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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF SPORTS, ARTS AND CULTURE

NO. 668

11 JUNE 2020

AMENDMENT OF DIRECTIONS ISSUED IN TERMS OF REGULATION 4(10) OF THE REGULATIONS MADE UNDER SECTION 27(2) OF THE DISASTER MANAGEMENT ACT, 2002 (ACT NO.57 OF 2002): LIVE STREAMING OF THE CREATIVE SECTOR SERVICES IN SUPPORT OF COVID-19

I, Emmanuel Nkosinathi Mthethwa, Minister of Sport, Arts and Culture, hereby, in terms of regulation 4(10) of the Regulations made under section 27(2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) and published in *Government Gazette* No.43258, Government Notice No.R.480 of 29 April 2020, amend the Directions published in Government Notice No. 490 of 4 May 2020, as set out in the Schedule.

**MR E.N. MTHETHWA, MP****MINISTER OF SPORT, ARTS AND CULTURE****DATE:** 2020/06/08

SCHEDULE

DEFINITIONS

1. In these Directions, a word or expression bears the meaning assigned to it in the Regulations promulgated in *Government Gazette* No. 43258, Government Notice No. R480 of 29 April 2020 and in *Government Gazette* No. 43364, Government Notice No. 608 of 28 May 2020, made under section 27(2) of the Disaster Management Act, 2002 and unless the context otherwise indicates—

“**Directions**” means the Directions published in Government Notice No. 490 of 4 May 2020;

“**the Regulations**” means the Regulations published in *Government Gazette* No. 43364, Government Notice No. 608 of 28 May 2020.

Amendment of paragraph 1 of the Directions

2. Paragraph 1 of the Directions is amended by the substitution for the definition of “the Regulations” of the following definition:

“**the Regulations**” means the Regulations published in *Government Gazette* No. 43364, Government Notice No. 608 of 28 May 2020.

Amendment of paragraph 2 of the Directions

3. Paragraph 2 of the Directions is amended by the addition after subparagraph (b) of the following subparagraph:

“(c) provide guidance to the arts and culture sector for productions using local cast or performers and crew during Alert Level 3.”

Substitution of paragraph 3 of the Directions

4. The Directions are hereby amended by the substitution for paragraph 3 of the following paragraph:

“3. Mitigation measures

The following mitigation measures for Alert Level 3 according to sub-sector, are necessary to prevent the spread of the COVID-19:

ALERT LEVEL 3	
Sub-sector	Mitigating Measures
Performing Arts Institutions or Playhouses that have the relevant infrastructure or facilities used for the creation and production of local content	<p>(a) These facilities may produce content for streaming and live streaming without audiences.</p> <p>(b) Monologs, minimal cast and technical support are required.</p> <p>(c) Production must take place in compliance with regulation 47(1) of the Regulations which requires the designation of a compliance officer who must ensure that safety controls are strictly adhered to.</p> <p>(d) All directions in respect of health protocols and the limitation of exposure of persons to COVID-19 must be adhered to as per Regulation 47(1).</p>
Film and Television productions using local cast, living legends and crew. This will include jobs throughout the value chain of production, post- production such as technical crew of sound engineers, special effects and animators.	<p>(a) All health protocols and social distancing measures must be adhered to as per Regulation 47(1) to curb the spread of COVID-19.</p> <p>(b) The following additional requirements will apply to content production:</p>

	<ul style="list-style-type: none">• A maximum of 75 people on set, inclusive of cast members, staff, and crew;• Productions may resume including location shoots, outdoor scenes or group scenes with close proximity shots, based on risk assessment;• production companies may limit content that can be produced in controlled environments;• where location shoots are undertaken, the necessary precautions should be followed to limit interaction with members of the public;• travel for the purposes of filming should be limited to the required cast and crew; and <p>(c) Each production company must work closely with the respective broadcaster and the relevant industry representative bodies to determine the most appropriate “return to production” strategy and feasible implementation dates.</p> <p>(d) Visibility of Protocol Information: Information regarding the risk of spreading COVID-19, and what behavior is expected from everyone on set must be visibly displayed in common areas and must also be copied to all personnel</p>
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	<p>of the company.</p> <p>Preparing the Workplace:</p> <p>(e) The following are guidelines to prepare the workplace and the daily routine to be established thereafter:</p> <p>Sanitising of the environment needs to occur–</p> <ul style="list-style-type: none">- before shoot commences;- during each shoot day and after wrap each day. <p>(f) There must be dedicated cleaning staff to sanitise and clean bathroom spaces on a regular basis throughout the day.</p> <p>(g) A daily register of all persons granted access to the set with details of their daily temperatures must be compiled.</p> <p>(h) Getting to work – Transport</p> <ul style="list-style-type: none">- Where possible, all crew and cast must use their own transport.- For those without their own transportation, transport must be provided by the production management in terms of the guidelines issued by the Department of Transport.- Any transport mode arranged by the production management must
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	<p>be provided with a driver and all occupants in the vehicle must wear facemasks.</p> <p>(i) Catering on set</p> <ul style="list-style-type: none"> - Catered meals and craft must be packed in boxes per person with sealed cutlery. Alternatively, the crew and cast must be allowed to bring their own meals. - There must be no shared craft and catering areas. Crew and cast must be supplied with their own water bottles. <p>(j) Cast and Crew on set and shooting floor:</p> <ul style="list-style-type: none"> - As provided for in regulation 37(1)(c) cast and crew as workers, must be allowed. The number of cast and crew must be kept at a maximum of not more than 50 people on set inclusive of cast members.
<p>Creative sector services:</p> <p>Creative sector services include filming content, productions of commercials and entertainment for broadcasters and live streaming using local cast and crew.</p>	<p>(k) All health protocols and social distancing measures must be adhered to as per Regulation 47(1) to curb the spread of COVID-19. The above-mentioned additional Directions apply during content production.</p>

	<p>(l) The productions should somehow add storylines in support of COVID-19 safety measures.</p>
<p>Visual Arts, Craft & Design: Photographers, Painters, sculptures, graphic artists, crafters and designers - (Freelance workers/independent contractors)</p>	<ul style="list-style-type: none"> • All health protocols and social distancing measures must be adhered to as per Regulation 47(1) to curb the spread of COVID-19. • These directions also apply during content production. <p>(m) Where required by the applicable legislation, a person must have a permit to operate as a small business or a permit that allows the individual worker to operate and a permit referred to in regulation 33(4)(a) for movement to their studios or facilities (work spaces).</p>
<p>Music recordings: for local broadcast, streaming and digital platforms</p>	<ul style="list-style-type: none"> • All health protocols and social distancing measures must be adhered to as per Regulation 47(1) to curb the spread of COVID-19.
<p>Performing Arts: streaming events - (Poetry, Comedy, Dance, Literature events, online workshops, e-learning)</p>	<p>(n) All health protocols and social distancing measures must be adhered to as per Regulation 47(1) to curb the spread of COVID-19.</p>

5. COMMENCEMENT

These Directions come into effect on the date of publication in the *Government Gazette*.

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