

**Legal Resources
Foundation**

COVID-19

**NATIONAL LOCKDOWN
2020**

[SUMMARY OF SI 83 OF 2020]

1. Background

This is a summary of SI 83 of 2020 Public Health (COVID 19 Prevention, Containment and Treatment) (National Lockdown) Order, 2020.

2. What Does the Lock Down Order Provide For?

- People will be confined to their homes for 21 days starting from 30 March until 19 April 2020.
- Only one person per household can leave the house temporarily for the following purposes:
 - a) Buying medicine, basic necessities, fuel, gas at a shop, pharmacy or outlet which is within 5 km of the area where they stay. If there is no shop, pharmacy or outlet within 5km of where they reside, then he/she may go to the nearest outlet or shop.
 - b) Seeking his/her medical assistance or for other people that he/she has a duty to seek medical assistance for. However, this should be done within 5 kms of their place of residence. If he/she cannot get the assistance within 5km he/she may obtain it from the nearest location.
 - c) Go to the home of anyone whom he/she is related to or has a duty of care towards for purposes of assisting such people to buy basic necessities, fuel, gas, medicine or assist them to seek medical assistance
- People employed in essential services are allowed to leave their houses for purposes of going to work or do the business of the essential services.
- Members of staff of foreign missions and agencies are allowed to go to and from the mission or agency.

- Citizens, residents or protected subjects of a foreign country are allowed to go to the foreign mission of their country to obtain services or help.
- All restaurants shall be closed except for those at hotels servicing residents and those providing take away services to people not covered by the lockdown as well as for those temporarily allowed to leave the lockdown.
- All businesses shall be closed except those providing essential services such as pharmacies, laboratories, banks (financial institutions), payment and money transfer services, supermarkets, fuel outlets, health care providers, transport services involved in carriage of staff for essential services, carriage of sick persons and transportation of food, basic goods, water, fuel and medical supplies. The list given in the Order is just an example of essential services but it does not limit businesses that can be classified under essential services.
- Manufacturing businesses where continuous processes are required may continue to operate with minimum staff needed.
- All government departments shall be closed unless the responsible head directs that they open.
- All educational institutions shall be closed except those providing medical training or research for combating COVID-19.
- All transport services within cities are prohibited except services engaged in carrying those who provide essential services as well as those who are sick
- Transport services for services within cities and outside cities shall be provided by ZUPCO, other passenger services operated by the Public Service Association, Police service, Defence forces and Civil Protection Services.

- Local authorities (Rural, Urban and Metropolitan councils) are allowed to provide services for carriage of staff for essential services as well as basic goods, water and food.

3. What will happen if you are found outside your home?

- You must prove that you are covered by the exceptions listed above or that though your situation is not covered in the exception above you have a very good reason for being outside your home.

4. What will happen if a person does not comply with the lockdown order

- The person will be charged by the police and advised that they shall be summoned to court. They will be ordered to go back to their home. They may be accompanied by enforcement officers.
- If they refuse to go to their home, or they do not have a home, or they are not able to go to their home immediately because they are outside the 5kms limit for a pedestrian or 20 kms for a passenger of a vehicle or driver they will be treated as if they have run away from a place of detention, isolation and quarantine and they will be arrested without warrant and put in place of detention, isolation and quarantine.

5. What are the penalties for those who do not comply with the law?

Imprisonment for a period of less than 1 year or a fine which does not exceed ZWL \$36 000 or both fine and such imprisonment.

6. What does the order say about gatherings?

Gatherings of more than 2 people are not allowed at public places. However, the following gatherings are permitted:

- People who are waiting to board transport. However, they should not be more than 50 people at any given time.
- Funerals are limited to 50 people at a time. Social distancing should be observed for people gathering for a funeral.
- People using a transport service but they should maintain social distance.
- People gathered at shops, pharmacies, hospitals, and food retail but they should maintain the social distance rule.
- People gathered for essential services who should observe the social distance rule.

7. What powers do enforcement officers have in the event that people gather in defiance of the order?

- They can order people to disperse unless people are gathered at a supermarket, pharmacy, medical institutions, hospitals and for essential services.
- Order people to maintain social distance.
- Take appropriate action including arrest and detention.

8. What is the effect of the order on diplomatic visas, temporary residence permits and employment permits for foreign Nationals?

There is automatic extension of diplomatic visas/work permits/temporary resident permits to foreign nationals.

9. What is the effect of the order on airports and aerial transportation?

- All airports will be closed except for Robert Mugabe international airport, Joshua Mqabuko Nkomo International Airport and Victoria Falls International airport.

All air traffic is prohibited except for purposes of provision of essential services, carriage of sick persons, water, fuel, food, basic goods and medical supplies needed to combat COVID-19.

10. What does the order say about closing of borders?

The Minister responsible for home affairs in consultation with the Minister of Health may order the closure of borders and entry points. The effect of closing the borders is that there will be no entry and exit of goods and persons through such ports. However, entry and exit will be allowed for the following persons and under the following circumstances:

- Returning residents and citizens of Zimbabwe are allowed back at the entry points or borders but they will be subjected to quarantine and isolation for 21 days.
- Members of staff of foreign missions, citizens and residents of a country under an arrangement with that country.
- Vehicles for transportation of food, essential supplies and goods will be permitted to move throughout the country delivering goods.

11.What does the order say about hoarding of medical supplies needed to combat COVID as well as hoarding of food?

The Regulations prohibit the following acts:

- Hoarding of medical supplies needed to combat COVID-19 at home or any other premises or location.
- Hoarding of food in excess of what is needed by a person or his family during the lockdown period at home or any other premises or location.

If there is reasonable suspicion of hoarding of food or medical supplies needed to combat COVID-19 an enforcement officer will apply for a warrant from a magistrate or justice of peace authorising them to search a home, premise or location suspected of hoarding food in excess of what is needed or medical supplies needed to combat COVID-19 and seize the medical supplies and food.

A magistrate or justice of peace must issue the warrant if it appears to him or her that any person is reasonably suspected of hoarding medical supplies or food.

Any person taking advantage of the lockdown period to profiteer or raise prices of goods or services or rent shall be punished in terms of the relevant law.

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

During the national lockdown period, any local authority may be required by the Minister of Health to set aside and make available land or premise adequate for quarantine or isolation of more than 50 people at a time infected with or suspected of being infected by COVID-19.

13.False reporting during national lockdown

The Regulations make it an offence to publish or communicate false news about any public officer, official or enforcement officer involved with enforcing or implementing the national lockdown or any private individual that has the effect of prejudicing the State's enforcement of the national lockdown.

Prosecution of the offence shall be in terms of Section 31 of the Criminal Law Code which creates an offence on publishing or communicating false statements prejudicial to the State.


Any person found guilty shall be liable to a fine up to or exceeding level 14 or imprisonment for a period not exceeding 20 years or both.

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