

Malawi

Public Health Act

## Public Health (Corona Virus and COVID-19) (Prevention, Containment and Management) Rules, 2020

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## Malawi

### Public Health Act

# Public Health (Corona Virus and COVID-19) (Prevention, Containment and Management) Rules, 2020

## Government Notice 48 of 2020

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Assented to on 6 August 2020

Commenced on 7 August 2020

*[Up to date as at 7 August 2020]*

In exercise of the powers conferred by section 31 as read with section 29 of the Public Health Act and pursuant to the declaration of COVID-19 as a formidable disease on the 1st day of April, 2020, I, Khumbize Kandodo Chiponda, Minister of Health, make the following Rules—

### Part I – Preliminary

#### 1. Citation

These Rules may be cited as the Public Health (Corona Virus and COVID-19) (Prevention, Containment and Management) Rules, 2020.

#### 2. Interpretation

In these Rules, unless the context otherwise requires—

"**Corona Virus**" means the severe acute respiratory syndrome Corona Virus 2 (SARS-CoV-2) which emerged from China in 2019, that causes acute respiratory syndrome;

"**COVID-19**" means a disease that occurs when SARS-CoV-2 infection affects functionality of body organs or systems, especially the respiratory system and may manifest as a severe acute respiratory infection (SARI) and Acute Respiratory Distress Syndrome (ARDS);

"**essential services**" means services listed as essential services in the Seventh Schedule hereto;

"**enforcement officer**" includes—

- (a) a designated traditional authority;
- (b) a forestry officer;
- (c) a health officer;
- (d) an immigration officer;
- (e) a labour officer;
- (f) a member of the Defence Forces of Malawi;
- (g) a police officer;
- (h) a prison warder;
- (i) a local government officer;
- (j) a national parks and wildlife officer; and

(k) a road traffic officer;

"**face mask**" includes a surgical face mask, cloth face mask; face shield or any material that covers both the mouth and nose;

"**gathering**" means an assembly of more than ten persons whether wholly or partially in open air or in a building;

"**head of an institution**" means the controlling officer of a public institution or the chief executive officer or the equivalent position in a private institution;

"**health officer**" means a person with technical qualifications in any health-related discipline and with valid registration with a professional health body or written approval to carry out health-related functions;

"**isolation**" means separating a person who is infected with the Corona Virus from other persons who are not infected in such a manner as to prevent the spread of infection or contamination by the Corona Virus;

"**restricted area**" means a geographical or administrative area declared as such by the Minister pursuant to rule 19;

"**quarantine**" means the separation of an asymptomatic person potentially exposed to the Corona Virus from non-exposed persons in such a manner as to prevent the possible spread of infection or contamination by the Corona Virus; and

"**village health committee**" means any community-based health committee approved by the Ministry of Health and regularly supervised by trained community health workers, including a community health action group.

## **Part II – General preventive measures**

### ***Division I – Prevention of spread of Corona Virus by persons***

#### **3. Preventive measures**

- (1) A person shall do the following acts in order to prevent the spread of the Corona Virus—
  - (a) when in a public area, wear a face mask at all times;
  - (b) keep a social distance of at least one metre, from other persons;
  - (c) wash hands frequently with soap and water, for at least forty seconds or use an alcohol based hand sanitizer with a minimum alcohol content of seventy percent, for at least twenty seconds;
  - (d) if hands are dirty or soiled, not use an alcohol based hand sanitizer, rather, wash hands with soap and water;
  - (e) when coughing or sneezing, cover nose and mouth with handkerchief or tissue paper or sneeze into a flexed elbow;
  - (f) refrain from touching face, mouth, nose and eyes; and
  - (g) avoid handshakes.
- (2) In addition to the measures prescribed in subrule (1), the general preventive measures and guidelines on management of wastes generated from COVID-19 prevention and control in communities prescribed in the First Schedule hereto shall apply.

#### **4. Person with COVID-19 symptoms**

- (1) A person who has symptoms associated with COVID-19 shall—
  - (a) self-isolate; and
  - (b) as soon as possible, get tested for COVID-19 at a designated health facility or testing centre or call toll free line on 54747 or any other line designated by the Ministry.

- (2) For purposes of subrule (1), COVID-19 symptoms include—
- (a) fever;
  - (b) dry cough;
  - (c) tiredness;
  - (d) body ache and pain;
  - (e) shortness of breath, difficulty in breathing or any other breathing problem;
  - (f) sore throat;
  - (g) loss of taste or smell;
  - (h) headache;
  - (i) chest pain or pressure;
  - (j) loss of speech or movement; and
  - (k) loss of consciousness.

### **5. Person diagnosed with COVID-19**

A person who is diagnosed with COVID-19, shall—

- (a) follow instructions given to him by a health worker;
- (b) where ordered to self-isolate,—
  - (i) remain in isolation for a period of not less than ten days; and
  - (ii) after the lapse of the isolation period, be reviewed by a health worker;
- (c) where admitted to hospital, remain in hospital until discharged; and
- (d) not go to a public place, unless certified to be COVID-19 negative.

### **6. Reporting of COVID-19 cases**

- (1) The following persons shall report to an enforcement officer, community health worker, a member of a village health committee or any appropriate authority, whichever is applicable, any suspected case or death of COVID-19—
- (a) employer;
  - (b) head of family or, in his absence, a family member;
  - (c) head of an institution;
  - (d) guardian;
  - (e) traditional leader; or
  - (f) religious leader.
- (2) A person in-charge of a health facility shall prepare and submit to the Minister, daily and weekly statistics of suspected and confirmed cases and deaths at his facility and catchment area.

### **7. Handling of dead bodies**

- (1) Where a person with COVID-19 symptoms, or who tested positive for COVID-19, dies at home, a person listed under rule 6(1) shall report the death to a community health worker or a member of a village health

committee in that area.

- (2) The community health worker or village health committee shall handle the dead body in accordance with the guidelines prescribed in the Second Schedule hereto and specifically—
  - (a) facilitate the burial of the body within the shortest time possible, and in any case, not later than twenty-four hours;
  - (b) ensure that not more than ten persons attend the burial; and
  - (c) ensure that the dead body is handled and buried by a designated burial team in the community which shall at the time of handling the body, wear personal protective equipment.
- (3) A community health worker or a village health committee shall ensure that—
  - (a) the household where the death occurred is disinfected;
  - (b) all persons in the household are tested;
  - (c) where a member of the household tests positive for COVID-19, that member is self-isolated at home or quarantined at the relevant quarantine facility;
  - (d) where any member tests negative, that member self-isolates for a period of at least ten days and upon completion of the period, goes for another test; and
  - (e) all persons that were in contact with the deceased in the last fourteen days go for a test and self-isolate as provided under subrule (3)(d).

## ***Division II - Measures by the Government to prevent, contain and manage the spread of COVID-19***

### **8. Compulsory testing, detention, etc**

- (1) An enforcement officer may, in relation to a person suspected of being infected with, or who may have recently been exposed to the risk of infection by COVID-19, order any one or a combination of the following—
  - (a) mandatory treatment or prophylaxis of the individual;
  - (b) sequestration or disinfection or both of the baggage and personal effects of the individual;
  - (c) disinfection or evacuation for a period not exceeding forty-eight hours of the home of the individual or any building or premises wherein he lodges, works, operates a business, ordinarily spends his time or congregates with others for any purpose; and
  - (d) on-site detention, isolation or quarantine of the individual or his removal to a place of isolation or quarantine, and his detention at such site, hospital or place of isolation, pending examination, treatment, prophylaxis or disinfection under paragraph (a) or (b), for a period not exceeding forty-eight hours after such order, or until certification of the individual as COVID-19 negative, whichever occurs later.
- (2) An enforcement officer may order any individual who has been confirmed, as having COVID-19, to be isolated for a period of not less than ten days within his home or in a place of isolation or quarantine and, during the period of isolation or quarantine to—
  - (a) submit to further medical examination; and
  - (b) undergo mandatory treatment or prophylaxis.
- (3) Orders made pursuant to subrules (1) or (2)—
  - (a) may be communicated to the patient verbally, and be confirmed in writing or electronically, as soon as practicable;

- (b) that provide for the detention, isolation or quarantine of any individual, shall make reasonable provision for the individual to—
    - (i) have access to, or be provided with, basic necessities to enable him to maintain an acceptable standard of nutrition and hygiene; and
    - (ii) be released temporarily from such detention, isolation or quarantine, on written permission of the officer in charge of a health facility in the area or the place of detention, isolation, admission or quarantine to access medical treatment not available in the quarantine or isolation centre or attend a funeral of a spouse, blood-child or parent: Provided that the person so released shall commit to comply with conditions stated in the permit and strictly observe all infection prevention and control practices prescribed under rule 3(1);
  - (c) shall be enforced by enforcement officers; and
  - (d) shall be recorded and authenticated by the enforcement officer who issues them, and such records shall be kept for a period of at least seven years.
- (4) A person who—
- (a) disobeys an order made pursuant to subrule (1) or (2);
  - (b) having been ordered to be detained, isolated or quarantined in any place;
  - (c) removes himself from such detention, isolation or quarantine without the approval of the enforcement officer who made the order; or
  - (d) contravenes any condition specified for his temporary release from such detention, isolation or quarantine, commits an offence and shall, on conviction, be liable to a fine of one hundred thousand Kwacha and imprisonment for three months.
- (5) A person who escapes or attempts to escape from any place of detention, isolation or quarantine may be arrested without a warrant.
- (6) An enforcement officer may announce names of people who escape from detention, isolation or quarantine centres through the local governance structures at community level, or the print or electronic media.

## 9. Places of quarantine and isolation

The Minister may designate any place as an isolation or quarantine facility for the temporary confinement and management of persons who are suspected of being infected with, or who may have recently been exposed to the Corona Virus, or who have been confirmed as having COVID-19.

## 10. Certification of enforcement officers

- (1) An administrative head of a local government authority may enforce designate any appropriate public officer in his area of jurisdiction as an as enforcement officer.
- (2) The administrative head of a local government authority shall furnish each person designated as an enforcement officer, with a certificate signed by, or on behalf of, the administrative head, indicating the designation.
- (3) An enforcement officer shall, on demand by any person affected by the exercise of the powers conferred upon the enforcement officer under these Rules, exhibit the certificate issued to him under subrule (2).

## 11. Regulation of public gatherings

- (1) Public gatherings are hereby prohibited, subject to the exceptions provided in this Rule.
- (2) An enforcement officer may order a public gathering to disperse and may use reasonable force to cause the

public gathering to disperse.

- (3) Subrule (1) shall not apply to—
- (a) a funeral;
  - (b) a meeting of the National Assembly; and
  - (c) a meeting convened to discuss COVID-19 interventions.
- (4) A funeral of a person who has died of any other cause, other than a COVID-19 related cause, shall be attended by not more than fifty people.
- (5) A meeting convened in accordance with subrule (3) shall comply with prevention measures prescribed under rule (3)(1).
- (6) A person who contravenes this Rule, commits an offence and shall, on conviction, be liable to a fine of one hundred thousand Kwacha and to imprisonment for three months.

## 12. Regulation of education institutions

All education institutions shall be closed until the Minister, in consultation with the Minister responsible for education, orders the re-opening of the institutions.

- (2) Where the Minister orders the re-opening of an education institution in accordance with subrule (1), that education institution shall ensure that the measures prescribed in the Third Schedule hereto are observed.

## 13. Regulation of workplaces

An employer and an employee shall, at the workplace, comply with the measures listed in the Fourth Schedule hereto.

## 14. Regulation of entry into Malawi

- (1) In furtherance of section 38, a person who-
- (a) is not a citizen of Malawi;
  - (b) does not hold a residence permit for Malawi;
  - (c) is not domiciled or ordinarily resident in Malawi;
  - (d) is not part of a team of medical personnel that is required to provide medical services in Malawi;
  - (e) is not a member of the diplomatic or consular staff of a country that is accredited to Malawi or in transit to another country; or
  - (f) is not a spouse, child or dependent of a person referred to in paragraphs (a) to (e),
- shall be refused entry into Malawi, except as otherwise provided for under subrule (2).
- (2) A person who-
- (a) is a member of an organization intending to support, supporting or implementing any COVID-19 related intervention;
  - (b) is a driver of a vehicle, cabin crew of an aircraft or vessel transporting essential goods;
  - (c) performs any service relating to the operation of the vehicle, aircraft or vessel referred to in paragraph (b);
  - (d) performs an essential service relating to the transport services referred to in paragraph (b); or
  - (e) complies with or meets such requirements as may be determined by the Minister responsible for



immigration in accordance with the Immigration Act,

in the course of duty, may be allowed to enter Malawi during the period when entry is prohibited or otherwise restricted and provisions of rule 15 shall apply.

- (3) All persons entering Malawi shall—
  - (a) produce certification from the country of origin of the trip that they are COVID-19 negative;
  - (b) comply with preventive measures under rule 3(1); and
  - (c) be tested for COVID-19 on arrival.
- (4) All persons who are diagnosed with COVID-19 shall be isolated.
- (5) A person who is not a citizen of Malawi or a returning resident shall pay for testing and isolation costs under subrule 3(c) and (4), respectively

### **15. Restrictions relating to transportation services**

- (1) The measures in the Fifth Schedule hereto shall apply to relating to public transport facilities, including air, road, rail and water transport, transportation services
- (2) Any transport operator who contravenes the measures under this Rule commits an offence and shall be liable to a fine of one hundred thousand Kwacha and imprisonment for three months.
- (3) In addition to the penalty provided in subrule (2), the transport operator may be ordered to discontinue operation of such transportation services and, where applicable, repatriate passengers who fail to comply with provisions of rule 14 or the Fifth Schedule hereto to their initial point of embarkation.

### **16. Restrictions on hospitality and recreation and other public events**

The measures in the Sixth Schedule hereto, shall apply to the following—

- (a) recreation and other entertainment facilities;
- (b) restaurants and food outlets;
- (c) sporting facilities; and
- (d) construction or other public works.

### **17. Restricted areas**

- (1) The Minister may, by notice published in Gazette, declare any geographical area as a restricted area.
- (2) The Minister shall, in the declaration—
  - (a) specify the commencement date and prescribe the duration of the declaration;
  - (b) specify the area to which the declaration applies;
  - (c) specify the persons to whom the declaration does not apply;
  - (d) seek the deployment of the officers of the Defence Force of Malawi and Malawi Police Services to enforce the declaration;
  - (e) allow the operation and provision of essential services;
  - (f) prescribe the manner in which any person in the area may access essential services and acquire basic necessities of life;
  - (g) provide for issuance of permits for people to leave or enter the area; and
  - (h) specify any other matters he considers relevant.

- (3) A person, except a person exempt under subrule (2)(c), shall-
- (a) be confined to his place of residence, except for any of the following reasons—
    - (i) performing an essential service;
    - (ii) obtaining essential goods or services;
    - (iii) seeking medical attention;
    - (iv) visit to a pharmacy, food supply store or market;
    - (v) physical exercises;
    - (vi) attending the funeral of a spouse, blood child or parent;
    - (vii) receiving essential medical treatment; or
    - (viii) assisting a close family member, or dependant who is ill or otherwise suffers from a distressing situation:  
  
Provided that in the case of physical exercises, the physical exercises shall be done-
      - (aa) within the restricted area and within a radius of not more than one kilometre from his residence; and
      - (bb) in the company of people who are members of his household; and
  - (b) not enter into or leave a restricted area without a permit.
- (4) A permit issued pursuant to subrule (3)(b) shall be valid for a period not exceeding twenty-four hours, unless the person is admitted to a health facility for purposes of receiving urgent life-saving treatment.
- (5) All shops, businesses, open or mobile markets and informal trading activities in the area, except those classified as selling essential goods and providing essential services, shall be closed.
- (6) All entertainment places, including bottle stores, shebeens, bars, pubs and nightclubs, including those within hospitality facilities, cinemas, casinos and video show rooms shall be closed.
- (7) All restaurants, fast food outlets, cafes and tea rooms shall be closed to the public, except to provide take away and delivery services.
- (8) The Minister may extend the duration of the declaration for periods not exceeding one month, at a time, and notice of such extensions shall be published in the Gazette.

## 18. Prohibition relating to travel and permit requirement

Where a person is required to travel to a restricted area or depart from a restricted area, that person shall obtain a permit from a designated enforcement officer nearest to that person or at the point of entry into, or exit from, a restricted area, authorizing travel.

## 19. Essential services

- (1) The services listed in the Seventh Schedule hereto shall be essential services.
- (2) A head of an institution involved in the provision of an essential service or a person delegated by the head of the institution shall determine—
  - (a) the essential service to be performed; and
  - (b) the members of staff who shall perform the essential service for the period of the restriction.
- (3) After making a determination in terms of subrule (2), the head of a public institution shall issue a permit to every person who is to perform an essential service.

- (4) The administrative head of a local government authority or any enforcement officer designated in that behalf, shall, on application by a head of a private sector institution, issue permits to persons working in the private sector who are required to perform an essential service.
- (5) The permit referred to in subrules (3) and (4) shall—
  - (a) specify the name and surname of the staff member;
  - (b) the identification number of the staff member;
  - (c) the essential service to be performed;
  - (d) the name, physical address and telephone contact details of the head of the institution involved in the provision of the essential service; and
  - (e) be signed by the issuing officer.
- (5) A person performing an essential service shall, on request, show the permit issued to him under subrule (3) to an enforcement officer or any person in relation to whom he may seek to perform a function.
- (6) A person performing an essential service may be screened for COVID-19, at any time.

### **Part III – Miscellaneous**

#### **20. Offences and penalties**

- (1) Any person who—
  - (a) not being an enforcement officer, by words, or conduct, falsely represents himself to be an enforcement officer;
  - (b) hinders, obstructs or improperly attempts to influence an enforcement officer when exercising or performing a power or function conferred or imposed by or under these Rules or another law;
  - (c) furnishes or gives false or misleading information to an enforcement officer or any other person; or
  - (d) does anything calculated to improperly influence an enforcement officer concerning a matter connected with the functions of the enforcement officer,commits an offence, and shall on conviction, be liable to a fine of one hundred thousand Kwacha and imprisonment for three months.
- (2) Where—
  - (a) a building, premises, vehicle or other place is opened, operated or used; or
  - (b) any activity, event, meeting or gathering is held, contrary to the provisions of these Rules, the owner, occupier or person in charge of the place, event, meeting or gathering, as the case may be, or any person who attends such event, meeting or gathering commits an offence and shall on conviction be liable to a fine of one hundred thousand Kwacha and to imprisonment for three months.
- (3) A who does not wear a face mask in a public area, commits an offence and shall, on conviction, be liable to a fine often thousand Kwacha.
- (4) Upon conviction of any person of an offence under these Rules, the court may, notwithstanding the provisions of any other written law and in addition to any other penalty imposed, order the revocation of a licence or permit belonging to the convicted person used in the commission of the offence.

#### **21. Immunity against liability**

Liability or suit shall not lie against an enforcement officer or medical practitioner for anything done in good faith under these Rules.

## 22. Revocation G.N. 5/2020

The Public Health (Corona Virus Prevention, Containment and Management) Rules, 2020 are hereby revoked.

### First Schedule (rule 3)

#### General preventive measures and guidelines on management of waste generated from COVID prevention and control in communities

##### Part I – General preventive measures

- (1) An operator of public service facility shall ensure the following at the public service facility—
  - (a) provision of handwashing facilities or hand sanitizer at no cost to persons accessing or using the facility;
  - (b) provision of adequate ventilation;
  - (c) increasing trading hours in order to prevent congestion and overcrowding;
  - (d) enforcement of inter-personal distance of at least one metre; and
  - (e) mandatory wearing of face masks.
- (2) For purposes of this Schedule "public service facility" means a publicly or privately owned facility which is accessible to the public for purposes of accessing goods or services available at that facility.

##### Part II – Guidelines on management of wastes generated from COVID prevention and control in communities

1. Waste management at household level
  - (a) medical waste generated at household shall be disposed separately from other household waste;
  - (b) an individual plastic waste bag shall be placed in a lining in a coverable container placed in a patient's room;
  - (c) paper tissues, face masks and other materials used by a patient shall, immediately after use, be put in the waste bag, in the patient's room;
  - (d) gloves and face masks used by the caretaker in taking care of the patient shall, immediately after use, be put in a second plastic waste bag;
  - (e) the waste bags shall be replaced frequently and be closed before being removed from the patient's room or household;
  - (f) the waste bags shall be collected together without being opened, and be incinerated;
  - (g) used liners from the containers, shall be collected, without opening, to be incinerated;
  - (h) after handling waste bags, strict hand hygiene shall be done as prescribed in Part I;
  - (i) eating utensils of a COVID-19 patient shall be separately cleaned, disinfected and kept separately from those used by other people;
  - (j) any condemned utensils used by a COVID-19 patient or those used by a person in isolation or quarantine shall be disinfected before disposal by incineration or burying;
  - (k) incinerate or bury, under supervision, items not required for reused by COVID-19 patient or caretaker; and
  - (l) waste water from cleaning and hand washing facilities shall be drained away from direct contact with persons or animals.

2. Waste management at institutional level

Owners of shops and shopping malls shall—

- (a) place coverable receptacles with liners for the disposal of gloves and face masks used by staff and customers;
- (b) monitor use of the waste containers or receptacles;
- (c) guide customers on the usage of the waste containers;
- (d) monitor the collection of the waste to either own or municipal incineration facilities;
- (e) disinfect waste containers daily; and
- (f) provide new container liners, as and when necessary.

3. Waste management at markets

Market supervisors shall ensure that they—

- (a) place coverable receptacles with liners for the disposal of gloves and face masks used by sellers and buyers;
- (b) monitor use of the waste containers or receptacles;
- (c) guide people on the usage of the waste containers or receptacles;
- (d) monitor the collection of the waste to either own or municipal incineration facilities;
- (e) disinfect waste containers or receptacles;
- (f) incinerate waste daily; and
- (g) provide new liners for receptacles as and when necessary.

4. Exchange of information and awareness raising

- (1) Environmental health officers shall continuously monitor waste management in local government areas and ensure that waste collectors follow waste management guidelines.
- (2) The Environmental Health Department of a local government authority shall continuously—
  - (a) conduct inspections to monitor compliance with established practices of waste disposal and management;
  - (b) make recommendations to improve waste management practices;
  - (c) disseminate messages to the general public on improving waste management practices; and
  - (d) conduct on-going monitoring and re-strategizing on improving waste management practices.

## **Second Schedule (rule 7)**

### **Management and safe burial of bodies of suspected COVID-19 patients**

1. Main principles

The following shall be observed in relation to handling of dead bodies of persons suspected or confirmed to have died of COVID-19—

- (a) the bodies shall be treated with sensitivity, dignity and respect like any other dead body;
- (b) people who work in funeral and burial services, including undertakers, bereaved family members and mourners shall be protected from infection;
- (c) principles of Standard Infection Control Precautions (SICPs) and Transmission-Based Precautions

(TBPs) shall be applied;

- (d) the dead body shall be transported in a body bag; and
- (e) viewing, hygienic preparations, post-mortem and embalming shall be undertaken by professionals trained in handling dead bodies.

2. Guidance for professionals who manage dead bodies

- (1) This paragraph applies to persons who manage dead bodies including mortuary staff, pathologists, funeral directors, bereaved family members, undertakers, mourners, community and religious leaders.
- (2) Handling of deceased persons potentially infected with Corona Virus shall follow the principles of Standard Infection Control Precautions.

3. Use of personal protective equipment

All medical personnel shall use personal protective equipment when handling COVID-19 patients and follow all procedures for correct use.

4. Managing a death outside of a healthcare setting

Where a patient dies of suspected COVID-19 outside of a healthcare setting, the following shall apply—

- (a) other persons, other than medical personnel, shall not be allowed to enter the room where the dead body is; and
- (b) medical personnel who handle the body shall wear personal protective equipment in line with standard infection control precautions, such as gloves, apron and fluid resistant surgical masks.

5. Guidance for members of the public who identify a death outside of a healthcare setting

Where a person comes into contact with a deceased person who has been confirmed as having COVID-19, or who had symptoms of the infection, that person shall—

- (a) not to come into direct contact with the dead body and other persons;
- (b) move to at least one metre away from the body or to another room;
- (c) inform a community leader, local community health worker or members of the burial team in the locality; and
- (d) if anyone needs to provide care for the deceased person, this should be kept to a minimum and correct Personal Protective Equipment used.

6. Guidance for residential care settings including care homes and hospices

Where a resident dies of, or is suspected of dying of, COVID-19 in a residential care setting, all residents shall—

- (a) maintain a distance of at least one metre from the dead body or move to another room;
- (b) avoid all non-essential contact with the dead body to minimise risk of exposure; and
- (c) follow the usual processes for dealing with a death in a particular setting, ensuring that infection prevention and control measures are implemented.

7. Practices that involve close contact with a dead body

- (1) Viewing, hygienic preparations, post-mortem and embalming shall be done by professionals experienced in handling bodies of deceased persons, and appropriate precautions shall be followed.
- (2) Cremation may be done where the deceased does not have a medical device that requires removal.
- (3) Persons other than professionals in handling of dead bodies, shall not take part in any ritual or tradition that bring them into close contact with the body of the deceased.

- (4) The rituals in paragraph (3) include washing, preparing or dressing the body.
8. Transportation of a dead body
  - (1) The following documents shall be submitted to the Director responsible for health and social services for the issuance of a transfer permit for a dead body suspected or confirmed to have died of COVID-19 —
    - (a) an official identification document which may be a National Identity Card or Passport;
    - (b) an official certificate of cause of death which may either be the original certificate by a health personnel or authenticated copy;
    - (c) an official certificate of embalming (original or authenticated) by the person or funeral parlour authorized to prepare the remains indicating the manner and method in which the body was prepared;
    - (d) a transfer permit issued by health authority at the place of death or burial in the case of exhumed remains which states surname, first name, date and cause of death and date of issue;
    - (e) transportation details of the dead body, including registration number of motor vehicle or flight number, departure location, time of departure and arrival;
    - (f) next of kin or funeral home that will be in charge of the dead body; and
    - (h) final place of internment of the dead body or means of disposal.
  - (2) A copy of death certificate, embalming certificate, and transit permit shall accompany the dead body during shipment.
  - (3) The outside of the coffin shall bear an immovable plaque or other appropriate marking, in a conspicuous place, indicating name, age and place of final destination of the dead body.
9. Shipment requirements for dead bodies certified to have died of COVID-19
  - (1) A dead body prepared for international shipment shall be embalmed (arterial and cavity) and placed in an impervious coffin.
  - (2) In the event that embalming cannot be done, the bottom of the coffin shall be covered with five centimetres of absorbent matter with addition of an antiseptic substance and wrapped in a shroud soaked in an antiseptic solution.
  - (3) The coffin shall be hermetically sealed.
10. Transportation by land, air or water
  - (1) Wreaths, flowers and other similar articles may be sent with a coffin only when it is permitted by the importing country and there is specific authorization to do so.
  - (2) In case of transportation by road, the impervious coffin shall be transported in a closed automobile and placed in such a way to prevent movement.
  - (3) In the case of transportation by air, the impervious coffin may be conveyed in the baggage compartment of the passenger aircraft or in a cargo aircraft.
  - (4) In the case of transportation by water, the impervious coffin shall be packed in an ordinary wooden case, or one made of other materials, or may be placed in specially designed fabric container.
11. Burial arrangements
  - (1) A person managing arrangements for burial of a dead body shall comply with all infection prevention and control measures and follow the usual processes for dealing with a death in a particular setting or area.
  - (2) Various community structures such as tracer teams and burial committees shall be established to perform vital roles in disease outbreaks like COVID-19 pandemic.
  - (3) The burial committee shall be responsible for the management of final disposal of the dead body in the

community.

- (4) Members of the burial committee shall be given necessary capacity to coordinate, conduct and manage safe burials in the village.
- (5) Burial shall be done within twenty-four hours and in the locality where death has occurred.
- (6) The burial should be managed by health authorities on a case-by-case basis, ensuring that the rights of the family, the risks of exposure to infection and the need of investigation the cause of death are well balanced.
- (7) The burial committee shall comprise the following ten members—
  - (a) health surveillance assistant in the area, to supervise the infection control precautions and protocols;
  - (b) police officer or a member of community policing structure or any officer as may be delegated by the head of the local government authority to ensure compliance with critical control measures;
  - (c) the village headman of the area to control number of people conducting vigil and also of cultural practices deemed of high risk to perform;
  - (d) leadership of local undertakers; and
  - (e) community members including influential leaders and religious leaders nominated by the community.

### **Third Schedule**

#### **Education institutions measures**

1. Closure and reopening of education facilities

The Minister shall, in consultation with the Minister responsible for education, notify education institutions on measures to be implemented for reopening of education institutions.

2. Measures applicable when education facilities are open

Administrators of education institutions shall adhere to the following measures when education institutions open during the period within which COVID-19 is still spreading—

- (a) ensure schools and education institutions are thoroughly disinfected before opening and ensure continuous daily cleaning;
- (b) ensure availability of handwashing facilities in accordance with the First Schedule hereto and every class shall have hand washing buckets with soap: Provided that where water and soap are not available, hand sanitizer shall be provided;
- (c) promote and demonstrate to students, regular handwashing with soap and other good hygiene behavior;
- (d) enforce social distancing of at least one metre between students in classrooms and around the institution premises generally;
- (e) ensure adequate air flow and ventilation by opening windows and use open air classrooms where feasible;
- (f) disseminate appropriate information through information, educational and communication materials encouraging good hand and respiratory hygiene practices in all strategic places at the education premises;
- (g) encourage and ensure staff, students and learners who have COVID-19 symptoms stay at home;
- (h) ensure staff, students and learners wear face masks at all times while at the education premises;



- (i) not allow visitors coming from outside Malawi to visit school premises, unless approved by the Secretaries responsible for health and education, or any designated officer;
  - (j) monitor absenteeism of students and collaborate with parents and guardians to keep checking students and make sure that if they observe symptoms of COVID-19 the matter is expeditiously reported to the nearest health facility;
  - (k) prevent any student who has COVID-19 symptoms from attending school;
  - (l) discourage contact sports and other similar activities;
  - (m) incorporate relevant health education on COVID-19 into other subjects;
  - (n) where necessary, implement double shifts in order to decongest large classes; and
  - (o) where classes cannot observe social distance requirements, implement virtual and distance learning.
- (3) Notwithstanding measures taken under paragraph (2), education facilities may be temporarily closed and education events cancelled on advice from appropriate authorities.
- (4) Education institutions shall cooperate with health personnel at all times.

## **Fourth Schedule**

### **Workplace guidelines**

The following measures shall apply to work places, in addition to the measures in the First Schedule—

1. General workplace preventive measures

Employers or employees returning from areas of significant risk and those who have had contact with infected persons shall be excused from work and should undergo self-quarantine and where necessary, be placed under institutional quarantine.

2. Obligations of employers

All employers shall—

- (a) ensure provision to all employees of up to date information on COVID-19 released by the Ministry;
- (b) provide adequate facilities to ensure that employees, customers and visitors entering or exiting the workplace wash hands with soap and water or with alcohol based sanitizers, at no cost;
- (c) ensure and promote a culture of regular wiping of work stations, doorknobs, telephones, keyboards, working objects and or frequently touched surfaces with disinfectants.
- (d) ensure that restrooms are regularly disinfected;
- (e) determine critical and non-critical staff and promote working from home for non-critical employees to minimize physical contact of persons at the workplace;
- (f) decongest workplaces by introducing shifts to avoid overcrowding;
- (g) ensure that at any one time, in a workroom the amount of cubic space allowed for each person so employed is not less than eleven cubic metres;
- (h) where it is necessary for employees to be physically present at the workplace, arrange work in a way that allow for physical distancing of at least one metre from other persons;
- (i) limit or shut down non-essential activities;
- (j) limit the number of visitors to the workplace and designate waiting space for authorized visitors;
- (k) post, in every workroom, a notice specifying the number of persons who may be employed in that room at any one time;

- (l) allow vulnerable employees including those with underlying medical conditions to work from home;
- (m) allow employees with COVID-19 symptoms to stay at home;
- (n) arrange for isolation of any person who has developed COVID-19 symptoms at a work site, while awaiting medical attention and arrange health surveillance of employees who have been in close contact with the suspected case;
- (o) report any suspected case of COVID-19 to relevant authorities;
- (p) ensure that delivery employees, truck drivers and transportation employees minimize direct contact with customers or other members of staff;
- (q) minimize face to face meetings, giving preference to phone calls, email or virtual meetings and make use of hotlines, online portals, and placing information on social platforms, among others, to minimize physical presence to the workplace;
- (r) place posters on prevention of the spread of COVID-19 at strategic locations throughout the workplace;
- (s) update staff on confirmed cases of COVID-19 at the workplace, if any, and any support being rendered by the employer;
- (t) cooperate with public health services and officials to ensure that appropriate cleaning and sanitization are carried out at the workplace;
- (u) ensure employees' contact numbers and emergency contact information are up to date and also maintain details of immediate family members of each employee;
- (v) assess risk of COVID-19 when work related travel is being planned, and as much as possible, prevent travel for work; and
- (w) provide appropriate personal protective equipment to high risk and strictly to front line workers like health care workers, at no cost.

3. Duties of employees

Employees shall—

- (a) take reasonable care for their personal safety and that of other persons who may be affected by their acts or omissions at work and outside work;
- (b) co-operate with an employer in observing measures put in place to prevent the spread of the Corona Virus, including proper use of personal protective equipment, sanitary facilities and frequent washing of hands with soap or sanitizer;
- (c) report to the employer, any employee whose action compromises preventive measures;
- (d) engage the employer through appropriate enterprise structures for any shortfalls on COVID-19 prevention measures;
- (e) report to the employer any employee, customer or visitor who displays COVID-19 symptoms;
- (f) avoid going to the workplace if there is imminent danger or high risk of exposure to, or spread of the Corona Virus; and
- (g) seek medical attention when experiencing symptoms that are associated with COVID-19.

4. Measures to be taken in the event of a suspected COVID-19 case at a workplace

In the event that there is a suspected COVID-19 case at a workplace—

- (a) an employer shall—
  - (i) quarantine a suspected case in a special room set aside for that purpose prior to alerting the nearest appropriate public health authority;

- (ii) ensure that employees take the necessary precautionary measures in accordance with the guidelines set by public health authorities to prevent transmission of the Corona Virus;
  - (iii) notify the employee's immediate family member of the development and action taken or being taken;
  - (iv) designate an officer—
    - (aa) to maintain contact with the public health authority handling the case in respect of the individual's diagnosis; and
    - (bb) who shall in carrying out his functions, maintain confidentiality and the employer shall make disclosures in a manner that discourages stigmatization and discrimination and promote reporting of suspected cases and possible exposure;
  - (v) arrange sanitization of the affected office facility, company vehicles and surrounding areas immediately following the discovery of the suspected case;
  - (vi) provide assistance or relief to the employee infected at a workplace or in the course of duty, and infected family members, in the short to medium term;
  - (vii) cooperate with public health authorities in identifying and providing name and home address of the individual, contact details of all fellow employees, or members of the public who may have been in direct face to face contact with the individual during the discharge of his responsibilities and contact details of immediate family members;
  - (viii) ensure the protection of the rights and privileges, safety, welfare and wellbeing of the affected employee, including maintaining wages;
  - (ix) grant sick leave and other appropriate benefits, upon confirmation of the infection;
  - (x) make provisions for the re-entry of an employee at a workplace once certified free of COVID-19 by appropriate health authorities;
  - (xi) continuously review, as appropriate, work place policies, procedures and strategies for COVID-19 response; and
  - (xii) shut down a workplace once a member is tested positive and arrange for sanitization of the workplace before re-opening; and
- (b) an employee shall cooperate with the employer in implementing the measures in paragraph (a).

## **Fifth Schedule**

### **Transport guidelines**

1. General measures
  - (1) Passengers with symptoms of COVID-19 shall not be allowed to use any public transport service.
  - (2) All crew and passengers shall put on face masks while inside a passenger vehicle, aircraft or vessel.
  - (3) Transport operators shall—
    - (a) ensure that hand washing facilities or hand sanitizers are available at all boarding and disembarking points at no cost to passengers;
    - (b) ensure social distancing of passengers while on board a passenger vehicle, aircraft or vessel;
    - (c) disinfect all public service vehicles, train couches, ships, and aircraft before commencement of every trip; and
    - (d) ensure that passengers do not carry animals on board.
  - (4) Transport operators shall continuously sensitize travelers on the need to adhere to these measures.

(5) Non-essential travel within, into or out of a restricted area is prohibited.

2. Mode specific guidelines

(1) Air Transport

(a) Air transport for commercial international or domestic flights shall be restricted for a prescribed period:

Provided that restriction shall not apply to—

- (i) returning residents;
- (ii) entry of essential services personnel, essential equipment and emergency relief items;
- (iii) general cargo; and
- (iv) where restrictions on air transport are eased, limited flights per week may be allowed into Malawi and the following conditions shall apply—
  - (aa) the carrying capacity of aircraft shall be reduced to sixty percent;
  - (bb) aircraft and equipment on board shall be disinfected prior to commencement of every trip;
  - (cc) all cabin crew, passengers, ground crew and other airport operators shall use personal protective equipment including face masks at all times on board and within the airport premises;
  - (dd) sanitary and hygiene facilities shall be provided on board;
  - (ee) animals shall not be allowed on board;
  - (ff) cabin crew and passengers shall limit movement while on board an aircraft and during flight;
  - (gg) air operators shall implement simplified catering procedures;
  - (hh) passengers and cabin crew shall be screened on departure from and arrival at airports;
  - (ii) airport workers shall be screened and shall wear face masks at all times while at the airport; and
  - (jj) where applicable, airport operators shall have isolation cabins for persons showing symptoms of COVID-19;
- (b) all passengers shall submit advance passenger information to allow point of entry authorities to scrutinize the manifest for possible high risk passengers;
- (c) all passengers shall have a health travel passport with a COVID-19 test results of not more than ten days;
- (d) where a passenger does not have a health travel passport or certificate showing test results from his initial place of embarkation, the airport commandant shall ensure such passenger is tested and the costs of the test shall be borne by the passenger, if he is not a citizen of Malawi;
- (e) a person shall not be allowed into airport premises for other purposes other than travel; and
- (f) the following shall be enforcement officers for purposes of implementation of airport measures—
  - (i) airport commandant;
  - (ii) health officers;
  - (iii) airport police;
  - (iv) immigration officers;

- (v) agriculture inspectors; and
  - (vi) national parks and wildlife officers.
- (2) Water Transport
- (a) Water transport shall generally be restricted;
  - (b) where restrictions on water transport have been eased, transport operators shall ensure that—
    - (i) carrying capacity of vessels is reduced to sixty percent;
    - (ii) large vessels make provision for a cabin to be used for isolation of people showing symptoms of COVID-19;
    - (iii) movement of passengers on board is restricted;
    - (iv) disinfection of vessels and equipment on board is done prior to commencement of every trip;
    - (v) the operator and crew use personal protective equipment;
    - (vi) sanitary and hygiene facilities are provided on board;
    - (vii) animals are not permitted on board;
    - (viii) all passengers boarding from a foreign port have health passport with COVID-19 test results;
    - (ix) all passengers are tested on disembarkation and the cost of the test shall be borne by the passenger, if he is not a Malawian citizen or a returning resident; and
    - (x) all crew and passengers wear face masks at all times; and
  - (c) social visits to ports and vessels are prohibited.
- (3) Rail Transport
- (a) The seating capacity of trains shall be reduced as follows—
    - (i) the economy class from eighty-eight to fifty one persons; and
    - (ii) business class, from fifty-six to twenty-eight persons;
  - (b) in addition to the reduction in capacity, the rail transport operator shall ensure—
    - (i) disinfection of coaches and equipment on board prior to commencement of every trip;
    - (ii) use of personal protective equipment by the operator, ground and on board crew of all coaches;
    - (iii) provision of sanitary and hygiene facilities on board;
    - (iv) prohibition of animals on board;
    - (v) restriction of passenger movements while on board;
    - (vi) mandatory provision of isolation cabins for persons showing symptoms of COVID-19;
    - (vii) that there are no standing passengers are on board;
    - (viii) suspension of casual visits by the public to rail stations and coaches;
    - (ix) all crew and passengers wear face masks at all times; and
    - (x) tests are conducted on all passengers coming into Malawi if they do not have certificates showing test results from initial place of embarkation and the cost of any such test shall be borne by the passenger, if he is not a Malawian citizen or a returning resident; and
  - (c) the following shall be enforcement officers for purposes of implementing rail transport measures—

- (i) Railway Services Department and Station officers;
  - (ii) CEAR (deployed) social monitors; and
  - (iii) Government inspectors.
- (4) Road Transport Services
- (a) Passenger service providers shall ensure the following—
    - (i) public service vehicles reduce their seating capacity to sixty per cent;
    - (ii) no standing passengers are allowed on any public service vehicle;
    - (iii) all public service vehicles have slide opening windows which shall remain open at all times that the vehicle is mobile;
    - (iv) cross-border freight transport is restricted to essential goods only;
    - (v) all goods vehicles shall not carry passengers;
    - (vi) all tricycles shall carry one passenger only at a time;
    - (vii) all cross-border passengers shall not be allowed into Malawi, unless such passengers are returning residents or essential service providers who have certification from countries where their trips originated with negative COVID-19 test results; and
    - (viii) all passengers referred to in paragraph (vii) shall be tested upon arrival in Malawi and the costs of such test shall be borne by the passenger, if he is not a Malawian citizen or a returning resident; and
  - (b) all passengers in private vehicles shall sit next to windows with no passenger sitting in the middle; and
  - (c) traffic law enforcement officers shall not be allowed to touch the driver or vehicle documents and any other document required by law, except where it is very necessary to do so.

## **Sixth Schedule**

### **Hospitality and recreation facilities**

1. Restriction on bars

Bar owners or operators shall observe the following-

  - (a) owners of bars may open their business premises every day from 2:00 pm to 08:00 pm, only for take away purchases;
  - (b) during the time the premises referred to in paragraph (a) are open, alcohol shall not be consumed on the premises; and
  - (c) a premise that both sells alcohol and operates as an accommodation establishment shall serve residents only and only operate room service.
2. Restriction on restaurants and other food outlets

Restaurant or food outlet owners or operators shall—

  - (a) ensure that social distance requirements are observed when customers dine on the restaurant or food outlet premises;
  - (b) where social distancing is not possible, the operator shall provide take away and delivery services only; and
  - (c) operate the restaurant or food outlet between 06:00 a.m. and 09:00 pm only.

## **Seventh Schedule**

### **Essential services**

#### **Part I**

The following are essential services for purposes of these Rules—

1. All health and medical related services, including community health services.
2. Emergency management services, including firefighting services, search and rescue services, etc.
3. Disaster management services.
4. Water services, including potable water services and waste water management services.
5. Electricity services.
6. Communication services, including broadcasting, telecommunication, postal and ICT services.
7. Banking services, including central banking services.
8. Financial services, including insurance and pension services.
9. Petroleum services and other petroleum products services.
10. Transport and related services.
11. Meteorological services.
12. Tax and customs services.
13. Security services, including private security.
14. Immigration services.
15. Law enforcement.
16. Legal services.
17. Administration of justice.
18. Public procurement services.
19. Essential goods services, including food suppliers, medical and pharmaceutical supplies.
20. Agricultural produce and products supplies, farming supplies, general dealers.
21. Restaurant and takeaway services.
22. Maintenance and hardware services.
23. Veterinary services.
24. National defence.
25. Funeral services.
26. Manufacturing.

#### **Part II – Supply and trading of essential services**

1. Traders shall implement the measures in the First Schedule hereto when operating trading places.
2. All trade shall take place at registered business premises and authorized open places.
3. All trading places shall have designated entrance and exit points for screening of customers;

4. Traders shall clearly mark out areas in trading places to ensure social distancing requirements are adhered to.
5. All traders shall ensure that essential commodities are not overpriced and comply with the Competition and Fair Trading Act, (Cap. 48:09) of the Laws of Malawi and orders and directions made by relevant authorities.

K. K. Chiponda

Minister of Health