

MAVERICK CITIZEN

CORONAVIRUS

National State of Disaster ends after 750 days, but some regulations remain



President Cyril Ramaphosa addresses the nation from the Union Buildings in Tshwane on the end of the National State of Disaster that had been declared on 15 March 2022 in response to the Covid-19 pandemic. (Photo: GCIS / Kopano Tlape)

By Greg Nicolson

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In an address on Monday evening, President Cyril Ramaphosa announced that the National State of Disaster would be lifted from midnight. A number of restrictions will continue for 30 days before the government consults other legislation to guide its response to the pandemic.

The Cabinet has decided to lift the National State of Disaster, effective from midnight on Monday, 5 April, but will maintain aspects of the regulations enacted to respond to the coronavirus pandemic, President Cyril Ramaphosa announced on Monday evening.

The President said that after 750 days, the requirement for a National State of Disaster to be declared could no longer be met and that the powers granted to the government under disaster legislation “should be maintained only as long as they are absolutely necessary”.

Ramaphosa said South Africa had entered a new phase of the pandemic, illustrated by the number of fatalities being recorded. During the third wave in July 2021, the highest average daily number of coronavirus-related deaths was 420. That dropped to 240 during the fourth wave in February 2021 and to 12 this week.

“It is a moment to remember those who have lost their lives and the many people who are still struggling with the effects of the disease. It is also a time to pay tribute to the healthcare workers, the police, the soldiers, the volunteers and other frontline workers for their dedication and service during the worst times of the pandemic,” said Ramaphosa.

“The end of the National State of Disaster is a firm statement of our determination to live our lives and rebuild our country even as this virus remains in our midst.”

Ramaphosa declared a National State of Disaster on 15 March 2020, after 61 cases had been recorded across the country, and banned travel from high-risk countries.

Days later he imposed a strict lockdown that closed non-essential shops and businesses and confined people to their homes unless they were seeking medical services, buying food or collecting a grant. Soldiers were deployed and the sale of alcohol and tobacco products was banned.

Cooperative Governance and Traditional Affairs Minister Nkosazana Dlamini Zuma extended the National State of Disaster on a month-by-month basis after the initial three-month period expired.

Professor Salim Abdool Karim, who chaired the ministerial advisory committee (MAC) on Covid-19, has [said](#) the National State of Disaster allowed the country to implement restrictions, such as restricting gatherings and closing schools, in the early days of the pandemic to prevent the healthcare system from being overwhelmed.

The National State of Disaster also led to nonsensical regulations such as a ban on the sale of open-toed shoes and cooked chicken. As far back as December 2020, the MAC sent an [advisory](#) to the health minister on an exit strategy from the National State of Disaster.

On Monday, Ramaphosa defended the National State of Disaster, saying there was “no doubt such a response was necessary” while lives were at risk.

He said it “enabled and empowered government to take the measures that prevented many more people from becoming severely ill and saved countless lives.

“These measures were effective in slowing down the rate of infection, easing pressure on our hospitals and providing the time we needed to develop the infrastructure, resources and capacity to manage the large number of people who became ill as a result of Covid-19.”

Ramaphosa said the National State of Disaster provided a legal basis for the R350 Social Relief of Distress Grant, the Covid-19 Temporary Employer-Employee Relief Scheme, relief provided to small businesses, and the extension of the validity of drivers’ and vehicle licences.

“All these measures were necessary not only to respond to the devastating effects of the pandemic on human health, but also to limit the great cost to society and our economy.”

Calls to finally end the National State of Disaster increased this year after the country experienced fewer hospitalisations and deaths during its fourth wave of Covid-19, driven by the Omicron variant. While lockdown restrictions have progressively eased and most aspects of life have returned to normal, the National State of Disaster has been criticised as unnecessary for reducing the impact of the pandemic, and a burden on the country’s economic recovery.

Trade union Solidarity launched legal action to challenge the ongoing National State of Disaster, but agreed to halt the action when Dlamini Zuma announced the government’s intention to end the state of disaster by 5 April 2022. The DA had also approached the courts.

“This is a major breakthrough for ordinary South Africans. The strange [National Coronavirus] Command Council can now be replaced by parliamentary oversight, as it should be,” said Solidarity chief executive Dr Dirk Hermann in a recent statement.

The restrictions that Ramaphosa [announced](#) recently will remain in place for 30 days under [regulations](#) published recently. Masks are still mandatory for indoor public spaces. Gatherings are limited to 50% of a venue’s capacity provided attendees can show proof of vaccination or a negative Covid-19 test.

Travellers to South Africa need proof of vaccination or a negative Covid-19 test or will be required to have an antigen test and undergo a 10-day isolation if they test positive. The R350 grant will remain in place as will the extension of the validity of drivers’ and vehicle licences.

“The few transitional measures that remain are limited in scope and allow almost all social and economic activity to resume as normal; they are essential to reduce the risk of a further Covid-19 wave and further disaster,” said Ramaphosa.

In future, the government’s Covid-19 response will be guided by regulations under the National Health Act, which has been released as a [draft](#) and is available for public comment until 16 April.

The regulations provide the government with a wide range of powers and have been criticised as “[incoherent and illogical](#)” by health experts and as an attempt to maintain powers previously used under the National State of Disaster.

Solidarity’s Hermann said, “We will give our full input, but if the government proceeds with the regulations, we will test them in court. The lifting of the state of disaster is a huge step but we cannot allow certain elements of the state of disaster to be perpetuated in the health regulations.”

In a statement on Monday, the DA’s spokesperson on health Michéle Clarke said: “The National State of Disaster has reached a point where regulations and restrictions are unreasonable and irrational, as the threat... of Covid-19 has substantially declined with the newer variants. It does not pose a threat to the state of health in the country as it once did in 2020.”

Clarke urged Health Minister Joe Phaahla to withdraw the “irrational” regulations: “These regulations are not informed by the latest scientific evidence or expert opinions of various experts both here in South Africa and abroad.”

South Africa recorded 685 new Covid-19 cases on Monday and two new deaths, bringing the official death toll to 100,052. Excess death figures published by the Medical Research Council suggest that more than 300,000 people in the country could have died due to coronavirus.

Ramaphosa warned people to remain vigilant against Covid-19 and encouraged people to get vaccinated. **DM**