



Africa Criminal Justice Reform  
Organisation pour la Réforme de la Justice Pénale en Afrique  
Organização para a Reforma da Justiça Criminal em África

# The COVID-19 lock-down simplified

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## Introduction

On 25 March 2020 the South African Department of Co-operative Governance and Traditional Affairs issued regulations in response to the declaration of a national state of disaster and lockdown announcement made by South African President Cyril Ramaphosa. This document is a simplified reader-friendly summary of these regulations and contains no form of analysis.

## What is a lock-down?

A lock-down is the restriction of movement (entering or leaving a place of residence) of people. The aim of the lock-down is to limit the spread of the COVID-19 virus. To achieve this, it is necessary that people do not move around and come into contact with other people who may be sick or are carriers of the virus. In short, this means stay at home and do not leave home unless it is absolutely necessary or an emergency.

## When does it start and when does it end?

The lockdown starts on 26 March 2020 at midnight and will continue until midnight on 16 April 2020. The lock-down applies to the whole day and not only a part thereof.

## What is quarantine?

It means that the activities and movement of a person is restricted because they were exposed or is suspected of having been exposed to the COVID-19 virus. The aim is to keep this person away from people who have not been infected. The COVID-19 virus spreads very easily through coughing and sneezing. It means the person who is under quarantine must have no contact with other people.

## Is treatment optional?

No. A person who has been diagnosed or who is suspected of having contracted COVID-19 or who has been in contact with a COVID-19 carrier may not refuse a medical examination including testing and admission to a hospital or place of quarantine or isolation. If the person refuses to comply, that person will be placed in isolation or quarantine for 48 hours while a warrant is obtained to secure the medical examination and testing.

## When am I allowed to leave my house?

You are not allowed to leave the place where you stay unless you:

- need to perform an essential service (see list below)
- buying an essential good (see list below)
- collecting a social grant
- seeking emergency, life-saving or chronic medical care.

## Can I go for a walk or run (with the dog)?

No. You can only leave your house to buy or obtain essential goods or services (see list below).

## Can I move between provinces or between towns and cities?

No. You must stay at your place of residence. You must remain at the place where you are by midnight on 26 March 2020.

## I am a foreign tourist and arrived prior to or after lockdown, can I leave?

No. You must remain in your place of temporary residence for the duration of lockdown or 14 days as the case may be and may be subject to COVID-19 screening and may be isolated or quarantined.

## I have a relative who is outside South Africa and needs emergency medical treatment for a life-threatening condition. Can he/she enter the country?

Yes, but only with the permission of the Minister of Home Affairs.

## Can I attend a funeral?

Yes, a funeral is not regarded as an illegal gathering, but there are rules:

- No more than 50 people may attend
- There may not be a night vigil
- The normal guidelines to prevent the spread of COVID-19 must be adhered to.

## Can I use public transport?

All public transport is prohibited except bus services, taxi services and e-hailing services to get essential goods, services medical attention, attend a funeral or receive a grant payment. Such vehicles must be no more than half of the capacity. For example, if a taxi is allowed to carry 17 passengers it is only allowed to carry 8 under the lockdown.

## What can I buy?

Only shops and businesses providing essential goods and services are permitted to remain open. If it is not on the list of essential goods and services, it is not permitted. See list below. In shops and businesses providing essential services people must stay at least 1 m away from each other and adhere to the normal rules for preventing the spread of COVID-19.

## Can I leave the country?

No. All borders will be closed except for the importation of fuel and essential goods.

## What are essential goods and services?

There are five categories of essential goods:

- Food, animal food, chemicals and packaging associated with making food. Alcohol is excluded from essential foods.
- Cleaning and hygiene products such as toilet paper, female sanitary products, condoms, hand sanitiser, disinfectants, soap, alcohol for industrial use, household cleaning products and personal protective gear.
- Medical and hospital supplies, including equipment and personal protective gear
- Fuel, including coal and gas
- Basic good such as airtime and electricity.

There are 28 essential services and are listed below:

- Medical, health (including mental health), laboratory and medical services;
- Disaster management, fire prevention, firefighting and emergency services;
- Financial services necessary to maintain the functioning of the banking and payments environment, including the JSE and similar exchanges, as well as insurance services;
- Production and sales of the goods (related to food, cleaning and hygiene products, medical products, fuel and basic goods such as airtime and electricity);
- Grocery stores, including spaza shops;
- Electricity, water, gas and fuel production, supply and maintenance;
- Critical jobs for essential government services as determined by the Head of National or Provincial Departments;
- Birth and death certificates and replacement ID documents;
- Essential municipal services;
- Care services and social relief of distress provided to older persons, mentally ill, persons with disabilities, the sick and children;
- Funeral services, including mortuaries;
- Wildlife management, anti-poaching, animal care and vet services;
- Newspaper, broadcasting and telecommunications infrastructure and services;
- Production and sale of any chemicals, hygiene products, pharmaceuticals for the medical or retail sector;
- Cleaning, sanitation, sewerage, waste and refusal services;
- Services related to the essential functioning of courts, judicial officers, the Master of the High Court, Sheriffs, and legal practitioners required for those services;
- Essential SARS services defined by the Commissioner of SARS;
- Police, peace officers, traffic officers, military medical personnel and soldiers, correctional services officials and traffic management services;
- Postal services and courier services related to transport of medical products;
- Private security services;
- Air-traffic Navigation, Civil Aviation Authority, Cargo Shipping, dockyard services;
- Gold, gold refinery, coal and essential mining;
- Accommodation used for persons rendering essential services, quarantine, isolation and the lockdown;
- Production, manufacturing, supply, logistics, transport, delivery, critical maintenance and repair in relation to the rendering of essential services including components and equipment;
- Transport services for persons rendering essential services and goods, and transportation of patients;
- Services rendered by the Executive, members of Parliament, Members of the Provincial Legislature, Members of Local Councils, the Judiciary, traditional leaders, and National Office Bearers of Political Parties represented in Parliament;

- Commissioners of the South African Human Rights Commission, Gender Commission, and the Commission for the Promotion and Protections of the Rights of Cultural, Religious, and Linguistic Communities, and the Public Protector and Deputy Public Protector;
- Transport and logistics in respect of essential goods as set out under essential goods above to neighbouring countries.

## What places are closed during the lock down?

- Any place normally open to the public where religious (e.g. church or mosque), cultural (e.g. museum), sporting (e.g. sport field or stadium), entertainment (e.g. theatre), recreational (e.g. gym), exhibition (e.g. art gallery), organisational or similar activities take places (e.g. town hall or church hall).
- Any place normally open to the public where non-essential goods are bought or sold.
- Any other place normally open to the public:
  - Parks, beaches and swimming pools
  - Markets and bazaars
  - Nightclubs and casino's
  - Hotels and guest houses, except for the guests who are already there
  - Private and public game reserves, except for the guests who are already there
  - Holiday resorts, except for the guests who are already there
  - On-consumption premises, including taverns, shebeens, *shisanyama*
  - Off-consumption premises, including bottle stores
  - Theatres and cinemas
  - Shopping malls and centres, except grocery stores and pharmacies
  - Taxi ranks, bus depots, train stations and airports.

## What happens to people who are homeless or do not have suitable accommodation for isolation?

There will be temporary shelters meeting the necessary standards for homeless people, or people who cannot isolate or quarantine in their own homes.

## What will happen if I refuse to leave a place that is subject to lockdown?

For the period of the declaration of the lockdown, a person refusing to be evacuated from any place subject to lockdown, may be evacuated by an enforcement officer to a temporary shelter, if such action is necessary for the preservation of life.

## These regulations seem too strict, what if a person refuses to abide by them?

Any person who contravenes the above mentioned regulations 11B(1) and (4) shall be 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.

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