

# NDZ 13

STAATSKOERANT, 18 SEPTEMBER 2020

No. 43725 3

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

### DEPARTMENT OF CO-OPERATIVE GOVERNANCE

NO. 999

18 SEPTEMBER 2020

#### 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 in Government Gazette No. 43096, 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 and 995 of 14 September 2020, 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.

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**DR NKOSAZANA DLAMINI ZUMA, MP**  
**MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**  
DATE: 17. 09. 2020 .

#### 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 and R. 891 of 17 August 2020.

##### Withdrawal of determination of Alert Level 2

2. The determination of Alert Level 2 as determined in Government Notice No. 891 of 17 August 2020, is hereby withdrawn.

##### Amendment of Classification of Regulations

3. The Classification of the Regulations is hereby amended by—  
(a) the addition of the following Chapter after Chapter 5:

#### "CHAPTER 6 ALERT LEVEL 1

65. Application of Alert Level

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- 66. Movement of persons
- 67. Mandatory protocols when in a public place
- 68. Attendance of funerals
- 69. Gatherings
- 70. Eviction and demolition of places of residence
- 71. Rental housing
- 72. Places and premises closed to the public
- 73. Prohibition of initiation practices
- 74. Controlled visits by members of the public
- 75. Partial re-opening of borders
- 76. Public transport
- 77. Sale and dispensing of liquor
- 78. Operation of economic sector
- 79. Compliance officers
- 80. Offences and penalties"; and

- (b) the addition of the following Table after Table 3:

**"TABLE 4**

Alert Level 1"; and

- (c) the amendment of Annexure A by the addition of the following form after Form 6:  
"7. Permit to travel to perform a service".

**Addition of Chapter 6 to the Regulations**

4. The following Chapter is hereby added to the Regulations after Chapter 5:

**"CHAPTER 6  
ALERT LEVEL 1**

**Application of Alert Level**

65. The regulations set out in this Chapter apply during Alert Level 1.

**Movement of persons**

66. Every person is confined to his or her place of residence from 00H01 until 04H00 daily, except where a person—
- (a) 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;
  - (b) is attending to a security or medical emergency;

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**Mandatory protocols when in a public place**

- 67.** A person—
- (a) must, when in a public place, wear a face mask, except when undertaking vigorous exercise; and
  - (b) may not be allowed to be in a public place, use any form of public transport, or enter a public building, place or premises, if that person is not wearing a face mask.

**Attendance of funerals**

- 68.** (1) Attendance at a funeral is limited to 100 persons or less: Provided that not more than 50 percent of the capacity of the venue is used, with persons observing a distance of least one and a half metres from each other.
- (2) Night vigils are not allowed.
  - (3) During a funeral, a person must wear a face mask and adhere to all health protocols and social distancing measures.

**Gatherings**

- 69.** (1) Every person, when attending a gathering and in order to limit exposure to COVID-19 must—
- (a) wear a face mask;
  - (b) adhere to all health protocols;
  - (c) maintain a distance of least one and a half metres from each other; and
  - (d) adhere to any other health protocols and social distancing measures as provided for in directions issued by the relevant Cabinet member after consultation with the Cabinet member responsible for health.
- (2) 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.
- (3) Gatherings at faith-based institutions are limited to 250 persons or less in case of an indoor gathering and 500 persons or less in case of an outdoor gathering. Provided that no more than 50 percent of the capacity of the venue is used, with persons observing a distance of least one and a half metres from each other.
- (4) Gatherings at social events are limited to 250 persons or less in case of an indoor gathering and 500 persons or less in case of an outdoor gathering. Provided that no more than 50 percent of the capacity of the venue is used, with persons observing a distance of least one and a half metres from each other.
- (5) Gatherings at political events and traditional council meetings are limited to 250 persons or less in case of an indoor gathering and 500

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persons or less in case of an outdoor gathering. Provided that no more than 50 percent of the capacity of the venue is used, with persons observing a distance of least one and a half metres from each other.

(6) Gatherings at a workplace for work purposes are allowed.

(7) Gatherings at conferences and meetings are limited to 250 persons or less in case of an indoor gathering and 500 persons or less in case of an outdoor gathering. Provided that no more than 50 percent of the capacity of the venue is used, with persons observing a distance of least one and a half metres from each other. Provided that persons participating through electronic platforms are not included in these limitations.

(8) Gatherings for recreational purposes at cinemas, theatres, concerts and live performances are limited to 250 persons or less in case of an indoor gathering and 500 persons or less in case of an outdoor gathering. Provided that no more than 50 percent of the capacity of the venue is used, with persons observing a distance of least one and a half metres from each other.

(9) Gatherings at casinos are limited to not more than 50 percent of the capacity of the venue, with persons observing a distance of least one and a half metres from each other. Provided that this percentage may be increased as provided for in directions issued by the relevant Cabinet member.

(10) Gatherings at the following places are allowed, subject to the strict adherence to health protocols and social distancing measures, as set out in directions by the relevant Cabinet member—

- (a) sports grounds and fields;
- (b) beaches and public parks; and
- (c) museums, galleries, libraries and archives.

(11) Gatherings at gyms, fitness centres and swimming pools are allowed, subject to a limitation that not more than 50 percent of the capacity of the venue.

(12) Gatherings at the following places are allowed, subject to the limitations as set out below—

- (a) restaurants, subject to strict adherence to directions on the times of operation, the number of persons, health protocols and social distancing measures, as provided for in the directions that must be issued by the relevant Cabinet member, after consultation with the Cabinet member responsible for health;
- (b) bars, taverns, shebeens, and similar establishments subject to a restriction on the number of guests allowed in the venue to not more than 50 percent of the capacity of the venue, with guests observing a distance of least one and a half metres from each other; and
- (c) hotels, lodges, bed and breakfasts, timeshare facilities, resorts and guest houses subject to a restriction on the number of persons allowed in the hotel, lodge, bed and breakfast, timeshare facility, resort or guest house to not more than 50 percent of the capacity of the venue, with patrons observing a distance of least one and a half metres from each other.

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Provided that this percentage may be increased as provided for in the directions issued by the relevant Cabinet member.

(13) Gatherings at auctions are allowed, subject to strict adherence to all health protocols, social distancing measures and directions issued by the relevant Cabinet member, in consultation with the Cabinet member responsible for health.

(14) Sporting activities, including both professional and non-professional matches, by recognised sporting bodies, are allowed, subject to the following:

- (a) Directions for sports matches issued by the Cabinet member responsible for sport after consultation with the Cabinet member responsible for health;
- (b) only journalists, radio, television crew, security personnel, emergency medical services, and the necessary employees employed by the owners of the venue of the sport match, are allowed at the venue of the sport match;
- (c) only the required number of players, match officials, support staff and medical crew required for the sport match, are allowed at the venue of the sport match;
- (d) no spectators are allowed at the venue of the sports match; and
- (e) no international sport events are allowed.

(15) An enforcement officer must, where a gathering in contravention of the regulations takes place—

- (a) order the persons at the gathering to disperse immediately; and
- (b) if the persons refuse to disperse, take appropriate action, which may, subject to the Criminal Procedure Act, 1977 (Act No. 51 of 1977), include the arrest and detention of any person at the gathering.

#### Eviction and demolition of places of residence

70. (1) A person may not be evicted from his or her land or home or have his or her place of residence demolished for the duration of the national state of disaster unless a competent court has granted an order authorising the eviction or demolition.

(2) A competent court may suspend or stay an order for eviction or demolition contemplated in subregulation (1) until after the lapse or termination of the national state of disaster unless the court is of the opinion that it is not just or equitable to suspend or stay the order having regard, in addition to any other relevant consideration, to—

- (a) the need, in the public interest for all persons to have access to a place of residence and basic services to protect their health and the health of others and to avoid unnecessary movement and gathering with other persons;
- (b) any restrictions on movement or other relevant restrictions in place at the relevant time in terms of these Regulations;
- (c) the impact of the disaster on the parties;

- (d) the prejudice to any party of a delay in executing the order and whether such prejudice outweighs the prejudice of the persons who will be subject to the order;
- (e) whether any affected person has been prejudiced in their ability to access legal services as a result of the disaster;
- (f) whether affected persons will have immediate access to an alternative place of residence and basic services;
- (g) whether adequate measures are in place to protect the health of any person in the process of a relocation;
- (h) whether any occupier is causing harm to others or there is a threat to life; and
- (i) whether the party applying for such an order has taken reasonable steps in good faith, to make alternative arrangements with all affected persons, including but not limited to payment arrangements that would preclude the need for any relocation during the national state of disaster.

(3) A court hearing an application to authorise an eviction or demolition may, where appropriate and in addition to any other report that is required by law, request a report from the responsible member of the executive regarding the availability of emergency accommodation or quarantine or isolation facilities pursuant to these Regulations.

#### Rental housing

71. (1) During the national state of disaster, the Rental Housing Tribunals established under the Rental Housing Act, 1999 (Act No. 50 of 1999)—

- (a) must determine fair procedures for the urgent hearing of disputes; or
- (b) may grant an urgent *ex parte* spoliation order including to restore the occupation of a dwelling or access to services provided that an affected party may, on 24 hours' notice, require that a hearing be promptly convened.

(2) During the national state of disaster and without derogating from the protections afforded by the Rental Housing Act, 1999 or any provincial unfair practice regulation in place or the duty to consider the interests of both the landlord and tenant on a just and equitable basis, the following conduct is presumed to be an unfair practice for purposes of the Act:

- (a) The termination of services in circumstances where—
  - (i) the landlord has failed to provide reasonable notice and an opportunity to make representations;
  - (ii) the landlord has failed, reasonably and in good faith, to make the necessary arrangements including to reach an agreement regarding alternative payment arrangements, where applicable; or
  - (iii) no provision has been made for the ongoing provision of basic services during the national state of disaster.

- (b) The imposition of any penalty for the late payment of rental where the default is caused by the disaster, whether or not the penalty takes the form of an administrative charge or any other form other than interest.
- (c) The failure of a landlord or tenant to engage reasonably and in good faith to make arrangements to cater for the exigencies of the disaster.
- (d) Any other conduct prejudicing the ongoing occupancy of a place of residence, prejudicing the health of any person or prejudicing the ability of any person to comply with the applicable restrictions on movement that is unreasonable or oppressive having regard to the prevailing circumstances.

(3) Where the protections afforded by any Unfair Practice Regulations in force in any province are greater than those provided in this regulation, the provisions of the provincial Unfair Practice Regulations shall apply.

(4) The Cabinet member responsible for human settlements must, after consulting with the Rental Housing Tribunals, issue directions disseminating information about the manner in which the Tribunals will conduct their proceedings during the national state of disaster including, but not limited to—

- (a) the manner in which Tribunals will facilitate expeditious access to any aggrieved person; and
- (b) the convening of remote hearings or the convening of hearings at any suitable place.

#### **Places and premises closed to the public**

72. (1) Night clubs are closed to the public.

(2) The Cabinet member responsible for cooperative governance and traditional affairs may, by directions, determine a place or premises that must be closed, if there is a risk of any members of the public being exposed to COVID-19 at such a place or premises.

#### **Prohibition of initiation practices**

73. (1) For the duration of the national state of disaster—

- (a) male and female initiation practices are prohibited;
- (b) a person may not arrange or hold an initiation school or conduct an initiation practice;
- (c) a prospective initiate may not attend an initiation school;
- (d) an owner of land may not provide consent for the use of his or her land for the holding of an initiation school; and
- (e) a traditional surgeon or medical practitioner may not perform circumcision as part of an initiation practice.

(2) The National House of Traditional Leaders and provincial houses of traditional leaders must take steps to ensure that traditional leaders are aware of the content of this regulation.

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**Controlled visits by members of the public**

74. (1) All visits by members of the public to—
- (a) correctional centres;
  - (b) remand detention facilities;
  - (c) police holding cells;
  - (d) military detention facilities;
  - (e) health establishments and facilities, except to receive treatment or medication, subject to strict adherence to health protocols; and
  - (f) older persons' residential facilities,
- are prohibited except to the extent and in the manner directed by the relevant Cabinet member.
- (2) The Independent Electoral Commission will be allowed to visit the institutions referred to in subregulation (1), where required for the purposes of voter registration, or special voting, to the extent and in the manner set out in Directions by the relevant Cabinet member.

**Partial re-opening of borders**

75. (1) The 18 land borders which were partially operational, will be fully operational, and the 35 land borders currently closed, will remain closed.
- (2) Traveling to and from the Republic is allowed, subject to subregulations (3) and (4).
- (3) From 1 October 2020, all travelers from the African Continent and from countries outside the African Continent with a low rate of COVID-19 infection and transmission, will resume subject to—
- (a) the traveler providing a valid certificate of a negative test which was obtained not more than 72 hours before the date of travel; and
  - (b) in the event of the traveler's failure to submit a certificate as proof of a negative test, the traveler will be required to quarantine at his or her own costs.
- (4) To temporarily control entry into the Republic from countries outside the African Continent, the relevant Cabinet members shall, after consultation with the Cabinet member responsible for health, determine in directions—
- (a) criteria for controlling entry into the Republic, from such countries with a high COVID-19 infection and transmission rate;
  - (b) the list of such countries with a high COVID-19 infection and transmission rate, which list may, from time to time, be amended.
- (5) International travel from countries listed as having a high COVID-19 infection and transmission rate, will remain prohibited except for business travel which may be allowed with the approval of the Cabinet member responsible for home affairs.

(6) Daily commuters from neighbouring countries who attend or teach at a school in the Republic, and who are allowed entry into and exit from the Republic, subject to compliance with protocols relating to—

- (a) screening for COVID-19 and quarantine or isolation, where necessary;
- (b) the wearing of a face mask;
- (c) transportation; and
- (d) sanitisation and social distancing measures as per the relevant health protocols on safety and prevention of the spread of COVID-19.

(7) All commercial seaports will be opened.

(8) International air travel is restricted to the following airports—

- (a) OR Tambo International Airport;
- (b) King Shaka International Airport; and
- (c) Cape Town International Airport.

(9) The resumption of services for visa applications shall be determined in directions issued by the Cabinet member responsible for home affairs.

(10) The Cabinet member responsible for home affairs in consultation with the Cabinet members responsible for health and transport must develop International Travel Containment Protocols to be issued in directions, to ensure that entry into South African ports of entry will only be allowed subject to adherence to ensure COVID-19 positive travelers are not allowed into the Republic.

#### **Public transport**

75. (1) For purposes of this regulation "long distance travel" is a trip of 200 km or more.

(2) The Cabinet member responsible for transport must, after consultation with the Cabinet members responsible for cooperative governance and traditional affairs, health, police, trade, industry and competition, and justice and correctional services, issue directions for the resumption of different modes of public transport to cater for the gradual return to work of people, in respect of—

- (a) domestic air travel;
- (b) rail, bus services, taxi services;
- (c) e-hailing services; and
- (d) private vehicles.

(3) Bus and taxi services—

- (a) may not carry more than 70% of the licensed capacity for long distance travel; and
- (b) may carry 100% of the licensed capacity for any trip not regarded as long distance travel in terms of subregulation (1).

(4) A driver, owner or operator of public transport may not allow any member of the public who is not wearing a face mask, to board or be conveyed in a public transport owned or operated by him or her.

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(5) The directions to be issued by the Cabinet member responsible for transport must set out the health protocols that must be adhered to and the steps to be followed for the limitation of the exposure of members of the public using public transport to COVID-19.

#### **Sale and dispensing of liquor**

77. (1) The sale of liquor—
- (a) by a licensed premises for off-site consumption, is permitted from 09h00 to 17h00, from Mondays to Fridays, excluding weekends and public holidays; and
  - (b) by a licensed premises for on-site consumption is permitted, subject to strict adherence to the curfew contemplated in regulation 66.
- (2) The sale of liquor in contravention of subregulation (1)(a) and (b) is an offence.

#### **Operation of economic sector**

78. (1) Businesses may operate except for those set out in Table 4.
- (2) Relevant health protocols and social distancing measures for persons employed in private residences must be adhered to.
- (3) Relevant health protocols and social distancing measures set out in directions must be adhered to, in addition to the occupational health and safety directions issued by the Cabinet member responsible for employment and labour, and applicable labour legislation.
- (4) (a) Firms must adhere to any sector-specific health protocols intended to limit the spread of COVID-19 in the sector concerned.
- (b) Sector-specific health protocols may address matters such as work rotation, staggered working hours, shift systems, remote working arrangements, special measures affecting persons with greater vulnerabilities or similar measures, in order to achieve social distancing, protect employees or limit congestion in public transport and at the workplace.
- (c) Sector-specific health protocols, where these are still to be developed, must be developed and issued by Cabinet members responsible for a sector in consultation with the Cabinet member responsible for health.

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**Compliance officers**

79. (1) Industries, businesses and entities, both private and in the public sector, must—

- (a) designate a COVID-19 compliance officer who must oversee—
  - (i) the implementation of the plan referred to in paragraph (b); and
  - (ii) strict adherence to the standards of hygiene and health protocols relating to COVID-19 at the workplace;
- (b) develop a plan containing measures to ensure that the workplace meets the standards of health protocols, adequate space for employees and social distancing measures for the public and service providers, as required; and
- (c) retain a copy of the plan for inspection, which plan must also contain the details of the COVID-19 Compliance officer.

(2) A person in control of a retail store or institution must—

- (a) take steps to ensure that customers keep a distance of at least one and a half metres from each other and that all directions in respect of health protocols and social distancing measures are strictly adhered to; and
- (b) designate a compliance officer to ensure that safety controls are strictly adhered to and display the name of the compliance officer prominently in the store or institution in a visible area.

**Offences and penalties**

80. (1) For the duration of the national state of disaster, any person who 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 these Regulations, is guilty of an offence and, on conviction, liable to a fine or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(2) For the purposes of this Chapter, any person who fails to comply with or contravenes a provision of regulations 66, 72(1), 73(1), 76(3)(a) and 77(1)(a) and (b) of these Regulations commits an offence and is, on conviction, liable to a fine or to imprisonment for a period not exceeding six months or to both such fine and imprisonment."

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**Addition of Table 4 to the Regulations**

5. The following Table is hereby added to the Regulations after Table 3:

**"TABLE 4  
ALERT LEVEL 1**

All persons who are able to work from home must do so. However, persons will be permitted to perform any type of work outside the home, and to travel to and from work, and for work purposes, under Alert Level 1, subject to—

- (a) strict adherence to health protocols and social distancing measures;
- (b) the return to work being phased-in in order to put in place measures to make the workplace COVID-19 ready;
- (c) the return to work being done in a manner that avoids and reduces risks of infection; and
- (d) the work not being listed under the specific exclusions in this Table.

|    | <b>SPECIFIC EXCLUSIONS</b>                                                                                                            |
|----|---------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Night vigils.                                                                                                                         |
| 2. | Night clubs.                                                                                                                          |
| 3. | The 35 land borders that remain closed.                                                                                               |
| 4. | Initiation practices.                                                                                                                 |
| 5. | Passenger ships for international leisure purposes.                                                                                   |
| 6. | Attendance of any sporting event by spectators.                                                                                       |
| 7. | International sports events.                                                                                                          |
| 8. | Exclusions relating to public transport services as set out in the directions issued by the Cabinet member responsible for transport. |
| 9. | Exclusions relating to education services as set out in the directions issued by the Cabinet members responsible for education."      |

**Amendment of Annexure A to the Regulations**

6. Annexure A to the Regulations is hereby amended by the addition of the following form after Form 6:

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**"FORM 7****PERMIT TO TRAVEL TO PERFORM A SERVICE**

Regulations 66

- Please note that the person to whom the permit is issued must at all times present a form of identification together with this permit. If no identification is presented, the person to whom the permit is issued will have to return to his or her place of residence.

I, being the head of institution, with the below mentioned details,

|                                        |                 |                  |                  |                       |
|----------------------------------------|-----------------|------------------|------------------|-----------------------|
| <b>Surname</b>                         |                 |                  |                  |                       |
| <b>Full names</b>                      |                 |                  |                  |                       |
| <b>Identity number</b>                 |                 |                  |                  |                       |
| <b>Contact details</b>                 | <b>cell nr.</b> | <b>tel nr(w)</b> | <b>tel nr(h)</b> | <b>e-mail address</b> |
|                                        |                 |                  |                  |                       |
| <b>Physical Address of Institution</b> |                 |                  |                  |                       |

hereby certify that the below mentioned official/employee is performing services in my institution

|                                       |  |
|---------------------------------------|--|
| <b>Surname</b>                        |  |
| <b>Full names</b>                     |  |
| <b>Identity number</b>                |  |
| <b>Place of residence of employee</b> |  |

Signed at \_\_\_\_\_, on this the \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Signature of Head of Institution

Official stamp of  
Institution

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**Commencement**

7. These Regulations come into operation at 00H01 on 21 September 2020.

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## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

### DEPARTMENT OF CO-OPERATIVE GOVERNANCE

NO. R. 11

11 JANUARY 2021

#### 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, 766 of 13 July 2020, 889 of 15 August 2020, 995 of 14 September 2020, 1090 of 14 October 2020, 1225 of 14 November 2020 and 1341 of 11 December 2020, 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.

*N. Zuma*  
**DR NKOSAZANA DLAMINI ZUMA, MP**  
**MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**  
**DATE:** 11 JANUARY 2021

#### 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. 1290 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 and No. 1435 of 29 December 2020.

##### Amendment of the Classification of the Regulations

2. The Classification of the regulations is hereby amended by—
- (a) the substitution for item 42 of the following item:  
  
"Closure of borders";
  - (b) the insertion of the following item after item 42:  
  
"42A. Transportation of cargo";
  - (c) the substitution for item 44 of the following item:

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"44. Sale, dispensing and transportation of liquor"; and

(d) the substitution for Chapter 7 of the following Chapter:

**"CHAPTER 7  
HOTSPOTS**

- 81. Application of Chapter
- 82. Movement of persons
- 83. Attendance of funerals
- 84. Gatherings
- 85. Prohibition on initiation practices
- 86. Sale, dispensing and transportation of liquor
- 87. Offences and penalties".

**Amendment of regulation 1 of the Regulations**

3. Regulation 1 of the Regulations is hereby amended by—  
(a) the insertion of the following definition after the definition of 'Alert level':

"'beach' means the sandy, pebbly or rocky shore—

- (a) between the high-water mark and low-water mark adjacent to—
  - (i) the sea; or
  - (ii) an estuary mouth extending 1000 meters inland from the mouth; and
- (b) within 100 metres of the high-water mark, excluding private property, including the sea and estuary themselves adjacent to the beach."; and

(b) the insertion of the following definition after the definition of 'essential services':

"'estuary' means an estuary as defined in section 1 of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008).

**Substitution of Chapter 4 of the Regulations**

4. Chapter 4 of the Regulations is hereby substituted for the following Chapter:

**"CHAPTER 4  
ADJUSTED ALERT LEVEL 3**

**Application of Alert Level**

32. The regulations set out in this Chapter apply during Adjusted Alert Level 3.

**Movement of persons**

33. (1) Every person is confined to his or her place of residence from 21H00 until 05H00 daily, unless a person—

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(a) has been granted permission through directions issued 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 2, or

(b) is attending to a security or medical emergency.

(2) Any person who fails to abide by the curfew referred to in subregulation (1) commits an offence and is, on conviction, liable to a fine or a period of imprisonment not exceeding six months, or to both such fine and imprisonment.

(3) Closing time for the following establishments, whether indoors or outdoors, is 20H00:

- (a) Cinemas;
- (b) theatres;
- (c) casinos;
- (d) museums, galleries and archives;
- (e) gyms and fitness centres;
- (f) restaurants;
- (g) venues hosting auctions; and
- (h) venues hosting professional sport.

#### **Mandatory protocols when in a public place**

34. (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 a public place, excluding a child under the age of six years, and any person who fails to comply with a verbal instruction by an enforcement officer to wear a face mask, commits an offence and is, on conviction, liable to a fine or a period of imprisonment not exceeding six months, or to both such fine and imprisonment.

(3) No person will be allowed to—

- (a) use, operate, perform any service on any form of public transport;
- (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; or
- (c) be in any public open space, if he or she is not wearing a face mask.

(4) The prohibition in subregulation (3)(c) shall not apply to a person who undertakes vigorous exercise in a public place, provided that the person maintains a distance of at least one and a half metres from any other person, and subject to directions on what is considered to be vigorous, issued by the Cabinet member responsible for health.

(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.

(6) Every business premises, including, but not limited to, a supermarket, shop, grocery store, retail store, wholesale produce market or pharmacy shall—

- (a) determine their area of floor space in square metres;
- (b) based on the information contemplated in paragraph (a), determine the number of customers and employees that may be inside the premises in order to comply with the limitation as provided for in regulation 36(15)(c) of the Regulations and subject to strict adherence to all health protocols and social distancing measures;
- (c) take steps to ensure that persons queuing inside or outside the premises are able to maintain a distance of one and a half metres from each other;
- (d) provide hand sanitisers for use by the public and employees at the entrance to the premises; and
- (e) assign, in writing, an employee or any other suitable person, as the compliance employee, who must ensure—
  - (i) compliance with the measures provided for in paragraphs (a) to (d), and
  - (ii) that all directions in respect of hygienic conditions and limitation of exposure to persons with COVID-19 are adhered to.

(7) Any business whose premises exceeds the maximum number of customers and employees determined in subregulation (6) commits an offence and is, on conviction, liable to a fine or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(8) All employers must, adopt measures to promote physical distancing of employees, including—

- (a) enabling employees to work from home or minimising the need for employees to be physically present at the workplace;
- (b) the provision for adequate space;
- (c) restrictions on face to face meetings;
- (d) special measures for employees with known or disclosed health issues or comorbidities, or with any condition which may place such employees at a higher risk of complications or death if they are infected with COVID-19; and
- (e) special measures for employees above the age of 60 who are at a higher risk of complications or death if they are infected with COVID-19.

(9) The requirements as set out in subregulation (6) applies with the necessary changes, to any other building that is not provided for by subregulation (6).

(10) All courier and delivery services shall provide for minimal personal contact during delivery.

(11) All banks as defined in the Banks Act, 1990 (Act No. 94 of 1990) and financial institutions as defined in the Financial Sector Regulation Act, 2017 (Act No. 9 of 2017), must—

- (a) ensure that all automated teller machines of that bank or financial institution, if any in the case of a financial institution, that is not a bank, have hand sanitisers for use by the public at each automated teller machine; and
- (b) take steps to ensure that persons queuing at the automated teller machine maintain a distance of one and a half metres from each other.

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**Attendance of funerals**

35. (1) Attendance of a funeral is limited to a maximum of 50 persons, with persons observing a distance of at least one and a half metres from each other, and if the venue is too small to hold 50 persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used.

(2) Night vigils are not allowed.

(3) After-funeral gatherings, including "after-tears" gatherings, are not allowed.

(4) During a funeral, a person must wear a face mask and adhere to all health protocols and social distancing measures.

(5) The duration of a funeral is restricted to a maximum of two hours.

**Gatherings**

36. (1) Every person, when attending a gathering and in order to limit exposure to COVID-19 must—

(a) wear a face mask;

(b) adhere to all health protocols;

(c) maintain a distance of at least one and a half metres from each other; and

(d) adhere to any other health protocols and social distancing measures as provided for in directions issued by the relevant Cabinet member after consultation with the Cabinet member responsible for health.

(2) 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.

(3) All—

(a) social gatherings; and

(b) faith-based gatherings,  
are prohibited.

(4) All—

(a) political gatherings; and

(b) traditional council meetings,  
are prohibited.

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

(6) Gatherings at cinemas and theatres are limited to 50 persons or less for indoor venues and 100 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 and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used.

(7) Gatherings at casinos are limited to 50 persons or less for indoor venues and 100 persons or less for outdoor venues and if the venue is too small to hold the prescribed number of persons observing a distance of

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at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used

(8) (a) Gatherings at museums, galleries, libraries and archives are limited to 50 persons or less and if the venue is too small to hold the prescribed number of persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used subject to the strict adherence to the times of operation provided for in regulation 33(3), and further subject to health protocols and social distancing measures, as set out in directions by the relevant Cabinet member.

(b) Gatherings at sports grounds and fields are prohibited.

(9) All beaches, dams, lakes and rivers, inclusive of all recreational facilities at these places, are closed to the public in all the areas declared as hotspots.

(10) (a) Beaches that are open to the public in non-hotspots, such as in the Northern Cape shall—

- (i) only be open between 06H00 and 19H00; and
- (ii) be monitored for compliance with all health protocols and social distancing measures.

(b) The closure of beaches and restrictions on times of operation do not apply to fishermen for fishing purposes, who are in possession of a permit or exemption granted in terms of the Marine Living Resources Act, 1998 (Act No. 18 of 1998).

(11) All public swimming pools, including recreational facilities at such places, are closed to the public.

(12) (a) Game parks, botanical gardens, aquariums and zoos and other parks where access control measures and entry limitations are already in place, will remain open to the public.

(b) Botanical gardens, aquariums and zoos that are open to the public shall—

- (i) be open between 09H00 and 18H00; and
- (ii) be monitored for compliance with all health protocols, wearing of face-masks and social distancing measures.

(c) Game parks that are open to the public shall—

- (i) be open between 06H00 and 18H00; and
- (ii) be monitored for compliance with all health protocols, wearing of face-masks and social distancing measures.

(13) Gatherings at public parks are not permitted.

(14) Gatherings at gyms and fitness centres are limited to 50 persons or less for indoor venues and 100 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 and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used.

(15) Gatherings at the following places are allowed, subject to the limitations set out below—

- (a) restaurants, subject to a maximum of 50 persons or less for indoor venues and 100 persons or less for outdoor venues and if the venue is

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too small to hold the prescribed number of persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used, subject further to strict adherence to the times of operation provided for in regulation 33(3), health protocols and social distancing measures, as provided for in the directions issued by the relevant Cabinet member, after consultation with the Cabinet member responsible for health;

- (b) (i) hotels, lodges, bed and breakfasts, timeshare facilities, resorts and guest houses are allowed full capacity of the available rooms for accommodation, with patrons observing a distance of at least one and a half metres from each other when in common spaces; and
- (ii) conferencing, dining and entertainment facilities are subject to a limitation of a maximum of 50 persons or less for indoor venues and 100 persons or less for outdoor venues and if the venue is too small to hold 50 persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used; and
- (c) every business premises, including but not limited to supermarkets, shops, grocery stores, produce markets and pharmacies, are subject to a limitation of 50 percent of the floor space, which includes customers and employees, and subject to strict adherence to all health protocols, social distancing measures.

(16) Gatherings at auctions are allowed, subject to a maximum of 50 persons or less for indoor venues and 100 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 and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used and further, subject to strict adherence to all health protocols, social distancing measures and directions issued by the relevant Cabinet member, in consultation with the Cabinet member responsible for health.

(17) Sporting activities, including both professional and non-professional matches, by recognised sporting bodies are allowed, subject to strict adherence to the times of operation as provided for in regulation 33(3) and the following:

- (a) Directions for sports matches issued by the Cabinet member responsible for sport after consultation with the Cabinet member responsible for health;
- (b) only journalists, radio, television crew, security personnel, emergency medical services, and the necessary employees employed by the owners of the venue of the sport match, are allowed at the venue of the sport match;
- (c) only the required number of players, match officials, support staff and medical crew required for the sport match, are allowed at the venue of the sport match;
- (d) no spectators are allowed at the venue of the sports match; and
- (e) international sport events involving countries with a low or medium COVID-19 infection and transmission rate are allowed.

(18) An enforcement officer must, where a gathering in contravention of the regulations takes place—

- (a) order the persons at the gathering to disperse immediately; and
- (b) if the persons refuse to disperse, take appropriate action, which may, subject to the Criminal Procedure Act, 1977 (Act No. 51 of 1977), include the arrest and detention of any person at the gathering.

#### Eviction and demolition of places of residence

37. (1) A person may not be evicted from his or her land or home or have his or her place of residence demolished for the duration of the national state of disaster unless a competent court has granted an order authorising the eviction or demolition.

(2) A competent court may suspend or stay an order for eviction or demolition contemplated in subregulation (1) until after the lapse or termination of the national state of disaster unless the court is of the opinion that it is not just or equitable to suspend or stay the order having regard, in addition to any other relevant consideration, to—

- (a) the need, in the public interest for all persons to have access to a place of residence and basic services to protect their health and the health of others and to avoid unnecessary movement and gathering with other persons;
- (b) any restrictions on movement or other relevant restrictions in place at the relevant time in terms of these Regulations;
- (c) the impact of the disaster on the parties;
- (d) the prejudice to any party of a delay in executing the order and whether such prejudice outweighs the prejudice of the persons who will be subject to the order;
- (e) whether any affected person has been prejudiced in their ability to access legal services as a result of the disaster;
- (f) whether affected persons will have immediate access to an alternative place of residence and basic services;
- (g) whether adequate measures are in place to protect the health of any person in the process of a relocation;
- (h) whether any occupier is causing harm to others or there is a threat to life; and
- (i) whether the party applying for such an order has taken reasonable steps in good faith, to make alternative arrangements with all affected persons, including but not limited to payment arrangements that would preclude the need for any relocation during the national state of disaster.

(3) A court hearing an application to authorise an eviction or demolition may, where appropriate and in addition to any other report that is required by law, request a report from the responsible member of the executive regarding the availability of emergency accommodation or quarantine or isolation facilities pursuant to these Regulations.

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**Rental housing**

**38.** (1) During the national state of disaster, the Rental Housing Tribunals established under the Rental Housing Act, 1999 (Act No. 50 of 1999)—

- (a) must determine fair procedures for the urgent hearing of disputes; or
- (b) may grant an urgent *ex parte* spoliation order including to restore the occupation of a dwelling or access to services provided that an affected party may, on 24 hours' notice, require that a hearing be promptly convened.

(2) During the national state of disaster and without derogating from the protections afforded by the Rental Housing Act, 1999 or any provincial unfair practice regulation in place or the duty to consider the interests of both the landlord and tenant on a just and equitable basis, the following conduct is presumed to be an unfair practice for purposes of the Act:

- (a) The termination of services in circumstances where—
  - (i) the landlord has failed to provide reasonable notice and an opportunity to make representations;
  - (ii) the landlord has failed, reasonably and in good faith, to make the necessary arrangements including to reach an agreement regarding alternative payment arrangements, where applicable; or
  - (iii) no provision has been made for the ongoing provision of basic services during the national state of disaster.
- (b) The imposition of any penalty for the late payment of rental where the default is caused by the disaster, whether or not the penalty takes the form of an administrative charge or any other form other than interest.
- (c) The failure of a landlord or tenant to engage reasonably and in good faith to make arrangements to cater for the exigencies of the disaster.
- (d) Any other conduct prejudicing the ongoing occupancy of a place of residence, prejudicing the health of any person or prejudicing the ability of any person to comply with the applicable restrictions on movement that is unreasonable or oppressive having regard to the prevailing circumstances.

(3) Where the protections afforded by any Unfair Practice Regulations in force in any province are greater than those provided in this regulation, the provisions of the provincial Unfair Practice Regulations shall apply.

(4) The Cabinet member responsible for human settlements must, after consulting with the Rental Housing Tribunals, issue directions disseminating information about the manner in which the Tribunals will conduct their proceedings during the national state of disaster including, but not limited to—

- (a) the manner in which Tribunals will facilitate expeditious access to any aggrieved person; and
- (b) the convening of remote hearings or the convening of hearings at any suitable place.

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**Places and premises closed to the public**

39. (1) The following places are closed to the public:

- (a) Night clubs;
- (b) swimming pools, except for—
  - (i) the training of professional athletes; and
  - (ii) swimming contests as referred to in regulation 36(17);
- (c) bars, taverns and shebeens, and
- (d) public parks, including recreational facilities at such places, where there are no access control measures and entry limitations already in place.

(2) The Cabinet member responsible for cooperative governance and traditional affairs may, by directions, determine a place or premises that must be closed, if there is a risk of any members of the public being exposed to COVID-19 at such a place or premises.

**Initiation practices**

40. (1) Initiation practices are prohibited nationally except for remaining new initiates in the Eastern Cape Province, who will be allowed to complete initiation school.

(2) Where initiation practices are prohibited—

- (a) a person may not arrange or hold an initiation school or conduct an initiation practice;
- (b) a prospective initiate may not attend an initiation school;
- (c) an owner of land may not provide consent for the use of his or her land for the holding of an initiation school; and
- (d) a traditional surgeon or medical practitioner may not perform circumcision as part of an initiation practice.

(3) (a) Where initiation practices are allowed for remaining new initiates, there must be strict adherence to all health protocols and social distancing measures as provided for in directions issued by the relevant Cabinet member after consultation with the Cabinet member responsible for health.

(b) All post-initiation celebrations ("imigid") are prohibited.

(4) The National House of Traditional Leaders and provincial houses of traditional leaders must take steps to ensure that traditional leaders are aware of the content of this regulation.

(5) Failure to adhere to these regulations and any directions that are issued in respect of initiation schools, will result in the closure of initiation schools by the relevant authorities.

**Controlled visits by members of the public**

41. All visits by members of the public to—

- (a) correctional centres;
- (b) remand detention facilities;
- (c) police holding cells;
- (d) military detention facilities;

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- (e) health establishments and facilities, except to receive treatment or medication, subject to strict adherence to health protocols; and
  - (f) older persons' residential facilities,
- are prohibited except to the extent and in the manner directed by the relevant Cabinet member.

#### Closure of borders

42. (1) Subject to subregulation (2), all land ports of entry of the Republic are closed, until 15 February 2021, including the ports of entry which were opened under Alert level 1, except for ports of entry designated by the Cabinet member responsible for home affairs issuing directions.

(2) For purposes of subregulation (1), the Cabinet member responsible for home affairs, or a person designated by him or her, may allow entry into or exit from the Republic through land ports of entry for—

- (a) the transportation of fuel, cargo and goods;
- (b) emergency medical attention for a life-threatening condition, with proof of such treatment, until 15 February 2021 and proof of such treatment must be presented to the Port Manager at the port of entry;
- (c) the return of a—
  - (i) South African national;
  - (ii) permanent resident to the Republic;
  - (iii) person with a long-term residence visa;
  - (iv) spouse with a visa;
  - (v) child or children with visas;
  - (vi) person with a work visa; and
  - (vii) holder of a business visa,to the Republic;
- (d) funeral purposes for family members in the first degree of kinship to the deceased person;
- (e) diplomats;
- (f) the deportation of foreign nationals;
- (g) the departure of a foreign national to his or her country of nationality or permanent residence;
- (h) the departure of a South African national, or permanent resident to the Republic to his or her place of employment, study or residence, outside the Republic;
- (i) daily commuters from neighbouring countries who attend school in the Republic, and who are allowed entry and exit into and from the Republic, subject to compliance with protocols relating to—
  - (i) screening for COVID-19 and quarantine or isolation, where necessary;
  - (ii) wearing of a cloth face mask or a homemade item that covers the nose and mouth when in a public place, or another appropriate item to cover the nose and mouth;
  - (iii) transportation; and

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- (iv) sanitisation and social distancing measures as per the relevant health protocols on safety and prevention of the spread of COVID-19 or
- (j) any other exceptions and conditions as may be determined by the relevant Cabinet member by directions.

(3) A person may apply for emergency travel which is not specifically referred to in subregulation (2), can be applied for by applying to the Cabinet member responsible for home affairs at [covid19exceptions@dha.gov.za](mailto:covid19exceptions@dha.gov.za).

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

- (i) OR Tambo International Airport;
- (ii) King Shaka International Airport; and
- (iii) Cape Town International Airport;

and is permitted subject to the traveler providing a valid certificate of a negative COVID-19 test which was obtained not more than 72 hours before the date of travel.

(b) In the event of the traveller's failure to submit a certificate as proof of a negative COVID-19 test, the traveller will be required to do an antigen test on arrival at his or her own cost and in the event of a traveller testing positive for COVID-19, he or she will be required to quarantine him or herself at his or her own cost.

(5) Transit by land is prohibited and such travel is confined to air travel.

(6) All commercial seaports will remain open and small crafts will be allowed entry into seaports, in-line with all health and border law enforcement protocols.

(7) (a) Foreign nationals in the Republic with visas that have expired and were automatically extended to 31 January 2021, due to their inability to travel during the lockdown due to COVID-19, will have their visas automatically extended to 31 March 2021.

(b) A foreign tourist who arrived in the Republic prior to the commencement of this regulation, will have his or her visa automatically extended to 31 March 2021.

#### **Transportation of cargo**

**42A.** (1) Rail, ocean, air and road transport is permitted for the movement of cargo to and from other countries and within the Republic, subject to national legislation and any directions issued in terms of subregulation (2), for the transportation of goods for export and for import.

(2) The Cabinet member responsible for trade, industry and competition may, after consultation with the Cabinet members responsible for transport and finance, issue directions that provide for the management, administration and prioritisation of exports or imports, taking into account the need to prevent and limit the spread of COVID-19 and to deal with the destructive and other effects of the COVID-19 pandemic.

(3) The Cabinet member responsible for transport may, after consultation with the Cabinet members responsible for cooperative governance and traditional affairs, trade, industry and competition, health, justice and correctional services, finance and public enterprises, issue directions relating to health protocols applicable to sea cargo operations and air freight operation.

### **Public transport**

**43.** (1) For purposes of this regulation "long distance travel" is a trip of 200 km or more.

(2) The Cabinet member responsible for transport must, after consultation with the Cabinet members responsible for cooperative governance and traditional affairs, health, police, trade, industry and competition, and justice and correctional services, issue directions for the resumption of different modes of public transport to cater for the gradual return to work of people, in respect of—

- (a) domestic air travel;
- (b) rail, bus services, taxi services;
- (c) e-hailing services; and
- (d) private vehicles.

(3) Bus and taxi services—

- (a) may not carry more than 70 percent of the licensed capacity for long distance travel; and
- (b) may carry 100 percent of the licensed capacity for any trip not regarded as long distance travel in terms of subregulation (1).

(4) A driver, owner or operator of public transport may not allow any member of the public who is not wearing a face mask, to board or be conveyed in a public transport owned or operated by him or her.

(5) The directions to be issued by the Cabinet member responsible for transport must set out the health protocols that must be adhered to and the steps to be followed for the limitation of the exposure of members of the public using public transport to COVID-19.

### **Sale, dispensing, distribution and transportation of liquor**

**44.** (1) The sale and dispensing of liquor for—

- (a) off-site consumption; and
  - (b) on-site consumption,
- is prohibited.

(2) The consumption of liquor in public places is prohibited.

(3) The tasting and selling of liquor to the public by registered wineries, wine farms, and other similar establishments registered as micro manufacturers, is prohibited.

(4) The transportation of liquor is prohibited, except where the transportation of liquor is—

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- (a) in relation to alcohol required for industries producing hand sanitizers, disinfectants, soap or alcohol for industrial use and household cleaning products;
- (b) for export purposes;
- (c) from manufacturing plants to storage facilities; or
- (d) being transported from any licensed premises for safe keeping.

(5) No special or events liquor licenses may be considered for approval during the duration of the national state of disaster.

(6) The Cabinet member responsible for transport must, after consultation with the Cabinet members responsible for cooperative governance and traditional affairs, health, police and trade, industry and competition, issue directions for the transportation and storage of liquor.

(7) The sale, consumption and transportation of liquor in contravention of subregulations (1), (2), (3), (4) and (5) is an offence.

#### **Operation of economic sector**

45. (1) Businesses may operate except for those set out in Table 2.

(2) Relevant health protocols and social distancing measures for persons employed in private residences must be adhered to.

(3) Relevant health protocols and social distancing measures set out in directions must be adhered to, in addition to the occupational health and safety directions issued by the Cabinet member responsible for employment and labour, and applicable labour legislation.

(4) (a) Firms must adhere to any sector-specific health protocols intended to limit the spread of COVID-19 in the sector concerned.

(b) Sector-specific health protocols may address matters such as work rotation, staggered working hours, shift systems, remote working arrangements, special measures affecting persons with greater vulnerabilities or similar measures, in order to achieve social distancing, protect employees or limit congestion in public transport and at the workplace.

(c) Sector-specific health protocols where these are still to be developed, must be developed and issued by Cabinet members responsible for a sector in consultation with the Cabinet member responsible for health.

#### **Compliance officers**

46. (1) Industries, businesses and entities, both private and in the public sector, must—

- (a) designate a COVID-19 compliance officer who must oversee—
  - (i) the implementation of the plan referred to in paragraph (b); and
  - (ii) strict adherence to the standards of hygiene and health protocols relating to COVID-19 at the workplace;
- (b) develop a plan containing measures to ensure that the workplace meets the standards of health protocols, adequate space for employees and

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- social distancing measures for the public and service providers, as required; and
- (c) retain a copy of the plan for inspection, which plan must also contain the details of the COVID-19 compliance officer.
- (2) A person in control of a retail store or institution must—
- (a) take steps to ensure that customers keep a distance of at least one and a half metres from each other and that all directions in respect of health protocols and social distancing measures are strictly adhered to; and
- (b) designate a compliance officer to ensure that safety controls are strictly adhered to and display the name of the compliance officer prominently in the store or institution in a visible area.

#### **Offences and penalties**

47. (1) For the duration of the national state of disaster, any person who 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 these Regulations, is guilty of an offence and, on conviction, liable to a fine or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(2) For the purposes of this Chapter, any person who fails to comply with or contravenes a provision of regulations 33(1) and (3), 34(2), (3) and (7), 40(1), (2) and (3)(b), 43(3)(a), and 44(1), (2), (3) and (4) of these Regulations commits an offence and is, on conviction, liable to a fine or to imprisonment for a period not exceeding six months or to both such fine and imprisonment."

#### **Substitution of Chapter 7 of the Regulations**

5. Chapter 7 of the Regulations is hereby substituted for the following Chapter:

#### **"CHAPTER 7 HOTSPOTS**

##### **Application of Chapter**

81. (1) The Regulations set out in this Chapter apply in areas identified as a hotspot in terms of regulation 3(1) of the Regulations.

(2) In the event of a conflict in interpretation between any specific regulation relating to an Alert Level applicable to areas not declared as a hotspot, and this Chapter, the provisions of this Chapter prevail in respect of an area identified as a hotspot.

(3) Where no provision is made in this Chapter in respect of a specific matter, the provisions of the regulations relating to an Alert Level applicable to areas not declared as a hotspot will continue to apply in respect of that matter.

##### **Movement of persons**

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82. (1) Every person is confined to his or her place of residence from 21H00 until 05H00 daily, unless a person—

- (a) has been granted permission through directions issued 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 2; or
- (b) is attending to a security or medical emergency.

(2) Any person who fails to abide by the curfew referred to in subregulation (1) commits an offence and is, on conviction, liable to a fine or a period of imprisonment not exceeding six months, or to both such fine and imprisonment.

(3) Closing time for the following establishments, whether indoors or outdoors, is 20H00:

- (a) Cinemas;
- (b) theatres;
- (c) casinos;
- (d) museums, galleries and archives;
- (e) gyms and fitness centres;
- (f) restaurants;
- (g) venues hosting auctions; and
- (h) venues hosting professional sport.

#### **Attendance of funerals**

83. (1) Attendance of a funeral is limited to a maximum of 50 persons, with persons observing a distance of at least one and a half metres from each other, and if the venue is too small to hold 50 persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used.

(2) Night vigils are not allowed.

(3) After-funeral gatherings including "after-tears" gatherings are not allowed.

(4) During a funeral, a person must wear a face mask and adhere to all health protocols and social distancing measures

(5) The duration of a funeral is restricted to a maximum of two hours.

#### **Gatherings**

84. (1) Every person, when attending a gathering and in order to limit exposure to COVID-19 must—

- (a) wear a face mask;
- (b) adhere to all health protocols;
- (c) maintain a distance of at least one and a half metres from each other;
- (d) strictly adhere to the times of operation provided for in regulation 82(3), except where a person has been granted permission through directions by the relevant Cabinet member or a permit, which

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- corresponds with Form 7 of Annexure A, to perform a service other than a service related to an activity listed under Table 2; and
- (e) strictly adhere to any other health protocols and social distancing measures as provided for in directions issued by the relevant Cabinet member after consultation with the Cabinet member responsible for health.

(2) 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.

(3) All—

- (a) social gatherings, and  
(b) faith-based gatherings,  
are prohibited.

(4) All—

- (a) political gatherings, and  
(b) traditional council meetings,  
are prohibited.

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

(6) Gatherings at cinemas and theatres are limited to 50 persons or less for indoor venues and 100 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 and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used.

(7) Gatherings at casinos are limited to 50 persons or less for indoor venues and 100 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 and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used.

(8) (a) Gatherings at museums, galleries, libraries and archives are limited to 50 persons or less and if the venue is too small to hold the prescribed number of persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used subject to the strict adherence to the times of operation provided for in regulation 33(3), and further subject to health protocols and social distancing measures, as set out in directions by the relevant Cabinet member.

(b) Gatherings at sports grounds and fields are prohibited.

(9) (a) All beaches, dams, lakes and rivers, inclusive of all recreational facilities at these places, are closed to the public.

(b) The closure of beaches does not apply to fishermen for fishing purposes, who are in possession of a permit or exemption granted in terms of the Marine Living Resources Act, 1998 (Act No. 18 of 1998).

(10) All public swimming pools, including recreational facilities at such places, are closed to the public.

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(11) (a) Game parks, botanical gardens, aquanums and zoos and other parks where access control measures and entry limitations are already in place, will remain open to the public.

(b) Botanical gardens, aquariums and zoos that are open to the public shall—

- (i) be open between 09H00 and 18H00; and
  - (ii) be monitored for compliance with all health protocols, wearing of face-masks and social distancing measures.
- (c) Game parks that are open to the public shall—
- (i) be open between 06H00 and 18H00; and
  - (ii) be monitored for compliance with all health protocols, wearing of face-masks and social distancing measures.

(12) Gatherings at public parks are not permitted.

(13) Gatherings at gyms and fitness centres are limited to 50 persons or less for indoor venues and 100 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 and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used.

(14) Gatherings at the following places are allowed, subject to the limitations set out below—

- (a) restaurants, subject to a maximum of 50 persons or less for indoor venues and 100 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 and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used, subject further to strict adherence to the times of operation provided for in regulation 33(3), health protocols and social distancing measures, as provided for in the directions issued by the relevant Cabinet member, after consultation with the Cabinet member responsible for health;
- (b)
  - (i) hotels, lodges, bed and breakfasts, timeshare facilities, resorts and guest houses are allowed full capacity of the available rooms for accommodation, with patrons observing a distance of at least one and a half metres from each other when in common spaces; and
  - (ii) conferencing, dining and entertainment facilities are subject to a limitation of a maximum of 50 persons or less for indoor venues and 100 persons or less for outdoor venues and if the venue is too small to hold 50 persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used; and
- (c) every business premises, including but not limited to supermarkets, shops, grocery stores, produce markets and pharmacies, are subject to a limitation of 50 percent of the floor space, which includes customers and employees, and subject to strict adherence to all health protocols, social distancing measures.

(15) Gatherings at auctions are allowed, subject to a maximum of 50 persons or less for indoor venues and 100 persons or less for outdoor venues and if the venue is too small to hold the prescribed number of

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persons observing a distance of at least one and a half metres from each other, then not more than 50 percent of the capacity of the venue may be used and further, subject to strict adherence to all health protocols, social distancing measures and directions issued by the relevant Cabinet member, in consultation with the Cabinet member responsible for health.

(16) Sporting activities, including both professional and non-professional matches, by recognised sporting bodies are allowed, subject to strict adherence to the times of operation as provided for in regulation 82(3) and the following:

- (a) Directions for sports matches issued by the Cabinet member responsible for sport after consultation with the Cabinet member responsible for health;
- (b) only journalists, radio, television crew, security personnel, emergency medical services, and the necessary employees employed by the owners of the venue of the sport match, are allowed at the venue of the sport match;
- (c) only the required number of players, match officials, support staff and medical crew required for the sport match, are allowed at the venue of the sport match;
- (d) no spectators are allowed at the venue of the sports match; and
- (e) international sport events involving countries with a low or medium COVID-19 infection and transmission rate are allowed.

(17) An enforcement officer must, where a gathering in contravention of the regulations takes place—

- (a) order the persons at the gathering to disperse immediately; and
- (b) if the persons refuse to disperse, take appropriate action, which may, subject to the Criminal Procedure Act, 1977 (Act No. 51 of 1977), include the arrest and detention of any person at the gathering.

#### **Prohibition of initiation practices**

85. (1) Initiation practices are prohibited nationally with no new initiations permitted, except for those who are already in an initiation school in the Eastern Cape Province, who will be allowed to complete initiation school

(2) Unless otherwise determined—

- (a) a person may not arrange or hold an initiation school or conduct an initiation practice;
  - (b) a prospective initiate may not attend an initiation school;
  - (c) an owner of land may not provide consent for the use of his or her land for the holding of an initiation school; and
  - (d) a traditional surgeon or medical practitioner may not perform circumcision as part of an initiation practice.
- (3) All post-initiation celebrations (*"imigidf"*) are prohibited.

(4) The National House of Traditional Leaders and provincial houses of traditional leaders must take steps to ensure that traditional leaders are aware of the content of this regulation.

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(5) Failure to adhere to these regulations and any directions that are issued in respect of initiation schools, will result in the closure of initiation schools by the relevant authorities.

### **Sale, dispensing, distribution and transportation of liquor**

86. (1) The sale, dispensing, distribution and transportation of liquor for—

- (a) off-site consumption; and
  - (b) on-site consumption,
- is prohibited.

(2) The consumption of liquor in public places is prohibited.

(3) The tasting and selling of liquor to the public by registered wineries, wine farms, and other similar establishments registered as micro manufacturers, is prohibited.

(4) The transportation of liquor is prohibited, except where the transportation of liquor is—

- (a) in relation to alcohol required for industries producing hand sanitizers, disinfectants, soap or alcohol for industrial use and household cleaning products;
- (b) for export purposes;
- (c) from manufacturing plants to storage facilities; or
- (d) being transported from any licensed premises for safe keeping.

(5) No special or events liquor licenses may be considered for approval during the duration of the national state of disaster.

(6) The Cabinet member responsible for transport must, after consultation with the Cabinet members responsible for cooperative governance and traditional affairs, health, police and trade, industry and competition, issue directions for the transportation and storage of liquor.

(7) The sale, consumption and transportation of liquor in contravention of subregulations (1), (2), (3) and (4) is an offence.

### **"Offences and penalties**

87. For the purposes of this Chapter, any person who fails to comply with or contravenes a provision of regulations 82(1) and (3), 85(1), (2) and (3), and 86(1), (2), (3) and (4) of these Regulations commits an offence and is, on conviction, liable to a fine or to imprisonment for a period not exceeding six months or to both such fine and imprisonment."

### **Substitution of Table 2 of the Regulations**

6. Table 2 of the Regulations is hereby substituted with the following Table:

**"TABLE 2  
ADJUSTED ALERT LEVEL 3**

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All persons who are able to work from home must do so. However, persons will be permitted to perform any type of work outside the home, and to travel to and from work and for work purposes under Adjusted Alert Level 3, subject to—

- (a) strict compliance with health protocols and social distancing measures; and
- (b) the return to work being done in a manner that avoids and reduces risks of infection, and
- (c) the work not being listed under the specific economic exclusions in this Table.

| SPECIFIC EXCLUSIONS |                                                                                                                                                                          |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.                  | Night vigils.                                                                                                                                                            |
| 2.                  | After-funeral gatherings including "after-tears" gatherings.                                                                                                             |
| 3.                  | Night clubs, bars, taverns, shebeens and similar establishments.                                                                                                         |
| 4.                  | Social gatherings, faith-based gatherings, political gatherings, and traditional council meetings.                                                                       |
| 5.                  | Sale, dispensing, distribution and transportation of liquor and the consumption of liquor in public places, save for transportation as allowed in regulations 44 and 86. |
| 6.                  | Beaches, dams, rivers, lakes, in areas declared as hotspots.                                                                                                             |
| 7.                  | Public parks including public and recreational facilities save for those in terms of regulations 36(12) and 84(11).                                                      |
| 8.                  | Public swimming pools, except as provided for in regulation 39(1)(b).                                                                                                    |
| 9.                  | All land borders except for limited services contemplated in regulation 42(2).                                                                                           |
| 10.                 | Initiation practices except as specifically allowed in regulations 40 and 85.                                                                                            |
| 11.                 | Post-initiation practices ( <i>imigidi</i> ).                                                                                                                            |
| 12.                 | Passenger ships for international leisure purposes, excluding small crafts, in line with health and border law enforcement.                                              |
| 13.                 | Attendance of any sporting event by spectators.                                                                                                                          |

#### Amendment of Annexure A to the Regulations

7. Annexure A to the Regulations is hereby amended by the substitution for Form 7 of the following form:

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**"FORM 7****PERMIT TO TRAVEL TO PERFORM A SERVICE**

Regulations 33, 66 and 82

- Please note that the person to whom the permit is issued must at all times present a form of identification together with this permit. If no identification is presented, the person to whom the permit is issued will have to return to his or her place of residence.

I, being the head of institution, with the below mentioned details,

|                                        |                 |                  |                  |                       |
|----------------------------------------|-----------------|------------------|------------------|-----------------------|
| <b>Surname</b>                         |                 |                  |                  |                       |
| <b>Full names</b>                      |                 |                  |                  |                       |
| <b>Identity number</b>                 |                 |                  |                  |                       |
| <b>Contact details</b>                 | <b>cell nr.</b> | <b>tel nr(w)</b> | <b>tel nr(h)</b> | <b>e-mail address</b> |
| <b>Physical Address of Institution</b> |                 |                  |                  |                       |

hereby certify that the below mentioned official/employee is performing services in my institution

|                                       |  |
|---------------------------------------|--|
| <b>Surname</b>                        |  |
| <b>Full names</b>                     |  |
| <b>Identity number</b>                |  |
| <b>Place of residence of employee</b> |  |

Signed at \_\_\_\_\_ on this the \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Signature of Head of Institution".Official stamp of  
Institution**Commencement**

8. This amendment to the Regulations will come into operation on publication in the Gazette.

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## Rapid Communication

**A single mass gathering resulted in massive transmission of COVID-19 infections in Malaysia with further international spread**Nor Fazila Che Mat, PhD, Hisham Atan Edinur, PhD,  
Mohammad Khairul Azhar Abdul Razab, PhD, and Sabreena Safuan<sup>✉</sup>, PhD\*

School of Health Sciences, Health Campus Universiti Sains Malaysia, 16150 Kubang Kerian, Malaysia

\*To whom correspondence should be addressed. Email: sabreena@usm.my

Submitted 27 March 2020; Revised 1 April 2020; Editorial Decision 14 April 2020; Accepted 14 April 2020

On 11 March 2020, the World Health Organization (WHO) declared COVID-19 a pandemic. Population densities and intensity of social contacts are the main drivers for propagation and amplification of this novel respiratory virus SARS-CoV-2.<sup>1</sup> Hence, mass gatherings are a risk factor for rapid spread of COVID-19.

Malaysia has recorded the highest number of COVID-19 cases in Southeast Asia (4817 cases and 77 deaths as of 13 April 2020) (Figure 1). The first case was reported on 25 January 2020 involving three Chinese-national from Wuhan who entered Malaysia on 23 January 2020 from Singapore. Since then, positive cases gradually increase to 22 on 15 February 2020 which remain plateau for nearly 2 weeks. It seems that the containment measures (contact tracing and isolation) practiced at that time were effective to prevent disease spread. However, several new cases were reported from 28 February 2020 to 14 March 2020 and the number increased to more than 4000 cases by 1 April 2020.<sup>2</sup>

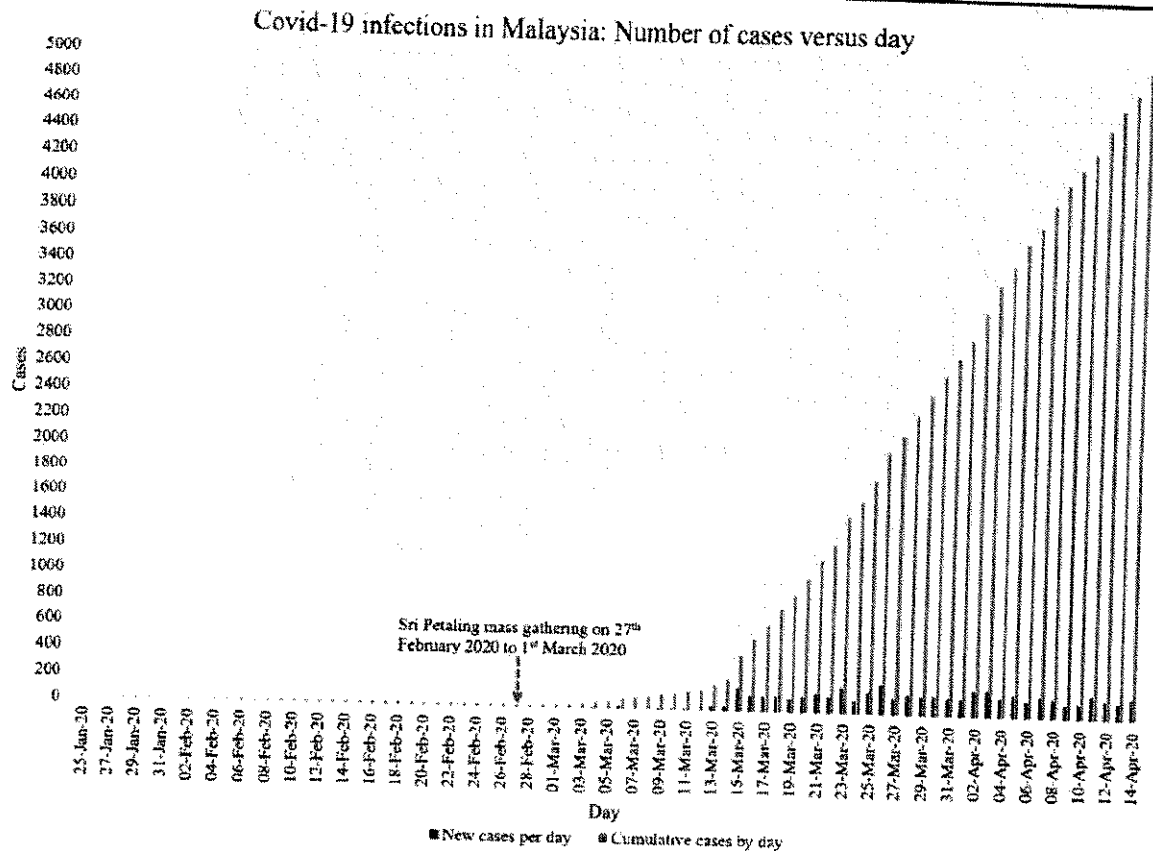
More than 35% of the COVID cases in Malaysia are directly linked to the Sri Petaling mass gathering that took place on 27 February 2020 to 1 March 2020. The Sri Petaling gathering is a Moslem missionary movement attended by more than 19 000 people, including 1500 from India, South Korea, Brunei, China, Japan and Thailand.<sup>3</sup> This religious gathering involved follower of Tablighi, the largest Islamic missionary group with the aim to urge Moslems to practice Islam by following Prophet Muhammad's way of life, in its perfection. Part of this movement involved an annual gathering of Tablighi from all around the world, in which participating countries took turn to organize this event. Tablighi gathering involved the sharing of communal space such as prayer hall during congregational prayers and sermons, collective eating from one plate and sharing of sleeping area.

The Sri Petaling participants were urged to come forward to the nearest Ministry of Health (MoH) facility in order to be tested. The plea to come forward was made in official press conferences and social medias. Those who did not come for the test were traced based on their addresses. Health Ministry of Malaysia was working together with the police to ensure that all participants be tested immediately even though they are not showing any symptoms. As on 13 April 2020, 19 032 tests were conducted from a total of 21 920 samples taken. From these samples, 1701 samples were positive. This contributes 35% from the total number of COVID-19 cases, the biggest cluster so far in Malaysia.

The Sri Petaling event became the catalysis for the subsequent spread of COVID-19 in Malaysia. Rapid identification and isolation of cases as well as contact tracing is logistically very challenging in the context of such a mass gathering with many participants returning to their countries of origin. In response, the government enforced movement control order under the Prevention and Control of Infectious Disease Act 1988 and the Police Act 1967 as a mitigation strategy to prevent COVID-19 starting from 18 March 2020 to 31 March 2020. In this phase, social distancing was adopted by closing of all government and private premises (except those in essential services) including all kindergartens, schools and institutions of higher learning. The movement control order also includes prohibition of mass movements and gatherings regardless of the purpose. The obligatory Friday prayer was also suspended and replaced by Zohor prayer (daily midday prayer) at home.

However, the lag time between the Sri Petaling gathering and movement restrictions and social distancing allowed further spread of COVID-19 (Figure 2). As the attendees of Sri Petaling gathering had returned to their respective hometowns

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**Figure 1.** COVID-19 cases in Malaysia from 25 January 2020 until 14 April 2020

in other parts of Malaysia, attended their local mosques for mass prayer and participated in various other cultural ceremonies, second generations of COVID-19 cases started to sprout linked to the Sri Petaling gathering. One of the sub-cluster is in Simpang Renggam, Kluang, Johor in South Malaysia, where a sharp increase in COVID-19 cases was reported after 15 March 2020.<sup>2</sup> The two main areas in Simpang Renggam that were affected were due to religious classes and a wedding reception attended by participants from the Sri Petaling gathering as they were not compliant to isolation and quarantine measures. Since then, more than 200 positive cases of COVID-19 were reported from Simpang Renggam. Subsequently, the Malaysian government enforced Enhanced Movement Control Order (EMCO) to the two areas in Simpang Renggam effective from 27 March 2020.<sup>4</sup> Throughout this period, residents were ordered to stay at home while visitors were not allowed to enter the quarantined areas. All entry and exit points were monitored by the Armed Forces and Civil Defense Force to ensure 100% compliance. Basic necessities such as food and medicine were supplied by the Malaysian government until the EMCO was lifted on 14 April 2020. In addition, phase 2 of the movement control order was announced to the rest of the country effective from 1 April 2020 until 14 April 2020 to curb further transmission. Phase 2 involved tighter implementations in which essential services such

as supermarkets, petrol stations and eateries were only allowed to operate within a restricted time. Failure to comply can result in imprisonment and fine.

Sri Petaling gathering have also cause regional spike of COVID-19 cases across Southeast Asia. Nearly, 10% of attendees were overseas participants from Brunei, Thailand, Cambodia, Vietnam, the Philippines and Indonesia. In fact, there were also participants from China and South Korea. When these overseas participants returned to their respective countries, cases linked to this gathering were reported across Southeast Asia (Figure 3). Many participants, unaware that they have contacted the virus from the Sri Petaling gathering, did not practice social distancing and 14 days recommended isolation upon returning to their hometown. In Brunei for example, two participants from Sri Petaling was the country's first positive COVID-19 case before the figure jumped to 136 as off 14 April 2020. Similarly, 13 Indonesians and 19 Filipinos have also contacted COVID-19 virus from their involvement in the Sri Petaling gathering. Other countries affected were shown in Figure 3.

Malaysia is not alone in announcing the prohibition of religious mass gatherings. Increasingly, evidence is mounting that mass gatherings have led to further spread. Effective from 27 February 2020, the Saudi government has suspended Umrah visa in their effort to break the chain of transmission of COVID-19.<sup>3</sup>

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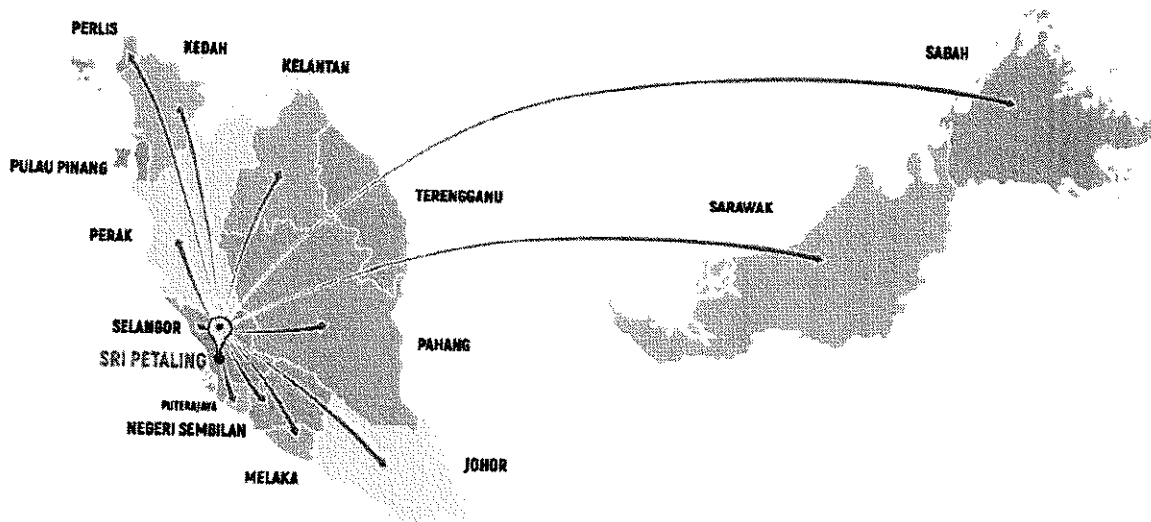


Figure 2. Local spread of COVID-19 cases originated from Sri Petaling, Kuala Lumpur

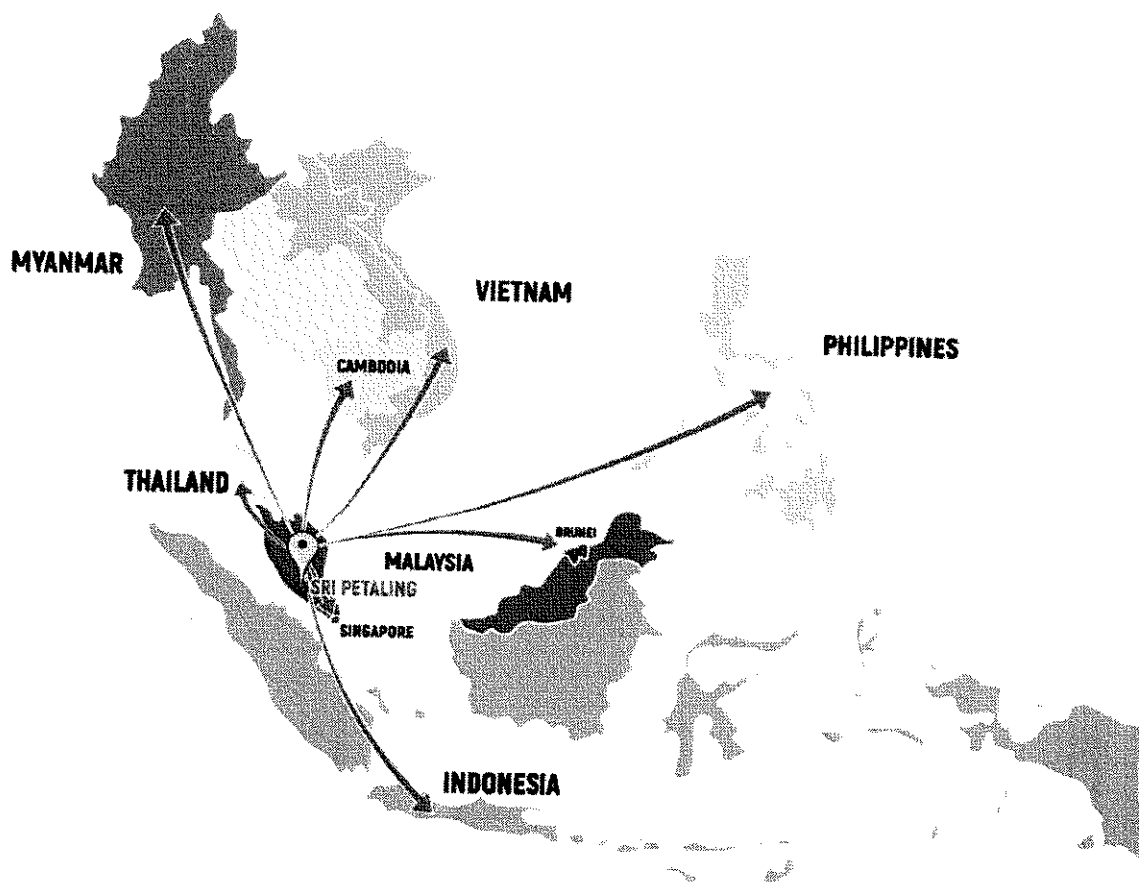


Figure 3. International spread of COVID-19 cases originated from Sri Petaling, Kuala Lumpur

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Based on our experience, we recommend that mass gatherings, be it for religious or other purposes, should be cancelled and banned throughout the period of the COVID pandemic.

### Authors Contributions

N.E.C.M. and H.A.E. conceived the idea and wrote the manuscript. M.K.A.A.R. conducted data analysis. S.S. and M.K.A.A.R. interpreted data and contributed to writing.

### Funding

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### Authors Statements

No potential conflict of interest was reported by the authors.

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5. Ebrahim SH, Memish ZA. Saudi Arabia's measures to curb the covid-19 outbreak: temporary suspension of the Umrah pilgrimage, 2020. *J Travel Med.* doi: 10.1093/jtm/taaa029.

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## Rapid Communication

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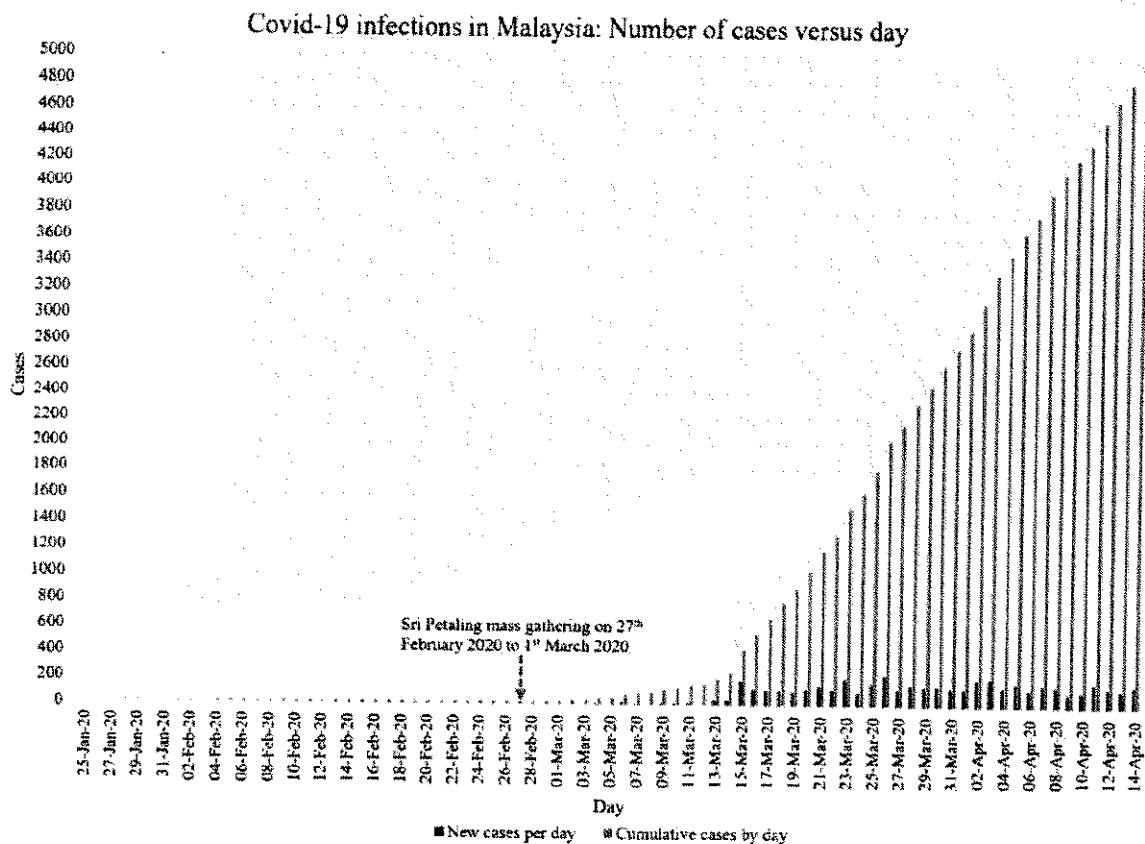
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**Figure 1.** COVID-19 cases in Malaysia from 25 January 2020 until 14 April 2020

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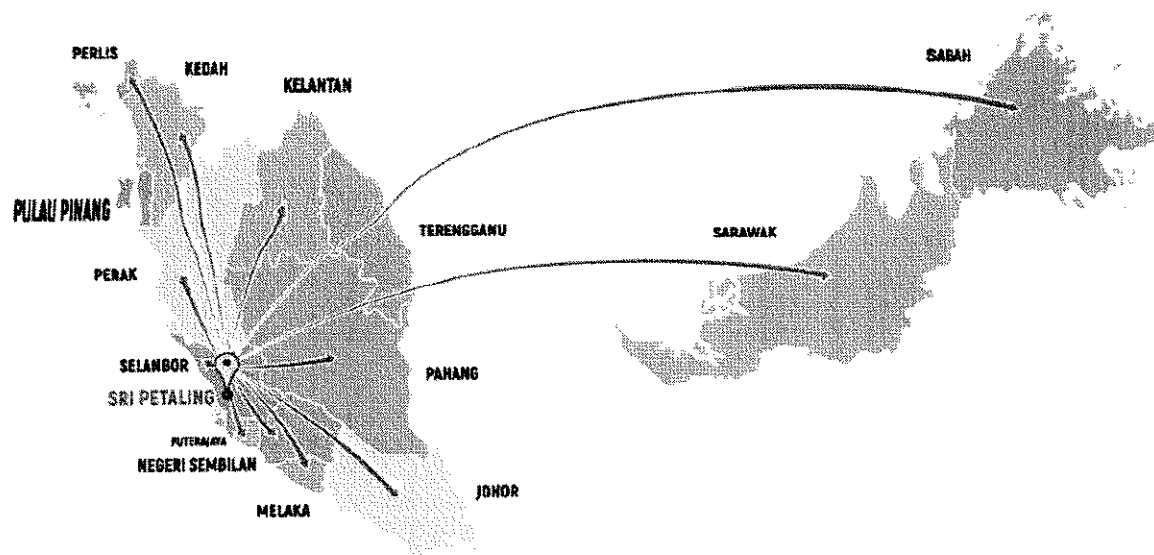


Figure 2. Local spread of COVID-19 cases originated from Sri Petaling, Kuala Lumpur

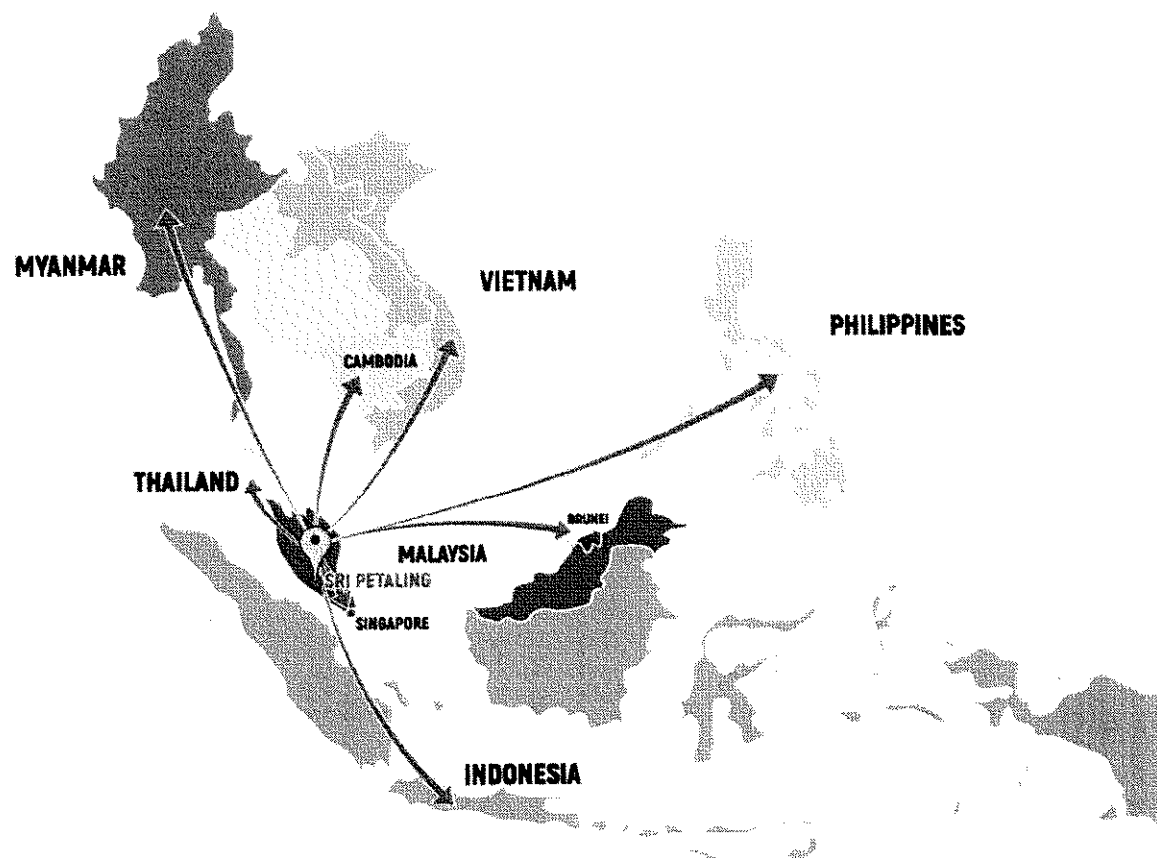


Figure 3. International spread of COVID-19 cases originated from Sri Petaling, Kuala Lumpur

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### Authors Contributions

N.F.C.M. and H.A.E. conceived the idea and wrote the manuscript. M.K.A.A.R. conducted data analysis. S.S. and M.K.A.A.R. interpreted data and contributed to writing.

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## High SARS-CoV-2 Attack Rate Following Exposure at a Choir Practice — Skagit County, Washington, March 2020

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On March 17, 2020, a member of a Skagit County, Washington, choir informed Skagit County Public Health (SCPH) that several members of the 122-member choir had become ill. Three persons, two from Skagit County and one from another area, had test results positive for SARS-CoV-2, the virus that causes coronavirus disease 2019 (COVID-19). Another 25 persons had compatible symptoms. SCPH obtained the choir's member list and began an investigation on March 18. Among 61 persons who attended a March 10 choir practice at which one person was known to be symptomatic, 53 cases were identified, including 33 confirmed and 20 probable cases (secondary attack rates of 53.3% among confirmed cases and 86.7% among all cases). Three of the 53 persons who became ill were hospitalized (5.7%), and two died (3.7%). The 2.5-hour singing practice provided several opportunities for droplet and fomite transmission, including members sitting close to one another, sharing snacks, and stacking chairs at the end of the practice. The act of singing, itself, might have contributed to transmission through emission of aerosols, which is affected by loudness of vocalization (1). Certain persons, known as superemitters, who release more aerosol particles during speech than do their peers, might have contributed to this and previously reported COVID-19 superspreading events (2–5). These data demonstrate the high transmissibility of SARS-CoV-2 and the possibility of superemitters contributing to broad transmission in certain unique activities and circumstances. It is recommended that persons avoid face-to-face contact with others, not gather in groups, avoid crowded places, maintain physical distancing of at least 6 feet to reduce transmission, and wear cloth face coverings in public settings where other social distancing measures are difficult to maintain.

### Investigation and Findings

The choir, which included 122 members, met for a 2.5-hour practice every Tuesday evening through March 10. On March 15, the choir director e-mailed the group members to inform them that on March 11 or 12 at least six members had developed fever and that two members had been tested for SARS-CoV-2 and were awaiting results. On March 16, test results for three members were positive for SARS-CoV-2

and were reported to two respective local health jurisdictions, without indication of a common source of exposure. On March 17, the choir director sent a second e-mail stating that 24 members reported that they had developed influenza-like symptoms since March 11, and at least one had received test results positive for SARS-CoV-2. The email emphasized the importance of social distancing and awareness of symptoms suggestive of COVID-19. These two emails led many members to self-isolate or quarantine before a delegated member of the choir notified SCPH on March 17.

All 122 members were interviewed by telephone either during initial investigation of the cluster (March 18–20; 115 members) or a follow-up interview (April 7–10; 117); most persons participated in both interviews. Interviews focused on attendance at practices on March 3 and March 10, as well as attendance at any other events with members during March, other potential exposures, and symptoms of COVID-19. SCPH used Council of State and Territorial Epidemiologists case definitions to classify confirmed and probable cases of COVID-19 (6). Persons who did not have symptoms at the initial interview were instructed to quarantine for 14 days from the last practice they had attended. The odds of becoming ill after attending each practice were computed to ascertain the likelihood of a point-source exposure event.

No choir member reported having had symptoms at the March 3 practice. One person at the March 10 practice had cold-like symptoms beginning March 7. This person, who had also attended the March 3 practice, had a positive laboratory result for SARS-CoV-2 by reverse transcription–polymerase chain reaction (RT-PCR) testing.

In total, 78 members attended the March 3 practice, and 61 attended the March 10 practice (Table 1). Overall, 51 (65.4%) of the March 3 practice attendees became ill; all but one of these persons also attended the March 10 practice. Among 60 attendees at the March 10 practice (excluding the patient who became ill March 7, who also attended), 52 (86.7%) choir members subsequently became ill. Some members exclusively attended one practice; among 21 members who only attended March 3, one became ill and was not tested (4.8%), and among three members who only attended March 10, two became ill (66.7%), with one COVID-19 case being laboratory-confirmed.

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**Summary**

What is already known about this topic?

Superspreading events involving SARS-CoV-2, the virus that causes COVID-19, have been reported.

What is added by this report?

Following a 2.5-hour choir practice attended by 61 persons, including a symptomatic index patient, 32 confirmed and 20 probable secondary COVID-19 cases occurred (attack rate = 53.3% to 86.7%); three patients were hospitalized, and two died. Transmission was likely facilitated by close proximity (within 6 feet) during practice and augmented by the act of singing.

What are the implications for public health practice?

The potential for superspreader events underscores the importance of physical distancing, including avoiding gathering in large groups, to control spread of COVID-19. Enhancing community awareness can encourage symptomatic persons and contacts of ill persons to isolate or self-quarantine to prevent ongoing transmission.

Because illness onset for 49 (92.5%) patients began during March 11–15 (Figure), a point-source exposure event seemed likely. The median interval from the March 3 practice to symptom onset was 10 days (range = 4–19 days), and from the March 10 practice to symptom onset was 3 days (range = 1–12 days). The odds of becoming ill after the March 3 practice were 17.0 times higher for practice attendees than for those who did not attend (95% confidence interval [CI] = 5.5–52.8), and after the March 10 practice, the odds were 125.7 times greater (95% CI = 31.7–498.9). The clustering of symptom onsets, odds of becoming ill according to practice attendance, and known presence of a symptomatic contagious case at the March 10 practice strongly suggest that date as the more likely point-source exposure event. Therefore, that practice was the focus of the rest of the investigation. Probable cases were defined as persons who attended the March 10 practice and developed clinically compatible COVID-19 symptoms, as defined by Council of State and Territorial Epidemiologists (6). The choir member who was ill beginning March 7 was considered the index patient.

The March 10 choir rehearsal lasted from 6:30 to 9:00 p.m. Several members arrived early to set up chairs in a large multipurpose room. Chairs were arranged in six rows of 20 chairs each, spaced 6–10 inches apart with a center aisle dividing left and right stages. Most choir members sat in their usual rehearsal seats. Sixty-one of the 122 members attended that evening, leaving some members sitting next to empty seats. Attendees practiced together for 40 minutes, then split into two smaller groups for an additional 50-minute practice, with one of the groups moving to a smaller room. At that

time, members in the larger room moved to seats next to one another, and members in the smaller room sat next to one another on benches. Attendees then had a 15-minute break, during which cookies and oranges were available at the back of the large room, although many members reported not eating the snacks. The group then reconvened for a final 45-minute session in their original seats. At the end of practice, each member returned their own chair, and in the process congregated around the chair racks. Most attendees left the practice immediately after it concluded. No one reported physical contact between attendees. SCPH assembled a seating chart of the all-choir portion of the March 10 practice (not reported here because of concerns about patient privacy).

Among the 61 choir members who attended the March 10 practice, the median age was 69 years (range = 31–83 years); 84% were women. Median age of those who became ill was 69 years, and 85% of cases occurred in women. Excluding the laboratory-confirmed index patient, 52 (86.7%) of 60 attendees became ill; 32 (61.5%) of these cases were confirmed by RT-PCR testing and 20 (38.5%) persons were considered to have probable infections. These figures correspond to secondary attack rates of 53.3% and 86.7% among confirmed and all cases, respectively. Attendees developed symptoms 1 to 12 days after the practice (median = 3 days). The first SARS-CoV-2 test was performed on March 13. The last person was tested on March 26.

Three of the 53 patients were hospitalized (5.7%), including two who died (3.8%). The mean interval from illness onset to hospitalization was 12 days. The intervals from onset to death were 14 and 15 days for the two patients who died.

SCPH collected information about patient signs and symptoms from patient interviews and hospital records (Table 2). Among persons with confirmed infections, the most common signs and symptoms reported at illness onset and at any time during the course of illness were cough (54.5% and 90.9%, respectively), fever (45.5%, 75.8%), myalgia (27.3%, 75.0%), and headache (21.2%, 60.6%). Several patients later developed gastrointestinal symptoms, including diarrhea (18.8%), nausea (9.4%), and abdominal cramps or pain (6.3%). One person experienced only loss of smell and taste. The most severe complications reported were viral pneumonia (18.2%) and severe hypoxemic respiratory failure (9.1%).

Among the recognized risk factors for severe illness, the most common was age, with 75.5% of patients aged ≥65 years. Most patients (67.9%) did not report any underlying medical conditions, 9.4% had one underlying medical condition, and 22.6% had two or more underlying medical conditions. All three hospitalized patients had two or more underlying medical conditions.

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**TABLE 1. Number of choir members with and without COVID-19-compatible symptoms (N = 122)\* and members' choir practice attendance† — Skagit County, Washington, March 3 and 10, 2020**

| Attendance                     | No. (row %)      |             |              |                   |             |              |
|--------------------------------|------------------|-------------|--------------|-------------------|-------------|--------------|
|                                | March 3 practice |             |              | March 10 practice |             |              |
|                                | Total            | Symptomatic | Asymptomatic | Total             | Symptomatic | Asymptomatic |
| Attended                       | 78               | 51 (65.4)   | 27 (34.6)    | 61                | 53* (86.9)  | 8 (13.1)     |
| Did not attend                 | 40               | 4 (10.0)    | 36 (90.0)    | 61                | 3 (4.9)     | 58 (95.1)    |
| Attendance information missing | 4                | 1 (25.0)    | 3 (75.0)     | 0                 | 0 (—)       | 0 (—)        |
| Attended only one practice     | 21               | 1 (4.8)     | 20 (95.2)    | 3                 | 2 (66.7)    | 1 (33.3)     |

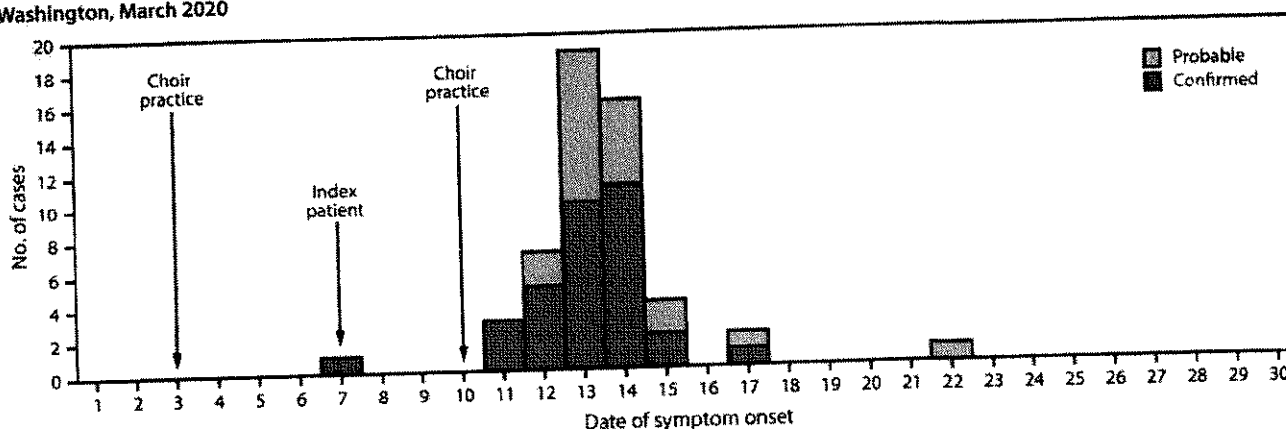
Abbreviation: COVID-19 = coronavirus disease 2019.

\* No choir members were symptomatic at the March 3 practice.

† Thirty-seven choir members attended neither practice; two developed symptoms, and 35 remained asymptomatic.

‡ Includes index patient; if the index patient excluded, 52 secondary cases occurred among the other 60 attendees (attack rate = 86.7%).

**FIGURE. Confirmed\* and probable† cases of COVID-19 associated with two choir practices, by date of symptom onset (N = 53) — Skagit County, Washington, March 2020**



Abbreviation: COVID-19 = coronavirus disease 2019.

\* Positive reverse transcription-polymerase chain reaction test result.

† Attendance at the March 10 practice and clinically compatible symptoms as defined by the Council of State and Territorial Epidemiologists, Interim-20-ID-01: Standardized surveillance case definition and national notification for 2019 novel coronavirus disease (COVID-19). [https://cdn.ymaws.com/www.cste.org/resource/resmgr/2020ps/interim-20-id-01\\_covid-19.pdf](https://cdn.ymaws.com/www.cste.org/resource/resmgr/2020ps/interim-20-id-01_covid-19.pdf).

## Public Health Response

SCPH provided March 10 practice attendees with isolation and quarantine instructions by telephone, email, and postal mail. Contacts of patients were traced and notified of isolation and quarantine guidelines. At initial contact, 15 attendees were quarantined, five of whom developed symptoms during quarantine and notified SCPH.

Before detection of this cluster on March 17, Skagit County had reported seven confirmed COVID-19 cases (5.4 cases per 100,000 population). At the time, SCPH informed residents that likely more community transmission had occurred than indicated by the low case counts.\* On March 21, SCPH issued a press release to describe the outbreak and raise awareness about community transmission.† The press release emphasized

the highly contagious nature of COVID-19 and the importance of following social distancing guidelines to control the spread of the virus.

## Discussion

Multiple reports have documented events involving super-spreading of COVID-19 (2–5); however, few have documented a community-based point-source exposure (5). This cluster of 52 secondary cases of COVID-19 presents a unique opportunity for understanding SARS-CoV-2 transmission following a likely point-source exposure event. Persons infected with SARS-CoV-2 are most infectious from 2 days before through 7 days after symptom onset (7). The index patient developed symptoms on March 7, which could have placed the patient within this infectious period during the March 10 practice. Choir members who developed symptoms on March 11 (three) and March 12 (seven) attended both the March 3

\* Skagit County, updated social distancing information. <https://skagitcounty.net/departments/home/press/031620.htm>.

† Skagit County, public health investigating cluster of related COVID-19 cases. <https://skagitcounty.net/departments/home/press/032120.htm>.

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TABLE 2. Signs and symptoms reported at the onset of COVID-19 illness and during the course of illness among persons infected at a choir practice (N = 53)\* — Skagit County, Washington, March 2020

| Sign or symptom                     | No. (%)                      |                          | no./No. (%)                       |                          |
|-------------------------------------|------------------------------|--------------------------|-----------------------------------|--------------------------|
|                                     | Reported at onset of illness |                          | Reported during course of illness |                          |
|                                     | All cases (N = 53)           | Confirmed cases (N = 33) | All cases (N = 53)                | Confirmed cases (N = 33) |
| Cough                               | 27 (50.9)                    | 18 (54.5)                | 47/53 (88.7)                      | 30/33 (90.9)             |
| Fever                               | 28 (52.8)                    | 15 (45.5)                | 30/53 (56.6)                      | 25/33 (75.8)             |
| Myalgia                             | 13 (24.5)                    | 9 (27.3)                 | 34/52 (65.4)                      | 24/32 (75.0)             |
| Headache                            | 10 (18.9)                    | 7 (21.2)                 | 32/53 (60.4)                      | 20/33 (60.6)             |
| Chills or rigors                    | 7 (13.2)                     | 6 (18.2)                 | 23/51 (45.1)                      | 16/31 (51.6)             |
| Congestion                          | 4 (7.5)                      | 2 (6.1)                  | 25/52 (48.1)                      | 15/32 (46.9)             |
| Pharyngitis                         | 2 (3.8)                      | 2 (6.1)                  | 12/52 (23.1)                      | 8/32 (25.0)              |
| Lethargy                            | 4 (7.5)                      | 2 (6.1)                  | 5/52 (9.6)                        | 3/32 (9.4)               |
| Fatigue                             | 3 (5.7)                      | 1 (3.0)                  | 24/52 (46.2)                      | 15/32 (46.9)             |
| Agusia (loss of taste)              | 1 (1.9)                      | 1 (3.0)                  | 11/48 (22.9)                      | 5/28 (17.9)              |
| Anosmia (loss of smell)             | 1 (1.9)                      | 1 (3.0)                  | 10/48 (20.8)                      | 5/28 (17.9)              |
| Chest congestion or tightness       | 1 (1.9)                      | 1 (3.0)                  | 5/52 (9.6)                        | 4/32 (12.5)              |
| Weakness                            | 1 (1.9)                      | 1 (3.0)                  | 3/52 (5.8)                        | 2/32 (6.3)               |
| Eye ache                            | 0 (—)                        | 0 (—)                    | 1/52 (1.9)                        | 1/32 (3.1)               |
| Dyspnea                             | 0 (—)                        | 0 (—)                    | 8/51 (15.7)                       | 8/31 (25.8)              |
| Diarrhea                            | 0 (—)                        | 0 (—)                    | 8/52 (15.4)                       | 6/32 (18.8)              |
| Pneumonia                           | 0 (—)                        | 0 (—)                    | 6/53 (11.3)                       | 6/33 (18.2)              |
| Nausea                              | 0 (—)                        | 0 (—)                    | 3/52 (5.8)                        | 3/32 (9.4)               |
| Acute hypoxemic respiratory failure | 0 (—)                        | 0 (—)                    | 3/53 (5.7)                        | 3/33 (9.1)               |
| Abdominal pain or cramps            | 0 (—)                        | 0 (—)                    | 2/52 (3.8)                        | 2/32 (6.3)               |
| Malaise                             | 1 (1.9)                      | 0 (—)                    | 1/52 (1.9)                        | 0/32 (—)                 |
| Anorexia                            | 0 (—)                        | 0 (—)                    | 1/52 (1.9)                        | 0/32 (—)                 |
| Vomiting                            | 0 (—)                        | 0 (—)                    | 0/52 (—)                          | 0/32 (—)                 |

Abbreviation: COVID-19 = coronavirus disease 19.

\* Including the index patient.

and March 10 practices and thus could have been infected earlier and might have been infectious in the 2 days preceding symptom onset (i.e., as early as March 9). The attack rate in this group (53.3% and 86.7% among confirmed cases and all cases, respectively) was higher than that seen in other clusters, and the March 10 practice could be considered a superspreading event (3,4). The median incubation period of COVID-19 is estimated to be 5.1 days (8). The median interval from exposure during the March 10 practice to onset of illness was 3 days, indicating a more rapid onset.

Choir practice attendees had multiple opportunities for droplet transmission from close contact or fomite transmission (9), and the act of singing itself might have contributed to SARS-CoV-2 transmission. Aerosol emission during speech has been correlated with loudness of vocalization, and certain persons, who release an order of magnitude more particles than their peers, have been referred to as superemitters and have been hypothesized to contribute to superspreading events (1). Members had an intense and prolonged exposure, singing while sitting 6–10 inches from one another, possibly emitting aerosols.

The findings in this report are subject to at least two limitations. First, the seating chart was not reported because of concerns about patient privacy. However, with attack rates of 53.3% and 86.7% among confirmed and all cases, respectively,

and one hour of the practice occurring outside of the seating arrangement, the seating chart does not add substantive additional information. Second, the 19 choir members classified as having probable cases did not seek testing to confirm their illness. One person classified as having probable COVID-19 did seek testing 10 days after symptom onset and received a negative test result. It is possible that persons designated as having probable cases had another illness.

This outbreak of COVID-19 with a high secondary attack rate indicates that SARS-CoV-2 might be highly transmissible in certain settings, including group singing events. This underscores the importance of physical distancing, including maintaining at least 6 feet between persons, avoiding group gatherings and crowded places, and wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain during this pandemic. The choir mitigated further spread by quickly communicating to its members and notifying SCPH of a cluster of cases on March 18. When first contacted by SCPH during March 18–20, nearly all persons who attended the practice reported they were already self-isolating or quarantining. Current CDC recommendations, including maintaining physical distancing of at least 6 feet and wearing cloth face coverings if this is not feasible, washing hands often, covering coughs and sneezes, staying home when ill, and frequently cleaning and disinfecting

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high-touch surfaces, remain critical to reducing transmission. Additional information is available at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>.

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