

South Africa

Disaster Management Act, 2002

## Directions on Measures to Prevent and Combat the Spread of COVID-19 in Cross-Border Road Transport Services

Government Notice 61 of 2021

Legislation as at 29 January 2021

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# Directions on Measures to Prevent and Combat the Spread of COVID-19 in Cross-Border Road Transport Services

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## South Africa

### Disaster Management Act, 2002

# Directions on Measures to Prevent and Combat the Spread of COVID-19 in Cross-Border Road Transport Services

## Government Notice 61 of 2021

Published in Government Gazette 44122 on 29 January 2021

**Assented to on 21 January 2021**

**Commenced on 29 January 2021**

*[This is the version of this document from 29 January 2021.]*

I, Fikile Mbalula, Minister of Transport, in terms of regulation 4(7), read with regulation 42(1), 42(2) and 43(5), of the Regulations made under section 27(2) of the Disaster Management Act, 2002 ([Act No. 57 of 2002](#)), after consultation with the Cabinet members responsible for cooperative governance and traditional affairs, health, police and justice and correctional services, hereby issue the directions set out in the Schedule hereto, to address, prevent and combat the spread of COVID-19 in cross-border road transport services for adjusted Alert Level 3.

Mr F.A. Mbalula, MP

Minister of Transport

### 1. Definitions

In these directions, any other word or expression bears the meaning assigned to it in the Disaster Management Act, the Act or in the Regulations, and, unless the context otherwise indicates-

**"Disaster Management Act"** means the Disaster Management Act, 2002 ([Act No. 57 of 2002](#));

**"passenger"** means any person conveyed by way of a public transport service as defined in the National Land Transport Act, 2009 ([Act No 5 of 2009](#));

**"the Act"** means the Cross-Border Road Transport Act, 1998 ([Act No. 4 of 1998](#)); and

**"the Regulations"** means the Regulations made under section 27(2) of the Disaster Management Act, published under Government Notice No. 480, in *Government Gazette* No. 43258 of 29 April 2020, as amended under-

- (a) Government Notice No. 608, published in *Government Gazette* No 43364 of 28 May 2020;
- (b) Government Notice No. 714, published in *Government Gazette* No. 43476 of 25 June 2020;
- (c) Government Notice No. 763, published in *Government Gazette* No. 43521 of 12 July 2020;
- (d) Government Notice No. 846, published in *Government Gazette* No. 43577 of 31 July 2020;
- (e) Government Notice No. 891, published in *Government Gazette* No. 43620 of 17 August 2020;
- (f) Government Notice No. 999, published in *Government Gazette* No. 43725 of 18 September 2020;
- (g) Government Notice No. 1053, published in *Government Gazette* No. 43763 of 1 October 2020;
- (h) Government Notice No. 1104, published in *Government Gazette* No. 43825. of 21 October 2020;
- (i) Government Notice No. 1199, published in *Government Gazette* No. 43897 of 11 November 2020;
- (j) Government Notice No. 1290, published in *Government Gazette* No. 43964 of 3 December 2020;

- (k) Government Notice No. 1346, published in *Government Gazette* No. 43997 of 15 December 2020;
- (l) Government Notice No. 1370, published in *Government Gazette* No. 44009 of 17 December 2020;
- (m) Government Notice No. 1421, published in *Government Gazette* No. 44042 of 24 December 2020;
- (n) Government Notice No. R. 1423, published in *Government Gazette* No. 44044 of 29 December 2020;
- (o) Government Notice No. R. 1424, published in *Government Gazette* No. 44045 of 29 December 2020;
- (p) Government Notice No. R. 1435, published in *Government Gazette* No. 44051 of 29 December 2020;  
and
- (q) Government Notice No. 1370, published in *Government Gazette* No. of 11 January 2021.

## **2. Authority of directions**

- (1) Section 26(2)(b) of the Disaster Management Act provides that a national disaster, once declared, must be managed in accordance with existing legislation, as well as contingency arrangements, as amplified by disaster management regulations or directions issued in terms of section 27(2) of the Disaster Management Act.
- (2) These directions are issued pursuant to the provisions of section 27(2) of the Disaster Management Act, and specifically in terms of regulation 4(7), read with regulation 42(1), 42(2) and 43(5), of the Regulations, to provide for measures necessary to manage COVID-19.
- (3) These directions are valid for the duration of the declared national state of disaster.

## **3. Purpose of directions**

The purpose of these directions is to provide for-

- (a) cross-border road transport services;
- (b) provision of improved access to hygiene and disinfection control at all cross-border public transport facilities; and
- (c) embarkation of cross-border road transport passenger vehicles.

## **4. Application of directions**

These directions are applicable to-

- (a) all cross-border road transport passenger services within the Republic;
- (b) foreign carriers conveying passengers to the Republic.

## **5. Cross-border road transport services**

- (1) Cross-border road transport passenger services are not permitted to operate with effect from the date of publication of these directions, except when transporting passengers in line with the provisions of regulation 42(1) and 42(2) of the Regulations.
- (2) Cross-border freight transport and logistics in respect of specified cargo, and retail goods to neighbouring countries are permitted.

## **6. Provision of improved access to hygiene, disinfection control at cross-border public transport facilities**

- (1) All owners of cross-border public transport facilities must, at regular intervals, sanitise their facilities.

- (2) All owners of cross-border public transport services must, for the duration of the national state of disaster, ensure the availability of adequate sanitisers or other hygiene dispensers for washing of hands and disinfection of equipment for users of public transport services.
- (3) Owners of cross-border public transport facilities must put measures in place to adhere to social distancing to manage the spread of COVID-19 in cross-border road transport services.
- (4) All passengers and drivers of cross-border public transport vehicles must wear a face mask.

## **7. Embarkation of passengers of cross-border public transport vehicles**

- (1) All cross-border operators must-
  - (a) ensure that cross-border public transport vehicles are sanitised before picking up and after dropping off passengers;
  - (b) ensure that all cross-border public transport vehicles' doors and window handles, arm rests, seats and hand rails are sanitised after every load; and
  - (c) sanitise their hands and encourage cross-border road transport passengers to sanitise their hands after entering the vehicle and after getting off the vehicle;
  - (d) ensure that all cross-border public transport vehicles are clean and tidy; and
  - (e) put measures in place to adhere to social distancing to curb the spread of COVID-19; and
  - (f) in manner that is easily accessible or visible to passengers, provide information on disinfection materials and procedures.
- (2) All drivers and passengers of cross-border public transport vehicles must wear a face mask.
- (3) Any marshal or security officer who interacts with members of the public in a cross-border public transport facility must wear a face mask.
- (4) The sanitisers used to sanitise all cross-border public transport vehicles must have a minimum of 70% alcohol content.
- (5) No person will be allowed to use any form of cross-border public transport or enter a cross-border road transport facility, building, place or premises if they do not wear a face mask.

## **8. Withdrawal of directions**

The Directions issued under Government Notice No. 413, as published in *Government Gazette* No. 43158 of 26 March 2020, and under Government Notice No. 1034, published in *Government Gazette* No. 43754 of 1 October 2020, are hereby withdrawn.

## **9. Short title and commencement**

These directions are called the Directions on measures to address, prevent and combat the spread of COVID-19 in Cross-Border Road Transport Services, and take effect on the date of publication thereof in the *Gazette*.