



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Public and Environmental Health Act 1 of 2015

section 29(1)

Public Health Covid-19 General Regulations

Government Notice 91 of 2021

(GG 7522)

applicable from 17:00 on 16 July 2022
to 24:00 on 15 January 2023
(regulation 2(2), as amended)

These regulations originally replaced the Public Health Covid-19 General Regulations in Government Notice 233 of 2020 (GG 7342), as amended, which expired at 24:00 on 30 April 2021.

as amended by

Government Notice 108 of 2021 (GG 7544)
came into force on 1 June 2021 (amended reg 2(2))

Government Notice 128 of 2021 (GG 7554)
came into force on 17 June 2021 (amended reg 2(2))

Government Notice 138 of 2021 (GG 7568)
came into force on 1 July 2021 (amended reg 2(2))

Government Notice 144 of 2021 (GG 7576)
came into force on date of publication: 9 July 2021

Government Notice 151 of 2021 (GG 7581)
came into force on 16 July 2021 (amended reg 2(2))

Government Notice 160 of 2021 (GG 7593)
came into force on 1 August 2021 (amended reg 2(2))

Government Notice 175 of 2021 (GG 7604)
came into force on 15 August 2021 (amended reg 2(2))

Government Notice 189 of 2021 (GG 7624)
came into force on date of publication: 6 September 2021

Government Notice 205 of 2021 (GG 7637)
came into force on 16 September 2021 (amended reg 2(2))

Government Notice 232 of 2021 (GG 7662)
came into force on 16 October 2021 (amended reg 2(2))

Government Notice 246 of 2021 (GG 7680)
came into force on date of publication: 5 November 2021

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Government Notice 249 of 2021 (GG 7686)
came into force on 16 November 2021 (amended reg 2(2))
Government Notice 281 of 2021 (GG 7703)
came into force on 16 December 2021 (amended reg 2(2))
Government Notice 7 of 2022 (GG 7726)
came into force on 16 January 2022 (amended reg 2(2))
Government Notice 56 of 2022 (GG 7748)
came into force on 16 February 2022 (amended reg 2(2))
Government Notice 85 of 2022 (GG 7765)
came into force on 16 March 2022 (amended reg 2(2))
Government Notice 121 of 2022 (GG 7788)
came into force on 16 April 2022 (amended reg 2(2))
Government Notice 145 of 2022 (GG 7808)
came into force on 16 May 2022 (amended reg 2(2))
Government Notice 172 of 2022 (GG 7829)
came into force on 16 June 2022 (amended reg 2(2))
Government Notice 210 of 2022 (GG 7855)
came into force on 16 July 2022 (amended reg 2(2))
Government Notice 211 of 2022 (GG 7857)
came into force on 16 July 2022 (amended reg 2(2))

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[The regulations which pertain to the Annexures
have been deleted, so the Annexures are no longer relevant.]

PART 1
PRELIMINARY MATTERS

Definitions

1. In these regulations a word or expression to which a meaning has been given in the Act bears that meaning and, unless the context otherwise indicates -

“authorised person”, for purposes of these regulations, means a staff member of the Ministry or other person who has been authorised in writing by the Minister to perform functions and duties in terms of, and to exercise powers under, these regulations;

[definitions of “confirmed case”, “contact tracing” and
“correctional officer” deleted by GN 210/2021]

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

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“COVID-19 response centre” means any place, premises, establishment or facility designated as such under regulation 11;

“COVID-19 vaccine” means a vaccine -

- (a) intended to provide acquired immunity against severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), the virus causing COVID19; and

[The term “COVID-19” is missing a hyphen in the Government Gazette, as reproduced above.]

- (b) authorised for use, or registered for use on humans by the Namibia Medicines Regulatory Council in terms of the Medicines and Related Substances Control Act, 2003 (Act No. 13 of 2003);

[definition of “critical services” inserted by GN 128/2021 and deleted by GN 210/2021]

[definitions of “designated quarantine facility” and “directives” deleted by GN 210/2021]

[definition of “essential goods” inserted by GN 128/2021 and deleted by GN 210/2021]

“fully vaccinated” means to be vaccinated with -

- (a) one dose of a single-dose primary series vaccine, if the vaccine requires a single dose vaccination; or
- (b) two doses of a two-dose primary series vaccine, if the vaccine requires a two-dose vaccination,

provided that the -

- (i) single-dose of the vaccine referred to in paragraph (a); or
- (ii) last dose of the two doses vaccine referred to in paragraph (b),

is administered at least 14 days before a person enters Namibia;

[definition of “fully vaccinated” inserted by GN 172/2022]

[definitions of “head of the institution”, “health care worker” “health facility”, “higher education institution” and “hospital” deleted by GN 210/2021]

“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;

[definition of “isolation facility” deleted by GN 210/2021]

“Immigration Control Act” means the Immigration Control Act, 1993 (Act No. 7 of 1993);

[definitions of “Liquor Act”, “mandatory supervised quarantine”, “mask” and “police officer” deleted by GN 210/2021]

“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;

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[definitions of “quarantine facilities” and “regional council” deleted by GN 210/2021]

[definition of “restricted areas” inserted by GN 128/2021 and deleted by GN 138/2021]

[definitions of “school” and “social distancing” deleted by GN 210/2021]

[definition of “specified period” inserted by GN 128/2021 and deleted by GN 175/2021]

“the Act” means the Public and Environmental Health Act, 2015 (Act No. 1 of 2015); and

“tourism” means tourism as defined in section 1 of the Namibia Tourism Board Act, 2000 (Act No. 21 of 2000);

[definition of “zone” inserted by GN 138/2021 and deleted by GN 160/2021]

Application of regulations

2. (1) Except where otherwise indicated, these regulations apply to the whole of Namibia.

(2) These regulations come into operation at 17:00 on 16 July 2022 and cease to have effect at 24:00 on 15 January 2023.

[subregulation (2) substituted by GN 108/2021, GN 128/2021, GN 138/2021, GN 151/2021, GN 160/2021, GN 175/2021, GN 205/2021, GN 232/2021, GN 249/2021, GN 281/2021, GN 7/2022, GN 56/2022, GN 85/2022, GN 121/2022, GN 145/2022, GN 172/2022, GN 210/2022 and GN 211/2022]

2A.

[regulation 2A inserted by GN 128/2021, substituted by GN 138/2021, GN 151/2021 and GN 160/2021, and deleted by GN 175/2021]

2B.

[regulation 2B inserted by GN 128/2021 and deleted by GN 138/2021]

PART 2 COVID-19 RESTRICTIVE MEASURES

3.

[regulation 3 deleted by GN 85/2022]

4.

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[regulation 4 amended by GN 108/2021, GN 128/2021, GN 160/2021, GN 175/2021,
GN 205/2021, GN 232/2021, GN 249/2021, GN 281/2021, GN 56/2022 and GN 85/2022
and deleted by GN 210/2022]

5.

[regulation 5 amended by GN 128/2021, GN 138/2021, GN 160/2021 and GN 205/2021,
and deleted by GN 232/2021]

5A.

[regulation 5A inserted by GN 128/202, substituted by GN 138/2021, and deleted by GN 160/2021]

6.

[regulation 6 amended by GN 175/2021 and deleted by GN 210/2022]

7.

[regulation 7 deleted by GN 249/2021]

8.

[regulation 8 amended by GN 128/2021, GN 138/2021, GN 144/2021, GN 160/2021,
GN 175/2021, GN 189/2021, GN 205/2021, GN 232/2021, GN 249/2021 and GN 85/2022,
and deleted by GN 210/2022]

9.

[regulation 9 deleted by GN 210/2022]

10.

[regulation 10 substituted by GN 108/2021, amended by GN 128/2021, GN 175/2021, GN 205/2021,
GN 232/2021, GN 249/2021, GN 281/2021, GN 56/2022 and GN 85/2022, and deleted by GN 210/2022]

Restrictions relating to entry into Namibia

- 11.** (1) Except where otherwise indicated, every person who -
- (a) is not a Namibian citizen;

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- (b) does not hold a permanent residence permit for Namibia;
- (c) is not domiciled in Namibia or otherwise lawfully resident in Namibia;
- (d) is not part of a team of medical personnel that is required to provide medical services in Namibia to alleviate the COVID-19 pandemic;
- (e) is not a member of the diplomatic or consular staff of a country that is accredited to Namibia or in transit to another country; or
- (f) is not a spouse or child of a person referred to in paragraphs (a) to (e),

must be refused entry into Namibia under section 10 of the Immigration Control Act.

- (2) Despite subregulation (1) a person who -
 - (a) is not a Namibian citizen;
 - (b) does not hold a permanent residence permit for Namibia; or
 - (c) is not domiciled in Namibia or otherwise lawfully resident in Namibia;

may enter, subject to the Immigration Control Act and the presentation of a valid vaccination certificate, if they are eligible to be vaccinated, -

- (i) showing that the persons concerned are fully vaccinated against COVID-19; and
- (ii) issued by a person or authority certified or authorised to administer COVID-19 vaccines and to issue vaccination certificates in any country.

[subregulation (2) substituted by GN 108/2021 and by GN 210/2022]

(3)

[subregulation (3) substituted by GN 108/2021 and deleted by GN 210/2022]

(4) Persons permitted to enter Namibia under subregulation (2) may not enter Namibia unless such persons at the time of entering Namibia present to an authorised person a valid -

- (a) vaccination certificate -
 - (i) showing that the person concerned are fully vaccinated against COVID-19; and

[The singular word “person” should be the plural word “persons” to fit the setnence structure.]

- (ii) issued by a person or authority certified or authorised to administer COVID-19 vaccines and to issue vaccination certificates in any country.
- (b) SARS-CoV2 PCR test result from the country of departure, which test result -

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- (i) is a negative SARS-CoV-2 PCR test result which is not older than 72 hours calculated from the date that the sample for testing was taken; and
 - (ii) was issued by a laboratory that is certified in the country of issue to issue SARS-CoV-2 PCR test results; or
- (c) de-isolation certificate, not older than three months from the date of discharge from isolation, issued by the health authority in the country of departure.

[subregulation (4) substituted by GN 108/2021, amended by GN 160/2021, substituted by GN 189/2021, GN 281/2021 and GN 85/2022, amended by GN 210/2022 and substituted by GN 211/2022]

(4A)

[subregulation (4A) inserted by GN 108/2021 and deleted by GN 210/2022]

(4B)

[subregulation (4B) inserted by GN 128/2021 and deleted by GN 210/2022]

(4C)

[subregulation (4C) inserted by GN 232/2021 and deleted by GN 210/2022]

(5) The provisions of subregulation (4) do not apply to any child under the age of 12 years, irrespective of the nationality of the child or residency status of the child in Namibia.

[subregulation (5) substituted by GN 121/2022 and by GN 172/2022]

(6)

[subregulation (6) deleted by GN 210/2022]

(7) Subject to the Immigration Control Act, a person who -

- (a) is a driver of a motor vehicle, an operator of a locomotive, a pilot in command of an aircraft or a captain or master of a shipping vessel, transporting goods;
- (b) performs any service relating to the operation of the vehicle referred to in paragraph (a); or
- (c) performs a necessary service relating to the transportation of goods referred to in paragraph (a),

in the course of business or trade or commerce may be allowed to enter Namibia if such entry is otherwise lawful.

(8) Despite the provisions of subregulation (1), a person referred to in that subregulation may be allowed to enter Namibia if that person complies with or meets such requirements as may be determined by the Minister responsible for immigration issued pursuant to the Immigration Control Act.

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(8A)

[subregulation (8A) inserted by GN 56/2022 and deleted by GN 210/2022]

(8B)

[subregulation (8B) inserted by GN 56/2022 and deleted by GN 210/2022]

(9) A person who contravenes or fails to comply with subregulation (1), (3) or (4) commits an offence and is on conviction liable to the penalties specified in section 29(3) of the Act.

12.

[regulation 12 amended by GN 108/2021, GN 160/2021, GN 281/2021, GN 7/2022 and GN 56/2022, and deleted by GN 210/2022]

13.

[regulation 13 substituted by GN 175/2021, amended by GN 85/2022, and deleted by GN 210/2022]

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14.

[regulation 14 deleted by GN 210/2022]

15.

[regulation 15 amended by GN 85/2022 and deleted by GN 210/2022]

16.

[regulation 16 amended by GN 138/2021 and deleted by GN 210/2022]

17.

[regulation 17 deleted by GN 210/2022]

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18.

[regulation 18 deleted by GN 210/2022]

19.

[regulation 19 amended by GN 108/2021, GN 128/2021, GN 138/2021, GN 175/2021, GN 205/2021,
GN 232/2021, GN 249/2021, GN 281/2021, GN 56/2022 and GN 85/2022
and deleted by GN 210/2022]

20.

[regulation 20 deleted by GN 210/2022]

21.

[regulation 21 deleted by GN 210/2022]

22.

[regulation 22 deleted by GN 210/2022]

23.

[regulation 23 amended by GN 85/2022 and deleted by GN 210/2022]

24.

[regulation 24 deleted by GN 210/2022]

25.

[regulation 25 deleted by GN 210/2022]

26.

[regulation 26 deleted by GN 210/2022]

27.

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[regulation 27 amended by GN 85/2022 and deleted by GN 210/2022]

28.

[regulation 28 amended by GN 85/2022 and deleted by GN 210/2022]

29.

[regulation 29 amended by GN 85/2022 and deleted by GN 210/2022]

30.

[regulation 30 deleted by GN 210/2022]

PART 4
COVID-19 VACCINES

31.

[regulation 31 deleted by GN 210/2022]

PART 5
GENERAL PROVISIONS

Offences and penalties

32. (1) A person commits an offence if that person -
- (a) not being an authorised person, a police officer or a correctional officer, by words, conduct or demeanour falsely represents himself or herself to be an authorised person, a police officer or a correctional officer performing an act under, or exercising a power under these regulations or the Act;
 - (b) hinders, obstructs or improperly attempts to influence an authorised person, a police officer or a correctional officer when exercising or performing a power or function conferred or imposed by or under these regulations or the Act;
 - (c) furnishes or gives false or misleading information to an authorised person, a police officer or a correctional officer performing an act under, or exercising a power under these regulations or the Act;
 - (d) does anything calculated to improperly influence an authorised person, a police officer or a correctional officer concerning a matter connected with the functions of the authorised person, police officer or correctional officer performing an act under, or exercising a power under these regulations or the Act; or

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(e) fails or refuses to comply with a lawful instruction issued under these regulations or the Act by an authorised person, a police officer or a correctional officer performing an act under, or exercising a power under these regulations or the Act.

(2) A person commits an offence if that person, through any form of media, including social media, knowingly or without having taken reasonable steps to ascertain the correctness of any information -

(a) publishes any false or misleading statement about the COVID-19 status of any person; or

(b) publishes any false or misleading statement, in connection with measures to combat, prevent and suppress COVID-19 as specified in and under these regulations.

(3) A person convicted of an offence in terms of subregulation (1) or (2) is liable to the penalties specified in section 29(3) of the Act.

(4)

[subregulation (4) deleted by GN 210/2022]

(5)

[subregulation (5) deleted by GN 210/2022]

(6)

[subregulation (6) deleted by GN 210/2022]

(7) A person who -

(a) with intend to deceive, presents a false or forged vaccination certificate result when required to present a vaccination certificate;

[paragraph (a) substituted by GN 210/2022; the word “intent”
 is misspelt in the *Government Gazette*, as reproduced above]

(b)

[paragraph (b) deleted by GN 210/2022]

[subregulation (7) substituted by GN 108/2021]

Regulations to bind State

33. These regulations bind the State.