



Enquiries: WD Mbongwa
30 April 2020

ATTENTION TO: COUNCILLORS, SAPS, MANDENI COMMUNITY PUBLIC SAFETY, LAW ENFORCEMENT AGENCIES, ALL BUSINESSES ALLOWED TO OPERATE IN LEVEL 4 OF THE LOCKDOWN AND THE GENERAL PUBLIC

EXPLANATORY NOTE AND GUIDANCE IN COMPLYING, WITH THE AMENDED REGULATIONS ISSUED IN TERMS OF SECTION 27(2) OF THE DISASTER MANAGEMENT ACT, 2002, AND ALSO COVID 19 OCCUPATION HEALTH AND SAFETY MEASURES IN WORKPLACES

(As published in Government Gazette on the 29th of April 2020)

The Notice is issued by Mandeni Municipality serves as an explanatory note to assist businesses, employees, enforcement agencies, Councillors and the general public, by unpacking and simplifying some of the salient points on our new regulations. The municipality's Law enforcement teams will also be guided by this note, together with relevant regulations as issued by government. This note further serves as an information sharing document to all interested and affected parties.

GENERAL PROVISIONS APPLICABLE DURING THE STATE OF DISASTER

1. That the State of National Disaster is still intact and therefore all businesses, employees, and clients shall comply with all directives and regulations issued by their respective sector Ministers in terms of business operations.
2. All business needs to comply with the directives issued by the Minister of Employment and Labour on 29 April 2020, referred to as COVID-19 OCCUPATIONAL HEALTH AND SAFETY MEASURES IN WORKPLACES (C19 OHS) -2020 read with the ***COVID-19 Work Preparedness Document***.
3. All businesses, employees, and clients are also expected to observe all health protocols as issued by the Department of Health, and in particular, the following:

Executive Committee

Cllr. TP Mdlalose (Mayor) | Cllr. PM Sishi (Deputy Mayor) | Cllr. BL Magwaza (Speaker) | Ex Officio Mr S Khuzwayo (Municipal Manager)
Cllr. NF Ntuli | Cllr. LR Mdletshe | Cllr. ST Magwaza | Cllr. MS Mdunge | Cllr. M Shelembe



- 3.1 Everybody who enters the premises to work or to do business must be wearing either a cloth face mask or scarf.
 - 3.2 Everybody who enter the premises to work or to do business is sanitized.
 - 3.3 That social distancing is observed at all the time.
 - 3.4 Display notices advising persons other than employees entering the workplace of the precautions they are required to observe while in the business premises.
 - 3.5 Cooperate with all law enforcement agencies, including the officials of the Department of Health, Department of Employment and Labour and KZN Economic Development, Tourism and Environmental Affairs.
4. The businesses that will be opening from 1 May 2020 are expected to adhere to both the OHS – COVID-19 Directives issued by the Department of Labour and Employment, as well as the Disaster Management Regulations issued by Minister of COGTA. The following are **non-negotiable to all those who will be opening:**
- 4.1 A COVID-19 ready Workplace Plan must be developed before the re-opening of an enterprise employing persons or serving the public.
 - 4.2 For small businesses, the plan can be basic in nature, reflective of the size of the business, while for medium and large businesses, a more detailed written plan is required, given the large numbers of persons at the workplace.
 - 4.3 Return to be done in a manner that avoids and reduce risks of infection.



- 4.4 The businesses must take the necessary steps to ensure that the business is COVID-19 ready. This should include proof that the business has been disinfected and cleaned before its opening, and that all provisions have been made for staff (COVID-19 Personal Protective Cloths) and its customers.
- 4.5 That the relevant work permits have been issued to all the employees who will be required to work during this period.
- 4.6 That the relevant testing kits have been acquired and will be used throughout the operations of the business.
- 4.7 The businesses are expected to close on time, to allow their staff members adequate time to reach homes before the start of the curfew period.
5. **Permits required for opening or running businesses during COVID-19 Lockdown level 4.** Businesses are encouraged to register in the CIPC business permitted to portal, www.bizportal.gov.za, their businesses as essential services providers or business permitted to operate. In terms of the regulations, the employer is responsible to issue a permit to perform an essential or permitted service, using **Form 2 of the Disaster Management Regulations issued on the 29th of April 2020**. The municipality does not issue any permit to any business unless the business is providing essential goods or services to the municipality during this period.
6. **Hardware** – The new regulations allow hardware to operate and sell essential/emergency products/supplies for repairs, to the public and tradesman. However, the following clauses are of critical importance for noting:

Table 1 (Part E No10) allows trading on Hardware, components and supplies.



Part D, on the other hand, begins to limit Construction and related services (including Trade Persons) to mostly government basic services / infrastructure projects i.e., electricity, water, sanitation, roads and bridges. It further allows for critical maintenance and repairs.

Part L (2) refers to the emergency work which requires to be undertaken by plumbers, locksmiths, electricians, glaziers, and roof repairs. This applies to residential or private houses.

Annexure D, no.33. state that ***“Critical Maintenance services which cannot be delayed for more than 21 days and are essential to resume operations”***. This means that the acquiring of hardware supplies to undertake critical maintenance for the business to start operating is allowed.

Hardwares are still expected to adhere to the Level 5 procedures on ensuring that records of their sales and details of the people who are purchasing are documented and safety kept. The sale to the public is limited to selling of emergency repair goods only, as no construction is allowed on private properties due to the building and construction industry being closed in Level 4 of lockdown.

7. **Vehicle Components Suppliers** – the vehicle components suppliers still need to adhere to all level 5 procedures, by keeping records of all their sales and the details of the customers who are making such purchases. These components shall be sold to those who are providing essential services or businesses permitted to operate during Level 4 lockdown. It shall be noted that most of the component is sold to after car sales services or workshops, and those shall be solely sold to fix for the same group. It is expected that the Minister of Trade, Industry and Competition, will further issue directives in this regard.
8. **Restaurants or Hot Food Deliveries or courier services** – The employer/owner of the delivery vehicles or scooter for Hot Food Delivery or any allowed courier service, shall ensure that the driver is issued with the delivery permit to do permitted services, which is **Form 2** of the new regulations issued on the 28th



of April 2020. The delivery teams are expected to adhere to all protocols. The onus is on the employer and clients to ensure that all delivery comply with health regulations, in particular sanitizing and any other safer method.

The non-compliance with these regulations can lead to both criminal charges as well as the revoking of the CIPC special certificate of trading as the essential service goods supplier during this period.

Hoping you will find the above in order, however, should there be any clarities required on this respect please do not hesitate to contact our Director: Economic Development Planning and Human Settlements, Mr D Mbongwa on 0662399577 between 07:45 and 16:15 during the week.

ISSUED BY THE MUNICIPAL MANAGER

Mr SG KHUZWAYO
MUNICIPAL MANAGER