**BILL WATCH 10/2020**

**[24th March 2020]**

**Regulations to Curb Spread of COVID-19**

A Government Gazette Extraordinary published late yesterday afternoon, 23rd March, contained two statutory instruments to give legal backing to the measures announced recently by the President and the Minister of Minister of Health and Child Care.  Both statutory instruments [SIs] came into force immediately.  They can be accessed and downloaded on the Veritas website by following the links indicated below:

**Civil Protection (Declaration of State of Disaster: Rural and Urban Areas of Zimbabwe) (COVID-19) Notice, 2020 [SI 76/2020] *[***[***link***](http://www.veritaszim.net/node/4036)***]***

This SI under the Civil Protection Act allows the civil protection authorities to use the special powers available to them under the Act to respond to a declared state of disaster.  The declaration places the whole country in a state of disaster

**Public Health (COVID-19) Prevention, Containment and Treatment) Regulations, 2020** [SI 77/2020] *[*[*link*](http://www.veritaszim.net/node/4037)*]*.

These regulations were made by the Minister of Minister of Health and Child Care under the “new” Public Health Act of August 2018.  The Act gives the Minister wide powers to legislate measures to prevent, contain and treat the incidence of “formidable epidemic diseases”.

As a new virus, COVID-19 was not on the existing list of “formidable epidemic diseases” in section 64 of the Public Health Act.  It was, therefore, necessary for the Minister of Minister of Health and Child Care to make it a “formidable epidemic disease” by a declaration in a statutory instrument under the same section.  Section 3 of these regulations contains that declaration, called the “FED declaration”, which will be in effect until 20th May 2020, unless before that date the Minister extends it.

The FED declaration allowed the Minister to invoke the special regulation-making powers conferred on him by section 68 of the Act.

The scope of the regulations is indicated by the subjects covered in the headings to sections 5 to 8:

1. Prohibition of gatherings [*of more than 100 persons, whether wholly or partly in the open air or in a building*]
2. Compulsory testing, detention, etc., to contain COVID-19
3. Places of quarantine and isolation
4. Ministerial orders [*to be* published *in the Government Gazette, for controlling traffic and movements of persons, including curfews; closure of places of worship, entertainment, recreation or amusement; controlling the sale of liquor; prohibiting gatherings of fewer than 100 persons; regulating removal of bodies and conducting of burials; compelling the evacuation, closing, alteration or demolition of premises likely to favour the spread of COVID-19*].

There are steep maximum penalties on conviction of breaches of the regulations or orders issued under them:  a fine not exceeding level 12 [ZW $36 000] or one year’s imprisonment or both.

The point of this bulletin is to draw attention to the statutory instruments and to outline what they say.  A more in-depth examination of the statutory instruments is planned for a separate bulletin.

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