

Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (No. 2) (Amendment) Order, 2021 (No. 29)

IT is hereby notified that the Minister of Health and Child Care has, in terms of section 8(1) of the Public Health (COVID-19 Prevention, Containment and Treatment) Regulations, 2020 (published in Statutory Instrument 77 of 2020) made the following order—

1. This order may be cited as the Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (No. 2) (Amendment) Order, 2021 (No. 29).

2. The Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (No.2) Order, 2020), published in Statutory Instrument 200 of 2020 (hereinafter called the principal order), is amended in section 4 (“National lockdown”) (1) by the repeal of subsection (9) with the effect that the restrictions on intercity transport contained in subsection (1)(f) are back in force for the duration of the national lockdown or unless earlier prescribed otherwise).

3. Sections 26E and 27A of the principal order are repealed and the following sections are substituted—

“Partial reversion to Level IV national lockdown

26E (1) In this section—

“COVID-19 variant of concern” means the alpha and delta variants of the COVID-19 disease and any other variants of concern classified and notified as such from time to time by World Health Organisation, and deemed by the Minister to be an imminent or actual threat to the health of Zimbabweans;

“COVID-19 infection hotspot” or “hotspot” means—

- (a) any district or other locality that is subject to a special lockdown referred to in section 26F, or declared as a hotspot by the Minister by means of a COVID-19 infection hotspot order made under subsection (3);

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- (b) any SADC country (other than the Republic of South Africa) declared by the Minister by means of a COVID-19 infection hotspot order made under subsection (3) to be a hotspot for the purpose of this section.;

“Level IV national lockdown” means the application of the national lockdown as if (subject to this section) Parts IV and V of the Order, together with section 19C (“Special provisions for liquor licensees”) are not in effect;

“workshop” means meeting at any venue during which a group of people engage in intensive discussion and activity on a particular subject or project.

(2) Notwithstanding anything to the contrary in this order, for the period ending on the 13th July, 2021, a Level IV national lockdown is in force subject to the following modifications—

- (a) there shall be a curfew from 1830 hours to 0600 hours;
- (b) for the purpose of section 5 (“Prohibition of gatherings”) (1)(b), the maximum number of individuals who may be gathered at a funeral is thirty (30);;
- (c) section 5 (“Prohibition of gatherings”) (1)(c) (referring to individuals carried within a transport service vehicle), is **not** suspended for the period of the Level IV national lockdown, subject however to the following measures—
- (d) section 5 (“Prohibition of gatherings”) (1)(h) (referring to individuals gathered pursuant to Part IV), is **not** suspended for the period of the Level IV national lockdown, subject however to the following measures in respect of designated tobacco auction floors as defined section 12—
 - (i) all measures in this Order with respect to the wearing of face masks, temperature checks, sanitising of hands and social distancing must

- be strictly enforced, for the purpose of verifying which any enforcement shall have unhindered access to the designated tobacco auction floor in question during its hours of operation; and
- (ii) not more than two persons can accompany any batch of tobacco bales being moved into an auction floor; and
 - (iii) every employee of a designated tobacco auction floor must have been tested negative for COVID-19 within the preceding fourteen days by means of a PCR or rapid antigen test; for the purpose of verifying which any enforcement shall have unhindered access to the designated tobacco auction floor in question during its hours of operation; and
 - (iv) an auctioneer as defined in section 12 shall prohibit access to his or her premises and its immediate environs by vendors, hawkers and other informal traders, and any one or more persons so prohibited shall be deemed to be in contravention of section 5(3); and
 - (v) tobacco farmers and their workers shall be availed the opportunity at designated localities set aside for their benefit to be vaccinated against the COVID-19 disease;
- (e) section 5 (“Prohibition of gatherings”) (1)(i) (referring to individuals gathered pursuant to Part V), is **not** suspended for the period of the Level IV national lockdown, subject however to the following measures —
- (i) all measures in this Order with respect to the wearing of face masks, temperature checks, sanitising of hands and social distancing must be strictly enforced, for the purpose of verifying which any enforcement shall have unhindered access to any business (being any business in the formal commercial and industrial sector, or

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- the premises of any informal trader, as defined in section 16); and
- (ii) the hours during which any business (other than any business that is or provides an essential service) may operate is the period between 0800 hours and 1530 hours;
 - (iii) with respect to workshops and meetings held by or for the benefit of any business (other than any business that is or provides an essential service), and the concentration of staff or management in any office of a business—
 - I. no workshops may be held except virtually, or otherwise as directed from time to time by an enforcement officer in a specific case; and
 - II. no meetings of more than two persons of the staff or management or both of the business (other than any business that is or provides an essential service) may be conducted except virtually, or otherwise as directed from time to time by an enforcement officer in a specific case; and
 - III. the offices of the business (other than any business that is or provides an essential service) must be so decongested (whether by rotation of personnel or otherwise) that at any time, if the staff complement of the business exceeds two employees, not more than half such complement must be present together at office of the business;
- (f) section 5 (“Prohibition of gatherings”) (1)(j) (referring to individuals gathered for the purpose of worship), is suspended for the period of the Level IV national lockdown;
 - (g) section 5 (“Prohibition of gatherings”) (1)(k) (referring to individuals gathered for the purpose of public

- hearings), is suspended for the period of the Level IV national lockdown;
- (h) section 5 (“Prohibition of gatherings”)(1)(l) (referring to individuals gathered at restaurants and hotels), is suspended to the following extent—
 - (i) the operation of beer-halls and night clubs are suspended for the period of the Level IV national lockdown; and
 - (ii) bottle stores may only operate from 1000 hours to 1600 hours, subject to the prohibition against drinking on the premises of the bottle store and to strict adherence with all measures in this Order with respect to the wearing of face masks, temperature checks, sanitising of hands and social distancing, for the purpose of verifying which any enforcement shall have unhindered access to any bottle store; and
 - (iii) restaurants may only serve customers on a takeaway basis for the period of the Level IV national lockdown, and may not provide seating for waiting customers; and
 - (iv) bars attached to restaurants and lodges (being any premises or amenities referred to in section 23 (“Special provisions for restaurants, hotels and the tourism sector”) (2)(b) and (c)) must close by 2200 hours;
 - (i) with respect to workshops and meetings held by or for the benefit of any Government or local government department (other than any such department that is or provides an essential service), and the concentration of staff or management in any office of a Government or local government department—
 - (i) no workshops may be held except virtually, or otherwise as directed from time to time by the Public Service Commission or an enforcement officer in a specific case; and

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- (ii) no meetings of more than two persons of the staff or management or both of the department (other than any department that is or provides an essential service) may be conducted except virtually, or otherwise as directed from time to time by the Public Service Commission or an enforcement officer in a specific case; and
 - (iii) the offices of the department (other than any department that is or provides an essential service) must be so decongested (whether by rotation of personnel or otherwise) that at any time, if the staff complement of the department exceeds two employees, not more than forty *per centum* of such complement must be present together at office of the department (unless the Public Service Commission otherwise directs in a specific case);
- (j) section 26B (“Medium or high risk sports”) is suspended for the period of the Level IV national lockdown:
- Provided that any international sports event in connection with which, prior to the Level IV national lockdown, the Sports Ministry has made any hosting or other commitment with any foreign or international Ministry or other body responsible for sport, shall be permitted to take place subject to such conditions as the Sports Minister will communicate to the affected persons or bodies through the Sports and Recreation Commission;
- (k) gatherings permitted by any local authority for the purpose of what are commonly known as “people’s markets” must disperse not later than 1530 hours, and any such gathering may be earlier dispersed by an enforcement officer if in his or her opinion there is no substantial adherence with all measures in this Order with respect to the wearing of face masks, temperature checks, sanitising of hands and social distancing;

(1) section 26C (“Persons entering Zimbabwe from neighbouring and other countries”) applies to persons from a hotspot referred to in paragraph (b) of the definition of “COVID-19 infection hotspot” as they apply to persons arriving from a country where a COVID-19 variant of concern is prevalent or on the increase (and for the avoidance of doubt, persons presenting any forged document purporting to be a current or valid certificate of a negative PCR certificate shall be subject to arrest and charging for the crime of forgery under the Criminal Law Code).

(3) Notwithstanding anything to the contrary contained in any other law, the Minister may make a COVID-19 infection hotspot order having effect immediately upon the making thereof, in relation to which—

- (a) the Minister shall cause notice thereof and of its effect to be given as soon as may be in such manner as he or she thinks necessary for bringing it to the attention of all persons who, in his or her opinion, ought to have notice thereof; and
- (b) any copy of the same, certified under the hand of the Minister shall, on its mere production in any proceedings before a court, be accepted as proof of the making and of the contents thereof:

Provided that if such an order relates to a district of Zimbabwe, such order—

- (i) shall be deemed to incorporate all the restrictions and other provisions specified for districts mentioned in section 26F (“Special lockdowns of Hurungwe, Kariba, Kwekwe and Makonde Districts”), subject to such variations, omissions and additions as the Minister may specify in the order; and
- (ii) shall have effect in accordance with its terms immediately upon its issuance and for fourteen days thereafter, whereupon it shall expire unless

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its terms have earlier been incorporated by way of an amendment to section 26F (“Special lockdowns of Hurungwe, Kariba, Kwekwe and Makonde Districts”) relating to the district in question.”