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DEPARTMENT OF CO-OPERATIVE GOVERNANCE

NO. 5557 **19 November 2024**

DISASTER MANAGEMENT ACT, 2002 (ACT NO. 57 OF 2002)

CLASSIFICATION OF A NATIONAL DISASTER IN TERMS OF SECTION 23 OF THE DISASTER MANAGEMENT ACT (ACT NO. 57 OF 2002): FOODBORNE ILLNESS

I, Dr Bongani Elias Sithole, in my capacity as the Head of the National Disaster Management Centre, after considering reports from various organs of state, and after assessing the magnitude and severity and potential magnitude and severity of the foodborne illness that emanates from or may still emanate from poor food safety practices in the country, which have resulted in the loss of life or illness, and may result in further illness or loss of life if not mitigated, hereby give notice that with effect from 18 November 2024, the foodborne illness is classified as a National Disaster in terms of section 23(1)(b) of the Disaster Management Act, 2002 (Act No. 57 of 2002) (the "Act").

Emanating from the classification of this foodborne illness as a National Disaster, in terms of section 26, read with section 23 of the Act, the primary responsibility to coordinate and manage this disaster, in terms of existing legislation and contingency arrangements, which may be augmented by regulations or directions issued in terms of section 27 of the Act if a national state of disaster is declared, is designated to the National Executive.

In addition, I hereby –

(a) in terms of section 15(2)(*aA*), read with section 23(8) of the Act, call upon organs of state to further strengthen their support to the existing structures to implement their contingency arrangements and legislative mandates to ensure that measures are put in place to enable the National Executive to effectively deal with the effects of this disaster; and

(b) in terms of section 22(a) of the Act, –

(i) read with section 20(2) of the Act, encourage organs of state, the private sector, communities and individuals to improve their practice of risk avoidance behaviour through their adherence to food safety legislation, standards and procedures;

(ii) read with section 20(2) of the Act, encourage individuals to comply with the applicable business registration legislation, standards and procedures;

(iii) read with sections 25(1)(c), 39(1)(c), 39(2)(k), 53(1)(c) and 53(2)(k) of the Act, and other applicable legislation, recommend that the National

Executive, the respective Provincial Executives and the respective Municipal Councils, implement a multisectoral relief and rehabilitation plan to deal with the effects of the disaster; and

(iv) read with section 21(a)(ii), recommend that each organ of state prepare and submit progress reports, in line with the requirements of the National Disaster Management Centre, to monitor the response initiatives by organs of state, non-governmental organisations and communities.

Furthermore, all affected organs of state must prepare and submit reports, as required by the National Disaster Management Centre and as outlined in section 24(4) to (8) of the Act.

The revocation of the classification of this disaster is set out in the Schedule hereto.

Elias Sithole

Dr Bongani Elias Sithole

Head: National Disaster Management Centre

Date: 18/11/2024

Schedule

The National Executive dealt with the national disaster in terms of existing legislation and contingency arrangements without declaring a national state of disaster in terms of section 27(1) of the Act.	The classification is revoked by the Head: National Disaster Management Centre when the occurrence can no longer be regarded as a disaster in terms of the Act upon reassessment by the NDMC.
The National Executive dealt with the national disaster in terms of existing legislation and contingency arrangements as augmented by regulations and/ or directions following the declaration of a national state of disaster in terms of section 27(2) of the Act.	The classification of a national disaster is automatically revoked when the national state of disaster is terminated or lapses in terms of section 27(5) of the Act.

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