

August 21, 2020

What you need to know about Level 2 Regulations



On 16 August 2020, the Minister of Cooperative Governance and Traditional Affairs released the much-anticipated Level 2 Regulations.

This has signalled a seismic shift in our steady move towards re-opening major parts of the economy.

For most people, the issue of alcohol and cigarettes had dominated the headlines.

In this blog, we look at some of the pertinent sections of the said Regulations.

How to deal with gatherings (Section 55)

All persons must wear a face mask and adhere to all health protocols and social-distancing measures when attending a gathering in order to limit exposure to Covid-19.

People participating in vigorous sporting activities, however, are not obliged to wear a face mask during such activity.

The following places are open to the public, provided that everyone wears a face mask and adheres strictly to all health protocols and social-distancing measures:

- o Fitness centres and gyms, further subject to a maximum of 50 persons;
- o Sportsgrounds and -fields;
- o Swimming pools, further subject to a maximum of 50 people;
- o Beaches and public parks;
- o Museums, galleries, libraries and archives;
- o *Personal care services, including hairdressing, beauty treatments, make-up and nail salons, and piercing and tattoo parlours;*
- o Restaurants;
- o Bars, taverns, shebeens and similar establishments, further subject to a maximum of 50 persons; and
- o All accommodation establishments and tour operators, limited to 50% of the available floor space, with patrons observing a distance of least one and a half metres from each other.

How will public transport work? (Section 60)

Bus and taxi services

- o Limited to 70% of the licensed capacity for long-distance travel;
- o May utilise 100% of the licensed capacity for any trip not regarded as long-distance travel;
- o A driver, owner or operator of public transport may not allow any member of the public not wearing a face mask, to board or be conveyed in a public transport owned or operated by him or her.

How will the selling, dispensing or transportation of liquor work? (Section 61)

The sale of liquor-

- o on licensed premises for off-consumption is permitted from 09h00 to 17h00, from Mondays to Thursdays, excluding Fridays, Saturdays, Sundays and public holidays;
- o on licensed premises for on-site consumption is permitted, subject to strict adherence to the curfew contemplated in regulation 50(1).

Understanding Alert Level 2 (Table 3)

All persons who are able to work from home must do so. However, persons will be permitted to perform any type of work outside the home, and to travel to and from work and for work purposes under Alert Level 2, subject to–

- strict adherence to health protocols and social-distancing measures;
- *the return to work being phased in in order to put in place measures to make the workplace Covid-19 ready;*
- the return to work being done in a manner that avoids and reduces risks of infection; and
- the work not being listed under the specific economic exclusions in this Table.

What are the economic exclusions?

- Night clubs;
- International passenger air travel for leisure purposes;
- Passenger ships for international leisure purposes;
- Attendance of any sporting event by spectators;
- International sports events;
- Exclusions relating to public transport services, as set out in the directions issued by the Cabinet member responsible for transport.
- Exclusions relating to education services, as set out in the directions issued by the Cabinet members responsible for education.

We at *SERR Synergy* welcome the publication of the Level 2 Regulations. It is our measured approach to support all businesses to understand and apply these Regulations in order to effectively re-open and once again contribute towards the economy.

We have learned through the rapid relaxation of the regulations and ever-changing legal dynamics that only the most adaptable and leanest *businesses stand a chance to thrive in the new global economy.*

About the Author: Jared Francis joined SERR Synergy in October 2016, and currently holds the title of KZN Labour Manager. He is an admitted attorney who has practised in KZN and Gauteng and has more than 10 years' experience in the legal and industrial relations field, respectively. He holds an LLB degree, a Post-Graduate Diploma in Industrial Relations and a Post-Graduate Certificate in Forensic Investigation from the University of KwaZulu-Natal. He also holds Post-Graduate Certificates in Advanced Labour Law, Corporate Law, Advanced Human Resource Management and Health and Safety from UNISA. He is currently studying towards his MBA.