



**MAGISTRATES' COURT JUDICIARY
REPUBLIC OF SOUTH AFRICA**

OFFICE OF THE CHIEF MAGISTRATE BLOEMFONTEIN: ADMINISTRATIVE REGION 3

**DISASTER MANAGEMENT ACT REGULATIONS, 2020 (COVID-19):
ALERT LEVEL 1 OFFENCES**

DETERMINATION IN TERMS OF SECTION 57(5) OF THE CRIMINAL PROCEDURE ACT, NO 51 OF 1977

[The issuing of a Notice as provided for in section 56 of the Criminal Procedure Act, 1977, is a discretion and is not compulsory.]

DESCRIPTION OF CHARGE	ADMISSION OF GUILT FINE
<p><u>Regulation 14(5) read with 5(2)(a)</u></p> <p>Being a driver or operator of public transport and fails to take reasonable steps to ensure that a person uses, operates or performs any service on any such public transport, whilst not wearing a cloth face mask, homemade item, or another appropriate item that covers his/her nose and mouth.</p>	<p>R 3000-00 (Three Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 14(6) read with 5(2)(b)</u></p> <p>Being a manager or owner of a building, place or premises, used by the public to obtain goods or services and fails to take reasonable steps to ensure that no person enter or be in such a building, place or premises, whilst not wearing a cloth face mask, homemade item, or another appropriate item that covers his/her nose and mouth.</p>	<p>R 2000-00 (Two Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 14(7) read with 5(3)(a)</u></p> <p>Being an employer and fails to take reasonable steps to ensure that every employee is provided with a cloth face mask, homemade item, or another appropriate item that covers the nose and mouth, when in the workplace.</p>	<p>R 2000-00 (Two Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>

<p><u>Regulation 14(7) read with 5(3)(b)</u></p> <p>Being an employer and fails to take reasonable steps to ensure that an employee performs duties or enter the employment premises whilst not wearing a cloth face mask, homemade item, or another appropriate item that covers his/her nose and mouth.</p>	<p>R 3000-00 (Three Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 66(1) read with regulation 80(2)</u></p> <p>Failure to confine to his/her place of residence from 23H00 until 04H00, except where he/she has been granted a permission through directions by the relevant Cabinet member, or a permit which corresponds with Form 7 of Annexure A, to perform a service other than a service related to an activity listed under Table 4, or is attending to a security or medical emergency.</p>	<p>R 1500-00 (One Thousand Five Hundred Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 66(2) read with regulation 80(2)</u></p> <p>Failure by</p> <ul style="list-style-type: none"> (a) Faith-based institutions; (b) venues where social events are hosted; (c) venues hosting concerts and live performances; (d) cinemas; (e) theatres; (f) casinos; (g) museums, galleries and archives; (h) gyms, fitness centres and swimming pools; (i) restaurants, bars, taverns, sh'ebens and similar establishments; (j) venues hosting sport, arts and culture activities; or (k) any other place where a gathering may take place, <p>whether indoors or outdoors, to close by 22H00.</p>	<p>R 5000-00 (Five Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 67(6) read with regulations 67(5) and 80(2)</u></p> <p>Failure by business whose premises exceeds the maximum number of customers and employees as determined by considering adequate space available, based on the area of floor space in square metres.</p>	<p>R 5000-00 (Five Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 72(1) read with regulation 80(2)</u></p>	

<p>Opens a night club to the public.</p>	<p>R 5000-00 (Five Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 73(1) read with regulations 73(2)(a) and 80(2)</u></p> <p>Initiates or conducts an initiation practice.</p>	<p>R 5000-00 (Five Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 73(2)(a) read with regulation 80(2)</u></p> <p>Arranges or holds an initiation school.</p>	<p>R 5000-00 (Five Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 73(2)(b) read with regulation 80(2)</u></p> <p>Attending an initiation school by a prospective initiate.</p>	<p>R 1500-00 (One Thousand Five Hundred Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 73(2)(c) read with regulation 80(2)</u></p> <p>Consent to the use of his or her land for the holding of an initiation school.</p>	<p>R 5000-00 (Five Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>

	Court)
<p><u>Regulation 73(2)(d) read with regulation 80(2)</u></p> <p>Traditional surgeon or medical practitioner performing a circumcision as part of an initiation practice.</p>	<p>R 5000-00 (Five Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 73(4) read with regulation 80(2)</u></p> <p>Holding of a post-initiation celebration. ("<i>Imigidi</i>")</p>	<p>R 5000-00 (Five Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 76(3)(a) read with regulations 76(1) and 80(2)</u></p> <p>Operates or drives a bus or taxi during a long distance trip, being a trip of 200km or more, whilst carrying more than 70% of the licensed capacity of the vehicle.</p>	<p>R 3000-00 (Three Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 77(1)(a) read with regulations 77(5) and 80(2)</u></p> <p>Selling liquor at a licenced premises for off-site consumption before 10h00 and after 18h00 on Monday to Thursday.</p>	<p>R 5000-00 (Five Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 77(1)(a) read with regulations 77(5) and 80(2)</u></p> <p>Selling liquor at a licenced premises for off-site consumption on a Friday, Saturday, Sunday or public holiday.</p>	<p>R 5000-00 (Five Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared</p>

	national state of disaster must be referred to Court)
<p><u>Regulation 77(1)(b) read with regulations 66(2), 77(5) and 80(2)</u></p> <p>Selling liquor at a licenced premises for on-site consumption during curfew hours from 22H00 until 04H00.</p>	<p>R 5000-00 (Five Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 77(3) read with regulation 80(2)</u></p> <p>Consuming liquor in a public place, except in a licensed on-site consumption premises.</p>	<p>R 1500-00 (One Thousand Five Hundred Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>Regulation 80(1)</u></p> <p>Hinders, interferes with, or obstructs an enforcement officer in the exercise of his or her powers or the performance of his or her duties in terms of the Disaster Management Act Regulations, 2020, as amended, and applicable during the national state of disaster.</p>	<p>R 2000-00(Two Thousand Rand)</p> <p>(Repeated offences within the Alert Level 1 period of the declared national state of disaster must be referred to Court)</p>
<p><u>ALL OTHER ALERT LEVEL 1 OFFENCES PROVIDED FOR IN THE DISASTER MANAGEMENT ACT REGULATIONS PUBLISHED IN GOVERNMENT GAZETTE 43258 DATED 29 APRIL 2020, AS AMENDED/REPEALED BY GOVERNMENT GAZETTE 43364 DATED 28 MAY 2020, GOVERNMENT GAZETTE 43476 DATED 25 JUNE 2020, GOVERNMENT GAZETTE 43521 DATED 12 JULY 2020, GOVERNMENT GAZETTE 43577 DATED 31 JULY 2020, GOVERNMENT GAZETTE 43620 DATED 17 AUGUST 2020, GOVERNMENT GAZETTE 43725 DATED 18 SEPTEMBER 2020, GOVERNMENT GAZETTE 43727 DATED 20 SEPTEMBER 2020, GOVERNMENT GAZETTE 43897 DATED 11 NOVEMBER 2020, GOVERNMENT GAZETTE 43964 DATED 3 DECEMBER 2020, GOVERNMENT GAZETTE 43965 DATED 3 DECEMBER 2020, GOVERNMENT GAZETTE 43996 DATED 14 DECEMBER 2020, GOVERNMENT GAZETTE 43997 DATED 15 DECEMBER 2020 AND GOVERNMENT GAZETTE 44009 DATED 17 DECEMBER 2020, AS WELL AS ANY <u>FUTURE AMENDMENTS OF THESE REGULATIONS.</u></u></p>	<p>COURT</p>

THE ADMISSION OF GUILT DETERMINATIONS FOR OFFENCES APPLICABLE DURING ALERT LEVEL 1 OF THE LOCKDOWN PERIOD, SIGNED ON THE 1ST OF OCTOBER 2020, ARE HEREBY REPEALED.

The determinations of admission of guilt made in terms of section 57(5) of the Criminal Procedure Act, No 51 of 1977, as stipulated in the columns above, are approved as from date of signature and are applicable during Alert Level 1 of the lockdown period.



MC Mokgobo
Acting Chief Magistrate Bloemfontein
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Magistrates` Court Bloemfontein
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DATE: 23 December 2020
