

South Africa

Disaster Management Act, 2002

Preventative Measures in the Railway Operations (COVID19 Control Measures on the Operations by Rail) Directions, 2020

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South Africa

Disaster Management Act, 2002

Preventative Measures in the Railway Operations (COVID19 Control Measures on the Operations by Rail) Directions, 2020

Government Notice 494 of 2020

Published in [Government Gazette no. 43273](#) on 4 May 2020

Assented to on 4 May 2020

Commenced on 4 May 2020

[Up to date as at 2 September 2020]

[Amended by [Preventative Measures in the Railway Operations \(COVID19 Control Measures on the Operations by Rail\) Directions, 2020: Amendment \(Government Notice 536 of 2020\)](#) on 14 May 2020]

[Amended by [Preventative Measures in the Railway Operations \(COVID19 Control Measures on the Operations by Rail\) Directions, 2020: Amendment \(Government Notice 613 of 2020\)](#) on 1 June 2020]

[Amended by [Preventative Measures in the Railway Operations \(COVID19 Control Measures on the Operations by Rail\) Directions, 2020: Amendment \(Government Notice 950 of 2020\)](#) on 2 September 2020]

I, Fikile Mbalula, MP, Minister of Transport after consultation with the Cabinet members responsible for cooperative governance and traditional affairs, health, police and justice and correctional services, in terms of regulation 4(7), 20(1) and 20(2) of the Regulations issued in terms of the Disaster Management Act, 2002 ([Act No. 57 of 2002](#)) hereby issue the directions set out in the Schedule hereto to address, prevent and combat the spread of the COVID-19.

Mr F.A. Mbalula, MP

Minister of Transport

1. Definitions

In these directions, any other word or expression to which a meaning has been assigned in the Act shall have that meaning assigned to it in the Act, and unless the context requires otherwise -

"**the Act**" means the National Railway Safety Regulator Act, 2002 ([Act No. 16 of 2002](#));

"**COVID-19**" means the Novel Coronavirus (2019-nCov2) which is an infectious disease caused by a virus that has previously not been scientifically identified in humans, which emerged during 2019 and was declared a global pandemic by the World Health Organisation in 2020;

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

"**isolation**" means separating a sick individual with a contagious disease from healthy individuals without that contagious disease in such a manner as to prevent the spread of infection or contamination;

"**Minister**" means the Minister as defined in the Act;

"**National Institute of Communicable Diseases**" means a specialised national public health institute established under the National Health Laboratory Services to provide reference microbiology, virology, epidemiology, surveillance and public health research to support the government's response to communicable disease threats.

"**national state of disaster**" means the national state of disaster declared by Government Notice No. R. 312 of 15 March 2020; and

"**Railway Safety Regulator**" means the Regulator as defined in the Act.

2. Authority

- (1) Section 26(2)(b) of the Disaster Management Act, 2002 provides that a national disaster, once declared, must be managed in accordance with existing legislation, as well as contingency arrangements as amplified by disaster management regulations or directions issued in terms of section 27(2) of the Disaster Management Act, 2002.
- (2) These directions are issued pursuant to the provisions of section 27(2) of the Disaster Management Act, 2002 and specifically in terms of regulation 4(7), 20(1) and (2) of the Disaster Management Regulations 2020, to provide for measures necessary to manage COVID-19. These directions are valid for the duration of the declared national state of disaster.

3. Purpose of directions

The purpose of the directions is to provide for the:

- (a) Development of COVID-19 Management Plan;
- (b) Health and awareness;
- (c) Procedures at hand-over points, loading points and terminal depots;
- (d) Provision of access, hygiene, screening equipment and disinfection control at the train stations, terminals and hand-over facilities;
- (e) Prohibition of overcrowding and overloading of trains;
- (f) Reporting to the Railway Safety Regulator and the relevant authorities;
- (g) Oversight responsibilities by Railway Safety Regulator;
- (h) Suspension of Rail Operations;
- (i) Resumption of commuter service;
- (j) Operating time;
- (k) Declaration of essential services.

4. Application of the directions

These directions are applicable to all rail operators issued with a safety permit in terms of the Act.

5. Development of COVID-19 management plan

- (1) All Operators must develop a plan in response to the COVID-19 as declared a National Disaster in terms of Government Gazette Notice No. R.312 of 15 March 2020.
- (2) The plan must be submitted to the Railway Safety Regulator within 72 hours of the date of publication of these Directions.
- (3) The Operators must prepare detailed plans aligned to their approved Business Continuity Management and Safety Improvement Plans.
- (4) The plan must be continuously updated to accommodate developments, the risk of infections and challenges experienced related to COVID-19.

- (5) Operators must establish clear protocols to deal with management of suspected infected passengers, staff and contractors on railway premises, such as designating an area for isolation in line with health authority prescripts.

6. Health and awareness

Operators must implement health and awareness campaign on the COVID-19 to rail passengers, Contractors, Commuters and Customers within their operational jurisdiction.

7. Procedure at hand-over points, loading points and terminal depots

- (1) Train crews involved in Cross Border Rail Operations may undergo medical screening for COVID-19 at hand-over points.
- (2) Enhanced cleaning protocols should be followed at depots and terminal facilities.

8. Provision of access, hygiene, screening equipment and disinfection control at train stations, terminals and hand-over facilities

- (1) No person will be allowed to use any form of Public Transport or enter a building, place or premises if he or she is not wearing a cloth face mask or a homemade item that covers nose and mouth.
- (2) Stations operators must provide adequate sanitation supplies for washing of hands for passengers at station, yards, rail terminals and depots.
- (3) Operators must put in place procedures for cleaning and disinfection of railway assets.
- (4) Station, yards, depots, rail terminals and railway maintenance workshops personnel shall be provided with appropriate personnel protective equipment by their respective employers.
- (5) Operators may make provision for medical equipment to conduct random medical testing of passengers or personnel for COVID-19 infections.
- (6) Fitness for duty assessments for safety critical staff to include medical screening for COVID -19.

9. Prohibition of overcrowding and overloading of trains

- (1) Rail operators and owners of rail facilities must put measures in place to adhere to physical distancing to curb the spread of the virus.
- (2) Train operators must ensure marshals or security personnel on board are available for management of crowds and overloading.
- (3) Rail passenger train carrying capacity will be as follows:
Gautrain is permitted to carry not more than 50% of its permissible passenger carrying capacity.

10. Reporting to the Railway Safety Regulator and the relevant authorities

- (1) Operators must provide regular reports to the Regulator regarding suspected and confirmed cases of COVID-19 infections together with implemented measures for each reported case within their railway operations;
- (2) Operators must immediately report suspected cases of COVID-19 within their railway operations to the National Institute of Communicable Disease and the Regulator for information.

11. Oversight responsibilities by Railway Safety Regulator

- (1) The Railway Safety Regulator shall continue to monitor implementation of these regulations and

Operator's management plans.

- (2) The Regulator must provide regular reports to the Minister on the implementation of these regulations or at any time on request by the Minister.

12. Long-distance rail services

- (1) All long- distance rail services, both public and private operations, are permitted.
- (2) Shosholoza Meyl, Premier Classe, Blue Train and private rail operators, such as Rovos Rail, may resume domestic services.

[direction 12 substituted by section 2 of [Government Notice 950 of 2020](#)]

13. Rail services

- (1) Prasa will continue with the maintenance, servicing and testing of its fleet and further sanitise and disinfect its stations and hubs and on completion must announce the resumption of the following commuter services:
 - (a) Pienaarspoort to Pretoria Central;
 - (b) Cape Town Southern line to Simonstown;
 - (c) East London to Berlin;
 - (d) Port Elizabeth to Uitenhage; and
 - (e) Any other commuter services.
- (2) Gautrain will continue commuter services as follows:
 - (a) Park Station to Hatfield; and
 - (b) Sandton to OR Tambo International Airport.

[direction 13 substituted by [Government Notice 536 of 2020](#) and [Government Notice 613 of 2020](#)]

14. ***

[direction 14 deleted by section 3 of [Government Notice 950 of 2020](#)]

15. Declaration of essential service

For the purpose of these directions the following services are declared as essential services:

- (a) Rolling Stock Maintenance,
- (b) Rail maintenance; and
- (c) Rail Logistics operators.

16. Repeal of Directions

The Directions published by Government Notice No. 414 of the Government Gazette 43159 of 26 March 2020, are hereby repealed.

17. Short title and commencement

These Directions are called Preventative Measures in the Railway Operations (COVID-19 Control Measures on the Operations by Rail) Directions, 2020, and comes in to operation on the date of publication by the Minister in

Preventative Measures in the Railway Operations (COVID19 Control Measures on the Operations By Rail Africa
the Gazette.