

GOVERNMENT NOTICE NO. 40

PUBLIC HEALTH ACT

(Cap. 34:01)

PUBLIC HEALTH (CORONA VIRUS AND COVID-19) (PREVENTION,
CONTAINMENT AND MANAGEMENT) (AMENDMENT) (NO.3) RULES, 2021

IN EXERCISE of the powers conferred by section 31 as read with section 29 of the Public Health Act, I, KHUMBIZE KANDODO CHIPONDA, Minister of Health, make the following Rules—

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| 1. These Rules may be cited as the Public Health (Corona Virus and COVID-19) (Prevention, Containment and Management) (Amendment) (No.3) Rules, 2021. | Citation |
| 2. The Corona Virus and COVID-19 (Prevention, Containment and Management) Rules, hereinafter referred to as “the principal Rules” are amended, in rule 2, by deleting the definition of “gathering”. | Amendment of rule 2 of GN.48 of 2020 |
| 3. The principal Rules are amended by inserting, immediately after rule 3, new rules 3A, 3B and 3C, as follows— | Insertion of rules 3A, 3B and 3C into the principal Rules |
| “Alert levels | <p>3A.—(1) There is hereby established a COVID-19 alert system, as prescribed under rule 3B.</p> <p>(2) The alert levels shall be distinguishable from Alert Level 1 up to Alert Level 5.</p> <p>(3) The alert levels shall be determined by epidemiological and health system capacity indicators which include—</p> <p style="margin-left: 20px;">(a) prevalence of cases;</p> <p style="margin-left: 20px;">(b) positivity rate;</p> <p style="margin-left: 20px;">(c) hospital admission rate, including bed occupancy;</p> <p style="margin-left: 20px;">(d) number of deaths;</p> <p style="margin-left: 20px;">(e) oxygen availability; and</p> <p style="margin-left: 20px;">(f) any other indicator as may be deemed necessary.</p> <p>(4) The score from the assessment of indicators under subrule (3) shall determine the trigger of an alert level.</p> |
| Prescription of alert levels | <p>3B.—(1) Alert Level 1 shall signify low COVID-19 infection rate with a high health system response readiness.</p> <p>(2) Alert Level 2 shall signify an increase in the number of infections from Level 1 with high health system response readiness.</p> <p>(3) Alert Level 3 shall signify an increase in the number of infections from Level 2 with a moderate COVID-19 spread and a moderate health system response readiness.</p> |

(4) Alert Level 4 shall signify an increase in number of cases from Level 3 with moderate to high COVID-19 transmission rate and low to moderate health system response readiness.

(5) Alert Level 5 signify a surge in number of cases from Level 4 with high transmission rate and low health system response readiness.

Declaration of applicable alert level

3C.— (1) The Minister may, by Order published in the *Gazette*, declare the applicable alert level of COVID-19 in the country or any part thereof.

(2) A declaration of an alert level made under subrule (1) shall automatically bring into force response measures prescribed for that alert level under these Rules.

(3) An Order made under subrule (1) may prescribe additional response measures as the Minister may determine appropriate.”.

Replacement of r.11 of the principal Rules

3. Rule 11 of the principal Rules is repealed and replaced as follows—

“Regulation of gatherings

11.—(1) A person who convenes, hosts or attends a gathering shall comply with the Covid-19 preventive measures prescribed under rule 3 and Second Schedule A hereto.

(2) A person who convenes or organizes a gathering shall establish a compliance committee which shall monitor and enforce compliance with preventive measures prescribed under these Rules.

(3) An enforcement officer may order a gathering to disperse and may use reasonable force to cause the gathering to disperse.

(4) 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.”.

Insertion of Sixth Schedule A into the principal Rules

4. The principal Rules are amended by inserting a new Second Schedule A, immediately after the Second Schedule, as follows—

“SECOND SCHEDULE A (r.11(1))
MEASURES FOR GATHERINGS

In addition to the measures prescribed in the First Schedule, Third Schedule, Fourth Schedule and Fifth Schedule, the measures hereunder shall apply to a gathering according to the applicable alert level—

Alert level	Prescribed preventive measures
Level 1	<p>(a) a gathering shall observe the general preventive measures in rule 3;</p> <p>(b) a religious, cultural, entertainment, recreational, exhibitional, organisational, or similar activity shall not last more than one hour;</p> <p>(c) where a microphone is used, the microphone shall be sanitized after use by each person before being passed on to another person;</p> <p>(d) where there is need to distribute documentation or any other material, each participant shall serve himself;</p> <p>(e) overnight meetings shall not be held;</p> <p>(f) sports gathering shall comprise players, officiating personnel, officials of participating teams and not more than spectators;</p> <p>(g) players, officiating personnel and officials of participating teams shall be tested for COVID-19 at least 72 hours before the commencement of the sporting activity and only those who test negative shall be allowed to participate in the sporting activity;</p> <p>(h) overnight funeral vigils shall not be held, except for members of the immediate family of the deceased;</p> <p>(i) members of the village health committee, where available, or any other compliance committee, as the case may be, shall ensure that all people gathered at the venue comply with these regulations; and</p> <p>(j) each market shall establish a compliance committee to guide people on the preventive measures.</p>
Level 2	<p>The measures hereunder shall apply in addition to the measures prescribed under Level 1—</p> <p>(a) a gathering shall not exceed 100 people indoors and 250 people outdoors, subject to the social distancing requirements under rule 3;</p> <p>(b) for sporting activities, the figures prescribed under paragraph (a) shall include players, officiating personnel, officials of participating teams and spectators; and</p> <p>(c) mobile markets shall be held once a week.</p>
Level 3	<p>The measures hereunder shall apply, in addition to the measures prescribed under Levels 1 and 2—</p> <p>(a) a gathering shall not exceed 50 people indoor and 100 people outdoors, subject to the social distancing requirement under rule 3;</p> <p>(b) for sporting activities, no spectators shall be allowed at venue of the games;</p> <p>(c) funeral ceremonies shall be conducted outdoors and shall be attended by not more than 100 people; and</p> <p>(d) mobile markets shall operate once a fortnight.</p>

<p>Level 4</p>	<p>The measures hereunder shall apply in addition to the measures prescribed under Levels 1, 2 and 3—</p> <p>(a) a gathering shall not exceed 50 people and shall be conducted outdoor only under the charge of enforcement officers;</p> <p>(b) sporting activities shall be conducted outdoors only under the charge of enforcement officers with a total combined participation figure of not more than 50 people;</p> <p>(c) funeral ceremonies shall be conducted outdoors and shall be attended by not more than 50 people;</p> <p>(d) mobile markets shall be suspended.</p>
<p>Level 5</p>	<p>The measures hereunder shall apply in addition to the measures prescribed under Levels 1, 2, 3 and 4—</p> <p>(a) gatherings of any size shall be prohibited;</p> <p>(b) dead bodies shall be buried as soon as practically possible but not more than 24 hours from time of death; and</p> <p>(c) funeral ceremonies shall be conducted outdoors, the coffin shall be handled by not more than 10 people and the ceremony shall be attended by not more than 30 people.</p>

Amendment of the Third Schedule to the principal Rules

6. The Third Schedule to the principal Rules is revoked and replaced with the following new Third Schedule—

“THIRD SCHEDULE

(r.12(2))

EDUCATION INSTITUTION MEASURES

The following measures shall apply to education institutions, in addition to the measures prescribed under rule 3 and Second Schedule A—

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 closure and reopening of education institutions.

2. *Measures applicable when education institutions are open*

(1) Administrators of education institutions shall adhere to the following measures when education institutions are open—

- (a) ensure education institutions are thoroughly disinfected before opening and ensure continuous daily cleaning;
- (b) ensure availability of handwashing facilities in accordance with rule 3 and every class shall have hand washing buckets with soap:
 Provided that where water and soap are not available, hand sanitizers shall be provided;
- (c) promote and demonstrate to students, regular handwashing with soap and other good hygiene behaviour;
- (d) enforce social distancing of at least one metre between students in classrooms and the school environment;

- (e) ensure adequate air flow and ventilation in classrooms by opening doors and windows and, where feasible, use open air classrooms;
 - (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) ensure staff and students who have COVID-19 symptoms self-isolate;
 - (h) ensure staff and students 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 ensure that if they observe symptoms of COVID-19 the matter is expeditiously reported to the nearest health facility;
 - (k) discourage contact sports and other similar activities;
 - (l) incorporate relevant health education on COVID-19 into other subjects;
 - (m) where necessary, implement shifts in order to decongest large classes;
 - (n) where classes cannot observe social distance requirements, implement virtual and distance learning and
 - (o) contact tracing and quarantine of contacts of confirmed case at an education institution.
- (2) Notwithstanding measures under paragraph (1), an education institution may be temporarily closed and education events cancelled on advice from appropriate health authorities.
 - (3) In the event that an area has been declared to be a restricted area, all learning institutions in the area shall be closed.
 - (4) Boarding institution learners at institutions closed under paragraph (3) remain on campus until the applicable restricted areas measures are lifted.
 - (5) Health personnel shall conduct routine screening of learners at institutions in paragraph (4).
 - (6) Education institutions shall cooperate with health personnel at all times.
 - (7) The additional measures hereunder shall apply to education institutions during the following Alert Levels—

Alert level	Prescribed preventive measures
Level 1	<ul style="list-style-type: none"> (a) Institutions shall operate normally; (b) the following preventive measures shall be put in place— <ul style="list-style-type: none"> (i) decongestion of classrooms and hostels; and (ii) implementation of shifts for library, cafeteria and other indoor public places; (c) institution shall establish a health committee to monitor compliance with preventive measures by staff and students; (d) institution to establish routine screening and monitoring system for staff and students; and (e) contact tracing and quarantine of contacts of confirmed cases.

Level 2	<p>In addition to the measures prescribed under Level 1, the measures hereunder shall apply in Level 2—</p> <p><i>Day Institutions</i></p> <ul style="list-style-type: none"> (a) An education institution shall be disinfected within 24 hours of confirmation of a case; (b) staff and learners showing signs of COVID-19 shall immediately be referred to a health facility to be tested; and (c) staff and students who test positive shall undergo self-quarantine until they test negative. <p><i>Boarding Institutions</i></p> <ul style="list-style-type: none"> (a) a boarding learning institution shall have an isolation room for students who test positive; (b) staff and learners who show signs of COVID-19 shall be tested; (c) a learner who tests positive shall be moved to the isolation centre until he tests negative; (d) a teacher who tests positive shall under-go self-quarantine for 14 days and resume duty until he tests negative; (e) an institution shall be disinfected within 24 hours of confirmation of a case; and (f) there shall be no visitation days allowed.
Level 3	<p>In addition to the measures prescribed in Levels 1 and 2, the measures hereunder shall apply in Level 3—</p> <p><i>Day Institutions</i></p> <ul style="list-style-type: none"> (a) Education institutions with a cluster of cases shall be closed for 14 days and disinfected; and (b) screening for staff and learners upon reopening of the learning institutions. <p><i>Boarding Institutions</i></p> <p>Boarding institutions shall ensure that all the students stay on campus but shall not attend classes until cleared to resume classes</p>
Level 4	<p>In addition to the measures prescribed in Levels 1, 2 and 3, the measures hereunder shall apply in Level 4—</p> <ul style="list-style-type: none"> (a) closure of all education institutions; and (b) disinfection of all learning institutions before re-opening.
Level 5	<p>In addition to the measures prescribed in Levels 1, 2, 3 and 4, the measures hereunder shall apply in Level 5—</p> <p>all education institutions to remain closed until the situation in the country favours school reopening.”.</p>

7. The Fourth Schedule to the principal Rules is revoked and replaced with the following new Fourth Schedule—

Amendment
of the Fourth
Schedule to
the principal
Rules

“FOURTH SCHEDULE (r.13)
MEASURES AT WORKPLACES

The following measures shall apply to work places, in addition to the measures in rule 3 and Second Schedule A—

1. *General workplace preventive measures*

An employer or employee returning from an area of significant risk and those who have had contact with infected persons shall not go to the workplace for work for fourteen days pending a COVID-19 negative test.

2. *Obligations of employers*

An employer shall—

- (a) provide to employees up to date information on COVID-19 released by the Ministry;
- (b) provide at no cost, adequate facilities to ensure that employees, customers and visitors entering or exiting the workplace sanitize their hands;
- (c) promote a practice of regular wiping of work stations and frequently touched surfaces with disinfectants;
- (d) determine critical and non-critical staff and promote working from home for non-critical employees to minimize physical contact of persons at the workplace;
- (e) decongest workplaces by introducing shifts to avoid overcrowding;
- (f) 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;
- (g) 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;
- (h) limit or shut down non-essential activities;
- (i) limit the number of visitors to the workplace and designate waiting space for visitors;
- (j) post, in every workroom, a notice specifying the number of persons who may be employed in that room at any one time;
- (k) allow vulnerable employees including those with underlying medical conditions to work from home;
- (l) allow employees with COVID -19 symptoms to stay at home;
- (m) 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;
- (n) report any suspected case of COVID-19 to relevant authorities;
- (o) ensure that delivery employees, truck drivers and transportation employees minimize direct contact with customers or other members of staff;

- (p) 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;
- (q) place posters on prevention of the spread of COVID-19 at strategic locations throughout the workplace;
- (r) update staff on confirmed cases of COVID-19 at the workplace, if any, and any support being rendered by the employer;
- (s) cooperate with public health services and officials to ensure that appropriate cleaning and sanitization are carried out at the workplace;
- (t) ensure employees' contact numbers and emergency contact information are up to date and also maintain details of immediate family members of each employee;
- (u) assess risk of COVID-19 when work related travel is being planned, and as much as possible, prevent travel for work; and
- (v) 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*

An employee shall—

- (a) co-operate with an employer in observing measures put in place to prevent the spread of the Corona virus;
- (b) report to the employer, any employee whose action compromises preventive measures;
- (c) engage the employer through appropriate enterprise structures for any shortfalls on COVID-19 prevention measures;
- (d) report to the employer, any employee, customer or visitor who displays COVID-19 symptoms; and
- (e) 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 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 about the case and action 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 make disclosures in a manner that discourages stigmatization and

discrimination while promoting 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).

The measures hereunder shall apply to all workplaces during the following Levels—

Alert level	Prescribed preventive measures
Level 1	<p>(a) offices shall be cleaned daily;</p> <p>(b) surfaces shall be disinfected with emphasis on high-touch surfaces including door handles, switches;</p> <p>(c) a compliance committee responsible for monitoring adherence to COVID-19 preventive shall be established at every work place to ensure the preventive measures are in place;</p> <p>(d) only persons who wear masks shall be granted access to the workplace; and</p> <p>(e) where employees interact with members of the public, the employer shall install plastic or glass screen in spaces serving the public.</p>
Level 2	<p>In addition to the measures prescribed in Level 1, the measures hereunder shall apply in Level 2—</p> <p>(a) all offices shall operate with the following measures—</p> <p>(i) weekly disinfection of surfaces with emphasis on high-touch surfaces; and</p>

	<p>(ii) staff shall work in shifts at 50% capacity of an office;</p> <p>(b) all contacts of the confirmed case are traced, tested and self-quarantined for 14 days;</p> <p>(c) the office may be reopened 24 hours after disinfection is completed; and</p> <p>(d) in offices interacting with the public, where possible, appointments or bookings should be encouraged, and each office shall have a contact tracing system in place.</p>
Level 3	<p>In addition to the measures prescribed in Levels 1 and 2, the measures hereunder shall apply in Level 3—</p> <p>(a) frequency of disinfection of surfaces with emphasis on high-touch surfaces including door handles, switches is increased to at least three times a week;</p> <p>(b) physical indoor meetings shall not be held and only virtual meetings and outdoor meetings shall be held;</p> <p>(c) offices with cafeterias shall only provide take-away services; and</p> <p>(d) offices interacting with the public shall adjust working hours to decongest the working place.</p>
Level 4	<p>In addition to the measures prescribed in Levels 1, 2 and 3, the measures hereunder shall apply in Level 4—</p> <p>(a) only offices providing essential services shall be operational;</p> <p>(b) staff shall work in shifts to take 30% of staff at a time, subject to inter-personal distancing requirements prescribed under rule 3 and the First Schedule;</p> <p>(c) identity cards of essential workers to be used; and</p> <p>(d) security measures should be intensified at the entrance of offices.</p>
Level 5	<p>In addition to the measures prescribed in Levels 1, 2, 3 and 4, the measures hereunder shall apply in Level 5—</p> <p>(a) only institutions providing essential services shall be operational; and</p> <p>(b) security measures must be positioned at the entrance of very essential services provider.”.</p>

Amendment of the Fifth Schedule to the principal Rules

6. The Fifth Schedule to the principal Rules is revoked and replaced with the following new Fifth Schedule—

“FIFTH SCHEDULE

(r.15)

MEASURES IN THE TRANSPORTATION SERVICES

The following measures shall apply to transportation services, in addition to the measures in rule 3—

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 no cost to passengers at all boarding and disembarking points;
 - (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 PCR test results obtained from an accredited or designated laboratory in the country of origin of his trip and obtained within 72 hours prior to his arrival in Malawi;
- (d) a person shall not be allowed into airport premises for other purposes other than travel; and
- (e) 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) Transport operators shall ensure that—
- (i) carrying capacity of vessels shall be reduced as prescribed in these Rules;
 - (ii) large vessels shall make provision for a cabin to be used for isolation of people showing symptoms of COVID-19;
 - (iii) movement of passengers on board shall be restricted;
 - (iv) disinfection of vessels and equipment on board shall be done prior to commencement of every trip;
 - (v) operator and crew shall use personal protective equipment;
 - (vi) sanitary and hygiene facilities shall be provided on board;
 - (vii) animals shall not be permitted on board;
 - (viii) all passengers boarding from a foreign port have health passport with COVID-19 PCR test results obtained from an accredited or designated laboratory in the country of origin of his trip and obtained within 72 hours prior to arrival in Malawi;
 - (ix) all passengers shall be 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 shall wear face masks at all times; and
- (xi) a person shall not be allowed to visit a port for purposes other than travel.

(3) Rail Transport

- (a) seating capacity of trains shall be reduced as prescribed under these Rules;
- (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) animals are not permitted on board;
 - (v) restriction of passenger movements while on board;
 - (vi) mandatory provision of isolation cabins for persons showing symptoms of COVID-19;
 - (vii) there are no standing passengers 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) all passengers shall have a health travel passport with a COVID-19 PCR test results obtained from an accredited or designated laboratory in the country of origin of his trip and obtained within 72 hours prior to his arrival in Malawi; and
- (c) the following shall be enforcement officers for purposes of implementing rail transport measures—
 - (a) Railway Services Department and Station officers;
 - (b) NACALA Logistics (deployed) social monitors; and
 - (c) Government inspectors.

(4) Road Transport Services

- (a) Passenger service providers shall ensure the following—
 - (i) public service vehicles to reduce their seating capacity in accordance with these Rules;
 - (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 while there are passengers in the vehicle;
 - (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 and have

a health travel passport with a COVID-19 PCR test results of not more than 72 hours prior to his arrival in Malawi, except for a truck driver and his assistant, whose Covid-19 PCR test negative certificates shall remain valid for a period of 14 days from the date the test was done, as per the COMESA-EAC-SADC Tripartite Agreement;

- (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;
- (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 or any other document required by law, except where it is very necessary to do so.

The measures hereunder shall apply to transportation services during the following Levels—

Alert level	Prescribed preventive measures
Level 1	<p><i>Travel and transportation within Malawi</i></p> <ul style="list-style-type: none"> (a) face masks shall be worn at all times on board public transport; and (b) vehicles shall be disinfected regularly by the operator(s). <p><i>International travel and transportation from Malawi</i></p> <ul style="list-style-type: none"> (a) only travel for essential purposes only, as defined by Government, to high risk destinations shall be allowed; and (b) all travelers shall produce a valid negative PCR test result certificate of as prescribed by Government. <p><i>International travel and transportation into Malawi</i></p> <ul style="list-style-type: none"> (a) a person shall be allowed to entry, except where travelling from, high risk placed countries or territories as designated by Government; and (b) a person arriving from high-risk countries or territories for essential purposes shall be subjected to 14 days’ institutional quarantine, at designated places set by Government, at the travelers’ cost.
Level 2	<p>In addition to the measures prescribed in Level 1, the measures hereunder shall apply in Level 2—</p> <p><i>Travel and transportation within Malawi</i></p> <ul style="list-style-type: none"> (a) People will be encouraged to travel only when necessary; (b) travel to, and from, affected areas shall be restricted, unless necessary, for essential services; (c) Conveyances shall not exceed 60% of available seating capacity; and (d) Compliance committees to be established to ensure that preventative measures are adhered to by all operators.

	<p><i>International travel and transportation from Malawi</i></p> <ul style="list-style-type: none"> (a) travel to countries or territories, categorized as high-risk destinations by Government, is not allowed; (b) only travel for essential purposes, as defined by Government, to high risk placed destinations shall be allowed; and (c) all travelers shall produce a valid negative PCR test certificate which was taken obtained from an accredited or designated laboratory in the country of origin of his trip and obtained within 72 hours prior to his arrival in Malawi. <p><i>International travel and transportation to Malawi</i></p> <p>No restriction on entry into Malawi, except for persons travelling from high risk placed countries or territories.</p>
Level 3	<p>In addition to the measures prescribed in Levels 1 and 2, the measures hereunder shall apply in Level 3—</p> <p><i>Travel and transportation within Malawi</i></p> <ul style="list-style-type: none"> (a) travelers shall be advised not to travel outside their respective geographic locations, unless necessary and for provision of essential services; (b) curfew imposed from 08:00pm to 06:00am; (c) inter-district travel ban, to and from, highly affected districts may be instituted; and (d) Conveyances or public transport shall not exceed 50% of available seats capacity. <p><i>International travel and transportation from Malawi</i></p> <p>Only travel for essential purposes, as defined by Government, to high risk placed destinations shall be allowed.</p> <p><i>International travel and transportation to Malawi</i></p> <ul style="list-style-type: none"> (a) a person travelling from high risk placed countries or territories shall not be allowed entry; and (b) a returning resident, and a person travelling for essential purposes shall be subjected to 14 days' institutional quarantine, at designated places set by Government, at the person's own cost.
Level 4	<p>In addition to the measures prescribed in Levels 1, 2 and 3, the measures hereunder shall apply in Level 4—</p> <p><i>Travel and transportation within Malawi</i></p> <p>Public transport/conveyances shall not exceed 40% of available seats capacity.</p>

	<p><i>International travel and transportation from Malawi</i></p> <p>No person shall travel out of Malawi except in the following circumstances—</p> <ul style="list-style-type: none"> (a) providing essential services; (b) is a member of diplomatic or consular staff of a country that is accredited to Malawi or in transit to another country; (c) part of a team of medical personnel that is to provide medical services outside Malawi; (d) part of a team of military personnel that is to provide peace keeping services outside Malawi; (e) part of a team of protocol personnel that is to facilitate State visit outside Malawi, or (f) travelling for medical purposes. <p><i>International travel and transport to Malawi</i></p> <p>No person shall be allowed to enter Malawi, except in the following circumstances—</p> <ul style="list-style-type: none"> (a) providing essential services; (b) is a member of diplomatic or consular staff of a country that is accredited to Malawi or in transit to another country; (c) is part of a team of medical personnel that is to provide medical services in Malawi; or (d) travelling for medical purposes; or
<p>Level 5</p>	<p>In addition to the measures prescribed in Levels 1, 2, 3 and 4, the measures hereunder shall apply in Level 5—</p> <p><i>Travel and transportation within Malawi</i></p> <ul style="list-style-type: none"> (a) restriction on travel and transportation, except, transportation and delivery of essential services; (b) travel restrictions under rule 18 shall apply; (c) curfew to be imposed from 08.00pm to 06.00pm; and (d) no public transport shall be allowed. <p><i>International travel and transport to Malawi</i></p> <p>only travelers delivering essential services shall be allowed.</p>

Amendment of the Sixth Schedule to the principal Rules

7. The Sixth Schedule to the principal Rules is revoked and replaced with the following new Sixth Schedule—

“SIXTH SCHEDULE

(r.16)

MEASURES IN THE HOSPITALITY AND RECREATION FACILITIES

The following measures shall apply to hospitality and recreation facilities, in addition to the measures in rule 3—

1. *Restriction on bars*

Bar owners or operators shall observe the following—

- (a) owners of Bars may open their business premises every day from 02:00 pm to 08:00 pm, only for take away purchases and alcohol shall not be consumed at the premises; and
- (b) a premise that sells alcohol and also 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 outlets;
- (b) where social distancing is not possible, the operator shall provide take away and delivery services only;
- (c) operate the restaurant or food outlet between 06:00 a.m. and 09:00 pm only.
- (d) if a COVID-19 case is confirmed at a business premise, the premise shall be immediately closed for cleaning and disinfection;
- (e) all known and traceable contacts of the confirmed case shall be traced, tested; and
- (f) the business premise may be reopened 24 hours after disinfection.

The measures hereunder shall apply to hospitality and recreation facilities during the following Levels—

Alert level	Prescribed preventive measures
Level 1	<p>(a) all businesses shall operate normally and follow COVID-19 preventive measures, including—</p> <ul style="list-style-type: none"> (i) daily cleaning of floors and surfaces; and (ii) disinfection of surfaces with emphasis on high-touch surfaces at least twice a month. <p>(b) a compliance committee shall be established at each business premise to ensure the prescribed preventive measures are in place; and</p> <p>(c) ≥ 1meter physical distancing markings in queue areas in shops, restaurants and bars.</p>
Level 2	<p>In addition to the measures prescribed in Level 1, the measures hereunder shall apply in Level 2—</p> <ul style="list-style-type: none"> (a) disinfection of surfaces, with emphasis on high-touch surfaces shall be done at least once a week. (b) measures to decongest business premises shall be implemented;

	<p>(c) take away or delivery shall be encouraged; and</p> <p>(d) supermarkets and other shops shall ensure disinfection of trolleys and baskets between two clients by a trained employee.</p>
Level 3	<p>In addition to the measures prescribed in Levels 1 and 2, the measures hereunder shall apply in Level 3—</p> <p>(a) frequency of disinfection of surfaces with emphasis on high-touch surfaces shall be increased to at least twice a week;</p> <p>(b) business premises shall reduce the number of people in the premises to 50% of capacity of the premises to be served;</p> <p>(c) where possible, take away or delivery services to be implemented;</p> <p>(d) a person entering a business premise to be screened at the entrance of the business place by temperature checking by a trained employee;</p> <p>(e) banks shall ensure ATMs always have cash and availability of at least hand sanitizer dispenser at each ATM;</p> <p>(f) take away or delivery services shall be implemented where indoor dining cannot be implemented in accordance with these Rules;</p> <p>(g) indoor bars and restaurants, indoor dining shall be reduced to 50%, subject to social distancing requirement under rule 13; and</p> <p>(h) indoor night clubs shall be closed.</p>
Level 4	<p>In addition to the measures prescribed in Levels 1, 2 and 3, the measures hereunder shall apply in Level 4—</p> <p>(a) only businesses providing essential services shall be operational. For the business to be authorized to open for essential services, the business has to provide at least one mobile or online banking solution;</p> <p>(b) bars and liquor shops shall be opened from 02:00pm to 08:00pm only for takeaway purchases and alcohol shall not be consumed on the premise;</p> <p>(c) a premise that sell alcohol and also operates as an accommodation establishment shall serve residents only and only operate room service.</p> <p>(d) restaurants shall be opened from 06:00am to 08:00pm, for takeaway purchases only; and</p> <p>(e) security measures should be intensified at the entrance of businesses.</p>

Level 5	In addition to the measures prescribed in Levels 1, 2, 3 and 4, the measures hereunder shall apply in Level 5— (a) all bars shall be closed; (b) restaurants shall open from 06:00am to 06:00pm, for takeaway purchases only; and (c) security measures must be positioned at the entrance of very essential businesses.”.
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Made this 23rd day of July, 2021.

(FILE NO.ADMIN/1/1)

K. K. CHIPONDA
Minister of Health