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07 June 2020

FROM : The President
TO : All Affiliate Presidents
: All Affiliate Secretaries
CC : SSA Executive Committee Members
: SSA Committee Convenors

Dear Colleagues

RE: Compliance to the Current Disaster Management Act and regulations promulgated for Level 4 and Level 3

Swimming South Africa takes note of the recent Judgement in the Pretoria High Court relating to Disaster Regulations. By way of reflection and advise to all our registered members. The Judgement by the North Gauteng High Court on the invalidity of the Alert Levels 3 and 4 regulations (promulgated in terms of the Disaster Management Act 57 of 2002), really reflect on the practicalities of daily live and the rationality of applying the regulations in society. We at Swimming South Africa feel great empathy with our members, coaches, instructors and their families in this very difficult time of social and economic stress. The livelihood of many individuals and families, have been significantly affected as a result of the extreme but vital measures taken by our President to stem the aggressive rate of infection related to the global COVID-19 pandemic. It is imperative that we place the action taken by our President and the leadership of the Command Council in context of saving lives.

It is important the we all as a community and citizens of our country understand that the above decision by the North Gauteng High Court does not mean that we are no longer bound by the regulations of Alert Levels 3 and 4. It is important to note that for now, the declaration of invalidity is suspended and that the Minister of Cooperative Governance and Traditional Affairs (CoGTA), Dr Dlamini-Zuma, has been afforded 14 days to review, amend and republish the regulations, except for those portions that have passed the rationality test. This is to be effected with consideration to the limitation that each regulation has on the rights guaranteed in the Bill of Rights of our Constitution. The Government and the Command Council under the leadership has resolved to take the court's decision on appeal. Thus, it is critical for all South Africans to understand that until then, all regulations pertaining to Alert Levels 3 and 4, remain in force and our compliance thereto, is mandatory.

President: A. Fritz Vice Presidents: Z. Molusi , J. Naidoo
P. Thompson Treasurer: J. Ellis
Members: D. Petersen, L. Blignaut, E. Van Veenhuyzen, R Andrews, N. Raphulu, P. Heyns
Chief Executive Officer: S. Adriaanse
Hon. Life Presidents: S. Ramsamy & G. Sam

I urge all members of Swimming South Africa, our parent community, supporters of our sport, to diligently uphold the laws and the promulgated regulations, no matter how difficult these may seem to be in the current situation. I also urge you to continue to uphold the health protocols of social distancing, wear a mask in public, hygiene practices of washing your hands regularly and not to return to swimming activities, until such time that the regulations allow us to return to the water.

I cannot stress it enough, adherence to the necessary regulations and to remain vigilant in practicing critical and non-negotiable preventative measures, such as social distancing, wearing a mask when out in public, as well as hand and respiratory hygiene is a key prevention measure. As stated repeatedly through many inter actions with our aquatic community, it important, to empower yourselves with accurate and credible information and to not take unnecessary chances with your actions and behaviour, which can put you and your loved ones and our many athletes and participants at the risk of infection.

Please note I therefore urge you to ensure that all swimming pools, clubs, swim schools, and training venues are to remain closed until the Directions from the Sports Ministry are Gazetted.

Our world will return to normality and the sun will shine again, keep the faith and be diligent.

Yours in Aquatics

A handwritten signature in black ink, appearing to read 'A.F. Fritz'.

A.F. Fritz

President