

(Legislative Supplement No. 80)

LEGAL NOTICE No. 129

THE PUBLIC HEALTH ACT

(Cap. 242)

THE PUBLIC HEALTH (COVID-19 GENERAL PUBLIC SAFETY)
RULES, 2020

IN EXERCISE of the powers conferred by section 36 of the Public Health Act the Cabinet Secretary for Health makes the following Rules—

THE PUBLIC HEALTH (COVID-19 GENERAL PUBLIC SAFETY)
RULES, 2020

1. These Rules may be cited as the Public Health (COVID-19 General Public Safety) Rules, 2020.

Citation.

2. In these Rules, unless the context otherwise requires—

Interpretation.

"Gathering" means any gathering or meeting or public gathering, meeting, grouping, assembly, crowd, or procession, in or on any public or private road, space, any building, place or premises including wholly or partly in the open air, and including any premises or place used for sporting, entertainment, recreational, cultural, political or social purposes;

"Public Place" means any outdoor, indoor, enclosed, or partially enclosed area which is open to the public or any part of the public, or to which members of the public ordinarily have access, and includes a workplace and public service vehicles;

3. (1) Every person who is in a Public Place shall—

Hygiene conditions.

(a) maintain a physical distance of at least one (1) metre from the next person; and

(b) wear a face mask that covers the mouth and nose.

(2) Every organisation, business entity or any other trader, whether in an open air market, enclosed premises or any other public Place shall—

(a) provide a handwashing station with soap and water or an alcohol based sanitizer approved by the Kenya Bureau of Standards for use at the entrance of its premises;

(b) put in place measures to ensure that a physical distance of at least one metre is maintained between persons accessing or within its premises;

(c) disinfect its premises using a disinfectant approved by the Kenya Bureau of standards at least three times a day;

- (d) for premises where employees operate in shifts, disinfect its premises using a disinfectant approved by the Kenya Bureau of standards at the end of each shift subject to (c) above; and
- (e) screen every person entering its premises using a thermometer gun and a person whose body temperature exceeding thirty-seven point three degrees Celsius (37.3°C) shall not be allowed into the premises;

(3) A person who contravenes sub paragraph (1) or (2) commits an offence.

4. (1) All gatherings are prohibited except as may be otherwise permitted in any other rules made under the Public Health Act.

Prohibition of gatherings.

(2) For purposes of these Rules, a funeral shall not be regarded as a prohibited gathering provided that—

- (a) attendance at a funeral shall be limited to fifteen people;
- (b) night vigils shall not be held in relation to a funeral;
- (c) hygiene conditions under rule 3 are adhered to
- (d) the conditions set out in rule 8(1) of the Public Health (Prevention, Control and Suppression of COVID-19) Rules are adhered to.

(3) A person who contravenes paragraph (1) or (2) commits an offence.

5. Save as may be otherwise permitted pursuant to the Public Health Act, where a person infected with COVID-19 dies, the body shall be interred or cremated within forty eight hours from the time of death.

Disposal of bodies.

6. A person who commits an offence under these Rules shall, on conviction, be liable to a fine not exceeding twenty thousand shillings or to imprisonment for a period not exceeding six months or both.

Penalty.

7. These Rules shall be enforced by the National and County Governments as the respective health authorities in line with the provisions of the Public Health Act.

Enforcement.

8. In instances where other Rules under the Public Health Act provide for higher safety standards than the ones set out herein, those higher safety standards shall apply.

Application of other Rules.

Dated the 14th July, 2020.

MUTAHI KAGWE,
Cabinet Secretary for Health.