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**Ref no.: 1/4/5 LCJ**

**Enq: Ms M.M Lebese**

**Email: MalLebese@justice.gov.za**

**Date: 30 December 2020**

**TO: LOWER COURTS JUDICIARY**

**ADMINISTRATIVE REGION 5 - GAUTENG**

**MAGISTERIAL DISTRICT OF TSHWANE**

(Tshwane Central - Pretoria; Mamelodi and Atteridgeville)

(Tshwane East - Ekangala; Bronkhorstspuit and Cullinan )

(Tshwane North – Pretoria North and Soshanguve)

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**PREAMBLE**

WHEREAS the National State of Disaster was declared on **15 March 2020** in terms of section 27 (1) of the Disaster Management Act no. 57 of 2002 (the Act) by Government Notice 313; published in Government Gazette 43096;

AND WHEREAS the said declaration expired on 15 June 2020 in terms of section 27(5)(a); it was extended by Government Notice 646 published in Government Gazette 43408 on 5 June 2020 to be effective from **15 June to 15 July 2020**; in terms of section 27 (5) (c) of the Act ;

AND WHEREAS the said declaration was further extended from **15 July 2020 to 15 August 2020** by Government Notice 765 published in Government Gazette 43524 of 13 July 2020 in terms of section 27(5)(c) of the Act;

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AND WHEREAS the said declaration was further extended from **15 August 2020 to 15 September 2020** by Government Notice 889 published in Government Gazette 43616 of 15 August 2020 in terms of section 27(5)(c) of the Act;

AND WHEREAS the said declaration was further extended from **15 September 2020 to 15 October 2020** by Government Gazette No. 4313 and Notice 995 of 14 September 2020; in terms of section 27(5)(c) of the Act;

AND WHEREAS the said declaration was further extended from **15 October 2020 to 15 November 2020** by Government Gazette No 43808 and Notice 1090 of 14 October 2020; in terms of section 27(5)(c) of the Act;

AND WHEREAS the said declaration was further extended from **15 November 2020 to 15 December 2020** to by Notice 1225 of 14 November 2020; in terms of section 27(5) (c) of the Act;

AND WHEREAS the said declaration was further extended from **15 December 2020 to 15 January 2021** to by Notice 1341 of 11 December 2020; in terms of section 27(5) (c) of the Act;

AND WHEREAS section 27 (2) of the Disaster Management Act empowers the Minister, if a National State of Disaster has been declared in terms of section 27 (1) of the Act, to make Regulations or issue the relevant directions , various criminal offences have been created by the following Regulations, which are applicable until they are amended or repealed :

<b>REGULATION</b>	<b>OFFENCE</b>	<b>ADMISSION OF GUILT</b>
Reg 14 (4) (a) read with Reg 8 (5) GG 43258 dd 29.04.2020	Disclosing any information contained in the COVID -19 database, or any information obtained through this Regulation, unless the disclosure is necessary for the purpose of addressing, preventing or combating the spread of COVID -19.	R 3000.00
Reg 14 (4)(a) read with 8(9) GG 43258 dd 29.04.2020	Failure by accommodation establishment to transmit to the Director-General of Health the information required in Regulation 8(9) (a) and (b)	R 5000.00
Reg 14 (4) (b) read with 8(10) GG 43258 dd 29.04.2020	Failure by electronic service provider to comply with the directives in 8 (10) (a)and(b)	R 5000.00

Reg 14 (4)(a) read with 8 (11) GG 43258 dd 29.04.2020	Unauthorised persons obtaining ,using or disclosing information in relation to COVID -19 Tracing Database	COURT
14 (4) a) read with 8(17) GG 43258 dd 29.04.2020	Failure to comply with directions issued in 8 (17) (a) to (d)	COURT
14 (4)(b) read with 8(18) GG 43258 dd 29.04.2020	Failure to comply with the directives issued by the Designated COVID -19 Judge, to protect the rights of privacy of persons whose data has been collected.	COURT
Reg 14(1) GG 43258 dd 29.04.2020	Person intentionally misrepresents that he /she or another person is infected with COVID-19	R 3 500-00
Reg 14(2) GG 43258 dd 29.04.2020	Person publishes any statement through any medium, including social media, with the intention to deceive any other person about - (a)COVID-19 (b)the COVID -19 infection status of any person (c) any measure taken by Government to address COVID-19	R 3 500.00
1. Reg 33(1) read with Reg 33(2)and further with Reg 47 (2) of GG 44044 dated 29.12.2020	1.Movement of persons without a prescribed permit or exceptions provided in 33 (1)(b) from 21h00 to 06h00 ( <b>Nationally</b> )	R 5 000.00
2. Reg 82(1) read with Reg 87 of GG 44044 dated 29.12.2020,and <b>GG 44045</b> dated 29.12.2020 ( <b>Hotspots</b> )	2.Movement of persons without a prescribed permit or exceptions provided in 82 (1)(b) 21h00 to 06h00 ( <b>Hot Spots</b> )	R 5000.00
Reg 33(3) read with Reg 47 (2) of GG 44044 dd 29.12.2020	Failure of establishments listed in Reg 33 (3) (a) to (h) to close business at 20h00	R 5000.00
Reg 40 of GG 44044 dated 29.12.2020 read with Reg 85(1), (2) and (3) of GG 43997 dd 15.12.2020 ( <b>National</b> ), substituted by Reg 84 (17) (d)(1),read with	Prohibition of initiation practises ( <b>Nationally and Hotspots</b> )	COURT

Reg 87 of GG 44044 dd 29.12.2020 and GG 44045 dated 29.12.2020 ( <b>Hotspots</b> )		
Reg 44 (1) ,(2),(3)and (4) read with Reg 44 (7) and 47 (2) of GG 44044 dated 29.12.2020 ( <b>National</b> )	Sale, dispensing, consumption and transportation of liquor prohibited, except under the circumstances listed in Reg 44 (4) (a) –(d)( <b>Nationally</b> ),and	R 5000.00
Reg 86(1),(2)and(3) and (4) and 87 of GG 44044 read with GG 44045 dd 29.12.2020 ( <b>Hotspots</b> )	Sale ,dispensing, consumption and transportation of liquor prohibited, except under the circumstances listed in Reg 86 (4) (a) – (d) ( <b>Hotspots</b> )	R 5000.00
Reg. 47 (1) of GG 44044 dated 29.12.2020	Hinders, interferes with or obstructs enforcement officer in the exercise of his/her powers or the performance of his/her duties in terms of the Regulations	COURT
Reg 34 (6) read with 34 (7) of GG 44044 dated 29.12.2020	Business premises exceeding the maximum number of customers and employees determined by the Regulations	R 5000.00
Reg 34 ( 2) read with 34 (3) of GG 44044 dated 29.12.2020	Failure by any person to wear a face mask in a public place	R 1500.00
Reg 43(3)(a) read with Reg 47(2) of GG 44044 dd 29.12.2020	Failure by bus and /or taxi to carry 70% or less of the licensed capacity for long distance travel	COURT

I hereby certify that the admission of guilt fines listed above have been determined by me in terms of section 57(5) (a) of the Criminal Procedure Act no. 51 of 1977 as amended and are effective from 30 December 2020.

**Ms M.M Lebese**



**Acting Chief Magistrate**

**Pretoria**

