

**KwaDukuza Municipality**  
**OFFICE OF THE MUNICIPAL MANAGER**

|                                   |                    |                                 |  |  |                                 |
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| Reference<br>Inkomba<br>Verwysing | Amended Regulation | Fax<br>iFeksi<br>Faks           | <a href="mailto:municipalmanager@kwadukuza.gov.za">municipalmanager@kwadukuza.gov.za</a> | Date<br>Usuku<br>Datum                             | 16 <sup>TH</sup> April 2020     |

**TO : COUNCILLORS, SAPS, KWADUKUZA COMMUNITY SAFETY,LAW ENFORCEMENT AGENCIES,ALL STORES SELLING HARDWARE PRODUCTS AND VEHICLE COMPONENTS, TRADESPERSONS AND THE GENERAL PUBLIC.**

**NOTICE ON THE IMPLEMENTATION OF AMENDED REGULATIONS ISSUED IN TERMS OF SECTION 27(2) OF THE DISASTER MANAGEMENT ACT, 2002, IN PARTICULAR CLAUSE 8(b), and 14(a) – RELATED TO STORES SELLING HARDWARE PRODUCTS AND VEHICLE COMPONENTS.**

**(As published in Government Gazette on the 16<sup>th</sup> of APRIL 2020)**

This notice issued by KwaDukuza Municipality serves as an explanatory note on how the implementation of clause (8b) and 14(a) of the Amended regulations will be undertaken by all concerned within our area of jurisdiction, in enforcing the regulations and ensuring ethical business practice by all those who are allowed to operate as suppliers of emergency and essential services.

**1. REGISTRATION AS ESSENTIAL SERVICE BUSINESS AND MOVEMENT OF THESE EMPLOYEES FROM THEIR PLACE OF RESIDENCE.**

- 1.1 All stores selling hardware products and vehicle components shall register as suppliers of essential goods on this website: [www.bizportal.gov.za](http://www.bizportal.gov.za). This is the requirement for all essential goods service providers in the Republic of South Africa.
- 1.2 The Employer or delegated Manager of the company shall issue to its employees a permit to perform essential services. The permit must include amongst other details, the full information of the employee and that of the person who has issued the permit. This permit, together with the RSA Identity Document (ID) of the employee must be carried at all times and must be produced on demand by any Law Enforcement officer (SAPS or Kwadukuza Municipality).

## 2 RECORD KEEPING

Clause 8 (b) of the Amended Regulations state the following:

*“Stores selling hardware products and vehicle components must maintain a register of persons buying essential goods in Part A of Annexure B, and must keep the signed declaration, which corresponds substantially with Form 4 of Annexure C by the buyer of goods attesting that the goods are essential goods as defined in the Regulations.”*

The stores as described on Clause 8(b) above are therefore expected to keep the duly completed records readily available for inspection by Law Enforcement Officers (SAPS and KwaDukuza Municipality), who will be conducting random inspections to ensure compliance with the Regulations as Amended

## 3 WHO CAN THE SELLERS SELL TO DURING THE COVID PERIOD?

Clause 14(a) of the Amended Regulations state the following :

*“Annexure B to the regulations is hereby amended by –*

*(a) The addition in Part A after paragraph of 5 of the following paragraphs*

*6. Hardware, components and supplies required by any qualified tradespersons solely for the purpose of emergency repairs at residential homes,*

*7. Hardware components required by any entity engaged in the provision of essential services for any project related to the provision of water, electricity or other services.*

*8. Components for vehicles under-going emergency repairs where such vehicle is used by a person engaged in essential services work.”*

## HOW THESE CLAUSES WILL BE PRACTICALLY IMPLEMENTED WITHIN THE KWADUKUZA MUNICIPALITY AREA OF JURISDICTION

- (a) The regulations are clear that the sellers of hardware products and components cannot freely sell to the members of the general public, but can sell **only** to a qualified tradesperson effect emergency repair work. The emergency repair works in the residential home includes the following i.e. **plumbing (leaking pipes, and geysers), broken windows, electricity faults, leaking roof, and change of door keys/locks.**
- (b) The seller shall ensure that the buyer for any entity providing essential services provides evidence in respect of the following :
- (i) In the case where the seller of hardware components is selling directly to a legal entity, the procurement officer or buyer of that government entity must issue a purchase order, which must form part of the attached declaration by the buyer.
  - (ii) In the case where the buyer is a contracted private service provider to the entity that is designated as essential services, (as per COVID 19 regulations), the buyer shall provide his or her certification of registration with [www.bizportal.gov.za](http://www.bizportal.gov.za) (as a supplier who provides services to essential service entities), together with the purchase order from the essential service entity and contact details of the person that issued the purchase order.

- (iii) The vehicle components shall only be sold for repairs of cars/vehicles owned by the entities providing essential services, which are required to be used during the lockdown period and those vehicles of entities or people who provide or work as essential service workers during this period. The vehicle registration and engine/VIN number should be provided by the buyer and be recorded in the register of buyers of the components. The vehicle components may also be sold to public transport operators, for repairs of vehicles which are required to transport essential workers to work.

It is expected that the shops that will open will adhere to all COVID 19 Health Directives issued by the Minister of Health, and all municipal bylaws concerning its business. The Law enforcement agencies will monitor the operations of all these stores and conduct random inspections of both buyers and sellers. This will be done to ensure that nobody abuses the special opportunity given to trade during the COVID lockdown period.

The non-compliance with these regulations can lead to both criminal charges as well as the revoking of the CIPC special certificate of trading as the essential service goods supplier during this period. All these businesses shall register with CIPC via a business portal known, which is found on [www.bizportal.gov.za](http://www.bizportal.gov.za).

For any further clarity, kindly contact the ED: EDP ( Mr. S V Hlongwane ) on 082 493 9664 or Director: Development Enforcement ( Mr. F R Naidoo ) on 083 7727 630. , **between 8:00 and 16:00, during the week.**

**ISSUED BY THE OFFICE OF THE MUNICIPAL MANAGER**

**NJ MDAKANE**

**MUNICIPAL MANAGER**