

Namibia

Namibian Constitution

Directives relating to registered business entities and operational matters for retail traders and other businesses

Government Notice 106 of 2020

Legislation as at 22 April 2020

FRBR URI: /akn/na/act/gn/2020/106/eng@2020-04-22

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PDF created on 2 May 2024 at 16:15.

Collection last checked for updates: 26 April 2024.

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Directives relating to registered business entities and operational matters for retail traders and other businesses

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Republic of Namibia
Annotated Statutes

Namibian Constitution

Directives relating to registered business entities and operational matters for retail traders and other businesses

Government Notice 106 of 2020

[Published in Government Gazette 7185 on 22 April 2020](#)

Assented to on 9 April 2020

Commenced on 22 April 2020

[This is the version of this document from 22 April 2020 and includes any amendments published up to 26 April 2024.]

Under regulation 14(1) and (3) of the State of Emergency - Covid-19 Regulations published under Proclamation No. 9 of 28 March 2020, with the authorisation of the President of the Republic of Namibia and the approval of the Attorney-General, I issue the directives as set out in the Schedule.

L. Iipumbu

Minister of Industrialisation and Trade

1. Definitions

In these directives a word or expression to which a meaning has been assigned in the Regulations has that meaning and, unless the context indicates otherwise -

"business entity" means a business entity, including a retail trader, referred to in regulation 12(2) of the Regulations;

"confirmation certificate" means a document issued to staff of a retail trader or other business as contemplated in directive 2;

"retail trader" means a small shop, kiosk, large or small supermarket providing food and essential goods or critical services, including building and hardware material and all health related essentials; and

"the Regulations" means the State of Emergency - Covid-19 Regulations published under Proclamation No. 9 of 28 March 2020.

2. Application of confirmation certificate for business entities

- (1) A business entity applying for a confirmation certificate as contemplated in regulation 12(2) of the Regulations must -
 - (a) indicate the -
 - (i) critical service as listed in Annexure B;
 - (ii) essential goods as listed in Annexure C,of the Regulations that it provides;
 - (b) provide its certificate of registration with the Business and Intellectual Property Authority (BIPA) established by the Business and Intellectual Property Authority Act, 2016 (Act [No. 8 of 2016](#)); and
 - (c) provide the number of staff that are involved in the provision of the critical services or essential goods.
- (2) The information required in terms of paragraph (1) must be filled in on the application form that can be uploaded at the address: namesessentialservices.com.na.
- (3) An application in terms of paragraph (1) must be made within 48 hours from the date of commencement of these directives.
- (4) On receipt of the application referred to in paragraph (1) the Executive Director of the Ministry responsible for Trade and Industrialization must issue a confirmation certificate to the applicant on a form determined by him or her.
- (5) The requirements stated in paragraph (1) do not apply to public enterprises as defined in the Public Enterprises Governance Act, 2019 (Act [No. 1 of 2019](#)).

3. Trading operations during lockdown period

- (1) Operating hours for retail traders and other businesses providing essential goods or critical services are the normal operating hours of the retailer or business concerned.
- (2) The shop manager of a retail trader or other business must ensure that -
 - (a) all persons entering the shop are sanitised when entering the shop as per the Ministry of Health and Social Services directives or guidelines and World Health Organisation guidelines;
 - (b) at least one and a half metres social distancing in queues inside and outside the shop is maintained;
 - (c) the social distance is demarcated inside and outside the shop with clear signs to ensure adherence;
 - (d) vulnerable customers such as elderly, pregnant or disabled persons are given preference in the queues;
 - (e) the queues are monitored at all times for adherence;
 - (f) a limited number of clients of one person per 10 square metres of trading floor or three clients per number of counters in a shop (excluding staff), will be allowed in a shop at all times with this calculation based on 10 square metres per person of the trading space and being calculable for each individual shop;
 - (g) the maximum number of people allowed in a shop at a time is displayed at the shop's entrances;

- (h) all staff of service providers providing services to the shop must wear protective gear;
 - (i) hot foods open displays and counters are cleared and not put in use and only pre-packed take-aways may be prepared and sold;
 - (j) counters, till screens and speedpoint pads are cleaned and sanitised with surface sanitiser after every customer's transaction has been completed; and
 - (k) cashiers clean their hands after every transaction with hand sanitiser provided by the manager of the shop.
- (3) Truck delivery drivers and third party merchandisers may be allowed into shop premises to do their work provided they follow the same directives outlined in subparagraph (2).
 - (4) Clearly identified in shop marshals and security guards must manage the social distancing inside and outside of the shop.
 - (5) Where necessary, a shop owner or shop manager may request an authorised officer to assist with managing crowds outside the shop or mall.
 - (6) The head of the institution involved in the provision of essential goods or a critical service must provide the document contemplated in regulation 10(4) of the Regulations in the form of an official letter to retail staff to enable them to work without interruption.
 - (7) Retail traders or other businesses with a big number of staff are encouraged to introduce shifts to avoid having too many staff members in the shop at the same time.
 - (8) Retailer traders or other businesses offering online shopping and delivery services must be allowed to commute within a zone as specified in regulation 6 of the Regulations from 08:00 until 20:00 as part of the provision of essential goods or critical services.
 - (9) An owner or shop manager who contravenes or fails to comply with subparagraph (2), (3), (4) or (6) commits an offence and is liable on conviction to a fine not exceeding N\$2 000 or imprisonment for a period not exceeding six months or to both such fine and such imprisonment.