

South Africa

National Ports Act, 2005

National Ports Act (COVID-19 Restrictions on the movement of persons and crew) Regulations, 2020

General Notice 173 of 2020

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National Ports Act (COVID-19 Restrictions on the movement of persons and crew) Regulations, 2020
Contents

1. Definitions and interpretation	1
2. Purpose of regulations	1
3. Embarkation and disembarkation of persons at a South African sea port	1
4. Provision of improved access and hygiene, sterilization control on ships, sea ports and in licensed sea port operations	2
5. Implementation of a reporting, tracking, tracing and monitoring system at ports	2
6. Prohibition of holding of mass gatherings in ports	2
7. Offences	2
8. Title and commencement	2

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General Notice 173 of 2020

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[Repealed by National Ports Act (COVID-19 Restrictions on the movement of persons and crew) Regulations, 2020: Repeal (General Notice 217 of 2020) on 26 March 2020]

The Minister of Transport under sections 80(1) (g) of the National Ports Act, 2005 (Act No. 12 of 2005) makes the regulations set out in the Schedule. These Regulations commence on the date of publication of this Notice.

1. Definitions and interpretation

- (1) In these Regulations, any other word or expression to which a meaning has been assigned in the Act shall have that meaning assigned to it in the Act, and unless the context requires otherwise –

"**the Act**" means the National Ports Act (Act No. 12 of 2005);

"**COVID-19**", means a global pandemic as declared by the World Health Organization, on 11 March 2020;

"**Designated sea ports**", means the sea ports of Saldanha and the sea port of Mossel Bay;

"**Maritime Rescue Coordination Centre**", means a centre referred to in the South African Search and Rescue Act, 44 of 2002.

2. Purpose of regulations

- (1) The purpose of the regulations is to provide for the: -
- (a) prohibition of embarkation and disembarkation of certain persons at South African sea ports;
 - (b) improved hygiene control and sterilization facilities on ships, sea ports, port facilities operated by licensed operator, off-shore cargo handling facility, port repair facilities, provider of port services, port terminals, terminal operations and in licensed port operations;
 - (c) implementation of a tracking, tracing and monitoring system at sea port; reporting; and
 - (d) prohibition of holding of mass gatherings of more than 100 people in sea ports.

3. Embarkation and disembarkation of persons at a South African sea port

- (1) No passengers or crew changes are permitted in the designated ports until further notice.
- (2) Embarkation and disembarkation of passengers are suspended on all sea ports until further notice unless under the following circumstances: -
- (a) disembarkation of a returning South African citizen and a permanent resident.

- (b) embarkation of a departing foreign national.
 - (c) emergency medical evacuation shall be managed utilising the existing Maritime Rescue Coordination Centre protocols.
 - (3) South African citizens and permanent residents are advised to refrain from use of this form of travel until further notice.
 - (4) The loading and off-loading of cargo in and out of all sea ports is permitted.
- 4. Provision of improved access and hygiene, sterilization control on ships, sea ports and in licensed sea port operations**
- (1) The Authority and licensed port operators must provide adequate facilities for washing of hands and the provision of sanitization equipment centres for visitors, sea port workers and management at all entrances and exits at sea port.
 - (2) All persons entering port shall be screened for COVID-19.
 - (3) the authority may after consultation with companies providing a service to ships, provide on a user pay principle, sterilization infrastructure and procedures to be followed by personnel who board a vessel for the purpose of providing a service to that vessel.
 - (4) Security and screening personnel must be provided with appropriate safety gear and equipment.
- 5. Implementation of a reporting, tracking, tracing and monitoring system at ports**
- (1) The Authority shall immediately on being made aware of any case of COVID-19 maintain a register and further report such cases to the National Institute for Communicable Diseases.
 - (2) The Authority shall support the national tracing and monitoring system.
 - (3) The Authority must keep a register of all personnel boarding a vessel for purposes providing a service to that vessel.
- 6. Prohibition of holding of mass gatherings in ports**
- (1) No gathering of more than 100 people may be held in sea port precinct from the date of the publication of these regulations until further notice.

General matters

7. Offences

- (1) A person is guilty of an offence, if that person contravenes the provision of these regulations.
- (2) A person is guilty of an offence, if that person fails to cooperate with measures to improve general hygiene in sea ports and sea ports facilities.

8. Title and commencement

- (1) These Regulations are called the National Ports Act (COVID-19 Restrictions on the movement of persons and crew) Regulations, 2020, and take effect on the date of publication in the Gazette by the Minister.