



**ZIMBABWEAN**

# **GOVERNMENT GAZETTE**

## **EXTRAORDINARY**

*Published by Authority*

---

Vol. XCVIII, No. 66

26th JUNE, 2020

Price RTGS\$50,00

---

## **CONTENTS**

*Statutory Instruments Issued as Supplements to this Gazette Extraordinary*

*Number*

- 153. Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (Amendment) Order, 2020 (No. 12).
- 154. Research (Constitution of the National Public Health Institute) Regulations, 2020.

Public Health (COVID-19 Prevention, Containment and Treatment)  
(National Lockdown) (Amendment) Order, 2020 (No. 12)

---

IT is hereby notified that the Minister of Health has, in terms of section 8(1) of the Public Health (COVID-19 Prevention, Containment and Treatment) Regulations, 2020 (published in Statutory Instrument 77 of 2020), made the following order:—

1. This order may be cited as the Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (Amendment) Order, 2020 (No. 12).

2. The Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) Order, 2020, published in Statutory Instrument 83 of 2020 (hereinafter called “the principal order”), is amended in section 2 (“Interpretation”) in the definition of “essential service” by the repeal of paragraph (m) and the substitution of—

“(m) all criminal and civil courts together with their support staff (including the Sheriff of the High Court or messengers of court:

Provided that no action for eviction shall be entertained against any person for exercising any right conferred by the Presidential Powers (Temporary Measures) (Deferral of Rent and Mortgage Payments During National Lockdown) Regulations, 2020, published in Statutory Instrument 96 of 2020);”.

3. Section 8 (“Power to close ports of entry and exit”)(1) of the principal order is amended by the insertion of the following paragraphs after paragraph (f)—

“(g) the entry or re-entry of any person holding (in his or her name or in the name of an entity of which he or she is the owner, shareholder, manager, director or employee) a current investment licence from the Zimbabwe Investment and Development Agency 2019 (Act No. 10 of 2019), or any of the predecessor bodies of the Agency:

Public Health (COVID-19 Prevention, Containment and Treatment)  
(National Lockdown) (Amendment) Order, 2020 (No. 12)

---

Provided that every such person shall be treated  
in accordance with paragraph (a) as a re-entering citizen  
or returning resident.” .

Research (Constitution of the National Public Health Institute)  
Regulations, 2020

---

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

*Section*

1. Title.
2. Interpretation.

PART II

ESTABLISHMENT, OBJECTS AND FUNCTIONS, PRINCIPAL OFFICERS AND  
FUNDS OF INSTITUTE

3. Establishment and name of Institute.
4. Objects and functions of Institute.
5. Chief Government Medical Officer and Deputy Chief  
Government Medical Officers: Appointment and functions.
6. Staff of Institute
7. Funds of Institute and retention fund.

PART III

COMMITTEE OF INSTITUTE

8. Establishment and appointment of committee of Institute.
9. Tenure, conditions, vacancy etc. of office of members.
10. Meetings, procedure and minutes of committee.
11. Validity of decisions and acts of committee.
12. Functions of committee.
13. Reports of committee.

PART IV

FOREIGN RESEARCH ON PUBLIC HEALTH ISSUES

14. Registration in relation to foreign research on public health  
issues in Zimbabwe.

Research (Constitution of the National Public Health Institute)  
Regulations, 2020

---

*Section*

15. Appointment and functions of registrar.
16. Register of persons under this Part.
17. Application for and grant or refusal of registration.
18. Returns to be furnished by registered persons.
19. Inspections.

PART V

GENERAL

20. Public Health Stakeholder Forum of Institute.
21. Power to co-opt outside staff during formidable epidemic diseases.
22. Conflicts of interest.
23. Confidentiality.

IT is hereby notified that the Vice-President has, in terms of section 32 of the Research Act [*Chapter 10:22*] and after consultation with the Research Council of Zimbabwe, made the following regulations:—

PART I

PRELIMINARY

*Title*

1. These regulations may be cited as the Research (Constitution of the National Public Health Institute) Regulations, 2020.

*Interpretation*

2. In this constitution—

“Act” means the Research Act [*Chapter 10:22*];

“committee” means the executive body of the Institute responsible for the management of the Institute established in terms of section 8(1);

“CGMO” means the Chief Government Medical Officer appointed in terms of section 5(1);

“constitution” means the constitution of the National Public Health Institute as set forth in these regulations, and a reference to “this constitution” or any provision of thereof is a reference to these regulations or any provision thereof;

“DCGMO” means one of the Deputies to the Chief Government Medical Officer appointed in terms of section 5(2);

“Institute” means the National Public Health Institute established by section 3;

“Minister” means the Vice-President or Minister responsible for the administration of the Act;

“member” means a member of the committee;

“public health” refers to all organised measures (public or private) to prevent disease and promote health, and prolong life among the population as a whole;

“public health physician” means physician qualified in the endeavour to improve the health of an entire population instead of solely on one-on-one patient treatment;

“Research Council” means the Research Council of Zimbabwe established by section 3 of the Act;

“public health research in Zimbabwe”, in relation to a person conducting such research who may be required to register in terms of Part V, means research that is predominantly or exclusively focused on any or into any issue, problem, question or subject related to public health in Zimbabwe.

## PART II

### ESTABLISHMENT, OBJECTS AND FUNCTIONS, PRINCIPAL OFFICERS AND FUNDS OF INSTITUTE

#### *Establishment and name of Institute*

3. There is hereby established in terms of section 24 of the Act the National Public Health Institute, which shall be a body corporate and shall be capable of suing and being sued in its corporate name and, subject to the Act and this constitution, of performing all such acts as a body corporate may by law perform.

*Objects and functions of Institute*

4. The objects and functions of the Institute are—

- (a) to conduct research into and give scientifically informed advice on all matters connected with public health to the President of Zimbabwe, the Minister and the Minister responsible for health;
- (b) to facilitate the development and implementation of a comprehensive and integrated public health delivery system founded upon a judicious combination of—
  - (i) scientific research, including in particular bio-pharmaceutical research and therapeutic drug development and use and bio-medical engineering; and
  - (ii) effective clinical practices; and
  - (iii) effective public health programmes, including preventative healthcare, biological and infectious disease prevention; food hygiene and safety management, health education and population health and child care;
- (c) to facilitate the development of skills, competencies and research capacity useful for the development of national policy in the field of public health;
- (d) to develop national standards and guidelines (whether legislative, administrative or advisory) for the implementation of adopted national policies in the field of public health;
- (e) to direct or assist in the planning and implementation of public health delivery and public health risk and disaster containment strategies, systems, programmes and projects;
- (f) to provide the technical and scientific underpinning for the proactive, cost-effective and equitable health and wellness delivery systems in accordance with, or taking

into account, the provisions of regional and international conventions and protocols that Zimbabwe is a party to;

- (g) to be a monitor of and make investigations into—
  - (i) potential health risks and hazardous activities in the environment, workplaces, market places and other public spaces, and to—
    - A. warn, alert and protect the public against them;
    - B. assess the extent of the risk to the public posed by them;
    - C. determine whether to initiate or activate appropriate public health delivery and public health risk and disaster containment strategies, systems, programmes and projects in response to them;
  - (ii) disease trends globally, regionally and nationally with a view to recommending appropriate containment measures in the interests of maintaining public health;
- (h) to undertake a regular review of public health delivery and public health risk and disaster containment strategies, systems, programmes and projects, including the training programmes and protocols, practices, standards and guidelines that underpin them;
- (i) to act as the platform for multi-stakeholder consultations in and between the public and private sectors on issues affecting public health maintenance and responses to pandemics and other public health emergencies or disasters.

*Chief Government Medical Officer and Deputy Chief Government Medical Officers: Appointment and functions*

5. (1) The Institute shall be headed by a person designated as the Chief Government Medical Officer, who shall be appointed by the President from persons qualified as Specialist Public Health Physicians, that is to say any person registered as a medical practitioner with specialist public health training and experience.



Research (Constitution of the National Public Health Institute)  
Regulations, 2020

---

(2) The Chief Government Medical Officer shall be deputised by two Deputy Chief Government Medical Officers, who shall be appointed by the President after consultation with the CGMO one of whom shall be a Specialist Public Health Physician registered as a medical practitioner specialising in epidemiology, and the other shall have experience or qualifications in accountancy, administration or finance in the field of public health.

(3) The CGMO shall—

- (a) be the Chairperson of the committee of the Institute; and
- (b) through the committee of the Institute, be the chief adviser to the President and the Minister of Health regarding public health issues; and
- (c) subject to these regulations, be responsible for the day to day management and administration of the Institute and the efficient conduct of its business.

(4) The DCGMOs shall—

- (a) each act on a rotational basis (in alphabetic order of surnames where both are available to do duty as Chairperson at the meeting concerned) as the Chairperson of any meeting of the committee of the Institute at which the CGMO is, for any reason absent; and
- (b) subject to subsection (5) and the direction of the Chairperson, assist the Chairperson in the day to day management and administration of the Institute and the efficient conduct of its business.

(5) The terms and conditions of office of the CGMO and DCGMOs, and their duties and functions, shall be as specified by the President in consultation with the Research Council.

*Staff of Institute*

6. (1) The Research Council shall appoint the heads of divisions and laboratories of the Institute on the recommendation of the CGMO.

(2) Research Council shall engage such other staff for the Institute as will enable the Institute to efficiently execute its functions on the recommendation of the CGMO.

(3) The terms and conditions of service of all staff shall be as Research Council shall fix from time to time in consultation with the Minister.

*Funds of Institute and retention fund*

7. (1) The operations of the committee shall be financed with a subvention from the funds of the Research Council.

(2) The Research Council shall account for the subvention referred to in subsection (1) in terms of Part IV of the Act.

(3) With the approval of the Research Council the committee may, in respect of all or any portion of the moneys it receives by way of the subvention referred to in subsection (1), and from any fees it may collect on behalf of the Research Council for the registration of foreign research under Part V, or for any other fees or moneys it may receive on behalf of the Research Council in connection with the work of the Institute, establish a fund in terms of section 18 of the Public Finance Management Act [*Chapter 22:19*] (No. 11 of 2009).

PART III

COMMITTEE OF INSTITUTE

*Establishment and appointment of committee of Institute*

8. (1) In terms of section 11 of the Act, the Research Council hereby establishes a committee to manage the Institute.

(2) The committee shall consist of the CGMO and two DCGMOs as *ex officio* members, and not more than 12 other members appointed by the Research Council, of whom—

- (a) one shall be a medical practitioner who shall be qualified as a public health physician or qualified and experienced in any matter relating to public health; and
- (b) one shall be appointed by the Ministry responsible for health; and

Research (Constitution of the National Public Health Institute)  
Regulations, 2020

---

- (c) one shall be the Chief Occupational Safety and Health and Rehabilitation Officer responsible for labour;
- (c) one shall be a representative from each of the following professional bodies —
  - (i) the Pharmacist Council of Zimbabwe; and
  - (ii) the Medical Laboratory and Clinical Scientists Council of Zimbabwe; and
  - (iii) the Environmental Health Practitioners Council of Zimbabwe;
- (d) one shall be a medical practitioner appointed to represent the Zimbabwe Medical Association; and
- (e) one shall be a person nominated by an association considered by the Research Council to be representative of local authorities; and
- (f) one shall be a registered nurse or midwife, appointed to represent an association of nurses and midwives considered by the Research Council to be sufficiently representative of nurses and midwives; and
- (g) one shall be a person selected from a list submitted by the Zimbabwe Council for Higher Education constituted under the Zimbabwe Council for Higher Education [*Chapter 25:27*], for which purpose the Zimbabwe Council for Higher Education will invite names of nominees from institutions of higher and tertiary education; and
- (h) one shall be a legal practitioner registered in terms of the Legal Practitioners Act [*Chapter 27:07*]; and
- (i) one shall be co-opted from the membership of the Research Council.

*Tenure, conditions, vacancy etc. of office of members*

9. (1) Members shall hold office for a term of three years (renewable once after expiry), subject to such conditions, not being more favourable than those fixed for members of the Research Council generally, as the Minister shall fix on their appointment.

(2) Sections 7 and 8 of the Act providing for the vacation of office by and suspension of members of the Research Council, and the filling of vacancies on the Research Council, shall (with such changes as may be necessary), apply to members of the committee:

Provided that any reference to the Research Council and the Minister in those provisions shall be construed as a reference to the committee and Research Council respectively.

*Meetings, procedure and minutes of committee*

10. (1) The procedures to be followed at any meeting of the committee, including the manner of recording the minutes of its proceedings, shall (with necessary adaptations), be that prescribed for the Research Council in sections 9, 10 and 12 of the Act:

Provided that any reference to the Research Council and the Minister in those provisions shall be construed as a reference to the committee and Research Council respectively.

*Validity of decisions and acts of committee*

11. Section 13 of the Act shall (with necessary adaptations) apply to decisions and acts of the committee or acts done under the authority of the committee.

*Functions of committee*

12. The functions of the committee shall be to—

- (a) see to the efficient running of the Institute and the efficient discharge of its objects and functions;
- (b) direct and oversee the implementation of the policies of the Institute;
- (c) review from time to time the policy, research, outreach and training activities of the Institute to ensure consistency with its objects and functions;
- (d) prepare and submit for consideration by the Research Council programmes of the Institute;
- (e) recommend to the Research Council the appointment or dismissal of technical officers and other employees of the Institute;

Research (Constitution of the National Public Health Institute)  
Regulations, 2020

---

- (f) recommend to the Research Council the purchase, lease, or exchange of any movable and immovable property;
- (g) ensure the provision of outreach services to enterprises involved in the production and provision of public health goods and services, through research and development as well as consultancy work by the staff of the Institute;
- (h) perform such other functions as may be assigned to it by the Research Council.

*Reports of committee*

13. (1) The committee shall submit to the Research Council an annual report reviewing the scientific and research and development activities of the Institute during the year under review.

(2) The Research Council may, on the basis of the information received in terms of subsection (1) or on other evidence, from time to time require an evaluation of the activities of the Institute.

(3) The committee shall submit to the Research Council such other report as it may require.

PART IV

FOREIGN RESEARCH ON PUBLIC HEALTH ISSUES

*Registration in relation to foreign research on public health issues  
in Zimbabwe*

14. (1) The Research Council hereby, in relation to any person who—

- (a) wishes to conduct public health research in Zimbabwe on behalf of a foreign institution, foreign organisation or other foreign person, whether as an employee or otherwise; or
- (b) not being a citizen of or a person ordinarily resident in Zimbabwe, wishes to conduct public health research in Zimbabwe;

delegates to the committee the Research Council's powers and functions under section 27 of the Act with respect to the registration of such persons.

(2) If any person who may be required to register under this Part is aggrieved by the committee's characterisation of its research project as "public health research in Zimbabwe", that person may, within thirty days of being notified by the committee that it is required to register under this Part, appeal to the Research Council against such characterisation in the form provided by the committee, and the Research Council on appeal may uphold or negative such characterisation.

*Appointment and functions of registrar*

15. (1) Until such time (if ever) that a registrar is appointed under subsection (2), the CGMO shall be the registrar of the committee for the purposes of this Part.

(2) The Research Council may (at the request of the CGMO) employ, upon such terms and conditions as may be determined by it and approved by the Minister, a person having suitable qualifications and experience to be the registrar of the committee for the purposes of this Part.

(3) The registrar shall, if he or she is not the CGMO, have the right to attend meetings of the committee and, except in the case of any discussion relating to the terms and conditions of his or her appointment, to take part in the proceedings of the committee as if he or she were a member, but shall not have a vote on any question before the committee.

*Register of persons under this Part*

16. (1) The committee shall establish a register of persons authorised to conduct research in terms of section 14.

(2) The registrar shall be responsible, subject to any directions given to him or her by the committee, for maintaining the register and ensuring that entries are made in the register recording—

- (a) the name, identity or description and such other particulars as required by the committee or these regulations of each person whom the committee has directed shall be registered; and

Research (Constitution of the National Public Health Institute)  
Regulations, 2020

---

- (b) the particulars of the cancellation or suspension of any registration, and of the restoration of any such cancelled registration, or the termination of any such suspension; and
- (c) any necessary corrections or alterations to any particulars or facts referred to in paragraph (a) or (b); and
- (d) any other particulars that may be required by the committee or these regulations.

(3) Any person may inspect the register free of charge at all reasonable times at the premises of the Board or such other place as the Board may direct.

*Application for and grant or refusal of registration*

17. (1) A person requiring to be registered for the purposes of this Part referred to in section 14 who wishes to be registered shall apply to the registrar in the form provided by the committee.

(2) On receipt of an application made in terms of subsection (1) the secretary shall submit the application to the committee for consideration at its next meeting after the application was received.

(3) Within four months of receiving an application the committee may, after making such inquiries and investigation or conducting such inspections as it thinks necessary, grant or refuse to grant the application or grant it subject to such conditions as it may impose.

(4) Any person who is aggrieved by a refusal of the committee to grant an application may, within thirty days, appeal to the Research Council against such refusal in the form provided by the committee, and the Research Council on appeal may grant or refuse to grant the application or grant it subject to such conditions as it may impose.

(5) Where an application is granted or granted subject to conditions, the registrar shall, at the direction of the committee, make the appropriate entries in the register and confirm the registration in writing or issue the permit to the applicant or both, as the case may be.

(6) The committee may register any person for a fixed or indefinite period.

*Returns to be furnished by registered persons*

18. Every registered person shall, in the form and manner and within the time required by the committee, furnish the Board with such returns or other information in connection with his or her research as the committee considers will assist it in discharging its functions.

*Inspections*

19. (1) Subject to subsection (3), the committee or any member with the written authority of the committee may, at fixed intervals agreed with the registered person, enter upon and inspect the premises of any registered person to determine whether the research in respect of which that person was registered is being conducted in accordance with the terms or conditions of any registration, and, for that purpose, the committee or member may —

- (a) inspect any activity or process carried out in or upon such premises in connection with such research;
- (b) request any information regarding any activity or process referred to in paragraph (a) from the registered person.

(2) Subject to subsection (3), the committee or any member with the written authority of the committee may, at any time without giving prior notice, exercise the powers specified in subsection (1) in relation to any premises or place owned or controlled by a person other than a registered person where it is known or suspected on reasonable grounds that any research is being conducted thereon that would require the person to be registered under this Part.

(3) The powers of entry and inspection conferred by this section shall not be exercised —

- (a) in relation to the premises of any registered person except with his or her consent, unless there are reasonable grounds for believing that it is necessary to exercise them for the prevention, investigation or detection of an offence against the Act or these regulations, or for the obtaining of evidence relating to such an offence;
- (b) in relation to any premises or place referred to in subsection (2) except in accordance with a search warrant



Research (Constitution of the National Public Health Institute)  
Regulations, 2020

---

issued in terms of section 50 of the Criminal Procedure and Evidence Act [*Chapter 9:07*].

(4) Any person who hinders or obstructs the committee or any member in the exercise of the powers conferred by this section, or refuses to furnish any information, document or article required pursuant to the exercise of such powers, or furnishes information which he knows to be false or misleading or has no reason to believe to be true, shall be guilty of an offence and liable to a fine not exceeding level 14 or imprisonment for a period not exceeding one year or both such fine and such imprisonment.

PART V

GENERAL

*Public Health Stakeholder Forum of Institute*

20. For the better achievement of its objects and functions of the Institute and to ensure coordination and non-duplication of research projects, initiatives, endeavours, resources in the field of public health, the committee shall convene at least once in every year a Public Health Stakeholders' Forum to which—

- (a) the following must be invited, namely at least one representative from—
  - (i) the Ministry responsible for health;
  - (ii) the Research Council;
  - (iii) the Medicines and Allied Substances Authority of Zimbabwe;
  - (iv) the body representing local authorities in Zimbabwe, with specific reference to the public health responsibilities of local authorities;
- (b) the committee may invite such other person or institution as it deems will add value to the deliberations of the Forum.

*Power to co-opt outside staff during formidable epidemic diseases*

21. For the better achievement of its objects and functions of the Institute during the period that a declaration of a formidable

epidemic disease under the Public Health Act [*Chapter 15:17*] is in force, the Institute may, through the CGMO, may, with the agreement of the employers of the persons concerned, and on such terms and conditions as may be so agreed, co-opt as part of the Institute's staff person who are employed in or by Ministries and departments of the State, universities, technical colleges and persons conducting research in Zimbabwe.

*Conflicts of interest*

22. (1) In this section —

“relative” in relation to a member, means the member's spouse, child, parent, brother, sister, first cousin, nephew or niece.

(2) No member shall participate in the committee's deliberations upon, or have a vote on any question involving, any project or matter in which he or a relative of his or hers has an interest, unless he or she declares such interest and is permitted by the committee to so participate and vote.

(3) Where a member of the committee considering a project proposal which he or she or a relative of his or hers has originated, he or she shall have no vote on the decision of the committee to approve the project or recommend it to the committee.

(4) Any person who contravenes subsection (2) or (3) shall be guilty of an offence and liable to a fine not exceeding level 14 or imprisonment for a period not exceeding one year or both such fine and such imprisonment.

*Confidentiality*

23. (1) Subject to subsection (2), no person shall disclose any information acquired by him or her through the exercise of his or her functions in terms of this constitution except —

- (a) for the purpose of legal proceedings under this constitution or any other law;
- (b) to the extent that it may be necessary to do so for the purpose of this constitution or any other law, to a member of the committee or employee of the Research Council;

Research (Constitution of the National Public Health Institute)  
Regulations, 2020

---

(c) to the extent authorised by the Research Council

(2) Any person who contravenes subsection (1) shall be guilty of an offence and liable to a fine not exceeding level 14 or imprisonment for a period not exceeding one year or both such fine and such imprisonment.