

ADJUSTED ALERT LEVEL 3 REGULATIONS

Dear Stakeholder,

Please be advised that in accordance with the National Disaster Management Act, it is the duty of all South Africans to adhere to and comply with the National Lockdown Regulations. At present, the country is currently under Adjusted Alert Level 3 Lockdown, as such, certain regulations and restrictions have been imposed on the country. Please ensure that all PESP funded projects are compliant with these regulations and those that may be imposed on the country hereafter. Failure to comply with these regulations will result in legal consequences and funding being withheld.

The current adjusted regulations are provided below:

Covid-19 Regulations as amended by Gazette 44051 of 29 December 2020 (accessible via: <https://www.gov.za/covid-19/about/alert-level-3-during-coronavirus-covid-19-lockdown>)

Mandatory protocols when in a public place:

- (1) For the purposes of these Regulations, a 'face mask' means a cloth face mask or a homemade item that covers the nose and mouth, or another appropriate item to cover the nose and mouth.
- (2) The wearing of a face mask is mandatory for every person when in a public place, and any person who fails to comply with a verbal instruction by an enforcement officer to wear a face mask, commits an offence and is, on conviction, liable to a fine or a period of imprisonment not exceeding six months, or to both such fine and imprisonment.

(3) No person will be allowed to:

- (a) use, operate, perform any service on any form of public transport;
- (b) enter or be in a building, place or premises, including government buildings, places or premises, used by the public to obtain goods or services; or
- (c) be in any public open space, if he or she is not wearing a face mask.

Gatherings:

(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 a half metres from each other; and
- (d) adhere to any other health protocols and social distancing measures as provided for in directions issued by the relevant Cabinet member after consultation with the Cabinet member responsible for health.

(2) An owner or operator of any indoor or outdoor facility where gatherings are held must display the certificate of occupancy which sets out the maximum number of persons the facility may hold.

Gatherings at museums, galleries, libraries, archives, cinemas, theatres, restaurants, conferencing, dining, entertainment facilities and auctions are allowed, subject to a maximum of 50 persons or less for indoor venues and 100 persons or less for outdoor venues and if the venue is too small to hold the prescribed number of persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used and further, subject to strict adherence to all health protocols, social distancing measures and directions issued by the relevant Cabinet member, in consultation with the Cabinet member responsible for health.

An enforcement officer must, where a gathering in contravention of the regulations takes place:

- (a) order the persons at the gathering to disperse immediately; and
- (b) if the persons refuse to disperse, take appropriate action, which may, subject to the Criminal Procedure Act, 1977 (Act No. 51 of 1977), include the arrest and detention of any person at the gathering.

Regulations in hotspot areas

Movement of persons

- (1) Every person is confined to his or her place of residence from 21H00 until 06H00 daily, unless a person-
 - (a) has been granted permission through directions by the relevant Cabinet member or a permit. which corresponds with Form 7 of Annexure A, to perform a service other than a service related to an activity listed under Table 2; or
 - (b) is attending to a security or medical emergency.

- (2) Any person who fails to abide by the curfew referred to in sub-regulation (1) commits an offence and is, on conviction, liable to a fine or a period of imprisonment not exceeding six months, or to both such fine and imprisonment.

Closing time for the following establishments, whether indoors or outdoors, is **20H00:**

- (a) Cinemas;
- (b) theatres;
- (c) casinos;
- (d) museums, galleries and archives;
- (e) gyms and fitness centres;
- (f) restaurants;
- (g) venues hosting auctions: and
- (h) venues hosting professional sport.

Hotspot Areas

Province	Districts
Western Cape	City of Cape Town, Garden Route, West Coast, Cape Winelands, Central Karoo and Overberg
Eastern Cape	Nelson Mandela Bay, Buffalo City, Sarah Baartman, Amathole, Chris Hani, OR Tambo and Alfred Nzo
Gauteng	City of Tshwane, City of Johannesburg, West Rand and Ekurhuleni

Hotspot Areas continued

KwaZulu-Natal	Ethekwini, Umgungundlovu, Ugu, Harry Gwala, Ilembe and King Cetshwayo
Limpopo	Waterberg and Capricorn
North West	Bojanala