

Namibia

Public and Environmental Health Act, 2015

Public Health COVID-19 General Regulations

Government Notice 91 of 2021

Legislation as at 16 July 2022

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Republic of Namibia
Annotated Statutes

Public and Environmental Health Act, 2015

Public Health COVID-19 General Regulations

Government Notice 91 of 2021

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[Amended by [Public Health COVID-19 General Regulations: Amendment \(Government Notice 128 of 2021\) on 16 June 2021](#)]
[Amended by [Public Health COVID-19 General Regulations: Amendment \(Government Notice 138 of 2021\) on 30 June 2021](#)]
[Amended by [Public Health COVID-19 General Regulations: Amendment \(Government Notice 144 of 2021\) on 9 July 2021](#)]
[Amended by [Public Health COVID-19 General Regulations: Amendment \(Government Notice 151 of 2021\) on 15 July 2021](#)]
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[Amended by [Public Health COVID-19 General Regulations: Amendment \(Government Notice 172 of 2022\) on 15 June 2022](#)]

[Amended by [Public Health COVID-19 General Regulations: Amendment \(Government Notice 210 of 2022\) on 15 July 2022](#)]

[Amended by [Public Health COVID-19 General Regulations: Amendment \(Government Notice 211 of 2022\) on 16 July 2022](#)]

[The Regulations are amended by the deletion of the phrases “restricted areas” and “restricted area”, where they occur in the Regulations, by GN 138/2021]

Part 1 – PRELIMINARY MATTERS

1. Definitions

In these regulations a word or expression to which a meaning has been given in the Act bears that meaning and, unless the context otherwise indicates-

“**authorised person**”, for purposes of these regulations, means a staff member of the Ministry or other person who has been authorised in writing by the Minister to perform functions and duties in terms of, and to exercise powers under, these regulations;

“**confirmed case**” [definition of “confirmed case” deleted by section 2 of Government Notice 210 of 2022]

“**contact tracing**” [definition of “contact tracing” deleted by section 2 of Government Notice 210 of 2022]

“**correctional officer**” [definition of “correctional officer” deleted by section 2 of Government Notice 210 of 2022]

“**COVID-19**” means the coronavirus disease of 2019 which is caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

“**COVID-19 response centre**” means any place, premises, establishment or facility designated as such under regulation 11;

“**COVID-19 vaccine**” means a vaccine-

- (a) intended to provide acquired immunity against severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), the virus causing COVID19; and

[The term “COVID-19” is missing a hyphen in the Government Gazette, as reproduced above.]

- (b) authorised for use, or registered for use on humans by the Namibia Medicines Regulatory Council in terms of the Medicines and Related Substances Control Act, 2003 (Act No. 13 of 2003);

“**critical services**” [definition of “critical services” inserted by GN 128/2021 and deleted by section 2 of Government Notice 210 of 2022]

“**designated quarantine facility**” [definition of “designated quarantine facility” deleted by section 2 of Government Notice 210 of 2022]

“**directives**” [definition of “directives” deleted by section 2 of Government Notice 210 of 2022]

“essential goods” [definition of “essential goods” inserted by GN 128/2021 and deleted by section 2 of Government Notice 210 of 2022]

“fully vaccinated” means to be vaccinated with—

- (a) one dose of a single-dose primary series vaccine, if the vaccine requires a single dose vaccination; or
- (b) two doses of a two-dose primary series vaccine, if the vaccine requires a two-dose vaccination,

provided that the—

- (i) single-dose of the vaccine referred to in paragraph (a); or
- (ii) last dose of the two doses vaccine referred to in paragraph (b),

is administered at least 14 days before a person enters Namibia;

[definition of “fully vaccinated” inserted by section 2 of Government Notice 172 of 2022]

“head of the institution” [definition of “head of the institution” deleted by section 2 of Government Notice 210 of 2022]

“health care worker” [definition of “health care worker” deleted by section 2 of Government Notice 210 of 2022]

“health facility” [definition of “health facility” deleted by section 2 of Government Notice 210 of 2022]

“higher education institution” [definition of “higher education institution” deleted by section 2 of Government Notice 210 of 2022]

“hospital” [definition of “hospital” deleted by section 2 of Government Notice 210 of 2022]

“isolation”, in relation to COVID-19, means segregation or separation from and interdiction of communication with others, of persons who are ill or are suspected of being infected with COVID-19;

“isolation facility” [definition of “isolation facility” deleted by section 2 of Government Notice 210 of 2022]

“Immigration Control Act” means the Immigration Control Act, 1993 (Act No. 7 of 1993);

“Liquor Act” [definition of “Liquor Act” deleted by section 2 of Government Notice 210 of 2022]

“mandatory supervised quarantine” [definition of “mandatory supervised quarantine” deleted by section 2 of Government Notice 210 of 2022]

“mask” [definition of “mask” deleted by section 2 of Government Notice 210 of 2022]

“police officer” [definition of “police officer” deleted by section 2 of Government Notice 210 of 2022]

“quarantine” means separating persons potentially exposed to COVID-19 from non-exposed persons in such a manner as to prevent the possible spread of an infection or contamination;

“quarantine facilities” [definition of “quarantine facilities” deleted by section 2 of Government Notice 210 of 2022]

“regional council” [definition of “regional council” deleted by section 2 of Government Notice 210 of 2022]

“restricted areas” [definition of “restricted areas” inserted by GN 128/2021 and deleted by GN 138/2021]

“school” [definition of “school” deleted by section 2 of Government Notice 210 of 2022]

“social distancing” [definition of “social distancing” deleted by section 2 of Government Notice 210 of 2022]

“specified period” [definition of “specified period” inserted by GN 128/2021 and deleted by GN 175/2021]

“the Act” means the Public and Environmental Health Act, 2015 (Act No. 1 of 2015); and

“tourism” means tourism as defined in section 1 of the Namibia Tourism Board Act, 2000 (Act No. 21 of 2000);

“zone” [definition of “zone” inserted by GN 138/2021 and deleted by GN 160/2021]

2. Application of regulations

- (1) Except where otherwise indicated, these regulations apply to the whole of Namibia.
- (2) These regulations come into operation at 17:00 on 16 July 2022 and cease to have effect at 24:00 on 15 January 2023.

[subregulation (2) substituted by GN 108/2021, by GN 128/2021, by GN 138/2021, by GN 151/2021, by GN 160/2021, by GN 175/2021, by GN 205/2021, by GN 232/2021, by GN 249/2021, by GN 281/2021, by GN 7/2022, by GN 56/2022, Government Notice 85 of 2022, by section 2 of Government Notice 121 of 2022, by section 2 of Government Notice 145 of 2022, by section 3 of Government Notice 172 of 2022, by section 3 of Government Notice 210 of 2022, and by section 2 of Government Notice 211 of 2022]

2A. ***

[regulation 2A substituted by GN 108/2021, by GN 128/2021, by GN 138/2021, by GN 151/2021 by GN 160/2021 and deleted by GN 175/2021]

2B. ***

[regulation 2B inserted by GN 128/2021 and repealed by GN 138/2021]

Part 2 – COVID-19 RESTRICTIVE MEASURES

3. ***

[Regulation 3 amended by GN 128/2021 and repealed by section 3 of Government Notice 85 of 2022]

4. ***

[regulation 4 amended by GN 108/2021, by GN 128/2021, by GN 160/2021, by GN 175/2021, by GN 205/2021, by GN 232/2021, by GN 249/2021, by GN 281/2021, by GN 56/2022, by section 4(a) and 4(b) of Government Notice 85 of 2022, and repealed by section 4 of Government Notice 210 of 2022]

5. ***

[regulation 5 repealed by GN 232/2021]

5A. ***

[regulation 5A inserted by GN 128/2021, substituted by GN 138/2021, amended by GN 144/2021 and deleted by GN 160/2021]

6. ***

[regulation 6 amended by GN 128/2021, by GN 138/2021, by GN 160/2021, substituted by GN 175/2021 and repealed by section 4 of Government Notice 210 of 2022]

7. ***

[regulation 7 amended by GN 128/2021, by GN 138/2021, by GN 144/2021, by GN 160/2021, by GN 175/2021, by GN 189/2021, by GN 205/2021, by GN 246/2021 and repealed by GN 249/2021]

8. ***

[regulation 8 amended by GN 128/2021, by GN 138/2021, by GN 144/2021, by GN 160/2021, by GN 175/2021, by GN 189/2021, by GN 205/2021, by GN 232/2021, by GN 249/2021, by section 5 of Government Notice 85 of 2022 and repealed by section 4 of Government Notice 210 of 2022]

9. ***

[regulation 9 repealed by section 4 of Government Notice 210 of 2022]

10.*******

[regulation 10 substituted by GN 108/2021, amended by GN 128/2021, by GN 175/2021, by GN 205/2021, by GN 232/2021, by GN 249/2021, by GN 281/2021, by GN 56/2022, by section 6 of Government Notice 85 of 2022, and repealed by section 4 of Government Notice 210 of 2022]

11. Restrictions relating to entry into Namibia

(1) Except where otherwise indicated, every person who—

- (a) is not a Namibian citizen;
- (b) does not hold a permanent residence permit for Namibia;
- (c) is not domiciled in Namibia or otherwise lawfully resident in Namibia;
- (d) is not part of a team of medical personnel that is required to provide medical services in Namibia to alleviate the COVID-19 pandemic;
- (e) is not a member of the diplomatic or consular staff of a country that is accredited to Namibia or in transit to another country; or
- (f) is not a spouse or child of a person referred to in paragraphs (a) to (e),

must be refused entry into Namibia under section 10 of the Immigration Control Act.

(2) Despite subregulation (1) a person who—

- (a) is not a Namibian citizen;
- (b) does not hold a permanent residence permit for Namibia; or
- (c) is not domiciled in Namibia or otherwise lawfully resident in Namibia;

may enter, subject to the Immigration Control Act and the presentation of a valid vaccination certificate, if they are eligible to be vaccinated,—

- (i) showing that the persons concerned are fully vaccinated against COVID-19; and

- (ii) issued by a person or authority certified or authorised to administer COVID-19 vaccines and to issue vaccination certificates in any country.

**[subregulation (2) substituted by GN 108/2021 and
by section 5(a) of Government Notice 210 of 2022]**

- (3) **[subregulation (3) substituted by GN 108/2021 and
deleted by section 5(b) of Government Notice 210 of 2022]**
- (4) Persons permitted to enter Namibia under subregulation (2) may not enter Namibia unless such persons at the time of entering Namibia present to an authorised person a valid—
 - (a) vaccination certificate—
 - (i) showing that the person concerned are fully vaccinated against COVID-19; and
 - (ii) issued by a person or authority certified or authorised to administer COVID-19 vaccines and to issue vaccination certificates in any country.
 - (b) SARS-CoV2 PCR test result from the country of departure, which test result—
 - (i) is a negative SARS-CoV-2 PCR test result which is not older than 72 hours calculated from the date that the sample for testing was taken; and
 - (ii) was issued by a laboratory that is certified in the country of issue to issue SARS-CoV-2 PCR test results; or
 - (c) de-isolation certificate, not older than three months from the date of discharge from isolation, issued by the health authority in the country of departure.

[subregulation (4) amended by GN 160/2021, by section 5(b) of Government Notice 210 of 2022 and substituted by GN 108/2021, by GN 189/2021, by GN 281/2021, by section 7 of Government Notice 85 of 2022 and by section 3 of Government Notice 211 of 2022]

- (4A) **[subregulation (4A) inserted by GN 108/2021 and deleted
by section 5(b) of Government Notice 210 of 2022]**
- (4B) **[subregulation (4B) inserted by GN 128/2021 and deleted
by section 5(b) of Government Notice 210 of 2022]**
- (4C) **[subregulation (4C) inserted by GN 232/2021] and deleted
by section 5(b) of Government Notice 210 of 2022]**
- (5) The provisions of subregulation (4) do not apply to any child under the age of 12 years, irrespective of the nationality of the child or residency status of the child in Namibia.

**[subregulation (5) substituted by section 3 of Government Notice
121 of 2022 and by section 4 of Government Notice 172 of 2022]**

- (6) **[subregulation (6) deleted by section 5(b) of Government Notice 210 of 2022]**
- (7) Subject to the Immigration Control Act, a person who—
 - (a) is a driver of a motor vehicle, an operator of a locomotive, a pilot in command of an aircraft or a captain or master of a shipping vessel, transporting goods;
 - (b) performs any service relating to the operation of the vehicle referred to in paragraph (a); or
 - (c) performs a necessary service relating to the transportation of goods referred to in paragraph (a),

in the course of business or trade or commerce may be allowed to enter Namibia if such entry is otherwise lawful.

- (8) Despite the provisions of subregulation (1), a person referred to in that subregulation may be allowed to enter Namibia if that person complies with or meets such requirements as may be determined by the Minister responsible for immigration issued pursuant to the Immigration Control Act.
- (8A) [subregulation (8A) inserted by GN 56/2022 and deleted by section 5(b) of Government Notice 210 of 2022]
- (8B) [subregulation (8B) inserted by GN 56/2022 and deleted by section 5(b) of Government Notice 210 of 2022]
- (9) A person who contravenes or fails to comply with subregulation (1), (3) or (4) commits an offence and is on conviction liable to the penalties specified in section 29(3) of the Act.
12. ***
[regulation 12 amended by GN 108/2021, by GN 160/2021, by GN 281/2021, by GN 7/2022, by GN 56/2022 and repealed by section 4 of Government Notice 210 of 2022]
13. ***
[regulation 13 amended by GN 128/2021, by GN 138/2021, by GN 144/2021, by GN 160/2021, by GN 175/2021, by section 8 of Government Notice 85 of 2022 and repealed by section 4 of Government Notice 210 of 2022]

Part 3 – PROVISIONS ON HEALTH MATTERS

14. ***
[regulation 14 repealed by section 4 of Government Notice 210 of 2022]
15. ***
[regulation 15 amended by section 9 of Government Notice 85 of 2022 and repealed by section 4 of Government Notice 210 of 2022]
16. ***
[regulation 16 amended by GN 138/2021 and repealed by section 4 of Government Notice 210 of 2022]
17. ***
[regulation 17 repealed by section 4 of Government Notice 210 of 2022]
18. ***
[regulation 18 repealed by section 4 of Government Notice 210 of 2022]
19. ***
[regulation 19 amended by GN 108/2021, by GN 128/2021, by GN 138/2021, by GN 175/2021, by GN 205/2021, by GN 232/2021, by GN 249/2021, by GN 281/2021, by GN 56/2022, by section 10 of Government Notice 85 of 2022 and repealed by section 4 of Government Notice 210 of 2022]
20. ***
[regulation 20 repealed by section 4 of Government Notice 210 of 2022]

21. ***

[regulation 21 repealed by section 4 of Government Notice 210 of 2022]

22. ***

[regulation 22 repealed by section 4 of Government Notice 210 of 2022]

23. ***

[regulation 23 amended by section 11 of Government Notice 85 of 2022 and repealed by section 4 of Government Notice 210 of 2022]

24. ***

[regulation 24 repealed by section 4 of Government Notice 210 of 2022]

25. ***

[regulation 25 repealed by section 4 of Government Notice 210 of 2022]

26. ***

[regulation 26 repealed by section 4 of Government Notice 210 of 2022]

27. ***

[regulation 27 amended by section 12 of Government Notice 85 of 2022 and repealed by section 4 of Government Notice 210 of 2022]

28. ***

[regulation 28 amended by section 13(a) and (b) of Government Notice 85 of 2022 and repealed by section 4 of Government Notice 210 of 2022]

29. ***

[regulation 29 amended by section 14 of Government Notice 85 of 2022 and repealed by section 4 of Government Notice 210 of 2022]

30. ***

[regulation 30 repealed by section 4 of Government Notice 210 of 2022]

Part 4 – COVID-19 VACCINES

31. ***

[regulation 31 repealed by section 4 of Government Notice 210 of 2022]

Part 5 – GENERAL PROVISIONS

32. Offences and penalties

- (1) A person commits an offence if that person–
 - (a) not being an authorised person, a police officer or a correctional officer, by words, conduct or demeanour falsely represents himself or herself to be an authorised person, a police officer or a correctional officer performing an act under, or exercising a power under these regulations or the Act;
 - (b) hinders, obstructs or improperly attempts to influence an authorised person, a police officer or a correctional officer when exercising or performing a power or function conferred or imposed by or under these regulations or the Act;
 - (c) furnishes or gives false or misleading information to an authorised person, a police officer or a correctional officer performing an act under, or exercising a power under these regulations or the Act;
 - (d) does anything calculated to improperly influence an authorised person, a police officer or a correctional officer concerning a matter connected with the functions of the authorised person, police officer or correctional officer performing an act under, or exercising a power under these regulations or the Act; or
 - (e) fails or refuses to comply with a lawful instruction issued under these regulations or the Act by an authorised person, a police officer or a correctional officer performing an act under, or exercising a power under these regulations or the Act.
- (2) A person commits an offence if that person, through any form of media, including social media, knowingly or without having taken reasonable steps to ascertain the correctness of any information–
 - (a) publishes any false or misleading statement about the COVID-19 status of any person; or
 - (b) publishes any false or misleading statement, in connection with measures to combat, prevent and suppress COVID-19 as specified in and under these regulations.
- (3) A person convicted of an offence in terms of subregulation (1) or (2) is liable to the penalties specified in section 29(3) of the Act.
- (4) **[subregulation (4) deleted by section 6(b) of Government Notice 210 of 2022]**
- (5) **[subregulation (5) deleted by section 6(b) of Government Notice 210 of 2022]**
- (6) **[subregulation (6) deleted by section 6(b) of Government Notice 210 of 2022]**
- (7) A person who–
 - (a) with intend to deceive, presents a false or forged vaccination certificate when required to present a vaccination certificate;
[paragraph (a) substituted by section 6(a) of Government Notice 210 of 2022]
 - (b) **[paragraph (b) deleted by section 6(b) of Government Notice 210 of 2022]**in terms of these regulations commits on offence, and is on conviction liable to the penalties specified in section 29(3) of the Act.

[Subregulation (7) is substituted by GN 108/2021. The word “an” in the phrase “an offence” is misspelt as “on” in the Government Gazette, as reproduced above.]

33. Regulations to bind State

These regulations bind the State.

Annexure A (Regulation 5)

Critical Services

Part 1

1. Ambulance services
2. Casualties services
3. Theatre Services
4. Intensive Care Unit (ICU) services
5. Hospital Wards
6. Laboratory Services
7. Pharmaceutical services
8. Dental Services
9. Radiography services
10. Physiotherapy services
11. Mortuary services
12. Medical services including medical specialised services
13. Hospital Kitchen Services
14. Hospital laundry services
15. Emergency management services
16. Disaster management services
17. Potable water services
18. Waste water management services
19. Scientific services
20. Electricity distribution services
21. Electricity operation services
22. Electricity maintenance services
23. Electricity transmission services
24. Electricity network operation services
25. Electricity system operation services
26. Electricity system security and planning services
27. Electricity engineering services

28. Electricity energy trading services
29. Air navigation services
30. Air traffic management services
31. Communication navigation and surveillance system services
32. Search and rescue services
33. Aeronautical information services
34. Meteorological services for air navigation services

Part 2

1. Agriculture and forestry

Agricultural production and value chains (animal husbandry, agronomic and horticulture) supply related operations, including farming, veterinary and phyto-sanitary provider services, pest control services, feed and chemical and fertilizer remedies providers. Millers and logistics services.

2. Fishing

Harvesting of fish (including artisanal fishing other than for leisure), cultivation of fish and value chain activities relating to fish, as part of food production for Namibia and for export; maintenance of fishing vessels and maintenance of fishing processing plants.

3. Mining and quarrying

Mining and related activities to maintain mining operations including critical maintenance work on plant and equipment. Normal mining operations, including value chain activities will be allowed.

4. Manufacturing

Manufacturing of health related products, hygiene and sanitary related products, supplies, devices, equipment, and medicines, including complementary health products and supplements; food, non-alcoholic beverages and essential products, as well as essential inputs thereto. This includes production for exporting the same product categories. Production for disposable health and hygiene and sanitary related products, as well as for the production of packaging for essential health and food supply chains. Food, beverages and essential goods manufacturing and processing facilities, to the extent they are supporting essential or critical business continuity services to fight COVID-19.

5. Electricity, gas, steam and air conditioning supply

Public and private organisations, their staff and service providers essential to the generation, transmission and distribution of electricity, fuel, gas, steam and air conditioning will need to continue to operate. This includes local authorities and regional councils, and the suppliers of logistics, feedstock and maintenance will be required to continue to operate and provide security of electricity supply.

6. Water supply, purification, desalination, sewerage, waste management and remediation activities

Public and private organisations, their staff and service providers essential to the security of supply of bulk and potable water and sanitation must continue to operate and provide vital water and sanitation services. This includes local authorities and regional councils and those involved in the supply of materials, chemicals and related equipment.

7. Construction

Any maintenance support requirements for retailers, manufacturers producing essential goods, support to medical services; any construction that cannot be reasonably postponed; plumbing and electrical services, security installations and maintenance, water treatment and sewerage. Building of medical infrastructures and quarantine camps in support of essential goods and critical services to fight COVID-19.

8. Wholesale and retail trade, repair of motor vehicles and motorcycles

Retail, wholesale, supermarkets, the open markets and informal traders, home kiosks for food and essential goods. Essential hygiene goods include: toilet paper, cleaners, sanitizers and disinfectants, personal hygiene products, and essential supplies for those taking care of the sick and elderly and in order for people to remain healthy. All services related to the repair of motor vehicles and motorcycles to continue in as far as they are providing support to the fight against COVID-19.

9. Transportation, logistics and storage

Warehousing, transport (including courier services), distribution, cold storage and logistics for essential goods, production inputs and health related goods. This includes operations at all entry points. Humanitarian and relief functions in the fight against COVID-19 will be permitted.

10. Accommodation and food service activities

To the extent that they are supporting essential or critical business continuity services to the fight of the COVID-19 subject to take away and not dining in restaurants.

11. Information and communication

Communication and media services on screen, television, radio, print, broadcast and online.

12. Legal, financial, banking, social security and insurance activities

Legal, court, financial, banking and insurance services and health funders required to finance and support essential and critical business continuity and provide short term bridging finance to people and businesses during the restricted period.

13. Professional, scientific and technical activities

Professional, scientific and technical services, to the extent that they are providing support in the COVID-19 response, essential and critical services.

14. Support service activities

Private services to the extent that they are providing support in the COVID-19 response, essential and critical business continuity services.

15. Public administration, defense, safety and security

Public Office Bearers, personnel and functionaries at national, regional and local levels to the extent that they are providing support in the COVID-19 response, essential and critical business continuity services. Safety and security services protecting people and property.

16. Human health and social work activities

All centres providing life and health services, energy, food and water supply, social, transactional, communications, law and order and international critical business continuity services. Care services

relating to the sick, frail, children, or other vulnerable persons, in a home or homestead and care facilities for children of critical service work

17. Information communications technology

Data centres, fiber optic infrastructure, towers and antennae needed to operate at high efficiency to ensure connectivity remains stable.

18. Tourism

Tourism activities for foreign visitors in accordance with the government tourism initiative plan.

Annexure B (Regulation 5)

Essential goods

1. Food:
 - (a) any food product, including water and non-alcoholic beverages;
 - (b) animal food; and
 - (c) chemicals, packaging and ancillary products used in the production of any food product.
2. Cleaning and hygiene products:
 - (a) toilet paper, sanitary pads, sanitary tampons;
 - (b) hand sanitiser, disinfectants, soap, alcohol for industrial use, household cleaning products, and personal protective equipment;
 - (c) chemicals, packaging and ancillary products used in the production or preservation of any of the above;
 - (d) products for the care of children;
 - (e) personal care including but not limited to, body and face washes, roll-ons, deodorants, toothpaste and any other products ordinarily used for hygiene purposes.
3. Medical:
 - (a) medical and hospital supplies, equipment and personal protective equipment;
 - (b) chemicals, packaging and ancillary products used in the production or preservation of any of the above;
 - (c) pharmaceutical supplies, including but not limited to prescribed medication; and
 - (d) contraceptives including condoms.
4. Fuel, including coal and gas.
5. Wood for cooking purposes.
6. Basic goods, including airtime and electricity.
7. Fish and fish products.
8. Mining products.
9. Coffins and related services.
10. Plumbing and electrical supplies.
11. Educational materials.

12. Goods necessary for the effective provision of critical services specified in Part 1 and 2 of Annexure A.

Annexure C (Regulation 5A)

[Annexure C added by GN 138/2021 and repealed by GN 160/2021]