**National of Assembly**

**Question No: 630**

**630. Mrs N J Nolutshungu (EFF) to ask the Minister of Transport:**

Whether he has found that his visits that resulted in the gathering of crowds at taxi ranks (a) were in contravention of the regulations to prevent the spread of COVID-19 and (b) put the lives of commuters at risk who may have been infected by the coronavirus; if not, what is the position in this regard; if so, what are the relevant details? NW830E

**REPLY**

1. In respect of the intervention made at the Noord Taxi Rank, it is important that I give context to my response and to also thoroughly explain the circumstances so my answer can be appreciated within this context.
	1. Regulation 11B(1)(a)(i) of the Disaster Management Act 2002; Amendment of Regulations issued in terms of section27(2) (the Regulations) states;

‘11B. (1) (a) For the period of lockdown-

1. Every person is confined to his or her place of residence, unless strictly for thepurpose of the performing an essential service, obtaining an essential good or service, collecting a social grant, or seeking emergency, life-saving or chronic medical attention Emphasis added.
	1. Category B, item 26, of Annex B to the Regulations lists as an essential service:

Services rendered by the Executive, members of Parliament, Members of the Provincial Legislature Members of Local Councils, the Judiciary, Traditional leaders, and National Office Bearers of Political Parties represented in Parliament Emphasis added.

* 1. Accordingly, during the national lockdown, I am obliged to continue rendering my

services and performing my duties as Member of Parliament and of the Executive, particularly in the fight to prevent or limit infections, transmissions and the spread of the Covid-19 virus, which has been declared a global pandemic by the World Health Organization.

1.4. Consequently, on 26 March 2020, I caused to be issued Directions in terms of

 Regulations 10(7) of the Regulations **(the Directives**). Given that the COVID-19 pandemic is a moving target, the Directives were amended on 31 March 2020. The aforementioned amendment to the Directives caused much unhappiness and ructions in the taxi industry which was likely to result in nationwide protests.

* 1. As the sitting Minister of Transport, part of my duties aforesaid is educating *inter alia the* taxi(namely; associations, owners, drivers and queue marshals)and public commuters about the Regulations and the Directives insofar as they relate to the industry in the fight to prevent or limit infections, transmission and the spread of the COVID-19 virus. Covid-19 has been declared a pandemic by the World Health Organization. The fight against it is not only a national but global duty. The honorable member cannot deny the importance and prioritization of his fight.
	2. It has been widely publicized that the industry, which is obviously a major risk environment for infection, transmission and spreading of the virus was at the beginning of the national lockdown and has continue to be one of the main problem industries in the adherence to the Regulations and the measures put in place by the Government in the fight against pandemic. Consequently, the persistent and continued education of the taxi industry and commuters was identified as essential and a priority by Government, in particular the Ministry of Transport, of which I’m its head.
	3. As Minister of Transport, I was alerted to overcrowding which was taking place in and around Noord taxi rank in Johannesburg Central Business District (**the Taxi Rank**) in contravention of the Regulations and the Directives, and which most concerning carried the real possibility of undoing the Governments’ efforts in the fight the pandemic. In response to this emergency.I urgently attended at the Taxi Rank to *inter alia* investigate the situation and to inform and educate the taxi industry and commuters about the reasons and rational behind, and the actual, measures that they must adopt in terms of the Regulations and Directives in the fight against the pandemic, being the prevention or limitation of the rate of infections, transmission and the spread of the virus.
	4. Upon my arrival, I observed, with despair and concern, a number of contraventions of the Regulations and the Directors in and around the Taxi Rank by members of the taxi industry, commuters and general members of the public.
	5. Consequently, exercising my duties as Minister of Transport, I inter alia gave an address to inform and educate the members of the taxi industry, commuters and general members of the public about the reasons and rational bind, and actual, measures that they must adopt in terms of the Regulations and Directives in the fight against the pandemic, being the prevention or limitation of the rate of infections, transmission and the spread of the virus. It will be noted from the video footage of my address which is publically available that there were also members of South African Police Services and The Johannesburg Metropolitan Police Services in attendance. What is more, residents of the buildings in the surrounding area also came out onto their balconies to listen to my address.
	6. Since my address, the taxi industry and commuters have significantly improved their adherence to the Regulations and Directives. I had also requested the Mayor of Johannesburg and a Member of the Executives at Local Government level who is also declared an essential worker in line with the regulations to accompany me as these commuters and residents of his city.

2.

 2.1 In light of the above, it is clear that I did not, nor did I intend to, contravene the Regulations, particularly regulations 11B.(1)(a)(ii)

 2.2 The Honourable member’s assertions in the question that I contravened the Regulations when he made the address in the circumstances referred to above are not only incorrect but also reflective of wrong observations.

 2.3 I have remained fully committed to complying with Regulations and the fight against infection, transmission and spread of the COVID-19 virus. I’m heartened by the millions of South Africans who are complying with the Regulations

2.4 I believe that all of us will meaningfully join the Government’s efforts in the aforesaid fight spread of other members of society focusing on derailing or destructing members of our society, the South African Police Services and the Executive who are at the forefront of fighting the pandemic.