

# Q & A FOR BUSINESS OPERATIONS DURING THE LOCK DOWN UPDATED AS AT 15 MAY 2020

This Q&A constitutes guidelines for business during the lockdown. It is not an official document, and does not constitute legal advice, but is intended to bring some clarity to businesses at the current point in time.

This information is accurate as at the date of publishing this information, however the regulations may change quite rapidly so it is recommended that you check the [South African government website](#) frequently to stay on top of any amendments which may affect your business.

## **Part A: Questions regarding preparation for re-opening**

### **1. IS THERE AN OFFICIAL LIST OF WHICH BUSINESSES THAT CAN OPEN?**

Yes, the [New COVID-19 Regulations](#) provide a list of both “essential services” which may continue to operate and “permitted services” which are allowed to operate during Alert Level 4. The [New COVID-19 Regulations](#) intend to apply a risk-adjusted strategy to bring different sectors of the economy back into operation in a safe manner. Accordingly, as we move from Alert Level 4 to lower Levels, more businesses will be permitted to operate, subject to any prescribed health protocols.

### **2. WHICH BUSINESSES ARE PERMITTED TO OPERATE DURING ALERT LEVEL 4?**

The [New COVID-19 Regulations](#) allow some industries and activities to continue or resume their business operations during Alert Level 4, subject to compliance with prescribed health protocols. These businesses include those that provide “essential services” as well as those that provide “permitted services”, as described in the [New COVID-19 Regulations](#). In addition, any business which is able to safely operate remotely (i.e. work from home) may continue to do so regardless of whether or not it is regarded as an essential or permitted service.

#### Essential Services are those:

- specifically listed in Annexure D (Part B) of the [New COVID-19 Regulations](#)
- that are already officially registered under the Labour Relations Act as an essential service. The list of such services is available on [CCMA website](#), under advice and information sheets, and is up to date.

#### Permitted Services are those:

- Listed in Table 1 of the [New COVID-19 Regulations](#). [See Annex A2, below for guidance]
- It must be noted that not all permitted service providers will be allowed to resume full capacity immediately.

*For ease of reference a consolidated list of the essential services is attached as **Annex A1** while a permitted services are attached as **Annex A2**. These lists have been compiled having regard to the [New COVID-19 Regulations](#) and are up to date as at 29 April 2020.*

**3. WE WANT TO REOPEN BUT DO NOT WANT TO FALL FOUL OF THE LAW, ARE THERE ANY RESOURCES WHICH CAN ASSIST MY BUSINESS IN PREPARING TO REOPEN?**

Any employer which is permitted to commence operations must develop measures to ensure that the workplace meets the standards of health protocols. Employers should also take steps to eliminate or mitigate the transmission of COVID-19 in line with the [New COVID-19 Regulations](#), directives published thereunder as well as any sector agreements or guidelines recommended by industry associations.

This requires, amongst other things, that every employer undertakes a risk assessment to give effect to the minimum measures required by the [Occupational health and safety directions](#), 29 Apr 2020, as well as any other directives applicable to it which can be accessed at <https://www.gov.za/coronavirus/guidelines>. This also means that the employer will need to design and implement measures appropriate for its business having regard to the risk assessment performed by it (this will involve applying social distancing measures, hygiene standards, PPE and cloth masks, symptom screening etc).

There are many resources which businesses may find helpful in addition to those provided by the South African government for example [www.return2work.co.za](http://www.return2work.co.za) provides various business resources including a Workplace Readiness Practice Note, a Risk Assessment & management Tool, a COVID-Ready Workplace Planning Template, a CEO Declaration etc.

**4. IS IT POSSIBLE TO CONTINUE SELLING MY GOODS IF I DISTRIBUTE THEM USING COURIER OR E-COMMERCE PLATFORMS?**

Table 1, Part E(20) of the [New COVID-19 Regulations](#) states that directions may permit the incremental expansion of e-commerce, taking into account the need to limit the extent of movement. On 14 May the [e-Commerce sales during Alert Level 4 directions](#) were issued regulating:

- the goods which may be transacted through e-commerce platforms during Alert Level 4; and
- the protocols which must be observed by retailers, couriers or delivery services and customers in respect of goods transacted through e-commerce during Alert Level 4.

The e-commerce directions allow for **all goods** to be transacted through e-commerce platforms, except for goods prohibited for sale in terms of regulation 26 and 27 of the [New COVID-19 Regulations](#) (namely, liquor, tobacco products and e-cigarettes).

Further, strict health protocols set out in the [e-Commerce sales during Alert Level 4 directions](#) must be followed by courier and delivery services as well as by customers of these services.

**5. DO I HAVE TO REGISTER MY BUSINESS ON THE HTTP://WWW.BIZPORTAL.GOV.ZA/ CIPC PORTAL IN ORDER TO CARRY ON BUSINESS OR DO I NEED TO APPLY FOR AN EXTENSION IF I ALREADY HAD A CIPC CERTIFICATE?**

It is currently not obligatory in terms of the [New COVID-19 Regulations](#) to register on bizportal. This portal has been put in place as an additional measure to give comfort to business and employees if they get stopped by police officers. It will also help government understand and better manage essential and permitted business services during this time.

While it is currently not a legal condition of operation, it is recommended, that all registered companies providing an essential service or permitted service during Alert level 4 registers on the CIPC bizportal website, as law enforcement officers may request this information.

**6. THE CIPC PORTAL THE [HTTP://WWW.BIZPORTAL.GOV.ZA/](http://www.bizportal.gov.za/) DOESN'T ALLOW ME TO REGISTER AS I HAVE NOT REGISTERED AS A COMPANY. DOES THIS MEAN I AM PROHIBITED FROM OPERATING DURING ALERT LEVEL 4?**

Currently the CIPC portal only accommodates the registration of companies and close corporations. All of the following are automatically exempt and do not require a DTIC/CIPC certificate:

- All public sector health departments and facilities including the NHLS, NICD, Provincial Departments and hospitals, local government primary health care and clinics;
- All sole traders who provide essential services or permitted services - e.g. GPs or informal traders;
- All medical NGOs such as Medicins Sans Frontiere

**7. IF I CAN WORK FROM HOME, CAN I CONTINUE TO RUN MY BUSINESS?**

Yes, we encourage people to continue to remain productive by working from home if this is feasible and provided that this does not require physical contact with non-residents, or impair the Covid-19 response. This is specifically encouraged in Table 1 of [New COVID-19 Regulations](#) which states that all persons who are able to work from home should do so.

Further to this, even in circumstances that businesses may return to work during Alert Level 4, Regulation 5(a) of the [New COVID-19 Regulations](#) requires that employers adopt measures that promote physical distancing of employees including enabling employees to work from home or minimising the need for employees to be physically present at the workplace.

**8. ARE THERE ANY MAINTENANCE OR REPAIR SERVICES I CAN CONTINUE IF I AM NOT AN ESSENTIAL OR PERMITTED SERVICES BUSINESS?**

Yes, there are basic functions that will be important to maintain or to prevent the destruction or significant impairment of working areas, plant, machinery or inventory, or to permit orderly shutdown arrangements of businesses. The essential services list makes provision for the maintenance and security of property and IT infrastructure to enable businesses to operate financial and payroll systems in particular notwithstanding that their business operations may not be essential services or permitted services.

These particular essential services are covered in the Annexure D Regulations as follows:	Reference to Regulation
private security services	<i>Annexure D, B(19)</i>
Production, manufacturing, supply, logistics, transport, delivery, critical maintenance and repair in relation to the rendering of essential services including components and equipment	<i>Annexure D, B(23)</i>
Implementation of payroll systems to the extent that such arrangement has not been made, to ensure timeous payments to workers.	<i>Annexure D, B (31)</i>

Critical maintenance services which cannot be delayed for more than 21 days and are essential to resume operations	<i>Annexure D, B(32)</i>
Trades necessary for the rendering of emergency repair work, including plumbers, electricians, locksmiths, glaziers, roof repair work;	<i>Annexure D, B(33)</i>
Trades necessary for emergency automobile repairs for persons rendering essential services	<i>Annexure D, B(34)</i>

**9. I AM PROVIDING ESSENTIAL SERVICES TO OTHER COUNTRIES, IS MY BUSINESS COVERED?**

Yes, call centres, for local and all international markets, may operate subject to directions issues by the relevant cabinet members. Note [Call centre directions](#) 9 April 2020.

## Part B: Questions specific to small businesses or sole proprietorships

### **10. WHAT PERMIT REGULATIONS APPLY TO SMALL BUSINESSES OR SOLE PROPRIETORS?**

- All formal and informal small businesses or businesses owned by sole proprietors may conduct the wholesale and retail trade activities listed in Part E of Table 1. Every employee of such a small business must have a permit to perform essential or permitted services as per Form 2 of the Regulations.
- Form 2 may be signed by the Head of the small business in respect of employees.
- The Head or sole proprietor may sign their own Form 2 permit provided, that he or she is:
  - i. in possession of an affidavit indicating that he or she is performing a service permitted in terms of the Regulations;
  - ii. In possession of a CIPC company registration certificate, or sole trader document issued by SARS, or certified copies of the trade certificate of the owner or college certificate in the related qualification, or other documentary proof of the existence of, and the nature of, the business; and
  - iii. able to produce the documents referred to above, together with the permit, upon request by an enforcement officer.

Note that a website exists to allow informal businesses to register in Gauteng Province and to obtain a permit to operate within the lockdown period. The website can be accessed at this link: <https://informal.gauteng.gov.za>

### **11. WHAT REGULATIONS APPLY TO SPECIFIC TYPES OF SMALL BUSINESSES OR SOLE PROPRIETORS?**

A small scale bakery and a confectionery must:	<ul style="list-style-type: none"><li>• possess a business licence or permit to trade issued in accordance with the Businesses Act, 1999 (Act No. 71 of 1991) or a business licence or trading permit issued by the relevant municipality;</li><li>• not sell products or goods that are prohibited by the Regulations; and</li><li>• not allow the business premises to be used as sleeping quarters.</li></ul>
A small-scale hardware store must:	<ul style="list-style-type: none"><li>• possess a business licence or a permit to trade issued in accordance with the Businesses Act, 1999 (Act No. 71 of 1991) or a business licence or trading permit issued by the relevant municipality;</li><li>• not sell sub -standard goods; and</li><li>• not allow the business premises to be used as sleeping quarters</li></ul>
Informal and micro restaurants and shisanyamas must:	<ul style="list-style-type: none"><li>• possess a business licence or permit to trade issued in accordance with the Businesses Act, 1991 (Act No. 71 of 1991) or a business licence or trading permit issued by the relevant municipality; and</li><li>• not sell cooked food unless it is for home deliveries and the orders are placed telephonically or online.</li></ul>
An artisan's business must:	<ul style="list-style-type: none"><li>• possess a business licence or permit to trade issued in accordance with the Businesses Act, 1999 (Act No. 71 of 1991); or</li><li>• in the case of a vehicle service centre, fitment centre or a motor body repair workshop, if it does not already possess a business licence or trading permit, it must apply for such a business licence or trading permit with the relevant municipality.</li></ul>
Sole traders within the clothing and textiles business:	<ul style="list-style-type: none"><li>• Must not allow Personal Protective Equipment (PPEs) to be fitted or tried on by customers before purchase;</li></ul>

	<ul style="list-style-type: none"> <li>• Traders within the clothing and textiles sector: <ul style="list-style-type: none"> <li>○ are prohibited from selling PPEs that had been fitted, tried on or returned by a customer;</li> <li>○ must ensure that sizes are clearly marked before products are purchased; and</li> <li>○ must display notices that PPEs may not be fitted or tried on before purchase.</li> </ul> </li> </ul>
Cooperatives must	<ul style="list-style-type: none"> <li>• possess a valid and original certificate of registration as a Cooperative, in order to trade.</li> </ul>
All other small businesses which are not specifically mentioned above, must apply for permits to operate their permitted businesses as per the Regulations.	

## 12. WHAT HEALTH REGULATIONS APPLY TO SMALL BUSINESSES OR SOLE PROPRIETORS?

- All formal and informal small businesses are required to comply with the Occupational Health and Safety Measures in Workplaces COVID -19 (C19 OHS), 2020 Directions issued by the Minister of Employment and Labour and the Guidelines of the Department of Health with specific reference to preventing the spread of, and infection by Covid -19.
- All formal and informal small businesses must ensure that no person is allowed to enter business premises, if that person is not wearing a cloth face mask, a homemade item or another appropriate item that covers the nose and mouth.
- An employer must provide every employee who may come into direct contact with members of the public as part of the employee's duties, with a cloth face mask, a homemade item or another appropriate item that covers the nose and mouth.

## 13. CAN NON-SOUTH AFRICAN CITIZENS OPERATE BUSINESS DURING THE LOCKDOWN:

Yes, provided the business owner has:

- a permit to perform essential or permitted services as per Form 2 of the Regulations; and
- been lawfully admitted into the Republic and holds a valid passport with a visa issued by the Department of Home Affairs in terms of section 10 of the Immigration Act, 2002 (Act No.13 of 2002), authorising him or her to operate a business or alternatively, holds an asylum seeker's permit issued in terms of section 22 of the Refugees Act, 1998 (Act No. 130 of 1998), which allows him or her to work. Permission to operate the business will be linked to the period covered by the asylum seeker's permit.

## Part C: Movement of Goods

### **14. WILL I BE ABLE TO IMPORT OR EXPORT GOODS ACROSS THE BORDER OR THROUGH THE PORTS?**

Rail, ocean, air and road transport is permitted for the movement of cargo to and from other countries. However, Annexure B and Annexure C of the [New COVID-19 Regulations](#) list certain “essential goods for import” and “permitted goods for export” which restrict the goods that may be imported and exported as follows:

#### Imports

The following goods qualify as “essential goods for import”:

1. Food products, including non-alcoholic beverages and animal feed.
2. Sanitary pads, sanitary tampons, condoms.
3. Hand sanitiser, disinfectants, soap, alcohol for industrial use, household cleaning products, and personal protective equipment, excluding cloth face masks.
4. Products for the care of babies and toddlers.
5. Personal toiletries, including haircare, body and face care products, roll-ons, deodorants, and dental care products.
6. Medical and hospital supplies, medicine, equipment and personal protective equipment (excluding cloth face masks).
7. Fuel, including coal, wood, paraffin and gas.
8. Hardware, components and supplies.
9. Components for aftersales vehicles services.
10. Chemicals, packaging and ancillary products used in the production of any these products.
11. Textiles required to produce face masks, and other personal protective equipment.
12. ICT equipment to facilitate work-from-home arrangements including computers, mobile telephones and other home office equipment.

In addition, it appears that the following goods will be released at ports of entry even if they do not qualify as “essential goods for import”:

1. materials and components required for manufacturing activities allowed under Alert Level 4;
2. goods cleared at ports of entry for removal in transit through South Africa destined for neighbouring countries.

#### Exports

The following goods qualify as “goods permitted for export”:

1. agricultural, agro-processing, forestry and fishing products; and
2. manufacturing products and mining products permitted for production under the Alert Level 4 table subject to directions issued by the relevant Minister

The regulations also make provision for the transport of goods cleared at ports of entry for removal in transit through South Africa destined for neighbouring countries.



## Part D: Enabling employees / workers to start working

### **15. WHAT DO I NEED TO DO FOR A WORKER THAT NEEDS TO COMMUTE TO AND FROM WORK TO PERFORM AN ESSENTIAL OR PERMITTED SERVICE?**

#### Permit and Identification document

- The worker should have a permit which corresponds with Form 2 in Annexure A of the [New COVID-19 Regulations](#) signed by the Head of the Business. The permit should either be on an official company letterhead or stamped using the company stamp (if available).
- The worker must also carry his/her as well as official personal identification (ID document, passport or other official photo ID) with her/him when travelling to and from work. Although SAPS have been instructed to accept electronic permits (e.g. employee's phones) this has not been tested and not recommended at this stage.

#### Movement between provinces, metropolitan and district areas

- In the previous regulations, movement between provinces, metropolitan and district areas was prohibited unless the worker obtained a special permit from the SAPS. The New COVID-19 Regulations no longer require this special permit and allow the movement between provinces, metropolitan and district areas for workers who have to commute to and from work on a daily basis provided they carry the general worker permit described above (i.e. there is no additional permit that needs to be issued).

#### Optional evidence

Although not specific requirement of law, as a cautionary measure, it is advisable that workers also carry the following, if possible:

- a copy of the proof of registration on the <http://www.bizportal.gov.za/> CIPC website; and/or
- a company identity card, if applicable.

### **16. ARE THE CURFEW RESTRICTIONS APPLICABLE TO PERSONS WHO RENDER ESSENTIAL SERVICES AND PERMITTED SERVICES DURING ALERT LEVEL 4?**

Regulation 16(3) of the [New COVID-19 Regulations](#) explicitly excludes workers who have been granted a permit to perform an essential or permitted service and persons attending to a security or medical emergency from the curfew provisions. Accordingly, there are no restrictions for the transportation of persons rendering essential services or permitted services during Alert Level 4.

In this regard, Table 1 Part J2 & 3 allow public rail, minibus taxi and bus services to resume at Alert Levels (on terms set out in Directions) based on the progressive increase in commuter numbers during the various phases while E-hailing services may operate subject to restrictions on capacity and times and for permitted activities only.

The transportation must however be in line with the operating shifts, work time schedules as determined by the responsible head of operations, Manager, Head of the Department or a person with responsible authority as an Employer.

## **17. AM I REQUIRED TO PROVIDE WORKERS TRANSPORTATION?**

An employer is not obliged to provide workers with private transportation, however, in light of there being no public transport between 20h00 to 05h00, employers who have staff that render essential services or permitted services may need to coordinate private transport for their staff who are required to work outside of the aforementioned timeframes.

Employers should consider the questions and answers applicable to vehicle capacity and health and safety measures when providing private transport.

## **18. WHAT HEALTH MEASURES MUST PUBLIC TRANSPORT AND E-HAILING OPERATORS ADHERE TO DURING THE LOCKDOWN?**

- a) The term “public transport vehicle” encompasses a motor car, minibus, midibus and a bus. The following health measures are required to be implemented by operators of public transport vehicles in general:
  - i. All operators must ensure that public transport vehicles are sanitized before picking up and after dropping off passengers;
  - ii. Operators must ensure that all public transport vehicles' doors and window handles, arm rest and handrails are sanitized after every load;
  - iii. Passengers must be encouraged to sanitise after they enter the vehicle and after getting off the vehicle;
  - iv. Operators must ensure that all public transport vehicles are clean and tidy;
  - v. All public transport operators must provide disinfection information materials and procedures;
  - vi. All drivers must wear a cloth face mask or a homemade item that covers nose and mouth;
  - vii. The sanitisers used to sanitise all public transport vehicles must have a minimum of 60% alcohol content; and
  - viii. All public transport operators must put measures in place to adhere to physical distancing to curb the spread of the virus.
  
- b) E- hailing (such as Uber), meter taxis, shuttle services, chauffeur driven vehicles are permitted to carry not more than 50% of their permissible passenger carrying capacity as follows:
  - i. A vehicle with a permissible carrying capacity of 5 persons is allowed to carry two passengers plus a driver (i.e. 3 persons);
  - ii. A vehicle with a permissible carrying capacity of 7 passengers is allowed to carry three passengers plus a driver (i.e. 4 persons);and
  - iii. A vehicle with a permissible carrying capacity of 10 passengers is allowed to carry five passengers plus a driver (i.e. 6 persons);
  
- c) Mini and Midibus Taxi vehicles must not carry more than 70% of their maximum licensed passenger carrying capacity as follows:
  - i. A minibus licensed to carry 10 passengers, is limited to carry a maximum of 7 passengers plus a driver;
  - ii. (b) A minibus licensed to carry 15 passengers, is limited to carry the maximum of 10 passengers plus a driver; and

iii. (c) A midi -bus permitted to carry a maximum of 22 passengers, is limited to carry a maximum of 15 passengers plus a driver.

d) A Bus is permitted to carry not more than 50% of its permissible passenger carrying capacity which includes both seating and standing passengers.

**19. ARE LEARNER’S LICENCES, DRIVING LICENCES AND MOTOR VEHICLE LICENCE DISKS THAT EXPIRED DURING THE LOCKDOWN INVALID?**

No, all learner's licences, driving licences, motor vehicle licence disks, temporary permits and road worthy certificates that expired during lockdown are deemed to be valid and shall be extended for a further grace period of 30 days from the 4<sup>th</sup> of May 2020.

**20. WHAT DO I DO IF STOPPED AT A CHECKPOINT AND I AM NOT ALLOWED TO PROCEED?**

- Stay calm and be respectful
- Understand the complaint and respond
- Produce relevant documentation (as per above) and ask the law enforcement officer to verify this with your company representative, if applicable
- Only if you can't resolve the problem, reach out to a Provincial SAPS Commissioner or an attorney, as appropriate. *[Note: Details of Provincial SAPS Commissioner and a limited list of attorneys is contained in Annex B]*

## **Part E: Occupational Health and Safety**

### **21. HOW IS “DEEP CLEAN” DEFINED IN ORDER TO REOPEN A BUSINESS?**

The definition of deep cleaning required for re-opening will depend on the sector/industry in which the business operates.

### **22. ARE THE MINIMUM HYGIENE REQUIREMENTS AN EMPLOYER IS REQUIRED TO PROVIDE TO EMPLOYEES?**

- Employers must be able to ensure adequate physical distancing in the workplace to reduce possible spread of illness or where 1,5 metres of distance cannot be achieved, physical barriers must separate individuals. With respect to additional supplies to employees, employers are required to ensure clean handwashing facilities with clean water, soap and paper towel is available. In addition, employers must provide a minimum of two cloth masks free of charge to each employee to wear in the workplace and in transit if taking public transit. It is important to familiarise yourself with the [Occupational health and safety directions](#), 29 Apr 2020.

### **23. WHAT SYMPTOMS IS A BUSINESS REQUIRED TO SCREEN EMPLOYEES FOR PRIOR TO PERMITTING ENTRANCE TO THE WORKPLACE?**

Employers should screen employees, at the time that they report for work, to ascertain whether they show any of the observable symptoms associated with COVID-19, such as fever, cough, sore throat, redness of eyes or shortness of breath. Furthermore, employers should require every worker to report whether they suffer from symptoms such as body aches, redness of eyes, loss of smell, loss of taste, nausea, vomiting, diarrhoea, fatigue, weakness or tiredness. Employers may do temperature tests in order to determine whether employees run a fever. In doing so, they should use un-invasive measures (thus rather not a thermometer that needs to be placed in the employee’s ear or mouth).

It is important to familiarise yourself with the symptom screen requirements in the [Occupational health and safety directions](#), 29 Apr 2020.

### **24. WHAT DO I DO IF A STAFF MEMBER PRESENTS TO REPORTS COVID-19 RELATED SYMPTOMS?**

If a worker presents or reports typical COVID-19 related symptoms:

- a) do not permit the worker to enter the workplace or report for work;
- b) if the worker is already at work, immediately isolate the worker, provide a surgical mask to the worker, and arrange for the worker to be transported in a manner that does not place other workers or members of the public at risk, for a medical examination, for testing or to be self-isolated. If the worker came to work in her/his private car and is able to drive, it is permissible to require the worker to drive home or to a medical practice or testing site, in her/his private vehicle. If the worker made use of public transport in getting to work, the employer should consider a way of transportation that does not place others at risk and, for example, require the worker to wear a mask, adhere to appropriate distancing, etc.;
- c) if the worker does not need hospital admission and is sent home, ensure that the worker undergoes self-isolation at home if appropriate, or at a designated isolation accommodation identified by the employer, in line with National Department of Health guidelines;

- d) provide prompt counselling and support to the worker as per institution's guidelines/standard operating procedures (SOPs);
- e) immediately assess the risk of transmission and if appropriate, require temporary closure to disinfect the area and workstation;
- f) refer other workers who may have come into contact with the worker showing symptoms and who may be at risk, for symptom screening;
- g) place the worker on paid sick leave, or if sick leave is exhausted, make application for illness benefits from the UIF in terms of the Directive issued on 25 March 2020; and
- h) ensure that the worker is not discriminated against on grounds of having tested positive for COVID-19.

## **25. SHOULD I REPORT ANY ALLEGED, PRESUMED AND CONFIRMED CASES OF COVID-19?**

If a worker has been diagnosed with COVID-19, you should inform the Department of Health (0800 002 9999) and the Department of Employment and Labour accordingly. You should also give administrative support to any contact-tracing measures implemented by the Department of Health.

In the event that there is evidence that the worker contracted COVID-19 as a result of "occupational exposure" (thus, in the course and scope of her/his employment), you may lodge a claim for compensation in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993 (COIDA) in order to enable the worker to access applicable benefits available to employees, such as:

- a) leave for temporary disability;
- b) assessment by an occupational medicine specialist in cases of complex disease that may result in permanent disability;
- c) cover of medical expenses for the treatment and testing, as well as permanent disability assessments; and
- d) compensation to dependents in case of death.

## **26. SHOULD I ALLOW A WORKER TO RETURN TO WORK AFTER TESTING POSITIVE FOR COVID-19?**

If a worker has been diagnosed with COVID-19 and isolated in accordance with the Department of Health Guidelines, the worker may only return to work if:

- a) the worker has undergone a medical examination confirming that s/he has been tested negative for COVID-19 after at least 14 days isolation;
- b) the worker wears the minimum of a surgical mask at all times for the remaining period of 21 days from the date of initial testing;
- c) the employer ensures that the worker adheres to social distancing, hygiene and cough etiquette; and
- d) the employer closely monitors the worker for symptoms on return to work.

## **Part F: Additional information**

### **27. WHAT DO I DO IF I NEED FURTHER INFORMATION ON THESE ISSUES?**

Please contact your industry association / contact person and ask them to consolidate and then feed through queries and comments to a central coordinating point as quickly as possible.

We appreciate that these are uncertain times and you may have many questions. We need to take responsibility for applying cool heads as to what is required of us under the current circumstances. Government will need to rely on us to self-comply, using our best judgement in the circumstances.

We ask all businesses and people to take this lockdown seriously and to help us respond as effectively as possible to the country's efforts to contain and minimise the impact of COVID-19.

## ANNEX A1 – LIST OF ESSENTIAL SERVICES

COVID-19 Regulations Annexure D - Part B	Examples
<p>B1 Medical, Health (including Mental Health), Laboratory and Medical services and the National Institute for Communicable Diseases</p>	<p>This includes:</p> <ul style="list-style-type: none"> <li>• clinics and mobile clinics, and workplace clinics</li> <li>• services to international markets as it relates to health support, including mental health support, this includes call centres providing health help lines</li> <li>• public and private hospitals</li> <li>• businesses supporting hospitals' administration (such as hospital registrations and hospital and patient record keeping)</li> <li>• pharmacies and laboratory services</li> <li>• medical practitioners, nursing staff, complementary health practitioners (such as occupational therapists and physiotherapists), traditional healers, pharmacists etc</li> <li>• retailers selling emergency medical kits and health and safety items</li> </ul>
<p>B2 Disaster Management, Fire Prevention, Fire Fighting and Emergency services</p>	<ul style="list-style-type: none"> <li>• Fire brigade</li> <li>• Emergency response services (private and public)</li> <li>• Emergency roadside assistance</li> <li>• Call centres which support emergency services, air rescue, evacuations, repatriations.</li> <li>• Note Directions issued in this regard: <ul style="list-style-type: none"> <li>○ <a href="#">Directions on return of South African citizens and the repatriation of foreign nationals to their countries of nationality or residence</a>, 9 May 2020</li> <li>○ <a href="#">Amended air services amendment directions</a>, 31 Mar 2020</li> <li>○ <a href="#">Aviation directions amendment: Air cargo</a>, 27 Mar 2020</li> <li>○ <a href="#">Air services directions</a>, 26 Mar 2020</li> <li>○ <a href="#">Air services lockdown directions</a>, 26 Mar 2020</li> </ul> </li> </ul>
<p>B3.1 The following services necessary to maintain the functioning of a financial system as defined in section 1(1) of the Financial Sector Regulation Act, only when the operation of a place of business or entity is necessary to continue to perform those services:</p> <p>(i) the banking environment (including the operations of mutual banks, cooperative banks, co-operative</p>	<p>This includes:</p> <ul style="list-style-type: none"> <li>• all financial services, including customer account support services except for pre-legal debt collection services</li> <li>• banks</li> <li>• financial markets, including the JSE</li> <li>• insurance, pension fund &amp; medical scheme administrators, including those provided through companies or trade unions</li> </ul>

COVID-19 Regulations Annexure D - Part B	Examples
<p>financial institutions and the Postbank);</p> <p>(ii) the payments environment;</p> <p>(iii) the financial markets (including market infrastructures licensed under the Financial Markets Act, 2012 (Act No. 19 of 2012));</p> <p>(iv) the insurance environment;</p> <p>(v) the savings and investment environment;</p> <p>(vi) pension fund administration;</p> <p>(vii) outsourced administration;</p> <p>(viii) medical schemes administration; and</p> <p>(ix) additional services set out in directions</p> <p>Provided the services listed in paragraph (a) may not be construed to include debt collection services.</p>	<ul style="list-style-type: none"> <li>• short-term insurers</li> <li>• long-term insurers</li> <li>• insurance claim offices</li> <li>• burial fund administrators</li> <li>• national payments system</li> <li>• credit providers</li> <li>• call centres servicing the financial services industry</li> <li>• financial intermediaries, including brokers and agents</li> <li>• foreign exchange</li> <li>• third-party service providers to the above</li> <li>• regulatory services</li> </ul>
<p>B3.2 Services necessary for the provision of social grants</p>	<p>South African Social Security Agency and its third- party service providers</p> <p>Non-profit organisations, community based organisations, and their workers are included in these services</p>
<p>B4 Production and sale of the goods listed in Annexure B</p>	<p>This includes:</p> <ul style="list-style-type: none"> <li>• the production and sale of any and all essential goods</li> <li>• all business services within the manufacturing, logistics, and distribution (supply chain) operations for any essential goods (listed in the section above)</li> <li>• suppliers of raw materials required to make essential goods would also be considered an essential service e.g. timber and pulp are required to make toilet paper and food and health product packaging</li> <li>• call centres that support logistic companies</li> </ul>
<p>B5 Wholesale and retail stores for re-stocking</p>	<p>This includes services related to provision of food, including producers, transporters, warehouses, outlets and other food distribution and delivery services.</p> <p>The written permission for <i>spaza shops</i> and informal fruit and vegetable traders can take the form of a pre-existing municipal permit or a permit issued following the lockdown</p>
<p>B6 Electricity (including vital demand management services), water gas and fuel production, supply and maintenance</p>	<p>This includes:</p> <ul style="list-style-type: none"> <li>• public and private electricity generators</li> <li>• transmitters and distributors</li> </ul>



COVID-19 Regulations Annexure D - Part B		Examples
		<ul style="list-style-type: none"> <li>retailers selling prepaid electricity</li> <li>gas and petroleum (including petrol stations), including the provision and transport of liquified petroleum gas</li> <li>renewable energy (e.g. solar or wind power production)</li> <li>fuel refineries, transport and storage</li> <li>smelters and mines required for the production of electricity, gas and fuel</li> <li>third-party service providers required for the production of electricity, water, gas and fuel and for the maintenance of facilities which product and supply these goods.</li> <li>sale of electricity related services</li> <li>call centres relating supporting electricity queries, fault management and purchase of electricity.</li> </ul>
B7	Critical jobs for essential government services as determined by Heads of National or Provincial Departments in accordance with the guidance of the Department of Public Service and Administration, including Social Grant Payments and pension payments.	<ul style="list-style-type: none"> <li>Provincial social distress, maintenance, financial and payroll services to pay goods and service providers as well as municipal employees.</li> <li>Provincial functions to issue informal traders of essential goods with permits.</li> <li>The provision of provincial services by third-party service providers.</li> <li>This includes call centres providing these services</li> </ul>
B8	Essential municipal services	<p>Municipal social distress, maintenance, financial and payroll services to pay goods and service providers as well as municipal employees.</p> <p>Municipal functions to issue informal traders of essential goods with permits.</p> <p>The provision of municipal services by third-party service providers.</p> <p>Note Directions applicable to municipalities:</p> <ul style="list-style-type: none"> <li><a href="#">Amended directions to municipalities and provinces, 7 May 2020</a></li> <li><a href="#">Amended directions to municipalities and provinces, 30 Mar 2020</a></li> <li><a href="#">Municipalities and provinces directions, 25 Mar 2020</a></li> </ul>
B9	Care services and social relief of distress provided to older persons, mentally ill, persons with disabilities, the sick, and Children	This includes old age homes, children’s homes and psychiatric facilities; food and essential goods community based workers and providers; as well as non-profit and voluntary service providers and persons.

COVID-19 Regulations Annexure D - Part B		Examples
B10	Funeral and cremation services, including mortuaries services and the transportation of mortal remains	This includes funeral homes and related services including call centres for burial services.
B11	Wildlife Management, Anti-poaching, Animal Care and Veterinary services	This includes domestic and non-domestic animal care, zoos and animal homes.
B12	Newspaper, broadcasting and telecommunication infrastructure and services, including call centres critical for the support of such services	<p>This includes:</p> <ul style="list-style-type: none"> <li>• electronic network services (services necessary to establish and maintain connectivity, internet service providers, data centres, fibre optic, technology, computing and business, infrastructure, cybersecurity)</li> <li>• businesses which establish, maintain and repair telephone wires, cell phone network infrastructure, towers and antennae cables, undersea cables, satellites and mobile technology networks</li> <li>• electronic network service providers (mobile and internet services), including mobile network operators (i.e. cell phone companies)</li> <li>• broadcasting (television, radio)</li> <li>• call centres which support telecommunication and ICT services, broadcasting and newspapers</li> <li>• the manufacture, supply and instalment all communication devices such as laptops, tablets, desktops, cell phones, SIM cards, hard drives and parts, and related services etc</li> <li>• cell phone stores and electronic stores.</li> </ul> <p>Note Directions:</p> <ul style="list-style-type: none"> <li>• <a href="#">Call centre directions</a>, 9 Apr 2020</li> <li>• <a href="#">Amended electronic communications, postal and broadcasting directions</a>, 6 Apr 2020</li> <li>• <a href="#">Electronic communications, postal and broadcasting directions</a>, 26 Mar 2020</li> </ul>
B13	Production and sale of any chemicals, hygiene products, pharmaceuticals for the medical or retail sector	<p>This includes:</p> <ul style="list-style-type: none"> <li>• all businesses within the manufacturing and supply chain of any chemicals, hygiene products and pharmaceuticals for the medical or retail sector</li> <li>• suppliers of raw materials such as timber and pulp required to make toilet paper and food and health product packaging.</li> </ul>
B14	Cleaning, sanitation, pest control, sewerage, waste and refuse services	<p>This includes</p> <ul style="list-style-type: none"> <li>• public and private providers of the listed services</li> <li>• providers of bulk removal and potable water (including call centre services for supply related queries and fault management)</li> <li>• sewerage</li> </ul>

COVID-19 Regulations Annexure D - Part B	Examples
	<ul style="list-style-type: none"> <li>• water purifiers and chemical producers and suppliers (including pool care material sold in retail stores)</li> <li>• chlorine manufacturers</li> <li>• manufacturers and suppliers of water hardware, tanks, pipes and infrastructure equipment</li> <li>• essential plumbing to businesses and households</li> <li>• essential electrician services to businesses and households</li> <li>• suppliers of equipment for plumbing and electrical services</li> <li>• pest control services and suppliers of pest control products</li> <li>• refuse collection and recycling services</li> <li>• industrial waste management</li> <li>• health waste management</li> <li>• cleaning services</li> <li>• the provision of equipment for the above services</li> </ul> <p>Note Directions applicable to recycling:</p> <ul style="list-style-type: none"> <li>• <a href="#">Directions for recycling of waste</a>, 14 May 2020</li> </ul>
<p>B15 Services related to the essential functioning of courts, judicial officers, the Master of the High Court, Sheriffs and legal practitioners required for those services</p>	<p>This includes legal practitioners involved in lockdown related or urgent litigation and advice.</p> <p>Note Directions applicable to courts:</p> <ul style="list-style-type: none"> <li>• <a href="#">Management of courts</a>, 6 May 2020 &amp;</li> <li>• <a href="#">Superior courts directions</a>, 21 Apr 2020</li> <li>• <a href="#">Legal directions</a>, 26 Mar 2020</li> <li>• <a href="#">Courts, court precincts and justice service points directions</a>, 31 Mar 2020</li> <li>• <a href="#">Court precincts directives</a>, 20 Mar 2020</li> <li>• <a href="#">Court precincts directives</a>, 20 Mar 2020</li> </ul>
<p>B16 Essential SARS services defined by the Commissioner of SARS</p>	<p>This includes private service providers to SARS and people dealing with urgent queries during the lockdown</p>
<p>B17 Police, peace officers, traffic officers, military medical personnel and soldiers, correctional services officials and traffic management services</p>	<p>This includes private service providers to these entities and services.</p> <p>Note Directions on correctional facilities:</p> <ul style="list-style-type: none"> <li>• <a href="#">Determination of correctional facilities as places of detention of illegal foreigners pending deportation</a>, 7 May 2020</li> <li>• <a href="#">Correctional services and remand detention facilities directions</a>, 9 Apr 2020</li> </ul>

COVID-19 Regulations Annexure D - Part B		Examples
B18	Postal services and courier services related to transport of medical products	<ul style="list-style-type: none"> <li>• <a href="#">Amended electronic communications, postal and broadcasting directions</a>, 6 Apr 2020</li> <li>• <a href="#">Electronic communications, postal and broadcasting directions</a>, 26 Mar 2020</li> </ul>
B19	Private security services	<p>This includes:</p> <ul style="list-style-type: none"> <li>• personal and property security (armed response, neighbourhood security etc.)</li> <li>• security systems, operators and call centres</li> <li>• installation and maintenance security and detection services (e.g. security cameras and beams)</li> </ul>
B20	Air-traffic Navigation, Civil Aviation Authority, air charters, Cargo Shipping and dockyard services	<p>This includes the cargo shipping of all goods (whether essential or not essential) and related port services (e.g. cargo handling, transport and storage). It also includes call centre support for air charters</p>
B21	Gold, gold refinery, coal and mining	<ul style="list-style-type: none"> <li>• <a href="#">Court order handed down by the Labour Court: Standard operating procedures for mines</a>, 5 May 2020</li> </ul>
B22	Accommodation used for persons rendering essential services, quarantine, isolation and the lockdown	<p>Annexure D of the Regulations has been amended to clarify that hotels, lodges and guest houses may not continue operating during the lockdown, <u>except</u> to the extent that they are required for:</p> <ul style="list-style-type: none"> <li>• remaining tourists confined to hotels, lodges and guest houses; and</li> <li>• for purposes of regulation 11B(8)(h) to the extent that they are required for persons from another metropolitan area, district, or province</li> </ul>
B23	Production, manufacturing, supply, logistics, transport, delivery, critical maintenance and repair in relation to the rendering of essential services including components and equipment	<p>This is a broad category, including all elements of the manufacturing and supply chain of all essential goods and services, including the production, supply and transport of all components, ingredients, raw materials and packaging that is used in relation to those goods and services. This also includes call centres insofar as they coordinate the supply chain logistics.</p>
B24	Transport services for persons rendering essential services and goods, and transportation of patients	<p>This includes:</p> <ul style="list-style-type: none"> <li>• buses</li> <li>• trains</li> <li>• taxis</li> <li>• e-hailing services</li> <li>• employer-provided transport</li> <li>• private vehicles of employee or employer</li> </ul> <p>Note the numerous transport directions below in Alert Level 4</p>

COVID-19 Regulations Annexure D - Part B		Examples
B25	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	This includes professional services and legal services relating to these services.
B26.1	Commissioners of the South African Human Rights Commission, Gender Commission, the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, the Public Protector and Deputy Public Protector and the Independent Electoral Commission	This includes professional services and legal services relating to these services.
B26.2	Services rendered by the institutions referred to in item 26.1	
B27	Transport and logistics in respect of cargo and goods as set out in <b>Part A</b> to neighbouring countries	This includes <ul style="list-style-type: none"> <li>the transport of goods and cargo to neighbouring countries (Botswana, Namibia, Zimbabwe, Mozambique, Lesotho and Eswatini) and transport across provincial boundaries for this purpose</li> <li>empty containers from these neighbouring countries are permitted back into South Africa</li> <li>distribution warehousing for this purpose</li> <li>port, road and rail networks and services, including customs clearing and SARS services.</li> </ul>
B28	Tow trucks and vehicle recovery services	
B29	Call centres necessary to provide health, safety, social support, government and financial services, debt restructuring for consumers of retailers. and access to short-term insurance policies as a result of reduced income or loss of income	This includes call centres providing essential services to foreign countries <ul style="list-style-type: none"> <li>Note Directions applicable to <a href="#">Call centre directions</a>, 9 Apr 2020</li> </ul>
B30	Harvesting and storage activities essential to prevent the wastage of primary agricultural goods	This includes: fruit, vegetables, grains, dairy, meat, bark and other fresh crops and products that will perish if not harvested and / or stored.
B31	Implementation of payroll systems to the extent that such arrangement has not been made, to ensure timeous payments to workers	Payroll systems provided by all businesses, necessary to maintain payments and for pension, medical and UIF provision
B32	Critical maintenance services which cannot be delayed for more than 21 days and are essential to resume operations.	Services such as urgent repairs, plumbing, electrical, refrigeration services etc.  When read with regulation 11B(4A)(a), this includes care and maintenance that is: (i) essential to prevent the destruction or significant impairment of working areas, plant, machinery or

COVID-19 Regulations Annexure D - Part B		Examples
		inventory, or (ii) essential to permit orderly shutdown arrangements.
B33	Trades necessary for the rendering of emergency repair work, including plumbers, electricians, locksmiths, glaziers. roof repair work	
B34	Trades necessary for emergency automobile repairs for persons rendering essential services	<ul style="list-style-type: none"> <li>• <a href="#">Directions on sale of cars and emergency automobile repairs</a>, 12 May 2020</li> </ul>
B35	Information and Communication Technology services rendered to entities and institutions engaged in delivering essential services in terms of these Regulations.	<ul style="list-style-type: none"> <li>• <a href="#">Communications and digital technologies sector directions for alert level 4</a>, 3 May 2020</li> </ul>

## ANNEX A2 – LIST OF PERMITTED SERVICES DURING ALERT LEVEL 4

COVID-19 Regulations – Table 1		Useful Directions
<b>Part A</b>	<b>AGRICULTURE, HUNTING, FORESTRY AND FISHING</b>	
1.	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). 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. Harvesting and storage activities essential to prevent the wastage of primary agricultural, fishing and forestry goods. Export of all agricultural agro-processed, fishing and forestry products.	<a href="#">Directions for freshwater and marine fishing sectors</a> , 14 May 2020
<b>Part B</b>	<b>ELECTRICITY GAS AND WATER SUPPLY</b>	
2.	All electricity, gas and water supply is permitted	<ul style="list-style-type: none"> <li><a href="#">Water and Sanitation Emergency Procurement</a>, 15 Apr 2020</li> </ul>
<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.	<ul style="list-style-type: none"> <li><a href="#">Directions on sale of clothing, footwear and bedding</a>, 12 May 2020</li> </ul>
6.	Manufacturing of automotives, steel and other metals, rail and ship-building (including components), scaling up in phases to 50% employment and subject to strict health protocols.	<ul style="list-style-type: none"> <li><a href="#">Directions on sale of cars and emergency automobile repairs</a>, 12 May 2020</li> </ul>
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).	<ul style="list-style-type: none"> <li>• <a href="#">Mineral resources and energy directions</a>, 29 Apr 2020</li> <li>• <a href="#">Water and Sanitation Emergency Procurement</a>, 15 Apr 2020</li> <li>• <a href="#">Mineral resources and energy directions</a>, 11 Apr 2020</li> </ul>
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, ECOMMERCE 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.	<ul style="list-style-type: none"> <li>• <a href="#">Directions on sale of clothing, footwear and bedding</a>, 12 May 2020</li> </ul>
15.	Winter clothing, footwear, bedding and heaters and the components and fabrics required to manufacture these.	<ul style="list-style-type: none"> <li>• <a href="#">Directions on sale of clothing, footwear and bedding</a>, 12 May 2020</li> </ul>
16.	Children's clothing and fabrics and components required to manufacture these.	<ul style="list-style-type: none"> <li>• <a href="#">Directions on sale of clothing, footwear and bedding</a>, 12 May 2020</li> </ul>
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	<ul style="list-style-type: none"> <li>• <a href="#">e-Commerce sales during Alert Level 4 directions</a>, 14 May 2020</li> </ul>



	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	<ul style="list-style-type: none"> <li>• <a href="#">Communications and digital technologies sector directions for alert level 4</a>, 3 May 2020</li> </ul>
2.	Information and Communication Technology services for all private and business customers.	<ul style="list-style-type: none"> <li>• <a href="#">Communications and digital technologies sector directions for alert level 4</a>, 3 May 2020</li> </ul>
3.	Postal services and courier services for all permitted Alert Level 4 services.	<ul style="list-style-type: none"> <li>• <a href="#">Amended electronic communications, postal and broadcasting directions</a>, 6 Apr 2020</li> <li>• <a href="#">Electronic communications, postal and broadcasting directions</a>, 26 Mar 2020</li> </ul>
<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.	<ul style="list-style-type: none"> <li>• <a href="#">Amended electronic communications, postal and broadcasting directions</a>, 6 Apr 2020</li> <li>• <a href="#">Electronic communications, postal and broadcasting directions</a>, 26 Mar 2020</li> </ul>
3.	Newspapers and broadcasting	<ul style="list-style-type: none"> <li>• <a href="#">Amended electronic communications, postal and broadcasting directions</a>, 6 Apr 2020</li> <li>• <a href="#">Electronic communications, postal and broadcasting directions</a>, 26 Mar 2020</li> </ul>
<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 Sector Regulation Act, only when the operation of a place of business or entity is necessary to continue to perform those services: <ol style="list-style-type: none"> <li>i. the banking environment (including the operations of mutual banks, cooperative banks, co-operative financial institutions and the Postbank);</li> <li>ii. the payments environment;</li> <li>iii. the financial markets (including market infrastructures licensed under the Financial Markets Act, 2012 (Act No. 19 of 2012);</li> <li>iv. the insurance environment;</li> <li>v. the savings and investment environment;</li> <li>vi. pension fund administration;</li> <li>vii. outsourced administration;</li> <li>viii. medical schemes administration; and</li> </ol>	

	<p>ix. additional services designated in terms of regulation 11 B (4A) (c) (i).</p> <p>The services listed above may not include debt collection services.</p>	
3.	Services necessary for the provision of social grants	
4.	Private security services may operate.	
5.	Implementation of payroll systems.	
6.	Car sales under specific directions	
7.	Chauffeur services, rental of motor vehicles, driven vehicles, machinery and equipment, and of goods to support other Alert Level 4 services.	
8.	Call centres, for local and all international markets, may operate subject to directions issues by the relevant cabinet members.	<ul style="list-style-type: none"> <li>• <a href="#">Call centre directions</a>, 9 Apr 2020</li> </ul>
9.	Other professional services may operate only where work-from-home is not possible, and only to support other Alert Level 4 services.	
<b>Part I</b>	<b>ACCOMMODATION AND FOOD SERVICE ACTIVITIES PERMITTED</b>	
1.	Accommodation not permitted, except for quarantine and essential services	<ul style="list-style-type: none"> <li>• <a href="#">Tourism directions</a>, 2 Apr 2020</li> </ul>
2.	Restaurants only for food delivery services (9H00-19H00) and subject to restriction on movement (no sit down or pick-up allowed).	

Part J	TRANSPORT, STORAGE AND COMMUNICATION SERVICES PERMITTED	
1.	Ocean, rail, road and air transport of goods permitted only for activities set out in Regulation 22(1).	<ul style="list-style-type: none"> <li>• <a href="#">Amended alert level 4 railway operations directions</a>, 14 May 2020</li> <li>• <a href="#">Alert level 4 air freight operations directions</a>, 4 May 2020</li> <li>• <a href="#">Alert level 4 railway operations directions</a>, 4 May 2020</li> <li>• <a href="#">Alert level 4 sea port directions</a>, 4 May 2020</li> <li>• <a href="#">Amended air services amendment directions</a>, 31 Mar 2020</li> <li>• <a href="#">Aviation directions amendment: Air cargo</a>, 27 Mar 2020</li> <li>• <a href="#">Air services directions</a>, 26 Mar 2020</li> <li>• <a href="#">Air services lockdown directions</a>, 26 Mar 2020</li> <li>• <a href="#">Railway operations lockdown directions</a>, 26 Mar 2020</li> <li>• <a href="#">Cross-border road transport lockdown directions</a>, 26 Mar 2020</li> </ul>
2.	Public rail, minibus taxi and bus services will resume at Alert Levels and on terms as will be set out in Directions, based on the progressive increase in commuter numbers during the various phases.	<ul style="list-style-type: none"> <li>• <a href="#">Amended alert level 4 railway operations directions</a>, 14 May 2020</li> <li>• <a href="#">Once-off movement directions</a>, 14 May 2020</li> <li>• <a href="#">Alert level 4 amended public transport services directions</a>, 6 May 2020</li> <li>• <a href="#">Alert level 4 Extension for validity of learner’s licence, driving licence card, licence disc, professional driving permit and registration of motor vehicle directions</a>, 4 May 2020</li> <li>• <a href="#">Alert level 4 public transport services directions</a>, 4 May 2020</li> <li>• <a href="#">Alert level 4 public transport services directions</a>, 4 May 2020</li> <li>• <a href="#">Once-off long distance interprovincial transport directions</a>, 1 May 2020</li> <li>• <a href="#">Railway operations lockdown directions</a>, 26 Mar 2020</li> <li>• <a href="#">Cross-border road transport lockdown directions</a>, 26 Mar 2020</li> </ul>
3.	E-hailing services subject to restrictions on capacity and times, and for permitted activities only.	<ul style="list-style-type: none"> <li>• <a href="#">Once-off movement directions</a>, 14 May 2020</li> <li>• <a href="#">Alert level 4 amended public transport services directions</a>, 6 May 2020</li> <li>• <a href="#">Alert level 4 Extension for validity of learner’s licence, driving licence card, licence disc, professional driving permit and registration of motor vehicle directions</a>, 4 May 2020</li> <li>• <a href="#">Alert level 4 public transport services directions</a>, 4 May 2020</li> <li>• <a href="#">Alert level 4 public transport services directions</a>, 4 May 2020</li> </ul>
4.	Transport and logistics in respect of specified cargo specified in J1 , and permitted retail goods to neighbouring countries, which shall include all goods imported via SA ports of entry, for re-export to neighbouring countries.	
Part K	MINING AND QUARRYING	

**COVID-19 Regulations – Table 1**
**Useful Directions**

1.	Coal production for Eskom scaling up to full employment.	
2.	Open-cast mining scaling up to a baseline of 50% and thereafter scaling up to full employment	<ul style="list-style-type: none"> <li>• <a href="#">Court order handed down by the Labour Court: Standard operating procedures for mines</a>, 5 May 2020</li> </ul>
3.	All other mining starting in batches scaling up towards 50% employment	<ul style="list-style-type: none"> <li>• <a href="#">Court order handed down by the Labour Court: Standard operating procedures for mines</a>, 5 May 2020</li> </ul>
<b>Part L</b>	<b>REPAIR AND RELATED EMERGENCY SERVICES PERMITTED</b>	
1.	Tow trucks and vehicle recovery services.	
2.	Emergency repair work, including plumbers, electricians, locksmiths, glaziers, roof repair work.	
3.	Emergency automobile repairs for all persons	<ul style="list-style-type: none"> <li>• <a href="#">Directions on sale of cars and emergency automobile repairs</a>, 12 May 2020</li> </ul>
<b>Part M</b>	<b>SUPPLY CHAINS</b>	
1.	Production, manufacturing, supply, logistics, transport, delivery and critical maintenance and repair of goods and services (including components and equipment) required for the production or rendering of permitted goods and services	
2.	All workplaces or premises must have care and maintenance that is essential to the prevention of the destruction or significant impairment of working areas, plant, machinery or inventory, or to permit orderly wind down arrangements, on such conditions as may be issued by means of directions by the relevant cabinet members	
<b>Part N</b>	<b>PRIVATE HOUSEHOLDS' EMPLOYMENT</b>	
1.	Live-in staff, and staff providing care to the sick, mentally ill, elderly, people with disabilities and children.	
<b>Part O</b>	<b>PUBLIC ADMINISTRATION, GOVERNMENT SERVICES AND OTHER ARMS PARTO OF THE STATE</b>	
	Only essential government and administration services may operate, including:	
1.	Disaster management services	<ul style="list-style-type: none"> <li>• <a href="#">Amended directions on COVID-19 temporary employee / employer relief scheme</a>, 15 May 2020</li> <li>• <a href="#">Amended COVID-19 temporary employee / employer relief scheme</a>, 8 Apr 2020</li> <li>• <a href="#">Covid19 Temporary Employee / Employer Relief Scheme directive</a>, 26 Mar 2020</li> <li>• <a href="#">Health directions</a>, 8 Apr 2020</li> </ul>

2.	Licensing, permitting, deeds, masters offices, birth and death certificates, replacement identification documents	<ul style="list-style-type: none"> <li>• <a href="#">Directions for biodiversity sector</a>, 14 May 2020</li> <li>• <a href="#">Environmental directions</a>, 31 Mar 2020</li> <li>• <a href="#">Home affairs directions</a>, 26 Mar 2020</li> </ul>
3.	Any other service designated by the Executive Authority, HODs, Heads of Courts, and Heads of other Chapter 9 Institutions	<ul style="list-style-type: none"> <li>• <a href="#">Management of courts</a>, 6 May 2020</li> <li>• <a href="#">Superior courts directions</a>, 21 Apr 2020</li> <li>• <a href="#">Legal directions</a>, 26 Mar 2020</li> <li>• <a href="#">Courts, court precincts and justice service points directions</a>, 31 Mar 2020</li> <li>• <a href="#">Court precincts directives</a>, 20 Mar 2020</li> </ul>
4.	Essential municipal services.	<ul style="list-style-type: none"> <li>• <a href="#">Amended directions to municipalities and provinces</a>, 7 May 2020</li> <li>• <a href="#">Amended directions to municipalities and provinces</a>, 30 Mar 2020</li> <li>• <a href="#">Municipalities and provinces directions</a>, 25 Mar 2020</li> </ul>
5.	Services related to the functioning of courts; the State Capture Commission	<ul style="list-style-type: none"> <li>• <a href="#">Management of courts</a>, 6 May 2020</li> <li>• <a href="#">Superior courts directions</a>, 21 Apr 2020</li> <li>• <a href="#">Legal directions</a>, 26 Mar 2020</li> <li>• <a href="#">Courts, court precincts and justice service points directions</a>, 31 Mar 2020</li> </ul>
6.	Essential SARS services defined by the Commissioner of SARS.	
7.	Police, peace officers, traffic officers, military medical personnel and soldiers, correctional services officials and traffic management services	<ul style="list-style-type: none"> <li>• <a href="#">Determination of correctional facilities as places of detention of illegal foreigners pending deportation</a>, 7 May 2020</li> <li>• <a href="#">Correctional services and remand detention facilities directions</a>, 9 Apr 2020</li> </ul>
8.	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.	
9.	Commissioners of the South African Human Rights Commission, Gender Commission, the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, the Public Protector and Deputy Public Protector and the Independent Electoral Commission.	
<b>Part P</b>	<b>HEALTH, SOCIAL AND PERSONAL SERVICES</b>	
1.	Medical and veterinary services permitted.	
2.	Cleaning, sanitation, pest control, sewerage, waste and refuse removal services.	<ul style="list-style-type: none"> <li>• <a href="#">Directions for recycling of waste</a>, 14 May 2020</li> </ul>

3.	Recycling of glass, paper, plastic, metal, tyres and such others as determined by directions, are permitted at 50% capacity. Informal recyclers will be permitted to resume operations.	
4.	All Social work, counselling, services supporting gender based violence, care and relief activities permitted.	<ul style="list-style-type: none"> <li>• <a href="#">Social development directions amendment</a>, 9 May 2020</li> <li>• <a href="#">Social development directions amendment</a>, 7 Apr 2020</li> <li>• <a href="#">Social development directives</a>, 30 Mar 2020</li> </ul>
5.	Wildlife Management, Anti-poaching, Animal Care and Veterinary services.	•
6.	Funeral services, including mortuaries services and the transportation of mortal remains.	•
7.	Trade union essential staff for workers covered by Alert Level 4, subject to Directions.	•
<b>Part Q</b>	<b>EDUCATION SERVICES</b>	
1.	Permitted on dates and schedule set out separately.	<ul style="list-style-type: none"> <li>• <a href="#">Amended guidance on the implementation of the provisions for essential goods and services for higher education institutions</a>, 29 Apr 2020</li> <li>• <a href="#">Guidance on the implementation of the provisions for essential goods and services for higher education institutions</a>, 17 Apr 2020</li> </ul>

**ANNEX B - LIST OF PROVINCIAL SAPS COMMISSIONERS AND LIMITED LIST OF ATTORNEYS**

Provincial SAPS Commissioners			
<b>Gauteng</b>	Elias Mawela, Lt. Gen. (Provincial Commissioner) T: 011 274 7875 T: 011 274 7860	<b>North West</b>	Baile Brenda Motswenyane, Lt. Gen. (Provincial Commissioner) T: 018 285 8073 T: 018 285 8069
<b>Western Cape</b>	Sindile Christopher Mfazi, Lt. Gen. (Acting Provincial Commissioner) T: 021 417 7148	<b>Mpumalanga</b>	Bethuel Mondli Zuma, Lt Gen (Provincial Commissioner) T: 013 762 4537 T: 013 762 4838
<b>Northern Cape</b>	Risimata Peter Shivuri, Lt. Gen. (Provincial Commissioner) T: 053 839 2845 T: 053 839 2877	<b>Free State</b>	Moeketsi David Sempe, Lt. Gen. (Provincial Commissioner) T: 051 507 6561 T: 051 507 6562
<b>Eastern Cape</b>	Liziwe Ntshinga, Lt. Gen. (Provincial Commissioner) T: 040 608 8413 T: 040 608 8415	<b>Limpopo</b>	Nneke Jim Ledwaba, Lt. Gen. (Provincial Commissioner) T: 015 290 6227
<b>Kwazulu Natal</b>	Khombinkos Elvis Jula, Lt. Gen. (Provincial Commissioner) T: 031 325 6580	<b>Head: Marketing &amp; Liaison Services</b>	Onicah Seemise, Gen. Major T: 012 393 2916 M: 072 307 3079

A suspicion of corruption should be reported to Corruption Watch

T: 0800 023 456

<https://www.corruptionwatch.org.za>

Attorneys – Gauteng*			Attorneys - Western Cape*		
Ulrich Roux (Criminal Law Specialist) T: 011 838 1214 M:083 469 1619	Richard Shein (Bomans) M:083 256 1350	Tim Fletcher (Cliff Decker Hofmeyr) M: 083 325 0731	William Booth (Criminal Law Specialist) M: 076 144 9332 M: 072 976 1331	Leon Van Der Merwe (Criminal Law Specialist) M: 083 270 6182	Gavin Fitzmaurice (Webber Wenzel) M: 082 787 3920
Willem Van Der Colff (ENS Africa) M:082 788 0368	Jeremy Gobetz (Werksmans) M: 072 220 1147	Priyesh Daya (Webber Wentzel) M: 082 800 4585	Mendel Sass (Bowmans) M: 082 805 8691	Rael Gootkin (Werksmans) M: 082 774 5781	
Mandisi Rusa (Bowmans) M:072 246 1058	*Criminal attorneys if you have a relationship with a criminal lawyer / firm, please try to contact them to assist you. Alternatively, if you are unable to reach your preferred lawyer you may direct urgent queries to the attorneys listed in this document. Please note that this is for your own account. This is not a comprehensive list of attorneys who may be able to assist you and is not intended to endorse any attorney or firm of attorneys. You are responsible for assessing which legal representative will be appropriate for your requirements.				





## ANNEX C DRAFT LETTER FOR ESSENTIAL / PERMITTED SERVICES EMPLOYEES

### FORM2

#### PERMIT TO PERFORM AN ESSENTIAL OR PERMITTED SERVICE

Regulations 16(2)(b) and 28(4)

- *Please note that the person to whom the permit is issued must at all times present a form of identification together with this permit. If no identification is presented, the person to whom the permit is issued will have to return to his or her place of residence during Alert Level 4.*

I, being the head of institution, with the below mentioned details,

<b>Surname</b>				
<b>Full names</b>				
<b>Identity number</b>				
<b>Contact details</b>	<b>Cell nr.</b>	<b>Tel Nr(W)</b>	<b>Tel Nr(H)</b>	<b>e-mail address</b>
<b>Physical Address of Institution</b>				

Hereby certify that the below mentioned official/employee is performing services in my institution

<b>Surname</b>	
<b>Full names</b>	
<b>Identity number</b>	
<b>Place of residence of employee</b>	

Signed at \_\_\_\_\_, on this the \_\_\_\_\_ day of \_\_\_\_\_ 2020

\_\_\_\_\_  
*Signature of Head of Institution*

*Official stamp of  
Institution*