

MAC ON COVID-19

REGULATIONS FOR INCLUSION IN THE NATIONAL HEALTH ACT (NHA)

Regulation number	Regulation	Retain (Y/N/amend)	Comment	Can it be accommodated in Health Act (Y/N)
67	<p>Protocols in public places:</p> <ul style="list-style-type: none"> • A person must in a public place wear a face mask (except during vigorous exercise). • A person may not be allowed in a public place/public transport/public building without wearing a face mask 	Yes	<ul style="list-style-type: none"> • This allows for protection of the population. • Consideration should be given to use of hand sanitising for indoor venues. • Proper mask use (covering of mouth and nose) needs to be recommended. • Social distancing should be maintained when and wherever possible. 	Yes
68	<p>Attendance of funerals:</p> <ul style="list-style-type: none"> • Attendance limited to 100 persons or less • Night vigils are not allowed • Masks must be worn, adherence to health protocols and social distancing 	Yes (amend)	<ul style="list-style-type: none"> • Consideration was given to retain funerals as a separate regulation due to their various cultural aspects, as well as their unplanned nature. • It was proposed that funerals be included in gatherings, however guideline or directives be developed to outline specific recommendations, i.e. Use of COVID-bundle. • The Socio-behavioural MAC should be consulted on specific recommendations around funerals. 	Yes

Regulation number	Regulation	Retain (Y/N/amend)	Comment	Can it be accommodated in Health Act (Y/N)
69	<p>Gatherings:</p> <ol style="list-style-type: none"> 1. When attending gathering, a person must: <ul style="list-style-type: none"> ○ Wear a face mask ○ Adhere to all health protocols ○ Maintain a distance of at least one and half meters 2. Owners of facilities must display certificate of occupancy 3. Faith-based gatherings limited to 250 persons or less for indoor, and 500 persons or less for outdoor gatherings (≤ 50% capacity) 4. Social events are limited to 250 persons or less for indoor, and 500 persons or less for outdoor gatherings (≤ 50% capacity) 5. Political events and traditional council are limited to 250 persons or less for indoor, and 500 persons or less for outdoor gatherings (≤ 50% capacity) 6. Workplace gatherings for work purposes allowed 7. Gatherings at conferences and meetings are limited to 250 persons or less for indoor, and 500 persons or less for outdoor gatherings (≤ 50% capacity) 8. Recreational gatherings: cinemas, theatres, concerts, live performances are limited to 250 persons or less for indoor, and 500 persons or less for outdoor gatherings (≤ 50% capacity) 9. Casinos limited to not more than 50% capacity of venue 10. Gatherings in following places subject to health protocols and social distancing measures as set out by relevant cabinet member: <ul style="list-style-type: none"> ○ Sports grounds and fields ○ Beaches and public parks 	Yes (amend)	<ul style="list-style-type: none"> • Simplified and pragmatic recommendations covering all gatherings. • Recommended that indoor gatherings be restricted to 50% capacity. • Outdoor gatherings would have no limit, however needs to meet social distancing needs. 	Yes

Regulation number	Regulation	Retain (Y/N/amend)	Comment	Can it be accommodated in Health Act (Y/N)
	<ul style="list-style-type: none"> ○ Museums, galleries, libraries and archives 11. Gatherings at gyms and fitness centres allowed, limited to 50% capacity 12. Gatherings in following places allowed subject to limitations set out: <ul style="list-style-type: none"> ○ Restaurants – subject to direction from relevant cabinet member ○ Bars/taverns/shabeens limited to 50% capacity ○ Hotels/lodges/bed and breakfast etc. limited to 50% capacity 13. Gatherings at auctions allowed subject to health protocols and social distancing measures as set out by relevant cabinet member 14. Sporting activities (professional and non-professional) are allowed subject to the following: <ul style="list-style-type: none"> ○ Directions for matches issued by responsible cabinet member ○ Only journalist, radio, TV crew, security, emergency medical services and necessary employees are allowed at venue ○ Only required number of players, match officials, support staff and medical crew required are allowed ○ No spectators allowed ○ If contravention takes place – ○ gatherings dispersed immediately ○ If refuse to disperse – criminal procedure act 			

Regulation number	Regulation	Retain (Y/N/amend)	Comment	Can it be accommodated in Health Act (Y/N)
74	Controlled visits by members of the public: 1. All visits by members of the public to: <ul style="list-style-type: none"> ○ Correctional services ○ Remand detention facilities ○ Police holding cells ○ Military detention facilities ○ Health establishment (except to receive treatment or medication) ○ Older persons' residential facilities 2. The Electoral Commission (IEC) will be allowed to visit the institutions referred in 1, where required for purposes of voter registration and special voting to extent set out in directions by relevant cabinet member	Amend	<ul style="list-style-type: none"> • Health related aspects are visits to healthcare facilities and residential care homes. These two groups should be included (in some way) since these are health delivery facilities 	
79	Compliance officers	Yes	<ul style="list-style-type: none"> • Health officers can be appointed for general tasks or specific tasks, e.g. environmental health officers could be appointed and used. Alternatively, it would be possible to appoint COVID-19 health officers, specifically mandated to assist in preventing the spreading of the virus. 	

REGULATIONS NOT FOR CONSIDERATION FOR INCLUSION

Regulation number	Regulation	Retain (Y/N/amend)	Comment	If not in Health Act where should it go
66	Curfew: Every person is confined to his or her place of residence from 00h01 – 04h00 daily	No	<ul style="list-style-type: none"> • This restricts fundamental rights and falls outside the scope of the NHA. 	

70	Eviction and demolition of places of residence	No	<ul style="list-style-type: none"> This is not directly health related. 	
71	Rental housing	No	<ul style="list-style-type: none"> This is not directly health related. 	
72	<p>Places closed to public:</p> <ol style="list-style-type: none"> Night clubs COGTA cabinet member may determine places that must be closed if there is a risk to the public 	No	<ul style="list-style-type: none"> Night clubs would be difficult to exclude on legal grounds, and unclear how night clubs are legally defined. This would fall under general gatherings recommendations. 	n/a
73	Prohibition of initiation practices	No	<ul style="list-style-type: none"> This should not be for the NHA. There are separate pieces of legislation that can manage this. Health can be consulted on health related issues. The Socio-Behavioural MAC should be consulted on this issue. 	
74	<p>Controlled visits by members of the public:</p> <ol style="list-style-type: none"> All visits by members of the public to: <ul style="list-style-type: none"> Correctional services Remand detention facilities Police holding cells Military detention facilities Health establishment (except to receive treatment or medication) Older person's residential facilities The IEC will be allowed to visit the institutions referred in 1, where required for purposes of voter registration and special voting to extent set out in directions by relevant cabinet member 	No	<ul style="list-style-type: none"> Health related aspects are visits to healthcare facilities and residential care homes. These two groups should be included in some way. 	
75	Partial re-opening of borders	No	<ul style="list-style-type: none"> This is not a direct health related issue. 	
76	Public Transport	No	<ul style="list-style-type: none"> This is dealt with by the Minister of Transport and other relevant Cabinet Ministers. Health can be consulted on health related issues. 	

77	Sale and dispensing of liquor	No	<ul style="list-style-type: none"> • Already removed (GoN 1199, GG 43897, 11 November 2020) 	n/a
78	Operation of economic sector	No	<ul style="list-style-type: none"> • This is not a direct health related issue. 	
80	Offences and penalties	No	<ul style="list-style-type: none"> • Offences and penalties are covered in the respective chapters of the NHA. The definition of 'this Act' in the NHA 'includes any regulation'. 	