



SA Childcare Association

Nurturing Winners!

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P. O. Box 54002, Ninapark, 0156 * Tel: 012 – 520 5012 * Email: info@sachildcare.net

EXTRA MURALS AND ALL OTHER ECD SERVICE PROVIDERS

Extra mural activities are included in our second high court application. We addressed the issue of extra murals not being able to operate.

Please see the excerpt of our second application below:

161.24.10 (Page 69)

The following additional irregularities were recorded, which can be gleaned from the content of the directions and the applicable legislation. They are, inclusive but not limited to, the following provisions **the prohibition of extramural activities and activities implemented by any external party provided for in direction 7(1)(b) and (c) as opposed to the developmental necessity of these activities to children with specific needs and the right of the external parties to operate their businesses** in terms of regulation 46 of the Alert Level 3 Regulations.

163.12 (Page 74)

In her response the first respondent (Minister of Social Development) conceded to the irregularities and unlawful conduct raised **but** for the following issues:

There are no reasons provided for the prohibition of extramural activities, the direction of which is inconsistent and in contravention of regulation 46 of the national disaster regulations

In Summary:

We are addressing the fact that the Minister did not give a response to the unlawfulness of not allowing extra murals to operate.

In Level 2 Lockdown, all businesses may trade (with a few exceptions), we believe these exceptions do not include extra murals.

Because of the lack of communication from DSD to the ECD sector regarding the re-introduction of extra mural activities and/or specifically addressing this issue, SA Childcare Association and a number of other role players in our industry have consensus that it makes no common sense not to allow these activities to resume.

Logically the service providers should adhere to the safety protocols and measurements that form part of the Nursery school's minimum requirement / directive received from the relevant department/s.

Regards

Arno van der Merwe