



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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## **Proclamation**

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by the

**PRESIDENT OF THE REPUBLIC OF NAMIBIA**

No. 47

2020

### **STATE OF EMERGENCY – COVID-19: REGULATIONS RELATING TO HEALTH MATTERS: NAMIBIAN CONSTITUTION**

Under the powers vested in me by Sub-Article (5) of Article 26 of the Namibian Constitution, I, subsequent to having declared by Proclamation No. 7 of 18 March of 2020 that a State of Emergency exists in the whole of Namibia following a worldwide outbreak of the disease known as Coronavirus Disease 2019 (COVID-19), make the regulations set out in the Schedule.

Given under my Hand and the Seal of the Republic of Namibia at Windhoek, this 21st day of August, Two Thousand and Twenty.

**HAGE G. GEINGOB**

**President**

**BY ORDER OF THE PRESIDENT**

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PART 1  
PRELIMINARY MATTERS

**Definitions**

1. In these regulations, unless the context otherwise indicates -

“accommodation establishment” means any premises in or on which the business of providing accommodation for overnight stay and the services commonly associated with that business, with or without meals, for reward to guests is or is intended to be conducted and includes a rest camp, guest farm, holiday farm, pension, caravan park and a safari undertaking;

“accounting officer” means the executive director of an office, a ministry or an agency as defined in section 1 of the Public Service Act, 1995 (Act No. 13 of 1995);

“authorised health official” means a staff member of the Ministry who has been authorised in writing by the Executive Director of the Ministry to perform functions and duties in terms of, and to exercise powers under, these regulations;

“authorised officer” means -

- (a) the Director referred to in section 32 of the Disaster Risk Management Act, 2012 (Act No. 10 of 2012);
- (b) a member of the Namibian Police as defined in section 1 of the Police Act, 1990 (Act No. 19 of 1990);
- (c) a member of the municipal police service referred to in section 43C of the Police Act, 1990 (Act No. 19 of 1990);
- (d) a member of the Defence Force as defined in section 1 of the Defence Act, 2002 (Act No. 1 of 2002);
- (e) a correctional officer as defined in section 1 of the Correctional Service Act, 2012 (Act No. 9 of 2012);
- (f) an immigration officer as defined in section 1 of the Immigration Control Act, 1993 (Act No. 7 of 1993);
- (g) an officer as defined in section 1 of Customs and Excise Act, 1998 (Act No. 20 of 1998), charged with the responsibility of enforcing the customs and excise legislation;
- (h) an authorised health official;
- (i) a traffic officer or road transport inspector appointed in terms of section 11 of the Road Traffic and Transport Act, 1999 (Act No. 22 of 1999);
- (j) an authorised officer, inspector and authorised person designated as such under section 37(1) of the Civil Aviation Act, 2016 (Act No. 6 of 2016);
- (k) a fisheries inspector as defined in section 1 of the Marine Resources Act, 2000 (Act No. 27 of 2000); or

- (l) any other staff member designated or person appointed as an authorised officer under section 32 of the Disaster Risk Management Act, 2012 (Act No. 10 of 2012);

“confirmed case”, in relation to COVID-19, means a clinical case where there is laboratory confirmation that a person has tested positive for COVID-19, irrespective of the existence of clinical signs and symptoms;

“contact tracing” means the identification and follow up of any person who may have come into contact with a COVID -19 confirmed case;

“COVID-19” means the coronavirus disease of 2019 which is caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

“COVID-19 General Regulations” means any regulations issued under Article 26(5) of the Namibian Constitution that are intended to deal with general matters pertaining to combating, preventing and suppressing the spread of COVID-19;

“COVID-19 response centre” means any place, premises, establishment or facility designated as such under regulation 4;

“designated quarantine facility” means a quarantine facility designated as such under regulation 4;

“Executive Director” means the Executive Director of the Ministry responsible for the administration of health and social services;

“health care worker” means -

- (a) a health practitioner registered or enrolled under the -
- (i) Allied Health Professions Act, 2004 (Act No. 7 of 2004);
  - (ii) Medical and Dental Act, 2004 (Act No. 10 of 2004);
  - (iii) Nursing Act, 2004 (Act No. 8 of 2004);
  - (iv) Pharmacy Act, 2004 (Act No. 9 of 2004); or
  - (v) Social Work and Psychology Act, 2004 (Act No. 6 of 2004); or
- (b) any other person providing or ensuring the provision of services at a hospital, health facility or point of health service delivery for infection prevention and control, including managers, professionals, administrative and support staff of the hospital, health facility or point of health service delivery;

“health facility” means a health facility as defined in section 1 of the Hospitals and Health Facilities Act, 1994 (Act No. 36 of 1994);

“hospital” means a hospital as defined in section 1 of the Hospitals and Health Facilities Act, 1994 (Act No. 36 of 1994);

“isolation”, in relation to COVID-19, means segregation or separation from and interdiction of communication with others, of persons who are ill or are suspected of being infected with COVID-19;

“isolation facility” means a hospital or health facility designated as such under regulation 4, and a portion of such hospital or health facility and any permanent or temporary structures set apart and used solely for the admission and accommodation of persons who are confirmed cases of COVID-19;

“local authority council” means a local authority council as defined in section 1 of the Local Authorities Act, 1992 (Act No. 23 of 1992);

“mandatory supervised quarantine” means a person potentially exposed to COVID-19 infection staying at a designated quarantine facility, under supervision of the Ministry or other authorities, away from other persons after exposure or potential exposure to COVID-19;

“mask” means a covering made of any suitable material that is worn on and around a person’s nose and mouth so as to fully cover that person’s nose and mouth for purposes of preventing the transmission of COVID-19;

“medical practitioner” means a person who is registered as a medical practitioner under the Medical and Dental Act, 2004 (Act No. 10 of 2004);

“Ministry” means the ministry responsible for the administration of health and social services;

“personal protective equipment” means any equipment, as determined in the Ministry’s guidelines, that is worn by a person for purposes of combating, preventing and suppressing the spread of COVID-19;

“quarantine” means separating persons potentially exposed to COVID-19 from non-exposed persons in such a manner as to prevent the possible spread of an infection or contamination;

“quarantine facilities” means any place, premises, establishment or facility set apart and used solely for the administration and accommodation of separating persons potentially exposed to COVID-19 from non-exposed persons in such a manner as to prevent the possible spread of an infection or contamination;

“regional council” means a regional council referred to in section 1 of the Regional Councils Act, 1992 (Act No. 22 of 1992);

“social distancing” means any number of measures taken to increase the physical space between persons to slow the spread of COVID-19, by among others maintaining a distance of not less than one metre between persons;

“specified period” means the period referred to in regulation 3;

“truck” means a motor vehicle as defined in section 1 of the Road and Transport Act, 1999 (Act No. 22 of 1999), that is used for the carriage and transportation of goods during the course of business, trade or commercial activity of the owner or operator of the truck; and

“vulnerable persons” means expecting mothers, nursing mothers, persons of 65 years and older, children of six years and younger, persons with disabilities, persons with pre-existing conditions such as heart disease, high blood pressure, respiratory problems, obesity, diabetes, tuberculosis, cancer or a condition which may compromise the immune system of a person.

### **Application of regulations**

2. (1) Except where otherwise stated, these regulations apply to the whole of Namibia during the specified period.

(2) If there is a conflict in relation to a health-related matter regulated by or under these regulations, between these regulations and any other regulation made under Article 26(5) of the Namibian Constitution or any other law, the provisions of these regulations prevail to the extent of that conflict.

**Specified period**

3. The specified period starts at 00:00 on the date of publication of these regulations and ends at 24:00 on 17 September 2020.

**PART 2  
GENERAL PROVISIONS ON HEALTH MATTERS**

**Designation of COVID-19 response centres, quarantine facilities and isolation facilities**

4. (1) The Executive Director may, in compliance with applicable Ministry's guidelines and WHO guidelines designate -

- (a) any place, premises, establishment or facility or a part or portion of that place, premises, establishment or facility to be used as a COVID-19 response centre;
- (b) any place, premises, establishment or facility or a part or portion of that place, premises or establishment to be used as a quarantine facility; and
- (c) any hospital or health facility or a part or portion of that hospital or health facility to be used as an isolation facility,

for the purposes of these regulations.

(2) The Executive Director must make known a designation under subregulation (1) to the public by any means that he or she considers appropriate, including but not limited to publication in the various media avenues and platforms, such as a website to ensure the effective dissemination of information about the centre or facility.

**Continuity of health services during COVID-19 pandemic**

5. (1) In ensuring the continuity of health services, the Executive Director must -
- (a) where feasible, expand mobile outreach services and community-based services to reduce congestion at hospitals or health facilities;
  - (b) implement medical outreach services at district hospitals, health centres, clinics and outreach points to reduce the need for seeking of health services at the next level of care or referral to intermediate hospitals;
  - (c) assess the need for the re-allocation of health care workers as well as their re-deployment to cover critical services;
  - (d) ensure a constant supply of pharmaceuticals, medication, clinical supplies and other commodities for health services, including for chronic conditions;
  - (e) prioritise care for vulnerable persons; and
  - (f) ensure continuity of immunisation and reproductive health services.

(2) The person in charge of a hospital or health facility must ensure that a proper system of prioritisation and triaging of patients is implemented.

- (3) The person in charge of a hospital or health facility must ensure that -

- (a) where possible, temperature screening for patients and all persons visiting such hospitals or health facilities is conducted;
  - (b) social distancing is practiced at all times;
  - (c) the hands of all persons who enter the hospital's or health facility's premises are sanitised with alcohol-based hand sanitisers or that the hands of such persons are washed with soap and water; and
  - (d) all persons at the hospital's or health facility's premises wear masks at all times.
- (4) Health care workers must ensure that infection prevention and control measures are practiced at all times when handling patients to combat, prevent and suppress the spread of COVID-19.

### **Testing for COVID-19**

6. (1) An authorised health official must subject all persons meeting the standard case definition, as determined in the Ministry's guidelines, to COVID-19 testing.

(2) An authorised health official must subject all persons referred to in regulation 12 to COVID-19 testing.

(3) COVID-19 testing may only be conducted by laboratories that are accredited and certified in terms of any applicable law of Namibia or approved by the Ministry.

(4) In an area where transmission of COVID-19 has been established, persons who are at high risk of exposure to the disease must be tested for COVID-19 at such intervals as may be determined in the Ministry's guidelines.

### **Contact tracing for COVID-19**

7. (1) If a person is confirmed as having tested positive for COVID-19, an authorised health official must establish the names of persons who were or might have been in contact with the confirmed case in line with the contact tracing protocols and standard operating procedures determined in the Ministry's guidelines.

(2) Subject to regulation 12(1)(a), an authorised health official must trace and monitor all persons considered to be contacts with a confirmed case in line with the contact tracing protocols and standard operating procedures determined in the Ministry's guidelines.

(3) A person who has been or considers himself or herself to have been in contact with a confirmed case must -

- (a) call the toll free number 0800100100 and wait for directions from a health care worker or an authorised officer; or
- (b) present himself or herself to the nearest COVID-19 response centre for assistance.

### **Reporting requirements for COVID-19**

8. (1) Every health care worker must immediately -

- (a) report all suspected cases of COVID-19 that he or she notices or are brought to his or her attention to an authorised health official or to the relevant COVID-19 response centre using the standard case definition;

- (b) take specimens or arrange for specimens to be taken according to the established standard operating procedures as set out in the Ministry's guidelines; and
- (c) package or arrange for packaging of the specimens referred to in paragraph (b) for submission to a laboratory for testing for COVID-19 according to the established standard operating procedures as set out in the Ministry's guidelines.

(2) Subject to relevant provisions of the COVID-19 General Regulations, all health care workers must refer to and apply the relevant provisions of the Public and Environmental Health Act, 2015 (Act No. 1 of 2015) regarding the notification, prevention and control of notifiable infectious diseases.

#### **COVID-19 related deaths and burials**

9. (1) The burial of any deceased person whose death is attributed to COVID-19 must be carried out by the State according to the procedures for a safe burial in line with the contact protocols and standard operating procedures determined in the Ministry's guidelines.

(2) In addition to subregulation (1), the State must provide psychosocial support services to the close family members of the deceased person.

#### **COVID-19 awareness messages and campaigns**

10. The Executive Director must intensify, or ensure the intensification of, public awareness messages and campaigns on COVID-19 using all appropriate media avenues and platforms to reach the public in all the regions of Namibia.

#### **Quarantine facilities**

11. (1) The owner or manager of an accommodation establishment wishing to operate a facility for quarantine purposes must first seek approval from the Executive Director.

(2) Every regional council must identify separate quarantine facilities for designation by the Executive Director for truck drivers staying in the respective region for less than the period determined in the Ministry's guidelines.

(3) The owner or manager of a designated quarantine facility where persons have been admitted for quarantine purposes may not accept guests, nor cater for outside guests on the premises of the facility.

(4) The sharing of rooms or ablution facilities, use of communal television, restaurants, dining rooms, swimming pools and gyms in a designated quarantine facility is prohibited.

(5) All bedding, linen and rooms at designated quarantine facilities must be thoroughly cleaned and disinfected before and after quarantine of a new admission.

(6) Authorised officers made available pursuant to an arrangement made under regulation 13(2) are responsible for guarding and patrolling all designated quarantine facilities.

#### **Persons to be quarantined**

12. (1) An authorised health official must place the following persons under mandatory supervised quarantine at a designated quarantine facility for such period as determined in the Ministry's guidelines:

- (a) contacts of a confirmed case of COVID-19, at the cost of the State subject to subregulation (2) and the cost obligation requirements set out in the COVID-19 General Regulations provisions;
- (b) health care workers that have been in contact, or are considered by the authorised health official to have been in contact, with a confirmed case of COVID-19, at the cost of the respective employer of the health care worker;
- (c) cross-border drivers, and other persons arriving in Namibia by road, railway, sea or air whose stay in the country is longer than the period specified in the Ministry's guidelines, subject to the cost obligation requirements set out in the COVID-19 General Regulations provisions; and
- (d) persons entering Namibia in the circumstances contemplated in the relevant provisions of the COVID-19 General Regulations, subject to the cost obligation requirements set out in those regulations.

(2) For the purposes of paragraph (a) of subregulation (1) the State, subject to the availability of resources, must make suitable quarantine facilities available, but where a person referred to in that paragraph elects to self-quarantine at any other place of his or her own choice which is approved by the Ministry, that person must bear the costs of such quarantine.

- (3) The Executive Director must make special arrangements and considerations for -
  - (a) placing the parent or guardian or a caregiver as defined in section 1 of the Child Care and Protection Act, 2015 (Act No. 3 of 2015) in quarantine with a minor who is not accompanied by an adult person; and
  - (b) persons with special needs or persons who need medical care due to pre-existing medical conditions while in quarantine.

### **Rules at quarantine facilities**

13. (1) An authorised health official must, on admission of a person to a designated quarantine facility, arrange for that person to be tested for COVID-19, and if the test result is negative, the person must be re-tested at such intervals as determined in the Ministry's guidelines and must remain in the designated quarantine facility until discharged in line with those guidelines.

(2) The Executive Director must make arrangements with the relevant State entities and institutions to ensure that all designated quarantine facilities are guarded and patrolled by an appropriate number of authorised officers who must -

- (a) observe social distancing; and
- (b) enforce the provisions of these regulations and the COVID-19 General Regulations on persons under quarantine.

(3) The person in charge of a designated quarantine facility must ensure that persons under quarantine -

- (a) practice social distancing at all times;
- (b) wear masks at all times;
- (c) do not visit each other's rooms or mingle with other persons at the quarantine facility;

- (d) do not host or hold parties or braai events, use liquor or other intoxicating or illicit drugs or such similar substances in whatever form; and
  - (e) maintain cleanliness of their rooms.
- (4) Subject to subregulation (5), the person in charge of a designated quarantine facility may not allow visitors to enter the quarantine facility.
- (5) Access to a designated quarantine facility is only permitted to -
- (a) health care workers directly involved in the care of persons in the quarantine facility;
  - (b) social workers and psychologists providing psychosocial support;
  - (c) authorised officers;
  - (d) any other persons to whom special access has been granted by an authorised health official for the purpose of COVID-19 response;
  - (e) maintenance workers with the prior approval of an authorised health official; and
  - (f) facility management and support staff such as cleaners and cooks.
- (6) If a person who is in mandatory supervised quarantine tests positive for COVID-19, the authorised health official in charge of the designated quarantine facility must notify the nearest COVID-19 response centre and immediately cause such person to be placed in mandatory supervised isolation pending transfer of that person to an isolation facility.

### **Isolation facilities**

**14.** (1) Every regional council must identify and set aside hospitals and health facilities in its region that meet the minimum standards of care and treatment of COVID-19 for designation by the Executive Director as isolation facilities as set out in the Ministry's guidelines and the applicable WHO guidelines.

(2) Isolation facilities are managed by the Ministry or by a private health facility or private hospital licensed under the Hospitals and Health Facilities Act, 1994 (Act No. 36 of 1994).

(3) The provisions of regulations 12(2) and 13(2), (3), (4) and (5), subject to necessary changes, apply to isolation facilities and to persons admitted to isolation facilities.

### **Persons to be isolated**

**15.** (1) Every person who is a confirmed COVID-19 case must subject himself or herself to mandatory supervised isolation by an authorised health official.

(2) An authorised health official who is in charge of an isolation facility must, in respect of persons under mandatory supervised isolation, admit or cause to be admitted at the isolation facility COVID-19 confirmed cases separately from persons who -

- (a) have been tested for COVID-19, but whose results are not yet known; and
- (b) are ill and suspected to be infected with COVID-19, but have not yet been tested for COVID.

**Persons without shelter and vulnerable persons**

16. (1) The Executive Director must ensure that psychosocial and health education are provided as part of the services to be provided to persons without shelter and vulnerable persons as part of the national COVID-19 response.

(2) Every health care worker in the employment of the Ministry must cooperate and co-ordinate with relevant stakeholders such as -

- (a) focal points for persons without shelter and vulnerable persons;
- (b) the ministry responsible for urban and rural development;
- (c) the ministry responsible for agriculture, water and land reform;
- (d) the ministry responsible for gender equality, poverty eradication and social welfare;
- (e) regional councils and local authority councils; and
- (f) the disaster risk management institutions in the Office of the Prime Minister,

to facilitate the provision of basic services for the protection and care of persons without shelter and vulnerable persons based on individual needs and risk of exposure to COVID-19.

**Requirements for homes for the aged**

17. (1) Every manager of a home for the aged as defined in section 1 of the Aged Persons Act, 1967 (Act No. 81 of 1967) must ensure that -

- (a) alcohol-based hand sanitation or handwashing facilities are available at the home; and
- (b) personal hygiene and social distancing are practiced and all residents of the home and employees wear masks at all times.

(2) Subject to subregulation (3), the manager of a home for the aged may not allow visitors to enter the home for the aged.

(3) A person rendering services necessary for the smooth running or maintenance of a home for the aged, a person authorised by an authorised officer for any purpose and a person rendering services referred to in subregulation (5), may visit a home for the aged for the purposes concerned.

(4) Every person at a home for the aged must practice good personal hygiene, social distancing and wear a mask at all times.

(5) Medical and other services and basic necessities which are reasonably required may be provided subject to the practice of personal hygiene, social distancing and wearing of masks.

(6) The manager of a home for the aged must immediately notify an authorised health official or report to toll free number 0800100100 or to a COVID-19 response centre, if he or she notices or it is brought to his or her attention that a resident or employee is ill or displays symptoms consistent with COVID-19.

(7) The manager of a home for the aged must ensure that continuous education on COVID-19 is provided to all residents and employees at such home.

**Requirements for rehabilitation centres**

18. (1) The superintendent of a rehabilitation centre and a registered rehabilitation centre (rehabilitation centre) referred to in section 1 of the Abuse of Dependence-Producing Substances Act, 1971 (Act No. 41 of 1971) must ensure that -

- (a) alcohol-based hand sanitation or handwashing facilities are available at the centre; and
- (b) personal hygiene and social distancing are practiced and all patients and employees wear masks at all times.

(2) Subject to subregulations (5) and (6), the superintendent of a rehabilitation centre may not allow visitors to enter the centre.

(3) Group therapy sessions must be limited to not more than five patients during each session and social distancing must be practiced at all times.

(4) Every superintendent of a rehabilitation centre, whether state or privately owned or operated, must ensure that the occupancy at the rehabilitation centre is reduced to, and remains at, half the capacity of the facility.

(5) A person rendering services necessary for the smooth running or maintenance of facilities, a person authorised by an authorised officer for any purpose and a person rendering services referred to in subregulation (6), may visit a rehabilitation centre for the purposes concerned.

(6) Medical and other services and basic necessities which are reasonably required may be provided subject to the practice of personal hygiene, social distancing and wearing of masks.

(7) The superintendent of a rehabilitation centre must immediately notify an authorised health official or report to toll free number 0800100100 or to a COVID-19 response centre, if he or she notices or it is brought to his or her attention that a patient is ill or displays symptoms consistent with COVID-19.

(8) The superintendent of a rehabilitation centre must ensure that continuous education on COVID-19 is provided to all patients and employees at the centre.

**Requirements for mental health institutions**

19. (1) The superintendent of an institution as defined in section 1 of the Mental Health Act, 1973 (Act No. 18 of 1973) must ensure that -

- (a) alcohol-based hand sanitation or handwashing facilities are available; and
- (b) personal hygiene and social distancing are practiced and all patients and employees wear masks at all times.

(2) Subject to subregulations (9) and (10), the superintendent of an institution may not allow visitors to enter the institution.

(3) Group work activities must be limited to half the usual number of patients, but not more than five patients in a group.

(4) The superintendent of an institution must ensure that continuous education on COVID-19 is provided to all patients and employees.

(5) The superintendent of an institution must prioritise the admission of emergency cases, such as suicide ideation or danger to themselves or others, and where possible, provide other services on an out-patient basis.

(6) The superintendent of an institution must prepare separate rooms for new admissions where possible.

(7) New patients may be accompanied by one caregiver, as applicable or necessary.

(8) The superintendent of an institution must conduct comprehensive health screening including screening for symptoms of COVID-19 before admission of a new patient.

(9) A person rendering services necessary for the smooth running or maintenance of facilities, a person authorised by an authorised officer for any purpose or a person rendering services referred to in subregulation (10), may visit an institution for the purposes concerned.

(10) Medical and other services and basic necessities which are reasonably required may be provided subject to the practice of personal hygiene, social distancing and wearing of masks.

(11) The superintendent of an institution must immediately notify an authorised health official or report to toll free number 0800100100 or to a COVID-19 response centre, if he or she notices or it is brought to his or her attention that a patient is ill or shows symptoms consistent with COVID-19.

### **Members of diplomatic missions and consular posts**

**20.** (1) For purposes of this regulation -

“consular officer” means any person, including the head of a consular post, entrusted in that capacity with the exercise of consular functions;

“diplomatic agent” means the head of the mission or a member of the diplomatic staff of the mission;

“members of the consular post” means consular officers, consular employees and members of the service staff;

“members of the mission” means the head of the mission and the members of the staff of the mission;

“members of the staff of the mission” means the members of the diplomatic staff, of the administrative and technical staff and of the service staff of the mission.

(2) Every member of a diplomatic mission or a consular post must, upon entering Namibia, undergo mandatory supervised quarantine for a period determined in the Ministry’s guidelines, which may be at that member’s respective place of residence or a place of his or her own choice.

(3) A member of a diplomatic mission or a consular post who is under quarantine for COVID-19, must subject himself or herself to a COVID-19 test by an authorised health official, and if the test result is negative, such member of a diplomatic mission or a consular post must be re-tested after the period determined in the Ministry’s guidelines and must remain in quarantine until discharged after the period determined in the Ministry’s guidelines.

(4) A member of a diplomatic mission or a consular post permitted to quarantine at his or her respective place of residence or other place of choice must -

- (a) strictly comply with the quarantine procedures set out in these regulations and in any guidelines issued by the Ministry and the applicable WHO guidelines;
- (b) notify the ministry responsible for international relations and co-operation of his or her arrival 10 days in advance as well as provide information of the quarantine facility of choice, including the address;
- (c) strictly adhere to the infection prevention and control guidelines as per the guidelines of the Ministry and social distancing;
- (d) not allow any person to visit him or her while under quarantine; and
- (e) remain at his or her residence or place of choice during the period of quarantine and not leave the residence or place where quarantined.

(5) In circumstances where the residence of a person who must be quarantined is not suitable for mandatory supervised quarantine, such person must be quarantined in a suitable quarantine facility agreed between that person and the Ministry.

### PART 3

## CROSS-BORDER REQUIREMENTS AND TRANSPORTATION OF PERSONS AND GOODS

### Definitions for this Part

21. In this Part, unless the context otherwise indicates -

“aircraft” means an aircraft as defined in section 1 of the Civil Aviation Act, 2016 (Act No. 6 of 2016);

“vehicle” means a motor vehicle as defined in section 1 of the Road and Transport Act, 1999 (Act No. 22 of 1999) and includes a locomotive that is used for the transportation of passengers or goods by railway; and

“vessel” means a vessel as defined in section 1 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951).

### Management and monitoring of persons entering Namibia

22. (1) Every person entering Namibia must -

- (a) subject himself or herself to strict management and monitoring by the relevant authorised officers and health care workers to prevent the importation of COVID-19; and
- (b) present to an authorised officer, a negative COVID test result not older than seven days.

(2) An authorised health official must, at the port of entry -

- (a) issue every person entering Namibia with an infectious disease surveillance form and collect all the completed forms;
- (b) screen every person entering Namibia to identify those with medical conditions and special needs;

- (c) conduct temperature screening using a thermal-gun or thermal scanners on every person entering Namibia;
  - (d) observe and screen every person entering Namibia for signs and symptoms of COVID-19;
  - (e) complete and provide every person entering Namibia by road or railway with the following documents -
    - (i) the COVID-19 control protocol for vehicle drivers form;
    - (ii) the trip log sheet; and
    - (iii) the designated stop points sheet;
  - (f) provide every person entering Namibia with information, education and communication materials on infection prevention and control of COVID-19, including the toll free number 0800100100; and
  - (g) inform every person entering Namibia by road to present a copy of the COVID-19 control protocol for vehicle drivers form to an authorised officer.
- (3) A person who enters Namibia -
- (a) as the driver of a vehicle must -
    - (i) disclose his or her final destination to an authorised officer at any point during the journey; and
    - (ii) stop only at designated points along the road routes; or
  - (b) as a passenger in a vehicle must disclose his or her final destination to an authorised officer at any point during the journey.
- (4) An authorised health official must inform the driver of every vehicle in transit between the port of entry and final destination within Namibia to observe the following:
- (a) drivers must only stop at designated stop points; and
  - (b) drivers must observe infection prevention and control measures at all times including hygiene practices, social distancing and the wearing of masks.
- (5) An authorised health official or any person designated by that official must disinfect the exterior of every vehicle entering Namibia.
- (6) Every checkpoint staff member must use appropriate personal protective equipment and must be tested for COVID-19 at such intervals as determined in the Ministry's guidelines to prevent potential infection from staff to drivers and passengers or *vice-versa*.
- (7) If a person who has entered Namibia in a vehicle is involved in an accident during the journey, and that person has sustained -
- (a) serious injuries, he or she must be given medical attention in a separate room in a hospital or health facility; or

- (b) minor injuries, an authorised health official must cause the injured person to be quarantined at a designated quarantine facility.

#### **Duties of persons entering Namibia in vehicles**

23. (1) A person who enters Namibia driving a vehicle may not pick up passengers at any point during his or her journey in Namibia.

(2) A person who has entered Namibia driving a vehicle must present the COVID-19 control protocol for vehicle drivers form and trip log sheet at all checkpoints along the journey.

(3) On arrival at his or her destination point, a person entering Namibia in a vehicle must report immediately to the designated quarantine facility.

#### **Duties of truck owners, operators and drivers**

24. (1) Every truck owner or truck operator must notify an authorised health official at the destination point of a scheduled inbound trip, 48 hours prior to arrival at the port of entry to allow arrangements for the quarantining of the truck drivers to be made.

(2) An authorised health official must inform the truck owner or truck operator, of the designated quarantine facility, 12 hours before the expected arrival of the truck driver at the port of entry.

(3) Every truck owner or truck operator must ensure that truck drivers under his or her or its employment report to the designated quarantine facility.

(4) The truck owner or truck operator must -

(a) inform an authorised health official about the number of days the driver intends to stay in Namibia;

(b) immediately contact an authorised health official when the truck owner or truck operator notices or it is brought to his or her or its attention that a driver is ill, especially with symptoms related to COVID-19 for appropriate intervention;

(c) make arrangements to ensure that a truck driver in quarantine who requires chronic medications has access to such medication, including the replacement of fully used prescriptions; and

(d) adopt and implement the Ministry's guidelines and applicable WHO guidelines, including training of staff members on appropriate infection prevention and control measures.

(5) If a truck driver is quarantined while in transit, the truck owner or truck operator must make necessary arrangements for backup drivers to ensure that the goods are delivered.

(6) If the relay system is being practiced, the truck owner or truck operator must ensure that appropriate handover processes are enforced, including but not limited to disinfection of the interior and exterior of vehicles, trailers and goods packaging as well as appropriate social distancing and sanitising of all persons involved.

(7) If a breakdown occurs along the journey, the truck owner or truck operator must dispatch mechanical support services to the scene without delay and the driver must, to the extent possible, remain in the truck or practice social distancing and wear a mask to avoid contact with any other person.

(8) Every truck owner or truck operator must collaborate with authorised officers, law enforcement officers and authorised health officials on the monitoring of the movement of trucks and sharing of information from the satellite tracking systems, specifically the deviation from route reports.

(9) Every truck owner or truck operator must ensure that drivers transporting goods locally do not mix or share premises, such as living quarters, with cross border truck drivers.

(10) Despite anything to the contrary in any law, if an owner, operator or driver of a truck fails or refuses to comply with subregulation (1), (3), (4), (5), (6), (7), (8) or (9), an authorised officer may -

- (a) refuse entry of the truck and its driver into Namibia; or
- (b) if the truck is already in Namibia, instruct the owner, operator or driver of the truck to immediately take the truck out of Namibia or otherwise cause the truck to be removed from Namibia.

### **Quarantine of truck drivers**

25. (1) Every truck driver must report to the designated quarantine facility at the destination point immediately after off-loading.

(2) An authorised health official must arrange for every truck driver to be tested for COVID-19, on the driver's arrival at the designated quarantine facility.

(3) An authorised health official must issue a quarantine order to the truck driver, based on the waiting period as determined in the Ministry's guidelines, to obtain COVID-19 test results or the duration of stay of the truck driver in Namibia.

(4) Despite regulation 12(1)(c), if a truck driver's stay in Namibia is less than the quarantine period as determined in the Ministry's guidelines, and such truck driver tests negative for COVID-19, he or she must remain in the quarantine facility for the quarantine period and will only be discharged if called for the next assignment or until his or her return journey.

(5) Subject to regulation 12(1)(c), if a truck driver whose stay is longer than the quarantine period determined in the Ministry's guidelines tests negative for COVID-19, he or she must remain in the quarantine facility and be re-tested after a period determined in the Ministry's guidelines and will only be discharged after the period determined in the Ministry's guidelines, if the result remains negative.

(6) If a truck driver or other person in mandatory supervised quarantine tests positive for COVID-19, an authorised health official must immediately arrange for the driver or person to be transferred and admitted to an isolation facility.

### **Duties of truck drivers**

26. (1) Every truck driver who has entered Namibia is, while travelling in Namibia, prohibited from transporting passengers other than persons carried in or on the vehicle necessary for the operation of the vehicle during the course of business, trade or commercial activity of the owner or operator.

(2) Every truck driver must present the COVID-19 control protocol for vehicle drivers form and trip log sheet at all checkpoints along the journey.

(3) On arrival at his or her destination, every truck driver and other person in the truck must report his or her arrival at the destination point and report immediately to the designated quarantine facility on completion of standard compliance measures such as weighbridge, veterinary services and off-loading.

(4) The truck driver and other person in the truck must remain in the truck while ground staff is off-loading the goods.

(5) Ground staff referred to in subregulation (4) must wear personal protective clothing, which includes gloves and masks during off-loading of goods.

(6) The manager of the premises or place at the point of off-loading must record and keep a record of the names and contacts details of ground staff who were present during off-loading.

(7) Where possible, and considered necessary by an authorised health official or requested by an authorised health official, an authorised officer must escort the truck driver to the designated quarantine facility.

#### **Departure of truck drivers from Namibia**

27. (1) Every truck driver exiting Namibia who, on entry into Namibia, was subject to mandatory quarantine must present proof of -

- (a) discharge from a designated quarantine facility issued by an authorised health official, except where the truck driver was never required to be placed under quarantine in terms of these regulations; and
- (b) a negative COVID-19 test result taken in the last seven days.

(2) When loading goods onto a truck, the driver and ground staff must adhere to infection prevention and control measures, including wearing protective clothing and masks.

#### **Duties at airports, sea ports, ground crossings, roadblocks and checkpoints**

28. (1) Every person in charge of an airport, a sea port, ground crossing, roadblock or checkpoint must -

- (a) at such intervals as determined in the Ministry's guidelines, cause disinfection of the surfaces, premises and areas used for the performance of functions and operations at the airport, sea port, ground crossing, roadblock or checkpoint to which employees or the public have access;
- (b) where possible, cause temperature screening using a thermo-gun to be conducted in respect of persons entering, leaving or passing through the airport, sea port, ground crossing, roadblock or checkpoint and ensure that persons presenting temperatures of 38 degrees Celsius or higher are reported to -
  - (i) the toll free number 0800100100; or
  - (ii) a COVID-19 response centre,for appropriate interventions by the health care workers;
- (c) ensure that persons entering, leaving or passing through the airport, sea port, ground crossing, roadblock or checkpoint adhere to social distancing to minimise potential risk of infection;

- (d) ensure that persons entering, leaving or passing through the airport, sea port, ground crossing, roadblock or checkpoint are provided with alcohol-based hand sanitation when entering, passing through or leaving such place of service; and
- (e) ensure that every person working at the airport, sea port, ground crossing, roadblock or checkpoint receives sufficient information and training on infection prevention and control measures and is provided with appropriate personal protective equipment and hand sanitation supplies.

(2) The accounting officer of each State entity or institution that has staff members performing functions at a port of entry into or exit from Namibia or at a roadblock or checkpoint must ensure that each of its staff members has the following equipment and supplies:

- (a) thermo-guns or thermal scanners;
- (b) masks;
- (c) hand washing facilities with soap and water or alcohol-based hand sanitisers;
- (d) waste bins with covers for disposal of refuse;
- (e) appropriate personal protective equipment for personnel;
- (f) cleaning and disinfection supplies for use by cleaners;
- (g) heavy duty rubber gloves, closed toe shoes and impermeable aprons for cleaners; and
- (h) an isolation area or room to accommodate persons suspected of having contracted COVID-19, with toilet facilities, beds, chairs and hand washing facilities.

(3) The Executive Director must coordinate and ensure the provision of personal protective equipment to all staff members deployed at all ports of entry into or exit from Namibia, roadblocks and checkpoints from the Ministry's own resources or from the relevant State entity or institution that has its staff members deployed at the ports of entry into or exit from Namibia, roadblocks or checkpoints.

#### **Requirements for aircraft owners and crew members**

29. (1) Every owner or operator of an aircraft must ensure that its personnel adhere to and practice infection prevention and control measures at all times, including disinfection of the aircraft on return from outside Namibia.

(2) Every flight crew member and every cabin crew member must while on board an aircraft that flies into or out of Namibia -

- (a) wear personal protective equipment for outbound and inbound travel and observe social distancing in the aircraft;
- (b) frequently perform disinfection surfaces during flights;
- (c) limit contact with ground staff; and
- (d) disinfect the outer surfaces of goods brought into Namibia, where possible.

(3) The flight crew members and cabin crew members on board an inbound flight of a short duration before returning to the country of origin may not disembark or leave the tarmac, except where permitted to do so by an authorised officer in case of an emergency.

(4) The pilot in command of an aircraft that flies into Namibia must -

(a) separate a passenger or crew member or cause a passenger or crew member to be separated from the other passengers or crew members on the flight, if the passenger or crew member becomes sick mid-air;

(b) isolate the passenger or crew member or cause the passenger or crew member to be isolated; and

(c) report the incident to air traffic control to alert health care workers at the airport on landing.

(5) An owner or operator of an aircraft or the person in charge of an airport must at all times be in possession of updated standard operating procedures for infection prevention and control measures for COVID-19 in line with -

(a) International Civil Aviation Organisation (ICAO) standards;

(b) International Air Transport Association Recommended Practices; and

(c) the International Health Regulations as applied to Namibia by the International Health Regulations Act 1974 (Act No. 28 of 1974).

(6) An owner or operator of an aircraft used for the purpose of conveying passengers or goods must ensure that the aircraft is disinfected regularly, and before and after each flight.

(7) Every flight crew member and every cabin crew member of an aircraft must subject himself or herself to screening and testing for COVID-19 by an authorised health official on arrival in Namibia.

(8) Every flight crew member and every cabin crew member of an aircraft that operates from Namibia must subject himself or herself to supervised mandatory quarantine by an authorised health official for the period of the crew member's stay in Namibia, in cases where the crew member's stay is less than the quarantine period as determined in the Ministry's guidelines.

(9) A flight crew member and cabin crew member of an aircraft may attend to the next scheduled flight while in quarantine provided that -

(a) his or her COVID-19 results are negative;

(b) he or she does not come in contact with the community;

(c) he or she adheres to infection prevention and control measures; and

(d) he or she is authorised to do so by an authorised health official.

(10) Flight crew members and cabin crew members arriving in Namibia -

(a) may not disembark from the aircraft if they do not intend to overnight in Namibia; and

- (b) must be placed under mandatory supervised quarantine by an authorised health official, if they disembark from the aircraft.

### **Vessel crew members**

**30.** (1) Every crew member on board a vessel must, on arrival in Namibia, subject himself or herself to screening and testing for COVID-19 by an authorised health official.

(2) A crew member of a vessel who disembarks from the vessel must be placed under quarantine by an authorised health official at a designated quarantine facility for a period determined in the Ministry's guidelines.

(3) If a vessel has been at sea for a period determined in the Ministry's guidelines without berthing at any other port and none of its crew members have exhibited COVID-19 symptoms, the crew members will be regarded as having been in quarantine and must be subjected to COVID-19 testing only.

(4) The owner or operator of a vessel must notify an authorised health official of the scheduled vessel arrival at outer anchorage area and must submit all port of call documents.

(5) Every vessel must be quarantined at outer anchorage, at the cost of the owner or operator of the vessel, for a period determined in the Ministry's guidelines before being allowed to discharge at berth.

(6) Crew members on board a vessel must be monitored for a period determined in the Ministry's guidelines while on board the vessel and tested for COVID-19 on arrival at the outer anchorage, and if the test results are negative, the test must be repeated after a period determined in the Ministry's guidelines.

(7) A crew member with a negative COVID-19 test who has completed the quarantine period determined in the Ministry's guidelines, at the outer anchorage area may be allowed to disembark without the need for quarantine on-shore.

(8) In order to prevent the potential spread of COVID-19 among crew members while at sea, crew members on board vessels sailing to Namibia may not change vessels at high seas and in the anchorage area

### **Duties of drivers and restrictions when conveying persons or goods for reward**

**31.** Every owner or operator of a vehicle that enters Namibia for the purposes of conveying passengers or goods for a reward must comply with, and ensure that the drivers and other persons connected with the operations of the vehicle comply with, the relevant provisions of the COVID-19 General Regulations while in Namibia.

### **Duties of local authorities, regional councils, truck owners or operators and authorised officers**

**32.** (1) Every local authority council and every regional council must provide land or facilities to serve as designated truck stopping points.

(2) A local authority council and a regional council must establish designated truck ports in major municipalities and towns and, where applicable in villages and settlements, for improved management of cross-border trucks and truck drivers during the specified period.

(3) Every authorised officer, regional council, local authority council and truck owner or operator must ensure that trucks only stop at designated points, truck ports and at off-loading and loading points.

PART 4  
BUSINESS OPERATIONS AND RENDERING OF SERVICES TO PUBLIC

**Duties of owners and operators of businesses operations and activities and other public places**

33. (1) Every owner, operator or a person in charge of a business operation, an activity or other facility or establishment, including Government premises, local authority council premises, regional council premises and public enterprises premises, where -

- (a) goods are obtainable by the public or services are rendered to the public; or
- (b) members of the public are allowed to gather or attend for specific purposes such as a sporting, social, educational, cultural, historical or recreational event or activity,

must comply with the requirements of this regulation.

(2) An owner, operator or a person referred to in subregulation (1) must comply with the following requirements:

- (a) must regularly disinfect or cause the disinfection of surfaces and premises used for provision of goods or services or for the performance of the activity and the premises to which its employees or the public have access;
- (b) ensure that all persons entering the premises are sanitised using an alcohol-based hand sanitiser when entering the premises in accordance with the Ministry's guidelines and applicable WHO guidelines;
- (c) ensure that its employees and customers or clients wear masks at all times while on the premises;
- (d) ensure that social distancing is demarcated inside and outside the premises with clear signs to ensure adherence;
- (e) ensure that social distancing is adhered to inside and outside the premises to minimise potential risk of infection;
- (f) ensure that vulnerable persons are given preference in the queues;
- (g) allow a limited number of customers or clients of one person per 10 square metres of trading floor or three customers or clients per number of counters in the premises (excluding staff), at all times with this calculation based on 10 square metres per person of the trading space and being calculable for each individual premises;
- (h) ensure that the maximum number of persons allowed in the premises at a time is displayed at the premises' entrances;
- (i) ensure that counters, till screens and speedpoint pads are cleaned and sanitised with surface sanitiser after every customer's or client's transaction has been completed;
- (j) ensure that cashiers clean their hands after every transaction with a hand sanitiser provided by the manager of the premises; and
- (k) where possible, ensure that temperature screening is conducted using a thermo-gun and persons presenting temperature of 38 degrees Celsius or higher are reported to the toll free number 0800100100 or to a COVID-19 response centre for appropriate interventions by the health care workers; and

- (1) ensure that every employee receives sufficient training on COVID-19 infection prevention and control and is provided with appropriate personal protective equipment and hand hygiene supplies.
- (3) Truck drivers and third-party merchandisers delivering goods, other than cross-border truck drivers, may be allowed into the premises to do their work provided that they comply with the same requirements outlined in subregulation (2).
- (4) Clearly identified marshals or security guards must manage the social distancing inside and outside of the premises of the owner, operator or person referred to in subregulation (1).
- (5) Where necessary, a manager of the premises may request an authorised officer to assist with managing crowds outside or inside the premises of the owner, operator or person referred to in subregulation (1).

### **Shopping malls and public buildings**

**34.** (1) Every owner, operator or person in charge of a shopping mall or public building must put measures in place to ensure and enhance hygiene at all times and to protect employees, customers and clients.

(2) The owner, operator or person in charge of a shopping mall or public building must, in respect of those parts, portions or facilities of the shopping mall or public building for which he or she or it is responsible for maintaining -

- (a) ensure that social distancing between persons is adhered to;
- (b) ensure that persons entering or passing through the premises are provided with alcohol-based hand sanitation in accordance with the Ministry's guidelines and applicable WHO guidelines;
- (c) ensure that employees, customers and clients wear masks at all times while on the premises;
- (d) cause regular disinfection to be conducted on the surfaces and premises used for the performance and provision of services and the premises to which employees or the public have access;
- (e) where possible, ensure that temperature screening is conducted using a thermo-gun and persons presenting temperatures of 38 degrees Celsius or higher are reported to the toll free number 0800100100 or to a COVID-19 response centre for appropriate interventions by the health care workers; and
- (f) control the number of persons entering the premises at a given time to avoid overcrowding.

(3) Truck drivers and third-party merchandisers delivering goods, other than cross-border truck drivers, may be allowed into the premises to do their work provided that they comply with the same requirements outlined in subregulation (2).

(4) Clearly identified marshals or security guards must manage the social distancing inside and outside of the premises of the owner, operator or person referred to in subregulation (1).

(5) Where necessary, a manager of the premises may request an authorised officer to assist with managing crowds outside or inside the premises of the owner, operator or person referred to in subregulation (1).

**Accommodation establishments**

35. The owner or manager of an accommodation establishment must -
- (a) ensure that social distancing is adhered to and must provide alcohol-based hand sanitisers for all persons who enter the establishment and masks for all staff members;
  - (b) provide cleaning and disinfection supplies for use by cleaners;
  - (c) inform guests on booking or reservation to bring along appropriate personal protective equipment, including masks, for own use;
  - (d) obtain and record the full travel history of all guests and their next destinations;
  - (e) immediately report to the toll free number 0800100100 or to a COVID-19 response centre when the owner or operator notices or it is brought to the owner or operator's attention that a guest is ill or displays symptoms consistent with COVID-19; and
  - (f) adopt and implement applicable WHO guidelines, including training of staff members on appropriate infection prevention and control measures.

**PART 5**  
**LIBRARIES, ARCHIVES AND SCHOOLS**

**Definitions for this Part**

36. In this Part a word or an expression to which a meaning has been given in the Archives Act, Education Act, Library and Information Services Act or the regulations made under those laws, bears that meaning, and unless the context otherwise indicates -

“Archives Act” means the Archives Act, 1992 (Act No. 12 of 1992);

“Education Act” means the Education Act, 2001 (Act No. 16 of 2001);

“hostel” means a hostel as defined in section 1 of the Education Act, and includes a hostel established by a private school and any portion of a school that is used for the provision of food or other necessities of life to any person on the school premises;

“Library and Information Services Act” means the Library and Information Services Act, 2000 (Act No. 4 of 2000);

“school” means a school as defined in section 1 of the Education Act, and includes any place or establishment or a part of an establishment or place at which -

- (a) adult education and literacy programs referred to in section 67 of that Act are provided; and
- (b) pre-primary education referred to in section 69 of that Act is provided.

**Mandatory requirements for national libraries and national archives**

37. The Head of the National Library, in the case of a national library, or the Head of the National Archives, in the case of a national archive, must ensure that -

- (a) potable water is provided at the library or archive premises;

- (b) there are hygienic ablution facilities at the library or archive premises;
- (c) there are amenities for hand washing and sanitising at the library or archive premises;
- (d) persons on the premises adhere to wearing masks and maintain social distancing;
- (e) an attendance register of all visitors is kept at all times, containing the names and contact details of each visitor for easy contact tracing in the case of any contamination;
- (f) all portable seats are re-arranged to ensure a one metre distance between seats;
- (g) where necessary, library and archive services are scaled down to reduce the risk of the spread of the disease and promote the use of digital resources;
- (h) all surfaces in the library building or archive building are disinfected using a suitable disinfectant once a week;
- (i) only a number of users, determined by the capacity of the library or archive, which is one person per 10 square metres may enter the library or archive at a time for a maximum period of two hours or such other period of time as determined in guidelines issued by the ministry responsible for education, arts and culture; and
- (j) information on COVID-19 is displayed and disseminated to users of the library or archive.

#### **Sharing of information with stakeholders**

**38.** The regional director of education, designated under section 5 of the Education Act, must -

- (a) communicate with stakeholders including communities, parents and learners, regarding COVID-19 updates, safety and preventative measures and guidelines from the Government; and
- (b) obtain the contact details of an authorised health official from the Ministry who deals with COVID-19 related matters in that area for speedy referral of suspected cases.

#### **Health requirements for schools**

- 39.** (1) The principal of a school must ensure that -
- (a) clear, concise and accurate information about COVID-19 is shared in schools to reduce fear and anxiety, emphasise behavioral change and promote self-care strategies among learners and staff members;
  - (b) attendance registers of all learners and staff are kept separately at all times to enable immediate follow-ups on absenteeism to be made;
  - (c) a list of contact details of learners, parents or guardians, and the names and grades of siblings of each learner at the same school is kept at all times;
  - (d) timetabling is done in such a way as to maintain social distancing and minimise the threat of spreading the COVID-19;

- (e) teachers, learner representative council members and prefects are assigned to groups of learners to ensure that social distancing is adhered to;
  - (f) parents, guardians and visitors entering the school premises, other than to pick up or drop learners, make a prior appointment through the principal;
  - (g) learners, teachers and other staff who are ill and require medical assistance do not come to school until such time that they receive medical attention and are fit to return; and
  - (h) all staff and learners and other persons wear masks when entering the school grounds.
- (2) The principal of a school must ensure that all persons entering the school premises -
- (a) where possible, are screened with an appropriate thermo-gun to establish core body temperature;
  - (b) wear masks at all times while on the school premises; and
  - (c) maintain the required social distancing between them while on the school premises.
- (3) The principal of a school must ensure that a person whose body temperature is 38 degrees Celsius or higher is -
- (a) reported to the toll free number 0800100100 or to a COVID-19 response centre; or
  - (b) otherwise dealt with in accordance with the relevant Ministry's guidelines and applicable WHO guidelines.

#### **Hygiene and safety in classrooms and on school premises**

- 40.** (1) The principal of a school must ensure that these regulations and the guidelines issued by the Ministry are adhered to and -
- (a) hygiene and cleaning products are available to clean and sanitise the surfaces and facilities of buildings at the school regularly;
  - (b) potable water is provided at the school premises;
  - (c) there are adequate, clean, functioning and hygienic ablution facilities that are cleaned at least twice a day and disinfected using a suitable disinfectant once a week;
  - (d) there are amenities for hand washing and sanitising at the entrance of every classroom or classroom block, and entrances to and exits from the school;
  - (e) practical physical activities and exercises are implemented while observing COVID-19 protocols and reinforcing healthy lifestyle choices;
  - (f) facilities occupied by staff or learners are adequately ventilated;
  - (g) the floors, walls and work surfaces of the classrooms and school premises are cleaned twice a week and disinfected using a suitable disinfectant once a week;
  - (h) a clean room for isolation at the school and at the hostel is available; and

- (i) equipments, tools and all instruments are sanitised regularly after every use.

#### **Handling of suspected COVID -19 cases**

41. (1) The principal of a school must establish contact with a COVID-19 contact person from the Ministry who is to be contacted when there is a suspected COVID case at the school.

(2) If a learner or staff member at the school displays COVID-19 related symptoms, the following must be done:

- (a) the principal must immediately -
  - (i) contact the COVID contact person and the parents, in case of a learner; or
  - (ii) if they are unavailable, report to the toll free number 0800100100 or to a COVID-19 response centre;
- (b) the staff member or learner must be kept in an isolation room, while waiting for response from the contact person or COVID-19 response centre;
- (c) the COVID-19 contact person must arrange for the staff member or learner to be tested for COVID-19, and the staff member or learner may only be allowed to return to school upon production of a negative result certificate issued by a medical practitioner;
- (d) in case of a positive result the school or class, depending on the circumstances of each case, must close for a period as agreed upon with the Ministry; and
- (e) the school principal must immediately inform the regional director on confirmed COVID-19 cases, in writing, through the circuit inspector.

#### **Hostel facilities and catering services**

42. The superintendent of a hostel or a hostel manager must ensure that -

- (a) sanitation facilities or handwashing stations are installed at the entrance to the hostel facility;
- (b) visitors are not allowed at the hostel facility;
- (c) where possible, all persons entering a hostel facility are screened with an appropriate thermo-gun to establish body temperature, and in case a person's temperature is 38 degrees Celsius or higher he or she is -
  - (i) reported to the toll free number 0800100100 or to a COVID-19 response centre; or
  - (ii) dealt with in accordance with the relevant Ministry's guidelines and applicable WHO guidelines;
- (d) social distancing at the hostel facility is observed;
- (e) beds in the hostel facility are spaced out to allow a one metre distance between beds;
- (f) the shower and ablution facilities at the hostel are cleaned and sanitised on a daily basis and disinfected using a suitable disinfectant once a week;

- (g) all food handlers are provided with protective clothing including masks and adequate cleaning materials;
- (h) all the surfaces in the hostel facility are cleaned with soapy water or sanitiser on a daily basis and the surfaces are disinfected using a suitable disinfectant once a week; and
- (i) utensils for catering at the school or hostel facility are cleaned daily.

## PART 6 TERTIARY INSTITUTIONS

### Definitions for this Part

**43.** In this Part a word or expression to which a meaning has been given in the Higher Education Act, 2003 (Act No. 26 of 2003) and the Vocational Education and Training Act, 2008 (Act No.1 of 2008) bears that meaning and, unless the context otherwise indicates -

“student” means a person who is receiving higher education from a higher education institution;

“tertiary education” means higher education and vocational education and training;

“tertiary institution” means a higher education institution and a vocational education and training provider and any other institution that provides tertiary education programmes leading to qualifications higher than grade 12; and

“trainee” means a person who is receiving vocational education and training from a vocational education provider.

### Mandatory requirements for tertiary institutions

- 44.** The head of a tertiary institution must ensure that, at the tertiary institution -
- (a) sufficient potable water is provided;
  - (b) there are sufficient hygienic ablution facilities;
  - (c) there are amenities for handwashing and sanitising; and
  - (d) any person on the premises adheres to wearing a mask and maintains social distancing.

### Communication

- 45.** The head of a tertiary institution must -
- (a) communicate with stakeholders operating with the tertiary institution regarding COVID-19 updates, safety and preventative measures and guidelines from the Ministry;
  - (b) establish communication teams to ensure that accurate information is distributed in a timely manner to stakeholders operating with the tertiary institution;
  - (c) display at the tertiary institution, banners at key points to provide information and guidance on the measures to combat, prevent and suppress the spread of COVID-19;

- (d) have weekly briefings with staff members of the tertiary institution to monitor progress of implementation of the measures to combat, prevent and suppress the spread of COVID-19;
- (e) facilitate training with staff members of the tertiary institution on hygiene measures, including but not limited to the safe handling and disposal of personal protective equipment;
- (f) establish risk management teams to monitor and report on emerging risks, including mitigation of those risks;
- (g) designate compliance officers from among the staff members of the tertiary institution to ensure adherence to these regulations;
- (h) maintain a visitor register at the tertiary institution containing the name and contact details of each visitor in order to facilitate contact tracing; and
- (i) encourage external stakeholders to use electronic and digital platforms to make inquiries to reduce the number of visitors at the tertiary institution.

### **General hygiene of facilities**

46. The head of a tertiary institution must ensure that, at the tertiary institution -
- (a) hygiene and cleaning products are available to clean and sanitise the surfaces and facilities regularly;
  - (b) work surfaces including work stations, computers and cell phones which are used daily, are sanitised every day and with every new shift of students or trainees attending classes;
  - (c) facilities occupied by its staff, students or trainees are adequately ventilated;
  - (d) the floors, walls and work surfaces and all contact areas are disinfected weekly using a suitable disinfectant;
  - (e) hand sanitising facilities are set up at the entrances of classrooms, workshops and office buildings which must be regularly refilled; and
  - (f) ample and appropriate facilities are available for the safe disposal of used personal protective equipment to avoid contamination.

### **Personnel health and safety**

47. (1) The head of a tertiary institution must ensure that persons entering the tertiary institution -

- (a) where possible, are screened with an appropriate thermo-gun to establish core body temperature;
- (b) wear masks at all times while on the premises; and
- (c) maintain the required social distancing between them while on the premises.

(2) The head of a tertiary institution must ensure that a person whose body temperature is 38 degrees Celsius and higher is -

- (a) reported to the toll free number 0800100100 or to a COVID-19 response centre; or
  - (b) otherwise dealt with in accordance with the Ministry's guidelines and applicable WHO guidelines.
- (3) Students and trainees undertaking practical training in workshops and other facilities at a tertiary institution must wear gloves and other personal protective equipment as provided by the institution when handling tools and equipment.
- (4) Any person engaged in cleaning at a tertiary institution must have appropriate personal protective equipment to enable him or her to carry out his or her responsibilities.

#### **Management of classrooms and workshops**

48. (1) The head of a tertiary institution must ensure that, at the tertiary institution -
- (a) persons entering classrooms or workshops sanitise or wash their hands with soap and running water, before entering the classrooms or workshops;
  - (b) persons entering classrooms or workshops wear appropriate masks at all times;
  - (c) students and trainees in workshops wear overalls or other appropriate personal protective equipment at all times when in the workshops;
  - (d) persons in classrooms or workshops strictly maintain social distancing between them;
  - (e) chairs and desks in classrooms, computer laboratories or libraries are arranged in such a manner as to allow social distancing between them;
  - (f) tools and equipment are cleaned and sanitised daily and with every new shift of students or trainees attending classes;
  - (g) persons handling tools, equipment, books, peripheral equipment and computers wear gloves when handling them; and
  - (h) social distancing is observed in classrooms and workshops.
- (2) The head of a tertiary institution must be guided by the Ministry's guidelines relating to classrooms and workshops.
- (3) The head of a tertiary institution is encouraged to use alternative learning methods especially when dealing with large student or trainee groups or in institutions where the facilities do not allow for such groups as required by these regulations.
- (4) The head of a tertiary institution must ensure that -
- (a) social distancing between students and trainees undertaking assessments is maintained; and
  - (b) the total number of persons allowed to gather as stipulated in the relevant provisions of the COVID-19 General Regulations is adhered to.
- (5) A compliance officer designated by the head of a tertiary institution must at all times be present at the entrance of classrooms and workshops at the institution to ensure that these regulations are complied with.

**Accommodation facilities and catering services**

49. (1) The head of a tertiary institution must ensure that -
- (a) sanitation facilities or handwashing stations are installed at the entrance of an accommodation facility;
  - (b) social distancing in and around an accommodation facility is observed;
  - (c) beds in an accommodation facility are spaced out to allow at least one metre distance between beds;
  - (d) if an accommodation facility is using bunk beds, only one student or trainee is allowed per bunk bed;
  - (e) the shower and ablution facilities at an accommodation facility are cleaned on a daily basis depending on the need to clean and sanitise; and
  - (f) the shower and ablution facilities at an accommodation facility are disinfected using a suitable disinfectant once a week.
- (2) The persons working in the kitchens of an accommodation facility must wear appropriate personal protective equipment at all times, including masks.
- (3) The surfaces including tables in the kitchens of an accommodation facility must be cleaned with soapy water or a sanitiser throughout the day and the surfaces must be disinfected using a suitable disinfectant once a week.
- (4) The head of a tertiary institution must revise work schedules to ensure that employees of the institutions and contractors work in shifts to prevent too many persons from working in the kitchens of an accommodation facility at the same time, in order to minimise close interaction and to allow social distancing.
- (5) If possible, the head of a tertiary institution must ensure that there is a platform in or near an accommodation facility for “take-away” options for the students’ and trainees’ meals.
- (6) The dining tables in an accommodation facility must be cleaned and wiped with soapy water containing disinfectant before persons come into the dining area and after they leave the dining area.
- (7) The head of a tertiary institution must ensure that persons in the dining area of an accommodation facility observe social distancing between them.

**Students and trainees recreation and entertainment**

50. (1) Students or trainees at a tertiary institution are allowed to wait for breaks and classes, but must wear masks and maintain social distancing between them.
- (2) Students or trainees using any sporting equipment at a tertiary institution must ensure that the equipment is sanitised before and after its use.
- (3) Students or trainees and staff members at a tertiary institution may exercise at any institution gym facility, provided that at all times they adhere to the measures to combat, prevent and suppress the spread of COVID-19.

(4) Students or trainees and other persons who watch television in the communal rooms of a tertiary institution or an accommodation facility must adhere to the guidelines for the number of persons allowed on the premises, maintain social distancing between them and wear masks.

(5) The head of a tertiary institution must ensure that all floors and furniture surfaces in the communal rooms of the tertiary institution or accommodation facility are sanitised daily.

(6) Entertainment such as shows or plays are allowed at a tertiary institution or an accommodation facility but the persons taking part in the event or attending the event may not exceed the number of allowable persons in the facility and the participants and members of the audience must maintain social distancing.

## PART 7 FISHERIES

### Definitions for this Part

51. In this Part, unless the context otherwise indicates -

“head of a fish processing plant” means the senior person designated or appointed by the owner or operator of the fish processing plant to be in charge of the plant, responsible for the operations of the plant and maintaining discipline over persons who work at or visit the plant;

“head of a fishing vessel” means the senior person designated or appointed by the owner or operator of the fishing vessel to be in charge of the vessel, responsible for the operations of the vessel and maintaining discipline over persons on board the vessel;

“employee” means an employee of a fish processing plant on land or at sea or of a fishing vessel;

“fishing vessel” means a fishing vessel as defined in section 1 of the Marine Resources Act, 2000 (Act No. 27 of 2000); and

“work station” means an area where duties or functions are carried out by the crew of a fishing vessel.

### Fish processing plants

52. (1) The head of a fish processing plant must implement actions required by, and policies of the Government and as set out in these regulations in an effort to combat, prevent or suppress the spread of COVID-19.

(2) The head of a fish processing plant must ensure that -

(a) employees are hand sanitised before they enter the fish processing plant;

(b) contractors are screened and hand sanitised before they enter the fish processing plant;

(c) where possible, temperature screening on employees and contractors arriving at the fish processing plant is conducted using a thermo-gun and persons whose body temperature is 38 degrees Celsius or higher are -

(i) reported to the toll free number 0800100100 or to a COVID-19 response centre; or

- (ii) otherwise dealt with in accordance with the Ministry's guidelines and applicable WHO guidelines;
- (d) employees dealing with persons entering the fish processing plant are provided with personal protective clothing, including masks, gloves, safety eyewear, shoe coverings and white overalls and the employees wear the protective clothing;
- (e) visitors, other than authorised officers, are not allowed at the fish processing plant; and
- (f) all deliveries at the fish processing plant are sent to a designated central point in order to minimise contact with employees.

#### **On-site health facilities utilisation**

- 53.** (1) The head of a fish processing plant must ensure that -
- (a) employees or contractors waiting to see a health care worker at the fish processing plant sit outside of the health facility while maintain social distancing between them;
  - (b) only one employee or contractor enters the health facility contemplated in paragraph (a) at a time; and
  - (c) all employees or contractors entering the health facility are subjected to temperature screening using a thermo-gun.
- (2) The following employees or contractors are categorised as high risk:
- (a) employees or contractors with a body temperature of 38 degrees Celsius or more;
  - (b) employees or contractors with difficulty in breathing or with a dry cough;
  - (c) employees or contractors who have travelled outside Namibia in the last 14 days;
  - (d) employees or contractors who have been in contact with persons who have travelled outside of Namibia in the last 14 days.
- (3) If an employee, a contractor or any other person is identified as high risk as contemplated in subregulation (2), the head of the fish processing plant must ensure that the employee or contractor is -
- (a) reported to the toll free number 0800100100 or to a COVID-19 response centre; or
  - (b) otherwise dealt with in accordance with the Ministry's guidelines and applicable WHO guidelines.

#### **Hygiene at fish processing plants**

- 54.** The head of a fish processing plant must ensure that -
- (a) there is continuous communication on the importance of hygiene both at the fish processing plant and at the home of employees, and educational posters are displayed at the fish processing plant with a focus on personal hygiene;

- (b) hand sanitiser stations are placed at strategic points throughout the fish processing plant and there are persons walking around the fish processing plant providing hand sanitisers to the employees on the go;
- (c) there are cleaners at the fish processing plant to regularly clean and disinfect all areas that are touched frequently, such as door handles, railings, gates and toilet seats;
- (d) employees are issued with personal protective clothing, including masks, gloves, safety eyewear, shoe coverings and white overalls and that the employees wear the protective clothing;
- (e) all food contact surfaces are cleaned and sanitised during breaks;
- (f) thorough cleaning and sanitising regimes are followed at the end of a shift for all areas in the fish processing plant, floor to ceiling, as per the cleaning procedures of the fish processing plant;
- (g) employees are given breaks at different intervals, in smaller groups while maintaining a social distancing between them and have minimal contact with each other in order to minimise close interaction with other employees of the fish processing plant during breaks and between shifts;
- (h) employees strictly maintain social distancing between them;
- (i) shifts at tea times and lunch breaks are introduced in order to reduce the number of persons using canteen and cloak room facilities at any given time;
- (j) canteen and cloak room facilities in between tea times and lunch breaks are cleaned and sanitised; and
- (k) the starting time for shifts are modified in order to prevent employees knocking off from a shift meeting with employees of a starting shift in order to reduce potential contact in the fish processing plant.

### **Fish shops**

55. The head of a fish processing plant, an owner of a fish shop or a person in charge of a fish shop must ensure that -

- (a) freezers and cashier desks at the fish shop are meticulously cleaned;
- (b) cashiers at the fish shop wear gloves and masks; and
- (c) persons in the fish shop or waiting to enter the fish shop maintain social distancing between them.

### **Measures on board fishing vessels other than fishing vessels for artisanal or recreational purposes**

56. (1) A person may not board a fishing vessel unless that person -
- (a) has undergone a medical check-up process and the COVID-19 test has tested negative for COVID-19; and

- (b) is quarantined on land from the period that the person has undergone the test referred to in paragraph (a) until the person boards the fishing vessel for departure into the sea.
- (2) If a person is showing any signs and symptoms of COVID-19, the person may not be permitted to board a fishing vessel unless that person -
  - (a) has been quarantined on land for the period determined in the Ministry's guidelines;
  - (b) after the quarantine period referred to in paragraph (a), has undergone a medical check-up process and the PCR-based COVID-19 test and has tested negative for COVID-19; and
  - (c) has remained quarantined until the person boards the fishing vessel for departure into the sea.
- (3) The head of a fishing vessel must ensure that -
  - (a) a member of the crew is issued with personal protective clothing, including masks and gloves, and the member wears the protective clothing at all times;
  - (b) the crew strictly maintains social distancing between them;
  - (c) areas on board the fishing vessel are cleaned and sanitised on a daily basis and that the crew adhere to other hygiene measures implemented by the head of the fishing vessel;
  - (d) the crew is given breaks at different intervals while maintaining social distancing between them and have minimal contact with each other;
  - (e) the crew perform duties and functions in smaller groups and are separated from each other between shifts and work stations in order to minimise close interaction with other members of the crew during shifts and breaks; and
  - (f) educational posters are displayed on the fishing vessel with a focus on personal hygiene.
- (4) As part of training, all ship officers that board fishing vessels must undergo basic training on first aid to enable them to attend to medical emergencies.
- (5) The head of a fishing vessel must -
  - (a) ensure that his or her temperature and the temperature of each member of the crew are taken at least twice a day for the safety of the head and crew; and
  - (b) record the temperature readings for any required inspection by an authorised officer.
- (6) The head of a fishing vessel must -
  - (a) immediately separate a member of the crew from the rest of the crew, if the member -
    - (i) has a body temperature of at least 38 degrees Celsius;
    - (ii) has difficulty in breathing or has a dry cough; or

- (iii) shows any other signs and symptoms of COVID-19; and
- (b) immediately -
  - (i) isolate the member in an isolated cabin or any other suitable area identified as an isolation area; and
  - (ii) report the member to the toll free number 0800100100 or to a COVID-19 response centre; and
- (c) return the fishing vessel, as soon as possible, to port for the testing of the member and medical attention under continuous instructions and supervision from authorised health officials.

(7) The crew members of fishing vessel that returns to back to Namibian territorial waters must be subjected to, and must comply with, the provisions of regulation 30.

#### **Measures on board fishing vessels for artisanal and recreational purposes**

**57.** (1) The head of a fishing vessel for artisanal or recreational purposes must ensure that -

- (a) every member of the crew is issued with protective clothing, including masks and gloves, and the member must wear the protective clothing;
- (b) the crew members strictly maintain social distancing between them;
- (c) areas on board the fishing vessel are cleaned and sanitised on a daily basis and that the crew adhere to other hygiene measures implemented by the head of the fishing vessel;
- (d) the crew is given breaks at different intervals while maintaining social distancing between them and have minimal contact with each other;
- (e) the crew performs duties and functions in smaller groups and are separated from each other between shifts and work stations in order to minimise close interaction with other members of the crew during shifts and breaks; and
- (f) educational posters are displayed on the fishing vessel with a focus on personal hygiene.

(2) As part of training, all ships officers that board fishing vessels must undergo basic training on first aid to enable them to attend to medical emergencies.

- (3) The head of a fishing vessel must -
  - (a) ensure that his or her temperature and the temperature of each member of the crew are taken at least twice a day for the safety of the head and the crew; and
  - (b) record the temperature readings for any required inspection by an authorised officer.
- (4) The head of a fishing vessel must immediately -
  - (a) separate a member of the crew from the rest of the crew, if the member -

- (i) has a body temperature of 38 degree Celsius or higher;
  - (ii) has difficulty in breathing or has a dry cough; or
  - (iii) shows any other signs and symptoms of COVID-19; and
- (b) isolate the member in an isolated cabin or any other suitable area identified as an isolation area;
  - (c) report the member to the toll free number 0800100100 or to a COVID-19 response centre; and
  - (d) return the fishing vessel to port for the testing of the member and medical attention under continuous instructions and supervision from authorised health officials.
- (5) The crew of a fishing vessel must undergo a medical check-up process, including potential COVID-19 medical questionnaires before boarding the fishing vessel.
- (6) Anglers along the shore must maintain social distancing between them.

## PART 8 LABOUR

### Health and safety at work place

**58.** (1) An employer must put in place safety measures at the workplace that will assist with the combating, prevention and suppression of the spreading of COVID-19.

- (2) An employee who -
  - (a) on reasonable grounds considers that his or her place of work to be dangerous due to COVID-19;
  - (b) on reasonable grounds considers that his or her place of work is not a safe and healthy environment due to COVID-19; or
  - (c) reasonably believes that safety measures have not been put in place to combat, prevent and suppress the spreading of the COVID-19,

may leave the place of work in terms of section 42 of the Labour Act, 2007 (Act No. 11 of 2007) (in this regulation and regulation 59 referred to as “the Labour Act”), and may not be penalised for invoking the provisions of that section.

(3) An employee who leaves the workplace for reasons contemplated in subregulation (2), is in terms of section 42(3) of the Labour Act entitled to -

- (a) the same conditions of service; and
- (b) the same remuneration,

during his or her period of absence.

### Sickness, sick leave and employee compensation benefits

**59.** (1) If an employee -

- (a) contracts COVID-19 during the course of his or her employment; and
- (b) is eligible to receive benefits from the Employees' Compensation Fund,

the employee may receive such benefits in terms of the Employees Compensation Act, 1941 (Act No. 30 of 1941) for an industrial disease.

(2) An employee who has to take care of a family member who has contracted COVID-19 and who is unable to care for him or herself, or is under quarantine or under self-isolation in the employee's care is -

- (a) entitled to sick leave provided for in section 24 of the Labour Act; and
- (b) where the period of sick leave referred to in paragraph (a) is exhausted, entitled to such extended sick leave benefit as permitted by section 30 of the Social Security Act, 1994 (Act No. 34 of 1994) as may be required to care for such a family member.

## PART 9 OPEN MARKETS AND INFORMAL TRADING

### Definitions for this Part

60. In this Part, unless the context otherwise indicates -

“competent authority” means a regional council or local authority council or any other authority responsible for an area in which informal trading takes place;

“informal trading activity” means the selling or producing of goods or rendering of services for gain in an informal trading area;

“informal trading area”, in relation to -

- (a) a local authority area or settlement area, means a street, public road or public place designated by the local authority council or regional council for purposes of an informal trading activity; or
- (b) any area other than the area referred in paragraph (a), means a public place where an informal trader sells or produces goods or renders services for gain;

“open market” means an area designated by a competent authority, whether fenced or not fenced, for purposes of informal trading activities; and

“informal trader” means a person registered with a competent authority to conduct informal trading activities in an informal trading area.

### Compliance requirements

61. (1) A competent authority must provide access to water, sanitation and hygienic facilities such as toilets at an open market or informal trading area falling within its area of jurisdiction.

(2) An informal trader engaging in informal trading activities at an open market or informal trading area, where there is no access to water, is responsible for providing water and soap to his or her customers for purposes of washing hands or alcohol-based hand sanitisers for hand sanitisation.

(3) A competent authority must in respect of an open market or an informal trading area falling within its jurisdiction -

- (a) ensure that social distancing is strictly complied with between the informal traders themselves as well as between the informal traders and their customers;
- (b) ensure that customers entering an open market or informal trading area comply with social distancing and handwashing or hand sanitising requirements; and
- (c) ensure that a register in which the names and contact details of persons who visit the open market or informal trading area and the informal traders are recorded, is kept at the open market or informal trading area for traceability and compliance enforcement purposes.

(4) An informal trader must -

- (a) ensure that social distancing is strictly complied with between the informal trader and another informal trader, and between the informal trader and his or her customers; and
- (b) ensure that his or her customers comply with social distancing and handwashing or hand sanitising requirements.

(5) Under certain circumstances, a competent authority may require informal traders trading at an open market or informal trading area falling within its jurisdiction to trade as per a roster provided by the competent authority in order to -

- (a) ensure that informal traders observe social distancing measures in cases where the trading area does not enable social distancing measures to be effected; and
- (b) ensure that all informal traders are given an opportunity to trade.

(6) Only one assistant and an informal trader is allowed to be present at a stand or trading area, but an assistant to the informal trader may only be allowed to be present at the stand or trading area where the required social distancing can be maintained.

(7) An informal trader and his or her assistant must wear protective clothes, including a mask when trading at open markets or informal trading areas.

(8) An informal trader must pack his or her products that he or she is trading in a manner that prevents or minimises contamination of the products.

(9) A person buying products at an open market or informal trading area must wash or sanitise his or her hands thoroughly before touching the products.

(10) A competent authority must ensure that the trading stalls or spaces allocated to the informal traders at open markets or informal trading areas are clearly marked or demarcated with the required social distancing and the market or area is disinfected on regular basis.

## PART 10 SALE OF LIQUOR

### **Obligations of licence holders and employees of licence holders**

**62.** (1) In this regulation “licence” and “licensed premises” have the meaning assigned to them in section 1 of the Liquor Act, 1998 (Act No. 6 of 1998).

- (2) The licence holder and the licence holder's employees must at all times ensure that -
- (a) all persons entering the licensed premises are sanitised with an alcohol-based hand sanitiser;
  - (b) all persons in the licensed premises or waiting to enter the licensed premises maintain social distancing between them;
  - (c) the social distance referred to in paragraph (b) is demarcated inside and outside the licensed premises with clear signs to ensure adherence;
  - (d) all persons in the licensed premises or waiting to enter the licensed premises queue up and are monitored at all times to ensure compliance with social distancing;
  - (e) only one person per 10 square metres of trading floor or three persons per number of counters in any licensed premises may be allowed at any time, excluding employees of the licence holder;
  - (f) where possible, temperature screening on employees and customers entering the licensed premises is conducted using a thermo-gun and persons whose body temperature is 38 degrees Celsius or higher are -
    - (i) reported to the toll free number 0800100100 or to a COVID-19 response centre; or
    - (ii) otherwise dealt with in accordance with the Ministry's guidelines and applicable WHO guidelines;
  - (g) the maximum number of persons allowed in licensed premises at any time is displayed at the entrance of the licensed premises;
  - (h) all employees of service providers providing services to the licensed premises wear personal protective equipment;
  - (i) counters, till screens, speedpoint pads and all surrounding surfaces are cleaned and sanitised after every customer's transaction; and
  - (j) cashiers clean and sanitise their hands after every customer's transaction.

### **Selling and purchasing of traditional liquor**

63. (1) For purposes of this regulation, "traditional liquor" includes tombo, and any other fermented, distilled, spirituous or malted traditional drink, that contains alcohol, and is intended for human consumption.

- (2) A person selling or purchasing traditional liquor may -
- (a) only sell or purchase such traditional liquor during the days and hours specified in the relevant provisions of the COVID-19 General Regulations; and
  - (b) not sell or purchase such traditional liquor for consumption at the place of sale or purchase.
- (3) A person selling traditional liquor must -

- (a) ensure that all persons entering or waiting to enter the premises where the person sells the traditional liquor -
  - (i) are sanitised with an alcohol-based hand sanitiser;
  - (ii) maintain social distancing between them; and
  - (iii) queue up, and are monitored at all times to ensure compliance with the social distancing;
- (b) ensure that the social distancing referred to in paragraph (a) is demarcated inside and outside the premises where the person sells the traditional liquor with clear signs to ensure adherence to social distancing; and
- (c) ensure that the person or person's employees wear personal protective equipment, including a mask.

## PART 11 GENERAL PROVISIONS

### Offences and penalties

**64.** (1) Any person who contravenes or fails to comply with regulation 5(3), 8(1), 11(1) or (3), 13(3), (4) or (6), 17(1)(b), (2) or (6), 18(1)(b), (2) or (7), 19(1)(b), (2) or (11), 22(3), 23, 25(1), 26(1), (2), (3), (4) or (6), 28(1), 29, 30(2), (4) or (8), 33(2), 34(2), 35(a) to (e), 37(a), (d), (e), (f) or (i), 39(1)(b), (c), (d), (e), (f), (g) or (h), (2) or (3), 41(2) (a) or (b), 42(1)(b), (c), (d) or (e), 44(d), 45(h), 47(1) or (2), 48(1) or (4), 49(1)(b), (c) or (d), (4) or (7), 50(1), (2) or (4), 52(2), 53(1) or (3), 54, 55, 56(1), (2), (3), (5), (6) or (7), 57(1), (3), (4), (5) or (6), 61(2), (4), (6), (7), (8) or (9), 62(2) or 63(2) or (3) commits an offence, and is on conviction liable to a fine not exceeding N\$2 000 or imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

(2) Any person who visits or enters a place, premises or facility where such entry is prohibited in terms of these regulations commits an offence, and is on conviction liable to a fine not exceeding N\$2 000 or imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

(3) Any person who is under mandatory supervised quarantine or isolation who invites or allows a visitor who is prohibited from entering the quarantine or isolation facility to enter the facility in terms of these regulations commits an offence, and is on conviction liable to a fine not exceeding N\$2 000 or imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

(4) A person who exits a quarantine facility or an isolation facility prior to being discharged by an authorised health official commits an offence, and is on conviction liable to a fine not exceeding N\$2 000 or imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

(5) A person who refuses to be subjected to quarantine or isolation when required to be quarantined or isolated in terms of these regulations commits an offence, and is on conviction liable to a fine not exceeding N\$2 000 or imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

(6) Any truck owner, truck operator or truck driver who fails or refuses to comply with a direction or instruction of an authorised officer issued under regulation 24(10) commits an offence, and is on conviction liable to a fine not exceeding N\$2 000 or imprisonment for a period not exceeding six months or to both such fine and such imprisonment.