

South Africa

Disaster Management Act, 2002

Directions Regarding Measures to Address, Prevent and Combat the Spread of COVID-19 Relating to Biodiversity Auctions

Government Notice 1064 of 2020

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Directions Regarding Measures to Address, Prevent and Combat the Spread of COVID-19 Relating to Biodiversity Auctions

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I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment hereby issue the Directions set out in the Schedule in terms of regulation 4(10) of the Regulations issued by the Minister of Co-operative Governance and Traditional Affairs in terms of section 27(2) of the Disaster Management Act, 2002 ([Act No. 57 of 2002](#)) and published on 29 April 2020 in Government Notice No. R. 480 of *Government Gazette* No. 43258, as amended.

Barbara Dallas Creecy

Minister of Forestry, Fisheries and the Environment

1. Definitions

In these Directions, any word or expression to which a meaning has been assigned in the Regulations, the National Environmental Management: Biodiversity Act and the TOPS Regulations, bears the meaning so assigned and, unless the context otherwise indicates—

"**Disaster Management Act**" means the Disaster Management Act, 2002 ([Act No. 57 of 2002](#));

"**National Environmental Management; Biodiversity Act**" means the National Environmental Management: Biodiversity Act, 2004 ([Act No. 10 of 2004](#));

"**Regulations**" means the Regulations issued in terms of section 27(2) of the Disaster Management Act and published under Government Notice No. R. 480 of *Government Gazette* No. 43258 of 29 April 2020, as amended by Government Notices Nos. R. 608 of *Government Gazette* No. 43364 of 28 May 2020, R. 714 of *Government Gazette* No. 43476 of 25 June 2020, R. 763 of *Government Gazette* No. 43521 of 12 July 2020, R. 846 of *Government Gazette* No. 43577 of 31 July 2020, R. 891 of *Government Gazette* No. 43620 of 17 August 2020, R. 999 of *Government Gazette* No. 43725 of 18 September 2020, and R. 1011 of *Government Gazette* No. 43727 of 20 September 2020; and

"**TOPS Regulations**" means the Threatened or Protected Species Regulations issued in terms of section 97(1) of the National Environmental Management: Biodiversity Act and published on 23 February 2007 in Government Notice No. R. 52 of *Government Gazette* No. 29657.

2. Purpose

The purpose of these Directions is to minimise the threat of spreading COVID-19 during the conducting of live biodiversity auctions, which may involve plant or animal specimens, in terms of the National Environmental Management: Biodiversity Act and any applicable provincial conservation legislation.

3. Application

These Directions are applicable to live biodiversity auctions conducted within the borders of South Africa and must be complied with by all persons (natural and juristic) involved in the holding and attendance of auctions.

4. Directions

- 4.1 Only the host of the auction, the owner or manager of the auction venue, owners of biodiversity specimens to be sold at the auction, the employees of the afore-mentioned persons, and persons who intend to bid at the auction, may attend the auction.
- 4.2 The host of the auction, the owner or manager of the auction venue and their employees or representatives must ensure compliance with the Regulations, as well as these Directions.
- 4.3 The host of the auction and the owner or manager of the auction venue must—
 - (a) at least 48 hours before the auction, inform all attendees of the auction of the COVID-19 measures to be complied with;
 - (b) display marked boards and distribute other information at the auction, to inform the attendees about the risks associated with COVID-19 and the necessary and compulsory measures to mitigate such risks; and
 - (c) conduct inspections, before and during the auction, to ensure that the safety measures are being observed by the attendees of the auction.
- 4.4 When live biodiversity auctions are conducted, the following measures must be complied with:
 - (a) persons attending biodiversity auctions are limited to 250 or less in case of an indoor auction, or 500 or less in case of an outdoor biodiversity auction: Provided that no more than 50 percent of the capacity of the venue is used;
 - (b) each attendee must be screened before entering the auction venue, and those with COVID-19 symptoms, or who have had recent contact with a person who contracted COVID-19, or who recently returned from travel abroad, or who refuse to comply with the health and safety requirements of an auction, must be denied access;
 - (c) the auctioneer must keep a register of each attendee, for contact tracing purposes, containing the following information:
 - (i) name and surname;
 - (ii) physical address;
 - (iii) contact number (home, work and cellular, where possible); and
 - (iv) temperature measured;
 - (d) the auction venue must be disinfected before and after each auction event;
 - (e) all surfaces must be disinfected regularly with a disinfectant containing an alcohol base, which includes the wiping of all handrails that are touched;
 - (f) each person must wear a face mask;
 - (g) social distancing of at least 1.5 meters must be maintained;
 - (h) personal contact between individuals must be avoided;

- (i) persons who refuse or fail to comply with the safety and health measures of the auction must be removed from the auction venue; and
- (j) all staff and attendees must-
 - (i) have access to sanitizer and handwash facilities at the auction venue;
 - (ii) wash their hands for at least 20 seconds on a regular basis;
 - (iii) when sneezing, cover their mouths to avoid infecting other persons; and
 - (iv) if a person shows any symptoms associated with COVID-19, be referred for testing and reported to the relevant authorities.

5. Commencement and duration

These Directions come into effect on the date of publication in the *Government Gazette* and will apply for the period of the national state of disaster.