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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF TRANSPORT

NO. 412 **26 MARCH 2020**

DISASTER MANAGEMENT ACT, 2002

DIRECTIONS ISSUED IN TERMS OF REGULATION 10(8) OF THE REGULATIONS MADE IN UNDER SECTION 27(2) OF THE DISASTER MANAGEMENT ACT, 2002 (ACT NO. 57 OF 2002): MEASURES TO PREVENT AND COMBAT THE SPREAD OF COVID-19 IN THE PUBLIC TRANSPORT SERVICES

I, Fikile Mbalula, MP, Minister of Transport, in terms of regulation 10(7) of the Regulations issued in terms of the Disaster Management Act, 2002 (Act No. 57 of 2002) hereby issue the directions set out in the Schedule hereto, to address and combat the spread of the COVID-19.

MR F.A. MBALULA, MP

MINISTER OF TRANSPORT

DATE: 25/03/2020.

SCHEDULE

1. Definitions

In these directions, any word or expression bears the meaning assigned to it in the National Land Transport Act, 2009 or its regulations, unless the context otherwise indicates–

"the Act" means the National Land Transport Act, 2009 (Act No. 5 of 2009);

"COVID-19", means the Novel Coronavirus (2019-nCov) which is an infectious disease caused by a virus, which emerged during 2019 and was declared a global pandemic by the WHO during the year 2020 that has previously not been scientifically identified in humans;

"public transport facility", means any rank, train stations, terminal or any facility which may be used for public transport purposes;

"public transport vehicle" means a motorcar, minibus, midibus and bus as defined in terms of the Act.

2. Authority

(1) COVID-19 was declared a global pandemic by the World Health Organisation and following related developments within the Republic, the government of the Republic declared a national state of disaster relating to the virus in terms of the Disaster Management Act, 2002.

(2) On 15 February 2020 the President of the Republic of South Africa made a pronouncement detailing urgent and immediate measures to be undertaken in order to manage COVID-19, and the measures included, amongst others, the imposition of travel ban in respect of nationals from High Risk countries and Medium Risk countries. On 23 March 2020 the President of the Republic of South

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Africa further made a pronouncement on the 21-day lockdown which will begin at midnight Thursday 26 March 2020 calling on the country to urgently and dramatically escalate its response.

(3) 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 amplified by disaster management regulations or directions issued in terms of section 27(2) of the Disaster Management Act, 2002.

(4) These directions are issued pursuant to the provisions of section 27(2) of the Disaster Management Act, 2002 and specifically in terms of Regulation 10(7) of the Disaster Management Regulations 2020 to provide for measures necessary to manage COVID-19. These directions are valid for the duration of the declared national state of disaster.

2. Purpose of Directions

(1) The purpose of the directions is to provide for the: -

(a) improved hygiene control and disinfection facilities on all public transport vehicles and public transport facilities including ranks, terminals and train station.

(b) implementation of a monitoring and enforcement system in all public transport facilities

3. Application of the directions

These directions are applicable to all public transport services.

4. Provision of improved access and hygiene, disinfection control on all public transport facilities.

All owners of public transport facilities must on regular intervals provide adequate sanitizers or other hygiene dispenser for washing of hands and disinfection equipment for users of public transport services for the duration of the directions.

5. Embarkation of public transport passengers in the public transport vehicles

(1) All operators must ensure that public transport vehicles are sanitized before picking up and after dropping off passengers.

(2) Operators must ensure that all public transport vehicles door and window handles, arm-rest and hand rails are sanitized before picking up and dropping off passengers.

(3) Operators must ensure that all public transport vehicles are clean and tidy.

(4) All public transport operators must provide disinfection information materials and procedures.

(5) All drivers must wear a mask.

(6) Any marshal who interacts with members of the public in public transport facility should wear a mask.

(7) The sanitisers used to sanitise all public transport vehicles must have a minimum of 60% alcohol content.

6. Prohibition of service of certain public transport during lockdown

(1) All long distance and inter-provincial services are prohibited for the duration of the lockdown.

(2) Transportation of passengers by buses is prohibited except when the bus is used for purposes of fearing passengers rendering essential services.

(3) Public transport that shall be permitted to ferry essential services workers will operate from 5H00 to 9H00 and again from 16H00 to 20H00

7. Prohibition of standing in a public transport vehicle

(1) No person is allowed to stand in a public transport vehicle.

8. Loading capacity of public transport during lockdown

(1) A vehicle licensed to carry up to 4 passengers is only be permitted to carry 1 passenger.

(2) A Minibus licensed to carry up to 8 passengers is only be permitted to carry a maximum of 3 passengers.

(3) All Minibuses must reduce seating capacity by 50% of its seating capacity to mitigate the spread of the virus.

(4) All public transport operators should put measures in place to adhere to social distancing to curb the spread of the virus

9. Enforcement of these regulations

Authorised officers as defined in terms of the Act must enforce the provisions of these directions.

10. Offences

Any person who fails or refuses to comply with these directions, is guilty of an offence and on conviction liable to a fine or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

11. Short title and commencement

These Directions are called the Public Transport Services Directions, 2020 and comes in to operation on the date of publication by the Minister in the Gazette.

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