

Zimbabwe

Public Health Act

## Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) Order, 2020

Statutory Instrument 83 of 2020

Legislation as at 5 May 2020

FRBR URI: /akn/zw/act/si/2020/83/eng@2020-05-05

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PDF created on 21 February 2024 at 20:13.

*Collection last checked for updates: 31 December 2017.*

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# Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) Order, 2020

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## Statutory Instrument 83 of 2020

Published in Government Gazette 27 on 28 March 2020

**Commenced on 28 March 2020**

*[This is the version of this document as it was from 5 May 2020 to 5 May 2020.]*

*[Amended by Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (Amendment) Order, 2020 (No. 1) (Statutory Instrument 84 of 2020) on 29 March 2020]*

*[Amended by Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (Amendment) Order, 2020 (No. 2) (Statutory Instrument 86 of 2020) on 3 April 2020]*

*[Amended by Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (Amendment) Order, 2020 (No. 3) (Statutory Instrument 93 of 2020) on 19 April 2020]*

*[Amended by Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (Amendment) Order, 2020 (No. 4) (Statutory Instrument 94 of 2020) on 21 April 2020]*

*[Amended by Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (Amendment) Order, 2020 (No. 5) (Statutory Instrument 99 of 2020) on 2 May 2020]*

*[Amended by Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (Amendment) Order, 2020 (No. 6) (Statutory Instrument 101 of 2020) on 5 May 2020]*

*[Repealed by Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (No. 2) Order, 2020 (Statutory Instrument 200 of 2020) on 20 August 2020]*

THE Minister of Health, in terms of section 8(1) of the Public Health (COVID-19 Prevention, Containment and Treatment) Regulations, 2020 (published as Statutory Instrument 77 of 2020), and in consultation with the President, makes the following order: —

*[The Preamble is amended by section 2 of Statutory Instrument 94 of 2020, but the Preamble referred to seems to be the Preamble to Statutory Instrument 93 of 2020, which also amends this Order.]*

## Part I – Preliminary

### 1. Title

This order may be cited as the Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) Order, 2020.

### 2. Interpretation

In these regulations —

“attendant” in relation to—

- (a) a designated truck stop, means an enforcement officer, fuel attendant or other employee at such stop; or
- (b) a border post, means a revenue or customs officer, enforcement officer or other person employed at such border post to assist drivers of goods vehicles during the period of national lockdown;

*[definition of “attendant” inserted by section 2(b) of Statutory Instrument 93 of 2020]*

**“closure order”** means an order made by the Minister responsible for Home Affairs in terms of [section 8](#) for the closure of any port or ports between Zimbabwe and a neighbouring country;

**“crossborder goods vehicle”** means goods vehicle ferrying goods from Zimbabwe to a neighbouring country and back, or from a neighbouring country to Zimbabwe and back;

*[definition of “crossborder goods vehicle” inserted by section 2(b) of [Statutory Instrument 93 of 2020](#)]*

**“customs officer”** means any person acting as such in terms of the Customs and Excise Act [Chapter 23:02],

**“designated truck stop”** means a location for the refuelling and the supply of other services (including the facility for drivers and their crews to sleep in their vehicles overnight at the stop) in respect of transit goods vehicles and crossborder goods vehicles, designated by the Minister responsible for transport in the *Gazette* or by notice in such manner as the Minister thinks necessary for bringing such designation to the attention of all persons who, in his or her opinion, ought to have notice thereof;

*[definition of “designated truck stop” inserted by section 2(b) of [Statutory Instrument 93 of 2020](#)]*

**“essential service”** includes —

- (a) any hospital service;
- (b) any transport service referred to in [sections 4\(2\)](#) and [7\(2\)](#), whether terrestrial, aerial or waterborne;
- (c) any service relating to the generation, supply or distribution of electricity;
- (d) any service relating to the supply and distribution of water;
- (e) any sewerage or sanitary service;
- (f) any service relating to the production, supply, delivery or distribution of food (in particular supermarkets and food retail stores), fuel or coal;
- (g) banking institutions, bureaux de changes, money transfer services;
- (h) any fire brigade or ambulance service;
- (i) communications and telecommunication services, including the Internet, and any public or licensed broadcasting service;

*[paragraph (i) repealed and substituted by section 2(a) of [Statutory Instrument 84 of 2020](#)]*

- (j) communications and telecommunication services, including the Internet, any public or licensed broadcasting service, and the activities of persons as journalists, newspaper vendors or employees of such services;

*[paragraph 2(j) substituted by section 2(a) of [Statutory Instrument 93 of 2020](#)]*

- (k) all arms and organs of the State engaged in providing security services, and licensed private security services;
- (l) the Government Printer (Printflow Private Limited); and any other service declared by the Minister, by General Notice, to be an essential service for the purposes of these regulations;
- (m) all criminal courts and, to the extent directed by the Chief Justice by a Practice Direction, other courts, together with their support staff (including the Sheriff of the High Court or messengers of court for every purpose other than the carrying out evictions or executions or conducting sales in execution);

*[paragraph (m) inserted by section 2(b) of [Statutory Instrument 84 of 2020](#) and repealed and substituted by section 2(a) of [Statutory Instrument 101 of 2020](#)]*

- (n) the manufacture and distribution of medical supplies to combat COVID-19 and other medical emergencies;  
*[paragraph (n) inserted by section 2 of [Statutory Instrument 86 of 2020](#)]*
- (o) the operations of funeral parlour and other funeral services, including the manufacture and sale of coffins (but not the operation of transport services for the purpose of ferrying mourners to or from funerals);  
*[paragraph (o) inserted by section 2 of [Statutory Instrument 86 of 2020](#)]*
- (p) the operation of the air carrier known as Ethiopian Airways through the airspace of Zimbabwe and into and out of aerodromes that are, in terms of this order, open for air traffic;  
*[paragraph (p) inserted by section 2 of [Statutory Instrument 86 of 2020](#)]*
- (q) the conduct of agricultural activities on farms, including in particular the planting of any winter season crops, the harvesting of crops and land preparations in connection with agricultural activities;  
*[paragraph (q) inserted by section 2 of [Statutory Instrument 86 of 2020](#)]*
- (r) the supply of agricultural inputs and stock feeds;  
*[paragraph (r) inserted by section 2 of [Statutory Instrument 86 of 2020](#)]*
- (s) the supply and distribution of veterinary requirements for domesticated farm and non-farm animals and the dipping of cattle;  
*[paragraph (s) inserted by section 2 of [Statutory Instrument 86 of 2020](#)]*
- (t) the operation of inland waterborne transport services in areas where this is the normal mode of transportation for access to essential goods and services permitted by this order;  
*[paragraph (t) inserted by section 2 of [Statutory Instrument 86 of 2020](#)]*
- (u) the operations of the Zimbabwe Stock Exchange.  
*[paragraph (u) inserted by section 2 of [Statutory Instrument 86 of 2020](#)]*

**“face mask”** means a protective mask capable of covering the nose and mouth of the wearer (whether improvised or manufactured, and whether or not of a standard specified in the Public Health (Standards for Personal Protective Apparel, Materials and Equipment) Regulations, 2020, published in Statutory Instrument 92 of 2020);

*[definition of “face mask” inserted by section 2 of [Statutory Instrument 99 of 2020](#) and repealed and substituted by section 2(b) of [Statutory Instrument 101 of 2020](#)]*

**“foreign mission”** means a diplomatic or consular mission of a foreign state and includes any representation, department, branch or bureau of a foreign state or international organisation the purpose of which is to give technical or other advice or assistance in Zimbabwe but which is not otherwise a foreign mission or agency;

**“goods vehicle”** means a motor vehicle, including an articulated vehicle, constructed or adapted for the conveyance of goods;

*[definition of “goods vehicle” inserted by section 2(b) of [Statutory Instrument 93 of 2020](#)]*

**“goods vehicle in transit”** means goods vehicle ferrying goods through Zimbabwe between two countries;

*[definition of “goods vehicle in transit” inserted by section 2(b) of [Statutory Instrument 93 of 2020](#)]*

**“hoard”**, in relation to food, or medical supplies needed to combat COVID-19, means to retain any such supplies in order to—

- (a) sell it later at an increased price; or
- (b) avoid any order or regulations relating to price control; or
- (c) sell it to a particular class of customer rather than to another class;

**“home”**, in relation to an individual, means his or her place of ordinary residence or any place where he or she is permitted to reside overnight for the period of the lockdown;

**“immigration officer”** means any person who is an immigration officer as defined in section 2 of the Immigration Act [Chapter 4:02],

**“liquor”** means —

- (a) any spirit (including methylated & plain spirits), wine or beer (including traditional beer);
- (b) any fermented, distilled, spirituous or malted liquor not mentioned in subsection (a) containing more than 2,75% of absolute alcohol;
- (c) any drink with which anything defined as liquor in subsection (a) or (b) has been mixed;

but does not include spirituous or distilled perfume, perfumery, medicated spirit or medicated wine;

**“liquor establishment”** means any place where patrons buy and consume liquor, whether or not food is also offered for consumption at the establishment;

**“medical supplies needed to combat COVID-19”** means non-durable disposable health care materials that are useful or purported to be useful in preventing the transmission of COVID-19, such as face masks, paper tissues, disinfectants, hand sanitizers, receptacles for dispensing sanitizers or disinfectants, and surgical or other gloves;

**“member of the staff of a foreign mission or agency”** means a member of the diplomatic or consular staff of a foreign mission or the principal executives of the agency, as the case maybe, and includes amemberof the administrative, technical and service staff, including domestic staff, of the mission or agency, as the case may be;

**“Minister”** means the Minister responsible for Health;

**“national lockdown”** means the restrictions on the movement of persons and on intercity, terrestrial, airborne and cross border traffic prescribed by this Order;

**“public place”** means —

- (a) any road, thoroughfare, building, open space or other place of any description to which the public or any section of the public have access, whether on payment or otherwise and whether or not the right of admission thereto is reserved;
- (b) includes (but is not limited to) —
  - (i) restaurants;
  - (ii) other tourist facilities, including private and public game reserves (except for the purpose of serving tourists and other persons who are resident therein at the time of the national lockdown);
  - (iii) backpackers’ lodges and other guesthouses (except for the purpose of serving tourists and other persons who are resident therein at the time of the national lockdown);
  - (iv) places of worship;
  - (v) clubs, sports and other recreational facilities;



- (vi) flea markets, vegetable markets and bazaars (except such as are designated by the chief enforcement officer in any local authority for the sale of food and other basic necessities, and provided the persons gathered thereat do not exceed fifty (50) persons at a time and also comply with the social distancing rule);
- (vii) liquor establishments;
- (viii) theatres, cinemas, and shopping malls and centres (except food retail stores, pharmacies and other outlets offering essential necessities for sale);

“**social distancing rule**” means the rule of interaction in public places that, for the sake of avoiding the person-to-person transmission of COVID-19, every individual must (otherwise than in exceptional cases) keep a distance from any other individual of at least one metre.

### 3. Scope of order

This order has effect throughout Zimbabwe.

## Part II – National lockdown and prohibition of gatherings

### 4. National lockdown

- (1) Subject to this order, for the period from the 30th March, 2020, to the 17th May, 2020—

*[subsection (1) amended by section 3 of [Statutory Instrument 93 of 2020](#) and by section 3(a)(i) of [Statutory Instrument 99 of 2020](#)]*

- (a) every individual is confined to his or her home and may not leave therefrom except temporarily for the following purposes (not more than one person per household shall leave home for any one of these purposes of subparagraph (i), (ii) or (iv), except in exceptional cases demonstrated to an enforcement officer under subsection (2)) —
  - (i) to buy basic necessities at a supermarket or food retail store, or fuel or gas at a fuel or gas retail outlet, within a radius not exceeding five (5) kilometres from his or her home (unless there is no such shop or outlet within that radius, or such shop or outlet is closed for business, in which case he or she may go to the nearest such shop from his or her home);
  - (ii) to buy medicine at the establishment of a pharmaceutical chemist within a radius not exceeding five (5) kilometres from his or her home (unless there is no such establishment within that radius, or the needed medicine is not available there, in which case he or she may go to the nearest such establishment from his or her home);
  - (iii) if the individual is employed in an essential service, to go to and from his or her place of employment and go about the business of that essential service;
  - (iv) to obtain medical assistance on his or her own behalf or on behalf of anyone to whom he or she is related or for whom the individual has a duty of care:

Provided that such assistance must be sought within a radius not exceeding five (5) kilometres from his or her home (unless it cannot be obtained within that radius, in which case he or she may obtain it from the nearest location to his or her home);
  - (v) to go to the home of anyone to whom he or she is related or for whom the individual has a duty of care for purpose of rendering assistance to that person for the purposes contemplated by subparagraphs (i), (ii) and (iv);
  - (vi) if he or she is a member of the staff of a foreign mission or agency going to or from such mission or agency;

- (vii) if he or she is a citizen, resident or protected subject of a foreign country going to or from a foreign mission of the country of which he or she is the citizen, resident or subject, for the purpose of obtaining services or assistance at such mission;
- (b) every restaurant shall be closed—
  - (i) with the exception of those restaurants attached to a hotel serving the residents thereof; or
  - (ii) except to the extent that a restaurant provides food for consumption off the premises for mobile delivery, or on a takeaway basis for purchase and collection by persons not covered by the national lockdown or by persons temporarily permitted to leave lockdown under this subsection: Provided that no liquor shall be sold, collected or delivered together with such food;
- (c) every other business establishment shall be closed except for every business establishment providing an essential service or services in support of such a service, including but not limited to the following—
  - (i) pharmacies;
  - (ii) laboratories;
  - (iii) banking institutions;
  - (iv) payment and money transfer services;
  - (v) supermarkets and food retail stores;
  - (vi) fuel outlets;
  - (vii) health care providers;
  - (viii) transport services engaged in the carriage of staff for essential services, the carriage of sick persons to hospitals and other health care providers, and the transport of water, food, fuel, basic goods, medical supplies needed to combat COVID-19 and other medical supplies;

(the above list is merely illustrative and is not intended to limit the scope of the definition of “essential service”);

Provided that manufacturing business establishments or other businesses whose operations require continuous processes may operate with the minimum staff required for the care and maintenances of its operations;
- (d) every Government establishment shall be closed except to such extent as the responsible head of the Ministry or head of that establishment shall direct;
- (e) every school and other educational institution (whether primary, secondary, tertiary or technical and vocational, except for institutions providing medical training or research useful for combating COVID-19) shall be closed;
- (f) all intercity transport is prohibited except the operation of intercity transport services engaged in the carriage of staff for essential services, the carriage of sick persons to hospitals and other health care providers, the carriage of persons referred to in [section 4\(l\)\(a\)](#) (vi) or (vii), the transport of water, food, fuel, basic goods, medical supplies needed to combat COVID-19 and other medical supplies, and the carriage of Police, Defence Forces personnel and other enforcement officers;
- (g) hospital visits are permitted, subject to the restriction that the hospital authority may admit only one visitor per patient per day (and the visitor and patient must comply with the social distancing rule);

*[paragraph (g) inserted by section 3 of [Statutory Instrument 84 of 2020](#)]*

- (h) gatherings in file of motorists queuing to obtain fuel or gas at a fuel or gas outlet are permitted, subject to the restriction that every motorist must remain in his or her vehicles and may only temporarily leave therefrom (and in that event without violating the social distancing rule) for the purpose of—
    - (i) obtaining food and other basic necessities;
    - (ii) using ablution facilities;
    - (iii) assisting in re-fuelling their vehicles while inside the forecourt of the fuel outlet.

*[paragraph (h) inserted by section 3 of [Statutory Instrument 84 of 2020](#)]*
  - (i) *[paragraph (i) inserted by section 3(a)(ii) of [Statutory Instrument 99 of 2020](#) and repealed by section 4(a) of [Statutory Instrument 101 of 2020](#)]*
  - (2) Transport services, whether intracity or intercity, for the carriage of passengers shall be restricted to those provided by—
    - (a) the parastatal company known as the Zimbabwe United Passenger Company (ZUPCO);
    - (b) omnibuses and other passenger service vehicles operated by or on behalf of the Public Service Association, the Police Service, the Defence Forces and the Civil Protection Authorities;
    - (c) commuter omnibuses and other passenger service vehicles operated or chartered by local authorities for the carriage of staff for essential services, the carriage of sick persons to hospitals and other health care providers, and the transport of water, food, fuel, basic goods, medical supplies needed to combat COVID-19 and other medical supplies.
  - (2a) In relation to transport services (whether permitted by virtue of subsection (2) or not)—
    - (a) every vehicle used by the transport service must be disinfected against COVID-19 by or at the direction of an enforcement officer at least twice daily; and
    - (b) every individual must be temperature-tested and have his or her hands sanitised before being allowed to board any vehicle used by the transport service in question; and
    - (c) every individual in or about a vehicle used for a transport service must observe the social distancing rule.

*[subsection (2a) inserted by section 3(b) of [Statutory Instrument 99 of 2020](#)]*
  - (3) Every individual found outside his or her home shall have the burden of proving, to the satisfaction of an enforcement officer, that he or she is covered by any of the exceptions listed in subsection (1) or is acting under demonstrably exceptional circumstances.
  - (4) Any person covered by any of the exceptions listed in subsection (1), who is in a public place must comply with the social gathering rule and wear a face mask.
- [subsection (4) amended by section 3(c) of [Statutory Instrument 99 of 2020](#) and substituted by section 4(b) of [Statutory Instrument 101 of 2020](#)]*
- (4a) Any person who contravenes subsection (1), (2) or (4) shall be guilty of an offence and liable to a fine not exceeding level 12 or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.
- [subsection (4a) substituted by section 4(b) of [Statutory Instrument 101 of 2020](#)].*

- (5) Any person not covered by any of the exceptions listed in subsection (1) who is found to be in breach of the lockdown shall—
- (a) be charged and notified that he or she will be summoned before a court to answer that charge, and ordered to return immediately to his or her home, for which purpose an enforcement officer may accompany him or her; or
  - (b) if he or she refuses to return immediately to his or her home, or has no home, or is unable to immediately return to his or her home by reason of being outside of a radius of 5 kilometres (or in the case of a person who is a driver or passenger of a vehicle, 20 kilometres) from his or her home, be treated as having escaped from any place of detention, isolation or quarantine, and accordingly may be arrested without warrant and put in any place of detention, isolation or quarantine under the terms of the principal regulations.

## 5. Prohibition of gatherings

- (1) Subject to this order, for the period from the 4th May, 2020, to the 17th May, 2020, no gathering of more than fifty individuals in any public place are permitted except in the following cases —

*[subsection (1) amended by section 4 of [Statutory Instrument 93 of 2020](#) and by section 4(a) of [Statutory Instrument 99 of 2020](#) and by section 5(a) of [Statutory Instrument 101 of 2020](#)]*

- (a) a gathering at a stopping point for the purpose of using a transport service referred to in [section 4\(2\)](#), provided that not more than fifty (50) individuals at a time are gathered for that purpose, and that every individual at the gathering complies with the social distancing rule and wears a face mask;

*[paragraph (a) amended by section 5(b) of [Statutory Instrument 101 of 2020](#)]*

- (b) a gathering at a funeral service, provided that not more than fifty (50) individuals at a time are gathered for that purpose, and that every individual at the gathering complies with the social distancing rule and wears a face mask;

*[paragraph (b) amended by section 5(c) of [Statutory Instrument 101 of 2020](#)]*

- (c) individuals carried within a transport service vehicle, provided that it is possible within that vehicle to comply with the social distancing rule, and that every individual in that vehicle is complying with the social distancing rule and wears a face mask;

*[paragraph (c) amended by section 5(d) of [Statutory Instrument 101 of 2020](#)]*

- (d) individuals gathered at supermarkets and food retail stores to buy basic necessities, provided that every individual at such gathering complies with the social distancing rule and wears a face mask;

*[paragraph (d) amended by section 5(e) of [Statutory Instrument 101 of 2020](#)]*

- (e) individuals gathered at a hospital or other health service provider, provided that every individual at such gathering (except the staff at such establishment, if they are wearing a face mask) complies with the social distancing rule and wears a face mask;

*[paragraph (e) amended by section 5(f) of [Statutory Instrument 101 of 2020](#)]*

- (f) individuals gathered at the establishment of a pharmaceutical chemist, provided that every individual at such gathering complies with the social distancing rule and wears a face mask;

*[paragraph (f) amended by section 5(g) of [Statutory Instrument 101 of 2020](#)]*

- (g) individuals gathered for the purpose of an essential service, provided that every individual at such gathering complies with the social distancing rule and wears a face mask;

*[paragraph (g) amended by section 4(b) of [Statutory Instrument 99 of 2020](#)]*

- (2) An enforcement officer must, where a gathering takes place in contravention of subsection (1) —
  - (a) order the persons at the gathering (other than one referred to subsection (1)(d), (e), (f) or (g)) to disperse immediately; and
  - (b) order the persons at a gathering referred to subsection (1)(d), (e), (f) or (g) to observe the social distancing rule (except that the staff wearing face masks and gloves at the place of the gathering may in unavoidable circumstances interact at distance of less than a metre from each other and from other persons at the gathering); and
  - (c) if they refuse to disperse after being ordered to do so under paragraph (a), take appropriate action, including (subject to the Criminal Procedure and Evidence Act) arrest and detention.
- (3) Any person partaking at a gathering or convener thereof who—
  - (a) partakes in or convenes a gathering knowing that such gathering is prohibited in terms of subsection (1); or
  - (b) refuses to disperse from a gathering after being ordered to disperse in terms of subsection (2)(a); or
  - (c) refuses to observe the social distancing rule after being ordered to do so in terms of subsection (2)(b); shall be guilty of an offence and liable to a fine not exceeding level twelve or to imprisonment for a period not exceeding one year to both such fine and such imprisonment.

### **Part III – Border closure orders**

#### **6. Automatic extension of permitted residence of foreign nationals**

Despite anything to the contrary contained in the Immigration Act [Chapter 4:02], the diplomatic visa, temporary residence permit or employment permit of every foreign national who, during the period of national lockdown, is permitted to be in Zimbabwe by virtue of that visa or permit is hereby extended so that the period of the national lockdown is not counted as part of the period during which they are permitted to be in Zimbabwe.

#### **7. Closure of airports and restrictions on aerial transportation**

- (1) For the period from the 30th March, 2020, to the 3rd May, 2020, all airports and aerodromes are closed except for the following—

*[subsection (1) amended by section 5(a) of [Statutory Instrument 93 of 2020](#)]*

- (a) the Robert Gabriel Mugabe International Airport (Harare); and
- (b) the Joshua Mqabuko Nkomo International Airport (Bulawayo); and
- (c) the Victoria Falls International Airport; and
- (d) aerodromes operated by or on behalf of Government establishments that are directed to be opened in accordance with subsection (1).

*[paragraph (d) inserted by section 5(b) of [Statutory Instrument 93 of 2020](#)]*

- (2) All aerial transport services are prohibited except the operation of such services (whether commercial, private, chartered or scheduled) engaged in the carriage of staff for essential services, the carriage of sick persons to hospitals and other health care providers, the carriage of persons referred to in [section 4\(1\)\(a\)\(vi\)](#) or (vii), and the transport of water, fuel, food, basic goods, medical supplies needed to combat COVID-19 and other medical supplies, and the carriage of police, Defence Forces personnel and other enforcement officers.

- (3) Any person who operates any airport or aerodrome in contravention of subsection (1), or who contravenes subsection (2), shall be guilty of an offence and liable to a fine not exceeding level twelve or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.
- (4) All cross-border aerial transport services must abide by the health screening protocols prescribed by the authorities of the neighbouring State or other State of destination.

## 8. Power to close ports of entry and exit

- (1) Where the Minister responsible for Home Affairs, after consultation with the Minister, is of the opinion that it is necessary or desirable in the interests of combating the transmission of COVID-19 that any or all of the ports of entry or ports of exit between Zimbabwe and a neighbouring country or territory concerned should be closed to traffic, he or she may, despite anything to the contrary contained in the Customs and Excise Act, the Immigration Act, the One Stop Border Post Act or any other law, order that such port or ports as he may specify be closed for such period as the Minister may think fit and, subject to the proviso to subsection (2), the entry or exit of goods and of persons through such port or ports shall be prohibited subject to the following exceptions and such other such exceptions as may be specified by the Minister or by any person authorised by the Minister to specify such exceptions —
  - (a) the re-entry of citizens and returning residents:

Provided that the responsible enforcement officer at the port of entry concerned must order such citizens, returning residents to be detained, isolated or quarantined in any place for a period of twenty-one days;
  - (b) the exit or evacuation of members of the staff of a foreign mission or agency or of the citizens, subjects or residents of any country under a bilateral arrangement with such country;
  - (c) the entry and exit of vehicles involved in the transportation of food and essential supplies and items during the national lockdown;
  - (d) the arrival and departure of any passenger or cargo aircraft engaged in an essential service, in accordance with the following restrictions—
    - (i) unless flight plan of the aircraft contemplated an overnight stopover, or except in exiguous circumstances, every such aircraft must depart within ten (10) hours of arrival;
    - (ii) every member of the crew of such aircraft not on overnight stop over must remain on board the aircraft until its departure, but if it is necessary for any of them to disembark—
      - (A) the crew member must submit to being sanitised or disinfected in the manner required by an enforcement officer immediately on disembarkation, wear a face mask, and not associate with any other persons than (subject to the social distancing rule) members of the relevant airport or aerodrome services staff;
      - (B) if it becomes necessary for any member of the crew of such aircraft to stay overnight, every such member shall proceed to and remain at a place of quarantine at the airport or aerodrome until departure (or if any such member is infected with COVID-19, a place of isolation), or at some other place indicated by an enforcement officer;
    - (iii) every member of the crew of such aircraft on overnight stopover must proceed to and remain at a place of quarantine at the airport or aerodrome until departure (or if any such member is infected with COVID-19, a place of isolation), and otherwise comply with subparagraph and (ii);

*[paragraph (d) inserted by section 6 of [Statutory Instrument 93 of 2020](#)]*

- (e) the entry and exit of any goods vehicle in transit or cross-border goods vehicle engaged in an essential service, in accordance with the following restrictions—

*[paragraph (e) amended by section 3(a) of [Statutory Instrument 94 of 2020](#)]*

- (i) when arriving at the border the driver must—
- (A) be in possession of a functional thermometer for measuring body temperature, sufficient face masks for himself or herself and any member of the crew of the vehicle, sufficient hand sanitizing fluid or disinfectant, and at least one receptacle for dispensing such fluid or disinfectant (or if not in possession thereof must be able to obtain them at the border post);
  - (B) submit to being sanitised or disinfected in the manner required by an enforcement officer at the border post;
- (ii) the driver of the goods vehicle must not stop except at a border post, or a designated truck stop, and at such post or stop the driver and every member of the crew of such vehicle must remain in the vehicle and may only temporarily leave therefrom (and in that event without violating the social distancing rule) for the purpose of—
- (A) using ablution facilities;
  - (B) assisting in refuelling their vehicles while inside the forecourt of the fuel outlet;
- (if the driver or any member of his or her crew requires to obtain food or other basic necessities, the driver or crew member must not disembark from the vehicle but such food or supplies must be obtained through attendants at such border post or designated truck stop);
- (iii) in the case of drivers of crossborder goods vehicles, enforcement officers at the border or designated truck stop where the goods are offloaded must disinfect the goods and the premises at which they are offloaded as soon as possible after the offloading;
- (iv) every driver and every member of the crew of a transit goods vehicle or cross-border goods vehicle requiring to remain in Zimbabwe for a period in excess of 24 hours must proceed to and remain at a place of quarantine at the border post, designated truck stop or other place designated by an enforcement officer until departure (or if any such member is infected with COVID-19, a place of isolation);
- (v) every driver and every member of the crew of a transit goods vehicle or cross-border goods vehicle who, being a citizen or resident of Zimbabwe, returns to Zimbabwe upon delivery of the goods in question, shall be treated as a returning citizen or resident for the purposes of subsection (1)(a).

*[subparagraph (v) amended by section 3(b) of [Statutory Instrument 94 of 2020](#)]*

*[paragraph (e) inserted by section 6 of [Statutory Instrument 93 of 2020](#)]*

- (2) All cross-border terrestrial or waterborne transport services must abide by the health screening protocols prescribed by the authorities of the neighbouring State or other State of destination.

## 9. Enforcement of border closure

- (1) It shall be the duty of every police officer, customs officer or immigration officer at a port specified by the Minister in terms of [section 8](#) to ensure that, notwithstanding anything to the contrary contained in any law, effect is given to a closure order:

Provided that a customs officer or immigration officer may permit the entry or exit of any particular goods or persons for humanitarian reasons.



- (2) Notwithstanding anything to the contrary contained in the Civil Aviation Act [Chapter 13:16] (No. 7 of 1998), where the Minister has made a closure order, the Director General of the Civil Aviation Authority of Zimbabwe shall not authorise any flight by an aircraft between Zimbabwe and that country without the authority of the Minister.

## 10. Commencement and notice of closure order

- (1) Notwithstanding anything to the contrary contained in any other law, a closure order shall have effect immediately upon the making thereof.
- (2) When a closure order is made, the Minister shall cause notice of the effect of such order 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.
- (3) A copy of any closure order 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.

## 11. Offence and penalty under this Part

Any person who—

- (a) hinders or obstructs a police officer, customs officer, immigration officer or enforcement officer;
- (b) fails or refuses without sufficient cause to comply with any request made or direction given by a police officer, customs officer, immigration officer or enforcement officer; in the carrying out of this Part shall be guilty of an offence and liable to a fine not exceeding level twelve or to imprisonment for a period not exceeding one year to both such fine and such imprisonment.

## Part IIIA – Phased relaxation of national lockdown

[Part IIIA inserted by section 4 of [Statutory Instrument 94 of 2020](#)]

### 11A. Interpretation

In this part—

“**auction tobacco**” means tobacco which is declared in terms of the Tobacco Marketing and Levy Act to be auction tobacco;

“**auctioneer**” means the holder of an auction floor licence issued in terms of the Tobacco Marketing and Levy Act;

“**buyer**” means a person who is —

- (a) licensed or required to be licensed under the Tobacco Marketing and Levy Act as a buyer of auction tobacco; or
- (b) registered or required to be registered under the Tobacco Marketing and Levy Act as an authorized buyer of auction tobacco;

“**designated tobacco auction floor**” means premises for the sale of auction tobacco designated at sites specified by the Minister responsible for agriculture under [section 11B](#);

“**exempted person**” means a person deemed to be employed or engaged in an essential service by virtue of subsection 11C (1);

“**manufacturer**” includes a person (whether engaged in a large-scale industry or in a small or medium scale enterprise or in the informal sector) who fabricates, assembles, refines or processes any commodity or adds value to any raw material;



**“mining operations”** means obtaining or extracting any mineral by any mode or method or any purpose directly or indirectly connected therewith or incidental thereto, including—

- (a) the sinking of shafts; and
  - (b) the installation of machinery, equipment, implements, utensils and other articles required for the extraction or production of minerals; and
  - (c) the construction and erection of—
    - (i) facilities or the production, treatment, storage, gathering and conveyance of minerals; and
    - (ii) offices, residential units, schools, hospitals, nursing homes or clinics for use by persons employed in or in connection with mining operations by their families;
- and
- (d) the construction of roads in or to the mining area;

**“seller”**, in relation to auction tobacco, means a person who sells auction tobacco;

**“Tobacco Marketing and Levy Act”** means the Tobacco Marketing and Levy Act [Chapter 18:20].

*[section 11A inserted by section 4 of [Statutory Instrument 94 of 2020](#)]*

#### **11B. Designation of decentralised tobacco auction floors**

- (1) Notwithstanding anything to the contrary contained in any other law, the Minister responsible for agriculture may by order designate any site in Zimbabwe as a designated tobacco auction floor.
- (2) An order designating a tobacco auction floor shall have effect immediately upon the making thereof.
- (3) When an order designating a tobacco auction floor is made, the Minister responsible for agriculture shall cause notice of the effect of such order 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.
- (4) A copy of any closure order certified under the hand of the Minister responsible for agriculture shall, on its mere production in any proceedings before a court, be accepted as proof of the making and of the contents thereof.

*[section 11B inserted by section 4 of [Statutory Instrument 94 of 2020](#)]*

#### **11C. Exempted persons**

- (1) Subject to this section, with effect from the 20th April, 2020—
  - (a) employees of manufacturers; and
  - (b) persons employed in mining operations:  

Provided that, before resuming work for the first time during the national lockdown, every such person must at the direction of an enforcement officer submit to screening and testing for the COVID-19 disease;
  - (c) buyers and sellers at designated tobacco auction floors, and employees of such designated tobacco auction floors;

shall be regarded as persons employed in an essential service for the purposes of [section 4\(1\)\(a\)\(iii\)](#) and [section 5\(1\)\(g\)](#)
- (2) Persons employed in mining operations who ordinarily reside in accommodations provided around or adjacent to the mining operations shall be confined to such accommodations for the duration

of the national lockdown except for the purpose of going to and from work or for the purposes specified in [section 4\(1\)\(a\)](#).

- (3) Buyers and sellers at designated tobacco auction floors shall not remain on site for longer than is needed to complete the transactions for which they assembled.
- (4) If any question arises whether any formal or informal undertaking or operation is that of a manufacturer, the person purporting to be the manufacturer shall have the burden of proving, to the satisfaction of an enforcement officer, that he or she is a manufacturer.
- (5) Persons deemed or purporting to be employees of, or engaged in, an essential service for the purpose of this Part shall comply with any direction of an enforcement officer—
  - (a) to remain in or return to the accommodations referred to in subsection (3), in the case of persons employed in mining operations;
  - (b) to submit to screening and testing for the COVID-19 disease;
  - (c) at all times to observe the social distancing rule at the workplace, to wear protective masks and to make available for use by employees and other persons hand sanitising liquid;
  - (d) to disperse and return home where any undertaking or operation is not found to be a bona fide undertaking or operation of a manufacturer.
- (6) Any enforcement officer shall at any time during normal working hours have the right of access to any land premises where exempted persons are present or employed to ensure that the appropriate provisions of this order are being complied with.
- (7) Any person who fails to comply with an order of an enforcement officer given under the proviso to subsection (1) (b), or given under subsection (5), or who hinders or obstructs an enforcement officer from have the access referred to in subsection (6), shall be guilty of an offence and liable to fine not exceeding level twelve or to imprisonment for a period not exceeding one year to both such fine and such imprisonment.

*[section 11C inserted by section 4 of [Statutory Instrument 94 of 2020](#)]*

## **Part IIIB – Level 2 phased relaxation of national lockdown**

*[Part IIIB inserted by section 5 of [Statutory Instrument 99 of 2020](#)]*

### **11D. Application of Part IIIB**

This Part applies to businesses in the formal commercial and industrial sector that are not essential services or are not businesses of a type governed by Part IIIA.

*[section 11D inserted by section 5 of [Statutory Instrument 99 of 2020](#)]*

### **11E. Interpretation**

In these Part—

**“business in the formal commercial and industrial sector”** means any business, industry, trade or occupation (other than a industry, business, trade or occupation operating as an essential service) dealing (whether on a wholesale, retail or other basis) in goods or services for the generation of income or the making of profits, the formalisation of which is evidenced in any one or more of the following ways —

- (a) the holding of a shop or other licence from a local authority enabling it to operate the business in question from a specified premises; or
- (b) being the lessee of premises governed by the Commercial Premises (Lease Control) Act [Chapter 14:04]; or

- (c) being a registered operator for the purposes of the Value Added Tax Act; or
- (d) being a registered as an employer for the purpose of paying employees' tax under the Income Tax Act, or otherwise making a regular return of income for the purposes of that Act;
- (e) being a party to a collective bargaining agreement negotiated through an Employment Council governing the business in question;

but does not include any business, industry trade or occupation referred to in paragraph (b) of the definition of "public place" in [section 2](#);

**"rapid results diagnostic test"** means a test for the presence or absence in an individual of COVID-19 whose results are obtainable instantly or on the same day as the test.

*[section 11E inserted by section 5 of [Statutory Instrument 99 of 2020](#)]*

#### **11F. Part IIIB Exempted persons**

- (1) Subject to this section, with effect from the 4th May, 2020, persons operating or employed in a business or industry in the formal commercial and industrial sector shall be regarded as persons employed in an essential service for the purposes of [section 4\(1\)\(a\)\(iii\)](#) and [section 5\(1\)\(g\)](#).
- (2) Before resuming work for the first time during the national lockdown, every person referred to in subsection (1) (including employers of the persons referred to in subsection (1)) must at the direction of an enforcement officer submit to screening and testing for the COVID-19 disease, whether by use of the rapid results diagnostic test or other test approved by the Minister of Health.
- (3) Employers of the persons referred to in subsection (1) must arrange with enforcement officers for the testing contemplated by subsection (2) to take place at an agreed time at the workplace or at any other place agreed between them, for which purpose they may contact the Ministry of Health Call Centre or the Ministry of Information Call Centre.
- (4) Except for good cause shown to an enforcement officer a business in the formal commercial and industrial sector must open for business no earlier than 0800 hours and close no later than 1500 hours.
- (5) If any question arises whether any business in the commercial and industrial sector is formal or not, the person purporting that the business or industry is formal shall have the burden of proving, to the satisfaction of an enforcement officer, that the business is formal.
- (6) Persons deemed or purporting to be employers or employees of, or engaged in, an essential service for the purpose of this Part shall comply with any direction of an enforcement officer—
  - (a) to submit to screening and testing for the COVID-19 disease;
  - (b) at all times to observe the social distancing rule at the workplace, to wear protective masks and to make available for use by employees and other persons hand sanitising liquid;
  - (c) to disperse and return home where any business or industry is not found to be a formal business or industry.
- (7) Any enforcement officer shall at any time during normal working hours have the right of access to any land or premises where exempted persons are present or employed to ensure that the appropriate provisions of this order are being complied with.
- (8) Any person who fails to comply with an order of an enforcement officer given under this section, or who hinders or obstructs an enforcement officer from have the access referred to in subsection (6), shall be guilty of an offence and liable to fine not exceeding level twelve or to imprisonment for a period not exceeding one year to both such fine and such imprisonment.

*[section 11F inserted by section 5 of [Statutory Instrument 99 of 2020](#)]*

## Part IV – General

### 12. Prohibition of hoarding of medical supplies needed to combat COVID-19 and other offences

- (1) No person shall, at his or her home or in any other premises or location, hoard medical supplies needed to combat COVID-19.
- (2) No person shall, at his or her home or in any other premises or location, hoard food in excess of what is needed to be stored for himself or herself and his or her family during the period of the national lockdown.
- (3) No person shall export or attempt to export from Zimbabwe medical supplies needed to combat COVID-19 unless the exporter or other person in charge of the consignment for export of such supplies produces to a revenue, customs or enforcement officer a certificate issued by or under the authority of the Minister to the effect that such supplies are in excess of what is required in Zimbabwe to combat the disease.

*[subsection (3) substituted by section 7 of [Statutory Instrument 93 of 2020](#)]*

- (3a) Any person who contravenes subsection (1), (2) or (3) shall be guilty of an offence and liable to fine not exceeding level twelve or to imprisonment for a period not exceeding one year to both such fine and such imprisonment.

*[subsection (3a) inserted by section 7 of [Statutory Instrument 93 of 2020](#)]*

- (4) If there is a reasonable suspicion that any person is hoarding medical supplies needed to combat COVID-19, or food, whether at his or her home or in any other premises or location, an enforcement officer may, upon a warrant obtained from a magistrate or justice of the peace authorising such search and seizure, search such home, premises or location and seize any property suspected to be medical supplies needed to combat COVID-19, or any excess food as contemplated by subsection (2).
- (5) A magistrate or justice of the peace may issue a warrant contemplated in subsection (4) if it appears to him or her on oath or affirmation by an enforcement officer that any person is reasonably suspected of hoarding medical supplies needed to combat COVID-19.
- (6) Any person taking advantage of the national lockdown to profiteer, or raise prices of goods or services or rents, shall be subject to the penalties prescribed by law for contravention of the appropriate statutory provisions.

### 13. Local authorities to make land or premises available for isolation and quarantine

By written order addressed to any local authority the Minister may require such local authority to set aside and make available during the period of national lockdown any land or premises adequate for the quarantine or isolations of more than fifty (50) persons at a time who are infected with or suspected of being infected with COVID-19, and to comply with the directions of any specified enforcement officer for the management of such land or premises.

### 14. False reporting during national lockdown

For the avoidance of doubt any person who publishes or communicates false news about any public officer, official or enforcement officer involved with enforcing or implementing the national lockdown in his or her capacity as such, or about any private individual that has the effect of prejudicing the State's enforcement of the national lockdown, shall be liable for prosecution under section 31 of the Criminal Law Code ("Publishing or communicating false statements prejudicial to the State") and liable to the penalty there provided, that is to say a fine up to or exceeding level fourteen or imprisonment for a period not exceeding twenty years or both.