

LEGAL NOTICE2020

THE DISASTER MANAGEMENT ACT

(Act No. 1 of 2006)

**THE DISASTER MANAGEMENT (CORONAVIRUS - COVID - 19)
REGULATIONS, 2020**

(Under section 43)

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

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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 any 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

- (b) 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) Emalangeneni 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 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 that good or services above the average margin or mark-up for that good or service during the state of emergency period
- (a) 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, 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 a 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) Liquor shall not be consumed at a bottle store, wine and malt, club or a 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 businesses 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.

(10) 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) or

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) shall be liable on conviction to a term of imprisonment not exceeding 5 years.

(2) The Commission may in terms of 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) consult with the principal employer; and

(b) obtain 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 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) Passengers in public transport vehicles 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 private motorists 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 pay to 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.
- (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. 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) The routine referred to 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
 - (vi) rinsing thoroughly with running water.
 - (f) ensure that adequate soap supplies (preferably from dispensers) and clean water is available at -appropriate hand-washing stations, including in toilets and bathrooms.
- (2) 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.
 - (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 (railings, lunch tables, sports equipment, door and window handles, toys, teaching and learning aids, etc.).
- (d) 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.
 - (e) increase air flow and ventilation where the climate allows (open windows, use air conditioning if available), avoid heaters, closed windows, overdressing, etc.
 - (f) post signs in all utilised venues encouraging good hand and respiratory hygiene practices.
 - (g) do not use biometric identification readers – they shall preferably be temporarily disabled.
 - (h) ensure trash is removed daily from the school and disposed of safely.
 - (i) 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/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 handheld 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;
- (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) parents provide their children with at least 2 clean cloth masks daily to school;
 - (b) staff members shall wear cloth masks all the time whilst at work;
 - (c) all learners and staff shall wear face masks at school;
 - (d) face shields shall be used by learners and personnel with Chronic obstructive pulmonary diseases, hearing impairment and personnel who interact with the hearing impaired;
 - (e) provision of a reasonable stock of cloth masks for emergencies is made available; and
 - (f) 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 economy and efficiency;
 - (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;
 - (i) a summary of the action taken to invite, evaluate and negotiate the tender; and
 - (ii) 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.

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

43. (1) 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 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

will 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) shall appoint 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 100 people may attend any art or entertainment activity unless the venue where the activity is held is accredited by the minister responsible for sports and arts

(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 sector amend of 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 Emalangeneni (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 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 2 and a half hours.
- (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 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 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 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)

The specific services listed below are considered to be essential services–

1. Distribution of basic food and consumer items;
2. Provision of emergency services and medical health services;
3. Distribution of medical and hygiene supplies;
4. Provision of emergency clean-up services;
5. Manufacturing and production of food and agricultural products;
6. Critical maintenance services which cannot be delayed for more than 21 days and are essential to resume operations; and
7. Financial and legal services excluding debt collection.

The specific goods listed below are considered to be essential goods - -

1. Toilet paper;
2. Personal toiletries including hair care, body and face products, roll on, deodorant's and dental care products but excluding cosmetic and electric beauty products;
3. Sanitary pads, tampon's and condoms;
4. Hand sanitizer;
5. household cleaning products;
6. Medical and hospital supplies, medicine and equipment and personal protection gear;
7. Chemicals, packaging and ancillary products used in the production of any food products;
8. Textile required to produce face masks;
9. Facial masks;
10. Mask Respirators;
11. Aprons (PPP);
12. Eye Protection;
13. Visor or face shields;
14. Gowns (PPP) and coveralls;
15. Digital thermometers;
16. Disinfectant clearners;
17. Surgical masks and cloth masks;
18. Surgical and examination gloves;
19. Antiseptic wipes and liquids;
20. Wheat and Wheat flour;
21. Rice;
22. Maize meal;
23. Sugar;
24. Milk products (excluding luxury items such as processed cheese);
25. Vegetables including canned and frozen vegetables;
26. Canned, frozen and fresh meat, chicken and fish;
27. Bottled Water;
28. Baby formula;
29. Cooking Oil;
30. Bleach;

31. All-purpose cleaners;
32. Disposable nappies;
33. Fertilisers and agricultural chemicals;
34. Seeds for essential food items listed herein;
35. Hardware components and supplies including cement;
36. Food products including non- alcoholic beverages and animal feed;
37. Products for the care of babies and toddlers;
38. Petroleum and gas products; and
39. 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. These documents should 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;
- 1) (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 on 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;

(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;

(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 of its employees, free of charge, with 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 and a half 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 and/or any applicable instrument intended to address the coronavirus pandemic.

FIFTH 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;
- (a) pipped buckets or wash basins;
- (b) cleaning soap (liquid);
- (c) heavy duty cleaning gloves;
- (d) disinfectant (bleach, chlorine);
- (e) floor mops, brooms, cleaning buckets, cleaning clothes;
- (f) material safe data sheet (MSDS);
- (g) pedal waste bin or waste containers with lids;
- (h) water tanks and water; and
- (i) 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.
 - (c) space students' seating in all classrooms or teaching venues at least 1 meter apart. In case 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 at specified stations.
 - (i) Students and staff shall sanitize their hands routinely as follows -
 - (a) Upon entering the campus at designated temperature-screening stations.
 - (b) At the commencement of the school day in the first teaching venue.
 - (c) After breaks or any outdoor activity before entering the next teaching venue.
 - (d) Upon exiting the final teaching venue of the day to go home.
 - (e) Before boarding institution transport, if applicable.
 - (j) Ensure adequate, clean and separate toilets for ladies and males.
- Clean and disinfect campus 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 (railings, lunch tables, sports equipment, door and window handles, teaching and learning aids, etc.).
- (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.

- (k) avoid sharing electronic devices, books, pens, and other learning aids.
- (l) 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.
- (m) increase air flow and ventilation where the climate allows (open windows, use air conditioning if available), avoid heaters, closed windows, overdressing, etc.
 - (n) 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 etc.).
 - (o) post signs in all utilized venues encouraging good hand and respiratory hygiene practices.
 - (p) not use biometric identification readers – they shall preferably be temporarily disabled.
- (q) Ensure trash is removed daily from the institution and disposed of safely.
- (r) Avail sufficient supplies of sanitizers and cleaning materials with the correct alcohol levels

PERSONAL PROTECTIVE EQUIPMENT (PPE)

The use of appropriate Personal Protective Equipment (PPEs) including the use of masks is key in assisting the management of the spread of COVID-19.

An Institution shall ensure the availability and usage of required PPE depending on the responsibility, functions and study program where applicable. The following PPE shall generally be considered-

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

1. Food Storage

- (a) Clean the storeroom daily and disinfect once a week or before new stock is taken in.
- (b) Keep a record of food stocks.

2. Preparation of campus meals

- (a) All food handlers shall 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 outside of the kitchen and dining hall walls.
- (e) Provide enough supplies of disinfectant and hand washing necessities in the kitchen.
- (f) All sick food handlers shall not be allowed to prepare and serve food.

3. Serving of meals

- (a) Monitor students during meal times to avoid congestion and observe physical distancing.
- (b) Students shall 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) Cooks, support staff or students serving food shall wear masks and food gloves.

4. Tuck-shops, and cafeterias

- (a) Suspend selling of food by external vendors/suppliers.
- (b) Discourage selling of junk food in institutions' tuck shops and ensure that food sold is fresh and nutritious.
- (c) Do 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.
- (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. 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.
- (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

- (a) Residential students' beds shall be reallocated to adhere to the social distancing regulation of one meter apart.
- (b) Bunk beds shall also be a meter apart and the space between the lower and upper beds shall be the standard one meter apart.
- (c) Residential students shall sanitize every time they re-enter the room or dormitory
- (c) The entire residential establishment (e.g. bathrooms, dormitories, TV and study room, rails, door handles etc.) shall be cleaned and sanitized thoroughly twice a day.
- (d) 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 The 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.

(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**