



South African Maritime Safety Authority

Ref. SM 6/5/2/1

Date: 27 March 2020

Marine Notice No. 18 of 2020

South Africa: 21-Day Lockdown

TO ALL REGIONAL MANAGERS, PRINCIPAL OFFICERS, SURVEYORS, MASTERS, OWNERS, SEAFARERS, SEAFARER PLACEMENTS AGENCIES, SHIP MANAGERS AND AGENTS OF PASSENGER VESSELS AND OTHER STAKEHOLDERS

To be read in conjunction with Marine Notice 16 of 2020, Marine Notice 15 of 2020, Marine Notice 14 of 2020, and Marine Notice 25 of 2014.

Marine Notice 13 of 2020 is hereby cancelled.

Summary

This Marine Notice serves to inform all Maritime Stakeholders of the Government Notice No 216 of 26 March 2020 and Government Notice No 318 of 18 March 2020, published under the Disaster Management Act, 2002: Amended Regulations issued in terms of Section 27(2) prescribing measures to address, prevent and combat the spread of COVID -19 in the sea ports and amended Regulations issued in terms of Section 27(2) prescribing the requirements for a nationwide lockdown in relation to essential services as a result of the global COVID-19 Coronavirus pandemic.

DIRECTIONS ISSUED IN TERMS OF REGULATION 10(7) OF THE DIRECTIONS MADE IN UNDER SECTION 27(2) OF THE DISASTER MANAGEMENT ACT, 2002 (ACT NO.57 OF 2002): MEASURES TO ADDRESS, PREVENT AND COMBAT THE SPREAD OF COVID -19 IN THE SEA PORTS

Extracts:

5. Prohibition on cruise ships calling at any of the sea ports

- (1) No crew changes are permitted in all commercial ports until further notice.
- (2) Cruise ships are prohibited from calling at any of the sea ports **except** the disembarkation of a returning South African crew and a permanent resident.
- (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 commercial ports is permitted.

8. Offences

- (1) A person who contravenes a provision of these directions shall be guilty of an offence and on conviction be liable to a **fine, or imprisonment not exceeding 6 months** or both fine and imprisonment.

DIRECTIONS ISSUED IN TERMS OF REGULATION 10(7) OF THE DIRECTIONS MADE IN UNDER SECTION 27(2) OF THE DISASTER MANAGEMENT ACT, 2002 (ACT NO.57 OF 2002) BY DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS.

Amendment of Regulation 4 of the Regulations

5. Regulation 4 of the Regulations is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) No person who has been confirmed, as a clinical case or as a laboratory confirmed case as having contracted COVID-19, or who is suspected of having contracted COVID-19, or who has been in contact with a person who is a carrier of COVID-19, may refuse consent to-

(a) submission of that person to a medical examination, including but not limited to the taking of any bodily sample by a person authorised in law to do so;

(b) admission of that person to a health establishment or a quarantine or isolation site; or

(c) submission of that person to mandatory prophylaxis, treatment, isolation or quarantine, or isolation in order to prevent transmission:

Provided that if a person does not comply with the instruction or order of the enforcement officer, that person must be placed in isolation or quarantine for a period of 48 hours, as the case may be, pending a warrant being issued by a competent Court, on application by an enforcement officer for the medical examination contemplated in paragraph (a)."

CHAPTER 2:

Definitions

11A.

"**essential goods**" means the good referred to in paragraph A of Annexure B, as may be amended from time to time by the Cabinet member designated under section 3 of the Disaster Management Act.;

"**Essential Services**" means the services as defined in section 213 of the Labour Relations Act, 1995, (Act No 66 of 1995), and designated in terms of section 71(8) of the Labour Relations Act, 1995 (and which designation remains valid as at the date of publication of this regulation), and as listed paragraph B or Annexure B, as may be amended from time to time

"**lockdown**" means the restriction of movement of persons during the period for which this regulation is in force and effect namely from 23H59 on Thursday, 26 March 2020, until 23H59 on Thursday 16 April 2020, and during which time the movement of persons is restricted,

"**movement**" means entering or leaving a place of residence or, in the case of people not ordinarily resident in the Republic, their place of temporary residence while in the Republic.

Restriction on the movement of persons and goods

11 B. (1)(a) For the period of lockdown-

(i) every person is confined to his or her place of residence, unless strictly for the purpose of performing an essential service, obtaining an essential good or service, collecting a social grant, or seeking emergency, life-saving, or chronic medical attention;

(ii) every gathering, as defined in regulation 1 is hereby prohibited, except for funeral as provided for in subregulation (8);

(iii) movement between provinces is prohibited; and

(iv) movement between the metropolitan and district areas, is prohibited.

(b) All businesses and other entities shall cease operations during the lockdown, save for any business or entity involved in the manufacturing, supply, or provision of an essential good or service.

(c) Retail shops and shopping malls must be closed, except where essential goods are sold and on condition that the person in control of the said store must put in place controls to ensure that customers keep a distance of at least one square meter from each other, and that all directions in respect of hygienic conditions and the exposure of persons to COVID-19 are adhered to.

(c) Retail stores selling essential goods is prohibited from selling any other goods.

(d) The Cabinet member designated under section 3 of the Act may amend the list contemplated in paragraph (c) as required from time to time.

(e) Any place not involved in the provision of an essential good or service must remain closed to all persons for the duration of the lockdown.

(2) The head of an institution must determine essential services to be performed by his or her institution, and must determine the essential staff who will perform those services: Provided that the head of an institution may delegate this function, as may be required in line with the complexity and size of the business operation

(3) Persons performing essential services as determined in subregulation (2), must be duly designated in writing by the head of an institution, on a form that corresponds substantially with Form 1 in Annexure C.

(4) All places or premises provided for in Annexure D must be closed to the public except to those persons rendering security and maintenance services at those places or premises.

(5) All persons performing essential services, obtaining essential goods or seeking medical attention, may be subjected to screening for COVID-19 by an enforcement officer.

(6)(a) All borders of the Republic are closed during the period of lockdown, except for transportation of fuel, and essential goods.

(b) The Cabinet member responsible for home affairs, or a person designated by him or her, may allow a person who requires to enter the Republic for emergency medical attention for a life-threatening condition.

(c) All foreign tourists who arrived in the Republic prior to, or after, the lockdown, and who remain in the Republic, must remain in their place of temporary residence in the Republic for the duration of the lockdown or 14 days, as the case may be, and may be subject to screening for COVID-19 and be quarantined or isolated as required.

(7) The Minister may issue directions to provide further conditions that will apply to activities referred to in subregulation (1), or other activities, and may vary the directions as the circumstances require.

(8) Attendance at a funeral is limited to 50 people and will for purposes of these Regulations not be regarded as a prohibited gathering: Provided that no night vigil shall be held and that all safety measures are strictly adhered to.

ANNEXURE B

CATEGORISATION OF ESSENTIAL GOODS AND SERVICES DURING LOCKDOWN

Regulation 11A

A. GOODS

1. Food

(i) Any food product, including non-alcoholic beverages;

(ii) Animal food; and

(iii) Chemicals, packaging and ancillary products used in the production of any food product.

2. Cleaning and Hygiene Products

(i) Toilet Paper, sanitary pads, sanitary tampons, condoms;

(ii) Hand sanitiser, disinfectants, soap, alcohol for industrial use, household cleaning products, and personal protective equipment; and

(iii) Chemicals, packaging and ancillary products used in the production of any of the above.

3. Medical:

- (i) Medical and Hospital Supplies, equipment and personal protective equipment; and
- (ii) Chemicals, packaging and ancillary products used in the production of any of the above.

4. Fuel, including coal and gas

5. Basic goods, including airtime and electricity.

B. SERVICES

Categories of essential services shall be confined to the following services:

1. Medical, Health (including Mental Health), Laboratory and Medical services;
2. Disaster Management, Fire Prevention, Fire Fighting and Emergency services;
3. Financial services necessary to maintain the functioning of the banking and payments environment, including the JSE and similar exchanges, as well as Insurance services;
4. Production and sale of the goods listed in category A, above;
5. Grocery stores, including spaza shops;
6. Electricity, water, gas and fuel production, supply and maintenance;
7. Critical jobs for essential government services as determined by Head of National or Provincial Departments in accordance with the guidance by the DPSA, including Social Grant Payments;
8. Birth and death certificates, and replacement identification documents;
9. Essential municipal services;
10. Care services and social relief of distress provided to older persons, mentally ill, persons with disabilities, the sick, and children;
11. Funeral services, including mortuaries;
12. Wildlife Management, Anti-poaching, Animal Care and Veterinary services;
13. Newspaper, broadcasting and telecommunication infrastructure and services;
14. Production and sale of any chemicals, hygiene products, pharmaceuticals for the medical or retail sector;
15. Cleaning, sanitation, sewerage, waste and refuse removal services;
16. Services related to the essential functioning of courts, judicial officers, the Master of the High Court, Sheriffs and legal practitioners required for those services;
17. Essential SARS services defined by the Commissioner of SARS;
18. Police, peace officers, traffic officers, military medical personnel and soldiers, correctional services officials and traffic management services;
19. Postal services and courier services related to transport of medical products;
20. Private security services;
21. Air-traffic Navigation, Civil Aviation Authority, Cargo Shipping and dockyard services;
22. Gold, gold refinery, coal and essential mining;
23. Accommodation used for persons rendering essential services, quarantine, isolation and the lockdown;
24. Production, manufacturing, supply, logistics, transport, delivery, critical maintenance and repair in relation to the rendering of essential services including components and equipment;
25. Transport services for persons rendering essential services and goods, and transportation of patients;
26. Services rendered by the Executive, members of Parliament, Members of the Provincial Legislature, Members of Local Councils, the Judiciary, traditional leaders and National Office Bearers. of Political Parties represented in Parliament;
27. Commissioners of the South African Human Rights Commission, Gender Commission, and the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, and the Public Protector and Deputy Public Protector; and
28. Transport and logistics in respect of essential goods as set out in A above to neighbouring countries.

ANNEXURE D
PLACES AND PREMISES CLOSED TO THE PUBLIC
Regulation 11 8(4)

The following places and premises are closed to the public:

(a) Any place or premises normally open to the public where religious, cultural, sporting, entertainment, recreational, exhibitional, organisational or similar activities may take place;

27 March 2020

SM6/5/2/1

Issued by and obtainable from:
The South African Maritime Safety Authority
146 Lunnon Road
Hillcrest, Pretoria 0083

PO Box 13186
Hatfield 0028

Tel: +27 (0)12 366 2600
Fax: +27 (0)12 366 2601
Email: marinenotices@samsa.org.za
Web Site: www.samsa.org.za