

Cabinet Statement

Statement on the virtual Cabinet Meeting of Wednesday, 23 March 2022



ISSUES IN THE ENVIRONMENT

National State of Disaster

- The South African Government responded to the Coronavirus Disease (COVID-19) global pandemic by declaring the National State of Disaster in March 2020, in terms of the Disaster Management Act, 2002 (Act 57 of 2002). This facilitated an integrated and coordinated response to save lives and livelihoods.
- The country has been under regulations of the National State of Disaster on COVID-19 since March 2020, when South Africa recorded its first cases of the virus. The President has announced further interventions that are meant to get the country to embark on a new phase in the management of the COVID-19 pandemic.
- The recent extension of the National State of Disaster to 15 April 2022 takes into consideration the need to continue augmenting the existing legislation and contingency arrangements undertaken by organs of state to address the impact of the disaster.

Cabinet has called for the consideration of health regulations to regulate non-pharmaceutical safety measures such as the wearing of masks, social distancing, limits for gatherings and vaccinations. They will also allow us to set up emergency, rapid and effective response systems to mitigate the severity of COVID-19.

COVID-19 vaccination

- Cabinet reminded all people in South Africa to remain vigilant as COVID-19 has not yet been defeated, and called on those aged 12 years and older to vaccinate. Vaccination remains our best defence against the virus, and reduces the risk of serious illness, hospitalisation and death.
- Although infections and deaths currently remain low, we face a possible fifth wave in the coming weeks. The only defence we have is the scientific evidence showing the power of vaccines to save lives. Our country has already administered over 33 million doses of the COVID-19 vaccines.
- Cabinet further welcomed the Code of Practice on the management of COVID-19 exposure in the workplace issued by the Department of Employment and Labour. The Code of Practice was developed following public consultation with the National Economic Development and Labour Council and will take effect when the National State



- of Disaster is lifted.
- The Code of Practice will guide employers and employees in conducting or updating a risk assessment plan to limit COVID-19 infections in the workplace. It lists measures such as vaccination, social distancing and personal hygiene to safeguard workplaces.

South Africa Investment Conference (SAIC)

- Cabinet welcomed delegates from across the country and world to the fourth SAIC taking place on Thursday, 24 March 2022 in Johannesburg.
- The conference is showcasing the many investment opportunities and comparative advantages that South Africa offers investors, in a period of growing African integration through the African Continental Free Trade Area (AfCFTA), which promotes intra-African trade.

Local and foreign investments play an important role in growing our economy and creating sustainable jobs. The SAIC spurs a cycle of economic activity, employment and consumer demand that can support the growth trajectory of the country.

- Our past investment conferences have attracted a total of R774 billion in commitments. Of the 152 investment projects announced, 45 have already been completed and a further 57 are under construction.
- Cabinet is confident that this year's conference will build on our investment tally, as part of our nation's drive to attract R1.2 trillion in investment over five years.

Impact of the Russia and Ukraine conflict on the economy

- Cabinet is considering the impact the current conflict between Russia and Ukraine will have on the country's economy, as its effects are being felt on financial markets and prices across the world.

The best way to protect our economy and welfare of our people is to proceed with the implementation of the Economic Reconstruction and Recovery Plan (ERRP).

- Government is committed to using all of the levers at our disposal to cushion South Africans from the effects of the rising cost of living and ensure that our economy withstands these turbulent times.

Auction of the high-demand radio frequency spectrum

- Cabinet welcomed the successful conclusion of the country's first auction of the high-demand radio frequency spectrum by the Independent Communications Authority of South Africa.
- The R14.4-billion revenue collected from the auction will go to the national fiscus to support our national priorities, which include rebuilding the economy, creating much-needed jobs, and fighting corruption, crime and gender-based violence and femicide.
- The availability of additional high-demand spectrum will speed up the roll-out of new technologies such as 5G, reduce the cost of mobile data and ensure greater internet connectivity. The licensing of the new spectrum is accompanied by agreed social obligations to connect public schools, health facilities and police stations over the next three years.

Human Rights Day

- Cabinet thanked all South Africans for joining in the country's Human Rights Day celebrations on Monday, 21 March 2022 under the theme: "The Year of National Unity and Renewal: Promoting and Protecting our Human Rights."
- Advancing human rights in our country is a catalyst for nation-building, which is a process we must continue to nurture and defend at all times. Through our diversity, we can strengthen our unity and build a cohesive society.

In the continuing spirit of working together, as we move towards Freedom Month in April, Cabinet called on all South Africans to renew our fight against racism, racial discrimination, xenophobia and all related intolerances in their area of influence.

Appointment of the Chief Justice of South Africa

- Cabinet noted and congratulated the former Deputy Chief Justice Raymond Zondo on being appointed as the new Chief Justice of South Africa, with effect from 1 April 2022, and wished him well in his new responsibilities.

- Cabinet further noted President Cyril Ramaphosa's



intention to nominate Justice Mandisa Maya, the President of the Supreme Court of Appeal of South Africa, for the position of Deputy Chief Justice when it becomes vacant.

Interim order granted on humanitarian aid to the Republic of Cuba

- Cabinet has noted the interim order granted in the Pretoria High Court, pausing implementation of the humanitarian aid that South Africa had agreed to provide to the Republic of Cuba. The matter will again be before the courts in 20 days' time and government will present its argument then.

South Africa's bonds of friendship with Cuba are deeply rooted in our region's struggle for liberation. Were it not for the selfless intervention of the Cubans in Southern Africa over three decades, it would have taken far longer to liberate this region from colonial oppression. Former President Nelson Mandela understood this, which is why Cuba was the first country outside the continent Madiba visited upon his release from prison in 1990.

- Cuba made monumental sacrifices to fight alongside

African liberation movements at a time when the small island nation had been struggling under the United States' economic embargo for a decade and a half. Cuba's economic crisis has become untenable and the Cuban Government is in need of assistance. Mexico, Bolivia and Russia are among the countries which have provided humanitarian aid to ease the island's worst economic crisis in decades.

- Cabinet this week joins in commemorating the Battle of Cuito Cuanavale in Angola that took place from 1987 to 1988. Cuba played the critical role in assisting African liberation movements to realise their objectives. There was no material gain for the Cubans who came to our support, but their overriding incentive was to fight for the liberation of Southern Africa from colonial and reactionary forces.

- Then President Fidel Castro was driven by revolutionary zeal and he told his comrades they were fighting "the most beautiful cause of mankind". From Angola to Namibia and Algeria to Guinea-Bissau, Cuba played a decisive role in contributing to the liberation of these African countries from colonial occupation.

- Cuba has continued to consistently provide medical and other assistance to South Africa in the post-1994 period, most recently during the COVID-19 pandemic, and it is our moral obligation to show solidarity with the people of Cuba at a time when they are struggling to survive.

Visit by His Majesty King Letsie III

- Cabinet noted and welcomed the courtesy call from His Majesty King Letsie III of the Kingdom of Lesotho to President Ramaphosa that took place on Friday, 18 March 2022 in Pretoria.
- President Ramaphosa, in his capacity as the Southern African Development Community (SADC) Facilitator to the Kingdom of Lesotho, exchanged views with His Majesty King Letsie III on bilateral relations and progress regarding the SADC facilitation process in the Kingdom of Lesotho.
- It is envisaged that Basotho, through the facilitation of President Ramaphosa, will work in earnest to complete the reforms process before holding the next general elections scheduled for September 2022.

CABINET DECISIONS

Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting (BEPS MLI)

- Cabinet approved the submission of the BEPS MLI to Parliament for ratification. As one of the 95 countries participating in the convention initiated by the Organisation for Economic Cooperation and Development (OECD) to reduce opportunities for tax avoidance and base erosion by multinational companies, South Africa signed the tax treaty in June 2017. Once the tax treaty is ratified, South Africa will apply it alongside other tax treaties it has signed with other countries.
- South Africa is a member of the OECD and is committed to working with other countries to stop company profits being artificially shifted out of the country to low or no tax environment.

Amendment of the Tax Treaty Protocol between South Africa and Kuwait

- Cabinet approved the submission of the amended Tax Treaty Protocol signed between South Africa and Kuwait to Parliament. Amendments to this treaty, which came into force in 2006, were made and signed in 2021.
- The tax protocol deals with the avoidance of double taxation and prevention of fiscal evasion with respect to taxes on income between the two countries.
- Apart from dealing with tax evasion, such treaties seek to encourage tax transparency between countries.

Integrated Crime and Violence Prevention Strategy (ICVPS)

- Cabinet approved the ICVPS for implementation. The strategy will serve as an implementation tool of the *White Paper on Safety and Security* adopted in 2016. It advocates for a whole of government and society approach in fighting crime and preventing violence.
- The ICVPS consists of six interdependent and interrelated pillars namely, (1) an effective criminal justice; (2) early interventions in preventing crime; (3) victim support interventions; (4) effective and integrated service delivery; (5) safety through environmental

design and (6) active public and community participation. The strategy acknowledges the need for complementary interventions to address the drivers of crime such as poverty, inequality, unemployment, social welfare health and education.

- It is inclusive in terms of both urban and rural areas, including traditional councils, as stakeholders. It has been fully consulted with all the spheres of government, business, research institutions and civil-society organisations. The approved strategy replaces the current National Crime Prevention Strategy.

South Africa's Country Investment Strategy (CIS)

- Cabinet approved the publication of the CIS for public comment. The strategy seeks to position the country as a key African investment destination of choice by leveraging quality foreign and domestic direct investments.
- The strategy is anchored on the country's priority investment and economic development sectors such as (i) finance, insurance, real estate and business services; (ii) transport and logistics; (iii) manufacturing; (iv) mining and quarrying; (v) electricity, gas and water; and (vi) agriculture and agro-processing.
- It provides investment mechanisms to attract small, medium and micro enterprises into the economic growth drive. The strategy also taps into a number of multilateral, regional and bilateral agreements which South Africa has signed.
- The strategy is aligned to the goals of the National Development Plan, ERRP, Re-imagined Industrial Strategy and the recently adopted National Infrastructure Plan 2050.
- The nine provinces and their eight respective metropolitan key economies are central in driving the strategy, which will be a living document that will constantly be adaptable to the changing economic environment.

Revised National Biodiversity Framework (NBF)

- Cabinet approved the NBF for implementation. The NBF, which Cabinet approved for public consultation in November 2020, was developed

in line with the National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004). It provides for an integrated, coordinated and uniform approach to biodiversity management by all organs of state, non-governmental organisations (NGOs), the private sector and communities.

- In 2018, the South African National Biodiversity Institute conducted a comprehensive scientific assessment of the state of biodiversity and ecosystem in South Africa. The revised NBF sectoral plan of action addresses the threats identified from this assessment.
- The revised framework was consulted with all the spheres of government; state-owned entities (SOEs), conservationist entities; NGOs and local communities. The implementation of the NBF is guided by the adopted National Biodiversity Strategy and Action Plan (2015-2025).

South Africa is a signatory to the 'United Nations' Convention on Biological Diversity, which promotes the conservation of biological diversity, sustainable use of its components, and the fair and equitable sharing of benefits arising from genetic resources.

Draft National Spatial Development Framework (NSDF)

- Cabinet approved the draft NSDF for implementation. It was prepared in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and approved for public consultation in 2019. Inputs were obtained from various stakeholders, including professional bodies, all spheres of government, SOEs and members of the public.

The framework seeks to deal with the eradication of the colonial and apartheid spatial legacies in an orderly and co-ordinated manner. It provides a long-term spatially focused developmental approach towards planning and land use management system. The document will be accessible through the website of the Department of Agriculture, Land Reform and Rural Development (www.dalrrd.gov.za).

Official Identity Management Policy

- Cabinet approved the Official Identity Manage-

ment Policy, following an extensive public consultation in 2021. This policy will replace the current Identification Act, 1997 (Act 68 of 1997), which establishes the National Population Register (NPR) and also specify its scope in the mandatory records that are captured on it. This Act is not aligned to the constitutional principles of equality, non-discrimination and human dignity.

- The adopted policy proposes a single digital NPR of all people – irrespective of citizenship and sex status – who live and have lived in the country. It also provides for a biometric National Identity System (NIS) that will enable a single view of a person. The NIS will also be able to interface with other government and private sector identity systems.
- The policy will also ensure the protection of the rights of members of the Lesbian, Gay, Bisexual, Transgender, Intersex, Queer and Asexual community.

White Paper on Marriages in South Africa

- Cabinet approved the *White Paper on Marriages in South Africa* for implementation. The White Paper responds to many court judgements that have found some elements of the current marriage legislation to be unconstitutional. It has aligned all marriages to be concluded in accordance with the principles of equality, non-discrimination and human dignity as provided for in the Constitution of the Republic of South Africa of 1996.
- The approved White Paper will allow South Africans and residents of all sexual orientations, religious and cultural persuasions to conclude legal unions in line with the constitutional principles. The White Paper outlines some of the unions that are excluded such as child marriages and those done in the absence of the other party

One-Stop Border Post (OSBP) Policy

- Cabinet approved the OSBP and its implementation strategy. The policy seeks to harmonise the movement of people and goods between

South Africa's land ports of entry and its neighbouring countries. It gives effect to the One-Stop Border Framework that was adopted by Cabinet in 2018.

- The application of the policy will alleviate current congestions at our land ports of entry for cross-border travellers and traders. These interventions are also key in the country's efforts in driving the AfCFTA agreement.
- Once fully operationalised with relevant legislation and infrastructure upgrades, we envisage that the processing of goods, vehicles and people will be done in a seamless and faster manner.

Interim hosting of the Presidential Climate Commission

- Cabinet approved the transitional hosting of the Presidential Climate Commission by the National Economic Development and Labour Council (Nedlac). Nedlac will host the commission with its secretariat for two years or shorter to enable the promulgation of the Climate Change Act.
- The period will also afford the commission – in collaboration with the Department of Forestry, Fisheries and the Environment – to finalise the feasibility study and business case for the future establishment of the commission as determined by the Climate Change Bill.

Draft White Paper on National Rail Policy

- Cabinet approved the draft *White Paper on National Rail Policy*. The policy will guide in creating an efficient transport system that will be able to compete locally and internationally.
- The policy proposes focused interventions that will promote investments in both the freight and passenger services. It will also improve rural access and increase mobility to promote economic growth. It will also contribute substantially towards reducing the country's emissions as it proposes rail genetic technologies in upgrading the rail stock.
- The policy will be made public once the Department of Transport has published it in the *Government Gazette*.

BILL

Independent Municipal Demarcation Authority (IMDA) Bill of 2022

- Cabinet approved the submission of the IMDA Bill of 2022 to Parliament for further processing. The Bill was published for public comment in June 2020 and subsequent engagements on the comments received from the public.
- The Bill provides the governance regime of the IMDA. Its proposals include clarifying the terms of the Board members and that they are to serve on a part-time basis, except for the Chairperson who may serve on a full-time basis. It also guides the IMDA on the process towards the delimiting of boundaries.

UPCOMING EVENT

Visit to the Middle East

- President Ramaphosa will lead a delegation of Ministers to the World Expo Dubai in the United Arab Emirates on Monday, 28 March 2022. South Africa is participating at the expo with a pavilion showcasing the country's rich heritage and investment opportunities.

MESSAGES

Congratulations

- Cabinet extended its congratulations and well-wishes to the:*
- the South African women's cricket team**, for flying the national flag high at the Women's Cricket World Cup in New Zealand. They defeated current World Champions England in their third match and have managed to win four matches in the tournament so far.

Condolences

- Cabinet joined President Ramaphosa in extending condolences to the government and people of the Republic of Zambia following the passing of **former President Rupiah Bwezani Banda** (85).

Cabinet expressed condolences to the family and friends of:

- Mr Michael Spicer** (68), the former Chief Executive Officer

of Business Leadership South Africa, who played a significant role in forging a stronger relationship between business and government.

- Mr Luzuko Koti** (47), the former Director of Communication and Marketing at the Nelson Mandela Foundation and Business Manager of Channel Africa.
- Mr Sheik Abdul Gamiet Gabier** (86), Life President

of the Muslim Judicial Council South Africa, who was a renowned scholar, community activist and a pioneer of the Al-Azhar Institute of Cape Town.

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