

29 May 2020

Dear valued Member

NATIONAL DISASTER MANAGEMENT ACT – REGULATIONS FOR LEVEL 3 OF THE RISK ADJUSTED APPROACH TO RESUMPTION OF ECONOMIC ACTIVITY

PLEASE NOTE

While every possible care has been taken in compiling this document, the RMI and/or any of the Associations cannot guarantee that the interpretation will be shared by all, including the authorities. Neither can we guarantee the interpretation of the review is 100% accurate. Any future clarification, errors or omissions in the content and wording of this document will be provided on an ongoing basis as they become available. It remains the responsibility of the user to ensure that they comply with the requirements of the regulations and laws pertaining to the control of the spread of the COVID-19 as published and amended from time to time in South Africa.

The Minister of Co-operative Governance and Traditional Affairs (COGTA) yesterday issued regulations under the National Disaster Manager Act for the Level 3 of the risk adjusted approach to the resumption of economic activity, effective as from 01 June 2020.

These regulations do not introduce any materially new provisions as regards the retail motor industry, except for the following relaxations:

1. The performing of maintenance and repair work on cars, as defined, is no longer restricted to emergency work. This includes engineering and remanufacturing of automotive components, as well as vehicle body building operations.
2. There is no restriction on the retail of parts, components and embellishments for cars.
3. Employees will have unrestricted access to their workplaces, subject to the practicing of good personal hygiene, the wearing of masks and sanitisation.
4. The sales of cars, as defined, remain subject to regulations already published by the Department of Trade, Industry and Competition. The re-opening of vehicle testing stations and licensing and registration authorities, will also commence from 01 June 2020, subject to inspection and authorisation by provincial departments of transport
5. The preparation and sale of hot food may continue, however it may not be consumed on-premises.

In summary, under the present Level 3 regulations, automotive trade and operations will be permitted in an unrestricted fashion, provided that all prescribed health protocols are being complied with.

A number of additional requirements have been published. These include:

1. Employees required to travel across provincial, metropolitan and/or district boundaries, must be issued with permits by their employers in terms of regulation 33(4)(a). A copy of the permit is attached hereto. It is recommended that Members issue all their employees with such permits as a good measure.
2. Specific conditions, in terms of regulation 46(2), apply to workplaces where more than 100 employees are employed.
3. Members employing more than 500 employees in one workplace, are encouraged to comply with the provisions of regulation 46(6).
4. The Minister of COGTA may at any time, on recommendation, introduce additional or new restrictions applicable to hotspots, as defined in the regulations. No such restrictions have been published as yet.
5. Members are advised to implement the Business Continuity Plan and Risk Adjustment Strategy, recommended by the RMI. This document was developed to comply with the provisions of regulation 46(7)(a) and is aligned with the agreed Health Compact, established between stakeholders of the automotive value chain and the Department of Health.
6. Members must appoint a designated COVID-19 compliance officer whose duty it will be to ensure that a plan for the phased return of employees to the workplace, is developed, implemented and monitored. The requirements of such a plan are contained in regulation 47.
7. Trade and business representatives will be permitted to make use of accommodation outside of their normal residences during overnight stays, when performing their normal duties. It is recommended that in instances such as these, Members not only provide their employees with permits, but also letters of authority permitting them to make use of such accommodation.

The Minister of Trade, Industry and Competition announced that the electronic platform (bizportal.gov.za) established by the CIPC in aid of registration of essential services, will shut-down on 31 May 2020 and no further certificates will be issued, however this arrangement has not been specifically published in the regulations. Members are encouraged to retain their existing registration certificates for a period of at least 3 months.

A copy of the regulations, as well as the RMI's recommended Business Continuity Plan and Risk Adjustment Strategy, is attached to this COVID-19 Monitor for reference purposes.

If you have any questions or queries, kindly contact the relevant Associational Director for the association you belong to. Their detail are reflected below:

SAPRA	Vishal Premllal	082 886 6392
SAMBRA	Richard Green	082 378 4899
MIWA	Pieter Niemand	082 812 5391
SAVABA	Julian Pillay	082 560 6625
VTA	Julian Pillay	082 560 6625
NADA	Gary McCraw	082 560 6613
TEPA	Hedley Judd	071 892 1475
ARA	Attie Serfontein	082 452 5153



**ANNEXURE C
FORM 1
PERMIT TO PERFORM ESSENTIAL SERVICE
Regulation 11B (3)**

Please note that the person to whom the permit is issued must at all times a form of identification to be presented 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 the lockdown

I,

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

Hereby certify that:

Surname	
Full names	
Identity number	

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

Signature of Head of Institution

COMPANY STAMP
