

The background of the entire page is a dark blue-grey color. Scattered across this background are several red, spherical particles that resemble viruses. These particles have a textured surface with many small, pointed protrusions. Some particles are larger and more prominent, while others are smaller and less distinct. They are distributed across the page, with some near the top, some near the bottom, and some in the middle.

C/M/S/

Law . Tax

Covering COVID-19

Level 4 Alert Operations

5 May 2020

The background of the entire page is a dark blue-grey color, decorated with numerous red, spherical, spiky particles that resemble viruses or bacteria. These particles are scattered across the frame, with some appearing larger and more detailed than others. A large white rectangular box is centered on the page, containing text and quotation marks.

“

*Success comes not from having certainty,
but being able to live with uncertainty*

— Jeffrey Fry

”

Business has been anything but dull, and in these unprecedented times, we have come to anticipate a level of uncertainty in our business operations, as well as our personal lives.

In our handbook series, *Covering COVID-19: a practical guide on the National Disaster Management Act regulations and alert level operations*, our Corporate and Commercial team provides key takeaways and practical guidance to business operations.

We hope to create certainty for your business in uncertain times.

Our team will release an updated version with each alert level declared during the lockdown alert strategic phases.

Table of Contents

General Provisions.....	4
Duties of Employers and/or Businesses.....	7
Table 1 permitted operations.....	11
Meet the team.....	14



General Provisions

Draft framework

- o In terms of various statements by the Government of South Africa and a draft framework that was issued for public comment, South Africa is moving from a state of hard lockdown to a risk adjusted approach which is to be based on 5 alert levels.
- o Currently, South Africa is under a declared alert level 4.

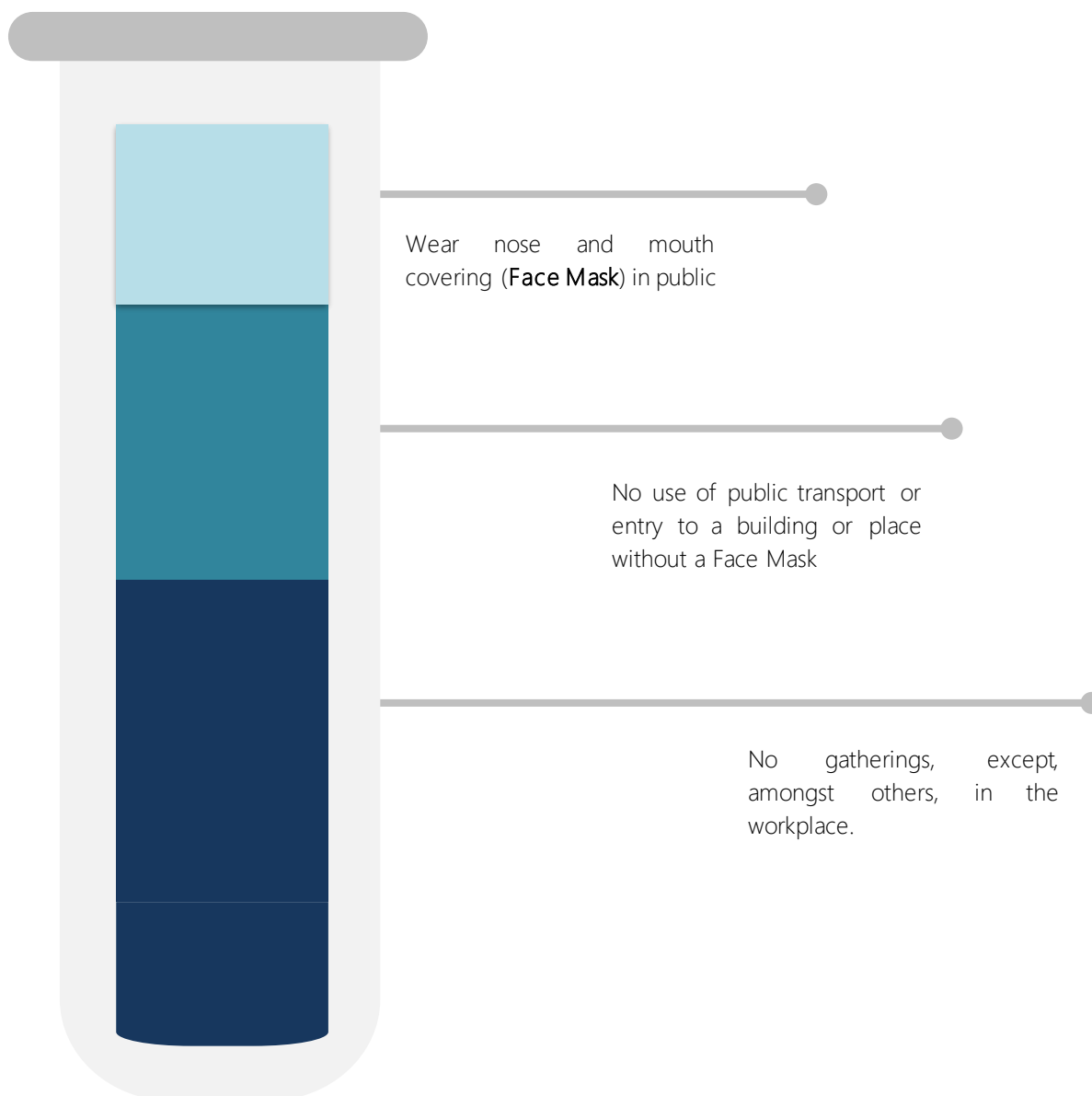
New Regulations

- o The Minister of Cooperative Governance and Traditional Affairs (**Minister**) issued new regulations under the Disaster Management Act on 29 April 2020 (**Level 4 Regulations**). The purpose of the Level 4 Regulations is to replace the previous regulations issued in response to the COVID-19 pandemic (**Old Regulations**) and to set out the regulations regarding alert level 4.
- o The Minister shall be responsible for the declaration of the alert level that will apply at national, provincial, metropolitan or district level.
- o All directives that were issued under the Old Regulations will remain in force until such time as these directives are amended or withdrawn by the relevant members of cabinet.
- o The purpose of this guideline is to summarise certain of the provisions of the Level 4 Regulations, a copy of which can be obtained at https://www.gov.za/sites/default/files/gcis_document/202004/43258rg11098gon480.pdf and which should be considered in full.



General measures

The Level 4 Regulations contain certain general measures that must be applied in the efforts to contain the spread of COVID-19. These include, without limitation:



The background of the entire page is a collage of medical supplies including syringes, pill bottles, blister packs of pills, and a surgical mask, all in a light blue color scheme.

Restriction of movement of persons in relation to the workplace

The Level 4 Regulations restrict the movement of persons and the following is relevant in terms of the workplace:

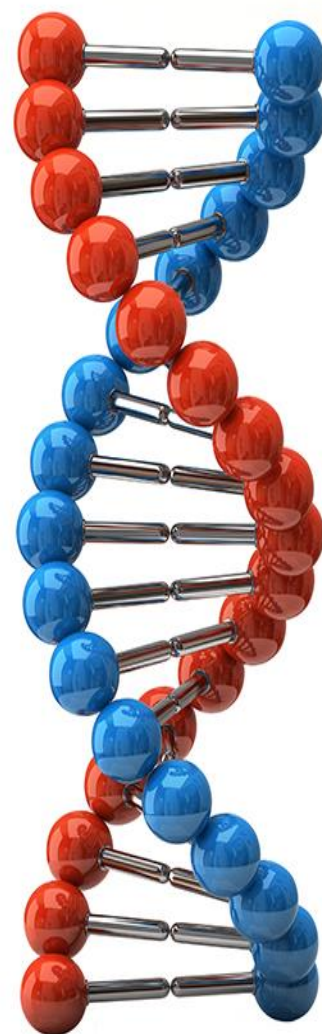
- a person may only leave their place of residence to, amongst others, perform an essential or permitted service or to go to work (where a Permit (as defined below) has been issued);
- the curfew in place will not apply to a person that has been issued a permit to perform an essential or permitted service (**Permit**) and the person is required to be out to perform said essential or permitted service. The Permit must be in substantially the same form as that attached to the Level 4 Regulations. A copy of this is included in this guide as **Schedule 1**.
- workers who have a Permit and who commute daily to work can travel between provinces, metropolitan areas, and districts; and
- a person who was not at their place of work before the lockdown will be permitted to return to their place of work, without a Permit, on a once-off basis between 1 May 2020 and 7 May 2020, in accordance with the directive issued by the Minister on 30 April 2020.

Duties of Employers and/or Businesses

The Level 4 Regulations provide for numerous duties and responsibilities on employers and businesses. Importantly, these include:

General

- Employers must provide employees, that may come into direct contact with the public as part of their duties, with a Face Mask;
- In terms of every **business premises**:
 - it must be determined what the floor space area is in square metres;
 - it must be determined what number of customers and employees may be inside the business premises at any one time, with adequate space being available;
 - steps must be taken to ensure that queuing persons are able to maintain a distance of one and a half metres from each other (**Approved Social Distance**);
 - hand sanitisers for use by the public and employees must be provided at the entrance of premises;
 - there must be a written assignment of an employee or other suitable person as a compliance employee, which compliance employee must ensure compliance with the above and that all hygiene conditions and limitations set out in directives are adhered to; and
 - All employers must adopt measures to promote physical distancing including:
 - enabling employees to work from home;
 - the provision of adequate space within the workplace;
 - restricting face to face meetings; and
 - developing special measures for employees with known or disclosed health issues or comorbidities or high-risk conditions or who are above the age of 60.



Workplace Plan

- o All businesses and entities must:
 - designate a compliance officer, which compliance officer must oversee (a) compliance with the Workplace Plan (as defined below) and (b) adherence to standards of hygiene and health protocols at the workplace.
 - **prior** to the reopening of a workplace for business, develop a plan corresponding to Annexure E of the Level 4 Regulations (**Workplace Plan**), the Workplace Plan must be retained for inspection and must set out:
 - which employees are permitted to work;
 - the plan for the phased-in return of employees;
 - the health protocols in place; and
 - the details of the compliance officer;
 - phase in the return of their employees to the workplace to manage the said return, including from other provinces, metropolitans and district areas; and
 - develop measures to ensure that standards relating to health protocols, adequate space and social distancing are met.
- o The Workplace Plan for small business can be basic and that for medium and large business more detailed and which must set out the details per Annexure E to the Level 4 Regulations. We attach a copy of Annexure E to this guide as **Schedule 2**.



Obligations in relation to the commencement of business operations

- As mentioned above, in order to commence operations, a business must first have a Workplace Plan in place and designate a compliance officer.
- Every person in control of a retail store or institution **must**:
 - take steps to ensure that customers maintain the Approved Social Distance and adhere to all directions in respect of health protocols and social distancing;
 - designate a compliance official to ensure that safety controls are adhered to; and
 - display the name of the compliance official prominently in the store or in a visible area.
- All businesses and other entities set out in table 1 of the Level 4 Regulations may commence operations. We set out in this guide a summary of table 1. We also attach a copy of the full table 1 of the Level 4 Regulations as **Schedule 3** to this guide.

CMS practical tip

The Level 4 Regulations only expressly authorise businesses and other entities in table 1 to commence business. We assume this was an oversight as the Level 4 Regulations have specifically defined essential services (as set out in Annexure D to the Level 4 Regulations) and permitted services (being those set out in table 1) differently. We attach a copy of Annexure D to this guide as Schedule 4.

While there is a level of overlap between what is an essential service and what is a table 1 permitted service, a directive or amendment to the Level 4 Regulations is required to clarify this. In the meantime, clients should ensure that they fall under the table 1 permitted services.

- In terms of a directive that was previously issued under the Old Regulations, a certificate from the Companies and Intellectual Property Commission (CIPC) must be applied for and issued to all registered companies that are permitted to operate in terms of the Level 4 Regulations.

CMS practical tip

As at the date on which this guide is issued, we have not had sight of any new directives specifically requiring the issuing of a certificate from CIPC in relation to the permitted services and/or during the period of alert level 4. However, CIPC is still issuing these certificates and their website has been updated to refer to the sector list as set out in table 1. Therefore, practically, the certificate should be obtained.

The issuing of a CIPC certificate does not certify the company as being permitted to operate under the Level 4 Regulations and the company must still comply with the applicable regulations. It is the responsibility of the company that is applying for a certificate to ensure that it does qualify to commence work in terms of the applicable regulations.

Permits

- For the private sector, persons that are performing essential services or permitted services must be issued a Permit signed by the chief executive officer or equivalent thereof of the institution (or a person to whom the power has been delegated to).
- For the public sector, the Permit must be signed by the accounting officer of the public institution.
- The Permit must be in a form substantially as that attached to this guide.
- Directives can be issued for small and micro enterprises, co-operatives, informal traders and spaza shops.

Appointment of persons

As set out above, businesses must appoint, designate and/or assign (as the case may be) a compliance employee, compliance officer and compliance official.

Table 1 permitted operations

The following is a summary of the table 1 permitted operations under the Level 4 Regulations. Please consider the full list attached to this guide as **Schedule 3**.

	<i>Sectors</i>	<i>Permitted Alert Level 4 Activities</i>
1.	Agriculture, hunting, forestry & fishing	All agriculture, hunting, forestry, fishing, bee-keeping and fishing operations which include preparation, cultivation, harvesting, storage and the export of products.
2.	Electricity, gas & water supply	All electricity, gas and water supply operations are permitted.
3.	Manufacturing	The production of various products including wholesale and retail products, petroleum refineries, winter clothing, automotive, stationery products and other types of manufacturing.
4.	Construction	Public works projects in relation to civil engineering and construction and critical maintenance and repairs.
5.	Wholesale & retail trade	The sale of various products including personal toiletries, food (hot cooked food for delivery only and personal ICT equipment; except for the sale of liquor.
6.	Information & communication services	All telecommunication services and infrastructure including information and communication technology services for private and business consumers.
7.	Media & entertainment services	All operations related to online services, the production of local broadcast and live streaming services in relation to COVID-19, newspapers and broadcasting are permitted.

<i>Sectors</i>	<i>Permitted Alert Level 4 Activities</i>
8. Financial and business services	The regulations provide that far as possible, employees must work from home. However, the essential services are permitted to commence include, amongst others, banks, insurance companies, entities providing administrative services, payroll services, private security services and other professional services unable to conduct business operations on a work-from-home basis.
9. Accommodation & food service activities	Accommodation is only permitted for quarantine and essential services purposes and restaurants for only food delivery services between 09H00 - 19H00 and subject to restriction on movement.
10. Transport, storage & communications	The regulations permit ocean, rail and air transport in relation to the transportation of essential goods, permitted goods, the importing and exporting of goods to and from neighbouring countries as specified in the regulations. The use of public transport services and e-hailing services is also permitted subject to restrictions on capacity and other restrictions as set out in relevant directions.
11. Mining & quarrying	All mining operations related to coal production for Eskom are scaled up to full employment while open-cast mining is scaled up to a baseline of 50% employment and thereafter scaling up to full employment. Other forms of mining will start in batches and scale up towards 50% employment.
12. Repair & related emergency services	All services related to tow trucks, vehicle recovery, emergency repair work by plumbers and related service providers are permitted.
13. Supply chains	Operations related to the production, manufacturing, supply, logistics, transport, delivery and critical maintenance and repair of goods and services required for the production or rendering of permitted goods and services are permitted. Further, workplaces or premises related to such operations required to have care and maintenance to prevent destruction or significant impairment of working areas and/or other conditions as directed by relevant cabinet members.

<i>Sectors</i>	<i>Permitted Alert Level 4 Activities</i>
14. Private households & employment	All operation related to live-in staff, and staff providing care to the sick, mentally ill, elderly, people with disabilities and children are permitted.
15. Public administration, government services	Only essential government and administration services are permitted to operate which, amongst others, include licensing, permitting, essential SARS services as defined by the commissioner of SARS and services rendered by the judiciary.
16. Health, social & personal services	Operations related to, amongst others, medical and veterinary services, cleaning, sanitation, wildlife management and trade union essential staff for workers covered by Level 4 regulations.
17. Education services	Permitted operations on dates and schedule to be set out separately.

Meet the team



Deepa Vallabh
Co-Head of Corporate &
Commercial; Head of Africa:
M&A

M +27 82 5710707
E deepa.vallabh@cms-rm.com



Yushanta Rungasammy
Co-Head of Corporate & Commercial

M +72 72 464 1722
E yushanta.rungasammy@cms-rm.com



Sihle Bulose
Senior Associate

M +27 82 776 2038
E sihle.bulose@cms-rm.com



Rembuluwani Nembudani
Senior Associate

M +27 79 631 6418
E rembuluwani.nembudani@cms-rm.com



Maud Hill
Senior Associate

M +27 76 181 4543
E maud.hill@cms-rm.com



Lebogang Molebale
Senior Associate

M +27 82 947 5708
E lebogang.molebale@cms-rm.com



Aphelele Binta
Candidate Attorney

M +27 79 241 5103
E aphelele.binta@cms-rm.com

FORM 2
PERMIT TO PERFORM AN ESSENTIAL OR PERMITTED SERVICE
 Regulations 16(2)(b) and 28(4)

- Please note that the person to whom the permit is issued must at all times present a form of identification together with this permit. If no identification is presented, the person to whom the permit is issued will have to return to his or her place of residence during Alert Level 4.

I, being the head of institution, with the below mentioned details,

Surname				
Full names				
Identity number				
Contact details	Cell nr.	Tel Nr(W)	Tel Nr(H)	e-mail address
Physical Address of Institution				

Hereby certify that the below mentioned official/employee is performing services in my institution

Surname	
Full names	
Identity number	
Place of residence of employee	

Signed at _____, on this the _____ day of _____ 2020.

Signature of Head of Institution

Official stamp of
Institution

**ANNEXURE E
WORKPLACE PLANS**

Regulation 16(6)(b)

A COVID-ready Workplace Plan must be developed prior to the reopening of an enterprise employing persons or serving the public.

For small businesses, the plan can be basic reflecting the size of the business, while for medium and larger businesses, a more detailed written plan should be developed given the larger numbers of persons at the workplace.

The Plan for medium and large businesses must include the following:

1. The date the business will open and the hours of opening;
2. The timetable setting out the phased return-to-work of employees, to enable appropriate measures to be taken to avoid and reduce the spread of the virus in the workplace;
3. The steps taken to get the workplace COVID-19 ready;
4. A list of staff who can work from home; staff who are 60 years or older; and staff with comorbidities who will be required to stay at home or work from home;
5. Arrangements for staff in the establishment:
 - (a) sanitary and social distancing measures and facilities at the entrance and exit to the workplace;
 - (b) screening facilities and systems;
 - (c) the attendance-record system and infrastructure;
 - (d) the work-area of employees;
 - (e) any designated area where the public is served;
 - (f) canteen and bathroom facilities;
 - (g) testing facilities (for establishments with more than 500 employees);
 - (h) staff rotational arrangements (for establishments where fewer than 100% of employees will be permitted to work).
6. Arrangements for customers or members of the public, including sanitation and social distancing measures.

TABLE 1
ALERT LEVEL 4

All persons who are able to work from home should do so.

Persons in the following list of industries and activities will be permitted to perform work outside the home, and to travel to and from work, under Alert Level 4, subject to—

- (a) strict health protocols, and social distancing rules;
- (b) return to work to be phased in to enable measures to make the workplace COVID-ready; and
- (c) return to work to be done in a manner that avoids and reduces risks of infection.

PERMISSIONS AND PROHIBITIONS	
PART A	AGRICULTURE, HUNTING, FORESTRY AND FISHING
1	<p>All agriculture, hunting, forestry and fishing, bee-keeping, including preparation, cultivation, harvesting, storage, transport of live animals and auctions (subject to health directions) and related agricultural infrastructure and services (including research, inspection, certification and quality control).</p> <p>All fishing, operation of fish hatcheries and fish farms, on such conditions as may be issued in directions by the cabinet members responsible for the environment, forestry and fisheries.</p> <p>Harvesting and storage activities essential to prevent the wastage of primary agricultural, fishing and forestry goods.</p> <p>Export of all agricultural agro-processed, fishing and forestry products.</p>
PART B	ELECTRICITY, GAS AND WATER SUPPLY
1.	All electricity, gas and water supply is permitted.
PART C	MANUFACTURING
1	Manufacture of wholesale and retail products permitted to be sold under Alert Level 4, and all input products, permitted scaling up to full employment, except where otherwise indicated, and subject to strict health protocols.
2	Manufacture of paper and paper products, excluding stationery, permitted scaling up to full employment and subject to strict health protocols.
3	Manufacture of plastics and packaging, including glass, plastic bottles and containers, permitted scaling up to full employment and subject to strict health protocols.
4	Petroleum refineries, smelters, and furnaces, permitted scaling up to full employment and subject to strict health protocols.
5	Manufacture of winter clothing, footwear, bedding and heaters (and all inputs required, including textiles) permitted, commencing at 25% and scaling up to 50% employment and subject to strict health protocols.
6	Manufacturing of automobiles, steel and other metals, rail and ship-building (including components), scaling up in phases to 50% employment and subject to strict health protocols.
7	Stationery production, scaling up in phases to 50% employment and subject to strict health protocols.
8	Cement, other construction material, and hardware, scaling up in phases to 50% employment and subject to strict health protocols.
9	All other manufacturing, scaling up to 30% employment and subject to strict health protocols.

PART D	CONSTRUCTION AND RELATED SERVICES (INC. TRADES PERSONS)
1	Civil engineering for public works projects (including water, energy, sanitation).
2	Public works civil engineering and construction works.
3	Road and bridge projects, including local road repairs
4	Critical maintenance and repairs.
PART E	WHOLESALE AND RETAIL TRADE, COVERING STORES, SPAZA SHOPS, E-COMMERCE AND INFORMAL TRADERS
1	Food products, including non-alcoholic beverages and animal food.
2	The sale of hot cooked food, only for home delivery.
3	Toilet Paper, sanitary pads, sanitary tampons, and condoms.
4	Hand sanitiser, disinfectants, soap, alcohol for industrial use, household cleaning products, and personal protective equipment.
5	Products for the care of babies and toddlers.
6	Personal toiletries, including haircare, body, face, hand and foot care products, roll-ons, deodorants, dental care products.
7	Medical and Hospital Supplies, medicine, equipment and personal protective equipment.
8	Fuel and lighting, including coal, wood, paraffin and gas.
9	Airtime and electricity.
10	Hardware, components and supplies.
12	Components for vehicles undergoing emergency repairs
13	Chemicals, packaging and ancillary products used in the production of any these products listed in Part E.
14	Textiles required to produce face masks and other personal protective equipment and winter clothing.
15	Winter clothing, footwear, bedding and heaters and the components and fabrics required to manufacture these.
16	Children's clothing and fabrics and components required to manufacture these.
17	Stationery and educational books.
18	Personal ICT equipment including computers, mobile telephones and other home office equipment.
19	No sale of liquor permitted.
20	Directions may permit the incremental expansion of e-Commerce, taking into account the need to limit the extent of movement on the road, contact between people, law-enforcement challenges and the impact on other businesses.
PART F	INFORMATION AND COMMUNICATION SERVICES
1	All telecommunication services and infrastructure.
2	Information and Communication Technology services for all private and business customers.
3	Postal services and courier services for all permitted Alert Level 4 services.
PART G	MEDIA AND ENTERTAINMENT SERVICES
1	Online services.
2	Productions for local broadcast and live streaming of creative sector services in support of COVID-19 subject to directions.
3	Newspapers and broadcasting.
PART H	FINANCIAL AND BUSINESS SERVICES
1	Employees should work from home where possible.
2	Essential financial services may operate, subject to directions issues by the relevant Cabinet member, including the following services necessary to maintain the functioning of a financial system as defined in section 1(1) of the Financial

	<p>Sector Regulation Act, only when the operation of a place of business or entity is necessary to continue to perform those services:</p> <ol style="list-style-type: none"> the banking environment (including the operations of mutual banks, co-operative banks, co-operative financial institutions and the Postbank); the payments environment; the financial markets (including market infrastructures licensed under the Financial Markets Act, 2012 (Act No. 19 of 2012); the insurance environment; the savings and investment environment; pension fund administration; outsourced administration; medical schemes administration; and additional services designated in terms of regulation 11B (4A) (c) (i). <p>The services listed above may not include debt collection services.</p>
3	Services necessary for the provision of social grants.
4	Private security services may operate.
5	Implementation of payroll systems.
6	Car sales under specific directions
7	Chauffeur services, rental of motor vehicles, driven vehicles, machinery and equipment, and of goods to support other Alert Level 4 services.
8	Call centres, for local and all international markets, may operate subject to directions issued by the relevant cabinet members.
9	Other professional services may operate only where work-from-home is not possible, and only to support other Alert Level 4 services.
PART I	ACCOMMODATION AND FOOD SERVICE ACTIVITIES PERMITTED
1	Accommodation not permitted, except for quarantine and essential services
2	Restaurants only for food delivery services (9H00-19H00) and subject to restriction on movement (no sit down or pick-up allowed).
PART J	TRANSPORT, STORAGE AND COMMUNICATION SERVICES PERMITTED
1	Ocean, rail, road and air transport of goods permitted only for activities set out in Regulation 22(1).
2	Public rail, minibus taxi and bus services will resume at Alert Levels and on terms as will be set out in Directions, based on the progressive increase in commuter numbers during the various phases.
3	E-hailing services subject to restrictions on capacity and times, and for permitted activities only.
4	Transport and logistics in respect of specified cargo specified in J1, and permitted retail goods to neighbouring countries, which shall include all goods imported via SA ports of entry, for re-export to neighbouring countries.
PART K	MINING AND QUARRYING
1	Coal production for Eskom scaling up to full employment.
2	Open-cast mining scaling up to a baseline of 50% and thereafter scaling up to full employment.
3	All other mining starting in batches scaling up towards 50% employment.
PART L	REPAIR AND RELATED EMERGENCY SERVICES PERMITTED
1	Tow trucks and vehicle recovery services.
2	Emergency repair work, including plumbers, electricians, locksmiths, glaziers, roof repair work.
3	Emergency automobile repairs for all persons.
PART M	SUPPLY CHAINS

1	Production, manufacturing, supply, logistics, transport, delivery and critical maintenance and repair of goods and services (including components and equipment) required for the production or rendering of permitted goods and services
2	All workplaces or premises must have care and maintenance that is essential to the prevention of the destruction or significant impairment of working areas, plant, machinery or inventory, or to permit orderly wind down arrangements, on such conditions as may be issued by means of directions by the relevant cabinet members.
PART N	PRIVATE HOUSEHOLDS' EMPLOYMENT
1	Live-in staff, and staff providing care to the sick, mentally ill, elderly, people with disabilities and children.
PART O	PUBLIC ADMINISTRATION, GOVERNMENT SERVICES AND OTHER ARMS OF THE STATE Only essential government and administration services may operate, including:
1	Disaster management services.
2	Licensing, permitting, deeds, masters offices, birth and death certificates, replacement identification documents
3	Any other service designated by the Executive Authority, HODs, Heads of Courts, and Heads of other Chapter 9 Institutions.
4	Essential municipal services.
5	Services related to the functioning of courts; the State Capture Commission.
6	Essential SARS services defined by the Commissioner of SARS.
7	Police, peace officers, traffic officers, military medical personnel and soldiers, correctional services officials and traffic management services.
8	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.
9	Commissioners of the South African Human Rights Commission, Gender Commission, the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, the Public Protector and Deputy Public Protector and the Independent Electoral Commission.
PART P	HEALTH, SOCIAL AND PERSONAL SERVICES
1	Medical and veterinary services permitted.
2	Cleaning, sanitation, pest control, sewerage, waste and refuse removal services.
3	Recycling of glass, paper, plastic, metal, tyres and such others as determined by directions, are permitted at 50% capacity. Informal recyclers will be permitted to resume operations.
4	All Social work, counselling, services supporting gender based violence, care and relief activities permitted.
5	Wildlife Management, Anti-poaching, Animal Care and Veterinary services.
6	Funeral services, including mortuaries services and the transportation of mortal remains.
7	Trade union essential staff for workers covered by Alert Level 4, subject to Directions.
PART Q	EDUCATION SERVICES
1	Permitted on dates and schedule set out separately.

**ANNEXURE D
ESSENTIAL SERVICES**

A: Essential and permitted services referred to in section 16(3) of the Regulation shall refer to:

- (a) the list of essential services as set out in B below; and
- (b) such other service as are set out in Alert Level 4 and where the technological, industrial, structural or similar requirement of the service necessitates a continuous or shift operation, as set out in directions, as set out below.

B 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 below:

1. Medical, Health (including Mental Health), Laboratory and Medical services and the National Institute for Communicable Diseases;
2. Disaster Management, Fire Prevention, Fire Fighting and Emergency services;
- 3.1 (a) The following services necessary to maintain the functioning of a financial system as defined in section 1(1) of the Financial Sector Regulation Act, only when the operation of a place of business or entity is necessary to continue to perform those services:
 - (i) the banking environment (including the operations of mutual banks, co-operative banks, co-operative financial institutions and the Postbank);
 - (ii) the payments environment;
 - (iii) the financial markets (including market infrastructures licensed under the Financial Markets Act, 2012 (Act No. 19 of 2012);
 - (iv) the insurance environment;
 - (v) the savings and investment environment;
 - (vi) pension fund administration;
 - (vii) outsourced administration;
 - (viii) medical schemes administration; and
 - (ix) additional services set out in directions.
- (b) The services listed in paragraph (a) may not be construed to include debt collection services.
- 3.2 Services necessary for the provision of social grants.
4. Production and sale of the goods listed in Annexure B;
5. Whole sale and retail stores for re-stocking;
6. Electricity (including vital demand management services), 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 of the Department of Public Service and Administration, including Social Grant Payments and pension payments;
8. Essential municipal services;

9. Care services and social relief of distress provided to older persons, mentally ill, persons with disabilities, the sick, and children;
10. Funeral and cremation services, including mortuaries services and the transportation of mortal remains;
11. Wildlife Management, Anti-poaching, Animal Care and Veterinary services;
12. Newspaper, broadcasting and telecommunication infrastructure and services, including call centres critical for the support of such services;
13. Production and sale of any chemicals, hygiene products, pharmaceuticals for the medical or retail sector;
14. Cleaning, sanitation, pest control, sewerage, waste and refuse removal services;
15. Services related to the essential functioning of courts, judicial officers, the Master of the High Court, Sheriffs and legal practitioners required for those services;
16. Essential SARS services defined by the Commissioner of SARS;
17. Police, peace officers, traffic officers, military medical personnel and soldiers, correctional services officials and traffic management services;
18. Postal services and courier services related to transport of medical products;
19. Private security services;
20. Air-traffic Navigation, Civil Aviation Authority, air charters, Cargo Shipping and dockyard services;
21. Gold, gold refinery, coal and mining;
22. Accommodation used for persons rendering essential services, quarantine, isolation and the lockdown;
23. Production, manufacturing, supply, logistics, transport, delivery, critical maintenance and repair in relation to the rendering of essential services including components and equipment;
24. Transport services for persons rendering essential services and goods, and transportation of patients;
25. 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;
- 26.1 Commissioners of the South African Human Rights Commission, Gender Commission, the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, the Public Protector and Deputy Public Protector and the Independent Electoral Commission; and
- 26.2 Services rendered by the institutions referred to in item 26.1
27. Transport and logistics in respect of cargo and goods as set out in Part A to neighbouring countries;
28. Tow trucks and vehicle recovery services;
29. Call centres necessary to provide health, safety, social support, government and financial services, debt restructuring for consumers of retailers, and access to short-term insurance policies as a result of reduced income or loss of income;
30. Harvesting and storage activities essential to prevent the wastage of primary agricultural goods;
31. Implementation of payroll systems to the extent that such arrangement has not been made, to ensure timeous payments to workers; and

32. Critical maintenance services which cannot be delayed for more than 21 days and are essential to resume operations;
33. Trades necessary for the rendering of emergency repair work, including plumbers, electricians, locksmiths, glaziers, roof repair work;
34. Trades necessary for emergency automobile repairs for persons rendering essential services;
35. Information and Communication Technology services rendered to entities and institutions engaged in delivering essential services in terms of these Regulations.



Law . Tax

Your free online legal information service.

A subscription service for legal articles
on a variety of topics delivered by email.

cms-lawnow.com

CMS Legal Services EEIG (CMS EEIG) is a European Economic Interest Grouping that coordinates an organisation of independent law firms. CMS EEIG provides no client services. Such services are solely provided by CMS EEIG's member firms in their respective jurisdictions. CMS EEIG and each of its member firms are separate and legally distinct entities, and no such entity has any authority to bind any other. CMS EEIG and each member firm are liable only for their own acts or omissions and not those of each other. The brand name "CMS" and the term "firm" are used to refer to some or all of the member firms or their offices.

CMS locations:

Aberdeen, Algiers, Amsterdam, Antwerp, Barcelona, Beijing, Belgrade, Berlin, Bogotá, Bratislava, Bristol, Brussels, Bucharest, Budapest, Casablanca, Cologne, Dubai, Dusseldorf, Edinburgh, Frankfurt, Funchal, Geneva, Glasgow, Hamburg, Hong Kong, Istanbul, Johannesburg, Kyiv, Leipzig, Lima, Lisbon, Ljubljana, London, Luanda, Luxembourg, Lyon, Madrid, Manchester, Mexico City, Milan, Mombasa, Monaco, Moscow, Munich, Muscat, Nairobi, Paris, Podgorica, Poznan, Prague, Reading, Rio de Janeiro, Riyadh, Rome, Santiago de Chile, Sarajevo, Seville, Shanghai, Sheffield, Singapore, Skopje, Sofia, Strasbourg, Stuttgart, Tirana, Utrecht, Vienna, Warsaw, Zagreb and Zurich.

cms.law