

South Africa

Disaster Management Act, 2002

Directions on Measures to Address, Prevent and Combat the Spread of COVID-19 in Railway Operations for Adjusted Alert Level 3 Government Notice 62 of 2021

Legislation as at 29 January 2021

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Directions on Measures to Address, Prevent and Combat the Spread of COVID-19 in Railway Operations for Adjusted Alert Level 3

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Directions on Measures to Address, Prevent and Combat the Spread of COVID-19 in Railway Operations for Adjusted Alert Level 3 Government Notice 62 of 2021

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I, Fikile Mbalula, Minister of Transport, in terms of regulation 4(7), read with regulation 43(2)(b) and 43(5), of the Regulations made under section 27(2) of the Disaster Management Act, 2002 ([Act No. 57 of 2002](#)), after consultation with the Cabinet members responsible for cooperative governance and traditional affairs, health, police, trade, industry and competition, and justice and correctional services, hereby issue the directions set out in the Schedule hereto to address, prevent and combat the spread of the COVID-19 in railway operations for Adjusted Alert Level 3.

Mr F.A. Mbalula, MP

Minister of Transport

1. Definitions

In these directions, any other word or expression bears the meaning assigned to it in the Disaster Management Act, the Act or in the Regulations, and, unless the context otherwise indicates -

"Disaster Management Act" means Disaster Management Act, 2002 ([Act No. 57 of 2002](#));

"National Institute of Communicable Diseases" means a specialised national public health institute established under the National Health Laboratory Services to provide reference microbiology, virology, epidemiology, surveillance and public health research to support the government's response to communicable disease threats.

"Railway Safety Regulator" means the Regulator, as defined in the Act.

"the Act" means the National Railway Safety Regulator Act, 2002 ([Act No. 16 of 2002](#));

"the Regulations" means the Regulations issued in terms of section 27(2) of the Disaster Management Act, published under Government Notice No. 480, in *Government Gazette* No. 43258 of 29 April 2020, as amended under-

- (a) Government Notice No. 608, published in *Government Gazette* No. 43364 of 28 May 2020;
- (b) Government Notice No. 714, published in *Government Gazette* No. 43476 of 25 June 2020;
- (c) Government Notice No. 763, published in *Government Gazette* No. 43521 of 12 July 2020;
- (d) Government Notice No. 846, published in *Government Gazette* No. 43577 of 31 July 2020;
- (e) Government Notice No. 891, published in *Government Gazette* No. 43620 of 17 August 2020;

- (f) Government Notice No. 999, published in *Government Gazette* No. 43725 of 18 September 2020;
- (g) Government Notice No. 1053, published in *Government Gazette* No. 43763 of 1 October 2020;
- (h) Government Notice No. 1104, published in *Government Gazette* No. 43825 of 21 October 2020;
- (i) Government Notice No. 1199, published in *Government Gazette* No. 43897 of 11 November 2020;
- (j) Government Notice No. 1290, published in *Government Gazette* No. 43964 of 3 December 2020;
- (k) Government Notice No. 1346, published in *Government Gazette* No. 43997 of 15 December 2020;
- (l) Government Notice No. 1370, published in *Government Gazette* No. 44009 of 17 December 2020;
- (m) Government Notice No. 1421, published in *Government Gazette* No. 44042 of 24 December 2020;
- (n) Government Notice No. R. 1423, published in *Government Gazette* No. 44044 of 29 December 2020;
- (o) Government Notice No. R. 1424, published in *Government Gazette* No. 44045 of 29 December 2020;
- (p) Government Notice No. R. 1435, published in *Government Gazette* No. 44051 of 29 December 2020;
- (q) Government Notice No. 1370, published in *Government Gazette* No. of 11 January 2021.

2. Authority

- (1) Section 26(2)(b) of the Disaster Management Act 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.
- (2) These directions are issued pursuant to the provisions of section 27(2) of the Disaster Management Act, and specifically in terms of regulation 4(7), read with regulation 43(2)(b) and 43(5), of the Regulations, to provide for measures necessary to manage COVID-19 in railway operations for Adjusted Alert Level 3.
- (3) These directions are valid for the duration of the declared national state of disaster.

3. Purpose of directions

The purpose of the directions is to provide for -

- (a) the development of a COVID-19 management plan;
- (b) the implementation of health and awareness campaigns on COVID-19 at stations, terminals and hand-over facilities;
- (c) procedures at hand-over points, loading points and terminals depots;
- (d) the provision of access to hygiene, screening equipment and disinfection control at stations, terminals and hand-over facilities;
- (e) the prohibition of overcrowding and overloading of trains;
- (f) reporting to the Railway Safety Regulator and the relevant authorities;
- (g) the oversight responsibilities of the Railway Safety Regulator;
- (h) long distance rail operations;
- (i) the resumption of commuter services; and

- (j) the declaration of essential services.

4. Application of directions

These directions are applicable to all rail operators issued with a safety permit in terms of the Act.

5. Development of COVID-19 management plan

- (1) All operators must continuously update their COVID-19 Management plan to accommodate developments, the risk of infections and challenges experienced in relation to COVID-19.
- (2) The management plan, referred to in subdirection (1), must be submitted to the Railway Safety Regulator.
- (3) Operators must prepare detailed plans aligned to their approved Business Continuity Management and Safety Improvement Plans.
- (4) Operators must establish clear protocols to deal with the management of suspected infected passengers, staff and contractors on railway premises, such as, designating an area for isolation in line with health authority prescripts.

6. Health and awareness campaigns

Operators must implement health and awareness campaigns within their operational jurisdiction, to inform rail passengers, contractors, commuters and customers of COVID-19.

7. Procedures at hand-over points, loading points and terminals depots

- (1) Train crews involved in cross-border rail operations may undergo medical screening for COVID-19 at hand-over points.
- (2) Enhanced cleaning protocols should be followed at depots and terminal facilities.

8. Provision of access to hygiene, screening equipment and disinfection control at stations, terminals and hand-over facilities

- (1) No person will be allowed to use railway transport or enter a building, place or premises at stations, terminals or hand-over facilities if he or she is not wearing a face mask.
- (2) Station operators must provide adequate sanitation supplies for washing of hands for passengers at stations, yards, rail terminals and depots.
- (3) Operators must put in place procedures for the cleaning and disinfection of railway assets.
- (4) The respective employers of personnel at stations, yards, depots, rail terminals and railway maintenance workshops must provide their personnel with appropriate personal protective equipment.
- (5) Operators may make provision for medical equipment to conduct screening of passengers or personnel for COVID-19 infections.
- (6) Assessments of critical staff for fitness for duty must include medical screening for COVID-19.

9. Prohibition of overcrowding and overloading of trains

- (1) Rail operators and owners of rail facilities must put measures in place to adhere to physical distancing to curb the spread of COVID-19.
- (2) Train operators must ensure that there are enough marshals or security personnel on board trains for the management of crowds and overloading.

10. Reporting to Railway Safety Regulator and relevant authorities

- (1) Operators must provide regular reports to the Railway Safety Regulator regarding suspected and confirmed cases of COVID-19 infections, together with measures implemented for each reported case within their railway operations;
- (2) Operators must immediately report suspected cases of COVID-19 within their railway operations to the National Institute of Communicable Disease and the Railway Safety Regulator, for information purposes.

11. Oversight responsibilities of Railway Safety Regulator

- (1) The Railway Safety Regulator must continue to monitor the implementation of these directions and the management plans of operators.
- (2) The Railway Safety Regulator must provide regular reports to the Minister on the implementation of these directions or at any time, upon request by the Minister.

12. Long distance travel by rail services

Long distance travel by rail services, including public and private operations, is permitted.

13. Rail services not engaging in long distance travel

- (1) PRASA may continue commuter services between -
 - (a) Cape Town Southern line and Simonstown;
 - (b) East London and Berlin;
 - (c) Pienaarspoort and Pretoria Central; and
 - (d) Port Elizabeth and Utienhage.
- (2) PRASA will continue with the maintenance, servicing and testing of its fleet and further sanitise and disinfect its stations and hubs and, upon completion, must announce the resumption of any other commuter services.
- (3) Gautrain may continue commuter services between -
 - (a) Park Station and Hatfield; and
 - (b) Sandton and OR Tambo International Airport.

14. Declaration of essential services in respect of railway operations

For the purpose of these directions, the following services are declared as essential services in respect of railway operations:

- (a) Rolling stock maintenance;
- (b) rail maintenance; and
- (c) rail logistics operations.

15. Withdrawal of directions

The Directions published under Government Notice No. 494, in *Government Gazette* No. 43273 of 04 May 2020, as amended, are hereby withdrawn.

16. Short title and commencement

These directions are called the Directions on measures to address, prevent and combat the spread of COVID-19 in Railway Operations for Adjusted Alert Level 3, and come into operation on the date of publication thereof in the *Gazette*.