

Electricity National State of Disaster regulations gazetted

Cooperative Governance and Traditional Affairs (CoGTA) Minister, Dr Nkosazana Dlamini Zuma, on Monday gazetted the disaster management regulations on electricity constraints.



Image source: Rodolfo Oix from [Pexels](https://www.pexels.com/photo/five-lit-light-bulbs-hanging-against-a-blue-background/)

The gazette follows a special Cabinet meeting held on 27 February 2023.

Earlier this month, the Minister declared a State of Disaster on the Impact of Severe Electricity Supply Constraints on society. The State of Disaster was first announced by President Cyril Ramaphosa on 9 February, while delivering the State of the Nation Address at the Cape Town City Hall.

At the time, the President explained that the declaration would enable government to “provide practical measures” to assist businesses that have been devastated by the effects of load shedding.

“The State of Disaster will enable us to provide practical measures that we need to take to support businesses in the food production, storage and retail supply chain, including for the rollout of generators, solar panels and uninterrupted power

supply,” he said.

The CoGTA Ministry in a statement said the objectives of the Regulations is to assist the energy generating entities to restore their capacity to generate electricity.

The regulations span an array of measures to protect and provide relief to the public and to deal with the destructive nature, and other effects of the disaster, said Ministry spokesperson, Lungi Mtshali.



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These include:

- a. minimising the impact of load shedding on livelihoods, the economy, policing functions, national security, security services, education services, health services, water services, food security, communications and municipal services, amongst others;
- b. reducing and managing the impact of load shedding on service delivery to support lifesaving and specified critical infrastructure;
- c. providing measures to enable the connection of new generation supply; and
- d. providing measures to improve Eskom's plant performance.

“Under the new regulations, the spheres of government will work closer with its social partners to enable effective co-ordination between state departments, Eskom and other relevant entities and institutions to ensure availability, integrity and security of the electricity infrastructure,” said the Ministry.

Dlamini Zuma reiterated the call by government for South Africans to observe the regulations and guidelines in order to restore the stability of the national grid.

The regulations facilitate the importation of electricity by Eskom from neighbouring countries. Funding interventions, relief schemes and benefits during the national state of disaster will also be enacted, the availability of existing funds and the scale of additional resources required, considered. Consumers will be protected from excessive pricing of goods and services and availability of the supply of goods and services will be secured during the national state of disaster.



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Commenting on the newly Gazetted regulations, Minister in the Presidency, Mondli Gungubele said: “Government is confident that regulations will provide the extra-ordinary measures required to deal with our energy constraints. These regulations come into operation on the date of publication in the Government Gazette.

“The development of the regulations is the result of extensive consultations between key role players across all spheres of government. It represents the best available options appropriate to the situation the country finds itself and within the limited available resources available to address our energy challenges.”

According to the gazette, during the State of Disaster, emergency procurement for public institutions would be subject to

the Public and Municipal Finance Management Acts (PFMA and MFMA) and the Preferential Procurement Policy Framework Act.

During this period, reads the gazette, the Auditor-General would conduct real-time audits and report on the accounts, financial statements and financial management of all emergency procurement undertaken during the national state of disaster.

“Accounting officers must take steps to ensure that anti-corruption measures are implemented during the emergency procurement. Any procurement undertaken using emergency provisions... must be published and reported to Parliament within the month of expenditure by the accounting officers and authorities, including the details of such procurement and the reasons for deviating from normal procurement procedures,” the gazette reads.

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