



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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WINDHOEK - 13 January 2021

No. 7436

### CONTENTS

*Page*

#### GOVERNMENT NOTICE

No. 1	Amendment of Public Health Covid-19 General Regulations: Public and Environmental Health Act, 2015 .....	1
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## Government Notice

### MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 1 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, 13 January 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 and Government Notice No. 326 of 24 December 2020.

**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 14 January 2021 and cease to have effect at 24:00 on 3 February 2021.”.

**Amendment of regulation 4 of Regulations**

3. Regulation 4 of the Regulations is amended by -

(a) the substitution for subregulations (1), (2), (3) and (3A) of the following subregulations:

“(1) For the purpose of these regulations, a “prohibited gathering” means a group of more than 50 persons.

(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.

(3) Despite subregulation (1) or (3A) -

(a) a person may not organise or host a gathering, whether such gathering is permitted or prohibited, unless the persons attending the gathering are able to observe social distancing at the gathering; and

(b) all persons at a gathering whether such gathering, is permitted or prohibited, must at all times adhere to the measures to combat, prevent and suppress the spread of COVID-19 as specified in or under these regulations.

(3A) For the purposes of subregulation (3B), a “permitted gathering” means a group of between two to 50 persons.”;

(b) the insertion after subregulation (3A) of the following subregulations:

“(3B) A person who -

- (a) organises or hosts a permitted gathering must ensure that such gathering does not last longer than two hours;
- (b) organises or hosts a permitted gathering, must ensure that persons attending the gathering disperse before 20:00; and
- (c) attends a permitted gathering, must leave the gathering before 20:00.

(3C) Subregulation (3B) does not apply to gatherings referred to in paragraphs (a), (b), (c), (d), (e) and (f) of subregulation (2).”; and

(c) the substitution for subregulation (4) of the following subregulation:

“(4) A police officer may instruct a prohibited gathering and a permitted gathering held in contravention of subregulation (3B) to disperse and may use all reasonable measures to cause a gathering or group to disperse.”.

#### **Insertion of regulation 4B in Regulations**

4. The following regulation is inserted after regulation 4A of the Regulations:

##### **“Measures relating to education**

**4B.** (1) For the purpose of this regulation -

“basic education” means basic education as defined in section 1 of the Education Act, 2001 (Act No. 16 of 2001); and

“school” means a school as defined in section 1 of the Education Act, 2001 (Act No. 16 of 2001).

(2) Subject to subregulation (3) -

- (a) providers of early childhood development learning must remain closed for face to face learning but may resume face to face learning on 1 February 2021;
- (b) schools and educational institutions providing education on the level of pre-primary must remain closed for face to face learning but may resume face to face learning on 26 January 2021;
- (c) schools and educational institutions providing basic education on the level of the first to the eleventh grade must remain closed for face to face learning but may resume face to face learning on 26 January 2021; and
- (d) schools and educational institutions providing basic education on the level of the twelfth grade must remain closed but may resume face to face learning on 16 February 2021.

(3) The provisions of subregulation (2) do not prevent -

- (a) in the case of a state school, the relevant minister responsible for

education; and

- (b) in any other case, the governing body of the provider of early childhood development learning, the school or the institution in question,

from employing other alternative forms of learning.

(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 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.”.

#### **Insertion of regulation 7A in Regulations**

5. The following regulation is inserted after regulation 7 of the Regulations:

##### **“Restrictions relating to certain activities**

**7A.** (1) Despite regulation 6, sporting events are permitted but spectators are not permitted at such events.

(2) If a contravention of subregulation (1) occurs, a police officer may instruct persons contravening that subregulation to disperse and may use all reasonable measures to cause such persons to disperse.

(3) A person who -

- (a) facilitates, instigates or organises a sporting event in contravention of subregulation (1); or
- (b) fails or refuses to obey an instruction issued under subregulation (2),

commits an offence and is on conviction liable to the penalties specified in section 29(3) of the Act.”.

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