

ESWATINI

GOVERNMENT GAZETTE

EXTRAORDINARY

VOL. LVIII

MBABANE, Thursday, NOVEMBER 19th 2020

[No. 172]

CONTENTS

No.		Page
PART C - LEGAL NOTICE		
302.	The Public Health (Coronavirus - Covid-19) Regulations, 2020.....	S1
303.	The Disaster Management (Coronavirus - COVID-19) Regulations, 2020.....	S1

LEGAL NOTICE NO. 302 OF 2020

THE PUBLIC HEALTH ACT
(Act No. 005 of 1969)**THE PUBLIC HEALTH (CORONAVIRUS - COVID-19) REGULATIONS, 2020**
(Under section 26)

In exercise of the powers conferred by Section 26 of the Public Health Act, 1969, the Minister of Health makes the following Regulations-

ARRANGEMENT OF REGULATIONS**PART I**
PRELIMINARY PROVISIONS

1. Citation and Commencement.
2. Interpretation.

PART II
COUNTERING CORONAVIRUS (COVID-19)

3. Prevention of spread of COVID-19.
4. Compulsory use of masks.
5. Compulsory notification on suspected cases.
6. Screening of persons.
7. Test samples for Covid-19.
8. Notification on development of symptoms.
9. Isolation for asymptomatic person.
10. Isolation for symptomatic person.
11. Steps upon examination.
12. Measures for defined geographic area.
13. Refusal of medical examination, treatment, isolation and quarantine.
14. Refusal to cooperate with enforcement officer.
15. Places of quarantine and isolation.
16. Handling of a COVID-19 decedent.
17. Register of decedents.

**PART III
INTERNAL AND CROSS-BORDER TRAVEL**

18. Internal Travel.
19. Cross –Border Travel.
20. Duties of port of entry health officers.

**PART IV
PROCUREMENT**

21. Procedure for conducting Emergency Procurement.
22. Single Source Procurement for Emergency Needs.
23. Report on Emergency Procurement.
24. Prohibition to the relevant approval’s authority.
25. Application of Emergency Procurement.
26. Evaluation of the Tender.
27. Procedure for Negotiations.
28. Approval Arrangements for Emergency Procurement.
29. Contract Award Notices.
30. Auditing of Covid-19 Procurement.

**PART IV
GENERAL PROVISIONS**

31. Spreading rumours or unauthenticated information on COVID-19.
32. Emergency Procurement Procedures.
33. Issuance guidelines or Regulations.
34. Offences and penalties.

Schedules

**PART I
PRELIMINARY PROVISIONS**

Citation and Commencement

1. (1) These Regulations may be cited as the Public Health (Coronavirus - COVID-19) Regulations, 2020.

(2) These Regulations shall come into force on the date of publication in the Gazette and shall continue in force until the Prime Minister by Notice in the Gazette declares that Coronavirus – COVID-19 has ceased to be a pandemic.

Interpretation

2. In these Regulations, unless the context otherwise indicates-

“adequate space” means not more than one person per square meter of floor space;

“contact person” means a healthy person that has been in such association with an infected person or a contaminated environment as to have been exposed and is therefore at a higher risk of developing the disease and includes-

- (a) a person living in the same household as a COVID-19 case;
- (b) a person having had direct physical contact with a COVID-19 case or that person’s infectious secretions without the recommended personal protective equipment or with a possible breach of personal protective equipment; or
- (c) a person who was in a closed environment or had face to face contact with a COVID-19 case at a distance of within 1 metre including air travel;

“COVID-19” means the Novel Coronavirus (2019-nCov) caused by a virus, that was declared a global pandemic by the WHO during the year 2020 which has previously not been scientifically identified in humans;

“COVID-19 related symptoms” include cough, fever, difficulty in breathing, sore throat, chills, headache, body or joint pains, loss of smell and taste, vomiting and diarrhoea;

“Criminal Procedure and Evidence Act” means the Criminal Procedure and Evidence Act No. 38 of 1967;

“enforcement officer” - includes a public health officer, an immigration officer, National Disaster Management Agency officers, Ministry of Education Inspectorate, a duly authorized officer from the Competition Commission, members of the police service, defence force, correctional services, commercial officers, road transport inspectors, occupational health and safety officers, and regional response teams;

“essential travel” means travel on official government business, company or organisation business, or for medical reasons, schooling or repatriation purposes;

“donor” means an individual, corporation or organisation that is a contributor of cash other assets or in kind;

“high risk country” means a country classified by the World Health Organization as a high risk country;

“isolation” in relation to a person means the separation of that person from any other person in such a manner as to prevent infection or contamination with Covid-19 -

- (a) at a facility designated, by notice, on the purposes of these Regulations by the Minister of Health;
- (b) in that person’s home;
- (c) in a hospital; or
- (d) at another suitable place;

“loitering” means to stand, wait or walk in a public place without any purpose;

“quarantine” means separating asymptomatic individuals potentially exposed to a disease from non-exposed individuals in such a manner as to prevent the possible spread of infection or contamination;

“school” has the meaning ascribed to it in the Education Act, No.9 of 1981;

“The Act” means the Public Health Act No. 005 of 1969; and

“WHO” means the World Health Organisation.

PART II COUNTERING CORONAVIRUS (COVID-19)

Prevention of spread of COVID-19

3. Every person in the Kingdom of Eswatini shall take steps to prevent the spread of COVID-19 in the manner stipulated in the Schedules and as may be determined by the Ministry of Health from time to time.

Compulsory use of face masks

4. (1) The prevention of the spread of COVID-19 referred to in regulation (3) includes the compulsory use of face masks by every person at any public place, motor vehicle or premises in the presence of other persons.

(2) Sub- regulation (1) does not apply to children under the age of two (2).

(3) A person shall, before putting on a face mask, clean hands with soap and running water or an alcohol- based hand sanitiser.

(4) A face mask shall fully cover one’s mouth and nose and shall be tied securely or placed on elastic ear loops to ensure that there are no gaps between the face and the cloth face mask.

(5) A face mask shall not be lowered when speaking, coughing or sneezing.

(6) A face mask shall not be touched whilst in use provided that in the event it is unavoidable, one shall clean hands with soap and running water or an alcohol-based hand rub.

(7) A person shall not touch the front of the face mask and then touch other parts of the face, especially the eyes, mouth and nose.

(8) A person shall not fiddle with a face mask or touch one’s face as it can lead to infection with virus-containing droplets which may have been caught by the cloth face mask.

(9) A face mask shall be replaced with a clean, dry one as soon as it is damp.

(10) A health worker or person shall not re-use a single-use mask.

(11) A cloth face mask shall be washed with warm soapy water and ironed when dry.

(12) Where one has to change a mask while away from home, the used mask shall be kept in a plastic bag, for washing later at home.

(13) A person shall endeavour to have more than one mask when leaving the home.

(14) A face mask shall be removed from behind by untying the strips or taking off the elastic ear loops without touching the front of the mask.

(15) After removing a face mask, one shall clean hands with soap and running water or alcohol-based hand rub.

(16) A face mask shall not be placed on young children under the age two (2), anyone who has trouble breathing or is unconscious, incapacitated or otherwise unable to remove the mask without assistance.

(17) A single use medical mask shall be discarded after each use in a covered waste bin or bag.

(18) A person shall not litter the ground with a used mask.

(19) Sharing of face masks is prohibited.

(20) The Ministry health officials shall educate the public on the proper use and disposal of face masks.

(21) A person who contravenes a provision of this regulation shall be liable to pay an admission of guilt fine of one hundred (E100.00), Emalangeni.

Compulsory notification on suspected cases

5. Every person, medical practitioner or health officer, whether in public or private sector, shall notify the Ministry of Health of any person, who within their knowledge, has a travel history to a COVID-19 affected country or has COVID-19 related symptoms or is a contact person.

Screening of persons

6. (1) A Government, Non - Government, or private hospital or clinic shall have designated screening points for suspected cases of COVID – 19.

(2) A hospital or clinic shall, during screening of a suspected case of COVID-19, ascertain and record whether that person has travelled to any country or to an area where COVID-19 has been reported or is a contact person.

(3) The history of a contact person shall be recorded, collated and transmitted to the Epidemiologist through the health management information system.

Test samples for Covid-19

7. All test samples shall be collected as per the directive of the Ministry of Health and these samples shall be sent to a laboratory.

Notification on development of symptoms

8. Where a person who in the last fourteen (14) days has a history of travel to a country or area from where COVID-19 has been reported or is contact person, develops symptoms or has COVID – 19 related symptoms, that person shall contact the nearest clinic or call 977 so that necessary measures may be initiated by the Ministry of Health, where required.

Isolation for asymptomatic person

9. (1) A person with a history of travel who does not have COVID- 19 related symptoms shall be under quarantine in a designated facility or at home and shall take precautions as stipulated in the Second Schedule.

(2) A person to whom sub-regulation (1) applies shall avoid contact with any person including family members for fourteen (14) days from the date of arrival.

Isolation for symptomatic person

10. (1) A medical practitioner or health officer shall admit a person and isolate that person, if required, where that person has a history of visit to an area where COVID-19 is endemic or is a contact and that person is symptomatic.

(2) Where there is sufficient reason, cause or information to suspect or believe that a person could be infected with COVID-19 and that person's continued presence in the premises is hazardous to public safety, a medical practitioner or health officer shall –

- (a) enter any such premises, after giving reasonable opportunity to the owner or occupier, for the purpose of surveillance for COVID-19 related symptoms; and
- (b) enquire into or undertake physical examination,

and that person shall be bound to cooperate and render all possible assistance to facilitate such surveillance, inspection, enquiry and examination.

Steps upon examination

11. Where consequent upon an inquiry, inspection, examination or otherwise, a medical practitioner or health officer has reason to believe or suspect that a person could be infected with COVID-19, the medical practitioner or health officer shall direct or arrange to put that person in home isolation or direct or escort that person to a designated isolation facility.

Measures for defined geographic area

12. Where cases of COVID-19 are reported from a defined geographic area, the Incident Manager in conjunction with the approval of Ministry of Health Senior Management Team shall take containment measures to prevent spread of the disease, which include-

- (a) sealing off that geographical area;
- (b) banning entry and exit of population from the containment area;
- (c) closure of schools, offices and banning public gatherings;
- (d) banning of vehicular movement in the area;
- (e) initiating active and passive surveillance COVID-19 cases;
- (f) isolation of all suspected cases;
- (g) designating any building as containment unit for isolation of the cases;
- (h) ensuring that enforcement officers are available at the concerned area for discharging the containment measures; and
- (i) any other measure as directed by the Minister of Health.

Submission to medical examination, treatment, isolation and quarantine

13.(1) A person who has been clinically, or by a laboratory, confirmed as having COVID-19, or who is suspected of having contracted COVID-19, or who has been in contact with a person

who is confirmed to have contracted COVID-19 shall be submitted to medical examination, treatment, isolation or quarantine as the case may be.

(2) A person referred to under sub-regulation (1) shall not refuse consent to an enforcement officer for-

- (a) submission of that person to a medical examination, including but not limited to the taking of any bodily sample by a person authorised in law to do so;
- (b) admission of that person to a health establishment or a quarantine or isolation site; or
- (c) submission of that person to mandatory treatment, isolation or quarantine or isolation in order to prevent transmission.

(3) A person who contravenes sub- regulation (2) or fails to comply with an instruction or order of an enforcement officer, shall be placed in isolation or quarantine for a period of 48 hours, as the case may be, pending a warrant being issued by a magistrate, on application by an enforcement officer for the medical examination contemplated in sub regulation (1).

(4) A warrant contemplated in sub-regulation (1) may be issued by a magistrate, if it appears from information on oath or affirmation by an enforcement officer -

- (a) that a person is confirmed to have contracted COVID-19.
- (b) who is on reasonable grounds suspected of having contracted COVID-19, or who has been in contact with, or on reasonable grounds suspected to have been in contact with a person infected with COVID-19.

(5) The warrant may impose restrictions on the powers of the enforcement officer as the Magistrate may deem necessary.

(6) A warrant issued in terms of this regulation remains in force until –

- (a) it is executed;
- (b) it is cancelled by the person who issued it or, if such person is not available, by any person with like authority;
- (c) the expiry of sixty days from the date of its issue; or
- (d) the purpose for the issuing of the warrant has lapsed, whichever occurs first.

(7) A person shall not be entitled to compensation for any loss or damage arising out of any action or omission made in good faith by an enforcement officer under this regulation.

Refusal to cooperate with enforcement officer

14. A health officer, medical practitioner or enforcement officer shall, where a person who refuses to co-operate with or to render assistance to or comply with the directions of that enforcement officer -

- (a) take any coercive action as deemed necessary or expedient for enforcing such cooperation and assistance; and
- (b) in case of a minor, such direction shall be directed to the guardian or any other adult member of the family of the minor.

Places of quarantine and isolation

15. (1) The Minister of Health shall identify and make available sites to be used as isolation and quarantine facilities, including facilities at the ports of entry.

(2) The Members of the Incident Management Team in the Ministry of Health shall identify and make available sites to be used as isolation and quarantine facilities within each Region, as the need arises.

(3) The Ministry of Health shall apply infectious prevention and control measures at all isolation and quarantine facilities from time to time.

Handling of COVID-19 decedent

16. (1) A COVID-19 decedent shall be handled in the manner specified in Fourth Schedule.

(2) A person shall not wash or perform bathing rituals on a decedent.

(3) An Environmental Health Officer or Health Inspector from the Ministry of Health or Municipality shall monitor a burial of a decedent who has died from COVID-19.

Register of decedents

17. A decedent handling facility or mortuary shall keep and maintain a register of receipts and collections of dead bodies.

**PART III
INTERNAL AND CROSS-BORDER TRAVEL**

Internal travel

18. (1) Loitering at any time in any thoroughfare or public place or near any dwelling house, shop, store or any enclosed place or veld or bush is prohibited.

(2) The movement and guidance on the level of restrictions on travelling between towns and cities shall be determined by the Minister from time to time.

(3) The restrictions referred to in sub – regulation (2) may include curfews and controlled entry and exits from areas designated as hotspots.

Cross-border travel

19. (1) Traveling in and out of the Kingdom of Eswatini for none essential travel is discouraged.

(2) A returning national, resident of Eswatini or any other person entering the Kingdom of Eswatini shall be subjected to screening and may be required to self - isolate or quarantine for a period of fourteen 14 days upon entry or as may be determined by the Minister.

(3) A person who intends to enter or exit the country shall –

(a) produce COVID-19 negative results taken seventy two (72) hours prior to travel; and

(b) be subjected to screening.

(4) A person who does not present a valid negative COVID-19 result or is presenting

with COVID-19 symptoms or both, shall be required to do the COVID-19 test at Point of Entry at that person's own cost.

(5) There shall be no restrictions on transportation of food, goods and cargo into and outside the country.

(6) A visa or entry permit that has already been issued to a traveller from a high risk country is, at the commencement of these Regulations, revoked.

(7) Immigration officials shall maintain a record of all cross-border travellers for purposes of identifying and tracking.

(8) A person who enters the Kingdom of Eswatini with the purpose of seeking asylum shall be screened and quarantined for a period of fourteen (14) days.

(9) Upon opening of all transit, a person who could not leave the country to return to that person's country of origin or habitual residence, shall apply for a waiver to return to that person's country of origin or habitual residence.

Duties of Port Entry Health Officers

20. Port of entry health officers shall be the first to deal with arriving persons at ports of entry.

PART VIII

PROCUREMENT

Procedures for conducting Emergency Procurement.

21. (1) Subject to the provisions of the Act, where public interest demands the emergency procurement of any goods, services or works, the controlling officer shall-

- (a) evaluate the need for the emergency procurement and decide the preferred procurement method in order to guarantee efficiency and economic sustainability;
- (b) identify, specify and prioritize the immediate procurement activities which may be used in the period of the emergency;
- (c) where possible, identify other government bodies that can provide immediate assistance; and
- (d) specify the time frame within which the emergency procurement will be undertaken.

(2) Upon satisfying the requirements under sub-regulation 1, the controlling officer shall proceed to procure the goods, works or services in accordance with the method of procurement selected.

Single Source Procurement for Emergency Needs

22. Where the procuring entity conducts single source procurement on the grounds that there is insufficient time for any other method in an emergency situation, the procuring entity shall –

- (a) first confirm that the goods, works or services required are not available from stores or under any existing framework contract or similar arrangement;
- (b) identify a suitable tenderer;

- (c) prepare a written request for a tender, containing a statement of requirements for the goods, works or services required and a statement of the proposed contract form and terms and conditions of contract;
- (d) evaluate the tender;
- (e) negotiate with the tenderer, if required, in accordance with the negotiation procedure laid down by these Regulations;
- (f) where time does not permit the controlling officer shall obtain a written quotation from the identified supplier and facilitate evaluation of such quotation and in this case tendering may be verbal;
- (g) prepare a brief report for submission to the relevant approvals authority, which shall contain –
 - (i) details of the requirement and the emergency circumstances;
 - (ii) a summary of the action taken to invite, evaluate and negotiate the tender; and
 - (iii) a recommendation to award the contract or take other appropriate action.

Report on Emergency Procurement.

23. (1) The controlling officer shall, within thirty (30) days after completion of the procurement process, prepare and submit a report on the emergency procurement to the Agency.

(2) The report under sub-regulation (1) shall be in the format prescribed in the guidelines issued by the Agency.

Prohibition to the relevant approvals authority.

24. The relevant approvals authority shall not grant retrospective approval for emergency procurement.

Application of Emergency Procurement.

25. (1) The emergency shall not be a result of self-created urgency or as a result of dilatory conduct.

(2) A procuring entity shall not use an emergency procurement method if-

- (a) goods or services fall under common procurement arrangement; or
- (b) the specific event could have been anticipated and planned.

Evaluation of the Tender.

26. (1) The evaluation of a tender shall be conducted by an evaluation committee to determine whether, the tender -

- (a) meets the technical needs of the procuring entity and in particular its required delivery or completion schedule;
- (b) accepts the contractual terms and conditions proposed by the procuring entity or offers other terms and conditions which are acceptable to the procuring entity;

and

- (c) offers value for money, based on prices previously obtained for similar goods, works or services or a breakdown analysis of the costs of each component, taking into account the circumstances and value of the procurement and any additional costs involved in meeting the delivery or completion schedule of the procuring.

(2) The evaluation committee shall, based on the evaluation, determine whether negotiations are required with the tenderer.

(3) Any negotiations shall be in accordance with the procedure laid down by these regulations.

(4) The evaluation report and recommendations shall be submitted to the relevant approvals authority.

Procedure for Negotiations.

27. (1) The evaluation committee shall prepare a plan for the negotiations, which shall specify the issues to be negotiated and objectives to be achieved and shall, to the extent possible, quantify the objectives and set maximum and minimum negotiation parameters.

(2) The negotiations shall be conducted by not less than three (3) staff members of the procuring entity, who shall not commit the procuring entity to any proposed arrangement or agreements.

(3) The staff conducting the negotiations shall prepare minutes of the negotiations, which shall form part of the record of the procurement and shall obtain a written confirmation that they are a true and accurate record of the negotiations held.

Approval Arrangements for Emergency Procurement.

28. (1) The procuring entity shall notify the Tender Board as soon as it identifies a procurement requirement which will be subject to single source procurement on the grounds of an emergency need.

(2) In order to ensure that emergency procurement proceeds promptly, any prior authorisations by the Tender Board shall be sought.

(3) The Tender Board shall promptly consider any contract award recommendation.

Contract Award Notices

29. All contract award notices shall be published in accordance with the Procurement Act, 2011 and in the ESPPRA website and shall include, the following minimum information -

- (a) procurement plans;
- (b) value of contract award;
- (c) the names of awarded legal persons and their beneficiary owners, and
- (d) validation of delivery, as information become available.

Auditing of COVID-19 - Procurement

30. The Auditor General shall undertake financial and compliance audits of all crisis-

mitigation spending and related procurement processes using independent audit companies and will publish the results within six (6) months from the end of the financial year starting from the 2020 to 21 fiscal year.

PART IV GENERAL PROVISIONS

Spreading rumours or unauthenticated information on COVID-19

31. (1) A person, an institution or organization shall not-
- (a) spread of any rumour or unauthenticated information regarding COVID-19;
 - (b) use any print or electronic media for information regarding COVID-19 without prior permission of the Ministry of Health;
 - (c) publish any statement, through any medium, including social media, with the intention to deceive any other person about – COVID-19;
 - (d) use print or electronic media on the COVID-19 infection status of any person; or
 - (e) spread of any rumour or unauthentic information regarding any measure taken by the Government to address COVID-19.

(2) A person, an institution or organization that indulges in an activity that contravenes this Regulation commits an offence and shall, on conviction, be liable to a fine not exceeding twenty thousand Emalangeni (E 20, 000) or to imprisonment for a term not exceeding five (5) years.

Issuance of guidelines or other Regulations

32. (1) The Minister may issue guidelines to address, prevent and combat the spread of COVID-19 in any area of the Kingdom of Eswatini, which may include the -
- (a) recruitment and training of human resources from the Ministry of
 - (b) health, and other entities responsible for the handling of COVID-19 mortal remains;
 - (c) deployment of human resources from the Department of Health to identified sites to render services;
 - (d) sourcing of human resources from retired health professionals and Non-Governmental Organisations to render services in identified sites;
 - (e) provision of health equipment, sanitation materials and medical supplies;
 - (f) identification and establishment of mortuaries that will accommodate all COVID-19 mortal remains; and
 - (g) disposal of COVID-19 mortal remains.

(2) Any guidelines or Regulations on COVID-19 shall be issued after consultations with the Minister.

Offences and penalties

33. (1) A person who contravenes a provision of these Regulations commits an offence and

shall on conviction be liable to pay a fine not exceeding twenty five thousand Emalangeni (E25 000) or to a term of imprisonment not exceeding two (2) years.

(2) A person who intentionally gives false information about oneself or another person being infected with COVID-19 commits an offence and shall on conviction be liable to a fine of not exceeding ten thousand Emalangeni (E10 000) or to a term of imprisonment not exceeding one (1) year.

(3) A person who intentionally exposes another person to COVID-19 may be prosecuted for an offence, including assault, attempted murder or murder.

FIRST SCHEDULE
(Under Regulation 3)

STEPS TO PREVENT THE SPREAD OF CORONAVIRUS (COVID-19)

Every person shall use the following steps to prevent the spread of coronavirus (COVID-19) -

- (a) wash hands frequently with soap and water for 40 seconds;
- (b) an alcohol based hand sanitizer with 70% alcohol must be used for 20 seconds;
- (c) if hands are dirty or soiled, do not use an alcohol based hand sanitizer, rather wash hands with soap and water;
- (d) when coughing or sneezing cover nose and mouth with handkerchief or paper tissue. Dispose of tissue immediately after use and wash hands;
- (e) if handkerchief or tissue paper is not available cough into a flexed elbow;
- (f) refrain from touching face, mouth, nose and eyes;
- (g) stay at least a metre away from other persons;
- (h) monitor your body temperature; and
- (i) avoid handshakes.

SECOND SCHEDULE
(Under Regulation 8 and 14)

HOME QUARANTINE OR ISOLATION MEASURES

1. (1) A home quarantined or isolated person shall-
 - (a) stay in a well-ventilated single-room preferably with an attached or separate toilet. If another family member needs to stay in the same room, it is advisable to maintain a distance of at least one (1) meter between the two;
 - (b) stay away from contact with elderly people, pregnant women, children and persons with co-morbidities within the household;
 - (c) restrict movement within the house; and
 - (d) under no circumstances attend any social or religious gathering which include but not limited to weddings and night vigils.

(2) A home quarantined or isolated person shall, follow the under mentioned public health measures at all times, -

- (a) wash their hands as often thoroughly with soap and running water or with alcohol-based hand sanitizer;
- (b) avoid sharing household items such as kitchen utensils, towels, bedding, or other items with other people at home;
- (c) wear a surgical mask at all the times and ensure that the mask is changed every 6-8 hours and disposed of;
- (d) disinfect masks used by patients, care givers, or close contacts during home care using ordinary bleach solution containing (5%) or sodium hypochlorite solution containing (1%) which shall be disposed of either by burning or deep burial;
- (e) consider used masks as considered as potentially infected; and
- (f) immediately inform the nearest health centre or call 977, if symptoms appear such as cough, fever or difficulty in breathing,

2. (1) Family members of a home quarantined or isolated person shall -

- (a) ensure that only an assigned family member is tasked with taking care of such person;
- (b) avoid touching the soiled linen or direct contact with skin;
- (c) use disposable gloves when cleaning the surfaces or handling soiled linen;
- (d) wash their hands after removing gloves; and
- (e) not allow visitors into their house.

(2) In case the person being quarantine becomes symptomatic, all their close contacts shall be home quarantined for fourteen (14) days and followed up for an additional fourteen (14) days or until the report of that person turns out negative on lab testing.

(3) The following environmental sanitation requirements shall be observed in a home quarantine or isolation place or facility-

- (a) clean and disinfect frequently touched surfaces in the quarantined person's room such as bed, frames and tables daily with one (1%) Sodium Hypochlorite Solution;
- (b) clean and disinfect toilet surfaces daily with regular household bleach solution or phenolic disinfectants; and
- (c) clean the clothes and other linen used by the person separately using common household detergent and dry.

3. A home quarantine or isolation period shall be for fourteen (14) days from contact with a confirmed case or earlier if a suspect case of whom the index person is a contact turns out negative on laboratory testing.

THIRD SCHEDULE

(under regulation 3)

“USE OF FACE MASKS”

Types of Face Masks

1. (1) Face masks are classified as follows -
 - (a) medical mask (surgical mask) which includes a loose-fitting, disposable device that creates a physical barrier between the mouth and nose of the wearer and potential contaminants in the immediate environment;
 - (b) respirator, which is a close fitting respiratory equipment conforming to standards including N95, N99, FFP2 or FFP3 designed to protect healthcare workers from exposure to infectious agents during aerosol-generating procedures and cannot be used for source control; and
 - (c) cloth face mask (non-medical mask) such as a cloth mask of various forms of self-made mask or face covers made of cloth or other textiles which is not for use in healthcare settings, by healthcare professionals or for home care of cases of COVID-19.
- (2) Cloth face masks made from household items or breathable material of a high thread count shall have at least two (2) layers of clothing material.
- (3) The Respirators shall be reserved for healthcare workers, other medical responders, persons providing care to COVID-19 patients at home and COVID-19 patients.
- (4) A cloth face mask shall consist of at least two (2) layers of material.

Non-public use of respirators

2. The public shall not use respirators and others masks reserved for health workers.”

“FOURTH SCHEDULE”

(under regulation 16)

MANAGEMENT AND BURIAL OF A DECEDENT DUE TO COVID-19

Handling of a dead body at facility level

1. A health worker or an employee of a decedent handling facility shall take all necessary precautions when handling a decedent who has died from Covid-19 and shall –
 - (a) adhere to hand hygiene while operating or handling a decedent;
 - (b) wear protective gears such as long water-resistant gowns, plastic aprons, gloves, face masks and eyewear to protect against bodily fluids;
 - (c) ensure that devices or instruments used during treatment of a patient are promptly disinfected after usage;
 - (d) ensure that all areas and surfaces around where a positive tested patient was kept are disinfected maintaining a hygienic environment with 1% sodium hypochlorite or 0.1% sodium chlorite and 70% alcohol based solutions or as maybe determined;

- (e) in the event there's a break in the skin or any wounds, wear heavy-duty gloves over the normal ones; and
- (f) ensure that all waste generated during the handling of a positive tested patient and decedent are treated as infectious waste and disposed of according to the National Health Care Waste Management (HCWM) Guidelines, 2013.

Preparing and packing a decedent for transfer from a patient room to an autopsy unit, mortuary, crematorium or burial site

2. (1) A health worker or person preparing or packing a body for transfer from a patient room to an autopsy unit, mortuary, crematorium or burial site, shall –
 - (a) wear appropriate protective clothing (PPE) including water resistant long-sleeve gowns, plastic aprons, gloves, face masks and eyewear for protection from body fluids, before touching a decedent;
 - (b) not touch any device attached to the decedent (tube or drains) with bare hands;
 - (c) ensure that punctures or holes in the decedent is disinfected and dressed properly to prevent leakage of liquids from a body;
 - (d) ensure that all intravenous sharp devices are safely handled and disposed of, as infectious waste;
 - (e) have a waste management plan in line with the Ministry of Health Waste Management Guidelines 2013;
 - (f) ensure that a decedent with evidence of excessive discharges of bodily fluids is wrapped in normal clothing material and placed into a leak-proof plastic bag and transferred to the mortuary or crematorium;
 - (g) ensure that the outer part of the leak-proof plastic body bag is disinfected with 1% sodium hypochlorite or 0.1% sodium chlorite and 70% alcohol based solutions or as maybe determined;
 - (h) ensure that a decedent is not sent to a mortuary, crematorium or home without the necessary precautionary information measures to be taken when handling the body;
 - (i) ensure that all the equipment and reusable protective gears worn by healthcare staff who has handled a decedent is not reused or worn again without prior decontamination according to the infection prevention control practices;
 - (j) ensure thorough washing of hands with running water and soap after handling a decedent;
 - (k) ensure that the room is thoroughly cleaned with detergents and disinfectants and meets the minimum standards as set out by WHO or the local standards body; and
 - (l) ensure that the deceased's family members or friends do not touch, kiss or hug the body before being transferred provided they may be allowed brief viewing subject to meeting the set standards by the government.
- (2) The decedent shall be clearly labelled with name, Identity Number.

(3) The person collecting the decedent shall produce an Identity Card and shall sign the register indicating the time and date of collection.

Hygiene standards in mortuaries

3. (1) A mortuary attendant or worker shall –

- (a) not handle a decedent without first taking all necessary precautionary measures;
- (b) be provided with appropriate protective gears like gowns, plastic aprons, gloves, face masks and eyewear to wear in order to protect from bodily fluids; and
- (c) adhere to hand hygiene while handling a decedent.

(2) All mortuaries shall be kept clean and properly ventilated at all times.

(3) All surfaces, instruments and trolleys shall be thoroughly cleaned and disinfected.

(4) All surfaces, instruments and trolleys shall be of appropriate material, light coloured and one that can be easily cleaned and disinfected.

(5) All doorknobs and handles shall also be thoroughly cleaned and disinfected.

(6) No other concentration other than that of a strength of 1% sodium hypochlorite or 0.1% sodium chlorite and 70% alcohol based solutions or as maybe determined shall be used for disinfecting contaminated surfaces and containers unless advised otherwise by the Director of Health Services, Chief Health Inspector or their duly mandated designates.

(7) After cleaning, a disinfectant with a minimum concentration of 1% sodium hypochlorite or 0.1% sodium chlorite and 70% alcohol based solutions or as maybe determined, a contact time of at least one minute shall be allowed.

(8) Every working space where decedents are to be managed and or washed shall have adequate lighting and ventilation.

(9) A decedent of Covid-19 shall be stored in chambers with a temperature of not more than 4°C.

Autopsy of Covid-19 patients

4. (1) Autopsies or post mortems for a positive tested decedent are discouraged, where they are unavoidable, the safety precautions taken, shall be consistent with those taken for any autopsy of a decedent who has died from any Covid-19. All forensic experts and support workers shall be well trained in infection prevention and control practices, wear appropriate protective gears and have proper knowledge of the person's cause of death.

(2) All forensic experts and support workers shall wear a cut-proof gloves, waterproof apron, face shield and fluid-resistant gown during the autopsy as well as use N-95 respirator or other high-grade respirators.

(3) A person handling a decedent shall wear shoe covers and surgical caps.

(4) Social distances measures shall be ensured by limiting the number of people during an autopsy and only one person shall be allowed at a given time to perform cut in the body.

(5) World Health Organisation or national guidelines on handling and testing a decedent handling shall be used if any post-mortem specimens are collected during an autopsy.

(6) All sharp objects or needles used during the autopsy shall be properly disposed of in puncture-proof containers or in accordance with the approved waste management guidelines.

Transportation of decedent

5. (1) A decedent with or without evidence of excessive discharges of bodily fluids shall be placed in a leak proof plastic bag before being transferred to a mortuary or crematorium.

(2) A decedent shall not be transported if the exterior of the dead body plastic bag has not been properly decontaminated to prevent the risk of infection to the staff who are involved in picking up the dead bodies.

(3) A person handling a decedent shall wear a long-sleeve gown, plastic apron, gloves and a surgical mask.

(4) A vehicle used for the transferring a dead body to either cremation, ground or to the family, shall be thoroughly disinfected with 1% sodium hypochlorite or 0.1% sodium chlorite and 70% alcohol based solutions or as maybe determined :

(5) A dedicated vehicle not used for transporting foodstuff shall be used for transportation of a decedent.

(6) A decedent shall only be transported from a handling facility or mortuary to the burial ground.

Managing a burial ground

6. (1) All burial staff shall –

(a) be taught by external experts from the Ministry of Health or any competent entity with delegated powers about handling and managing a decedent due to an Covid-19;

(b) be provided with and wear hand gloves and surgical masks while working;

(c) be provided with hand washing and ablution facilities with sufficient warm water and detergents to ensure proper hand hygiene; and

(d) inform family members of the deceased on safety and precautionary measures including but not limited to informing them not to make any large gatherings in the burial ground and maintain sufficient distance from each other.

(2) Family members or friends shall not be allowed to open a coffin or view a decedent

(3) Hand hygiene practices shall be continuously maintained including after the burial.

Handling a decedent at burial ground by family or community members

7. (1) Any person handling a decedent shall comply with the First Schedule.

(2) The room where the dead body is kept shall have sufficient lighting and ventilation.

(3) Family members or friends shall not be allowed to open a coffin or view a decedent at the burial ground.

(4) Any person shall not open a coffin or view a decedent for any reason including performing rituals or religious rites or touching the decedent with any object at the burial

ground.

(5) Hand hygiene shall be continuously maintained including after burial.

(6) Children, adults over sixty (60) years or immunosuppressed persons shall not directly interacting with a body.

(7) A person shall not place a decedent in a grave without wearing gloves and made to wash hands with soap with running water immediately after the task and such a person shall be of sober senses.

(8) Clothes and belongings of the deceased person shall be handled with care and the person washing such clothes shall wear hand gloves and wash them with warm water, detergent and disinfectant solution with a minimum concentration of 1% sodium hypochlorite or 0.1% sodium chlorite and 70% alcohol based solutions.

(9) Where a washing machine is used, warm water at 60°- 90°C and laundry detergents and disinfectants shall be used on the clothes.

Safe handling of waste from Covid-19 patient or body

7. (1) The Environmental Health Officer or Health Inspector shall be responsible for ensuring that all waste with a potential to transmit any Covid-19 is properly handled and disposed of in a manner that would not pose risk to human health and the environment and such waste shall be taken to the nearest healthcare facility for incineration.

(2) All waste and waste materials contaminated with bodily fluids from a suspected or positive tested patient or died of an Covid-19 shall be treated as highly infectious waste, and all safe waste handling precautions shall be applied as stipulated in the National Health Care Waste Management (HCWM) Guidelines 2013.

(3) All infectious waste including red waste plastic bags and sharp containers from a patient and decedent shall be properly treated and disposed of in an authorized biohazard waste treatment and disposal facility.

(4) Contaminated sharp objects or used needle and syringes shall be placed into puncture proof sharp containers as prescribed in the Waste Regulation 2000.

(5) All infectious waste except for sharp objects shall be placed into a red waste bin liner or plastic bag as specified in the National HCWM Guidelines.

(6) Waste handlers shall be on appropriate PPE when handling the waste and cleaning re-usable waste receptacles that contain waste.

(7) Infectious waste bags and sharp containers generated from a COVID-19 treatment compartment and isolation room shall be disinfected with a solution of a minimum concentration 1% sodium hypochlorite or 0.1% sodium chlorite and 70% alcohol based solutions or as maybe determined.

Safe handling of a dead body at the points of entry

8. (1) Procedures of handling a decedent at a points of entry shall be consistent with the local laws and Standard Operation Procedures on such.

(2) The decedent shall be accompanied by the following documentation written in any of the official languages in Eswatini -

- (a) death certificate;
- (b) doctor's report specifying the cause of death; and
- (c) Identity Card or passport;
- (d) embalming certificate.

(3) The decedent shall be transported in a dedicated vehicle or any suitable vehicle not used for transportation of foodstuffs in a sturdy coffin.

(4) The transporter, relative or family member shall be health educated on how to handle such bodies.

(5) A Port Health Officer shall wear an over-coat, surgical mask and gloves.

(6) A Port Health Officer shall immediately report to the offices of Chief Environmental Health Officer and Regional Environmental Health Officer to make necessary arrangements for proper managing, a funeral of an infectious dead body.

FIFTH SCHEDULE
(under regulation 3)

**PROPER CLEANING AND DISINFECTION OF HEALTH FACILITIES AND
PUBLIC PLACES IN THE CONTEXT OF COVID-19 PADEMIC**

Application

This Schedule applies to non-healthcare facilities such as schools, institutions of higher education, offices, daycare centers, businesses, and community centres.

Interpretation

1. In these Guidelines -

“alginate bags” means dissolvable laundry bags for infectious linen, clothes;

“cleaning” refers to the removal of germs, dirt, and impurities from surfaces to lower the risk of spreading infection;

“decontamination” means sterilization of surfaces or objects;

“disinfecting” means the elimination of microorganisms on surfaces by using chemicals or disinfectants;

“fogging” means space application of a disinfectant in an open environment using specialized or dedicated machines;

“fumigation” means space application of a disinfectant in a confined or enclosed or airtight space with or without using a machine;

“health worker” means any person in the service of the Ministry of Health or any organisation performing delegated powers of the Ministry;

“highly-touched surfaces” means surfaces which are frequently touched such as door handles, electric switches, plugs;

“minimal-touched surfaces” means surfaces which are seldomly touched such as window sills, ceilings;

“misting” means space application of disinfectants in a form of tiny droplets or smoke;

“other public places” in the context of these guidelines means communal facilities other those offering healthcare services; and

“spraying” means direct application of a disinfectant to a surface or object in form tiny drops

Methods of applying disinfectants

3. Methods of applying disinfectants to surfaces or items, include -
- (a) spraying, misting or fogging of disinfectants onto surfaces i.e. using diluted concentrates;
 - (b) using of pressured sprays or dispensers to apply disinfectants onto hands i.e. ready-to-use (RTU) hand-sanitizers;
 - (c) direct application of disinfectants to items such as linen, clothing material;
 - (d) using micro-fibre cloths to wipe or rinse surfaces with water and disinfectants;
 - (e) using pressured sprays to disinfectant surfaces and wiped with micro-fibre cloths; and
 - (f) immersing or soaking of items.

Requirement or Competency of a Cleaning and Disinfection Agency

4. (1) A cleaning and disinfection program of healthcare facilities and other public places shall be coordinated by a Ministry or organisation mandated to protect human health and the environment.

(2) A leader of a cleaning and disinfection unit or team shall be someone with a background training in health and the environment with a component of infection prevention and control (IPC) or equivalent.

Cleaning and Disinfecting Process

5. Cleaning

- (1) Cleaning shall start from the cleanest to the dirtiest areas, and from the higher to lower levels to prevent cross contamination.
- (2) A health worker shall use fresh cloths at the start of each cleaning session.
- (3) A health worker shall use a new cloth to clean each patient bed in areas considered to be at high risk of contamination.
- (4) Cleaning equipment such as buckets shall be well maintained. Equipment used for isolation areas for patients shall be colour-coded and separated from other equipment.
- (5) It is recommended that fresh solution be prepared on a daily basis or

for each cleaning shift or task as detergent and disinfectant becomes contaminated during cleaning and progressively less effective if the organic load is too high; therefore, the continued use of the same solution may transfer the microorganisms to each subsequent surface.

- (6) Detergent or disinfectant solutions shall be properly discarded after each use in areas with suspected/confirmed patients with Covid-19.
- (7) Buckets shall be washed with detergent, rinsed, dried and stored inverted to drain fully when not in use.
- (8) Wear appropriate personal protective clothing for cleaning.
- (9) Surfaces shall be cleaned using appropriate soap or detergent and water to remove dirt and microorganisms.
- (10) Surfaces or objects contaminated with blood, other body fluids shall be cleaned immediately and disinfected as soon as possible using appropriate detergent and disinfectant.
- (11) Clean floors and horizontal work surfaces at least once a day with clean water and detergent.
- (12) Clean all surfaces which are visibly dirty with water and detergent.
- (13) Allow surfaces to dry naturally before using them again.
- (14) Dry sweeping with a broom shall never be done.
- (15) Disinfection shall be preceded by cleaning to prevent inactivation of disinfectants by organic matter.
- (16) Appropriate disinfectants such as 1% sodium hypochlorite or 0.1% sodium chlorite, 70% alcohol based solutions shall be used.
- (17) Follow instruction on the label to ensure safe and effective uses of the product.
- (18) Check to ensure the product is not past its expiration date as valid or unexpired products are effective against coronavirus when properly diluted.
- (19) Refer to Table 1 for guidance of preparing 1% Sodium Hypochlorite.
- (20) Contact time: leave solution on the surface for at least 1 minute.
- (21) Avoid combining disinfectants, such as bleach and ammonia, since mixtures can cause respiratory irritation and release potentially fatal gases.

Frequency or Routine of cleaning and disinfection

6. (1) High touched surfaces shall be more frequently cleaned and disinfected even if they are not visibly dirty, dusty or soiled (tables, doorknobs, push plates, light switches, plugs, counter tops, handrails, handles, desks, phones, keyboards, toilets, faucets, sink etc
- (2) Minimal touched surfaces such as floors, top part of walls, ceiling shall be routinely

cleaned and disinfected.

7. Cleaning and disinfection of surfaces and other items

(1) Hard (non-porous) surface

- (a) Disinfectants of all formulations are suitable for use on all types of surfaces.
- (b) WHO recommended disinfectants are - 1% sodium hypochlorite or 0.1% sodium chlorite and 70% alcohol based solutions. Refer to Table 2 for an example of other recommended disinfectants and at this link
- (c) If surfaces are dirty, they shall be cleaned using a detergent or soap and water prior to disinfection.
- (d) Most household disinfectants are effective to kill microorganisms on surfaces including coronaviruses.
- (e) Follow manufacturer's instruction for all cleaning and disinfection products for concentration, application method, contact time etc.
- (f) Refer to Table 1 for guidance of preparing 1% Sodium Hypochlorite.
- (g) Contact time means leaving solution on the surface for at least 1 minute.

(2) Soft (porous) surfaces

- (a) Soft surfaces include carpeted floors, rugs, drapes, wooden material.
- (b) Use water, appropriate detergent and disinfectant for cleaning and disinfection of such surfaces.
- (c) Launder items if possible with warm water and dried completely according to the manufacturer's instructions of laundering such items.

(3) Electronics

- (a) High touched electronics include tablets, touch screens, keyboards, remote controls, ATM machines.
- (b) Follow the manufacturer's instructions for all cleaning and disinfection products.
- (c) Use of wipeable covers for electronics.
- (d) If no manufacturer guidance is available, consider the use of alcohol-based wipes or sprays containing at least 70% alcohol to disinfect touch screens.
- (e) Dry surfaces thoroughly to avoid pooling of liquids

(4) Laundry

- (a) Laundered items include linen, clothing, towels.
- (b) Such items shall be put into appropriate plastic or alginate bags according to their risk posed to handlers and environment.
- (c) Handlers shall wear appropriate personal protective clothing.
- (d) Dirty laundry shall not be agitated (shaken) to minimize the possibility of dispersing virus through the air.
- (e) Wash items as appropriate in accordance with the manufacturer's instructions.
- (f) If possible, launder items using the warmest appropriate water setting for the items and dry items completely.
- (g) Cohort dirty laundry according to type of illness that has been in contact with an ill person. Such items shall not be washed with other people's items as a precautionary measure.
- (h) Clean and disinfect hampers or other carts for transporting laundry according to guidance above for hard or soft surfaces.

PART TWO

Cleaning and Disinfection of Places Visited by Persons Suspected/Confirmed to Have COVID-19

7. At a school, daycare centre, office, business premises or other facility that does not house people overnight –

- (1) Close off areas visited or occupied by the ill persons.
- (2) Open outside doors and windows and use ventilating fans to increase air circulation in the area.
- (3) Wait 24 hours or as long as practical before beginning cleaning and disinfection.
- (4) Cleaning staff shall clean and disinfect all areas such as offices, bathrooms, common areas, shared electronic equipment (like tablets, touch screens, keyboards, remote controls, and ATM machines) used by the ill persons, focusing especially on frequently touched surfaces.

At a facility that does house people overnight:

- 8. (1) All persons shall be isolated and provided with temporary housing as needed.
- (2) Close off areas visited or occupied by the ill persons.
- (3) Open outside doors and windows and use ventilating fans (if necessary) to increase air circulation in the area.
- (4) Wait 24 hours or as long as practical before beginning cleaning and disinfection.
- (5) In areas where ill persons are being housed in isolation – clean and disinfect common areas where staff/others providing services may come into contact with ill persons

- (6) In areas where ill persons have visited or used, continue routine cleaning and disinfection as in this guidance.
- (7) If it has been more than 7 days since the person with suspected or confirmed COVID-19 visited or used the facility, additional cleaning and disinfection is not necessary.
- (8) A room shall be adequately ventilated for at least 1-2 hours after disinfection before being occupied or opened for use.

PART THREE

9. Personal Protective Equipment (PPE) and Hand Hygiene

- (1) Cleaning staff shall wear disposable gloves and gowns for all tasks in the cleaning process, including handling trash.
- (2) Healthcare workers shall be provided with disposable PPE for cleaning and disinfection of high risk or infectious places.
- (3) Healthcare workers shall be provided with reusable PPE for cleaning and disinfection of low risk places such as routine cleaning of offices.
- (4) Gloves and gowns shall be compatible with the disinfectant products being used.
- (5) Additional PPE might be required based on the cleaning or disinfectant products being used and whether there is a risk of splash.
- (6) Gloves and gowns shall be removed carefully to avoid contamination of the wearer and the surrounding area.
- (7) If gowns are not available, coveralls, aprons or work uniforms can be worn during cleaning and disinfecting. Reusable (washable) clothing shall be laundered afterwards and follow with clean hands after handling dirty laundry.
- (8) Gloves shall be removed after cleaning a room or area occupied by ill persons.
- (9) Clean hands immediately after gloves are removed.
- (10) Hands shall be washed with soap and water immediately after each piece of PPE is removed, following completion of cleaning. Refer to Table 2: Steps of Hand Hygiene
- (11) Cleaning staff shall immediately report breaches in PPE such as a tear in gloves or any other potential exposures to their supervisor.
- (12) Cleaning staff and others shall clean hands often, including immediately after removing gloves and after contact with an ill person, by washing hands with soap and water for 20-30 seconds. If soap and water are not available and hands are not visibly dirty, an alcohol-based hand sanitizer that contains at least 70% alcohol may be used. However, if hands are visibly dirty, always wash hands with soap and water.
- (13) Follow normal preventive actions while at work and home, including cleaning hands and avoiding touching eyes, nose, or mouth with unwashed hands.
- (14) Refer to Table 5 for recommended type of personal protective equipment (PPE) to be used according to the setting, personnel and type of activity.

(15) Additional key times to clean hands include -

- (a) after blowing one's nose, coughing, or sneezing;
- (b) after using the restroom;
- (c) before eating or preparing food;
- (d) after contact with animals or pets; and
- (e) before and after providing routine care for another person who needs assistance such as a child.

Public Toilets

10. (1) Sanitary workers shall use separate set of cleaning equipment for toilets (mops, nylon scrubber) and separate set for sink and commode).

- (1) They shall always wear disposable protective gloves while cleaning a toilet.
- (2) 70% Alcohol can be used to wipe down surfaces where the use of bleach is not suitable, e.g. metal. (Chloroxyleneol (4.5-5.5%)/ Benzalkonium Chloride or any other disinfectants found to be effective against coronavirus may be used as per manufacturer's instructions)
- (3) Always use freshly prepared 1% sodium hypochlorite or 0.1% sodium chlorite.
- (4) Do not use disinfectants spray on potentially highly contaminated areas (such as toilet bowl or surrounding surfaces) as it may create splashes which can further spread the virus.
- (5) To prevent cross contamination, discard cleaning material made of cloth (mop and wiping cloth) in appropriate bags after cleaning and disinfecting. Wear new pair of gloves and fasten the bag.
- (6) Disinfect all cleaning equipment after use and before using in other area
- (7) Disinfect buckets by soaking in bleach solution or rinse in hot water

11. Spraying of Disinfectants (Fumigation)

- (1) Outdoor areas include bus stops, railway platforms, parks, roads and have less risk than indoor areas due to air currents and exposure to sunlight, shall be cleaned and disinfected with effort including frequently touched surfaces such as rails, seats, pillars found in the abovementioned places.
- (2) Spraying of disinfectants is recommended to be applied in enclosed or indoor areas, however, there is still no scientific evidence to support that outdoor spraying of surfaces i.e. large scale misting of areas with disinfectants agents, kill the virus.

12. Record keeping and reporting:-

- (1) There shall be a reporting form for all premises to be disinfected with all necessary details to be filled by the assigned health worker.
- (2) The health worker shall fill the name of the premises to be disinfected including location, physical address, date, type of disinfectant, name and signature of officer.

- (3) The health worker shall report any incident including irritation, accidental ingestion to the relevant authorities.

13. Procedures shall be followed in the disinfection of surfaces;-

- (1) Client involvement and communication is particularly important for establishing tolerance and educating about the importance of disinfection.
- (2) Making prior announcement or notification to the client about the intended exercise to make necessary preparation
- (3) Make self-introduction before carrying out the exercise to include names, organization and purpose of the exercise using the most acceptable approach and or language and any problem encountered shall be reported to the relevant authorities.
- (4) All persons shall vacate the room to be sprayed with disinfectant and occupants in any adjacent room shall be protected from inhalation of the chemical used.
- (5) Any room which had been occupied by a suspected or confirmed case shall be adequately ventilated for at least 24 hours or as long as practical before beginning cleaning and disinfection.
- (6) When applying the disinfectant, always start spraying behind the door and move from left to right and not right to the left.
- (7) Spray all the walls in the room and floor at the required speed and distance as per the advice during the training.
- (8) Make sure that all items are removed from the walls and floor including pictures and decorations to prevent them from spoilage or damage.
- (9) Use aerosol sprays to disinfectant pictures and any decorations removed from the walls.
- (10) All surfaces and items in a room which had been occupied by a suspected or confirmed case shall be appropriately washed/cleaned and disinfected.
- (11) Electronics shall be covered and disinfected later by wiping them with treated micro-fibre clothes.
- (12) Clients or occupants shall be advised to remain outside for 1 hour after spraying in order to allow the fumes and smell of the chemical to disintegrate or settle or mix with fresh air.
- (13) All openings (doors, windows etc.) to the room shall be opened to expedite ventilation.
- (14) A spray pump shall be operated according to the manufacturer's instruction to maximize its efficiency and prolonging its lifespan. Users shall adhere to some of the following key operation procedures;-
 - (a) putting pressure to 55psi or 380kPa and maintaining between 25 and 55psi or 170-380kPa to ensure uniform application of recommended dosage over all sprayable surfaces;
 - (b) using appropriate nozzle preferable flat fan nozzle and the distancing from the nozzle tip to the surface being sprayed shall be 45cm to produce a swath of 75cm wide; and

- (c) cleaning nozzles by using pressure from the pump to blow air through the orifice and then clean and dry nozzles. Alternatively, remove any dirt from the orifice with a fine brittle from a brush, toothpick or grass (straw) and never use metal object to clean them.

14. Personal Protective Clothing (PPE) and Hand Hygiene of health workers involved in spraying -

- (1) The healthcare worker shall wear water-resistant long-sleeve gowns, plastic aprons, gloves, face masks, eyewear and gumboots to protect them from any splashes.
- (2) The health worker shall follow normal preventive actions while at work, including cleaning hands and avoiding touching eyes, nose, or mouth with unwashed hands.

15. Waste Management

- (1) All waste materials produced from high risk places shall be treated as highly infectious waste, and all safe waste handling precautions shall be applied.
- (2) Linen shall be sealed in a red plastic bag or alginate bag then to laundry hamper.
- (3) Left-over disinfectant shall be disposed of according to manufacturer's instructions.

TABLE 1
Preparation of 1% sodium hypochlorite solution

Product	Available chlorine	1%
Sodium hypochlorite – liquid bleach	3.5%	1 part bleach to 2.5 parts water
Sodium hypochlorite – liquid	5%	1 part bleach to 4 parts water
NaDCC (sodium dichloro-isocyanurate) powder	60%	17 grams to 1 litre water
NaDCC (1.5 g/ tablet) – tablets	60%	11 tablets to 1 litre water
Chloramine – powder	25%	80 g to 1 litre water
Bleaching powder	70%	7g to 1 litre
Any other	As per manufacturer's instructions	

TABLE 2
Steps of Handwashing

Hand-washing technique with soap and water



1
Wet hands
with water



2
Apply enough soap
to cover all
hand surfaces



3
Rub hands palm
to palm



4
Rub back of each hand
with palm of other hand
with fingers interlaced



5
Rub palm to palm with
fingers interlaced



6
Rub with back of fingers
to opposing palms with
fingers interlocked



7
Rub each thumb clasped
in opposite hand using a
rotational movement



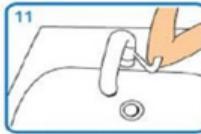
8
Rub tips of fingers in
opposite palm in a
circular motion



9
Rub each wrist with
opposite hand



10
Rinse hands
with water



11
Use elbow to
turn off tap



12
Dry thoroughly with
a single-use towel



13
Hand washing should take
15–30 seconds

TABLE 3

Personal Protective Equipment (PPE) to be used for COVID-19, according to the setting, personnel and type of activity

SETTING	TARGET PERSONNEL/ PATIENT	ACTIVITY	TYPE OF PPE OR PROCEDURE
Health Facilities			
Inpatient Facilities			
Patient room	Healthcare worker	Providing direct healthcare to COVID-19 patient	<ul style="list-style-type: none"> • Medical mask • Gown • Gloves • Eye protection (goggles or face shields)
		Aerosol generating procedures performed on covid-19 patient	<ul style="list-style-type: none"> • Respirator N95 or FFP2 Standard, or equivalent. • Gown • Gloves • Eye protection • Apron
	Cleaners	Entering the room of COVID-19 patients. Medical	<ul style="list-style-type: none"> • Medical mask • Gown • Heavy duty gloves • Eye protection (if risk of splash from organic material or chemicals). • Boots or closed work shoes
	Visitors	Entering the room of a COVID-19 patient	<ul style="list-style-type: none"> • Medical mask • Gown • Gloves
Other areas of patient transit (e.g., wards, corridors).	All staff, including healthcare workers.	Any activity that does not involve contact with COVID-19 patients.	<ul style="list-style-type: none"> • No PPE required
Triage	Healthcare workers	Preliminary screening not involving direct contact	<ul style="list-style-type: none"> • Maintain spatial distance of at least 1 m. • No PPE required
	Patients with respiratory symptoms	Any	<ul style="list-style-type: none"> • Maintain spatial distance of at least 1 m. • Provide medical mask if tolerated by patient.
	Patients with respiratory symptoms	Any	<ul style="list-style-type: none"> • No PPE required
Laboratory	Lab technician	Manipulation of respiratory Samples	<ul style="list-style-type: none"> • Medical mask • Gown • Gloves • Eye protection (if risk of splash)

Administrative areas	All staff, including healthcare workers	Administrative tasks that do not involve contact with COVID-19 patients.	<ul style="list-style-type: none"> No PPE required
----------------------	---	--	---

OUTPATIENT FACILITIES

Consultation room	Healthcare workers	Patients with respiratory symptoms	<ul style="list-style-type: none"> Medical mask Gown Gloves Eye protection
	Healthcare workers	Physical examination of patients without respiratory symptoms	<ul style="list-style-type: none"> PPE according to standard precautions and risk assessment
	Patients with respiratory symptoms	Any	<ul style="list-style-type: none"> Provide medical mask if tolerated
	Patients with respiratory symptoms	Any	<ul style="list-style-type: none"> No PPE required
	Cleaners	After and between consultations with patients with respiratory symptoms	<ul style="list-style-type: none"> Medical mask Gown Heavy duty gloves Eye protection (if risk of splash from organic material or chemicals). Boots or closed work shoes
Waiting room	Patients with respiratory symptoms	Any	<ul style="list-style-type: none"> Provide medical mask if tolerated Immediately move the patient to an isolation room or separate area away from others; if this is not feasible, ensure spatial distance of at least 1 m from other patients
	Patients without respiratory symptoms	Any	<ul style="list-style-type: none"> No PPE required
Administrative areas	All staff, including healthcare workers	Administrative tasks	<ul style="list-style-type: none"> No PPE required

Triage	Healthcare workers	Preliminary screening not involving direct contact	<ul style="list-style-type: none"> • Maintain spatial distance of at least 1 m. • No PPE required
	Patients with respiratory symptoms	Any	<ul style="list-style-type: none"> • Maintain spatial distance of at least 1 m. • Provide medical mask if tolerated
	Patients with respiratory symptoms	Any	<ul style="list-style-type: none"> • No PPE required

Community

Home	Patients with respiratory symptoms	Any	<ul style="list-style-type: none"> • Maintain spatial distance of at least 1 m. • Provide medical mask if tolerated, except when sleeping
	Caregiver	Entering the patient's room, but not providing direct care or assistance.	<ul style="list-style-type: none"> • Medical mask
	Caregiver	Providing direct care or when handling stool, urine or waste from COVID-19 patient being cared for at home	<ul style="list-style-type: none"> • Gloves • Medical mask • Apron (if risk of splash)
	Healthcare workers	Providing direct care or assistance to a COVID-19 patient at home	<ul style="list-style-type: none"> • Medical mask • Gown • Gloves • Eye protection
Public areas (e.g., schools, shopping malls, train stations)	Individuals without respiratory symptoms	Any	<ul style="list-style-type: none"> • No PPE required

Points of Entry			
Administrative areas	All staff	Any	<ul style="list-style-type: none"> No PPE required
Screening	Staff	First screening (temperature measurement) not involving direct contact	<ul style="list-style-type: none"> Maintain spatial distance of at least 1 m. No PPE required
	Staff	Second screening (i.e., interviewing passengers with fever for clinical symptoms suggestive of COVID-19 disease and travel history)	<ul style="list-style-type: none"> Medical mask Gloves
	Cleaner	Cleaning the area where passengers with fever are being screened	<ul style="list-style-type: none"> Medical mask Gown Heavy duty gloves Eye protection (if risk of splash from organic material or chemicals). Boots or closed work shoes
Temporary Isolation	Staff	Entering the isolation area, but not providing direct assistance.	<ul style="list-style-type: none"> Maintain spatial distance of at least 1 m Medical mask Gloves
	Staff, healthcare worker	Assisting passenger being transported to a healthcare facility	<ul style="list-style-type: none"> Medical mask Gown Gloves Eye protection
	Cleaner	Cleaning isolation area	<ul style="list-style-type: none"> Medical mask Gown Heavy duty gloves Eye protection (if risk of splash from organic material or chemicals). Boots or closed work shoes

Ambulance or transfer vehicle	Healthcare workers	Transporting suspected COVID-19 patients to the referral healthcare facility	<ul style="list-style-type: none"> • Medical mask • Gowns • Gloves • Eye protection
	Driver	Involved only in driving the patient with suspected COVID-19 disease and the driver's compartment is separated from the COVID-19 patient.	<ul style="list-style-type: none"> • Maintain spatial distance of at least 1 m. • No PPE required
		Assisting with loading or unloading patient with suspected COVID-19 disease	<ul style="list-style-type: none"> • Medical mask • Gowns • Gloves • Eye protection
		No direct contact with patient with suspected COVID-19, but no separation between driver's and patient's compartments	<ul style="list-style-type: none"> • Medical mask
	Patient with suspected COVID-19 disease	Transport to the referral healthcare facility	<ul style="list-style-type: none"> • Medical mask if tolerated
	Cleaners	Cleaning after and between transport of patients with suspected COVID-19 disease to the referral healthcare facility	<ul style="list-style-type: none"> • Medical mask • Gown • Heavy duty gloves • Eye protection (if risk of splash from organic material or chemicals). • Boots or closed work shoes

Special considerations for rapid response teams assisting with public health investigations			
Community			
Anywhere	Rapid response team investigators	Interview suspected or confirmed COVID-19 patients or their contacts.	<ul style="list-style-type: none"> • No PPE if done remotely (e.g., by telephone or video conference) • Remote interview is the preferred method.
		In-person interview of suspected or confirmed COVID-19 patients without direct contact.	<ul style="list-style-type: none"> • Medical mask • Maintain spatial distance of at least 1 m. • The interview shall be conducted outside the house or outdoors, and confirmed or suspected COVID-19 patients shall wear a medical mask if tolerated
		In-person interview with asymptomatic contacts of COVID-19 patients	<ul style="list-style-type: none"> • Maintain spatial distance of at least 1 m. • No PPE required • The interview shall be performed outside the house or outdoors. If it is necessary to enter the household environment, use a thermal imaging camera to confirm that the individual does not have a fever, maintain spatial distance of at least 1 m and do not touch anything in the household environment

LIZZY NKOSI
MINISTER OF HEALTH

LEGAL NOTICE NO. 303 OF 2020

THE DISASTER MANAGEMENT ACT
(Act No. 1 of 2006)

THE DISASTER MANAGEMENT (CORONAVIRUS - COVID-19)
REGULATIONS, 2020
(Under section 43)

In exercise of the powers conferred by section 43 of the Disaster Management Act, 2006, the Deputy Prime Minister makes the following Regulations -

ARRANGEMENT OF REGULATIONS

**PART I
PRELIMINARY PROVISIONS**

1. Citation and commencement
2. Interpretation

**PART II
CO-ORDINATION AND MONITORING OF RESPONSES**

3. Co-ordination and monitoring by Agency

**PART III
GATHERINGS**

4. Restriction and prohibition of gatherings

**PART IV
INDUSTRIES AND SUPPLY SECTOR**

5. Manufacturing and processing
6. Preventative measures in retail sector
7. Offence

**PART V
PROTECTION OF CONSUMERS**

8. Application of part V
9. Interpretation
10. Price control
11. Unfair practices
12. Supply of goods
13. Restriction and prohibition on sale of liquor
14. Essential Industries

- 15. Offences
- 16. Enforcement
- 17. Penalties

PART VI
EMPLOYMENT CONTINGENCY MEASURES

- 18. Application of part VI
- 19. Interpretation
- 20. Mitigating measures against loss of earnings
- 21. Lay-offs
- 22. Retrenchment
- 23. Industry related or enterprise-based employment contingency measures
- 24. Safe and health return to work
- 25. Offences

PART VII
PUBLIC TRANSPORTATION

- 26. Prevention measures in public transport
- 27. Carrying capacity for service vehicles and private motorists
- 28. Cross Border Transport operations
- 39. Offences

PART VIII
SCHOOLS AND INSTITUTIONS OF HIGHER LEARNING

- 30. Application of Part VIII
- 31. Interpretation
- 32. Procedure at school and Institution of Higher Learning
- 33. School based monitoring teams
- 34. Communication Protocols
- 35. Prevention of spread of COVID-19
- 36. Screening of learners, staff and visitors
- 37. Personal Protective Equipment

38. Offences

**PART IX
PROCUREMENT**

- 39. Procedure for conducting Emergency Procurement
- 40. Single Source Procurement for Emergency Needs
- 41. Report on Emergency Procurement
- 42. Prohibition to the relevant approval's authority
- 43. Application of Emergency Procurement
- 44. Evaluation of the Tender
- 45. Procedure for Negotiations
- 46. Approval Arrangements for Emergency Procurement
- 47. Contract Award Notices
- 48. Auditing of Covid-19 Procurement

**PART X
SPORTING ACTIVITIES AND ART**

- 49. Restriction of sporting activities
- 50. Arts or Entertainment Activities

**PART XI
MISCELLANEOUS**

- 51. Amendment or variation of regulations
 - 52. Issuance of guidelines
 - 53. General offence and penalty
 - 54. Transitional Provisions
- Schedules

Citation and Commencement

1. (1) These Regulations may be cited as the Disaster Management (Coronavirus (Covid-19) Regulations, 2020.

(2) These Regulations shall come into force on the date of publication in the Gazette and shall continue in force until the Prime Minister by Notice in the Gazette declares that Coronavirus – COVID-19 has ceased to be a pandemic.

Interpretation

2. In these Regulations, unless the context otherwise indicates-

“COVID-19” means the Novel Coronavirus (2019-nCov) caused by a virus, that was declared a global pandemic by the WHO during the year 2020 which has previously not been scientifically identified in humans;

“Covid 19 related symptoms” include cough, fever, difficulty in breathing, sore throat, chills, headache, body or joint pains, loss of smell and taste, vomiting and diarrhea;

“enforcement officer” - includes a public health officer, an immigration officer, National Disaster Management Agency officers, Ministry of Education Inspectorate, a duly authorized officer from the Competition Commission, members of the police service, defense force, correctional services, commercial officers, road transport inspectors, occupational health and safety officers, and regional response teams;

“essential travel” means travel on official government business, company or organisation business, for medical or educational reasons or repatriation purposes;

“liquor” includes African beer and has the same meaning ascribed to it in the Liquor Licences Act, 1964;

“Minister” means the Minister responsible for disaster management;

“school” has the meaning ascribed to it in the Education Act, No.9 of 1981;

“The Act” means the Disaster Management Act No. 1 of 2006; and

“WHO” means the World Health Organisation;

PART II CO-ORDINATION AND MONITORING OF RESPONSES

Co-ordination and monitoring by Agency

3. The Disaster Management Agency shall co-ordinate and monitor COVID-19 responses, preparedness, mitigation and prevention programs in terms of the Act.

PART III GATHERINGS

Restriction and prohibition of gatherings

4. (1) A gathering or an assembly, concourse or procession of more than –
- (a) twenty (20) persons in a closed area; or
 - (b) hundred (100) persons in an open area, is prohibited.
- (2) Notwithstanding sub-regulation (1), the number of people attending –
- (a) a wedding ceremony, funeral or memorial service or an art or entertainment event in a closed area shall not exceed hundred (100) or two (200) hundred if held in an open area; and
 - (b) a community meeting shall not exceed two hundred (200).
- (3) A person present at a gathering or in charge of a religious gathering, wedding, funeral or community meeting shall take all the necessary steps to prevent the spread of COVID19 -

- (a) by observing a one (1) meter distance between persons; and
 - (b) in the manner stipulated in these Regulations and as specified in the First Schedule.
- (4) A gathering shall not last for more than two (2) hours (30) thirty minutes.
- (5) The Minister may, upon application, grant approval for holding a gathering anticipated to –
- (a) last more than two (2) hours thirty minutes; or
 - (b) be attended by more people than the numbers prescribed in sub – regulation (1) and (2).
- (6) An enforcement officer shall, where a gathering takes place in contravention of these Regulations -
- (a) order persons at a gathering to disperse immediately; and
 - (b) if the people refuse to disperse, take appropriate action, which may, subject to the Criminal Procedure Act, include arrest and detention.
- (7) Food shall not be provided at a memorial service or funeral.
- (8) A person who contravenes a provision of this Part shall be liable on conviction to a fine not exceeding twenty five thousand (E25, 000.00) Emalangeni or to a term of imprisonment for a term not exceeding two (2) years.

PART IV INDUSTRIES AND SUPPLY SECTOR

Manufacturing and Processing

5. An employer shall –
- (a) introduce shifts that limit the number of employees in the factory floor by maintaining a 1 meter distance between employees in any defined working area;
 - (b) place hand sanitizer dispensers at the entrance and throughout the premises; and
 - (c) comply with the Public Health (Coronavirus COVID-19) Regulations, 2020.

Preventative measures in retail sector

6. The management at a retail, shall ensure that –
- (a) there is one (1) meter distance between persons in a retail shop; and
 - (a) the Second Schedule and the Public Health (Coronavirus COVID-19) Regulations, 2020 is complied with.

Offence

7. A person who contravenes a provision of this Part shall be liable on conviction to a fine not exceeding twenty five thousand (E25, 000.00) Emalangeni or to a term of imprisonment for a term not exceeding two (2) years.

**PART IV
PROTECTION OF CONSUMERS**

Application of Part IV

8. This Part applies to the supply of goods and services as contemplated in the Second Schedule.

Interpretation

9. In this Part, unless the context otherwise indicates –

“Commission” - means the Eswatini Competition Commission as defined in the Competition Act, 2007;

“Competition Act” means the Competition Act No. 8, 2007;

“Competition Commission Regulations” means the Competition Commission Regulations of 2010 and the Competition Commission (Amendment) Regulations of 2016;

“consumer” – this means a consumer as defined in Section 2 of the Competition Act;

“excessive price” shall be deemed to be an increase of a price higher than the average price increase set two months prior to the announcement of the state of emergency, unless there has been a corresponding increase in the cost of producing the goods or service;

“essential goods” – means a physical item required by a consumer in order to sustain health or life which shall include goods and services listed in the Second Schedule;

“essential services” – means those services that if interrupted they would endanger the life, health and the welfare of the whole or any part of the population, and includes services listed in the Third Schedule;

“Fair Trading Act” means the Fair Trading Act of 2001;

“Fair Trading” Includes fair conduct as envisaged in Section 33 of the Competition Act and the Fair Trading Act;

“goods or services” – means goods or services as defined in section 2 of the Competition Act;

“Minister” – this means the Minister responsible for Commerce, Industry and Trade in Eswatini;

“person” – includes a natural, an unincorporated business and juristic person; and

“price increase” means a direct increase or an increase as a result of unfair conduct such as false or misleading pricing practices, covert manipulation of prices, manipulations through raising or reducing grade levels of goods and services”.

Price control

10. (1) A person shall not effect a price increase to the detriment of consumers.

(2) An excessive or unfair price increase shall be determined where -

(a) the price does not correspond to or is equivalent to the increase in the cost of providing that good or service;

(b) the price increases the net margin or mark-up on the goods or services above

the average margin or mark-up for that good or service during the state of emergency period; or

- (c) the offer to supply or enter into agreement to supply any goods and services at a price that is unfair, unreasonable or unjust.

Unfair practices

11. A supplier shall not –

- (a) engage in unacceptable conduct, which includes using unfair tactics in connection with the marketing of any goods or service and the supply of goods or services to a consumer; and
- (b) offer to supply or enter into agreement to supply any goods and services at a price that is unfair, unreasonable or unjust.

Supply of Goods

12. (1) A supplier shall develop and implement reasonable measures to –

- (a) ensure reasonable and equitable access of goods to consumers which may include limiting the number of items which a consumer may purchase; and
- (b) maintain adequate supply of stock.

(2) Where there are restrictions on the purchase of supplies, a supplier shall prominently display a notice in their outlet pertaining to such restrictions.

(3) A supplier shall take all reasonable steps to ensure that purchases by consumers are not intended to circumvent the object and implementation of these Regulations.

Restriction and prohibition on sale of liquor

13. (1) A bottle store, wine and malt, night club or pub shall sell liquor for home consumptions only and shall operate-

- (a) from Mondays to Fridays, between 10 a. m and 6 pm; and
- (b) on Saturdays from 9am to 2pm.

(2) For the avoidance of any doubt, liquor shall not be consumed at a bottle store, wine and malt, night club or pub.

(3) A person shall not drink liquor in public.

(4) Persons shall not drink liquor from the same glass, bottle or container.

(5) A liquor business shall –

- (a) provide screening for all workers and clients when entering the liquor business; and
- (b) comply with the Public Health (Coronavirus) Regulations of 2020.

(6) A restaurant or food outlet operator shall maintain a distance of one (1) meter between customers at any time in that establishment.

Essential Industries

14. (1) The Minister in consultation with the Minister responsible for commerce shall prescribe essential industries which may continue to operate from time to time.

(2) The essential industries shall adhere to the directives and guidelines issued under these Regulations in respect of hygiene conditions and limitations of exposure to persons with COVID-19 .

Offence

15. A person who contravenes the provisions of this Part commits an offence and shall on conviction be liable to a fine not exceeding Five Hundred Thousand Emalangeni (E500 000.00).

Enforcement

16. (1) The Commission shall conduct investigations into any alleged misconduct which may be reported or identified to be suspicious of contravening this Part.

(2) The Commission shall issue notices for investigations prioritising investigations aimed at addressing conduct which appears to be anti-competitive or unfair trade during the COVID-19 pandemic.

(3) A person against whom a complaint has been made shall be entitled to provide written information, indicating that the price increase was not unfair or excessive and was in response to legitimate business conduct relative to goods and services provided by that person.

Penalties

17. (1) Subject to the provisions of the Competition Act and the Competition Commission Regulations, any person who contravenes this Part shall be liable to one or more of the following punitive measures -

- (a) a penalty of up to 10% of that person's annual total turnover or total assets whichever is greater;
- (b) a fine of up to E 250 ,000.00; or
- (c) liability to a term of imprisonment not exceeding 5 years upon conviction.

(2) The Commission may in terms of the Competition Commission Regulations enter into settlement agreements in terms of sub – regulation (4), with a person found to have contravened this Part and any provisions of the Competition Act and the Fair Trading Act.

(3) This regulation does not apply to a person who has already been charged under regulation 15.

**PART VI
EMPLOYMENT CONTINGENCY MEASURES**

Application of Part VI.

18. (1) This Part applies to -

- (a) employees and employers;
- (b) employees' and employers' organizations and federations; and

- (c) Government.

Interpretation.

19. In this Part unless the context requires otherwise –

“lay-off” means temporary suspension of the operation of a contract of employment where both the employer and the employee are exempted from complying with their employment contractual obligations and rights;

“moonlighting” means to have a second job in addition to one’s regular employment;

“principal employer” means an employer who has applied and obtained approval for temporal lay-off in terms of these regulations; and

“retrenchment” means permanent termination of the contract of employment as provided under section 40 of the Employment Act, No. 5 of 1980.

Mitigating measures against loss of earnings.

20. (1) An employer shall continue to pay an employee a salary in terms of the contract of employment.

(2) Notwithstanding sub-regulation (1) above, where payment of a salary is not economically possible, the employer shall consult the recognized employees’ organization or employees’ representative structure within the enterprise where applicable and the Commissioner of Labour to consider options to mitigate against the effects of loss of earnings.

(3) The options to mitigate against loss of earnings may include -

- (a) granting an employee advance salaries;
- (b) possible pre-access to any other form of social security measure as may be available within the enterprise for medium or long term contingencies; and
- (c) other options such as work from home, shift work, short time, and rotational layoffs as might be considered appropriate by the employer.

Lay-offs.

21. (1) After exhausting the measures meant to mitigate against the effects of loss of earnings under regulation (20) (3), the employer, in consultation with a recognized employees’ organization or employees’ representative structure within the enterprise, shall consider laying – off the employees.

(2) Where an employer decides to lay off an employee, the employer shall obtain the approval of the Commissioner of Labour, and the lay off period shall not exceed two (2) months.

(3) An employer who intends laying off an employee shall give the Labour Commissioner notice in terms of the applicable Regulation of Wages Order.

(4) Nothing in this regulation shall preclude an employer from invoking retrenchments in the event that there is an agreement between the employer and the employees that retrenchments are a preferred option as opposed to temporary layoffs.

(5) An employee who is under layoff may moonlight on condition that, the employee -

- (a) consults with the principal employer; and
- (b) obtains written consent from the principal employer on such conditions as may be set by the principal employer.

(6) Any dis-agreement arising from the consultations between the employer and the employee shall be reported to the office of the Commissioner of Labour.

(7) Where there is no prescribed period of notice stipulated in the applicable Regulation of Wages Order for layoffs, an employer shall give an employee not less than fourteen (14) days' notice of the intended layoffs.

Retrenchment

22. Notwithstanding regulation (21), an employer who has reached the maximum lay off period of two (2) months may consider retrenching the employee.

Industry related or enterprise based employment contingency measures

23. Employment contingency measures not covered under these Regulations which are deemed appropriate by employers for being industry suitable during the period of COVID-19, shall be submitted to the Commissioner of Labour subsequent to internal consultations with the employees or their recognized organization or representative structure at enterprise level.

Safe and healthy return to work

24. (1) An employer shall ensure the health and safety of employees while at the workplace.

(2) An employee or a person visiting the workplace shall comply with the health and safety guide for the workplace.

(3) An employer, employee or visitor to a workplace shall comply with the Third Schedule on the safe return to work.

Offense

25. A person who contravenes a provision of this Part commits an offense and shall be liable on conviction to a fine not exceeding twenty five thousand (E25, 000.00) Emalangeni or to a term of imprisonment for a term not exceeding two (2) years.

PART VI PUBLIC TRANSPORTATION

Prevention measures in public transport

26. (1) A driver or conductor of a public transport vehicle shall clean, disinfect the vehicle and sanitize all passengers prior to boarding a public transport vehicle.

(2) A passenger in a public transport vehicle shall be sanitized regularly.

(3) A driver, conductor and passenger of a public transport vehicle shall wear a face mask in the manner prescribed under the Public Health (Covid 19) Regulations for the entire duration of a journey.

Carrying capacity for public service vehicles and private motorists

27. (1) A public transport vehicle and a private motorist may carry a full seated capacity of passengers.

(2) The driver or conductor of a public transport vehicle shall not cause or allow passengers to stand in a public transport vehicle.

Cross Border Transport Operations

28. A cross border transport operator shall comply with the Tripartite Guidelines on Trade and Transport Facilitation for Movements of Persons, Goods and Services Across the Tripartite Region During the COVID-19 Pandemic or other subsequent regional harmonised guidelines.

Offences

29. (1) A passenger who contravenes a provision of this regulation shall pay an admission of guilt fine of one hundred (E100.00) Emalangeni.

(2) A driver or conductor who contravenes this Part shall be liable to pay an admission of guilt fine of eighty hundred (E800, 00) Emalangeni.

PARTVII SCHOOLS AND INSTITUTIONS OF HIGHER LEARNING

Application of Part VII

30. This Part applies to -

- (a) all schools including pre-schools;
- (b) all institute of higher learning; and
- (c) lecturers, teachers, learners or pupils, support staff and other persons who enters any school premises or institute of higher learning.

Interpretation

31. In this Part, unless the context otherwise requires -

“learners” means a person enrolled as a learner or student in a school;

“Government-Aided-Schools” means schools other than wholly maintained schools, which receive financial assistance from the Ministry or assistance from the Teaching Service Commission including Mission Schools or Company Schools;

“Ministry” means the Ministry of Education and Training;

“Minister” means the Minister responsible for education and training;

“pre-schools” means pre- primary education institutions;

“private Schools” means schools which are privately owned and do not receive any assistance either from the Ministry or the Teaching Service Commission. However, they are regulated by the Ministry since they fall under its portfolio responsibility;

“public schools” means schools which are wholly or partly owned by the Government or funded or mainly assisted out of public funds.

Procedure at school and Institute of Higher Learning

32. A school or an institute of higher learning shall –
- (a) comply with Public Health (coronavirus) COVID-19 Regulations;
 - (b) clean and disinfect all school buildings, class rooms or lecture rooms and disinfect facilities and surfaces such as railings, lunch tables, sports equipment, doors, and window handles, toys teaching and learning aids, prior to the return of students or pupils and staff members;
 - (c) provide water, sanitation and waste management facilities which are functional;
 - (d) implement stringent distancing measures at school or at the institute of Higher learning during lessons and at any time in between lessons or lectures, including break times; and
 - (e) display all information, education and Communication material in strategic areas in the school or institute.

School based monitoring teams

33. (1) There shall be at every school, a School Based Monitoring Team which shall comprise of the -
- (a) head teacher or deputy head teacher;
 - (b) head boy or head girl;
 - (c) guidance teacher from Monitoring and Rapid Response Team (RRT); and
 - (d) a representative of the school committee or parents representative .
- (2) The School Based Monitoring Team shall -
- (a) liaise with COVID-19 reputable sources and share the information with stake holders;
 - (b) place IEC material at strategic places;
 - (c) ensure adherence COVID-19 SOP, that learners have cloth mask , placing social distance markings, preparing and maintaining hand washing stations with soap and water;
 - (d) ensure availability of the necessary resources;
 - (e) document activities related to COVID-19 ;
 - (f) ensure that learning continues even for learners who are under quarantine and isolation;
 - (g) provide first aid counselling for suspect cases; and
 - (h) link with nearest health facility and work with the Ministry of Health.

Communication Protocols

34. There shall be at every school or institute of higher learning, a communication protocol which shall-

- (a) prevent stigma related to COVID-19 amongst learners and further advise learners to be considerate of one another, to encourage adherence to national health and education authorities;
- (b) provide regular relevant information and material to address learner's questions and concerns;
- (c) report all learner or staff who are suspected of having or have confirmed being infected with COVID-19 to Regional Education Office;
- (d) alert the Regional Health Offices about large increases in learner and staff due to respiratory illnesses; and
- (e) keep parents informed about possible academic calendar changes in relation to school holidays and examination.

Prevention of spread of Covid-19

35. (1) A School shall-

- (a) implement stringent distancing measures during lessons and at any time in between lessons, including during breaks;
 - (b) space learners' seating in all classrooms or teaching venues at least one (1) meter apart and in cases in which the size of the classroom does not physically allow this, larger venues shall be utilized or the learners in the class shall be divided into smaller groups;
 - (c) display all inclusive Information, Education and Communication (IEC) material in strategic areas in the school;
 - (d) promote and demonstrate regular hand-washing and positive hygiene behavior's and monitor their implementation until they become a habitual routine.
 - (e) ensure that adequate soap supplies (preferably from dispensers) and clean water is available at appropriate hand-washing stations, including in toilets and bathrooms.
- (2) The routine referred to sub-regulaion (1) (d) shall include -
- (i) wetting hands with clean, running water;
 - (ii) applying enough soap to cover wet hands;
 - (iii) scrubbing all surfaces of the hands – including backs of hands, between fingers and under nails – for at least 20 seconds; and
 - (iv) rinsing thoroughly with running water.
- (3) Learners and the school administration members shall –
- (a) wash or sanitise their hands regularly as follows-

- (i) upon entering the school at designated temperature-screening stations;
 - (ii) at the commencement of the school day in the first teaching venue;
 - (iii) after breaks or any outdoor activity before entering the next teaching venue;
 - (iv) upon exiting the final teaching venue of the day to go home; and
 - (v) before boarding school transport, where applicable.
- (b) clean and disinfect school buildings, classrooms and especially water and sanitation facilities twice a day (or between learning sessions if morning and afternoon sessions are in place), particularly surfaces that are touched by many people (including railings, lunch tables, sports equipment, door and window handles, toys, teaching and learning aids);
 - (c) use a sodium hypochlorite solution at 0,5% (equivalent 5 000 ppm) for
 - (d) disinfecting surfaces and a solution of 70% ethyl alcohol for disinfecting small items, and ensure appropriate equipment for cleaning staff;
 - (e) increase air flow and ventilation where the climate allows (open windows, use air conditioning if available), avoid heaters, closed windows, overdressing;
 - (f) post signs in all utilised venues encouraging good hand and respiratory
 - (g) hygiene practices;
 - (h) do not use biometric identification readers – they shall preferably be temporarily disabled;
 - (i) ensure trash is removed daily from the school and disposed of safely; and
 - (j) avail sufficient supplies of sanitisers and cleaning materials with the correct alcohol levels above 70%.

Screening of learners, staff and visitors

36. A school or an institution of higher learning shall-
- (a) limit access to the school property to a single access point to ensure that all persons entering shall be screened;
 - (b) screen all staff and learners on a daily basis for symptoms of COVID-19 on arrival to the school including a symptom check and temperature assessment;
 - (c) develop a plan identifying key staff who will conduct the screening as mentioned above;
 - (d) provide a site map indicating where the screening process for learners in the respective age groups, staff, visitors and parents or guardians and suppliers will take place;
 - (e) ensure that sufficient staff is available at all times to conduct the screening process;

- (f) check staff and learners' temperature with a hand-held non-contact thermometer or infrared thermometers according to the ratio of thermometer to school population (1: 100);
- (g) record the temperature reading of every individual on the sheet provided to all schools for this purpose which shall be retained for future reference.
- (h) Learners, parents, staff or visitors registering an elevated temperature of 37,5 °C or above shall not be permitted access to school property and shall move to an isolation area pending immediate referral to the nearest health facility or the Rapid Response Teams; and
- (i) limit the number of visitors into the facilities.

Personal Protective Equipment (ppe)

37. A school or institution of higher learning shall ensure that-

- (a) staff members shall wear cloth masks all the time whilst at work;
- (b) all learners and staff shall wear face masks at school;
- (c) face shields shall be used by learners and personnel with Chronic obstructive pulmonary diseases, hearing impairment and personnel who interact with the hearing impaired;
- (d) provision of a reasonable stock of cloth masks for emergencies is made available; and
- (e) learners are encouraged to carry their own small bottles of hand sanitiser.

Offence

38. A school or institution of higher learning or person that contravenes a provision of this Part shall be closed by Ministry of Education Inspectorate.

**PART VIII
PROCUREMENT**

Procedures for conducting Emergency Procurement.

39. (1) Subject to the provisions of the Act, where public interest demands the emergency procurement of any goods, services or works, the controlling officer shall-

- (a) evaluate the need for the emergency procurement and decide the preferred procurement method in order to guarantee efficiency and economic sustainability;
- (b) identify, specify and prioritize the immediate procurement activities which may be used in the period of the emergency;
- (c) where possible, identify other government bodies that can provide immediate assistance; and
- (d) specify the time frame within which the emergency procurement will be undertaken.

(2) Upon satisfying the requirements under sub-regulation 1, the controlling officer shall proceed to procure the goods, works or services in accordance with the method of procurement

selected.

Single Source Procurement for Emergency Needs

40. Where the procuring entity conducts single source procurement on the grounds that there is insufficient time for any other method in an emergency situation, the procuring entity shall –

- (a) first confirm that the goods, works or services required are not available from stores or under any existing framework contract or similar arrangement;
- (b) identify a suitable tenderer;
- (c) prepare a written request for a tender, containing a statement of requirements for the goods, works or services required and a statement of the proposed contract form and terms and conditions of contract;
- (d) evaluate the tender;
- (e) negotiate with the tenderer, if required, in accordance with the negotiation procedure laid down by these Regulations;
- (f) where time does not permit the controlling officer shall obtain a written quotation from the identified supplier and facilitate evaluation of such quotation and in this case tendering may be verbal;
- (g) prepare a brief report for submission to the relevant approvals authority, which shall contain –
 - (i) details of the requirement and the emergency circumstances;
 - (ii) a summary of the action taken to invite, evaluate and negotiate the tender; and
 - (iii) a recommendation to award the contract or take other appropriate action.

Report on Emergency Procurement.

41. (1) The controlling officer shall, within thirty days after completion of the procurement process, prepare and submit a report on the emergency procurement to the Agency.

(2) The report under sub-regulation (1) shall be in the format prescribed in the guidelines issued by the Agency.

Prohibition to the relevant approvals authority.

42. The relevant approvals authority shall not grant retrospective approval for emergency procurement.

Application of Emergency Procurement.

43. A procuring entity shall not use an emergency procurement method if-

- (a) goods or services fall under common procurement arrangement; or
- (b) the specific event could have been anticipated and planned.

Evaluation of the Tender.

44. (1) The evaluation of a tender shall be conducted by an evaluation committee to determine whether the tender -

- (a) meets the technical needs of the procuring entity and in particular its required delivery or completion schedule;
- (b) accepts the contractual terms and conditions proposed by the procuring entity or offers other terms and conditions which are acceptable to the procuring entity; and
- (c) offers value for money, based on prices previously obtained for similar goods, works or services or a breakdown analysis of the costs of each component, taking into account the circumstances and value of the procurement and any additional costs involved in meeting the delivery or completion schedule of the procuring.

(2) The evaluation committee shall, based on the evaluation, determine whether negotiations are required with the tenderer.

(3) Any negotiations shall be in accordance with the procedure laid down by these regulations.

(4) The evaluation report and recommendations shall be submitted to the relevant approvals authority.

Procedure for Negotiations.

45. (1) The evaluation committee shall prepare a plan for the negotiations, which shall specify the issues to be negotiated and objectives to be achieved and shall, to the extent possible, quantify the objectives and set maximum and minimum negotiation parameters.

(2) The negotiations shall be conducted by not less than three staff members of the procuring entity, who shall not commit the procuring entity to any proposed arrangement or agreements.

(3) The staff conducting the negotiations shall prepare minutes of the negotiations, which shall form part of the record of the procurement and shall obtain a written confirmation that they are a true and accurate record of the negotiations held.

Approval Arrangements for Emergency Procurement.

46. (1) The procuring entity shall notify the Tender Board as soon as it identifies a procurement requirement which will be subject to single source procurement on the grounds of an emergency need.

(2) In order to ensure that emergency procurement proceeds promptly, any prior authorisations by the Tender Board shall be sought.

(3) The Tender Board shall promptly consider any contract award recommendation.

Contract Award Notices

47. All contract award notices shall be published in accordance with the Procurement Act, 2011 and in the ESPPRA website and shall include the following minimum information -

- (a) procurement plans;

- (b) value of contract award;
- (c) the names of awarded legal persons and their beneficiary owners, and
- (d) validation of delivery, as information become available.

Auditing of COVID-19 - Procurement

48. The Auditor General shall undertake financial and compliance audits of all crisis-mitigation spending and related procurement processes using independent audit companies and publish the results within six (6) months from the end of the financial year starting from the 2020 to21 fiscal year.

PART X SPORTING ACTIVITIES AND ARTS

Restriction of sporting activities

49. (1) The sporting codes that may operate are angling, athletics, cricket, cue sports, cycling, darts, equestrian, golf, shooting, tennis, teqball, gymnastics, swimming, Premier League Football, National First Division football and National Football teams.

(2) Football matches shall be played at four match venues and there shall be no spectators.

(3) Subject to sub- regulation (1), sporting activities are prohibited and shall not practice whether informally or formally.

(4) A Sporting body that has offices shall comply with the Public Health Coronavirus COVID-19 Regulations 2020 and these Regulations when conducting meetings or gatherings.

(5) A sporting activity may conduct a meeting through conferencing or any other means using information technology.

(6) During training and competitions sports associations shall -

- (a) sappoint adequately trained officers who will serve as Compliance Officers to ensure that participants comply with all COVID-19 Regulations;
- (b) not allow spectators at both training and or competition venues;
- (c) ensure that there is screening and adherence to one meter social distancing and adherence to hand hygiene requirements;
- (d) ensure that active athletes do not need to wear face masks but all other personnel present including match officials, and substitutes, where applicable, wear masks;
- (e) ensure cleaning and disinfection of communal facilities at training and competition venues in between usage;
- (f) ensure that athletes and officials who are unwell or those living with chronic diseases should not attend training and or competitions; and
- (g) ensure that there is no sharing of towels and athletes and officials shall not use communal change room showers, instead, athletes and officials shall use home facilities for refreshing.

Art or entertainment activities

50. (1) A maximum of hundred (100) people may attend any art or entertainment activity unless the venue where the activity is held has been accredited otherwise by the Ministry responsible for arts and entertainment.

(2) An art or entertainment activity organizer shall before hosting such event, apply for and an Entertainment Activity Hosting Compliance Certificate from the Ministry of Sports, Culture and Youth Affairs through the Eswatini National Council of Arts and Culture (ENCAC).

(3) The host artists or organizer shall ensure-

(a) compliance with these Regulations and the Public Health Coronavirus COVID-19 Regulations; and

(b) that tickets for an event are not sold at the venue for that event.

(4) Arts and entertainment activities shall be held outdoors or in a well - ventilated indoor venue.

(5) The Minister may after consultation with the Minister responsible for sports, youth and culture vary this a provision of this Part.

**PART XI
MISCELLANEOUS**

Amendment of Regulations

51. The Minister may in consultation with the Minister responsible for a particular portfolio amend these Regulations.

Issuance of directives and guidelines

52. The Minister may in consultation with the Minister responsible for health and any other relevant sector issue directives or guidelines in terms of this regulation when the need arise.

Offences and penalties

53. A person who contravenes a provision of Part commits an offence and shall on conviction be liable to a fine not exceeding twenty five thousand Emalangenzi (E25 000) or to a term of imprisonment not exceeding two (2) years.

Transitional provisions.

54. (1) All conduct in respect of any transaction that took place, or complaint that was made before the commencement of these Regulations, but after the declaration of the national emergency shall be enforced in terms of these Regulations.

(2) The Guidelines on Employment Contingency Measures in Response to the Coronavirus (COVID-19) Pandemic (Amendment) Notice, General Notice No. 27 of 2020, enacted in terms Section 32 of the repealed Regulations shall remain in force until revoked by subordinate legislation promulgated under these Regulations.

(3) Any matters that are proceeding in courts for contravention of the Coronavirus (Covid 19) Regulations, 2020 published under Legal Notice 72 Of 2020, shall continue at the commencement of these Regulations as if they were done and made under these Regulations.

SCHEDULES

FIRST SCHEDULE

GATHERINGS
(under regulation 4)

This Schedule shall apply to -

- (a) religious gatherings held at places of worship;
- (b) wedding ceremonies;
- (c) funerals; and
- (d) community meetings.

PLACES OF WORSHIP

A person in charge of or taking part in a religious gathering shall ensure that-

- (a) a place of worship is cleaned and disinfected paying particular attention to door knobs, microphones and other frequently touched objects and surfaces;
- (b) appropriate ventilation to increase circulation of outdoor air as much as possible, such as the opening of windows and doors, is ensured;
- (c) at every place of worship, signs are placed in a conspicuous manner stating that there shall be no physical contact amongst persons either by way of shaking of hands or exchange of hugs whatsoever;
- (d) a person entering a place of worship is screened by trained personnel and their hands sanitized;
- (e) the requisite social distancing is maintained through the use of tapes, the removal of chairs, the use of cones or other marking tools, to depict the required social distancing;
- (f) there is adherence to the wearing of face masks;
- (g) no religious rites that allow contact or spitting is allowed including, the laying of hands, touching, or other religious practices;
- (h) there is no sharing of microphones, bibles, ourans, hymn books, information cards or stationery. Every person shall bring their own;
- (i) where collection of offering using electronic methods is not used, a stationery collection box is made available, and stringent adherence to social distancing is maintained during the offering exercise;
- (j) attendance registers with contact details, next of kin details, and physical addresses of all people attending every session for ease of contact tracing are kept;
- (k) children below ten (10) refrain from attending sessions at places of worship;
- (l) persons with a sign of fever or flue like symptoms do not attend sessions at places of worship;

- (m) the duration of each session does not exceed 2 and a half hours; and
- (n) immediate and orderly dispersal after service is ensured, due regard being had to social distancing.

WEDDINGS

A person in charge of or taking part in a wedding ceremony shall ensure that -

- (a) a person attending a wedding ceremony is screened, and their hands sanitized upon entry into the wedding area;
- (b) where wedding ceremonies are conducted indoors, appropriate ventilation to increase circulation of outdoor air as much as possible by opening windows and doors, using fans is ensured;
- (c) the requisite social distancing is maintained through the spacing of chairs or other marking guides;
- (d) where food is offered, buffet or family style meals is not allowed, only prepackaged food shall be offered;
- (e) the duration of wedding services does not exceed two (2) and a half hours; and
- (f) the end of the wedding, immediate and orderly dispersal of attendants shall be ensured.

FUNERALS

A person in charge of or taking part in a funeral shall ensure that -

- (a) where the deceased died from COVID-19, the “ Third Schedule on Management and Burial of a Body” of the Coronavirus (COVID-19) Regulations, 2020 is complied with or ; comply with Public Health Regulations;
- (b) all persons taking part at a funeral maintain proper hand hygiene including washing of hands with soap and running water or sanitizers;
- (c) there is no night vigil;
- (d) all mourners shall observe social distancing of at least one (1) meter during the funeral;
- (e) food served for family members shall be in the form of prepackaged parcels;
- (f) the duration of funerals does not exceed two (2) and a half hours; and
- (g) there is immediate and orderly dispersal of all persons at the end of the funeral.

COMMUNITY MEETINGS

A person in charge of or taking part in a community meeting shall ensure that –

- (a) all persons present maintain proper hand hygiene including washing of hands with soap and running water or hand sanitisers;
- (b) attendance registers with contact details, next of kin details, and physical addresses of all people attending every session for ease of contact tracing are

- kept;
- (c) where community meetings are held in closed structures, appropriate fumigation is done, so as to ensure disinfection of the area.
 - (d) there is not more than a social distance of at least 1 meter is observed;
 - (e) where food is served it shall be in the form of pre-packed parcels;
 - (f) the duration of the meeting does not exceed two (2) and a half hours; and
 - (g) there is immediate and orderly dispersal of all persons at the end of the meeting.

SECOND SCHEDULE

CONSUMER PROTECTION (under regulation 10)

1. The specific services listed below are considered to be essential services—
 - (a) Distribution of basic food and consumer items;
 - (b) Provision of emergency services and medical health services;
 - (c) Distribution of medical and hygiene supplies;
 - (d) Provision of emergency clean-up services;
 - (e) Manufacturing and production of food and agricultural products;
 - (f) Critical maintenance services which cannot be delayed for more than 21 days and are essential to resume operations; and
 - (g) Financial and legal services excluding debt collection.
2. The specific goods listed below are considered to be essential goods -
 - (a) toilet paper;
 - (b) personal toiletries including hair care, body and face products, roll on, deodorant's and dental care products but excluding cosmetic and electric beauty products;
 - (c) sanitary pads, tampon's and condoms;
 - (d) hand sanitizer;
 - (e) household cleaning products;
 - (f) medical and hospital supplies, medicine and equipment and personal protection gear;
 - (g) chemicals, packaging and ancillary products used in the production of any food products;
 - (h) textile required to produce face masks;

- (i) facial masks;
- (j) mask respirators;
- (k) aprons (PPP);
- (l) eye protection;
- (m) visor or face shields;
- (n) gowns (PPP) and coveralls;
- (o) digital thermometers;
- (p) disinfectant cleaners;
- (q) surgical masks and cloth masks;
- (r) surgical and examination gloves;
- (s) antiseptic wipes and liquids;
- (t) wheat and Wheat flour;
- (u) rice;
- (v) maize meal;
- (w) sugar;
- (x) milk products (excluding luxury items such as processed cheese);
- (y) vegetables including canned and frozen vegetables;
- (z) canned, frozen and fresh meat, chicken and fish;
- (aa) bottled Water;
- (ab) baby formula;
- (ac) cooking oil;
- (ad) bleach;
- (ae) all-purpose cleaners;
- (af) disposable nappies;
- (ag) fertilisers and agricultural chemicals;
- (ah) seeds for essential food items listed herein;
- (ai) hardware components and supplies including cement;
- (aj) food products including non- alcoholic beverages and animal feed;
- (ak) products for the care of babies and toddlers;

- (al) petroleum and gas products; and
- (am) ICT equipment to facilitate work from home arrangements including computers, mobile gadgets and other home office equipment.

THIRD SCHEDULE SAFE RETURN TO WORK

This Schedule provides for the safety and health of persons at work and workplace and for the protection of persons other than persons at the workplace against hazards to safety and health arising out of or in connection with the activities of persons in the workplace during the Coronavirus (COVID – 19) Pandemic.

Administrative measures

(1) An employer shall-

- (a) set up a functional safety and Health committee as per the provisions of the Occupational Safety and Health Act, 9 of 2001 (OSH Act), which should have an equal number of representatives both from management and employees;
- (b) undertake a risk assessment to give effect to the minimum measures required by these guidelines considering the specific circumstances of the workplace;
- (c) make available to an inspector a risk assessment plan together with a written safety policy which shall be developed in collaboration with the workers and through Safety and Health Committees where the provisions of (1) apply;
- (d) notify all workers of the contents of these guidelines and the manner in which employer intends to implement the guidelines;
- (e) ensure that the measures required by these guidelines and its risk assessment plan are strictly complied with through monitoring and supervision;
- (f) as far as practicable, minimize the number of workers at the workplace at any given time through rotation, staggered working hours, shift systems, remote working arrangements or similar measures in order to achieve social distancing;
- (g) take measures to minimize contact between workers as well as between workers and members of the public; and
- (h) provide workers with information that raises awareness in any form or manner, including where reasonably practicable leaflets and notices placed in conspicuous places in the workplace informing workers of the dangers of the virus, the manner of its transmission, the measures to prevent transmission such as personal hygiene, social distancing, use of masks, cough etiquette and where to go for screening or testing if presenting with the symptoms.

(2) If a worker has been diagnosed with COVID-19, an employer shall-

- (a) after receipt of results inform the Ministry of Health and the Chief Inspector immediately;
- (b) investigate the cause of the coronavirus in consultation with the Ministry of Health and Chief Inspector;
- (c) review its risk assessment to ensure that the necessary controls and PPE requirements are in place; and

- (d) give administrative support to any contact-tracing measures implemented by the Ministry of Health.

Safety and Health measures

Social distancing

3. (1) An employer shall arrange or organise the workplace to ensure minimal contact between workers and as far as practicable ensure that there is a minimum of one (1) meter between workers while they are working and during the course of employment.

(2) Depending on the circumstances of the workplace or the nature of the sector, the minimum distance may need to be longer and reducing the number of workers present in the workplace at any time may assist in achieving the required social distancing.

(3) If it is not practicable to arrange work stations to be spaced at least one (1) meter apart, the employer shall-

- (a) arrange physical barriers to be placed between work stations or erected on work stations to form a solid physical barrier between workers while they are working; or
- (b) if necessary, supply the employee free of charge with appropriate Personal Protective Equipment (PPE) based on a risk assessment of the working place.

(4) An employer shall ensure that social distancing measures are implemented through supervision both in the workplace and in the common areas outside the immediate workplace through queue control or within the workplace such as canteens and lavatories. These measures may include dividing the workforce into groups or staggering break-times to avoid the concentration of workers in common areas.

Symptom screening

4. (1) An employer shall take measures to-

- (a) screen any worker, at the time that they report for work, to ascertain whether they have any of the observable symptoms associated with COVID-19, namely-
 - (i) fever;
 - (ii) cough;
 - (iii) sore throat;
 - (iv) redness of eyes; or
 - (v) shortness of breath (or difficulty in breathing);
- (b) require every worker to report whether they suffer from any of the following additional symptoms -
 - (i) body aches;
 - (ii) loss of smell or loss of taste;
 - (iii) nausea;

- (iv) vomiting;
 - (v) diarrhoea;
 - (vi) fatigue;
 - (vii) weakness; or
 - (viii) tiredness; and
- (c) require workers to immediately inform the employer if they experience any of the symptoms in sub-section 1 and 2 while at work or during the course of employment.
- (2) If a worker presents with COVID – 19 related symptoms, or advises the employer of those symptoms, the employer shall-
- (a) not permit the worker to enter the workplace or report for work; or
 - (b) if the worker is already at work immediately-
 - (i) isolate and, provide the worker with a FFP2 surgical mask and arrange for the worker to be transported in a manner that does not place other workers or members of the public at risk either to be self-isolated or for a medical examination or testing; and
 - (ii) assess the risk of transmission, disinfect the area and the worker's workstation, refer those workers who may be at risk for screening and take any other appropriate measure to prevent possible transmission; and
 - (c) ensure that the employee is not discriminated and stigmatized on grounds of having tested positive for COVID-19.
- (3) If a worker has been diagnosed with COVID-19 and isolated in accordance with the Ministry of Health Guidelines, an employer shall allow a worker to return to work on the following conditions -
- (a) the worker has undergone a medical evaluation confirming that the worker has tested negative for COVID-19;
 - (b) the employer ensures that personal hygiene, proper wearing of masks, social distancing, cough etiquette and sneezing is strictly adhered to by the worker; and
 - (c) the employer closely monitors the worker for symptoms on return to work.

Sanitizers, disinfectants and other measures

5. (1) A hand sanitizer shall contain an alcohol content of at least 70% and be in accordance with the recommendations of the Ministry of Health.
- (2) An employer shall, free of charge, ensure that-
- (a) there are sufficient quantities of hand sanitizer based on the number of workers or other persons who access the workplace at the entrance of, and in, the workplace which the workers or other persons are required to use; and

- (b) every employee who works away from the workplace, other than at home, shall be provided with an adequate supply of hand sanitizer.

(2) If a worker interacts with the public, the employer shall provide the worker with sufficient supplies of hand-sanitizer at that worker's workstation for both the worker and the person with whom the worker is interacting.

- (3) An employer shall take measures to ensure that-
 - (a) all work surfaces and equipment are disinfected before work begins, regularly during the working period and after work ends;
 - (b) all areas such as toilets, common areas, door handles, shared electronic equipment are regularly cleaned and disinfected; and
 - (c) biometric systems are disabled or COVID-19 proof.

Cloth masks

- 6. (1) An employer shall, in line with the Ministry of Health requirements-
 - (a) provide each employee, free of charge, a minimum of two cloth masks, which comply with the requirement set out in the Guidelines issued by the Ministry of Health for the employee to wear while at work and while commuting to and from work; and
 - (b) require any other worker to wear masks in the workplace.
- (2) The number of cloth masks that shall be provided to an employee or required of other workers shall be determined by the work being carried out or worker's conditions of work, in particular, where these may result in the mask becoming wet or soiled.
- (3) An employer shall ensure that workers are informed, instructed, trained and instructed as to the correct use of cloth masks.
- (4) An employee shall ensure that the mask is washed, dried and ironed after use.
- (5) The general requirement for workers to wear masks does not derogate from the fact that, where a risk assessment indicates that PPE is required, those categories of workers shall be provided with the accredited PPE in accordance with Ministry of Health guidelines.

Measures in respect of workplaces to which public have access

- 7. (1) The principal purpose of the measures contained in this clause is to protect workers from being exposed to the virus through their interaction with the public and to protect members of the public from being exposed to virus through their interaction with workers or other persons present in such a workplace.
- (2) Depending on what is reasonably practicable given the nature of the workplace, every employer shall-
 - (a) arrange the workplace to ensure that there is a distance at least one (1) meter between workers and members of the public or between members of the public;
 - (b) put in place physical barriers or provide workers with face shields;
 - (c) if appropriate, undertake symptom screening measures of persons other than the employees entering the workplace with due regard to available technology and

- any guidelines issued by the Ministry of Health;
- (d) if appropriate, display notices advising persons other than employees entering the workplace of the precautions they are required to observe while in the workplace;
 - (e) require members of the public, including suppliers, to wear masks when inside their premises.

Ventilation

8. An employer shall-
- (a) keep the workplace well ventilated by natural or mechanical means to reduce the COVID-19 viral load, if any;
 - (b) where reasonably practicable, have an effective local extraction ventilation system with high-efficiency particulate air HEPA filters, which is regularly cleaned and maintained, and its vents do not feedback in through open windows; and
 - (c) ensure that filters are kept in good condition.

Other Personal Protective Equipment

9. An employer shall check regularly on the websites of the Ministry of Health and Ministry of Labour and Social Security whether any additional PPE is required or recommended in any guidelines given the nature of the workplace or the nature of a worker's duties.

Workers' rights and obligations

10 (1) An employee shall comply with measures introduced by their employer as required by the Occupational Safety and Health Act, these guidelines and any applicable instruments.

(2) An employee shall have the right to remove himself or herself from danger when such an employee has reasonable justification to believe there is an imminent and serious risk to the safety and health of that employee.

(3) Where the supervisor or employer is not present at the time of removal mentioned in subsection (1), the employee shall immediately after such removal, as is reasonably practicable, inform the supervisor or employer of the fear giving rise to such removal.

(4) The supervisor or employer shall investigate the situation and all the circumstances paying particular attention to the safety and health of the employees, and if there is disagreement between and employee and the supervisor or employer, the matter shall immediately be referred by either party to the safety and health committee, where one exists, and in the absence of that committee to an inspector.

Lodging a complaint or resolving a dispute

10. (1) Employer and employees are encouraged to try to resolve their concerns or disputes internally and if concerns or disputes remain unresolved, such may be lodged with the Chief Inspector.

(2) Any urgent matter or issue and or report may be addressed to any inspector within the Ministry of labour.

Compliance

11. An inspector designated in terms of section 4 of the Occupational Safety and Health Act may visit any workplace to determine compliance with these guidelines, the Occupational Safety and Health Act or any applicable instrument intended to address the coronavirus pandemic.

FOURTH SCHEDULE**SCHOOLS AND HIGHER LEARNING INSTITUTIONS
(under regulation 26)****PSYCHOSOCIAL SUPPORT FOR LEARNERS AND STAFF**

1. A school or institution of higher learning shall -
 - (a) monitor school attendance to identify learners with psychosocial, gender-based violence and teenage pregnancy issues
 - (b) once identified learners with psychosocial issues, refer to REO school health, guidance officer or police (DCS), department of social welfare depending on the type of case or One Stop Centre
 - (c) sensitise learners and parents on child protection and Gender Based Violence issues for schools' community
 - (d) provide Psychological First Aid preferable by someone with basic counselling skills to address fears and concerns of learner.
 - (e) conduct counselling sessions for learners refusing to go back to school

2. An institute of higher learning shall prevention of the spread of the COVID-19 by applying the following stringent measures-
 - (a) develop a plan (including signage) to enforce the washing of hands and the wearing of a cloth mask at the entrance for staff, students and visitors entering the premises.
 - (b) prepare and maintain adequate hand-washing stations with soap and water or sanitizer in -
 - (i) every classroom, laboratory, library,
 - (ii) at entrances and exits,
 - (iii) lunch rooms, staffrooms, and toilets.

3. Institutions shall provide the following equipment according to the campus population requirements-
 - (a) hand Sanitizer or hand washing soap;
 - (b) pipped buckets or wash basins;
 - (c) cleaning soap (liquid);
 - (d) heavy duty cleaning gloves;

- (e) disinfectant (bleach, chlorine);
- (f) floor mops, brooms, cleaning buckets, cleaning clothes;
- (g) material safe data sheet (MSDS);
- (h) pedal waste bin or waste containers with lids;
- (i) water tanks and water; and
- (j) waste disposal pit (pit latrine type) or incinerator or waste disposal protocol

GENERAL INFECTION CONTROL

- (3) A school or institute of higher learning shall -
- (a) implement stringent social distancing measures at campus during lessons and at any time in between lessons, including during breaks;
 - (b) space students' seating in all classrooms or teaching venues at least 1 meter apart and where a size of the classroom does not physically allow this, larger venues shall be utilized or the students in the class shall be divided into smaller groups in compliance with public health coronavirus guidelines;
 - (c) reduce face to face contact lessons, by introducing blended learning approaches, using technology wherever, applicable;
 - (d) ensure that faculties with staff at higher risk for severe illness (including older adults and people of all ages with certain underlying medical conditions) have adequate provision that limit their exposure risk (e.g. Work from Home and modified job responsibilities);
 - (e) replace in-person meetings with video- or tele-conference calls whenever possible;
 - (f) provide student support services virtually, as feasible;
 - (g) display inclusive Information, Education and Communication (IEC) material in strategic areas in the campus;
 - (h) ensure that adequate soap supplies (preferably from dispensers) and safe water are available at hand-washing stations, especially in toilets and bathrooms. Sanitizers shall be used only in specified stations;
 - (i) students and staff shall sanitize their hands routinely upon entering the school facilities; and
 - (j) ensure adequate, clean and separate toilets for ladies and males.
 - (k) discourage and prohibit sharing of items that are difficult to clean or disinfect;
 - (l) ensure adequate supplies to minimize sharing of high-touch materials to the extent possible (e.g. assigning each student with their own art supplies, lab equipment, computers) or limit use of supplies and equipment by one group of students at a time and clean and disinfect between use;
 - (m) avoid sharing electronic devices, books, pens, and other learning aids;

- (n) use a sodium hypochlorite solution at 0.5% (equivalent 5 000 ppm) for disinfecting surfaces and a solution of 70% ethyl alcohol for disinfecting small items, and ensure appropriate equipment for cleaning staff;
- (o) increase air flow and ventilation where the climate allows (open windows, use air conditioning if available), avoid heaters, closed windows, overdressing;
- (p) install physical barriers, such as sneeze guards and partitions, particularly in areas where it is difficult for individuals to remain at least 6 feet apart (e.g. reception areas, canteen, bookshops);
- (q) post signs in all utilized venues encouraging good hand and respiratory hygiene practices;
- (r) not use biometric identification readers – they shall preferably be temporarily disabled;
- (s) ensure trash is removed daily from the institution and disposed of safely; and
- (t) avail sufficient supplies of sanitizers and cleaning materials with the correct alcohol levels.

NUTRITION AND FOOD SERVICE IN INSTITUTION TUCK SHOPS, CAFETERIAS AND CATERING VENUES

1. Food storage operators shall-
 - (a) clean food storages daily and disinfect once a week or before new stock is taken in; and
 - (b) keep a record of food stocks.
2. During preparation of campus meals, food handlers shall -
 - (a) be trained on food safety and hygiene precautions;
 - (b) wash hands with soap and running water before handling food;
 - (c) clean and disinfect the kitchen surfaces, equipment and utensils regularly;
 - (d) display COVID-19 food safety precautions and messages on the inside and
 - (e) outside of the kitchen and dining hall walls;
 - (f) provide enough supplies of disinfectant and hand washing necessities in the kitchen; and
 - (g) all sick food handlers are not be allowed to prepare and serve food;
3. Food or meal servers shall -
 - (a) monitor students during meal times to avoid congestion and observe physical distancing.
 - (b) ensure that students use their own utensils to avoid sharing during meal times.
 - (c) practice safe removal of mask and storage during meal times.

- (d) wash hands with running water and soap before and after meals.
 - (e) have markings and monitor adherence to social distancing when queuing for food and eating (dining hall, cafeteria, canteen). Serve food in small groups while maintaining social distancing where applicable.
 - (f) ensure that cooks, support staff or students serving food shall wear masks and food gloves.
4. Tuck-shops, and cafeteria operators shall-
- (a) suspend selling of food by external vendors or suppliers;
 - (b) discourage selling of junk food in institutions' tuck shops and ensure that food sold is fresh and nutritious;
 - (c) not allow ill tuck-shop operators to sell food to students;
 - (d) wash hands frequently with soap and running water in line with IPC protocol;
 - (e) have markings and monitor adherence to social distancing when queuing to buy;
 - (f) provide hand sanitizer or hand washing facility for buyers;
 - (g) wear clean and appropriate PPEs when coming to work;
 - (h) mount screen to separate tuck-shop operator and buyer; and
 - (i) clean daily and disinfect tuck shop once a week.

IN-CAMPUS RESIDENTIALESTABLISHMENTS

Students shall acknowledge in writing that they will personally monitor symptoms of COVID-19 before arriving on campus.

1. For temperature screening -

- (a) all in-campus residential students shall be screened daily for COVID-19 symptoms including temperature testing. Record temperature screenings on a form and retained for future reference.
- (b) wardens shall provide a site map indicating where the screening process for the in campus students will take place. Wardens shall ensure that sufficient personnel are on hand to conduct the screening process at appropriate times; and
- (c) students exhibiting a raised temperature of 37.5 °C or above shall be reported to members of the CRT for guidance.

2. Room or dormitory arrangements shall include that -

- (a) residential students' beds are allocated to adhere to the social distancing regulation of one meter apart.
- (b) bunk beds are a meter apart and the space between the lower and upper beds shall be the standard one meter apart;
- (c) residential students sanitize every time they re-enter the room or dormitory

- (d) the entire residential establishment (e.g. bathrooms, dormitories, TV and study room, rails, door handles etc.) are cleaned and sanitized thoroughly twice a day.
- (e) visiting each other's rooms by others shall be prohibited.

3. Bathrooms

- (a) bath time shall be staggered to allow social distancing.
- (b) students shall use heated water for bathing.
- (c) toilet bags shall be with the students at all times and toiletries may not be left lying on surfaces.
- (d) liquid hand-soap dispensers shall be provided at the basins in the hostel.

4. Common rooms

- (a) sanitizers or hand washing facilities shall be available on entry to the common rooms venues.
- (b) common rooms shall be arranged in accordance with prescribed social distancing requirements at 1 meter intervals.
- (c) wardens and duty staff shall ensure that prescribed social distancing is practiced during breaks and leisure time.
- (d) no recreational equipment such as pool cues, darts, gaming console may be used.
- (e) students shall be encouraged to bring their own sanitizers.
- (f) place visible markings to allow social distancing to adhere to the stipulated COVID-19 regulation.
- (g) shall be thoroughly cleaned and disinfected every day.

5. Dining-room protocol

- (a) meal times will be as normal, but the seating arrangements will change to comply with social distancing requirements, with residential students seated at 1 meter apart.
- (b) all residential student and staff shall wash their hands before entering the dining room.
- (c) tape or markers shall indicate at least 1 meter social distancing during the serving of meals.
- (d) cutlery, individually wrapped in a serviette, shall be distributed by designated members of the kitchen staff, who will be wearing masks.
- (e) all catering staff shall practice proper hand hygiene and be gloved and masked and hair shall be covered at all times when serving food.
- (f) the kitchen shall be disinfected regularly.
- (g) the dining room shall be cleaned and disinfected after every meal, including

after residential students' meals.

- (h) cutlery shall not be shared.

LINES OF REPORTING

6 A school or Institution of higher learning shall -

- (a) establish lines of communication to enable both student and create awareness on what to do or will happen if there is a case in campus.
- (b) ensure that all contact details for next of kin are up to date at the institution.
- (c) have a pre-arranged procedure with the nearest health facility for referral of sick students.
- (d) separate sick students and staff from those who are not sick – without creating stigma and raising unnecessary alarm.
- (e) identify an isolation area that guarantees the privacy of the isolated individual adhering to the social distancing norms;
- (f) where a positive case of COVID-19 is identified at an institution, the affected class shall be closed for 24 hours and be cleaned and disinfected before anyone is permitted re-entry in liaising with the Ministries of Education and Health.
- (g) where a student or member of staff show COVID-19 symptoms, the school or institution of higher learning shall-
 - (i) be advised to contact the CRT with immediate effect for guidance or go to the nearest health facility for immediate medical care and students shall have been declared 100% well by medical professional before return to campus.
 - (ii) where confirmed to be ill with COVID-19, be advised to self-isolate at home for a minimum period of 14 days or admitted in one of the treatment centers,
 - (iii) make the necessary arrangements with the student as to the way teaching and learning will be dealt with during this time, including formal and informal assessment.
 - (iv) Advise a staff member presenting with COVID-19 symptoms to seek immediate medical assistance.
 - (v) Such a staff member shall produce a doctor's clearance certificate upon their return to the Institution.
 - (vi) keep patient medical confidentiality ethics, the identity of the student or staff member who has tested positive for COVID-19 may not be revealed to the general community without that person's express written consent.
 - (vii) be informed by the student or staff member of their status in accordance with laid down procedure.

PSYCHOSOCIAL SUPPORT FOR STUDENTS AND STAFF

7. An institute shall -
- (a) provide psychosocial support for students and staff to address anxiety, stigma and discrimination in the aftermath of a COVID-19 positive case;
 - (b) monitor attendance to identify students with psychosocial issues related to COVID-19 and provide counseling thereof; and
 - (c) provide psychological support preferable by someone with basic counseling skills to address fears and concerns of affected students and staff and where necessary.

THEMBA MASUKU
DEPUTY PRIME MINISTER