STATE ATTORNEY
DX 298 PRETORIA

IN THE HIGH COURT OF SOUTH AFRICA, GAUTENG DIVISION, PRETORIA

CASE NO: 39370/2021

In the matter between:

SAKELIGA NPC	**APPLICANT**
And	
MINISTER OF C.O.G.T.A	**1ST RESPONDENT**
THE NATIONAL DEPARTMENT: C.O.G.T.A	**2ND RESPONDNET**
THE DIRECTOR GENERAL: C.O.G.T.A	**3RD RESPONDENT**
THE INFORMATION OFFICER: C.O.G.T.A	**4TH RESPONDENT**
THE PRESIDENT OF R.S.A	**5TH RESPONDENT**

REPLY TO RULE 53

DATE ON ROLL : 09 NOVEMBER 2022

DOCUMENT FILED: RECORDS RELATING TO THIS MATTER.

SIDGNED AT PRETORIA THIS 16TH DAY OF AUGUST**2022.**

ATTORNEY FOR RESPONDENTS
STATE ATTORNEY PRETORIA

SALU BUILDING
316 THABO SEHUME (ANDRIES) STREETS
Cnr FRANCIS BAARD (SCHOEMAN) AND
THABO SEHUME (ANDRIES) STREET
PRIVATE BAG X91
PRETORIA, 0001
Ref: **2433/21/Z71**
Tel: (012) 309 1547
Fax: 086 644 7766
Enq: O SEBITSO

TO: THE REGISTRAR OF THE ABOVE HONOURABLE COURT
PRETORIA

AND TO: **KRIEK WASSENAAR & VENTER INC ATTORNEYS**
APPLICANT'S ATTORNEYS
THIRD FLOOR, HB FORUM BUILDING
13 STAMVRUG STREET
PRETORIA
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REF NO: QB0792

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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF CO-OPERATIVE GOVERNANCE

NO. R. 1986 **4 April 2022**

DISASTER MANAGEMENT ACT, 2002: AMENDMENT OF REGULATIONS ISSUED IN TERMS OF SECTION 27(2)

I, Dr Nkosazana Dlamini Zuma, Minister of Cooperative Governance and Traditional Affairs, designated under section 3 of the Disaster Management Act, 2002 (Act No. 57 of 2002), having declared a national state of disaster published by Government Notice No. 313 of 15 March 2020, and extended by Government Notices Nos. 646 of 5 June 2020, 765 of 13 July 2020, 889 of 15 August 2020, 995 of 14 September 2020, 1090 of 14 October 2020, 1225 of 14 November 2020, No.1341 of 11 December 2020, No. R. 15 of 13 January 2021, No. R. 86 of 11 February 2021, No. R. 193 of 11 March 2021, No. 333 of 14 April 2021, No. R. 424 of 14 May 2021, No. R. 476 of 30 May 2021, No. R. 493 of 11 June 2021, No. R. 611 of 12 July 2021, No. R. 733 of 12 August 2021, No. R. 867 of 12 September 2021, No. R. 1031 of 13 October 2021, No. R. 1501 of 13 November 2021, No. R. 1598 of 10 December 2021, No. R. 1672 of 14 January 2022, No. R. 1758 of 14 February 2022 and No. R.1875 of 14 March 2022 hereby in terms of section 27(2) of the Disaster Management Act, 2002, after consultation with the relevant Cabinet members, make the Regulations in the Schedule.

NC Zuma

DR NKOSAZANA DLAMINI ZUMA, MP
MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS
DATE: 04.04.2022

SCHEDULE

Definitions

1. In these Regulations, "the Regulations" means the regulations published by Government Notice No. R. 480 of 29 April 2020 as amended by Government Notices Nos. R. 608 of 28 May 2020, R. 714 of 25 June 2020, R.763 of 12 July 2020, R. 846 of 31 July 2020 R. 891 of 17 August 2020, No. 999 of 18 September 2020, No. 1011 of 20 September 2020, No. 1053 of 1 October 2020, No. 1104 of 21 October 2020, No. 1199 of 11 November 2020, No. 1280 of 3 December 2020, No. 1346 of 15 December 2020, No.1370 of 17 December 2020, No. 1421 of 24 December 2020, No. 1423 of 29 December 2020, No 1435 of 29 December 2020, No. R. 11 of 11 January 2021, No. R. 69 of 1 February 2021, No. R. 92 of 13 February 2021, No. R. 93 of 13 February 2021, No. R. 152 of 26 February 2021, No. R. 284 of 30 March 2021, No. 376 of 22 April 2021, No. R. 477 of 30 May 2021, No. R. 530 of 15 June 2021, No. R. 532 of 17 June 2021, No. R. 585 of 27 June 2021, No. R. 567 of 29 June 2021, R. No. R. 610 of 11 July 2021, R. No. 612 of 14 July 2021 and R. No. 614 of 14 July 2021, No. R. 651 of 25 July 2021, No. 669 of 30 July 2021, No. R. 869 of 12 September 2021, No. R.953 of 26 September 2021, No. R.960 of 30 September 2021, No. R. 1024 of 11 October 2021, No. R. 1633 of 17 December 2021, No. R. 1646 of 21 December 2021, No. R. 1659 of 30 December 2021, No. R. 1715 of 1 February 2022, No. R. 1759 of 15 February 2022, and

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No. R 1915 of 22 March 2022.

Amendment of the Classification of the Regulations

2. The Classification of the Regulations is hereby amended by the substitution for Chapter 8 of the following Chapter:

"88. Definitions
89. Establishment of COVID-19 Vaccine Injury No-Fault Compensation Scheme:
90. Administration of the Scheme
91. Financial management and oversight of the Scheme
91A. Governance and Oversight
92. Adjudication Panel and Appeal Panel
93. Eligibility
94. Compensation
95. Submission of claims and procedure
96. Effect of submission of claims on right to claim damages in court proceedings
97. Causality determination
98. Adjudication of claims
99. Appeal
100. Duration and termination of Scheme
101. Condonation
102. Contact details of Scheme.".

Amendment of regulation 67 of the Regulations

3. Regulation 67 of the Regulations is hereby substituted by the following regulation:

"Mandatory protocols when in a public place

67. (1) For the purposes of these Regulations, a 'face mask' means a cloth face mask or a homemade item that covers the nose and mouth, or another appropriate item to cover the nose and mouth.

(2) The wearing of a face mask is mandatory for every person when in an indoor public place, excluding a child under the age of six years.

(3) No person will be allowed to—

(a) use, operate, perform any service on any form of public transport; or

(b) enter or be in a building, place or premises, including government buildings, places or premises, used by the public to obtain goods or services,

if he or she is not wearing a face mask.

(4) *(a)* All persons in an open public space need not wear a face mask but must maintain a distance of at least one metre from another person.

(b) The school environment is excluded from the requirement of maintaining a distance of at least one metre from another person.

(5) An employer may not allow any employee to perform any duties or enter the employment premises if the employee is not wearing a face mask while performing his or her duties.

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Substitution of regulation 69 of the Regulations

4. Regulation 69 of the Regulations is hereby substituted of the following regulation:

"Gatherings

69. (1) All gatherings, including faith-based or religious, social, political and cultural, gatherings at restaurants, bars, *shebeens* and taverns; gatherings at conferencing, exhibitions, dining, gyms, fitness centres, casinos and entertainment, facilities, gatherings at venues hosting auctions including agricultural auctions, sporting activities, including both professional and non-professional matches, by recognised sporting bodies, where persons who are—

(a) fully vaccinated and in possession of a valid vaccination certificate; or

(b) unvaccinated but in possession of a valid certificate of a negative COVID-19 test, recognised by the World Health Organisation, which was obtained not more than 72 hours before the date of the gathering,

are allowed at up to 50% of the capacity of the venue: Provided that entry to the venue is conditional upon production of a valid certificate as referred to in paragraph *(a)* or *(b)* and subject to strict adherence to all health protocols and social distancing measures.

(2) All gatherings, including faith-based or religious, social, political and cultural, gatherings at restaurants, bars, *shebeens* and taverns; gatherings at conferencing, exhibitions, dining, gyms, fitness centres, casinos and entertainment facilities, gatherings at venues hosting auctions including agricultural auctions, sporting activities, including both professional and non-professional matches, by recognised sporting bodies, where persons who are—

(a) not fully vaccinated or in possession of a valid vaccination certificate; or

(b) unvaccinated and not in possession of a valid certificate of a negative COVID-19 test, recognised by the World Health Organisation, which was obtained not more than 72 hours before the date of the gathering,

are allowed but limited to 1000 persons or less for indoor venues and 2000 persons or less for outdoor venues and if the venue is too small to hold the prescribed number of persons observing a distance of at least one metre from each other, then not more than 50 percent of the capacity of the venue may be used, subject to strict adherence to all health protocols and social distancing measures.

(3) An owner or operator of any indoor or outdoor facility where gatherings are held must display the certificate of occupancy which sets out the maximum number of persons the facility may hold.

(4) Gatherings at a workplace for work purposes are allowed, subject to strict adherence to all health protocols and social distancing measures.

(5) Hotels, lodges, bed and breakfasts, timeshare facilities, resorts and guest houses are allowed full capacity of the available rooms for accommodation, with patrons wearing face masks and observing a distance of at least one metre from each other when in common spaces.".

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Amendment of regulation 75 of the Regulations

5. Regulation 75 of the regulations is hereby substituted of the following regulation:

"Partial re-opening of borders

75. (1) *(a)* The 21 land borders which are fully operational, will remain as such and the 32 land borders which were closed, will remain closed.

(b) The Cabinet member responsible for Home Affairs may, from the date of commencement of this amendment to the Regulations, issue directions regarding the opening and closing of any further Ports of Entry.

(2) Traveling to and from the Republic from neighbouring countries is allowed: Provided that travellers who are—

(a) fully vaccinated must upon arrival at the land border produce a valid vaccination certificate; and

(b) unvaccinated must upon arrival at the land border, provide a valid certificate of a negative COVID-19 test, recognised by the World Health Organisation, which was obtained not more than 72 hours before the date of travel.

(3) *(a)* International air travel is restricted to the following airports—

(i) OR Tambo International Airport;
(ii) King Shaka International Airport;
(iii) Cape Town International Airport;
(iv) Lanseria International Airport; and
(v) Kruger Mpumalanga International Airport.

(b) All international travellers arriving at the Ports of Entry listed in paragraph *(a)* who are—

(i) fully vaccinated must upon arrival at the Port of Entry, produce a valid vaccination certificate; and

(ii) unvaccinated must upon arrival at the Port of Entry, provide a valid certificate of a negative COVID-19 test, recognised by the World Health Organisation, which was obtained not more than 72 hours before the date of travel.".

(c) Outbound travellers from South Africa must comply with the requirements of the country of destination.

(4) All commercial seaports will remain open and small crafts, and all passenger ships, including cruise ships, will be allowed entry into seaports, in-line with all health and border law enforcement protocols.".

Substitution of Chapter 8 of the Regulations

6. Chapter 8 of the Regulations is hereby substituted of the following Chapter:

"CHAPTER 8
COVID-19 VACCINE INJURY NO-FAULT COMPENSATION SCHEME

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Definitions

88. For the purposes of this Chapter, unless the context otherwise indicates—

'AEFI' means any untoward medical occurrence that may present after vaccination, whether or not it has a causal relationship to the administration of the vaccine concerned;

'claim' means a claim made in terms of regulation 96;

'claimant' means a person who makes a claim in terms of regulation 95;

'COVID-19 Vaccine Injury' means a serious injury as referred to in regulation 93(1) and specified as contemplated in regulation 93(3);

'dependant' means the spouse of the deceased person; the permanent life partner of the deceased person; the child of the deceased person; a person to whom the deceased person is legally liable for maintenance; or a person who is factually dependent upon the deceased person for maintenance;

'NISEC' means the National Immunisation Safety Expert Committee, a non-statutory, standing, advisory committee of independent experts, appointed by the Cabinet member responsible for Health;

'Promotion of Administrative Justice Act, 2000' means the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000);

'Public Finance Management Act, 1999' means the Public Finance Management Act, 1999 (Act No. 1 of 1999); and

'the Scheme' means the COVID-19 Vaccine Injury No-Fault Compensation Scheme established by regulation 89.

Establishment of the COVID-19 Vaccine Injury No-Fault Compensation Scheme

89. (1) A COVID-19 Vaccine Injury No-Fault Compensation Scheme is hereby established in terms of section 27(2)*(c)*, *(m)* and *(n)* of the Act.

(2) The Scheme is an essential part of the COVID-19 vaccination roll-out, which is a critical component of the national plan and response to alleviate, contain and minimise the effects of the disaster, and ultimately to end the national state of disaster.

(3) The purpose of the Scheme is to provide expeditious and easy access to compensation, for persons who suffer from a COVID-19 Vaccine Injury caused by the administration of an approved COVID-19 vaccine, which was administered at an authorised facility within the Republic, as specified in directions issued by the Cabinet member responsible for Health in terms of regulation 93(3), without having to establish fault.

(4) In order to ensure the effective and efficient administration of the Scheme in a manner that ensures fairness in the assessment and administration of claims, and respects the constitutional rights of claimants, the Cabinet member responsible for Health must issue directions in consultation with the Cabinet member responsible for Finance in respect of—

(a) the requirements relating to the administration of the Scheme;

(b) the policy in respect of the administration of the Scheme;

(c) the reporting of a COVID-19 Vaccine Injury;

(d) the claims system;

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(e) the eligibility requirements of the Scheme;
(f) the size of the Adjudication Panel, and the Appeal Panel;
(g) the qualifications for appointment of members of the Adjudication Panel, and members of the Appeal Panel; and
(h) any other matter relevant to the effective, efficient and fair administration of the Scheme.

Administration of the Scheme

90. (1) The National Department of Health is responsible for the administration of the Scheme and its funds.

(2) The Director-General of the National Department of Health must establish administration of the scheme and its funding arrangements, in consultation with the National Treasury.

Financial management and oversight of the Scheme

91. (1) The funds of the Scheme consist of—
(a) funds appropriated by an Act of Parliament to the vote of Health or from contingencies in terms of appropriation legislation or the Public Finance Management Act; and
(b) funds donated to the Scheme in accordance with existing donor procedures and requirements.

(2) The Cabinet member responsible for Finance may, in consultation with the Cabinet member responsible for Health, issue directions in respect of the requirements relating to the financial management and oversight of the Scheme that are in accordance with the Public Finance Management Act, 1999.

(3) The funds identified for the Scheme may not be utilised for purposes other than payment of compensation in terms of the Scheme; the implementation and administration of the Scheme; and as provided in regulation 100(3).

Governance and Oversight

91A. The Director General of Health, as the accounting officer, is responsible for overseeing the implementation of the Scheme in terms of this Chapter and the directions issued in terms hereof, and to provide advice to the Cabinet member responsible for Health and the Cabinet member responsible for Finance in respect of the implementation of the Scheme.

Establishment of the Adjudication Panel and Appeal Panel

92. (1) The functionaries of the claims adjudication process of the Scheme hereby established are—
(a) the Adjudication Panel; and
(b) the Appeal Panel.

(2) (a) The Adjudication Panel shall comprise of at least 3, but no more than 5 members.

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(b) The Cabinet member responsible for Health must appoint the members of the Adjudication Panel, following a nomination process, and subject to the criteria set out in directions and the call for nominations, relating to qualifications, expertise and experience.

(c) The members of the Adjudication panel must between them have appropriate medical expertise, financial expertise, and expertise in the adjudication of compensation of injuries.

(3) (a) The Appeal Panel shall comprise of 3 or more permanent members and 2 additional members, who may be appointed if additional expertise is required, who all may be appointed by the Cabinet member responsible for Health following a nomination process, and subject to the criteria set out in the directions and the call for nominations, relating to qualifications, expertise and experience.

(b) The Appeal Panel must be chaired by an advocate or attorney with at least 15 years' experience.

(c) At least one of the permanent members of the Appeal Panel must have medical expertise and at least one of the permanent members of the Appeal Panel must have expertise in finance or in the assessment of damages.

(4) (a) The members of the Adjudication Panel and Appeal Panel must be independent from each other and possess appropriate expertise to fulfil their functions in respect of the implementation of the Scheme.

(b) The members of the Adjudication Panel and the permanent and additional members of the Appeal Panel are appointed for the period, and on the terms and conditions, determined in writing by the Cabinet member responsible for Health.

(c) The Director-General of the National Department of Health must provide necessary administrative support to the Adjudication Panel and Appeal Panel.

(d) The Adjudication Panel and Appeal Panel shall take their decisions independently in terms of these Regulation and the Directions thereunder, and no person shall interfere with their decisions.

(5) The Adjudication Panel and Appeal Panel must take decisions and make assessments in accordance with—

(a) the requirements contained in regulation 93 and the directions issued in terms of regulation 93(3); and

(b) the directions issued in terms of regulation 94.

(6) The Adjudication Panel must further comply with regulation 98 in the adjudication of claims.

(7) The Appeal Panel must further comply with regulation 99 in the adjudication of appeals.

Eligibility

93. (1) A person—

(a) who was vaccinated with a COVID-19 vaccine that was procured and distributed by the National Government and administered as part of the national vaccination programme as specified in directions as contemplated in subregulation (3)(c); and

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(b) who suffers from or has suffered from a serious COVID-19 Vaccine injury as specified in directions as contemplated in subregulation (3); and

(c) whose serious COVID-19 vaccine injury is determined by NISEC to be causally related to the administration of the COVID-19 vaccine concerned,

is eligible for compensation from the Scheme subject to the provisions of regulation 94 and the directions issued in terms of these regulations, and in particular directions contemplated in subregulation (3) and regulation 94.

(2) A dependant of a deceased person, whose death was caused by a COVID-19 Vaccine Injury, where the requirements of subregulations 93(1)(a) to (c) are met, is eligible for compensation from the Scheme, subject to the provisions of regulation 94 and the directions issued in terms of these regulations, and in particular directions contemplated in subregulation (3) and regulation 94.

(3) The Cabinet member responsible for Health, in consultation with the Cabinet member responsible for Finance, must issue directions specifying—

(a) the types of injury that constitute a COVID-19 Vaccine Injury that is covered by the Scheme;

(b) the types of loss or damage covered;

(c) the specific approved vaccines to be covered, which must be registered or otherwise approved by the South African Health Products Regulatory Authority and initially procured and distributed by the National Government;

(d) authorised sites in the Republic where COVID-19 vaccinations are officially administered;

(e) the duration of the COVID-19 Vaccine Injury after the administering of the vaccination that the Scheme will cover; and

(f) the period in respect of which claims for compensation may be submitted to the Scheme.

(4) A person who has submitted a claim for compensation under the Compensation for Occupational Injuries and Diseases Act, 130 of 1993 for an AEFI arising from vaccination is not eligible for compensation under the Scheme.

Compensation

94. (1) The Cabinet member responsible for Health, in consultation with the Cabinet member responsible for Finance, must issue directions specifying the compensation that will be provided under the Scheme.

(2) Such compensation shall—

(a) be a capped amount to be outlined in the directions, in respect of the type of injury listed under a COVID-19 Vaccine Injury; and

(b) make provision for lump sum compensation payments.

(3) The categories of compensation which may be awarded are for:

(a) death;

(b) permanent disability; and

(c) temporary disability.

(4) Compensation in terms of the Scheme shall only include those types of compensation specified in terms of directions.

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Submission of claims and procedure

95. (1) Any person who maintains that he or she meets the requirements for claiming compensation from the Scheme in terms of regulation 93(1) or regulation 93(2) must report the AEFI in the manner and within the time period set by the directions, so as to allow for a causality determination by NISEC in terms in terms of regulation 97.

(2) Where a person seeks to claim from the Scheme without complying with regulation 95(1), the Scheme must direct the person's attention to the provisions of regulation 95(1) and provide the details of the process to report the AEFI.

(3) Following the communication of a causality determination by NISEC in terms of regulation 97, a claim to the Scheme must be submitted by an eligible person, or a person duly authorised to act on behalf of an eligible person, to the Scheme and must be submitted in the manner and within the time period set by the directions.

(4) The Cabinet member responsible for Health must, after consultation with the Director General of the National Department of Health, issue directions specifying—

(a) procedures for instituting and submitting claims to the Scheme, including the form to be used for submitting claims;

(b) procedures for claims to be adjudicated by the adjudication panel, including the period in which a claim must be adjudicated; and

(c) procedures for appealing any decision of the adjudication panel or any determination of NISEC, including the periods in which a claim must be appealed and in which the appeal must be decided.

Effect of submission of claims on right to claim damages in court proceedings

96. (1) Any person who elects to submit a claim to the Scheme in terms of these Regulations thereby agrees to follow and abide by the procedure for the adjudication and appeal of claims set out in these regulations.

(2) Any person who elects to submit a claim to the Scheme in terms of these regulations and is awarded compensation from the Scheme thereby abandons their right to institute a damages claim in a Court against any party arising from harm, loss or damage allegedly caused by a COVID-19 Vaccine Injury.

(3) The provisions of this regulation shall not affect the right of any claimant to review an adverse decision in the High Court in terms of the Promotion of Administrative Justice Act, 2000.

(4) The Cabinet member responsible for Health must ensure that the form for submitting a claim contemplated in regulation 95(4)(a) explains in plain language the effect of regulations 96(1) to 96(3).

Causality determination

97. (1) NISEC must determine the causality between the administration of a COVID-19 vaccine and the injury allegedly caused by the COVID-19 vaccine.

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(2) To determine causality, NISEC must apply the World Health Organisation Methodology for Causality assessment of adverse events following immunisation, as may be published from time to time by the World Health Organisation.

(3) *(a)* The determination on causality on an AEFI and relevant information by NISEC must be communicated to the person concerned in terms of the directions.

(b) In the event of NISEC finding causality, the Scheme must refer the claim to the Adjudication Panel for adjudication in terms of regulation 98.

(c) If NISEC makes a determination of non-causality, the claimant may refer the matter to the Appeal Panel in terms of regulation 99(1)*(a)*.

Adjudication of claims

98. A claim contemplated in regulation 97(3)*(a)* will be adjudicated by the designated members of the Adjudication Panel, who must determine compensation in accordance with regulation 94 and the directions issued by the Cabinet member responsible for Health.

Appeals

99. (1) A claimant who is dissatisfied by—

(a) a determination of non-causality by NISEC as contemplated by regulation 97(3)*(b)*; or

(b) a decision of the adjudication panel as contemplated by regulation 98,

may appeal such decision to the Appeal Panel within the specified period.

(2) The Appeal Panel hearing an appeal in terms of subregulation (1) may—

(a) confirm, vary or set aside the determination of NISEC or the decision of the Adjudication Panel, whichever is applicable;

(b) where it deems it is necessary for the proper adjudication of an appeal, call for and receive new information or evidence relevant to the claim; and

(c) where it deems it is necessary for the proper adjudication of an appeal, appoint appropriately qualified persons (if already not part of the panel) to assist in the determination of the claim.

(3) Any decision of the Appeal Panel is final and binding, but may be reviewed under the Promotion of Administrative Justice Act, 2000.

Duration and termination of Scheme

100. (1) This Chapter, the directions issued in terms hereof, and the existence of the Scheme—

(a) will not cease to operate or cease to be of force and effect merely because the national state of disaster comes to an end; and

(b) will continue to operate and be of force and effect until a notice is published by the Cabinet member responsible for Health, in consultation with the Cabinet member responsible for Finance, in the *Gazette* terminating the Scheme.

(2) The Scheme shall not be terminated until—

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(a) the period prescribed in the directions for the submissions of claims to the Scheme has expired; and

(b) all claims lodged with the Scheme within the period prescribed in the directions have been finalised.

(3) Any funds which remain in the Scheme immediately before it is terminated shall be deposited into the National Revenue Fund, or shall otherwise be dealt with in terms of an Act of Parliament.

Condonation

101. (1) A person who-

(a) is affected by a vaccine injury which manifested on or before the date of publication of this amendment to the Regulations; and

(b) contends that he or she has been unfairly precluded from obtaining compensation from the Scheme by virtue of these amendments to the Regulations,

may apply to the Appeal Panel for condonation in order to have his or her claim fairly dealt with and adjudicated.

(2) The Appeal Panel may grant condonation to a person envisaged in subregulation (1) where it is of the view that to do so would be justified in all the circumstances and would promote the aims of the Scheme.

(3) In cases other than those envisaged in sub-regulations (1) and (2) above, the Appeal Panel may grant condonation for a failure to comply with a time period set by these Regulations or the Directions issued thereunder where:

(a) good cause has been shown for the failure to comply with the time period;

(b) granting condonation would not preclude a proper assessment of the claim, including the question of causality; and

(c) granting condonation would promote the aims of the Scheme.

Contact details of Scheme

102. The contact details of the Scheme are as follows:

The Director General
National Department of Health
A B Xuma Building
128 Voortrekker Rd
Rasiouw AH
PRETORIA
0157
eMail: dg@health.gov.za
Tel (012) 395 8402".

Transitional provisions

7. (1) The regulations and directions specified in sub-regulation (2) will—

(a) not cease to operate or cease to be of force and effect merely because the national state of disaster is terminated; and

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(b) continue to operate and be of force and effect until one month after the national state of disaster is terminated, whereupon the regulations and directions concerned will automatically lapse.

(2) The regulations and directions specified in sub-regulation (1) are as follows:

(a) Regulation 67;

(b) regulations 69;

(c) regulations 75;

(d) directions, as amended, issued in terms of Regulation 4(5) and (10), which provide for Social Relief of Distress Grant; and

(e) directions, as amended, issued in terms of Regulation 4(7)*(b)*, which provide for the extension of the validity period of a learner's licence, driving licence card, license disc, professional driving permit and registration of a motor vehicle.

(3) The Regulations in Chapter 8 and the Directions in terms thereof, which provide for the COVID-19 Vaccine Injury No-Fault Compensation Scheme will—

(a) not cease to operate or cease to be of force and effect merely because the national state of disaster is terminated; and

(b) continue to operate and be of force and effect until terminated in terms of Regulation 100 of Chapter 8.

Commencement

8. (1) Subject to sub-regulation (2), the amendments to the Regulations will come into operation on publication in the Gazette.

(2) The amendments to Chapter 8 of the Regulations shall be deemed to have come into operation on 22 April 2021.

623
(T) 012 756 7566
(F) 086 596 8797

THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION, PRETORIA)

Case number: 39370/2021

In the matter between:

SAKELIGA NPC	**Applicant**
and	
THE MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS	**First Respondent**
THE NATIONAL DEPARTMENT: COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS	**Second Respondent**
THE DIRECTOR GENERAL IN THE DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS	**Third Respondent**
THE INFORMATION OFFICER: THE NATIONAL DEPARTMENT COOPERATIVE GOVERNANCE	**Fourth Respondent**
THE PRESIDENT: REPUBLIC OF SOUTH AFRICA	**Fifth Respondent**

NOTICE OF SET DOWN

PLEASE TAKE NOTICE that the abovementioned matter has, under the circumstances mentioned below, been set down on the unopposed motion roll for hearing on **09 NOVEMBER 2022** at 09h00, or as soon as counsel for the applicant can be heard:

1) The applicant's application having been served to the first to fourth respondents on 17 August 2021;
2) The applicant's application having been served to the fifth respondent on 1 October 2021;
3) The first to fourth respondents having served their notice of intention to oppose the application on 10 November 2021;
4) The time for the first to fourth respondents to file an answering affidavit having expired on 1 December 2021; and
5) The respondents have failed to deliver an answering affidavit and has not given notice of an intention only to raise a question of law (rule 6(5)*(d)*(iii)) or a point *in limine*,

KINDLY NOTE in terms of practice directive 13.10.2 of the Gauteng, Pretoria Practice Manual of this Honourable Court, this application must be enrolled on the unopposed roll. In the event of such an application thereafter becoming opposed (for whatever reason), the application will not be postponed as a matter of course.

SIGNED at **PRETORIA** on **28 JULY 2022**.

KRIEK WASSENAAR & VENTER INC
ATTORNEYS FOR THE APPLICANT
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13 Stamvrug Street
Val De Grace
Pretoria
Tel: 012 803 4719

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REF: P WASSENAAR/M JANSEN VAN VUUREN/QB0792

TO: **THE REGISTRAR OF THE ABOVE HONOURABLE COURT**
PRETORIA

AND TO: **THE STATE ATTORNEY: PRETORIA**
ATTORNEYS FOR THE FIRST TO FOURTH RESPONDENTS
SALU Building, 316 Thabo Sehume Street, Pretoria
Tel: 012 309 1507
E-Mail: KaNgwatle@justice.gov.za
OSebitso@justice.gov.za
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REF: 2433/21/Z71

SERVICE BY E-MAIL AND CASELINES

Molomo Esther

From: Molomo Esther
Sent: 05 August 2022 10:34 AM
To: 'thabangL@cogta.gov.za'
Cc: 'mphogato@law.co.za'; Sebitso Ontlametse
Subject: FW: SAKELIGA NPC- SET DOWN
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Good day

Kindly find attached notice of set down for your attention.

Regards
E Molomo obo O Sebitso