



DATED: 26 March 2020

TO: ALL PARTICIPANTS IN THE MOTOR INDUSTRY

NOTICE: SECOND UPDATE AND INFORMATION IN TERMS OF THE COVID-19 LOCKDOWN

This communication is with regards to important information released by the South African Government in terms of the directive issued by the Honourable President of the Republic of South Africa for a 21 day lockdown from 27 March 2020 to 16 April 2020.

1. Amendments to the Disaster Regulations:

The Disaster Act 52 of 2002 regulation pertaining to the COVID-19 pandemic has been amended and published in Regulation Gazette 43148 of 25 March 2020. The amendments in terms of new inclusions are largely related to the movement of people during lockdown and provisions of essential goods and services. MIBCO has taken the liberty of simplifying and explaining some of the new provision in context of the Motor Industry:

- 1.1. Most of the provisions published in Regulation Gazette 43148 of 18 March 2020 still apply. Accounting officials of institutions are compelled to apply protocol that will inhibit the spread of the corona virus. Employers are urged to pay careful attention to the offenses for being negligent, deceptive and misleading and apply themselves according to the provisions and protocols set out in the regulations. Employers allowed to operate during lockdown in terms Section 11(B) of Gazette 43148 should take note of liabilities placed on accounting officials.
- 1.2. In terms of Annexure (B)(B) of Gazette 43148 essential services within the Motor Industry are:
 - (a) Fuel Dealers: Provide essential services and essential goods (fuel) and may continue operating during lockdown- with reference to Annexure (B)(A)(4) and Annexure (B)(B)(6).

- (b) Other Motor Industry establishments: That provide services to ensure 'essential services' are functional. The operations of those establishments must be directed at 'essential services' only, as contained in Annexure (B)(A) and Annexure (B)(B). Employer operations shall not be directed to non-essential resources during lockdown. The provisions referred to in 1.1 of this circular must be applied, that is, employers are required to take necessary protocols to ensure adequate hygiene; social distancing and transportation provisions are applied.
- (c) Gazette 43148 provides information on the requirements needed to permit employees to go from their places of residence to work and vice versa. Annexure-C is the template that employers must use to permit employees go to work and perform essential services. MIBCO has produced a permit that employers may use- refer Annexure-A herein (Employers who wish to use the permit developed by MIBCO may extract the said document from this circular).

2. UIF Guide for employers:

As stated in the MIBCO Circular 2020/00008. MIBCO does not have the mandate to issue a directive with regards to the payment of wages for employees, but national government has since introduced initiatives to assist employers with the impact of the lockdown. These initiatives are intended to provide financial relief for employers and employees. UIF benefits are only applicable to employers who are registered with UIF and make monthly contributions as required by the Contributions Act of 2002.

2.1. The National Disaster Benefit

This benefit is applicable to establishments (employers) that will close during the lockdown. By default employees are regarded as temporarily laid off. Those employers can apply for the National Disaster Benefit in terms of the provisions set out in the UIF Easy-aid Guide for Employers.

2.2. Reduced Work Time benefit:

This benefit is applicable to employers allowed to work during lockdown. Such employers can use the benefit and apply for a top up if the wage is less than the flat rate, should they opt to reduce the hours of work in terms of Section-35 of the Basic Condition of Employment Act. The application process is explained in UIF Easy-aid Guide for Employers.

2.3. Illness Benefit:

This benefit can be applied for by employers in instances where:

- (a) An employee is a clinical case or laboratory confirmed case in terms of the definitions of the Disaster Regulations and if both the employer and employee agree to a 14 day special leave to self-isolate or quarantine (No medical certificate is needed), or
- (b) The employee is able to present a medical certificate to qualify that he/she has been a laboratory confirmed case.

The application process is explained in UIF Easy-aid Guide for Employers.

2.4. Death benefit:

All of the benefits above are paid to the beneficiaries of the deceased. People eligible to apply are a Spouse, Life Partner, Children and nominated persons, in that order. The application process is explained in UIF Easy-aid Guide for Employers.

For your Information:

The Easy-Aid Employer guide explains the processes and can be accessed on the MIBCO website at www.mibco.org.za> **Communications> MIBCO Bulletins** or via the direct link: [UIF Easy-Aid Guide for Employers](#)

Annexure-A (Employee permit to perform essential Services)- next page:

Employer Declaration for an employee Permit to perform Essential Services

This declaration is in terms of the Disaster Act 52 of 2002 and all the provisions of Regulation Gazette 43148 of 18 March 2020; and the new and amended provisions of Regulation Gazette 43148 of 25 March 2020, with specific reference Section 11(B)(3); Annexure B(B) and Annexure-C.

Please note that the person to whom the permit is issued must at all times have a form of identification to be presented together with this permit. If no identification is presented by the person to whom the permit is issued, he/she will have to return to his/her place of residence during the lockdown. The lockdown as declared by the Honourable President of the Republic of South Africa on 23 March 2020 is from midnight on Thursday 26 March 2020 and will continue for 21 days to 16 April 2020.

I (Head of Institution),

SURNAME				
FULL NAMES				
IDENTITY NUMBER				
CONTACT DETAILS	Cell nr.	Tel nr (W)	Tel nr (H)	Email Address
PHYSICAL ADDRESS OF INSTITUTE				

hereby certify that,

SURNAME	
FULL NAMES	
IDENTITY NUMBER	
PHYSICAL ADDRESS OF RESIDENCE	

is permitted to provide essential services for the Institution. I hereby declare that I am the liable person and that the institution is compliant in terms of Section 11(B)(3) of the Regulation Gazette 43148 of 25 March 2020. I hereby acknowledge that I can be held accountable should the any of the regulations with regards to the COVID-19 pandemic not be adhered.

Signed at _____, on this the _____ day of _____

Signature of head of Institution

Official Stamp of
Institution

(This permit has been designed for the Motor Industry Bargaining Council (MIBCO) and all establishment within the scope of the Council)