

20 May 2020

Ms. Evelyn Masotja EMasotja@thedti.gov.za
For COGTA

COVID-19 Alert Level 4: scrap metal dealer activities

Dear Ms. Masotja

The MRA is a SAPS accredited association representing SAPS certified scrap metal “recyclers” and “dealers”. We have been referred to you by SAPS Brigadier van der Walt, in contemplation of whether COGTA intended for scrap metal “dealers” to be excluded from trading during level 4 lockdown.

We point out that the COVID-19 Regulations as circulated on 29 April 2020 do not define “scrap metal recyclers”, whereas the Second Hand Goods Act of 2009 draws a clear distinction between a “recycler” and a “dealer”, which SAPS are using to interpret the intentions of the COVID-19 Regulations.

Furthermore, [Gazette notice no539](#) of 14 May 2020 refers to the Regulations and to “recycling” in terms of the National Environmental Management: Waste Act (NEMWA) [NEMWA](#)

NEMWA defines “recycling” as: ***a process where waste is reclaimed for further use, which process involves the separation of waste from a waste stream for further use and the processing of that separated material as a product or raw material;***

By extension therefore, one cannot assume that the COVID-19 Regulations intended that only persons registered with SAPS as “Recyclers” in terms of the Second Hand Goods Act of 2009, are permitted to trade during Alert Level 4.

We attach overleaf an extract from SAPS Visible Policing directive of 13 May 2020, which clearly prohibits “dealers” from acquiring (purchasing) or disposing (selling) goods (scrap metal), which ironically are the only activities that “dealers” are permitted to conduct in terms of the Second Hand Goods Act of 2009 i.e. dealers are not allowed to process or alter the appearance of any scrap metal.

We thus respectfully submit that SAPS have misinterpreted the intentions of the Regulations and we urgently request your assistance in obtaining clarification on the matter.

Sincerely



Mike Wilson

MRA Chairman



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DIRECTIVE RELATING TO REGULATIONS ISSUED IN TERMS OF SECTION 27(2) OF THE DISASTER MANAGEMENT ACT, 2002: ALERT LEVEL 4: FIREARMS, LIQUOR AND SECOND-HAND GOODS

			relevant Minister.
"L" – Repair and Related Emergency Services Permitted			
3	Emergency automobile repairs for all persons.	Panel Beater	May repair vehicle bodies back to their factory state after having been damaged.
"P" - Health, Social and Personal Services			
3	Recycling of glass, paper, plastic, metal, tyres and such others as determined by directions, are permitted at 50% capacity. Informal recyclers will be permitted to resume operations.	<ul style="list-style-type: none"> Recycler 	<ul style="list-style-type: none"> Registered Recyclers can acquire and dispose of ferrous and non-ferrous metals. Scrap Metal Dealers are not permitted to acquire and dispose of ferrous and non-ferrous metals unless they are also registered as a Recycler. Recyclers/Scrap Metal Dealers may only operate at 50% capacity.