

# ANNEMARIE SWANEPOEL ATTORNEYS

The second phase of the nationwide lockdown: All you need to know about the new regulations<sup>1</sup>



The second phase of the nationwide lockdown commences on the 16<sup>th</sup> of April 2020, the government has announced minor changes to the existing regulations for the next phase of the lockdown. The final publication of the new regulations was issued on Thursday, 16 April 2020, we take a look at the new changes made to the existing regulations under the Disaster Management Act 57 of 2002<sup>2</sup>.

## Cooked food is still not allowed

Despite many arguments by fast food restaurants and other restaurants opposing the ban of cooked food, the sale of cooked food is still not allowed during the second phase of the lockdown period. Supermarkets remain limited to only selling essential goods and are required to close their hot food sections.

## Restrictions on the ban of alcohol: Are there any signs of relaxation?

The new regulations provide that the transportation of alcohol remains limited to industries which manufacture products for industrial use and household products, this means that the sale of alcohol during the locked down period is still not allowed.

## Sale of cigarettes

The new regulations make no mention of any relaxation to the sales of cigarettes during the lockdown period.

## Prohibition on evictions: Can tenants be evicted during the lockdown period?

According to the new regulations, no person may be evicted from their place of residence, regardless of whether it is a formal or informal residence or a farm dwelling for the entire duration of the lockdown

<sup>1</sup> Anon. 2020 'Lockdown Phase 2: Here's what we know about the rules and how restrictions will change'. Business Insider SA. 16 April. Available at <https://www.businessinsider.co.za/lockdown-extension-what-we-know-about-the-new-2020-4/> (Accessed on 16 April 2020)

<sup>2</sup> Department of Justice, South Africa. 2002. Disaster Management Act 57 of 2002. Government Gazette, 24252. Pretoria: Government Printers. 15 January.

## **Sale of hardware products and vehicle components**

Stores selling hardware products and vehicle components will be allowed to operate during the second phase of the lockdown but are, however, required to maintain a register of all essential goods sold and signed declarations by buyers of goods attesting that the goods sold to them are essential goods as listed under government regulations. The sale of goods by these stores will be limited to components and supplies required for emergency repairs and hardware required by institutions offering essential services

Emergency care workers will be able to have their cars repaired. This means that professionals who deal with cars will be allowed to return to work.

Professionals dealing with household repairs will also be allowed to return to work. This means that householders will be allowed to have professionals do emergency repairs in their households

The list of artisans who are allowed to do repair work during the lockdown include:

- Locksmiths
- glaziers
- Roof repairers
- Plumbers
- Electricians

## **Movement of children between parents residing at different residences**

Children will be allowed to move between parents provided that the parents are in possession of either a court order, parental plan or the birth certificate of the child.

## **Regulations on funerals remain unchanged**

The maximum number of people allowed to attend a funeral service remains at 50. Travelling family members of a deceased are still required to be in possession of a signed permit by a magistrate.

## **Call centers**

The new regulations provide that "call centers necessary to provide health, safety, social support, government and financial services, and access to short-term insurance policies as a result of reduced income or loss of income" will be permitted to operate.

## **Supply of energy and petroleum products**

Collieries that supply Eskom will continue to operate at full capacity and refineries must operate at full capacity to avoid fuel shortages.

## **Informal food vendors**

Informal food vendors will be allowed to operate during the lockdown period but with the written permission of the applicable local authority i.e the municipality

## **Schools**

Schools are to remain closed until the 30<sup>th</sup> of April 2020.

## **Visits to correctional centers and Department of social development centers**

As of 16 April 2020, all visits by members of the public to the abovementioned institutions are suspended for the entire duration of the lockdown period.