

Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (No. 2) (Amendment) Order, 2021 (No. 26)

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. 26).

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 5 (“Prohibition of gatherings”) (1) by the repeal of paragraph (c) and the substitution of—

- “(b) individuals carried within a transport service vehicle, provided that—
- (i) the maximum seating capacity of the vehicle is visibly displayed on the outside (or in a manner that is visible from the outside) of the vehicle, and that no individual in excess of that capacity is carried on that vehicle; and
 - (ii) every individual in that vehicle wears a face mask; and
 - (iii) before embarkation every passenger is subjected to temperature checks and sanitising of hands; and
 - (iv) at every point on the route of the vehicle that is designated or scheduled for the disembarkation and embarkation of passengers, and before the embarkation of any new batch of passengers, the vehicle is disinfected in a manner directed or notified by an enforcement officer; and
 - (v) an enforcement officer may at any time demand from the driver or operator of a transport service vehicle proof in the form of an affidavit of the

time when the vehicle was last disinfected and of the manner and place of last disinfection;”.

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 Sections 26E and 27A of the principal order are repealed and the following sections are substituted—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 infection hotspot” or “hotspot” means—

- (a) any district or other locality that is subject to a special lockdown referred to in section 26F; or
- (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 27th June, 2021, a Level IV national lockdown is in force subject to the following modifications—

- (a) 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);
- (b) 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—

- (c) 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 in 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;

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- (c) 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 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 1800 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;
- (d) 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;
- (e) 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;
- (f) 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 on for the period of the Level IV national lockdown, and may not provide seating for waiting customers; and

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- (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;
- (g) 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
 - (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 half such complement must be present together at office of the department (unless the Public Service Commission otherwise directs in a specific case);
- (h) section 26B (“Medium or high risk sports”) is suspended for the period of the Level IV national lockdown;
- (i) gatherings permitted by any local authority for the purpose of what are commonly known as “people’s

markets” must disperse not later than 1800 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;

- (j) 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 India or who have transited through India in the course of their journey to Zimbabwe (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.

Special lockdowns of Hurungwe, Kariba and Kwekwe Districts

26F (1) In this section—

“Hurungwe District”, “Kariba District”, and “Kwekwe District” and means the districts whose boundaries

are set out in items 23, 28 and 29 respectively of Part II of the First Schedule to the Rural District Councils (Districts) Notice, 1992 (Statutory Instrument 67 of 1992);

“special lockdown” means the additional lockdown restrictions imposed in relation to Hurungwe District, Kariba District and Kwekwe District by virtue of this section.

(2) Notwithstanding anything to the contrary in this order, for the period ending on the 27th June, 2021, Hurungwe District, Kariba District and Kwekwe District shall be subject to the following special restrictions (which shall be additional to the other restrictions imposed by this Order to the extent that the latter are not inconsistent with special restrictions)—

- (a) there shall be a curfew from 1900 hours to 0600 hours:

Provided that vehicular traffic in transit through Karoi town, Kariba town or Kwekwe city is permitted if the driver concerned can satisfy an enforcement officer that he or she will not stop in Karoi town, Kariba town or Kwekwe city;

- (b) all learning institutions shall be closed for the duration of the special lockdown;
- (c) no visitors shall be permitted at boarding schools and all day schools shall observe the COVID-19 school protocols prescribed from time to time by enforcement officers acting on the instructions of the Ministry of Health;
- (d) all bars, drinking places, beerhalls and bottle stores shall be closed;
- (e) all business permitted to operate by the other provisions of this Order shall not open earlier than 0800 hours or close later than 1700 hours;
- (f) all gatherings for the purpose of a funeral shall be restricted to 30 persons, and may only take place in

the presence of, or under the supervision or guidance of, an enforcement officer, and in accordance with any instructions he or she may give;

- (g) all gatherings permitted by section 5(1)(j), (k) and (l) are prohibited.

(3) Any person who, within Hurungwe District, Kariba District and Kwekwe District, contravenes any of the special restrictions prescribed by this section, or who refuses to comply with any lawful instruction of an enforcement officer acting to enforce them, shall be guilty of an offence and liable to the penalties prescribed in section 5(3) of the principal regulations, as if such person partook in a gathering prohibited by that section.”.

