

## **LOCK-DOWN REGULATIONS AND TELECOMS**

*Government has published regulations applying to the COVID-19 lockdown. This note sets out how these impact on the telecommunications industry.*

### **Is telecommunications an essential service? Does this include support industries?**

Yes.

The Regulations define “essential services” and “essential goods” and list these in an Annexure. Annexure B sets out categories of essential services, which include:

“13. Newspaper, broadcasting and **telecommunication infrastructure and services.**”

as well as

“24. Production, manufacturing, supply logistics, transport, delivery, critical maintenance and repair in relation to the rendering of essential services including components and equipment.”

It is also worth remembering that telecommunications services are an essential input into most of the other listed essential services.

### **Can my staff continue with service provision under the lockdown?**

Yes.

Under the lockdown:

- Each person is confined to their place of residence “unless strictly for the purpose of performing an essential service”.
- Movement between provinces and between metropolitan and other municipalities is prohibited.
- Any place not involved in the provision of an essential service or good must be closed for the lockdown.

### **How must they be identified?**

An “institution” providing an essential service must do the following:

- The “head of the institution” (CEO or equivalent level) must determine essential services to be performed by his or her institution and must determine the essential staff who will perform these services.
- These essential staff must be issued with a permit by the head of the institution in a form similar to the one provided in the Regulations (This may be delegated if required by the size and complexity of a business).

Note that essential staff may be tested for COVID-19 at any time by enforcement officers.

The Minister of COGTA may issue further directions and vary the existing ones as circumstances dictate. These are extraordinary and dynamic times and we will keep this advice updated....