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GOVERNMENT NOTICES • GOEWERMENSKENNISGEWINGS

DEPARTMENT OF SPORTS, ARTS AND CULTURE

NO. 1037

15 October 2021

AMENDMENT OF DIRECTIONS ISSUED IN TERMS OF REGULATION 4(10) OF THE REGULATIONS MADE 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: SPORT, ARTS AND CULTURE

I, Emmanuel Nkosinathi Mthethwa, Minister of Sport, Arts and Culture, hereby, in terms of regulation 650 read with regulation 33 (1)(2) (3) and regulation (36)(1)(2)(3)(4)(5)(6)(7)(8)(9)(10)(11)(12)(13) of the Regulations made under section 27(2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) and published in Government Notice No.R493 of 11 June 2021 as amended by Government Notices No. R.608 of 28 May 2020, R. 714 of 25 June 2020, R. 763 of 12 July 2020, R. 846 of 31 July 2020, R. 891 of 17 August 2020, R. 999 of 18 September 2020, R.1011 of 20 September 2020, R. 1053 of 1 October 2020, R.477 of 30 May 2021, R. 493 of 11 June 2021, R. 565 of 27 June 2021, R. 610 of 11 July 2021, R. 650 of 25 July 2021, R. 868 of 12 September 2021, R. 959 of 30 September 2021 and R. 1024 of 11 October 2021 issue the Directions in the Schedule.



MR E.N. MTHETHWA, MP
MINISTER OF SPORT, ARTS AND CULTURE

DATE: 2021/10/12

SCHEDULE

DEFINITIONS

1. In these Directions, a word or expression bears the meaning assigned to it in the Regulations made under section 27(2) of the Disaster Management Act, 2002 and promulgated in Government Gazette No. 43258, Government Notice No. R 480 of 29 April 2020 as amended by Government Notices No. R.608 of 28 May 2020, R.714 of 25 June 2020, R.763 of 12 July 2020, R.846 of 31 July 2020, R.891 of 17 August 2020, R. 999 of 18 September 2020, R.1011 of 20 September 2020, R. 1053 of 1 October 2020 and R. 1423 of 29 December 2020, R 477 of 30 May 2021, R 530 of 15 June 2021, R. 565 of 27 June 2021, R. 610 of 11 July 2021, R. 650 of 25 July 2021, R. 868 of 12 September 2021, R. 960 of 30 September 2021, R. 1024 of 11 October 2021 and unless the context otherwise indicates—

“**Directions**” means the Directions published in Government Notice No. 461, Government Gazette No. 43226 of 09 April 2020 as amended by Government Notice No. 669, Government Gazette No. 43434 of 11 June 2020, Government Notice No.751, Government Gazette No. 43507 of 6 July 2020, Government Notice No. 852, Government Gazette No. 43584 of 6 August 2020 and Government Notice No. 943, Government Gazette No. 43667 of 28 August 2020 and Government Gazette No. No. 43776 of 7 October 2020, Government Gazette No. 477 of 31 May 2021, Government Gazette No. 530 of 15 June 2021, Government Gazette No 565 of 27 June 2021, Government Gazette No. 44838 of 11 July 2021, Government Gazette No. 44895 of 25 July 2021, Government Gazette No. 45156 of 12 September 2021, Government Gazette No. 45253 of 30 September 202, Government Gazette No. 45297 of 11 October 2021.

Amendment of paragraph 1 of the Directions

2. Paragraph 1 of the Directions is hereby amended by –

- (a) The substitution for the definition of “the Regulations” of the following definition:

“**The Regulations**” means the Regulations published in Government Gazette No. 43258, Government Notice No. R.480. of 29 April 2020 as amended by Government Notice No. R.608 of 28 May 2020, Government Notice No. R.714 of 25 June 2020, Government Notice No. R.763 of 12 July 2020, Government Notice No. R.846 of 31 July 2020, Government Notice No. R. 891 of 17 August 2020, Government Notice No. R.999 of 18 September 2020, Government Notice No. R.1011 of 20 September 2020, Government Notice No. R. 1053 of 1 October 2020 and Government Notice No. R. 1423 of 29 December 2020, Government Notice No. R. 477 of 30 May 2021, Government Notice No. R. 530 of 15 June 2021, Government Notice No. R. 565 of 27 June 2021, Government Notice No. R. 610 of 11 July 2021, Government Notice No. R. 650 of 25 July 2021, Government Notice No. R. 868 of 12 September 2021, Government Notice No. R. 959 of 30 September 2021, R. 1024 of 11 October 2021.

- (b) “**Bio-safe environment**” – means a safe and secure environment that can only be accessed by a certain set of people who have tested negative for COVID-19 to minimise the risk of transmission of the coronavirus from one person to another during the course of the event.

Insertion of Direction 2

- 2.1 A Compliance Officer of a sport or recreational body must, within 72 hours of publication of these Directions submit to the Department of Sport, Arts and Culture a bio-safe environment proposal.
- 2.2 Such proposal must be made in strict compliance with Protocols made by a Cabinet Member responsible for Health and in keeping with international best practice.
- 2.3 The Department may, after consideration of the proposal make additional requirements if any.

- 2.4 The Department must, if satisfied with the proposal made in terms of paragraph 2.1 above, issue a compliance letter.
- 2.5 Proposals and Protocols submitted by the Sport Bodies and approved by the Department as part of the Return to Train and Play remain in effect.
- 2.6 Proposals and Protocols are to be submitted by Sport Bodies that had never been approved for Return to Train and Play.
- 2.7 Reviewed Proposals and Protocols must be submitted in instances where there have been substantial changes warranting a review.

Amendment of paragraph 2 of the Directions

3. Paragraph 2 of the Directions is hereby amended:

Movement of persons

Regulation 66 (1) of the new regulations hereby amends regulation 50 (1).

R. 66 (1) Every person is confined to his or her place of residence from 00H00 until 04H00 daily, unless a person-

(a) ...

(b) ...

(c) ...

(2) Any person who fails to abide by the curfew referred to in subregulation (1) commits an offence and is, on conviction, liable to a fine or a period of imprisonment of six months, or to both such fine and imprisonment.

(3) Closing time for the following establishments, whether indoors or outdoors, is 23H00;

(a) Cinemas;

(b) Theatres;

- (c) ...
- (d) Museums, galleries and archives;
- (e) Public swimming pools;
- (f) Beaches and public parks;
- (g) ...
- (h) Gyms and fitness centres;
- (i) ...
- (j) ...
- (k) Venues for hosting professional sport; and
- (l) Venues for hosting faith-based, or religious gatherings; and
- (m) Social, political and cultural gatherings.
- (n) Public libraries.

Gatherings

Regulation 69 (1) of the new regulations hereby amends regulation 53 (1):

R. 69 (1) Every person, when attending a gathering and in order to limit exposure to COVID-19, must-

- (a) Wear a face mask;
 - (b) Adhere to all health protocols;
 - (c) Maintain a distance of at least one and half meters from each other;
 - (d) Adhere to curfew hours provided for in regulation 66; and
 - (e) Adhere to any other health protocols and social distancing measures as provided for in directions issued by relevant Cabinet member after consultation with Cabinet members responsible for health.
- (2) An owner or operator of any indoor or outdoor facility where gatherings are held must display the certificates of occupancy, which sets out the maximum number of persons the facility may hold.

(3) An owner or operator of any indoor or outdoor facility where gatherings are held and who fails to display the certificate of occupancy as contemplated in sub regulation (2) is guilty of an offence and is, on conviction, liable to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(4) All-

- (i) Faith-based or religious gatherings;
- (ii) Social, political and cultural gatherings

are permitted but limited to 750 persons or less for indoor venues and 2000 persons or less for outdoor venues, and if the venue is too small to hold the prescribed number of persons observing at a distance of at least one and half metres from each other, then not more than 50 percent of the capacity of the venue may be used, subject to strict adherence to all health protocols and social distancing measures.

- (5) A convener of a faith based, religious, social, political or cultural gathering must ensure compliance with the limitation on the number of persons attending such a gathering contemplated on subregulation (4).
- (6) A convener of a faith based, religious, social, political or cultural gathering who fails to comply with subregulation (5), commits an offence and is, on conviction, liable to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment.
- (7) Any person who attends a faith based, religious, social, political or cultural gathering and who knows or ought reasonably to have known or suspected that the number of persons exceeds the limitation provided for in subregulation (4), commits an offence and is, on conviction, liable to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment.
- (8) Gatherings at a workplace for work purposes are allowed, subject to strict adherence to all health protocols and social distancing measures.
- (9)
 - (a) ...
 - (b) ...
 - (c) ...
 - (d) ...
 - (e) ...
- (f) Conferencing, exhibitions, dining, gyms, fitness centres, casinos and entertainment facilities are subject to a limitation of a maximum 750 persons or less for indoor venues, and 2000 persons or less for outdoor venues and if the venue is too small to hold the 750 persons indoors or 2000 persons outdoors observing a distance of at least one and half metres from each other, then not more than 50 percent of the capacity of the venue maybe used.

- (g) An owner or operator of a conferencing, exhibition, dining, gym, fitness centres, casinos or entertainment facility must ensure compliance with the limitation on number of persons attending such a conferencing, exhibition, dining, gym, fitness or entertainment facility contemplated in paragraph (f).
- (h) An owner or manager of a conferencing, exhibition, dining, gym, fitness centre, casino or entertainment facility who fails to comply with paragraph (g), commits an offence and is, on conviction, liable to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment.
- (i) Any person who attends a conferencing, exhibition, dining, gym, fitness centre casino or entertainment facility and who knows or ought reasonably to have known or suspected that the number of persons exceeds the limitation provided for in paragraph (f), commits an offence and is, on conviction, liable to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment.

Amendment of regulation 69 of the Regulations

Regulation 69 of the Regulations is hereby amended by the substitution of sub-regulations (10) (11) (12) for the following sub-regulations-

- (10) Sporting activities, including both professional and non-professional matches, by recognised sporting bodies are allowed, subject to strict adherence to the times of operation as provided for in Regulation 66(3) and the following:
 - (a) Directions for sport matches issued by the Cabinet Member responsible for sport after consultation with the Cabinet Member responsible for health;
 - (b) Spectators at the venue of the sports events are permitted but limited to 750 persons or less for indoor venue and 2000 persons or less for outdoor venues and if the venue is too small to hold the prescribed number of persons observing at a distance of at least one and half metres from each other, then not more than 50 percent of the capacity of the venue may be used, subject to strict adherence to all health protocols and social distancing measures; and provided further that they can show proof of vaccination.
- (11) An owner or operator of a sporting facility or an organizer of a sporting event referred to in subregulation (10) must, when such sporting activities take

place, ensure compliance with the prohibition on spectators contemplated in sub-regulation 10 (b).

- (12) An owner or manager of a sporting facility or an event organiser of a sporting event referred to in subregulation (10), who fails to comply with subregulation (11), commits an offence and is, on conviction, liable to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment.

the deletion of sub-regulation (13).

Amendment of paragraph 6D of the Directions

5. The following paragraph is hereby substituted for paragraph 6D of the Directions:

Paragraph 6D of the Directions is hereby amended:

- (a) By addition of following sub paragraph after subparagraph 17 of the Directions;

“6D. CONTROL MEASURES

(21) No consumption of alcohol at all sporting events including parks;

(22) Sports Bodies must adjust resumption time of matches to comply with cut off time of 00h00.”

Deletion of paragraph 6J of the Directions

6. Paragraph 6J of the Directions is hereby deleted.

7. Short title and commencement

These Directions are relating to sport, arts and culture activities and will come into effect on the date of publication in the Government Gazette.

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