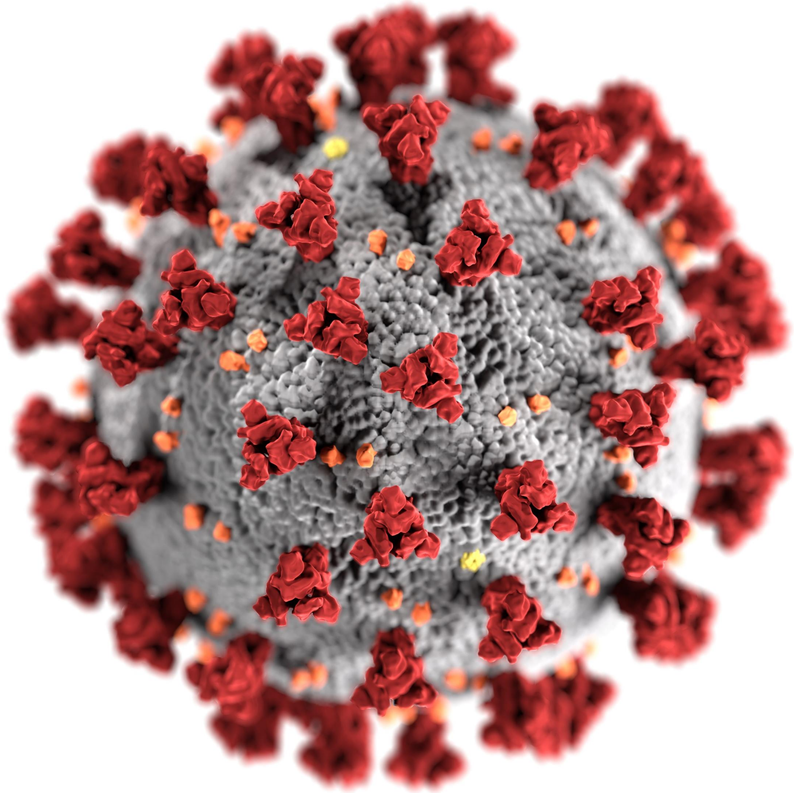
SOS
Community Schemes
Ombud Service

COVID – 19 DIRECTIVE

19 MARCH 2020

PLAN TO BE IMPLMENTED BY COMMUNITY SCHEMES



BACKGROUND

- On 15 March 2020 the President of South Africa, Mr Cyril Ramaphosa, declared in response to the outbreak of the novel corona virus / COVID-19, a national state of disaster in terms of the Disaster Management Act.

- In his address to the nation, the President encouraged the nation to “act swiftly, with purpose and collectively,” to limit the effects of the corona virus.

- In CSOS, the effort to minimise the risk of exposure requires the collective effort and cooperation by the members of community schemes.

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PURPOSE OF NOTICE

This notice is directed at all key stakeholders to:

- Minimise the number of people becoming infected or sick with COVID-19 within the CSOS environment.

- Encourage compliance with existing health measures.

- Communicate the method to be followed by Community Schemes in the administration of schemes in terms of the CSOS Act, Sectional Titles Schemes Management Act and other related legislations

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health

Department:
Health
REPUBLIC OF SOUTH AFRICA

For FAQ’s on the corona virus outbreak
http://www.health.gov.za/index.php/component/phocadownload/category/607

CORONA VIRUS OUTBREAK 24-HOUR HOTLINE NUMBER:

0800 029 999

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MEETINGS OF COMMUNITY SCHEMES

Disaster Management Regulations

Sectional Titles

Home Owners Association

DISASTER MANAGEMENT REGULATIONS

- The Disaster Management Regulations provide the following guideline in respect of gatherings:

  ✓ In order to contain the spread of COVID-19, a gathering is prohibited (Reg 3(1));

  ✓ Gathering is defined as any “assembly, concourse or procession of more than 100 persons, wholly or partially in open air or in a building or premises”.

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SECTIONAL TITLES SCHEMES

Trustees Meetings

- The provisions of Regulation 11 (5) of the STSMA must be applied for meetings of Trustees until such time the CIVOD-19 is under control and the disaster as declared as been uplifted;
- Regulation 11 (5) of the STSMA allows for meetings to be held telephonically and such method must be applied;
- If the Trustee choose to hold the meeting in person having considered the number, then precautions must be exercised. Trustees must wear mask and gloves and practice social distance as indicated in the COVID-19 recommended measures;
- The requirements relating to the time period for calling for the meeting, quorum and voting remains applicable; and
- The limitations only applies to the venue and manner of holding the meetings.

SECTIONAL TITLES

Owners Meetings

- The owners meeting must be through a teleconference or skype;
- For owners who are less than the prohibited number (less than 100), they may choose to have a meeting in a venue, however precaution must be exercised;
- If the precautions as advised by the Department of Health cannot be exercised, then the meeting must be held via teleconference or skype;
- Other requirements relating to the notice period, quorum or voting remains applicable;
- Alternatively, the members can pass the necessary resolution by round robin; and
- Members must be aware that they can waive the time limits for calling the meeting.

SECTIONAL TITLES

Special and Annual General Meeting

- With the restriction on holding of gatherings, the schemes must apply the provisions of PMR 17 (2).
- PMR 17 (2), provides that the body corporate is not obliged to hold an annual general meeting if, before or within one month of the end of a financial year, all members in writing waive the right to the meeting and consent in writing to motions that deal with all the items of business that must be transacted at the annual general meeting; provided that if two or more persons are jointly entitled to exercise a vote, all of them must waive the right to the meeting and consent to the resolutions in writing.
- PMR 17 (9), also provides that, the body corporate does not have to hold a special general meeting to consider a resolution if all members waive the right to the meeting and consent to the resolution in writing; provided that if two or more persons are jointly entitled to exercise a vote, all of them must waive the right to the meeting and consent to the resolution in writing.

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SECTIONAL TITLES

Special and Annual General Meeting CONT…

- If there is matter on the Agenda that must be deliberated on or discussed and cannot resolved in terms of a procedure provided in PMR 17(2) or PMR 17 (9), then the meeting can be held in other means as provided in PMR 17 (10);
- PMR 17 (9), provides that, “a body corporate may make arrangements for attendance at an annual or special general meeting by telephone or any other method…”
- The Agenda for the AGM must still comply with the provisions of PMR 17 (6)(j) and PMR 17 (7)
- The Notice Period for the meeting must also be complied with unless waived by all members;
- For all meetings that will be held telephonically or via skype, the quorum and voting requirements must still be complied with.

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HOME OWNERS ASSOCIATION AND SHARE BLOCK COMPANIES

Home Owners Association

- Meeting for the Home Owners Association (HoA) must comply with the requirements of the respective HoAs' Memorandum of Incorporation for the calling of the meeting and voting.

- The Companies Act, which governs the HoA registered as NCP, provides that the meetings can be conducted entirely by electronic communication.

Share Block Company

- Share Block Companies must comply with the provision of the founding legislation and the Use Agreement on the requirements for calling the meeting and voting.
- The actual meeting must be held by way of electronic communication.

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HEALTH OF EMPLOYEES AND SCHEME MEMBERS

- Community Schemes must ensure the safety of its employees during this pandemic;
- The Community Schemes must provide the employees with the necessary risk mitigation kits, like masks, gloves and sanitizers;
- It must be ensured that, the Security Guards, if employed by a Service Provider, also have the necessary protective kits and sanitizer
- Sanitizers must also be provided for common areas frequented by members of body corporate, like the clubs, common rooms;
- If the risk mitigation measures cannot be implemented, the common facilities must be closed;
- Safety measures Notices must displayed at schemes entrance and common areas; and
- Encourage self-quarantine for those infected.

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BIOMETRIC SYSTEM

- The use of the finger scanning system has been identified as one of the health hazards.
- Community schemes must ensure that the area is cleaned frequently if it is not possible to deactivate the system.

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HEALTH TIPS

Coronavirus

- The **Novel Coronavirus (2019-nCoV)** is a new coronavirus strain identified in China, which has caused cases of severe pneumonia in China.
- Coronavirus is a family of viruses known to cause illnesses ranging from common cold to pneumonia
- Cases of 2019nCoV have been exported to other cities and countries

Typical Symptoms include cough, runny nose, fever and shortness of breath

MONITOR YOUR HEALTH CLOSELY

1. All travelers to monitor your health closely for 2 weeks upon returning to South Africa
2. If you have fever, cough or runny nose, wear a mask and seek medical attention promptly
3. Call the clinic ahead of your visit and inform the doctor of your symptoms and travel history

PRECAUTIONS TO TAKE

Avoid contact with live animals, poultry and birds

Avoid consumption of raw and undercooked meat

Avoid crowded places and around people who are unwell

Observe good personal hygiene at all times

Wash hands frequently with soap

Cover your mouth with a tissue paper when coughing or sneezing

See a doctor if you are unwell

REMAIN VIGILANT AND ADOPT GOOD PERSONAL HYGIENE PRACTICES

The situation is evolving, check updates on www.health.gov.za and www.nicd.ac.za

health
Department:
Health

2030 NDP

Symptoms of Coronavirus Disease 2019

Patients with COVID-19 have experienced mild to severe respiratory illness.

Symptoms can include:

Symptoms may appear 2-14 days after exposure

Seek medical advice if you develop symptoms, and have been in close contact with a person known to have COVID-19 or if you live in or have recently been in an are with ongoing spread of COVID-19

Protect yourself and other from the disease

#coronavirusupdate **# COVID-2019**

health
Department:
Health
REPUBLIC OF SOUTH AFRICA

2030 NDP

KEY CONTACTS

Regional Ombuds:

- WC, NC, EC: Maletsatsi.Wotini@csos.org.za
- GP, NW, LMP: Abe.Masilo@csos.org.za
- KZN, FS, MPL: Mervin.Dorasamy@csos.org.za

Community Scheme Registrations

registration@csos.org.za

Applications for Dispute Registration

Gp-complaints@csos.org.za

Wc-complaints@csos.org.za

Kzn-complaints@csos.org.za

General Enquiries Customer Service Center's:

Gauteng: 010 593 0533

Western Cape - 087 805 0226

KZN - 087 805 0235

Media Desk:

Doniah: 010 593 0533

Doniah.Motsoeneng@csos.org.za

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THANK YOU