



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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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, 3 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 24 December 2020 and Government Notice No. 1 of 13 January 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 4 February 2021 and cease to have effect at 24:00 on 24 February 2021.”.

Amendment of regulation 4 of Regulations

3. Regulation 4 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 5:00 on each day.”.

Amendment of regulation 16 of Regulations

4. Regulation 16 of the Regulations is amended by -

(a) the substitution for subregulation (1) of the following regulation:

“(1) Subject to subregulation (1A), 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 specified in this regulation and the directives.”;

(b) the insertion of the following subregulation after subregulation (1):

“(1A) The burial of any deceased person whose death is attributed to COVID-19 may also be handled by an undertaker who has been accredited by the Executive Director of the Ministry (which undertaker is referred to in this regulation as ‘an accredited undertaker’) if, in the opinion of the Executive Director -

(a) the undertaker has received such training which the Executive Director considers necessary; and

(b) the undertaker has the technical knowledge to perform such burials with all necessary safety precautions,

and any reference in this regulation to an authorised person, when such reference relates to an action relating to a funeral or cremation, is construed to refer to a staff member of the accredited undertaker who has the requisite knowledge to perform all tasks in a manner that will ensure the safety of the public, staff members of the undertaker and persons who attend the funeral in question and the provisions of this regulation apply with the necessary changes to such a funeral: Provided that all costs payable in respect of such a funeral must be paid by the family of the deceased.”;

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

“(l) only 10 mourners are allowed at the grave site and of these -

- (i) two mourners are allowed at a distance of three metres from the grave: Provided that they wear full personal protective equipment as approved by an authorised officer; and
 - (ii) eight mourners are allowed at a distance of ten metres from the grave;”; and
- (d) the insertion of the following subregulations after subregulation (2A):

“(2B) When a person is buried, the staff members from the Ministry or the staff members of the accredited undertaker must after the coffin has been placed in the grave, cover the coffin with soft sand and may allow the mourners to put ground, leafs, flowers or anything else into the grave, but while doing so, the mourners must observe all the provisions of these regulations and the directives and wear personal protective equipment as approved by an authorised officer, and after that, all tools must be sterilized, after which the mourners or other persons must be allowed to fill the grave, if they desire to do so.

(2C) Despite the provisions of subregulation (2)(j), an authorised officer may in special circumstances allow the remains of a deceased person whose death is attributed to COVID-19 to be transported to a burial site other than the burial site nearest to the place of death, and such transport of the remains may only be performed by an accredited undertaker at the cost of the family of the deceased.

(2D) The remains of a deceased person whose death is attributed to COVID-19 may not be brought into Namibia irrespective of the fact that the remains have been embalmed, subject thereto that this subregulation does not apply to the remains of a person who has been cremated.”; and

- (e) 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) or (m) of subregulation (2), or subregulation (2B), (2C) or (2D) commits an offence and is on conviction liable to the penalties specified in section 29(3) of the Act.”.
