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***Covid-19* –** ‘*kansvatters*’ during lockdown

**Pubs and restaurants contravene lockdown rules**

The CIPC says certain companies not designated essential services have either fraudulently or negligently applied for such status

31 MARCH 2020 - 12:47 BEKEZELA PHAKATHI

Several pubs, taverns and restaurants have been found to have either fraudulently or negligently applied to be designated essential services providers, the department of trade and industry said on Tuesday.

SA started a three-week-long nationwide lockdown on Friday morning in a bid to contain the rapidly spreading coronavirus. Under the lockdown regulations, only essential services providers main remain operational.

The list includes health practitioners; staff and service providers responsible for the generation, transmission and distribution of electricity; security personnel; agricultural and food supply-related operations; retailers, wholesalers, and spaza shops; financial services; government officials and the media.

Last week, trade and industry minister Ebrahim Patel announced that all businesses that would be allowed to provide essential services were required to seek approval from the department. Such businesses need to apply to the Companies and Intellectual Property Commission (CIPC) bizportal website at [www.bizportal.gov.za](http://www.bizportal.gov.za) and obtain a certificate that allows them to continue trading.

On Tuesday, the department said during the course of its review of the essential service list of applications, the CIPC established that certain companies not designated as essential services had either fraudulently or negligently applied.

“The CIPC, upon review, has established that pubs, taverns, restaurants, fast-food places, pizza parlours and the like have registered to continue operating during the lockdown, in violation of the applicable regulations as per the essential service list. These businesses are not eligible to continue operating during the lockdown period in terms of the regulations and directions issued by government,” the department said in statement.

The businesses in the CIPC database that are not eligible to continue operations during the lockdown have had their certificates cancelled and will be handed over to the SA Police Services for further investigation and potential prosecution.

“Any business that is not authorised to continue operating during the lockdown in terms of the applicable regulations and directions should cease operations with immediate effect.”

The department said it had made it clear when the automated certificate was issued by the CIPC, that the provision thereof was based on information provided by the registered company itself, and that possession of the certificate does not in itself automatically constitute the right to continue operating during the lockdown period.

The operation of any essential service is subject to full compliance with the applicable lockdown rules and that the company falls within the scope of essential services as defined in the regulations, the department said.

“In a number of cases, companies have applied and received essential service certificates without compliance with the regulated conditions. It is a criminal offence for any business to continue operating during the lockdown period if it is not providing an essential service, as defined in the applicable regulations and direction, unless such business can be operated using work-from-home arrangements.

“It is also a criminal offence for any business which misrepresents the nature of its operations in order to obtain a CIPC certificate,” the department said.