

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HOME AFFAIRS

NO. 664

10 JUNE 2020

DISASTER MANAGEMENT ACT, 2002

AMENDMENT OF DIRECTIONS ISSUED IN TERMS OF REGULATION 10(8) OF THE REGULATIONS MADE UNDER SECTION 27(2) OF THE DISASTER MANAGEMENT ACT, 2002 (ACT NO. 57 OF 2002): MEASURES TO PREVENT AND COMBAT THE SPREAD OF COVID-19

I, Dr Pakishe Aaron Motsoaledi, the Minister of Home Affairs, having issued Directions published in *Government Gazette* No. 43162, Government Notice No. 416 of 26 March 2020, as amended by Government Notice No. R. 518 of 9 May 2020, hereby, in terms of regulation 4(8), read with regulation 4(10) of the Regulations made in terms of the Disaster Management Act, 2002 (Act No. 57 of 2002) and published in *Government Gazette* No. 43258, Government Notice No. 480 of 29 April 2020, as amended by Government Notice No. 608 of 28 May 2020, issue the Directions set out in the Schedule regarding temporary measures in respect of the entry into or exit from the Republic for emergency medical attention for a life-threatening condition, the evacuation of South African nationals to the Republic, the repatriation of foreign nationals to their countries of nationality or residence or the return of South African nationals to their place of employment or study outside of the Republic, as well as the extension of the validity period of an asylum seeker permit issued, and refugee status granted, in terms of the Refugees Act, 1998 (Act No. 130 of 1998), in order to prevent and combat the spread of COVID-19


DR PAKISHE AARON MOTSOALEDI, MP
MINISTER OF HOME AFFAIRS

DATE:

10/6/2020

SCHEDULE

Definitions

1. In these Directions, unless the context otherwise indicates—

“Directions” means the Directions published in *Government Gazette* No. 43162, Government Notice No. 416 of 26 March 2020; and

“Regulations” means the Regulations made in terms of section 27(2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) and published in *Government Gazette* No.

43258, Government Notice No. R. 480 of 29 April 2020, as amended by Government Notice No. 608 of 28 May 2020.

Substitution of paragraph 15 of the Directions

2. The Directions are amended by the substitution for paragraph 15 of the following paragraph:

"15. TRAVEL RESTRICTIONS FOR CITIZENS AND PERMANENT RESIDENTS

15.1 South African citizens and permanent residents are advised, for the duration of the national state of disaster, and subject to further advisories, other applicable regulations or directives to—

- (a) refrain from non-essential travel to high risk countries; and
- (b) exercise caution in relation to any other travel outside the Republic.

15.2 A South African citizen contemplated in regulation 41(2)(d) of the Regulations who, at own cost and subject to the capacity available on international flights permitted for evacuation and repatriation, intends to travel to his or her place of employment, study or residence outside of the Republic must provide the Department of Home Affairs, at least five working days in advance of the intended date of travel, with—

- (a) a copy of his or her valid South African passport;
- (b) a letter of confirmation of admissibility or the validity of the visa or permit, issued by the relevant diplomatic or consular mission or authority of the receiving country;
- (c) where transiting through another country, proof of permission to transit through such country; and
- (d) proof of the means of travel and the intended date of departure,

which information may be authenticated by the Department when considering the request to leave the Republic.

15.3 A South African citizen or a permanent resident who, for any reason, has been outside the Republic during the period of the national state of disaster must for purposes of admission, upon his or her return to the Republic, be subjected to such prescribed screening or examination procedure as the immigration officer, in consultation with a port health official or medical practitioner, may determine, and must be referred for isolation or quarantine, as the case may be."

Insertion of paragraph 17E in the Directions

3. The following paragraph is hereby inserted in the Directions after paragraph 17D:

**"17E. SERVICES TO BE RENDERED BY DEPARTMENT OF HOME AFFAIRS
UNDER ALERT LEVEL 3**

The following additional services will be rendered by the Department of Home Affairs during Alert Level 3 of the period of the national state of disaster, in addition to the services mentioned in paragraph 17D:

- (a) late registration of birth; and
- (b) solemnisation and registration of marriages."

Insertion of paragraphs 18, 19, 20, 21 and 22 in the Directions

4. The following paragraphs are hereby inserted in the Directions after paragraph 17:

"18. PASSENGER MANIFEST

18.1 The owner or person in charge of a conveyance, authorised by the relevant Cabinet member, to enter, or depart from, the Republic, must provide to the Departments of Home Affairs and International Relations and Cooperation a list with details (manifest) of passengers and crew on that conveyance before such entry or departure..

18.2 Any changes to the list referred to in paragraph 18.1 must be provided to the Department of Home Affairs prior to the arrival or departure of such a conveyance.

18.3 The owner or person in charge of a conveyance must ensure that all passengers carried on the conveyance are admissible in the country of disembarkation.

**19. EXTENSION OF VALIDITY PERIOD OF ASYLUM SEEKER PERMIT AND
REFUGEE STATUS**

An asylum seeker permit lawfully issued in terms of section 22 of the Refugees Act, 1998 (Act No. 130 of 1998) and a refugee status granted in terms of section 24 of the Refugees Act, 1998, which expired from 15 March 2020, or is to expire or which status

was to be withdrawn during the period of the national state of disaster, is deemed to have been extended up to and including 31 July 2020.

20. EXTENSION OF VALIDITY PERIOD OF LESOTHO SPECIAL PERMIT

A Lesotho Special Permit lawfully issued in terms of section 31(2)(b) of the Immigration Act, 2002 (Act No. 13 of 2002) which has expired is deemed to have been extended up to and including 31 July 2020.

21. DECLARATION OF UNDESIRABILITY

21.1 A person whose visa has expired from 15 March 2020 and has remained in the Republic during the period of the national state of disaster will not be declared an undesirable person in terms of the Immigration Act, 2002 upon leaving the Republic during the period of the national state of disaster up to and including 31 July 2020.

21.2 Any declaration of undesirability that has been issued to any person who departed the Republic on or after 15 March 2020 is hereby set aside.

22. VISITS TO LINDELA HOLDING FACILITY

Visits to Lindela Holding Facility are not allowed, except for provision of consular services by the relevant diplomatic or consular mission of the persons detained in the Facility.”.

Short title and commencement

5. These Directions are called Second Amendment Directions to the Directions published in *Government Gazette* No. 43162, Government Notice No. 416 of 26 March 2020 and commence on the date of publication thereof in the *Government Gazette*.