100
MPUMALANGA	Mbombela	800
NORTHERN CAPE	Kimberly (Tafel Lager)	450

With regards to the availability of cemeteries and Crematoria, municipalities and Traditional Councils are also in the process of collating information on the availability of cemeteries to prepare for worst. However, they indicated that the current capacity is used daily for other deaths either than for people who have died of the Covid 19 virus.

## 9. CONCLUSION

The approach to responding to Covid-19 in South African has proven to be an effective one by reducing a peak in the spread of the virus. The road ahead however requires concerted efforts to the course of public health infections containment which must be an all of society responsibility.

The mass screening and testing programmes being rolled out nationally will contribute significantly to the public health containment measures but they need to be supported by measures such as social distancing, the use of PPE and the enhancement of public health infrastructure.

The regulatory mechanisms imposed by government since the classification of a disaster and the declaration of a national state of disaster have also proven to be beneficial despite glitches particularly on areas of compliance. The department is however, part of the NATJOINTS to report the non-compliance from the reports received from the provinces.