

- (c) when buying or obtaining goods and services, as allowed in Table 1.
- (2) An enforcement officer must, where a gathering takes place—
- (a) order the persons at the gathering to disperse immediately; and
- (b) if the persons refuse to disperse, take appropriate action, which may, subject to the Criminal Procedure Act, include arrest and detention.

### Places and premises closed to the public

**24.** (1) Any place or premises normally open to the public where religious, cultural, sporting, entertainment, recreational, exhibitional, organisational or similar activities may take place, is closed.

(2) Any place or premises normally open to the public or where people may gather, are prohibited. These include—

- (a) public parks, sports grounds and fields, beaches and swimming pools;
- (b) flea markets;
- (c) fêtes and bazaars;
- (d) night clubs;
- (e) casinos;
- (f) hotels, lodges, bed and breakfasts, *airbnbs*<sup>1</sup>, timeshare facilities and resorts, and guest houses, except to the extent that they are required for remaining tourists confined to hotels, lodges and guest houses;
- (g) private and public game reserves except to the extent that they are required for remaining tourists confined to private and public game reserves;
- (h) holiday resorts except to the extent that they are required for remaining tourists confined to such holiday resort;
- (i) taverns and *shebeens*, or similar establishments;
- (j) theatres and cinemas; and
- (k) museums.

(3) Persons rendering security and maintenance services may continue to perform these services at the places or premises listed in this regulation.

(4) The Cabinet member responsible for cooperative governance and traditional affairs may, by direction in the Gazette, determine any other place or premises that must be closed, if there is a risk to any person or members of the public being exposed to COVID-19.

### Controlled visits by members of the public

**25.** All visits by members of the public to—

- (a) Correctional Centres;
- (b) Remand Detention Facilities;
- (c) Police Holding Cells;
- (d) Military Detention Facilities;
- (e) Health establishments and facilities, except to receive treatment or medication in accordance with health protocols; and

(f) Facilities controlled or managed by the Department of Social Development, including Child and Youth Care Centres, shelters, One Stop Centres, and Treatment Centres, will be allowed to the extent and in the manner as directed by the Cabinet member responsible for cooperative governance and traditional affairs after consultation with the Cabinet members responsible for health, police and justice and correctional services.

#### **Sale, dispensing or transportation of liquor**

26. (1) The sale, dispensing and distribution of liquor is prohibited.
- (2) The transportation of liquor is prohibited, except where alcohol is required for industries producing hand sanitizers, disinfectants, soap, alcohol for industrial use and household cleaning products.
- (3) The transportation of liquor for export purposes is permitted.
- (4) No special or events liquor licenses may be considered for approval during the duration of the national state of disaster.

#### **Tobacco products, e-cigarettes and related products**

27. The sale of tobacco, tobacco products, e-cigarettes and related products is prohibited.

#### **Operation of economic sectors**

28. (1) Businesses and other entities as set out in Table 1 may commence operations.
- (2) Every person in control of a retail store or institution must—
- (a) take steps to ensure that customers keep a distance of at least one and a half metres from each other, and that all directions in respect of health protocols and social distancing measures COVID-19, are adhered to; and
- (b) designate a compliance official to ensure that the safety controls are strictly adhered to, and display the name of the official prominently in the store or in a visible area.
- (3) Retail stores selling goods as provided for the Table 1 are prohibited from selling other goods that are not permitted in terms of the Table 1.
- (4) Persons performing essential services or permitted services, must be duly designated in writing by the head of an institution, or a person designated by him or her, on a form that corresponds with Form 2 in Annexure A: Provided that Cabinet member responsible for small enterprises may issue directions in respect of small and micro enterprises, co-operatives, informal traders and *spaza* shops in respect of those entities.

#### **Energy and petroleum products supply**

29. To ensure the continuous supply of energy and petroleum products to society as referred to in Table 1—
- (a) collieries that supply Eskom may continue to operate at full capacity; and



- (b) refineries and other facilities providing energy and fuel may operate at full capacity to avoid shortage of fuel and energy, and such operations may include fuel storage, smelters, plants and furnaces.

### **Mining Operations**

**30.** (1) Open-cast mining scaling up to a baseline of 50% and thereafter scaling up to full employment.

(2) All other mining starting in batches scaling up towards 50% employment.

(3) Mining operations, must be conducted at a reduced capacity of not more than 50%, and thereafter at increasing capacity as determined by direction issued by the Cabinet member responsible for mineral resources and energy.

(4) The following conditions apply to the starting and increasing of capacity:

- (a) Appropriate measures to protect the health and safety of workers must be implemented by mining companies in accordance with the directions issued from time to time by the Cabinet member responsible for mineral resources and energy, in consultation with the Cabinet member responsible for health.
- (b) a rigorous screening and testing programme must be implemented as employees return to work;
- (c) the mining industry must provide quarantine facilities for employees who have tested positive for the COVID-19;
- (d) data collected during the screening and testing programme must be submitted to the authority referred to in regulation 8;
- (e) mining companies must make arrangements to transport their South African employees from their homes to their respective areas of operations;

(5) The monitoring and impact assessment of seismicity through the Council for Geoscience must be intensified with immediate effect.

### **Offences and penalties**

**31.** (1) For the duration of the national state of disaster, any person who—

- (a) convenes a gathering; or
- (b) hinders, interferes with, or obstructs an enforcement officer in the exercise of his or her powers, or the performance of his or her duties in terms of these Regulations,
- is guilty of an offence and, on conviction, liable to a fine or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(2) For the purposes of this Chapter, any person who fails to comply with or contravenes the provisions of regulations 16(1), 16(2), 16(3) and 16(4), 19, 24(1) and 24(2), 26(1) and 26(2), 27 and 28(3) of these Regulations commits an offence and is, on conviction, liable to a fine or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.



**TABLE 1**  
**ALERT LEVEL 4**

All persons who are able to work from home should do so.

Persons in the following list of industries and activities will be permitted to perform work outside the home, and to travel to and from work, under Alert Level 4, subject to—

- (a) strict health protocols, and social distancing rules;
- (b) return to work to be phased in to enable measures to make the workplace COVID-ready; and
- (c) return to work to be done in a manner that avoids and reduces risks of infection.

<b>PERMISSIONS AND PROHIBITIONS</b>	
<b>PART A</b>	<b>AGRICULTURE, HUNTING, FORESTRY AND FISHING</b>
1	<p>All agriculture, hunting, forestry and fishing, bee-keeping, including preparation, cultivation, harvesting, storage, transport of live animals and auctions (subject to health directions) and related agricultural infrastructure and services (including research, inspection, certification and quality control).</p> <p>All fishing, operation of fish hatcheries and fish farms, on such conditions as may be issued in directions by the cabinet members responsible for the environment, forestry and fisheries.</p> <p>Harvesting and storage activities essential to prevent the wastage of primary agricultural, fishing and forestry goods.</p> <p>Export of all agricultural, agro-processed, fishing and forestry products.</p>
<b>PART B</b>	<b>ELECTRICITY, GAS AND WATER SUPPLY</b>
1.	All electricity, gas and water supply is permitted.
<b>PART C</b>	<b>MANUFACTURING</b>
1	Manufacture of wholesale and retail products permitted to be sold under Alert Level 4, and all input products, permitted scaling up to full employment, except where otherwise indicated, and subject to strict health protocols.
2	Manufacture of paper and paper products, excluding stationery, permitted scaling up to full employment and subject to strict health protocols.
3	Manufacture of plastics and packaging, including glass, plastic bottles and containers, permitted scaling up to full employment and subject to strict health protocols.
4	Petroleum refineries, smelters, and furnaces, permitted scaling up to full employment and subject to strict health protocols.
5	Manufacture of winter clothing, footwear, bedding and heaters (and all inputs required, including textiles) permitted, commencing at 25% and scaling up to 50% employment and subject to strict health protocols.
6	Manufacturing of automobiles, steel and other metals, rail and ship-building (including components), scaling up in phases to 50% employment and subject to strict health protocols.
7	Stationery production, scaling up in phases to 50% employment and subject to strict health protocols.
8	Cement, other construction material, and hardware, scaling up in phases to 50% employment and subject to strict health protocols.
9	All other manufacturing, scaling up to 30% employment and subject to strict health protocols.



<b>PART D</b>	<b>CONSTRUCTION AND RELATED SERVICES (INC. TRADES PERSONS)</b>
1	Civil engineering for public works projects (including water, energy, sanitation).
2	Public works civil engineering and construction works.
3	Road and bridge projects, including local road repairs
4	Critical maintenance and repairs.
<b>PART E</b>	<b>WHOLESALE AND RETAIL TRADE, COVERING STORES, SPAZA SHOPS, E-COMMERCE AND INFORMAL TRADERS</b>
1	Food products, including non-alcoholic beverages and animal food.
2	The sale of hot cooked food, only for home delivery.
3	Toilet Paper, sanitary pads, sanitary tampons, and condoms.
4	Hand sanitiser, disinfectants, soap, alcohol for industrial use, household cleaning products, and personal protective equipment.
5	Products for the care of babies and toddlers.
6	Personal toiletries, including haircare, body, face, hand and foot care products, roll-ons, deodorants, dental care products.
7	Medical and Hospital Supplies, medicine, equipment and personal protective equipment.
8	Fuel and lighting, including coal, wood, paraffin and gas.
9	Airtime and electricity.
10	Hardware, components and supplies.
12	Components for vehicles undergoing emergency repairs
13	Chemicals, packaging and ancillary products used in the production of any these products listed in Part E.
14	Textiles required to produce face masks and other personal protective equipment and winter clothing.
15	Winter clothing, footwear, bedding and heaters and the components and fabrics required to manufacture these.
16	Children's clothing and fabrics and components required to manufacture these.
17	Stationery and educational books.
18	Personal ICT equipment including computers, mobile telephones and other home office equipment.
19	No sale of liquor permitted.
20	Directions may permit the incremental expansion of e-Commerce, taking into account the need to limit the extent of movement on the road, contact between people, law-enforcement challenges and the impact on other businesses.
<b>PART F</b>	<b>INFORMATION AND COMMUNICATION SERVICES</b>
1	All telecommunication services and infrastructure.
2	Information and Communication Technology services for all private and business customers.
3	Postal services and courier services for all permitted Alert Level 4 services.
<b>PART G</b>	<b>MEDIA AND ENTERTAINMENT SERVICES</b>
1	Online services.
2	Productions for local broadcast and live streaming of creative sector services in support of COVID-19 subject to directions.
3	Newspapers and broadcasting.
<b>PART H</b>	<b>FINANCIAL AND BUSINESS SERVICES</b>
1	Employees should work from home where possible.
2	Essential financial services may operate, subject to directions issues by the relevant Cabinet member, including the following services necessary to maintain the functioning of a financial system as defined in section 1(1) of the Financial