



Private Bag X94, PRETORIA, 0001

Verwysing Reference	:	31/2/1
Navrae Enquiries	:	Lt Gen MD Sempe Maj Gen MM Motlhala
Telefoon Telephone	:	012 421 8287 012 421 8329
Faksnommer Fax number	:	012 421 8473
E-pos Email	:	<a href="mailto:MotlhalaM@saps.gov.za">MotlhalaM@saps.gov.za</a> <a href="mailto:MatsheneHL@saps.gov.za">MatsheneHL@saps.gov.za</a>

OFFICE OF THE DEPUTY NATIONAL  
COMMISSIONER: POLICING

- A. The Head  
**DIRECTORATE FOR PRIORITY CRIME INVESTIGATION**
- B. **ALL DIVISIONAL COMMISSIONERS**
- C. **ALL PROVINCIAL COMMISSIONERS**
- D. **ALL DEPUTY NATIONAL COMMISSIONERS**

**NATIONAL CRIME COMBATING FORUM (NCCF) INSTRUCTION 3 OF 2020  
GUIDELINE ON THE IMPLEMENTATION OF REGULATIONS IN TERMS OF  
SECTION 27 (2) OF THE DISASTER MANAGEMENT ACT, 2002: CONTAINMENT  
AND MANAGEMENT OF COVID-19**

**A-D: 1. BACKGROUND**

- 1.1 On 15 March 2020, the President of the Republic of South Africa, His Excellency Cyril Ramaphosa issued a statement on measures to combat COVID-19 Epidemic. The President declared a National State of Disaster in terms of the Disaster Management Act: 2002 (Act No. 57 of 2002).
- 1.2 Pursuant to the declaration of the state of National Disaster, the Minister of Cooperative Governance and Traditional Affairs issued Regulation in terms of Section 27 (2) of the Disaster Management Act, 57 of 2002 about the steps that are necessary to prevent the escalation of the disaster or alleviate, contain and minimize the effects of the disaster.

**2. THE REGULATIONS**

- 2.1 In these Regulations, the following terms shall bear the meanings assigned thereto:
  - 2.1.1 Enforcement officer includes a member of the South African Police Service, the South African National Defence Force and a peace officer as defined in section 1 of the Criminal Procedure Act: 1977(Act No. 51 of 1977).

**NATIONAL CRIME COMBATING FORUM (NCCF) INSTRUCTION 3 OF 2020 GUIDELINE ON THE IMPLEMENTATION OF REGULATIONS IN TERMS OF SECTION 27 (2) OF THE DISASTER MANAGEMENT ACT. 2002: CONTAINMENT AND MANAGEMENT OF COVID-19**

2.1.2 "Gathering" means any assembly, concourse or procession of more than 100 persons, wholly or partially in open air or in a building or premises.

2.1.3 "Liquor" means-

(a) Any liquor product as defined in section 1 of the Liquor Products Act: 1979 (Act No. 60 of 1979);

(b) Beer or Traditional African Beer; or

(c) Any other substance or drink declared to be liquor under the Liquor Act: 2003 (Act No. 59 of 2003) but does not include methylated spirits.

### **3. ENFORCEMENT**

3.1 Prevention and prohibition of gatherings

(a) In terms of Regulation 3(l), all gatherings of **more than 100 people** are prohibited for purposes of containing the spread of COVID-19. No enforcement officer is permitted to authorize any gatherings as mentioned above.

(b) Where a gathering of **more than 100 people** takes place, an enforcement officer **must** order the dispersal of the gathering with immediate effect.

(c) If the people refuse to disperse, the enforcement officer must take appropriate action to disperse such people, in accordance with offences contained in regulations provided in paragraph 4, below.

(d) The assembly of more than 50 persons at any premises where liquor is sold is prohibited.

3.2 The focus must be on all gatherings such as sporting, cultural, religious, etc. by engaging and creating awareness with regards to the Regulations.

### **4. OFFENCES AND PENALTIES**

4.1. For purposes of Regulation 3, any person who —

(a) Convenes a gathering;

(b) Permits more than 50 persons at premises where liquor is sold and consumed; or

(c) Hinders, interferes with, or obstructs an enforcement officer in the exercise of his or her powers, or the performance of his or her duties in terms of these Regulations, 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.

**NATIONAL CRIME COMBATING FORUM (NCCF) INSTRUCTION 3 OF 2020 GUIDELINE ON THE IMPLEMENTATION OF REGULATIONS IN TERMS OF SECTION 27 (2) OF THE DISASTER MANAGEMENT ACT. 2002: CONTAINMENT AND MANAGEMENT OF COVID-19**

- 4.2 A person is guilty of an offence if that person fails to comply with or contravenes the provisions of Regulations 6 and 8 of these Regulations.
- 4.3 A person convicted of an offence mentioned in sub-regulation (2) is liable on conviction to a fine or to imprisonment not exceeding six months or to both a fine and imprisonment.
- 4.4 Any person who intentionally misrepresents that he, she or any other person is infected with COVID-19 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.
- 4.5 Any person who publishes any statement, through any medium, including social media, with the intention to deceive any other person about—
- (a) COVID-19;
  - (b) COVID-19 infection status of any person; or
  - (c) Any measure taken by the Government to address COVID-19, commits an offence and is liable on conviction to a fine or imprisonment for a period not exceeding six months, or both such fine and imprisonment.
- 4.6 Any person who intentionally exposes another person to COVID-19 may be prosecuted for an offence, including assault, attempted murder or murder.

**5 REFUSAL OF MEDICAL EXAMINATION, PROPHYLAXIS, TREATMENT, ISOLATION AND QUARANTINE**

- 5.1 Any person, including members of the SAPS, who has been confirmed or is suspected of having contracted COVID-19, is obliged to submit himself/herself for medical examination.
- 5.2 Any person including members of the SAPS, who refuses to comply or abide with the order of the enforcement officer in the above regard, must be placed in isolation or quarantined for a period of 48 hours, pending a warrant issued by magistrate on application by an enforcement officer.
- 5.3 A warrant of arrest as mentioned above may be issued if it appears from information under oath by the enforcement officer that;
- i. It has been confirmed that the person has been infected with COVID-19.
  - ii. There are reasonable grounds to suspect that the person has contracted COVID-19 or has been in contact with the carrier or suspected carrier of COVID-19.
- 5.4 Where an allegation is made to a member of the SAPS of someone who has

**NATIONAL CRIME COMBATING FORUM (NCCF) INSTRUCTION 3 OF 2020 GUIDELINE ON THE IMPLEMENTATION OF REGULATIONS IN TERMS OF SECTION 27 (2) OF THE DISASTER MANAGEMENT ACT, 2002: CONTAINMENT AND MANAGEMENT OF COVID-19**

contracted or is suspected of having contracted COVID-19, such member must contact the nearest medical facility or medical practitioner for examination.

**6 LIMITATION ON THE SALE, DISPENSING AND TRANSPORTATION OF LIQUOR**

6.1. All on-consumption liquor premises, including taverns, pubs, restaurants, clubs and sport bars must not accommodate more than 50 persons at any time.

6.2 The above is subject to availability of adequate space and proper hygienic conditions in order to limit exposure to COVID-19.

6.3 The trading hours for all on and off-consumption liquor premises (liquor stores and grocery wine licenses) are as follows

- i. From 09:00 to 18:00 on weekdays and Saturdays; and
- ii. From 09:00 to 13:00 on Sundays and public holidays.

6.4 No special liquor licenses should be considered for approval during the duration of the National State of Disaster.

6.5 The following actions and measures must be implemented by members of Visible Policing and Designated Liquor Officers (DLO) at police station level.

6.5.1 Identification of all on and off-consumption liquor licensed premises in the police station area;

6.5.2 Drinking in public is prohibited and punishable in terms of this Regulation.

6.5.3 Identification of all micro-manufacturer and distributors in the police station area to request assistance in complying with the regulation in respect of informing all licensed liquor traders of the provision of the regulation as well as refrain from distributing liquor to known unlicensed liquor premises.

6.5.4 Enhance patrols at these premises during the prescribed trading hours to ensure compliance;

6.5.5 Enhance conducting of inspections at licensed liquor premises to ensure compliance to the Regulations.

6.5.6 Activate communication officials to raise awareness and educate the community regarding the Regulations on local radio stations and newspapers.

6.5.7 Special Community Policing Forums meetings to be conducted in order to educate the community on compliance.

6.5.8 Enhance crime prevention operations to address the illegal trade in liquor at liquor premises.

**NATIONAL CRIME COMBATING FORUM (NCCF) INSTRUCTION 3 OF 2020 GUIDELINE ON THE IMPLEMENTATION OF REGULATIONS IN TERMS OF SECTION 27 (2) OF THE DISASTER MANAGEMENT ACT, 2002: CONTAINMENT AND MANAGEMENT OF COVID-19**

- 6.5.9 CIMAC at station level must be tasked to identify facilities or premises not in compliance in order for the DLOs to conduct inspections.
- 6.5.10. There must be dedicated Detectives to ensure that the investigation is expedited and presented to court.

**7 SUSPENSION OF VISITS**

- 7.2 All visits to detention facilities by members of the public are suspended for a period of 30 days from the 2020-03-18 except legal representative who are in good standing with the Law Society and are acting in their professional capacity.
- 7.3 The above period may be subjected to extension.
- 7.4 The cell keys must be disinfected in between use.
- 7.5 The reception, admission areas, offices, vehicles and ablution facilities in the detention facilities must be sanitized regularly.
- 7.6 The service providers who provide meals to persons in custody must also sanitize their hands.
- 7.7 Manual fingerprints pads, surfaces and door handles must be sanitized.
- 7.8 Upon arrival detainees must be issued with clean blankets and cell must be cleaned and sanitized regularly.
- 7.9 Stations must not allow overcrowding in the cells.
- 7.10 Where it is suspected that a detainee has contracted COVID-19 the blankets and the cell mat that the detainee used must be immediately withdrawn and cleaned thoroughly to prevent any further contamination.

**8. SAFETY OF MEMBERS**

- 8.1. All police members must implement necessary precautionary measures during the arrest, detention and the execution of policing duties by keeping reasonable social distance where possible. If unavoidable, members must ensure the wearing of appropriate Personnel Protective Equipment, as well as sanitizing their hands on a regular basis to avoid contamination of COVID-19.

**9. COMMAND, CONTROL AND CO-ORDINATION MECHANISM**

- 9.1. District/Cluster to monitor the implementation of the regulation by the generation of daily reports.

**NATIONAL CRIME COMBATING FORUM (NCCF) INSTRUCTION 3 OF 2020 GUIDELINE ON THE IMPLEMENTATION OF REGULATIONS IN TERMS OF SECTION 27 (2) OF THE DISASTER MANAGEMENT ACT, 2002: CONTAINMENT AND MANAGEMENT OF COVID-19**

- 9.2. The established teams should be coordinated through National, Provincial and District/Cluster Operational Command Centres (OCC).
- 9.3. An operational meeting should be held on a weekly basis at the province to assess the impact of the operations at station level.
- 9.4. Quality assurance should be conducted by the assessment of quarterly reports.
- 9.5. Monitoring and evaluation must be coordinated on a daily basis by National and Provincial Operational Command Centres.
- 9.6. Weekly Matrix for the upcoming week and successes for the previous week must be forwarded to the respective provincial NOCC desks.
- 9.7. Dissemination of the regulations to all Metro Police and Law-Enforcement Agencies for compliance.
- 9.8. National OCC contact details are as follows:
  - NOCC Commander: Col Borman or Operational Room
  - Contact Details: 079 874 4862/012 640 9001/2/5/10/12

  
**LIEUTENANT GENERAL  
DEPUTY NATIONAL COMMISSIONER: POLICING  
SF MASEMOLA**

Date: 2020/03/20