

South Africa

Disaster Management Act, 2002

## Department of Mineral Resources and Energy: Directions to Provide Guidance on the Implementation of the Provisions for Essential Goods and Services (2)

Government Notice 542 of 2020

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Department of Mineral Resources and Energy: Directions to Provide Guidance on the Implementation of the Provisions for Essential Goods and Services (2)

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## South Africa

### Disaster Management Act, 2002

# Department of Mineral Resources and Energy: Directions to Provide Guidance on the Implementation of the Provisions for Essential Goods and Services (2) Government Notice 542 of 2020

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**Assented to on 14 May 2020**

**Commenced on 15 May 2020**

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I, Mr Samson Gwede Mantashe, the Minister of Mineral Resources and Energy, hereby, in terms of regulation 4(10) of the Regulations published in Government Gazette No. 43258, Government Notice No. R480 of 29 April 2020, made under section 27(2) of the Disaster Management Act 2002 ([Act No. 57 of 2002](#)), issue the directions set out in the Schedule hereto in order provide guidance on the implementation of provisions of the Regulations relating to permitted goods and services.

Mr Samson Gwede Mantashe, MP

Minister of Mineral Resources and Energy

## 1. Definitions

In this Directions, a word or expression to which a meaning has been assigned in the Regulations issued in terms of section 27(2) of the Disaster Management Act, 2002 ([Act No. 57 of 2002](#)), published under Government Notice No. 480 in Government Gazette No 43258, bears that meaning and unless the context otherwise indicates-

"**Regulations**" means the Regulations published in Government Notice No. 480 in Government Gazette No. 43258 of 29 April 2020.

## 2. Purpose

The purpose of these Directions is to-

- 2.1 provide for the continuous supply of energy and petroleum products to society as provided for in regulation 29 of the Regulations; and
- 2.2 allow maintenance and construction work for energy projects to resume under strict safety, hygiene, sanitisation and social distancing protocols.

## 3. Application

3.1 These Directions apply to-

- (a) all functionaries listed in the Annexure to these Directions, which exercise powers or perform functions relating to the processes and services listed in Table 1, Part D of the Regulations; and
- (b) any other party involved in the processes listed in Table 1, Part D of the Regulations.

### 3.2 Permissions, rights and permits for activities contemplated in Table 1, Part D of the Regulations

The following activities are, for the purposes of Table 1. Part D, permitted:

- (a) "Civil engineering for public works projects" referred to in Table 1, Part D.1 of the Regulations, in so far as it relates to energy, including the following:
  - (i) Projects procured under the Renewable Energy Independent Power Producers Procurement Programme that are currently in construction;
  - (ii) Embedded generation projects under construction and listed in Schedule 2 to the Electricity Regulation Act, 2006 ([Act No. 4 of 2006](#)) or licensed in terms of section 7 (1) of the Electricity Regulation Act;
  - (iii) Eskom new build programme which includes Medupi and Kusile;
  - (iv) The Department of Mineral Resources and Energy national social solar water heater programme and projects;
  - (v) Energy efficiency and demand side management projects;
  - (vi) National electrification programme;
  - (vii) Liquid fuels (including retails) projects under maintenance and construction;
  - (viii) Liquid Petroleum Gas projects under maintenance and construction; and
  - (ix) Nuclear projects under maintenance and construction in power stations and other nuclear facilities.
- (b) All professional entities that provide licences, approvals and authorisations for the maintenance and construction of energy projects;
- (c) All professional planning, costing and design work that supports construction work on sites, in anticipation of incremental work on construction sites;
- (d) Contracted suppliers, contractors and consultants who need to travel across borders to attend to projects; and
- (e) Energy construction work for already priced and awarded government tenders.

These Directions come into operation on the date of publication in the Government Gazette.

## Annexure

### List of functionaries:

- (a) National Nuclear Regulator of South Africa;
- (b) International Atomic Energy Agency Officials;
- (c) South African Nuclear Energy Corporation (NECSA);
- (d) Eskom Koeberg Nuclear Power Station;
- (e) Eskom;
- (f) National Energy Regulator of South Africa;
- (g) Renewable Energy Technical Evaluation Committee;
- (h) Department of Transport;
- (i) Department of Mineral Resources and Energy;

- (j) Central Energy Fund;
- (k) Contracted Local and international-
  - (i) suppliers;
  - (ii) contractors; and
  - (iii) consultants.