

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

COGTA Minister

Dr Nkosazana Dlamini Zuma

21 April 2020

# Outline

1. Purpose
2. Introduction
3. Covid-19 Cluster of confirmed Cases as of 19 April 2020
4. Comparative trends of Covid-19 infections globally
5. National profile of Covid-19 positive cases
6. RSA Covid-19 progress with testing
7. Legislative Instruments
8. Local Government Circulars issued
9. Institutional Arrangements
10. Issues raised by the Portfolio Committee
11. Profile of Quarantine Facilities
12. Closing Remarks
13. Recommendations

# Purpose

The Portfolio Committee on Cooperative Governance and Traditional noted and commended the Regulations 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.

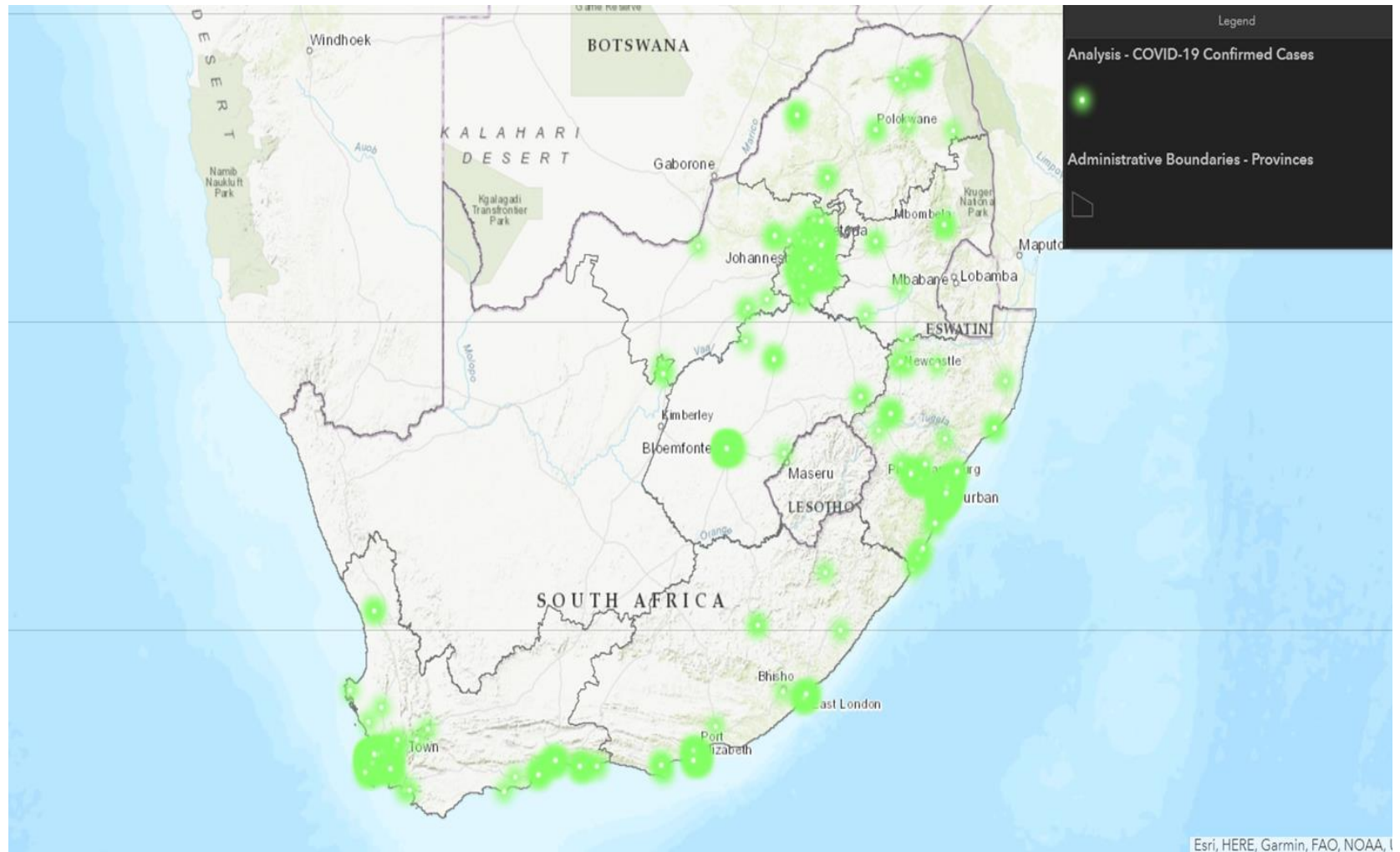
The Committee requested that the Minister on 21 April 2020, clarify some matters raised in the letter received from the Committee.

In order to brief 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.

# Introduction

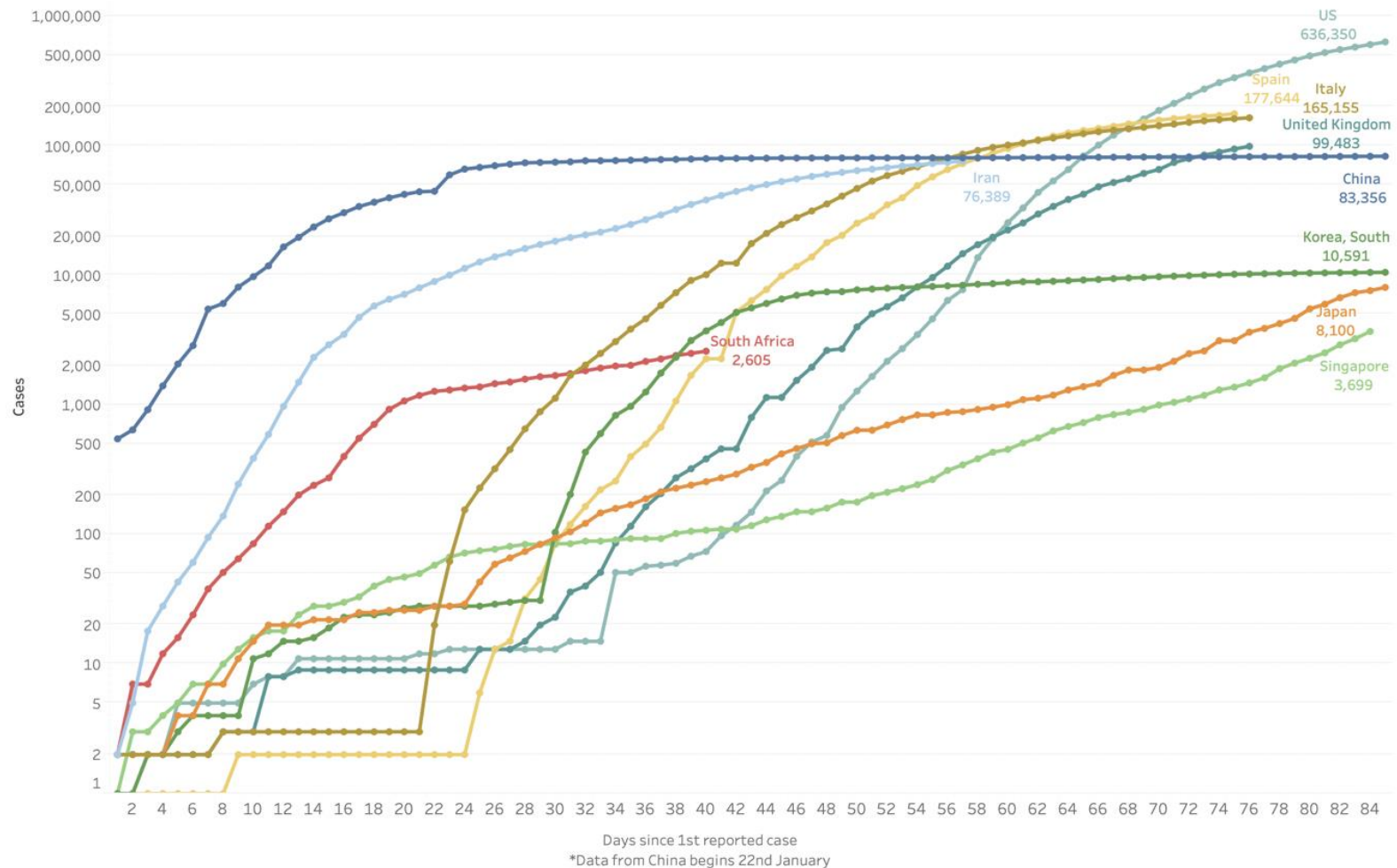
- The COVID-19 crisis presents an unprecedented and unmatched challenge since the Spanish Flu and the Great Depression, the latter decimated 6% of the SA Population
- It also presents an opportunity for South Africa to accelerate the implementation of some long agreed upon structural reforms to transform its economy.
- These will positively impact on key economic and social sectors which will facilitate for a more inclusive economy whilst unlocking local production and export potentials.
- Evidence from the Spanish Influenza pandemic of 1918 shows that the long-run economic consequences for cities experiencing a rapid infection rate and high cumulative infections were significantly **worse** than those for cities enduring temporary restrictions on economic activity.
- This will require that South Africa sequences and phases its priority areas with the view of deepening the fight against COVID-19 whilst rebuilding the economy.
- The key question is a balance between “lives” and “livelihoods”.

# Covid-19 Clusters of Confirmed Cases as of 19 April 2020





# Comparative Status of Covid-19 Globally – through and including 16 April 2020

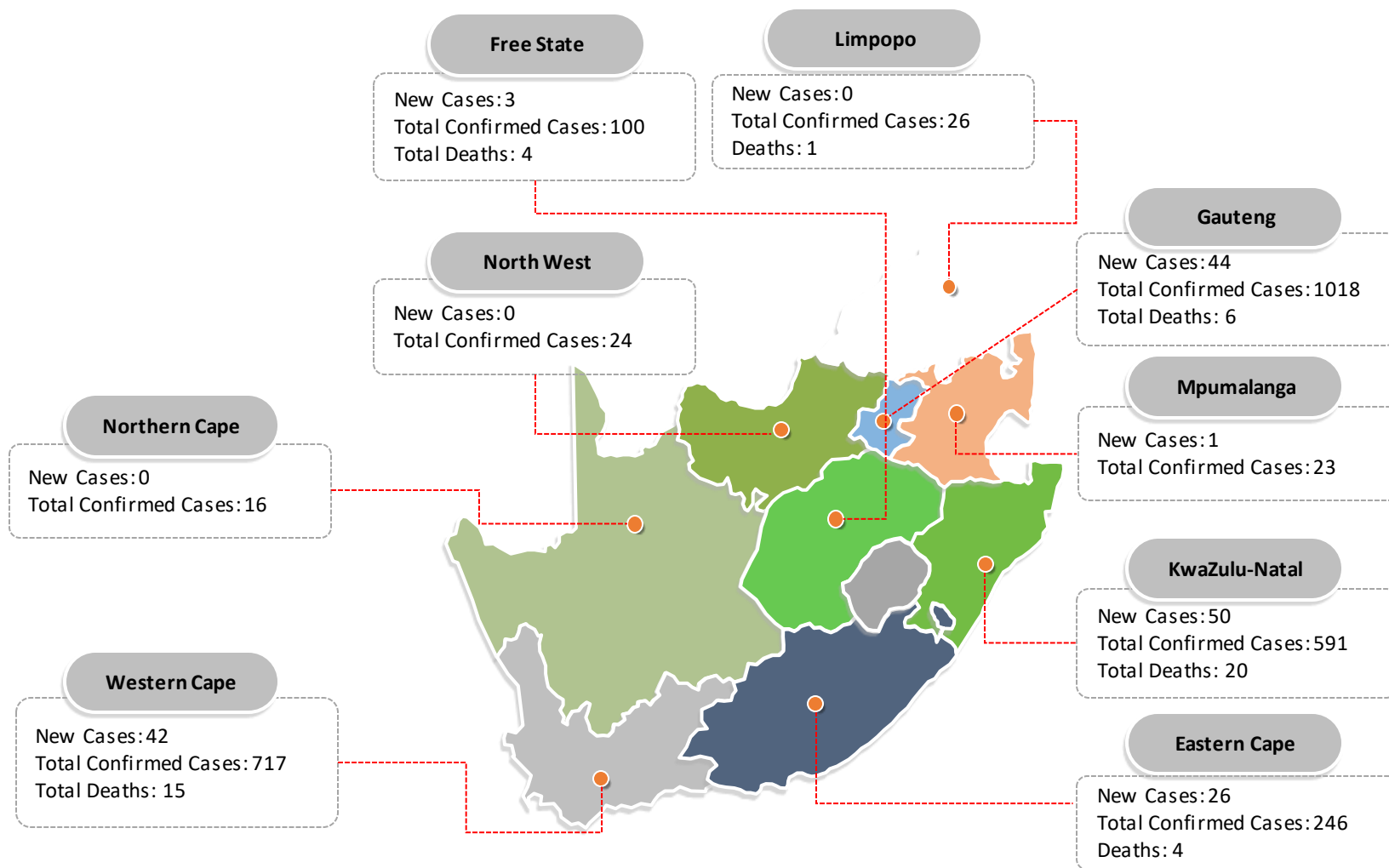


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# National Profile of Covid-10 Cases



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# Status of Covid-19 in South Africa

## COVID-19 Surveillance by Province (South Africa)

Tests Conducted

114,711

Total Confirmed

3,158

Total Death

54

Death

Recoveries

Recoveries by Province

Eastern Cape, 9

Free State, 71

Gauteng, 479

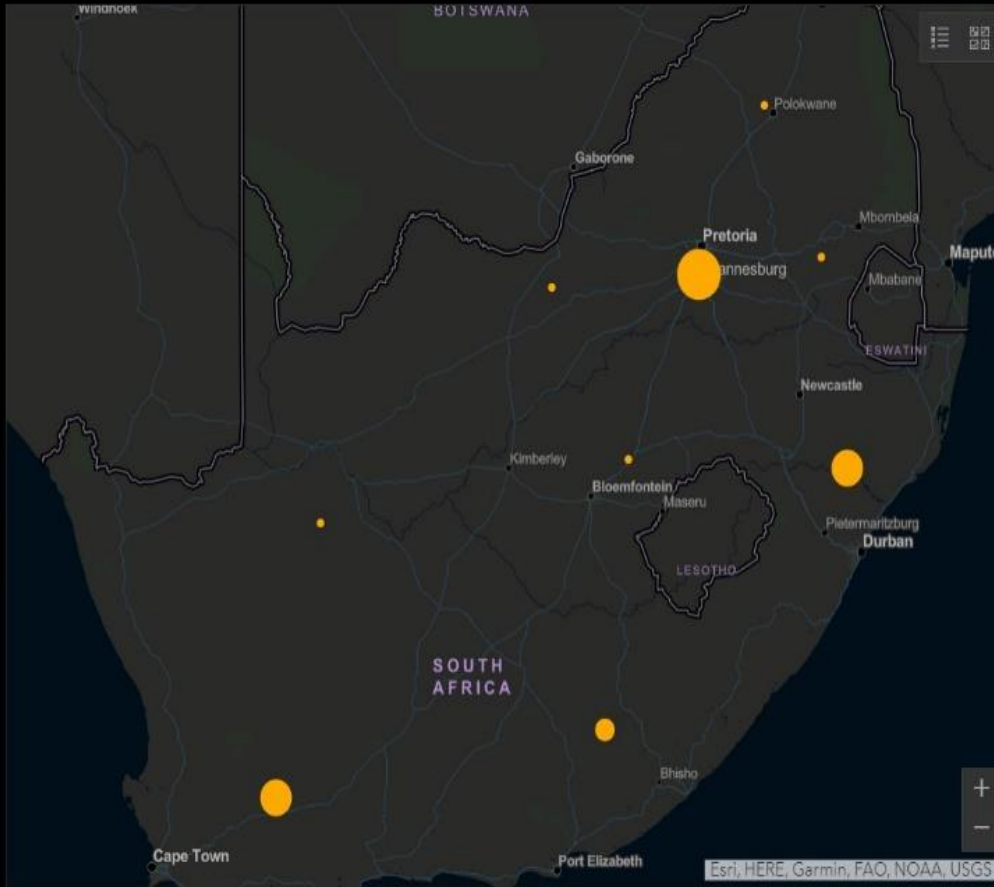
KwaZulu-Natal, 96

Limpopo, 18

Western Cape, 205

Recoveries

Death

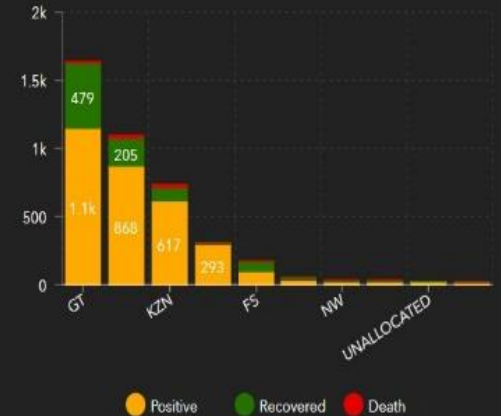


SOURCES:

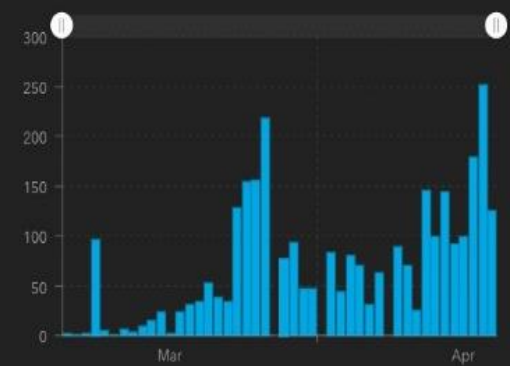
NICD: [www.nicd.ac.za](http://www.nicd.ac.za)

NHLS: [www.nhls.ac.za](http://www.nhls.ac.za)

### Distribution by Province



### Daily Confirmed Cases



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# RSA COVID-19 TESTING PROGRESS

## COVID-19 Testing

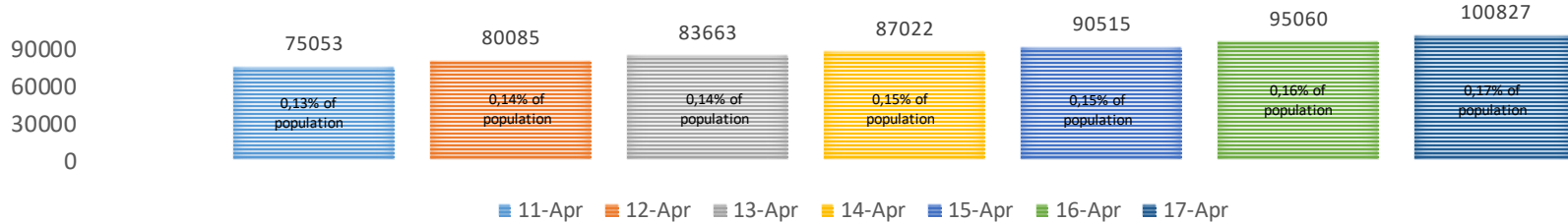
### AVAILABLE TEST KITS:

Public: 216 000

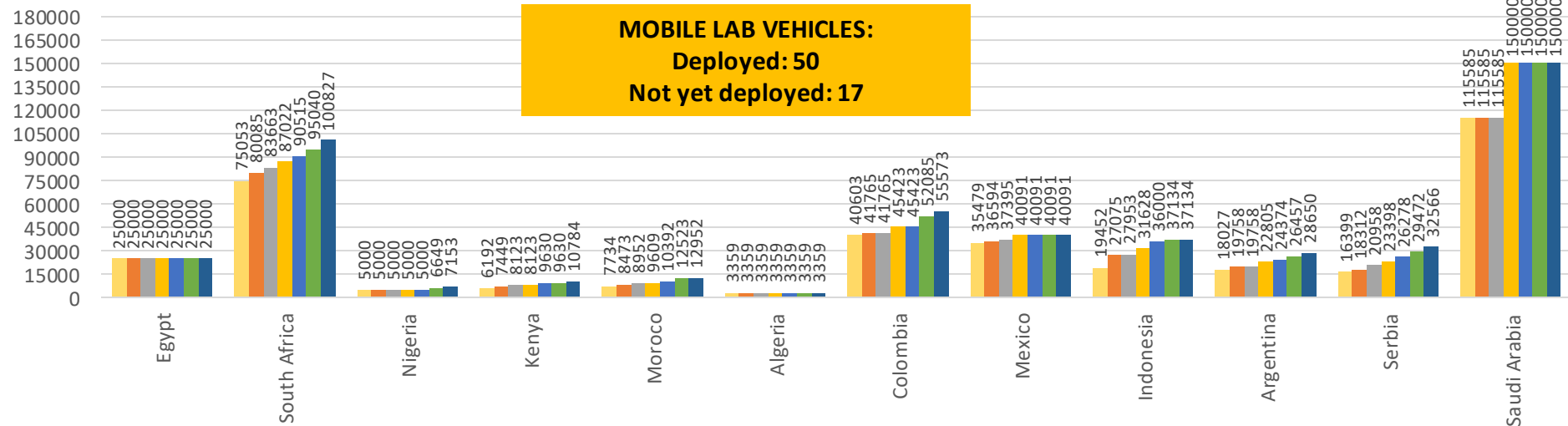
Private: 118 000

### NUMBER OF COVID-19 TESTS CONDUCTED

➤ Growth since 17 April 2020: 34,3%



➤ Comparison with other countries



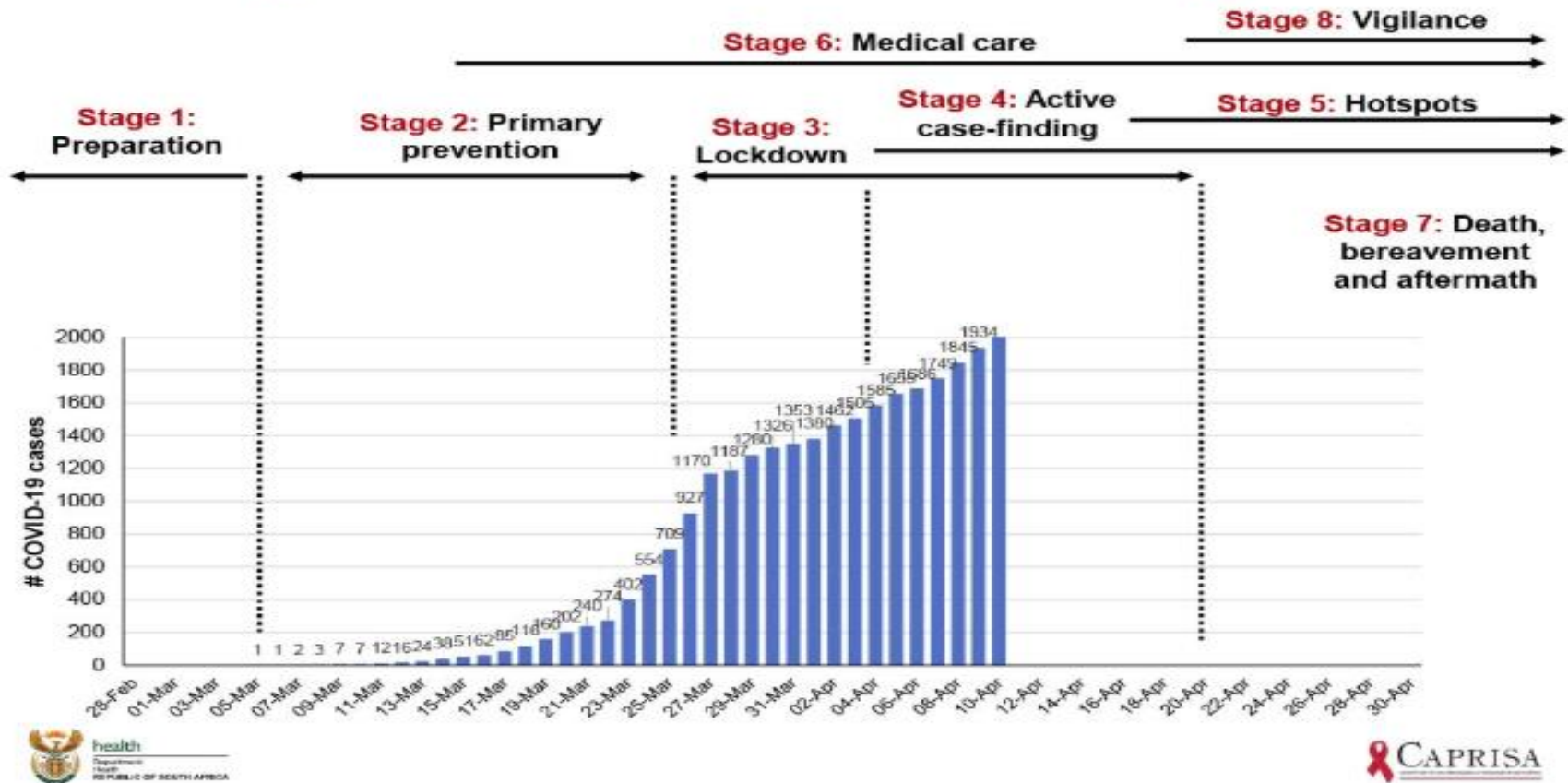
### TESTS PER 1 MILLION OF THE POPULATION

Test per 1M	244	1700	35	201	351	77	1092	311	136	634	3727	4309
Infected	2844	2783	493	246	2564	2418	3439	6875	5923	2758	5690	7142



# Strategy Options to deal with Covid-19

## Stages of SA's COVID-19 response



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# Legislative measures and the time line

- 15 March 2020 – Head of Centre Classifies COVID-19 a National Disaster
- 15 March 2020 – Minister declares a National a state of Disaster in GG 43096
- 18 March 2020 – Minister makes 1<sup>st</sup> Regulations issued in GG 43107
- 25 March 2020 – Minister makes 2<sup>nd</sup> Regulations issued in GG 43148
- 25 March 2020 – Minister makes 1<sup>st</sup> Directions issued in GG 43147
- 26 March 2020 – Minister makes 3<sup>rd</sup> Regulations issued in GG 43168
- 31 March 2020 – Minister makes 2<sup>nd</sup> Directions issued in GG 43184
- 2 April 2020 – Minister makes 4<sup>th</sup> Regulations issued in GG 43199
- 16 April 2020 – Minister makes 5<sup>th</sup> Regulations issued in GG 43232
- 20 April 2020 – Minister makes 6<sup>th</sup> Regulations issued in GG 43240

# Covid-19 Resources Hub

The Regulations made by the Minister (and other Ministers to Acts they administer) and all the Directions made by the respective Ministers under the declaration of the National State of Disaster since 15 March 2020, have set out a Regulatory framework (<https://www.gov.za/coronavirus/guidelines>) that, with the exception of essential goods and services, have lock down the country with the view to 'flatten the curve'.

These Regulations and many of the Directions must be reviewed in line with the broader strategy of government, post lockdown, to continue to flatten the curve.

# Local Government Circulars issued to date

The Minister of Cooperative Governance and Traditional Affairs have issued 5 local government Circulars.

- **Circular 6 of 2020**
- **Circular 7 of 2020**
- **Circular 8 of 2020**
- **Circular 9 of 2020**
- **Circular 10 of 2020**



# Covid-19 Response Institutional Arrangement

- The President has, on 18 March 2020, established a National Covid-19 Command Council (NCCC) that meets three times a week.
- The NCCC is supported by a technical committee comprising the respective Directors-General of the Ministries serving in the NCCC, which also meets three times a week (known as the National Command Centre)
- The NATJOINTS has also been activated to provide overall coordination of the response to Covid-19 and meets daily. The NATJOINTS has various working streams that deals with an array of matters such as: Border Control and Travel Restrictions, Economic, Social, Public Health Containment and Legal and Regulatory matters
- The NATJOC serves as the Secretariat for the NATJOINTS.

# Covid-19 Response Institutional Arrangements

- The COGTA has activated its Disaster Operations Centre (DOC) to coordinate local government response to COVID-19 from 25 March 2020.
- The 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.
- 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 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).
- The President convenes Presidential Coordinating Committee (PCC) meetings regularly on Covid-19 matters.

# Covid-19 Provincial Institutional Arrangements

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
Limpopo	Established and chaired by the Premier and attended by all MEC's	Established and chaired by the DG	5 District Disaster Management centers established
Mpumalanga	Command Council established and chaired by Premier	Command centre established and chaired by DG	Structures established
Northern Cape	Command Council established and chaired by the Premier	Command centre established and operational through PROVJOINT, chaired by DG	Structures established
North West	The Command Council Established and chaired by the Premier	Command centre established and operational, reporting daily on SRS System	All Structures established
Western Cape	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

# Portfolio Committee Issues and Responses

RELEVANT REGULATION	ISSUES OF CONCERN	SPECIFIC QUESTIONS/COMMENTS	COMMENTS
Regulation 5(3) Gazette No. 43107, Notice.R.318, 18 March 2020	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.'	<ol style="list-style-type: none"> <li>1. Have all municipalities complied with this provision?</li> <li>2. What monitoring mechanisms does the Department have in place to ensure municipal compliance with this provision?</li> <li>3. For those municipalities in compliance, what is the progress in terms of resourcing?</li> <li>4. What does the resourcing entail?</li> <li>5. What measures are in place to ensure that municipalities use the resourcing for the intended purposes, and not divert it to other ends?</li> </ol>	<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 base don 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 the costs. The national Department of Health is approaching National Treasury for funds.</li> </ol>

# Portfolio Committee Issues and Responses

RELEVANT REGULATION	ISSUES OF CONCERN	SPECIFIC QUESTIONS/COMMENTS	COMMENTS
Annexure B, Part B, Gazette No. 43148, Notice R. 398, 25 March 2020	Categorisation of essential services during lockdown	1. 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>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.</p> <p>Given that church goes 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,.</p> <p>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>



# Portfolio Committee Issues and Responses

RELEVANT REGULATION	ISSUES OF CONCERN	SPECIFIC QUESTIONS/COMMENTS	COMMENTS
Annexure B, Part B, Gazette No. 43148, Notice R. 398, 25 March 2020	Categorisation of essential services during lockdown	<p>2. Is the Department considering any amendments to the Regulations towards allaying the confusion around the provision of prepared foods?</p> <p>3. As reported in the media, some catering small businesses have been under the impression that this is an essential service, only to have their permits revoked later.</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 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>3. The provisioning of catering services to essential services ito the regulations is permitted.</p>



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# Portfolio Committee Issues and Responses

RELEVANT REGULATION	ISSUES OF CONCERN	SPECIFIC QUESTIONS/COMMENTS	COMMENTS
Amendment Regulation 8(d) (No Gazette and Notice Numbers yet available at time of writing) 16 April 2020	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 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>	<ol style="list-style-type: none"> <li>1. Where and what is the replacement for this deleted paragraph?</li> <li>2. What is the motivation and rationale for the deletion?</li> </ol>	<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 in a shorter time and more effective manner.</li> <li>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.</li> </ol>



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# Portfolio Committee Issues and Responses

RELEVANT REGULATION	ISSUES OF CONCERN	SPECIFIC QUESTIONS/COMMENTS	COMMENTS
<p>Amendment Regulation 14(b) (No Gazette and Notice Numbers yet available at time of writing)</p> <p>16 April 2020</p>	<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>	<ol style="list-style-type: none"> <li>1. The amendment is convoluted and needs reconsideration.</li> <li>2. Is the Department aware of any municipalities that are contravening this provision by refusing to issue trading permits, as reported in the media?</li> </ol>	<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 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.</li> </ol>



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# Portfolio Committee Issues and Responses

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# Quarantine Facilities Nationally

## STATE AND PRIVATE FACILITIES IDENTIFIED FOR QUARANTINE

(Data as at 19 April 2020)

IDENTIFIED FACILITIES						ASSESSED AND COMPLIANT		ACTIVATED FACILITIES				
PROVINCE	DISTRICTS & METROS	FACILITIES			BEDS	ASSESSED AND READY	TOTAL BEDS	NUMBER OF FACILITIES ACTIVATED		NUMBER OF BEDS ACTIVATED		NO. OF PEOPLE IN QUARANTINE
		STATE	PRIVATE	TOTAL				STATE	PRIVATE	STATE	PRIVATE	
EC	8	77	194	271	11813	119	4629	1	0	16	0	0
FS	5	32	21	53	3816	14	1180	0	5	0	194	54
GP	5	67	152	219	30192	18	3456	3	5	837	1592	700
KZN	11	89	70	159	12369	47	862	4	3	651	182	29
LP	5	77	12	89	3398	10	875	4	1	183	25	40
MP	3	50	49	99	7989	19	1285	2	0	161	0	58
NC	5	70	61	131	5734	21	1055	7	1	632	14	71
NW	4	44	20	64	6554	10	396	4	1	62	50	4
WC	6	46	105	151	20552	27	3543	0	8	0	1791	484
<b>TOTAL</b>	<b>52</b>	<b>552</b>	<b>684</b>	<b>1236</b>	<b>102417</b>	<b>285</b>	<b>17281</b>	<b>62</b>	<b>24</b>	<b>2542</b>	<b>3848</b>	<b>1440</b>



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# Concluding Remarks

- 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.
- It is expected that the Portfolio Committee will find the briefing to be a critical strategy and action consolidation platform in order to ensure streamlines and accelerated public health response measures to flatten the curve.



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# Recommendations

It is recommended that:

1. The PC should note the comprehensive report on national interventions to combat the outbreak of Covid-19 in South Africa under the leadership of the National Coronavirus Command Council (NCCC)
2. Take note of direct responses to the four (4) issues raised by the PC.
3. The PC should continue providing political oversight and support to national efforts to combat the spread of Covid-19.

# Thank You

## QUESTIONS / COMMENTS / INPUTS



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