



GOVERNMENT GAZETTE

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Government Notice

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 9

2021

AMENDMENT OF PUBLIC HEALTH COVID-19 GENERAL REGULATIONS: PUBLIC AND ENVIRONMENTAL HEALTH ACT, 2015

In terms of section 29(1) of the Public and Environmental Health Act, 2015 (Act No. 1 of 2015), I have amended the Public Health Covid-19 General Regulations published under Government Notice No. 233 of 23 September 2020 as set out in the Schedule.

DR. K. SHANGULA

MINISTER OF HEALTH AND SOCIAL SERVICES

Windhoek, 24 February 2021

SCHEDULE

Definitions

1. In these regulations “the Regulations” means the Public Health Covid-19 General Regulations published under Government Notice No. 233 of 23 September 2020 as amended by Government Notice No. 235 of 29 September 2020, Government Notice No. 256 of 21 October 2020, Government Notice No. 309 of 1 December 2020, Government Notice No. 319 of 16 December 2020, Government Notice No. 326 of 23 December 2020, Government Notice No. 1 of 13 January 2021 and Government Notice No. 9 of 3 February 2021.

Amendment of regulation 2 of Regulations

2. Regulation 2 of the Regulations is amended by the substitution for subregulation (2) of the following subregulation:

“(2) These regulations come into operation at 00:00 on 25 February 2021 and cease to have effect at 24:00 on 31 March 2021.”.

Amendment of regulation 4 of Regulations

3. Regulation 4 of the Regulations is amended by –

(a) the substitution for subregulation (2) of the following subregulation:

“(2) The following gatherings are permitted -

- (a) where persons are members of the same household gathered at their place of residence;
- (b) where persons are gathered at their workplace;
- (c) where the gathering is by a government institution at national, regional or local level or the Cabinet or the Parliament for purposes of its normal operations;
- (d) where the gathering is for purposes of court or tribunal proceedings;
- (e) where the gathering is for purposes of provision of education and training at early childhood development centres, schools or higher education institutions; or
- (f) where a group of persons independently or coincidentally find themselves at a specific place.”; and

(b) the deletion of paragraph (a) of subregulation (3B).”.

Amendment of regulation 4A of Regulations

4. Regulation 4A of the Regulations is amended by the substitution for subregulation (2) of the following subregulation:

“(2) Subject to subregulation (3), a person may not leave his or her place of residence between 22:00 and 04:00 on each day.”.

Amendment of regulation 4B of Regulations

5. Regulation 4B of the Regulations is amended -

(a) by the substitution for subregulation (4) of the following subregulation:

“(4) Heads of schools and educational institutions providing early childhood development learning and other educational institutions referred to in subregulation (2) and the governing bodies of such schools and institutions must –

- (a) ensure that the persons accessing their premises at all times adhere to the measures to combat, prevent and suppress the spread of COVID-19 as specified in these regulations; and
 - (b) in cases where accommodation facilities for pupils, trainees or students are provided by the school or institution, ensure that the pupils, trainees or students do not depart from the school or institution premises whenever a case of COVID-19 has been detected or is suspected unless authorisation to depart from the premises has been granted by an authorised person.”; and
- (b) by the addition after subregulation (4) of the following subregulation:
- “(5) A person who –
 - (a) departs from a school or an institution in contravention of subregulation (4)(b); or
 - (b) fails or refuses to comply with a direction or an instruction issued by the head of a school or an institution or an authorised person in compliance with subregulation (4)(b),
- commits an offence and is on conviction liable to the penalties specified in section 29(3) of the Act.”.

Amendment of regulation 5 of Regulations

6. Regulation 5 of the Regulations is amended in subregulation (3) by the substitution for paragraph (c) of the following paragraph:

- “(c) not take place on a Sunday or a public holiday, except where the seller is the holder of an on-consumption licence and the liquor is sold to a person who is residing at the accommodation establishment where the liquor is sold.”.

Amendment of regulation 6 of Regulations

7. Regulation 6 of the Regulations is amended by the substitution for subregulation (1) of the following subregulation:

- “(1) Subject to the provisions of regulations 4 and 5 and subregulations (1A), (2) and (3), all businesses, operations and activities may operate and be conducted during their normal times of operation.”.

Amendment of regulation 7 of Regulations

8. Regulation 7 of the Regulations is amended by the insertion after subregulation (1) of the following subregulation:

- “(1A) For the purposes of subregulation (1), an employee is considered to be a nursing mother when she is breastfeeding a child up to a maximum period of six months.”.

Amendment of regulation 16 of Regulations

9. Regulation 16 of the Regulations is amended by –

(a) the substitution for paragraph (l) of subregulation (2) of the following paragraph:

“(l) a total of 50 mourners are allowed at the burial and at all memorial services or similar gatherings held in connection with the death of the deceased person and of these -

(i) close family members are allowed at a distance of not less than three metres from the grave; and

(ii) other mourners are allowed at a distance of not less than 10 metres from the grave:

Provided that in all cases the mourners must wear personal protective equipment as approved by an authorised officer and maintain a physical distance of not less than two metres from each other;”;

(b) the substitution for paragraph (m) of subregulation (2) of the following paragraph:

“(m) a tombstone and other works on the grave of the deceased person, other than that of a person who was cremated, may only be done one month after burial;”;

(c) the addition after paragraph (m) of subregulation (2) of the following paragraphs:

“(n) an unclaimed body of the deceased person must be buried by the State in accordance with the requirements of subregulation (1); and

(o) exhumation of the human remains of the deceased person may only be conducted -

(i) on the authority of a competent court;

(ii) after the expiry of a period of six months from the date of burial; and

(iii) in consultation with, and under the supervision of, an authorised person.”; and

(d) the substitution for subregulation (3) of the following subregulation:

“(3) Any person who contravenes or fails to comply with paragraph (b), (d), (e), (f), (g), (h), (i), (k), (l), (m), (n) or (o) of subregulation (2) or subregulation (2B) or (2C) commits an offence and is on conviction liable to the penalties specified in section 29(3) of the Act.”.
