

Regulations kick in to enforce the lockdown

Hard-won freedoms enjoyed since the dark days of apartheid are about to be brought to a shattering halt as SA shuts up shop tonight for 21 days to combat Covid-19, notes [Legalbrief](#). Freedom of movement, the right to assembly and the right to trade freely have all been set aside by regulations covering the lockdown that kicks in at midnight. And Police Minister Bheki Cele has warned the restrictions will be tightly policed. 'There is no need to be on the road. There is no need to move around,' he said at yesterday's security ministerial briefing, outlining patrols and roadblocks, and promising 'more action'. 'If you break these laws, or regulations, you are six months in (jail) or fines or both,' he is quoted as saying in a [Daily Maverick](#) report. He added that the police, with the support of the Defence Force, were 'ready to make sure these things we talk about of complete non-movement will be implemented'. And according to a [Netwerk24](#) report, the regulations contain a specific provision that **no-one will be able to claim damages or compensation for losses due to bona fide law enforcement actions**.

[The restrictions are severe](#). Gatherings are banned, except funerals, which are limited to 50 people. Night vigils are also not allowed. There will be no travel between provinces; no travel between metropolitan areas and districts; no travel outside SA as borders are closed for the lockdown. **Alcohol is banned with bottle stores, shebeens and taverns closed, and shops are limited to selling only essential goods**. The [DM](#) report notes essential goods are defined in Appendix A of the lockdown regulations as food, including non-alcoholic beverages; sanitary products like toilet paper, soap and condoms; basic goods like electricity and airtime and fuel, including coal and gas. Jogging and the walking of dogs has also been disallowed.

More on the regulations in [POLICY WATCH](#) section (below)

[Severe restrictions have been placed on all forms of public transport](#), but provision has been made for essential transport services to continue, including transport for essential staff and patients. The prohibitions set out in a [New24](#) report include:

Rail: All public and private long distance passenger rail services will stop operations during the lockdown, and all commuter rail services, such as Metrorail and Gautrain, will shut down.

Aviation: All international and domestic flights are prohibited, irrespective of the risk category of the country of origin. Movement of air cargo will be allowed; however, cargo from high-risk countries will be sanitised.

Maritime: A ban on cruise ships will be strictly enforced at all ports. Cargo will be allowed at the eight sea ports but cargo from high-risk countries will be sanitised.

Minibus taxis: They will be allowed to transport essential services workers and 'those allowed to make the necessary permitted movements' between 05:00 and 09:00 and 16:00 and 20:00. Operators are directed to adhere to social distancing, and taxis must be sanitised after every trip. Taxi ranks must be sanitised at regular intervals.

Metered taxis and e-hailing: Vehicles will be allowed to transport essential service workers and 'those allowed to make the necessary permitted movements' between 05:00 and 09:00 and 16:00 and 20:00. A vehicle licensed to carry up to four people will be permitted to load only one person. A vehicle licensed to carry up to eight passengers will be permitted to load a maximum of three. Regular sanitising must be carried out.

Buses: Operations will be limited to allow for the purposes of rendering essential services.

Cross-border road transport: All cross-border road passenger movements will be prohibited. Cross-border freight movement will continue to and from neighbouring countries.

Vehicle testing centres and driver's licence testing centres will be closed, adds the [News24](#) report. 'Should your driver's licence expire during the duration of the lockdown, it shall be deemed to remain valid until the end of the lockdown, with the grace period of renewal within 14 working days thereafter unless otherwise determined,' Transport Minister Fikile Mbalula said.

The Reserve Bank fired its own bazooka yesterday, stepping into the secondary bond market to purchase government bonds with newly-created money, notes a **Business Day** report. It notes the government bond market has been unable to function normally for the past week, with yields spiking to record highs due to a shortage of buyers. **This has dire implications for the cost of borrowing by the Treasury, which must raise an average of R1.1bn a day to fund the country's borrowing requirements.** Government's across the world, especially the US and Europe, have pumped huge stimulus packages into their economies to combat the effect of the sudden stop brought on by the pandemic. The move was welcomed by the market and – although the Reserve Bank avoids the term – is widely perceived to be a form of quantitative easing, a policy in which the central bank prints new money and injects it into the economy. The bank did not provide any details on the quantum or length of the programme, saying only that it would last until 'market conditions return to normal'.

More on this in **POLICY WATCH** section (below)

Charges are already being laid under state of disaster regulations, notes **Legalbrief**. Minister of Home Affairs Aaron Motsoaledi is laying a charge against people accused of spreading fake news about Covid-19. According to **News24**, he said three people have been identified in relation to the offence. They were the alleged source of two fake news articles which went viral on social media. The articles were about Chinese people inside a building at the Lebombo border post, who were supposedly using corrupt means to enter SA after being refused entry at OR Tambo International Airport. The post labelled SA a 'banana republic'. The other fake news article was about Japanese nationals who flew to Mozambique and also tried to buy their way into SA, the Minister said. **'Fake news tends to be more dangerous than the virus itself because it worries people. I've instructed my officials to lay a charge with the police.** This is the first test case of whether people posting fake news can be charged or not,' he said. The report notes that regulations published shortly after Ramaphosa declared a national state of disaster this month criminalised the intentional distribution of fake news.

Two people are facing charges of attempted murder for infractions under state of disaster regulations. A tourist – believed to be a foreign national – may be charged with attempted murder after he allegedly refused to go into self-quarantine after testing positive for Covid-19, says a **TimesLIVE** report. National SAPS spokesperson Brigadier Vish Naidoo confirmed that the tourist was being investigated under state of disaster regulations. And a Ladysmith salon owner who tested positive for coronavirus has been **charged with attempted murder, for continuing to work at his business and disregarding an instruction to self quarantine.** Naidoo is quoted in a second **TimesLIVE** report as saying a list of 27 people, who were at the salon, and a religious gathering, are being sought for testing after coming into contact with the 52-year-old man. According to Naidoo, 'the man travelled to various countries On his return on 18 March he was tested positive with the Covid-19 and was instructed to self-quarantine for at least 14 days pending the blood results. 'However,' says Naidoo, 'the man allegedly continued with his business since 21 March and in doing so disregarded the instructions by a doctor, thus allegedly contravening regulations in terms of the National Disaster Act pertaining to the Covid-19 virus.' He was arrested and taken to a hospital where he being treated. 'The matter was discussed with the senior public prosecutor for the matter to be postponed *in absentia* to avoid further contamination,' Naidoo said.

Authorities are also investigating 30 cases of so-called price gouging on price-controlled essentials such as hand sanitisers, masks and toilet paper during the coronavirus outbreak, acting commissioner of the National Consumer Commission, Thezi Mabuza, said yesterday. **Fin24** notes 11 certificates were earlier issued to a range of supermarkets for myriad offences, and eight additional certificates have been issued since, but had not yet been confirmed by the receivers. **'Swift action' would be taken against culprits found guilty of such actions**, she said. During the inter-ministerial briefing yesterday, Minister of Trade & Industry Ebrahim Patel added that authorities were cracking down on instances where prices had appeared to rise to a degree that was unjustifiable. Complaints related to abuse of dominance, or exploitative practices related to the coronavirus crisis, are being handled between the Competition Commission and the National Consumer Commission, which have established a dedicated team.

There was some good news for consumers, though. The government is to issue new frequency spectrum to the country's telecom operators on a temporary basis to expand the network during the lockdown. This, notes **Business Day**, is in anticipation of the likely rise in communication. **It says mobile operators have long argued that access to spectrum will help reduce the cost of mobile data** because it will allow the companies to cover a wider geographic area with existing towers while carrying more data traffic. Stella Ndabeni-Abrahams, the Minister of Communications & Digital Technologies, confirmed yesterday that the state would make additional spectrum available to cope with increased voice and data traffic during the lockdown. And Home Affairs will continue to

render essential services, Minister Aaron Motsoaledi said, according to a [Network24](#) report. However, the offices will limit services to the issuing of temporary identity documents and urgent replacement documents, as well as death certificates.

Cellphone companies have agreed to give the government location data to help fight coronavirus, Ndabeni-Abrahams said, according to [Business Insider](#). 'It is important to look at the individuals that are affected in order to be able to help the Department of Health to say that we know, **in a particular area we have so many people that have been infected,**' she said. 'The industry collectively has agreed to provide data analytics services in order to help government achieve this.' A similar policy has been followed in Europe and the US where privacy issues have been raised, notes [Legalbrief](#).

Justice & Correctional Services Minister Ronald Lamola has given an assurance that prisoners and prisons personnel are safe, notes [Legalbrief](#). There is no need to panic over Correctional Services employees and offenders, he said yesterday in response to a Public Servants Association warning that should he not intervene immediately to ensure the department rolls out the required protective equipment for personnel, the prison system faces collapse. At a media briefing, Lamola appealed to communities to work together with the government by adhering to regulations. '**We will ensure that offenders and officials are safe, there is no need to panic,**' Lamola said, according to [BusinessLIVE](#). Lamola said the department has appointed a team comprising security experts and professionals to conduct a scenario-planning exercise. He said they will be working with other security cluster partners to explore and consider different crisis and emergency possibilities, to craft appropriate and operationally responsive interventions should the epidemic reach unimagined proportions. Lamola explained that the department's approach was focused on prevention, containment and treatment, as well as disaster recovery. 'As the country has been placed on lockdown, correctional facilities will function, but certain activities will be suspended, and we will continue not accepting visits. Correctional officials render an essential service and they will therefore be expected to be at work,' Lamola added.

Concerns over awareness in townships and squatter camps has been raised, according to a [Cape Argus](#) report. TransformRSA's Katlego Raphuthi said they had already warned against an early 'unsystematic shutdown' as this would most likely breed panic and mayhem in predominantly black communities such as townships, squatter camps and rural areas where government's messages had not been articulated coherently. '**Most of these communities are not ready and have not been given the necessary support by the government.** Our people live in squalor and dire situations where one's survival is dependent on their ability to provide a meal for just one day, where living hand to mouth is a daily reality,' she said. She said the organisation had written to the President urging him and his team to roll out a communication and awareness strategy in townships and rural areas until mid-April. 'Awareness education and training needs to be rolled out as a matter of urgency in these areas as a vital aspect to manage the pandemic,' she said.