



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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Government Notice

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 235

2020

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 made the regulations set out in the Schedule.

DR. K. SHANGULA
MINISTER OF HEALTH AND SOCIAL SERVICES

Windhoek, 28 September 2020

SCHEDULE

Definitions

1. In these regulations “the Regulations” means the Public Health Covid-19 General Regulations published under Government Notice No. 233 of 2020.

Amendment of regulation 1 of the regulations published under Government Notice No. 233 of 2020

2. The Regulations are amended by the insertion of the following definition after the definition of “contact tracing”:

“‘correctional officer’ means a correctional officer defined in section 1 of the Correctional Service Act, 2012 (Act No. 9 of 2012);”.

Amendment of regulation 6 of the regulations published under Government Notice No. 233 of 2020

3. Regulation 6 of the regulations is amended -

(a) by the substitution for subregulation (1) of the following regulation -

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

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

(1A) A business which sells liquor must close at 22:00: provided that if -

(a) the sale of liquor is an ancillary part of the business;

(b) the liquor is sold from a bar or other on consumption liquor facility on the premises of the business; and

(c) the main part of the business is not a night club, lounge, casino, gambling house, shebeen or similar business,

the main part of the business may be continued after 22:00.”.

Amendment of regulation 9 of the regulations published under Government Notice No. 233 of 2020

4. Regulation 9 of the Regulations is amended by -

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

“(1) Subject to subregulation (1A), any person who enters Namibia as contemplated in regulation 8 is subject to quarantine requirements as set out in these regulations and the directives.”;

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

“(1A) A person who enters Namibia for tourism purposes is not subject to the quarantine requirements referred to in regulation (1), subject thereto that he or she otherwise complies with the provisions of these regulations and applicable directives.

(1B) A person contemplated in subregulation (1A) must: -

- (a) immediately proceed to the destinations for which he or she has booked beforehand in respect of the first five days of his or her stay and must inform the authorised officer of these destinations;
- (b) present himself or herself to an authorised person for SARS-COV-2 PCR testing on the fifth day after arrival at a place indicated by an authorised person on his or her arrival; and
- (c) on the seventh day after his or her arrival in Namibia, contact the authorised person referred to in paragraph (b) in the manner indicated by that person to enquire about the result of the test referred to in paragraph (b) and if the authorised person indicates that the result of the test is positive, subject him or herself to mandatory supervised isolation contemplated in regulation 22(1) subject to the directions of that authorised person.

(1C) A person who contravenes the provisions of subregulation (1B) or fails to comply with those provisions, commits an offence and is on conviction liable to the penalties referred to in section 29(3) of the Act.”.

Amendment of regulation 18 of the regulations published under Government Notice No. 233 of 2020

5. Regulation 18 of the regulations is amended by the substitution for subregulation (7) of the following subregulation:

“(7) Police officers and correctional officers made available pursuant to an arrangement made under regulation 20(2) are responsible for guarding and patrolling all designated quarantine facilities.”.

Amendment of regulation 20 of the regulations published under Government Notice No. 233 of 2020

6. Regulation 20 of the regulations is amended by the substitution in subregulation (2) for the words preceding paragraph (a) of the following words:

“The chief health officer must make arrangements with the relevant State entities and institutions to ensure that all designated quarantine facilities are guarded and patrolled by an appropriate number of police officers or correctional officers and those officers have all the necessary powers to enforce the provisions of these regulations and the Act with relation to the facility concerned, and they must -”.

Amendment of regulation 28 of the regulations published under Government Notice No. 233 of 2020

7. Regulation 28 of the Regulations are amended by the substitution for subregulation (1) of the following subregulation:

“(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 (as the case may be) 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
 - (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.”
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