

South Africa

Disaster Management Act, 2002

Directions to prevent and combat the spread of COVID-19

Government Notice R430 of 2020

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Directions to prevent and combat the spread of COVID-19

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South Africa

Disaster Management Act, 2002

Directions to prevent and combat the spread of COVID-19 Government Notice R430 of 2020

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[Amended by Directions to prevent and combat the spread of COVID-19: Amendment (Government Notice R455 of 2020) on 7 April 2020]

I, Ms Lindiwe Zulu, MP, the Minister of Social Development, in terms of regulation 10(5) of the Regulations published in Government Gazette No. 43107, Government Notice No. R318 of 18 March 2020, issued in terms of the Disaster Management Act, (Act No. 57 of 2002), hereby issue the Directions set out in the Schedule hereto, in order to prevent and combat the spread of the COVID-19.

Ms Lindiwe D Zulu MP

Minister of Social Development

1. Definitions

In these Directions, a word or expression bears the meaning assigned to it in Regulations published in Government Gazette No. 43107, Government Notice No. R318 of 18 March 2020 and the Regulations published in Government Gazette No. 43148, Government Notice No. R398 of 25 March 2020, made by the Minister of Cooperative Government and Traditional Affairs in terms section (2) of the Disaster Management Act, 2002 (Disaster Management Regulations, 2020), and legislation applicable to the Department of Social Development, the South African Social Security Agency, and the National Development Agency, unless the context indicates otherwise.

2. Purpose

The purpose of these Directions is to—

- (a) prescribe temporary measures or steps currently necessary to manage COVID-19 in order to reduce its impact in the Republic, by preventing the importation of, and minimising the local transmission of the virus; and
- (b) provide directions to officials of the Department of Social Development and other organs of State, responsible for the implementation of the Social Development mandate, and to the extent possible, disseminate information to all affected persons, on applicable measures as set out in these Directions.

3. Authority

- 3.1 COVID-19 was classified as a pandemic by the World Health Organisation ("WHO"), and following related developments within the Republic, the Minister of Cooperative Governance and Traditional Affairs declared a national state of disaster relating to COVID-19 in terms of section 27(1) of the Disaster Management Act, 2002.

- 3.2 Section 26(2)(b) of the Disaster Management Act, 2002 provides that a national disaster, once declared, must be managed in accordance with existing legislation, as well as contingency arrangements as augmented by disaster management regulations or directions issued in terms of section 27(2) of the Disaster Management Act, 2002.
- 3.3 These Directions are issued pursuant to regulation 10(5) of the Disaster Management Regulations, 2020, to provide for measures necessary to manage COVID-19, and are valid for the duration of the declared national state of disaster or any extension thereof.

4. Scope

These Directions apply to all Department of Social Development, South African Social Security Agency, and National Development Agency's managed and mandated programmes and projects.

5. Application

- 5.1 There must be universal access for Persons with Disabilities in a prescribed manner, to all service points, infrastructure and any other essential service and products that are related to COVID-19.
- 5.2 The Department and its agencies and Non Profit Organisations, faith-based organisations and community based organisations responsible for the provision of the services in line with the restrictions imposed by Regulations issued in pursuance of the declaration of the national state of disaster, must ensure that the workforce has the necessary protective clothing and that the families take precautionary measures.
- 5.3 New admissions will only be processed provided that the facility complies with the Disaster Management Regulations, 2020, and the victim or client is provided with the necessary protective clothing.
- 5.4 Persons with Disabilities must have access to personal assistance at all service points, hospitals, screening, testing facilities, supermarkets and any other available facilities which are appropriate and where it is deemed necessary, may be provided with regular care giving services at their places of residence.

6. Directions

- (a) Substance Abuse and Treatment Centres and Halfway Houses
 - (i) No clients may be released from the facilities;
 - (ii) No visitation is allowed during the lockdown period;
 - (iii) The family reunification and interaction programme is suspended;
 - (iv) A Social Worker's report is deemed to be sufficient for the admission of service users in treatment centers and Halfway Houses during the lockdown period.
[item (iv) substituted by section 1(a) of [Government Notice R455 of 2020](#)]
- (b) Child and Youth Care Centres (CYCC):
 - (i) No children may be released from the facilities;
 - (ii) No visitation is allowed during the lockdown period;
 - (iii) The family reunification and interaction programme is suspended;
 - (iv) No new admissions are allowed, except for children in conflict with the law and children declared to be in need of care and protection in terms of the Children's Act, 2005 ([Act No. 38 of 2005](#));

- (v) A Social Worker's report is deemed to be sufficient for the removal and placement of the child in need of care and protection;
 - (vi) In instances where CYCCs are full, the department must identify other temporary shelters that meet the necessary and required minimum hygiene and safety standards.
- (c) Shelters for Victims of Crimes and Violence including Gender Based Violence (GBV)
 - (i) No victims may be released from the facilities;
 - (ii) No visitation is allowed during the lockdown period;
 - (iii) The family reunification and interaction programmes are suspended;
 - (iv) Social Workers' reports are deemed sufficient for the processing of victims;
 - (v) All applicable regulatory processes are hereby suspended in line with the Disaster Management Regulations, 2020.
- (d) Old Age Homes and Frail Care Facilities
 - (i) No clients may be released from the facilities;
 - (ii) No visitation is allowed during the lockdown period;
 - (iii) The family reunification and interaction programme is suspended;
 - (iv) No new admissions are allowed, except in the case of older persons in distress.
- (e) Residential Facilities for Persons with Disabilities - Respite Care Facilities (Centre and community based)
 - (i) No clients may be released from the facilities;
 - (ii) No visitations are allowed during the lockdown period;
 - (iii) The family reunification and interaction programme is suspended;
 - (iv) No new admissions are allowed, except in the case of persons with disabilities in distress.
- (f) Residential Facilities for Persons with Disabilities - Respite Care (Home based)

Care givers must be available to provide the required home based care services during the lockdown period.
- (g) Community Nutrition Development Centres (CNDC's)
 - (i) Gathering, seating and eating in the centres is prohibited during the lockdown period;
 - (ii) Beneficiaries are prohibited from visiting the centres;
 - (iii) Food and related items must be prepared and delivered through knock and drop, by Social Service Practitioners or Volunteers attached to the respective beneficiaries.
- (h) Social Relief of Distress
 - (i) The Social Relief of Distress must continue to be provided for existing beneficiaries;
 - (ii) Applications for new beneficiaries must be processed telephonically;
 - (iii) Applications for social relief of distress, which are required to be made in person at a SASSA office and in the presence of a designated officer, are suspended for the duration of the lockdown;
 - (iv) Social Relief of Distress must be provided to shelters for homeless already identified by local government.

- (i) Psychosocial Support Services
 - (i) Psychosocial Support Services must be provided to all those infected with or affected by COVID-19;
 - (ii) Persons with disabilities requiring psychosocial interventions must have access to all prescribed medications and counselling as a minimum requirement for crisis interventions.
- (j) Cooperatives
 - (i) All Cooperatives registered in terms of the applicable legislation and which are under the Department's incubation programme, must suspend all activities for the duration of the lockdown;
 - (ii) All other Cooperatives that operate in different sectors as business, should comply with the pronouncements and directions made by the Minister of Small Business Development.
- (k) National Development Agency (NDA)

The NDA must sponsor additional volunteers who will be allocated to the CNDs according to the number of CNDs per Province.
- (l) South African Social Security Agency (SASSA)
 - (i) All SASSA local offices will be closed during the lockdown period and the management of these offices must be part of the pay-point monitoring teams;
 - (ii) Payment of social grants must continue unhindered during the lockdown period;
 - (iii) SASSA fleet will be made available to augment the respective provincial departmental fleet;
 - (iv) Regional office will be made available to increase capacity as additional support to the provinces;
 - (v) Temporary disability grants whose date of lapsing fall during the lockdown period must be deemed to have not lapsed during this period;
 - (vi) Social grants not claimed for three consecutive months may not lapse during the lockdown period.
- (m) Directions to contain the spread of COVID-19 in exercising the care and contact by persons who are co-holders of parental responsibilities and rights or a caregiver during the lockdown period

[heading to subparagraph (m) substituted by section 1(b) of [Government Notice R455 of 2020](#)]

- (i) Movement of children between co-holders of parental responsibilities and rights of a caregiver, as defined in section 1(1) of the Children's Act, 2005 ([Act No. 38 of 2005](#)), during the lockdown period, is prohibited, except where arrangements are in place for a child to move from one parent to another, in terms of-
 - (aa) a court order; or
 - (bb) where a parental responsibilities and rights agreement or parenting plan, registered with the family advocate, is in existence,

provide that, in the household to which the child is to move, there is no person who is known to have come into contact with, or is reasonably suspected to have come into contact with, a person known to have contracted, or reasonably suspected to have contracted, COVID-19;

[item (i) substituted by section 1(c) of [Government Notice R455 of 2020](#)]

- (ii) The parent or caregiver transporting the child concerned must have in his or her possession, the court order or the agreement referred to in sub-items (aa) and (bb), respectively, or a certified copy thereof;
[item (ii) substituted by section 1(c) of [Government Notice R455 of 2020](#)]
 - (iii) The parent who is not with the child during the lockdown period may, in order to maintain a personal relationship with the child, communicate on a regular basis with the child in any other manner, including telephone or any other form of electronic communication which may also include skype, WhatsApp or video call;
 - (iv) Co-holders of parental responsibilities and rights must communicate with their child or children including communicating what COVID-19 is and the temporary precautionary measures that are applied to contain the spread of COVID-19.
- (n) Drop-in centres
- (i) Gathering, seating and eating in drop-in centres is prohibited during the lockdown period;
 - (ii) Beneficiaries are prohibited from visiting the drop-in centres;
 - (iii) Food or food parcels and related items must be prepared and delivered through knock and drop by Social Service Practitioners or volunteers attached to the respective beneficiaries.

Commencement

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