

QUERIES AND FACTUAL AVERMENTS

I suggest that the **SAKELIGA** papers attempt to give practical examples of irrationality, prejudice and difficulties faced with the substance of and compliance difficulties with the Regulations (in addition to the procedural issues raised by other parties). The following are queries for businesses /groups/ potential medical experts and factual averments which could be made:

1 **GATHERINGS WHICH WILL FAIL TO COMPLY WITH REG 16B:**

1.1 **INDIVIDUAL BUSINESSES**

1.1.1 Details of any special events (gatherings) planned by individual businesses which planners anticipate will not comply with the regulations:

- a) Purpose of gathering (business/religious/social etc);
- b) Dates, time-frame / duration;
- c) Anticipated participants;
- d) Venue type – outdoor / indoor and capacity of venue;
- e) Non-compliance with Reg 16B anticipated (how will it be breached);
- f) Turnover, economic impact if event proceeds without restrictions;
- g) Economic impact on business anticipated if event cancelled;
- h) Economic impact on business if Reg 16B complied with (if possible to comply with Reg – reduced turnover, profit etc);
- i) Personal or group loss – eg religious community failing to meet as per their belief or conscience;

1.1.2 Details of previous events that have had to be downscaled or cancelled and losses (refer to issues above to address);

1.1.3 The factual allegation to be made is that the event will either be cancelled or downscaled and losses suffered;

1.1.5 Any other grounds or issues that they want to raise re Regulations.

1.2 BIGGER EVENTS – EG: KRAGDAG

1.2.1 Short history of event and when last held, numbers attended previously;

1.2.2 Details of event:

- a) Purpose of gathering (business/religious/social etc);
- b) dates, time-frame / duration;
- c) Anticipated participants;
- d) Venue type – outdoor / indoor and capacity of venue;
- e) Non-compliance with Reg 16B anticipated (how will it be breached);
- f) Turnover, economic impact if event proceeds without restrictions;
- g) Economic impact on business anticipated if event cancelled;
- h) Economic impact on business if Reg 16B complied with (if possible to comply with Reg – reduced turnover, profit etc);
- i) Personal or group loss – eg religious community failing to meet as per their belief or conscience;

1.3 The factual allegation to be made is that the event will either be cancelled or downscaled and losses suffered;

1.4 Any other grounds or issues that they want to raise re Regulations.

1.3 REGULAR “PLANNED” RELIGIOUS GATHERINGS: CANNOT OR WILL NOT COMPLY WITH REG 16B

1.3.1 Details of group and:

- a) Particular purpose of gathering (special event, regular event etc);
- b) dates, time-frame / duration;
- c) Anticipated participants;
- d) Venue type – outdoor / indoor and capacity of venue;

e) Non-compliance with Reg 16B anticipated (how will it be breached);

1.3.2 Any particular grounds that groups believe they must gather (Biblical mandates etc) and why / how 16B infringes this (this has been traversed in several instances already but there might be particular unique views raised);

1.3.3 Any special views / issues on attempting to comply with/ enforce vaccination status /discrimination by religious groups;

1.3.4 The factual allegation to be made is that the event will either be cancelled or downscaled.

1.3.5 Any other grounds or issues that they want to raise re Regulations.

1.4 **REGULAR OTHER GATHERINGS (SPORTS EVENTS) AND INABILITY TO COMPLY WITH REG 16B**

1.4.1 Details required:

- a) Particular purpose of gathering (special event, regular event etc);
- b) Dates, time-frame / duration;
- c) Anticipated participants;
- d) Venue type – outdoor / indoor and capacity of venue;
- e) Non-compliance with Reg 16B anticipated (how will it be breached);

1.4.2 Impact on community if event not held (loss of participation in sports event, community involvement and interaction, entertainment etc);

1.5 Any other view/ issue relating to sports or other gatherings and the Regulations.

1.6 **REG 16C TRAVEL: ECONOMIC IMPACT**

1.5.1 Businesses dependent on international travel (Game lodges / or other tourist accommodation venues etc) to provide their data if possible so that we can give practical examples of the economic impact of travel bans and restrictions:

- a) Any statistics on decline in numbers and trends on visitors from March 2020 to date;
- b) Any communication from prospective tourists who have enquired about and declined to book or cancelled as a result of travel restrictions (past and now Reg 16C);
- c) Number of retrenchments in business due to restrictions;
- d) Economic loss estimate due to restrictions / State of Disaster;
- e) Estimated losses while Regulations are in place;

1.6 For all the above (bearing in mind that the need to discriminate is **not** conceded so if this cannot be established it is not necessary to be deal with):

- a) What will it cost to put measures in place to “police” gatherings to distinguish between vaccinated and unvaccinated (projected costs of appointing officials / equipment/ admin etc);
- b) The affordability of appointing such persons to give effect to Reg 16B;
- c) any other “policing” issues that might be raised.

5 **EVIDENCE ON “UNPLANNED” GATHERINGS NOT COVERED BY REGULATIONS**

5.1 There is no restriction on “unplanned” gatherings or attendance in public places in the Regulations. It could be strongly argued on a simple interpretation of the Regulations that attendance by the public at a huge Mall does not have to comply with the Regulations since attendance at the Mall is not “planned”. (I am not sure in practice how this is being interpreted and implemented by Mall managements currently).

- 5.2 **Fact to be established: What is the capacity of the various huge malls in Gauteng?** At 11:00 on Saturday in any given large mall the “gathering” will far exceed the Regulation numbers. We can refer to documents on this in the public domain if necessary.
- 5.3 Huge numbers of people will gather in confined spaces and there are no restrictions. The distinction between “unplanned” and “planned” is arbitrary and irrational in this context and must be exposed.
- 5.4 Let me know if my interpretation is going down the wrong path on this issue....

6 **MEDICAL EVIDENCE**

6.1 Confirmation of the following facts:

- a) That vaccination does not:
 - i) Prevent infection with COVID 19;
 - ii) Prevent transmission of COVID 19;
 - iii) Prevent mutation and / or new variants from developing;
- b) That a person who has recovered from an infection with COVID-19 has natural immunity / protection from serious illness;
- c) That natural immunity / protection is effective;
- d) That cloth and non-surgical facemasks are not effective at preventing the spread of the virus.

6.2 Evidence and any statistics from a Medical Doctor who can provide evidence from his / her practice that COVID 19 does not pose a serious public health risk;

6.3 That it is not necessary to include COVID 19 as a notifiable medical condition in the Regulation (not essential to this matter: Medical Practitioners may differ).