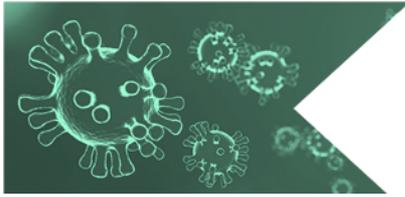


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SAMED COVID-19 NEWS

south african medical technology industry association

COVID-19 news from SAMED, Government and Abroad.

SAMED ON COVID-19

The [SAMED Library](#) is a dedicated resource for all COVID-19 related updates, regulations, notices and news. All SAMED COVID-19 updates and related information can be found [here](#).

DO NOT MISS THIS INFO/Q&A SESSION

[Join Microsoft Teams Meeting](#)

Information / Q&A Session
9 APRIL 2020



SAMED
south african medical technology industry association
advancing innovation responsibly

Virtual Session: *subject to change*

09h00-10h30 **ITAC, ITED, DTI Q&A Session**

- COVID-19 import/export
- Duties Rebates for Essential Goods
- Identifying MedTech Sector Key Challenges

Marius Collins, ITAC; Rashmee Ragaven, Invest SA; Nicky Kruger, ITED

This will be a virtual meeting held via Microsoft Teams. Please mute your microphone and turn off video when joining the meeting. Please make use of the in-session chat function to ask questions.

DO YOU HAVE A COVID-19 QUESTION OR QUERY?

Please visit the [FAQ Section](#) of our library as it provides answers to many of the frequently asked questions we receive.

QUESTION: Can I have duties on COVID-19 products waived? If so, where do I apply?

ANSWER: Duties have been waived in favour of reducing the cost associated with importing medical technology critical to the prevention, testing and management of COVID-19 in South Africa. The Department of Trade, Industry and Competition has made a provision of rebate item 412.11 for goods imported for the relief of distress. Should your import item be listed as [a remedy for critical medical supplies for COVID-19](#), you can download a [rebate application form](#) from the [ITAC website](#) for a duties rebate.

pandemic.

Download the SOP for Business Importing Critical Supplies [here](#).

Kindly note that a permit application for critical medical supplies as listed on ITAC's website must be submitted electronically to the following officials:

For goods classifiable under Chapter 1 to 68:

- Mr Christopher Sako at csako@itac.org.za; and
- Ms Khosi Mzinjana at kmzinjana@itac.org.za;

For goods classifiable under Chapter 69 to 96:

- Ms Lufuno Maliaga at lmaliaga@itac.org.za

It should also be noted that the relevant application form requires among others, specific volumes and values, which should be informed by i.e. offtake orders or substantiated methodology that supports the volume applied for as well corresponding value. It would therefore not be a blanket permit for a prolonged period of time.

Should you require more clarity you are at liberty to contact the relevant officials mentioned above.

QUESTION: Who do I contact at ITAC to assist me with my exports application?

ANSWER: ITAC import or export permit applications for disaster relief as a result of COVID-19 must be submitted electronically. Exemptions for exports all need to be directed to Marius Collins and Lufuno with the correspondence copied to Mohamed Vawda on all ITAC related issues.

- Marius Collins mcollins@itac.org.za
- Lufuno Maliaga lmaliaga@itac.org.za
- Mohamed Vawda MVawda@economic.gov.za.

You will need to complete the following documents:

- [IE361 Application or export permit: General Goods](#)
- [IE230 Application to register as an exporter or change of current information](#)

More details can be found on the [ITAC Communication to Stakeholders](#).

UPDATED COVID-19 NOTICES, LEGISLATION AND REGULATIONS

REGULATION: Expansion of the scope of COVID-19 block exemption for the healthcare sector

The Competition Act exemption now also applies to **medical and hygiene supplies** (e.g. waste disposal products, sterilisation, prescription and non-prescription medicines, etc.), thereby allowing the actions (not price setting or price agreements) as authorised to each constituency under the initial exemption notice, e.g. to coordinate supply and stock levels.

Download the expansion [here](#).

[Back to top](#)

REGULATION: Amendment to measure to prevent & combat the spread of COVID-19

A report by a **social worker** is required to allow admission into **treatment centres and Halfway Houses** during the lockdown. Restrictions are also placed on children being moved between parents on the authority of a court order or a registered parenting plan, provided that such is available as a certified copy and the child is not moved to a household with COVID-19 persons or suspected COVID-19, infected persons.

Download the amendment [here](#).

[Back to top](#)

Directions issued in terms of the measure to address, prevent and combat the spread of COVID-19

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Encouraging the recruitment of additional personnel in strategic areas for the purpose of addressing, preventing and combating the spread of COVID-19 with shortened appointment periods.

- All health authorities to identify where there is a need for deployment of health personnel to respond to this pandemic. All health personnel should be available for deployment to identified sites such as quarantine facilities and any other areas that require health services for rendering these health services.
- All health authorities to source and provide health equipment, sanitation material and medical supplies to various sites as may be required to respond to the COVID-19 outbreak.

This set of directions also covers the disposal of waste from quarantine areas, the handling of COVID-19 mortal remains and visitors from outside of South Africa.

Download the directions [here](#).

[Back to top](#)

Competition Tribunal on board to adjudicate excessive pricing complaints

Competition Tribunal Rules regulating complaint referrals for alleged COVID-19 excessive pricing contraventions have now been gazetted. The Rules detail the procedural steps applicable when a complaint is referred to the Competition Tribunal, and these Rules will continue to apply for as long as COVID-19 remains a declared national disaster. Bowman's has detailed some of the notable provisions below:

- **Litigants:** Whilst the Competition Commission (Commission) may refer dominant firms allegedly involved in excessive pricing to the Tribunal, in situations where the Commission elects not to refer a complaint to the Tribunal, the Rules allow a complainant to self-refer, effectively stepping into the shoes of the Commission and prosecuting the complaint.
- **Expedited time periods:** The Rules have dispensed with the ordinary time frames for the exchange of pleadings provided for in terms of the Competition Act. Instead, once a COVID-19 excessive pricing complaint has been referred to the Tribunal, the respondent has 72 hours to file its answering papers, with the complainant's reply (if any) due within 24 hours thereafter. Within 48 hours from the close of pleadings, the Tribunal will set the matter down for hearing.
- **Remedies:** Without derogating from the 10% penalty that the Tribunal may impose if a respondent is found to have excessively priced, the Tribunal may remedy the contravention by imposing a pricing order on the respondent. Any pricing order will remain in force unless set aside by the Competition Appeal Court.
- **Settlement:** At any stage during the process, a respondent may enter into a full and final settlement with the Commission in respect of competition and any civil proceedings. The Tribunal may confirm the settlement agreement without hearing any evidence.

Click [here](#) to access this and more on the **Bowmans** page.

[Back to top](#)

Questionnaire on the impact of the lockdown on business and requirements for re-opening

The aim of this questionnaire is to indicate the impact of the lockdown on production, in collaboration with Trade and Industrial Policy Strategies (TIPS). The results will be used to identify ways to reduce the costs and maximize the benefits of restrictions on economic activity that result from efforts to fight the pandemic. Please answer as fully as you can; feel free to add a comment on any of the questions. If the questions are unclear, please contact Neva Makgetla at 079 516 0450 or neva@tips.org.za. Information will only be published or included in documentation in an anonymous form, where the company cannot be identified unless you indicate otherwise.

Copy and paste the below and send the completed questionnaire to Neva (details above) by Thursday, 9 April 2020.

1. Name, name of company, and contact number (optional):

- Name:
- Company name:
- Contact number:

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- a. Agriculture.
- b. Mining.
- c. Food production.
- d. Metals production.
- e. Clothing production.
- f. Chemicals production.
- g. Other manufacturing (please feel free to add details)
- h. Construction.
- i. Transport.
- j. Food retail.
- k. Petrol retail.
- l. Other retail.
- m. Business services.
- n. Financial services.
- o. Healthcare.
- p. Other (please feel free to specify).

4. Have you reduced production as a result of the lockdown? (answer yes or no)

5. If you answered yes, by how much in percentage terms? Please pick one:

- a. under 10%
- b. 10% to 20%
- c. 20% to 50%
- d. 50% to 75%
- e. completely closed down.

Please add comments and details if you want.

6. If you closed down, how long would it take to return to full production?

7. How many people do you employ? Please pick one:

- a. Under 50.
- b. 50 to 500.
- c. 500 to 2000.
- d. Over 2000.

8. Have you reduced employment as a result of the lockdown? (Answer yes or no)

9. If you have, by how much in percentage terms? Please pick one:

- a. under 10%
- b. 10% to 20%
- c. 20% to 50%
- d. 50% to 75%
- e. completely closed down.

Please add comments and details if you want.

10. Have you changed what you produce during the lockdown? If so, what products have you expanded and what have you cut?

11. If you are still operating, how have you changed physical distance and hygiene practices in response to the epidemic?

12. Have any of your employees been placed in quarantine?

13. If the lockdown goes on for a month beyond the planned three weeks, how would that affect your business?

14. Please add any comments you think would be helpful in understanding the impact of the lockdown, or if there are changes in the restrictions that would improve your business position without increasing the risk of the contagion.

[Back to top](#)

Action requests from WHO April 2020, Medical Devices Newsletter: COVID-19

WHO is conducting a high-level market and risk assessment for respiratory equipment. They are calling on manufacturers from around the globe to participate in this survey. The items listed in the survey aligns

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therapy equipment to support the COVID19 response efforts around the world, ii) the capacity of organizations to increase its manufacturing capacity, and iii) the risks the sector will face in manufacturing and distributing the necessary equipment to meet the world's demand. With greater visibility combined with the need to match global and country-based demand, the PSCN can facilitate the global supply chain to provide the necessary supplies to those at most risk.

[Participate in the survey.](#)

More information, contact: griffinm@who.int and medicaldevices@who.int

WHO has also expanded on their [Priority Medical Devices for COVID management](#) which expands from the Disease Commodity Package and includes all devices used in ICU caring for COVID patients. They have also drafted [tables of technical specifications for invasive and non-invasive ventilators](#).

Read the full newsletter [here](#).

[Back to top](#)

Dedicated CN-ZA Charter Service by Imperial Clearing and Forwarding

Imperial Logistics has a Charter service from Shanghai departing on the 19th of April. Should you wish to make use of this service, they would require the below information in order to plan and confirm space allocation.

- cubic meters or pallet dimensions
- weight of freight
- When and where it will be available
- Purchase orders – to keep track of expected orders numbers and to monitor their movement

Please contact Valerie Packree for more information on 084 400 8961

or valerie.packree@imperiallogistics.com

[Back to top](#)

Business for South Africa Update

Business for SA has welcomed the finalisation of an agreement between government, business and labour at Nedlac on the Temporary Employer/Employee Relief Scheme (TERS). Benefits are available to all employees who are, along with their employers, contributors to the UIF where the employer has closed its operations, or part of its operations, as a direct result of the COVID-19 pandemic, and where an employee has suffered or will suffer, a loss of earnings. A detailed set of question and answers on the TERS scheme can be found on the [Business for South Africa website](#). Employees and Employers can access the Department of Employment and Labour [COVID-19 TERS Guide](#) for more information.

Download the update [here](#).

[Back to top](#)

The Solidarity Fund uniting South Africa against COVID-19

The Solidarity Fund provided more details on its purpose and mandate of mobilising and coordinating efforts and resources from all South Africans and the international community to assist most vulnerable South Africans to deal with the impact of Covid19 and the consequences of measures intended to slow its rate of infection. One of its key focus areas is a Health Response with direct support for the healthcare system, augmenting both the private and government healthcare sectors to ensure they have what they need, as well as enabling emergency supplies.

Details on how to donate are available on the Fund's website www.solidarityfund.co.za

For more information email info@solidarityfund.co.za

For offers of supply of Medicines and Medical Devices send

to covid19supplies@businessresponsecovid19.co.za

If you are seeking PPE for your hospital, clinic, or NGO please email your request

to covid19requests@businessresponsecovid19.co.za

[Back to top](#)

COVID-19 EVENTS

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is your Competition Law Compliance Policy adequate to protect your business from complaints about excessive and unfair pricing during the period of the COVID-19 national disaster? What steps are our competition authorities taking to protect consumers and penalise price gouging? Can you increase your selling prices during this period, and if so, what measures do you need to put in place in order to be able to defend these increases? What kinds of collaborations with competitors are allowed during the crisis? Please join Bowmans Competition Practice for a virtual discussion examining these issues and offering some practical advice and guidance.

- **Date:** 9 April 2020
- **Time:** 11:00 - 12:00

Please click [here](#) to register on the Zoom registration page

For further information, please contact Simon Dodd at simon.dodd@bowmanslaw.com or on +27 72 376 5777.

[Back to top](#)

COVID-19 in Africa: experience sharing and recommendations for the private sector

In the face of the COVID19 crisis, how are employers' organisations and businesses in Africa continuing to build their resilience against existing and future crises? This digital conference on Thursday 9 April, 11:30 -13:30 (CET) will review:

- What social and economic measures have been taken by the government?
- What has been the private sector's reaction?
- Which sector has been hardest hit?
- How does informality and infrastructure hamper the response to COVID 19?
- How does this crisis compare to previous crises?
- What is the way forward for business?

Please join the IOE meeting from your computer, tablet or smartphone via this

link: <https://global.gotomeeting.com/join/758270189>

For more information, [click here](#).

[Back to top](#)

COVID-19 DEVELOPMENTS

South Africa has 1 749 confirmed COVID-19 cases and one more death in KwaZulu-Natal (KZN), bringing the total number of deaths from the coronavirus to 13.

SCIENCE AND CLINICAL NEWS

- COVID-19 and other health conditions:
 - People with [asthma, COPD](#) and other **lung diseases** are at increased risk for serious complications from the new coronavirus, caution experts from the American Lung Association.
 - Nearly half of Americans have **high blood pressure**, according to the [American Heart Association](#) (AHA). Based on current knowledge, seniors "with coronary heart disease or high blood pressure may be more susceptible to the coronavirus and more likely to develop more severe symptoms. That means it's vital to follow guidance about keeping other conditions well-controlled and maintaining good health and hygiene," the AHA said in a news release.
 - **Sex** in the time of coronavirus: Yes, you can [buy condoms](#) during lockdown, plus what to consider before being intimate right now.
- The [British Veterinary Association](#) says that, like any surface, an animal's fur could carry the virus for a time "if a pet were to have come into contact with someone who was sick". Few reports of cats (including a tiger in a US zoo) having contracted COVID-19 from humans have emerged, with vets saying the animals do not appear to become ill and that pet owners cannot get infected from their pets. So British vets are recommending that the advice to stay at home is extended to our pets.
- CDC is recommending that Americans wear [facemasks in public](#), and providing instructions for homemade ones. We know that masks and other measures like gloves are only effective if used

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by a resident nurse testing positive for Covid-19, a statement from Mayor Mzwandile Masina said on Monday.

- [Stavros Nicolaou](#): The go-to guy for crucial medical equipment warns of a triple threat in South Africa – flu, Covid-19 and an HIV/AIDS drugs shortage.

LOCKDOWN AND OTHER RESPONSES TO COVID-19

- The World Health Organization (WHO) has warned that the precautionary [measures enforced by governments to curb the COVID-19 epidemic](#) should not be lifted “too early” as health risks still largely persist.
- South Africans will soon know if the national lockdown is working. Speculation has been rife the [lockdown](#) would be extended beyond three weeks, with growing concern over the impact of such a decision on an already ailing economy. On Tuesday, President Cyril Ramaphosa said the government would soon receive a scientific assessment on whether the [national lockdown](#), which ends next week, had worked. Minerals and Energy Minister Gwede Mantashe also met with unions on Tuesday, 7 April. Among other things he asked them for their views on the way forward if the 21-day [lockdown to contain the Covid-19 pandemic gets extended](#), according to sources aware of what was discussed at the meeting. The focus was on the mining industry, with coal mines continuing to operate and supply coal to Eskom for power generation.
- Eskom has proposed to curtail operational wind farms citing reduced demand in relation to COVID-19, and claiming force majeure. This is despite government issuing an official notice on 25 March 2020, classifying electricity production, supply and maintenance as essential services. Renewables industry has challenged Eskom’s claim and awaits the outcome of the legal process. Meanwhile, solar power [electricity contractors such as renewable energy provider SENER](#) ’s operation and maintenance teams in the Northern Cape Concentrated Solar Power (CSP) plant continue to operate.

[Back to top](#)

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