



the dti

Department:
Trade and Industry
REPUBLIC OF SOUTH AFRICA

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MEDIA RELEASE

DATE: 31 MARCH 2020

CANCELLATION OF CERTIFICATES NOT DESIGNATED AS ESSENTIAL SERVICES

During the course of its review of the Essential Service list of applications, the Companies and Intellectual Property Commission (CIPC) has established that certain companies not designated as Essential Services have either fraudulently or negligently applied on the Bizportal website (www.bizportal.gov.za).

As was made 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 thereof does not in itself 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 regulations and that the company falls within the scope of essential services as defined in the regulations.

In a number of cases, companies have applied and received Essential Service certificates without compliance with the regulated conditions.

In terms of the applicable regulations during the lockdown, all businesses shall cease operations except for any business involved in the manufacturing, supply and /or provision of an essential service or goods.



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 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.

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 South African Police Services for further investigation and potential prosecution.

Any business which is not authorised to continue operating during the lockdown in terms of the applicable regulations and directions should cease operations with immediate effect. Businesses which require clarification as to whether they meet the definitions of an essential service business may address their queries to their relevant business association.

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Issued by: The Department of Trade and Industry

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