**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**THURSDAY, 11 FEBRUARY 2021**

**DUE DATE: 26 FEBRUARY 2021**

**158. Mr D W Macpherson (DA) to ask the President of the Republic:**

Whether, with reference to the Western Cape High Court ruling against the Minister of Cooperative Governance and Traditional Affairs for the illegal and unconstitutional ban on tobacco products under the Disaster Management Act, Act 57 of 2002, which cost the country upwards of R3 billion in tax and inflicted misery on 11 million South Africans, he intends taking disciplinary steps against her for her illegal and unconstitutional action; if not, why not; if so, what steps have or will be taken?

NW161E

**REPLY**

The High Court ruling to which the Member refers is on appeal as government is of the firm view that this decision should be appealed.

The nature of the pandemic is constantly changing and government’s caution, based on information available at the time was therefore entirely justifiable.

As a responsible government we consider it critical that we continue to have all options at our disposal should any of these prove necessary to combat the pandemic.

There is no intention to take any disciplinary action against the Minister of Cooperative Governance and Traditional Affairs on this matter. It was a collective decision of Cabinet to take all precautions necessary to limit transmission of the coronavirus and to limit the likely increase in the number of severe cases.