

South Africa

Disaster Management Act, 2002

## Directions to prevent and combat the spread of COVID-19

Government Notice R430 of 2020

Legislation as at 2 July 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

Published in Government Gazette 43182 on 30 March 2020

**Assented to on 30 March 2020**

**Commenced on 30 March 2020**

*[This is the version of this document as it was from 2 July 2020 to 5 August 2020.]*

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

*[Amended by Directions to prevent and combat the spread of COVID-19: Amendment (Government Notice R517 of 2020) on 9 May 2020]*

*[Amended by Directions to prevent and combat the spread of COVID-19: Amendment (Government Notice 727 of 2020) on 2 July 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.

*[The regulations published in Government Notice 318 of 18 March 2020 were replaced by Government Notice R480 of 2020.]*

### 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.

#### 4A. Release from facilities

- (a) Every person who is to be released from a facility must be screened before being released.
- (b) A person released from a facility must be released to a household that is free of COVID -19.
- (c) A social worker must be satisfied with regard to the state of readiness of the place to accommodate a person with a disability who is to be released.

*[paragraph 4A inserted by section 2 of [Government Notice R517 of 2020](#)]*

### 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.
- 5.5 Health and safety measures at facilities and centres managed by Department of Social Development
  - (1) A person in charge of a facility or centre must develop and maintain protocols and guidelines of how visits will be managed in accordance with COVID-19 measures and health protocols.

- (2) The protocols and guidelines referred to in 5.5(1) must include the following:
- (a) Symptom screening
    - (i) Screen any person visiting the premises to ascertain whether they have any of the observable symptoms associated with COVID-19, namely fever, cough, sore throat, redness of eyes or shortness of breath or difficulty in breathing;
    - (ii) Require every person to report whether they suffer from any of the following additional symptoms: body aches, loss of smell or loss of taste, nausea, vomiting, diarrhea, fatigue, weakness or tiredness;
    - (iii) Require every person to immediately inform the person in charge of the facility or centre or designated person if they experience any of the symptoms referred to above while at the facility or centre;
    - (iv) If a person presents with those symptoms, or advises the person in charge of the facility or centre of these symptoms, the facility or centre must-
      - (aa) not permit the person to enter the facility or centre or if the person is already at the centre or facility immediately isolate the person, require that the said person to make arrangements to be transported for a medical examination or testing; and
      - (bb) assess the risk of transmission, disinfect the area and refer those persons who may be at risk for screening and take any other appropriate measure to prevent possible transmission.
  - (b) Social distancing
    - (i) A person in charge of the facility or centre must ensure that-
      - (aa) minimal contact between persons is maintained;
      - (bb) there is a minimum of one and a half metres between persons; and
      - (cc) adherence to the Health Protocols is maintained.
  - (c) Personal protection
    - (i) Wearing of face masks is compulsory for the duration of any visit.
  - (d) Sanitizers, disinfectants and other measures
    - (i) For the purposes of these clauses, a hand sanitizer must be one that has at least 70% alcohol content, or generic alternative, and is in accordance with the recommendations of the Department of Health.
    - (ii) Every facility or centre should ensure that there are-
      - (aa) sufficient quantities of hand sanitizers based on the number of persons who are expected to access the facility or centre taking into consideration the number of persons to be visited; and
      - (bb) facilities for the washing of hands with water and soap.
    - (iii) Every facility or centre should take measures to ensure that all-
      - (aa) surfaces and equipment are cleaned before and after every visit; and
      - (bb) areas such as toilets, common areas, door handles, shared electronic equipment are regularly cleaned.

- (e) Health protocols for facilities or centres
  - (i) A person in charge of a facility or centre must ensure that seating arrangements, where applicable, are compliant with social distancing norms.
  - (ii) A facility or centre must keep a register which should be archived for a period of not less than 6 months, with the following details of a person visiting:
    - (aa) Full names;
    - (bb) Residential address; and
    - (cc) Contact number.
  - (iii) Where physical contact of an object is required, such object must be sanitised before contact by another person; and
  - (iv) Persons over the age of 60 and people with comorbidities should be encouraged not to visit.

*[subparagraph 5.5 added by [Government Notice 727 of 2020](#)]*

## 6. Directions

- (a) Substance Abuse and Treatment Centres and Halfway Houses
  - (i) Service users may be released and discharged from the facilities upon a Social Worker's recommendation;  
*[item (i) substituted by section 3(a) of [Government Notice R517 of 2020](#)]*
  - (ii) Visits are permitted during Alert Level 3 of the national state of disaster.  
*[item (ii) substituted by [section 1\(a\) Government Notice 727 of 2020](#)]*
  - (iii) The family reunification and integration programme may be allowed upon a Social Worker's recommendation;  
*[item (iii) substituted by section 3(a) of [Government Notice R517 of 2020](#)]*
  - (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](#)]*
  - (v) Statutory services must be provided by social services practitioners supported by relevant staff.  
*[item (v) added by section 3(b) of [Government Notice R517 of 2020](#)]*
- (b) Child and Youth Care Centres (CYCC):
  - (i) Children may be released and discharged from the facilities upon a Social Worker's recommendation;  
*[item (i) substituted by section 3(c) of [Government Notice R517 of 2020](#)]*
  - (ii) Visits are permitted during Alert Level 3 of the national state of disaster.  
*[item (ii) substituted by [section 1\(b\) Government Notice 727 of 2020](#)]*
  - (iii) The family reunification and integration programme may be allowed upon a Social Worker's recommendation;  
*[item (iii) substituted by section 3(c) of [Government Notice R517 of 2020](#)]*

- (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;
- (vii) Children awaiting trial at secure care facilities must be prioritised when required to attend court for further determination;  
*[item (vii) added by section 3(d) of [Government Notice R517 of 2020](#)]*
- (viii) Statutory services must be provided by social services practitioners supported by relevant staff.  
*[item (viii) added by section 3(d) of [Government Notice R517 of 2020](#)]*
- (c) Shelters for Victims of Crimes and Violence including Gender Based Violence (GBV)
  - (i) Victims may be released from the facilities upon a Social Worker's recommendation;  
*[item (i) substituted by section 3(e) of [Government Notice R517 of 2020](#)]*
  - (ii) Visits are permitted during Alert Level 3 of the national state of disaster.  
*[item (ii) substituted by [section 1\(c\) Government Notice 727 of 2020](#)]*
  - (iii) Family reunification and integration programmes are allowed upon a Social Worker's recommendation;  
*[item (iii) substituted by section 3(e) of [Government Notice R517 of 2020](#)]*
  - (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;
  - (vi) Survivors of Gender Based Violence who are ready to be released may be referred for further support by related service providers including civil society organisations.  
*[item (vi) added by section 3(f) of [Government Notice R517 of 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) Clients may be released from the facilities upon a Social Worker's or relevant practitioner's recommendation, taking into consideration disability needs for persons with severe disability;  
*[item (i) substituted by section 3(g) of [Government Notice R517 of 2020](#)]*
  - (ii) Visits are permitted during Alert Level 3 of the national state of disaster.  
*[item (ii) substituted by [section 1\(d\) Government Notice 727 of 2020](#)]*

- (iii) The family reunification and interaction programme is allowed upon a Social Worker's recommendation;  
*[item (iii) substituted by section 3(g) of [Government Notice R517 of 2020](#)]*
- (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;
  - (iii) Psychosocial support services, including screening and referrals for substance abuse to already identified shelters, must be provided to homeless people.  
*[item (iii) added by section 3(h) of [Government Notice R517 of 2020](#)]*
- (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-
  - (i) sponsor additional volunteers who will be allocated to the Community Nutrition and Development Centres according to the number of such centres per province;
  - (ii) provide technical and financial support to civil society organisations dealing with Gender Based Violence issues; and



- (iii) continue to provide developmental work including recruitment of volunteers.

*[subparagraph (k) substituted by section 3(i) of [Government Notice R517 of 2020](#)]*

(l) South African Social Security Agency (SASSA)

- (i) SASSA offices will be progressively opened for limited services in line with a risk adjusted approach;

*[item (i) substituted by section 3(j) of [Government Notice R517 of 2020](#)]*

- (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;
- (vii) The COVID 19 additional form of Social Relief of Distress will be payable as follows:
  - (aa) Temporary disability grants which lapsed in February and March 2020, must be reinstated and continue to be paid from the date they were suspended until end of October 2020;
  - (bb) Temporary disability grants which did not lapse during April 2020, as contemplated in subparagraph (l)(v) must continue to be paid until end of October 2020;
  - (cc) Temporary disability grants which are due to lapse in May 2020 and June 2020 must continue to be paid until end of October 2020;
  - (dd) Care dependency and foster care grants which lapsed during the period beginning from February 2020 to April 2020 must be reinstated and continue to be paid until end of October 2020;
  - (ee) Care dependency and foster care grants which lapsed during May 2020 or are due to lapse when the care dependent child turns 18 years of age, will not lapse until the end of October 2020 and must continue to be paid until end of October 2020;
  - (ff) The top up amounts will be paid in accordance with the table in Annexure A to these Directions;
  - (gg) Payments will follow the usual grant payment mechanisms requiring no additional application processes; and
  - (hh) A special COVID-19 Social Relief of Distress for Caregivers of R500 per month per Child Support Grant caregiver will be provided. All existing caregivers will automatically qualify and receive this benefit along with their existing monthly benefit.

*[item (vii) added by section 3(k) of [Government Notice R517 of 2020](#)]*

- (viii) (aa) An application for social relief of distress or a social grant may be lodged electronically over and above any other available means of lodging such applications.
- (bb) Notification of the outcome of an application for social relief of distress or a social grant may be given by means of an email, an sms or any such other method.

- (cc) A special COVID-19 Social Relief of Distress of R350 per month may be provided for the period indicated herein to distressed individuals who are -
- (i) South African Citizens, Permanent Residents or Refugees registered on the Home Affairs database and holders of special permits under the Special Angolan Dispensation, the Lesotho Exemption Permit dispensation and the Zimbabwe Exemption Permit Dispensation, and asylum seekers whose section 22 permits or visas are valid or were valid on 15 March 2020.  
*[item (i) substituted by section 1(f) of [Government Notice 727 of 2020](#)]*
  - (ii) currently residing within the borders of the Republic of South Africa;
  - (iii) above the age of 18;
  - (iv) unemployed;
  - (v) not receiving any form of income;
  - (vi) not receiving any social grant;
  - (vii) not receiving an unemployment insurance benefit and do not qualify to receive an unemployment insurance benefit;
  - (viii) not receiving a stipend from the National Student Financial Aid Scheme and other financial aid;
  - (ix) not receiving any other government COVID-19 response support; and
  - (x) not a resident in a government funded or subsidised institution.
- (dd) In order to access the benefit referred to in subitem (cc), through an application, an applicant must grant consent for SASSA to verify his or her identity, residency, sources of income or social security benefits with-
- (i) the Department of Home Affairs;
  - (ii) the Unemployment Insurance Fund;
  - (iii) Banking institutions;
  - (iv) NSFAS;
  - (v) SARS; or
  - (vi) any other government institution deemed necessary by SASSA.
- (ee) The benefit provided for in subitem (cc) will be paid to those who qualify for the period from the date of application, but not earlier than May 2020, up to the end of October 2020, provided the applicant continues to meet the qualifying criteria provided for in subitem (cc).
- (ff) SASSA may determine the most suitable method for disbursing the benefit provided for in subitem (cc) and may amend such method from time to time, as required.
- (gg) SASSA must limit disbursements to the budget made available for this benefit.

*[item (viii) added by section 3(k) of [Government Notice R517 of 2020](#)]*

(m) Movement of children

*[heading to subparagraph (m) substituted by section 1(b) of [Government Notice R455 of 2020](#) and by section 3(l) of [Government Notice R517 of 2020](#)]*

- (i) The movement of children between co-holders of parental responsibilities and rights or a caregiver, as defined in section 1(1) of the Children's Act, 2005 ([Act No. 38 of 2005](#)), in

the same metropolitan area or district municipality is allowed if the co-holders of parental responsibilities and rights or a caregiver is or are in possession of-

- (aa) a court order;
- (bb) a parental responsibilities and rights agreement or parenting plan, registered with the family advocate; or
- (cc) a permit issued by a magistrate which corresponds to Form 3 of Annexure A to the Regulations if the documentation in paragraphs (a) and (b) is not available.

*[item (i) substituted by section 1(c) of [Government Notice R455 of 2020](#) and by section 3(m) of [Government Notice R517 of 2020](#)]*

- (ii) The movement of children between co-holders of parental responsibilities and rights or a caregiver between different metropolitan areas, district municipalities or provinces is allowed if the co-holders of parental responsibilities and rights or a caregiver is or are in possession of a permit issued by a magistrate which corresponds to Form 3 of Annexure A to the Regulations.

*[item (ii) substituted by section 1(c) of [Government Notice R455 of 2020](#) and by section 3(m) of [Government Notice R517 of 2020](#)]*

- (iii) The household to which the child has to move must be free of COVID -19.

*[item (iii) substituted by section 3(m) of [Government Notice R517 of 2020](#)]*

- (iv)
  - (aa) Before a magistrate issues a permit referred to in item (i)(cc), he or she must be provided with-
    - (i) a birth certificate or certified copy of a birth certificate of the child or children to prove a legitimate relationship between the co-holders of parental responsibilities and rights; and
    - (ii) written reasons why the movement of the child is necessary.
  - (bb) Before a magistrate issues a permit referred to in item (ii), he or she must be provided with-
    - (i) A court order;
    - (ii) a parental responsibilities and rights agreement or a parenting plan registered with the family advocate; or

*[item (ii) substituted by section 1(g) of [Government Notice 727 of 2020](#)]*

- (iii) a birth certificate or certified copy of a birth certificate of the child or children to prove a legitimate relationship between the co-holders of parental responsibilities and rights; and
    - (iv) written reasons why the movement of the child is necessary.

*[item (iv) substituted by section 3(m) of [Government Notice R517 of 2020](#)]*

- (n) Drop-in centres

- (i) Gathering, seating and eating in drop-in centres is prohibited during the lockdown period;
  - (ii) Visits are permitted during Alert Level 3 of the national state of disaster.

*[item (ii) substituted by section 1(e) of [Government Notice 727 of 2020](#)]*

- (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.

- (o) Early childhood development

The Department must continue to subsidise the early childhood development centres during the state of national disaster.

*[subparagraph (o) added by the second section 3(m) of [Government Notice R517 of 2020](#)]*

(p) Inter-country adoptions

Inter-country adoptions are suspended during the state of national disaster.

*[subparagraph (p) added by the second section 3(m) of [Government Notice R517 of 2020](#)]*

(q) Funding and support of Non-Governmental Organisations, Faith Based Organisations and Community Based Organisations

The Department at national, provincial and local spheres may continue to fund and support Non-Governmental Organisations, Faith-Based Organisations and Community Based Organisations which are providing services on behalf of the social development sector as a response to COVID -19.

*[paragraph (q) added by section 1(h) of [Government Notice 727 of 2020](#)]*

(r) Shelters for homeless persons

The national, provincial and local Departments of Social Development, may temporarily provide support to shelters for homeless persons during the state of national disaster and continue to support and re-prioritise, within their available budgets, the needs of persons in shelters for the homeless.

*[paragraph (r) added by section 1(h) of [Government Notice 727 of 2020](#)]*

### ***Commencement***

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

### **Annexure A (6(k)(vii)(ff))**

The monthly top-up amounts are as indicated in the following tables:

Type of Grant	May	June	July	August	September	October
<b>Older Persons</b>	R250	R250	R250	R250	R250	R250
<b>War Veterans'</b>	R250	R250	R250	R250	R250	R250
<b>Disability Grant (permanent and temporary)</b>	R250	R250	R250	R250	R250	R250
<b>Care Dependency Grant</b>	R250	R250	R250	R250	R250	R250
<b>Foster Child Grant</b>	R250	R250	R250	R250	R250	R250
<b>Child Support Grant</b>	R300	0	0	0	0	0

Furthermore, an additional form of Social Relief of Distress will be provided for the period until end of October 2020

Type of Grant	May	June	July	August	September	October
<b>CSG Care Givers Allowance</b>		R500	R500	R500	R500	R500
<b>COVID-19</b>	R350	R350	R350	R350	R350	R350

The top-up allowances and the additional form of Social Relief of Distress will only be payable for the period May until end of October 2020.

[The Gazette includes a scan of Form 3 of Annexure A to the Regulations relating to COVID-19 published in [Government Notice R480 of 2020](#), which is reproduced below as it was on 29 April 2020.]

**Form 3 (Regulation 17(1)(c))**

***Permit for the movement of children to travel to another province/metropolitan area/district***

Note: This permit and any form of identification must be in the possession of the person to whom this permit is issued

In the Magistrates Court for the district of \_\_\_\_\_ held at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

Before me \_\_\_\_\_ magistrate for the aforementioned district in chambers

I, hereby issue this permit for travel to the following person:

<b>Full names:</b>						
<b>Surname:</b>						
<b>Identity number:</b>						
<b>Address of place of residence:</b>						
<b>Province of residence:</b>						
<b>Contact details:</b>	<b>Cell nr</b>		<b>Tel no (h)</b>		<b>e-mail address</b>	
<b>Metropolitan area/ district travelling to:</b>						
<b>Province travelling to:</b>						
<b>Date of travel to:</b>						
<b>Date of return travel:</b>						
<b>Name of child concerned (must correspond with the birth certificate)</b>						
<b>Reason for movement</b>						

<b>of child(ren)</b>	
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I also declare that the above-mentioned person presented the documentation as required by \*regulation 17(5).

Signed at \_\_\_\_\_ this \_\_\_\_ day of 2020.

\_\_\_\_\_  
Magistrate issuing

*Official stamp*