



DATED: 30 April 2020

TO: ALL PARTICIPANTS IN THE MOTOR INDUSTRY

NOTICE: UPDATE AND INFORMATION IN TERMS OF THE COVID-19 NATIONAL STATE OF DISASTER (ALERT LEVEL-4)

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 on the National State of Disaster (Alert level-4) as of 01 May 2020.

Regulation Gazette 43148 of 18 March 2020 pertaining to the Disaster Act 52 of 2002 has been amended with the introduction of Regulation Gazette 43258 of 29 April 2020. This means that National Government as considered the Risk Adjusted Strategy and placed the Republic of South Africa on an Alert level-4 COVID-19 national state of disaster (Alert level-4) with additional regulatory provisions. Alert level-4 will remain in force up to the declaration of different Alert Level by the State. Furthermore, Minister of Employment Services and labour (Thembelani Waltermade Nxesi) published the Covid-19 Occupational Health and Safety Measures in Workplaces in terms of published Gazette 43257 of 29 April 2020, to support the provisions of Gazette 43258.

1. Amendments to the Disaster Regulations that affect the Motor Industry:

Employers and employees attention is drawn to the following highlighted Alert level-4 provisions (referencing is in terms of the Gazette 43258):

- 1.1. In terms of Section (5) and (28): A person must wear an item that covers the nose and mouth when in a public place. Employers must ensure that employees are provided with the items to cover his/her mouth and nose.
- 1.2. In terms of Section (5)(4): Employers must ensure that the social distancing provisions are maintained according to Gazette 43148 for employees and customers.

- 1.3. In terms of Section (5)(4): All courier and delivery services shall provide for minimised personal contact during delivery.
- 1.4. In terms of Section (16): A person may only leave his/her home for work to perform essential or permitted services and must be in possession of a work permit issued by the employer (in terms of Form 2 of the Gazette)- Annexure-A herein.
- 1.5. In terms of Section (16)(4)(a) and 16(5): Workers may travel between provinces and metropolitans as a once off to get to their places of work (if those workplace render essential or permitted services). The employee must be in possession of certified permit (Form 4 of the Gazette), included herein as Annexure-B. The form can be certified at the police station of Magistrate Court.
- 1.6. In terms of Section (16)(6): Businesses permitted to operate during Alert Level 4 must:
- 1.6.1. Have an employee return to work phase in plan and operational plan in place prior to the reopening, which shall be shared with employees with the following key information (according to Annexure-A of the Gazette):
- a. The date the business will open and the hours of opening;
 - b. The timetable setting out the phased return -to -work of employees, to enable appropriate measures to be taken to avoid and reduce the spread of the virus in the workplace;
 - c. The steps taken to get the workplace COVID -19 ready;
 - d. A list of staff who can work from home: staff who are 60 years or older; and staff with comorbidities who will be required to stay at home or work from home;
 - e. Arrangements for staff in the establishment:
 - i. sanitary and social distancing measures and facilities at the entrance and exit workplace; to the
 - ii. screening facilities and systems; the attendance -record system and infrastructure:
 - iii. the work -area of employees:
 - iv. any designated area where the public is served;
 - v. canteen and bathroom facilities;

- vi. testing facilities (for establishments with more than 500 employees);
- vii. staff rotational arrangements (for establishments where fewer than 100% of employees will be permitted to work).
- f. Arrangements for customers or members of the public, including sanitation and social distancing measures.

1.6.2. Assign a designate a COVID -19 compliance officer.

NB: A more relaxed plan is available for small businesses (according to Annexure-E of the Gazette)

1.7. In terms of Section 22: Rail, ocean, air and road transport is permitted for the movement of cargo that is categorised as essential goods or needed to support services permitted during Alert-4.

1.8. In terms of Table-A: All persons who are able to work from home should do so.

2. Essential Services and permitted services within the Motor Industry for Alert level-4:

These provisions are being interpreted by the various employer associations and Industry will be informed as soon as clarity is sought. The employer associations have undertaken to provide clarity.

3. Provisions in terms Covid-19 Occupational Health and Safety Measures in Workplaces within the Motor Industry:

Employers and employees attention is drawn to the following highlighted Alert level-4 provisions that affects the Motor Industry (referencing is in terms of the Gazette 43257). These provisions seek to ensure that the measures taken by employers under the Occupational Health and Safety Act of 1993, as amended (OHSA) are consistent with the overall national strategies and policies to minimise the spread of COVID-19.

3.1. Employers must review and update risk assessments on a regular basis in terms of 1.6 herein.

- 3.2. If the employer employs more than 500 employees, that employer must submit a record of its risk assessment together with a written policy concerning the protection of the health and safety of its employees from COVID-19 as contemplated in section 7(1) of OHS to its health and safety committee established in terms of section 19 of OHSA.
- 3.3. The employer must provide workers with information that raises awareness in any form or manner regarding the COVID-19 coronavirus.
- 3.4. If a worker has been diagnosed with COVID-19, an employer must-
- 4.4.1. Inform the Health and Safety Committee or official in the workplace and the Department of Employment and Labour;
 - 4.4.2. Give administrative support to any contact-tracing measures implemented by the Department of Health.
 - 4.4.3. Close down the affected area and operation and await a directive from the Department of Employment and Labour.
- 3.5. If a worker present with the symptoms of COVID-19 infections, or advises the employer of these symptoms, the employer must –
- 4.6.1. not permit the worker to enter the workplace or report for work; or
 - 4.6.2. if the worker is already at work immediately-
 - a. isolate the worker, provide the worker with a surgical mask and arrange for the worker to be transported in a manner that does not place other workers or members of the public at risk either to be self-isolated or for a medical examination or testing; and
 - b. Close down the affected area and operation and await a directive from the Department of Employment and Labour.

MIBCO is monitoring the situation with regards to the National State of Disaster (Alert level-4) and will continuously inform the Motor Industry of changes and developments.

Please click [here](#) to view or download Regulation Gazette 43258 of 29 April 2020.

Annexure-1 (Form-1 of Gazette 43258: Motor Industry Template)



FORM 2
PERMIT TO PERFORM AN ESSENTIAL OR PERMITTED SERVICE
 Regulations 16(2)(b) and 28(4)

- Please note that the person to whom the permit is issued must at all times present a form of identification together with this permit. If no identification is presented, the person to whom the permit is issued will have to return to his or her place of residence during Alert Level 4.

I, being the head of institution, with the below mentioned details,

Surname				
Full names				
Identity number				
Contact details	Cell nr.	Tel Nr(W)	Tel Nr(H)	e-mail address
Physical Address of Institution				

Hereby certify that the below mentioned official/employee is performing services in my institution

Surname	
Full names	
Identity number	
Place of residence of employee	

Signed at _____, on this the _____ day of _____ 2020.

Signature of Head of Institution

Official stamp of
 Institution

Annexure-B (Form-4 of Gazette 43258)

FORM 4
PERMIT TO TRAVEL TO ANOTHER PROVINCE/METROPOLITAN AREA/DISTRICT FOR A
FUNERAL
Regulations 18(5)

(To be completed by the head of court or a station commander or a person designated by him or her respectively.)

I, _____ (full names of *head of court, or a person designated by him or her / station commander of a police station or a person designated by him or her) for—

(a) the Magistrate's court for the district of _____;

(b) the police station at _____;

hereby issue this permit for travel to another district/province, to the following person:

Full names:					
Surname:					
Identity number					
Address of place of residence:					
Province of residence:					
Contact details:	Cell nr		Tel No (h)		e-mail address
Metropolitan area/district travelling to:					
Province travelling to:					
Date of funeral:					

I also declare that the above-mentioned person presented the *death certificate/certified copy of the death certificate/affidavit to me.

Signed at _____ this _____ day of _____ 2020.

*Person issuing permit

Official stamp

The MIBCO Team

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