

**Ordinance of the State Government on Infection Protection Measures
against the Spread of the SARS-CoV-2 Virus (Corona Ordinance –
"CoronaVO")¹**

of 23 June 2020

(in the version valid from 30 September 2020)

On the basis of Art. 32 in conjunction with Arts. 28 to 31 of the [German] Infection Protection Act ("IfSG") of 20 July 2000 (Federal Law Gazette I p. 1045), last amended by Article 1 of the Act of 19 May 2020 (Federal Law Gazette I p. 1018), it is decreed:

Part 1 – General Regulations

Section 1: Goals

Art. 1

Goals

(1) This Ordinance is intended to combat the pandemic of the SARS-CoV-2 virus (corona virus) in order to protect the health of citizens. To this end, the risks of infection are to be reduced in an effective and targeted manner, infection routes are to be made traceable and the maintenance of medical care capacities guaranteed.

(2) In order to pursue these objectives, this Ordinance establishes rules and prohibitions that restrict the freedoms of individuals. On the one hand, the implementation of these regulations is the personal responsibility of the citizens and on the other hand, it is the sovereign action of the competent authorities.

¹ Non-official consolidated version after the entry into force of the Second Ordinance of the State Government amending the Corona Ordinance of 22 September 2020 (promulgated pursuant to Article 2 of the Promulgation Act).

Section 2: General Requirements

Art. 2

General Distance Rule

(1) If no suitable physical infection protection devices are available, it is recommended that a minimum distance of 1.5 metres to other persons be maintained.

(2) In public areas, a minimum distance of 1.5 metres from other persons must be maintained, unless compliance with the minimum distance is unreasonable in individual cases, is necessary for special reasons or adequate protection against infection is ensured by protective measures. Likewise excluded are gatherings that are permitted under Art. 9 Paragraphs 1 or 2.

(3) The distance rule does not apply to schools, day-care centres and the other establishments referred to in Art. 16 Paragraph 1.

Art. 3

Mouth and Nose Cover

(1) A non-medical everyday mask or comparable mouth and nose cover must be worn

1. When using public and tourist transport (trains, trams, buses, taxis, passenger planes, ferries, passenger ships and cable cars), on train and bus platforms, in the waiting area of passenger ship landing stages and in railway and airport buildings,
2. In hairdressing, massage, cosmetic, nail, tattoo and piercing studios and in medical and non-medical foot care facilities,
3. In doctors' practices, dentists' practices, practices of other human medical

health care professions and of alternative practitioners and in public health care facilities,

4. In shopping centres and stores, as well as on markets in the sense of Arts. 66 to 68 Trade and Industry Regulation Act (“GewO”), as far as these take place in enclosed spaces,
5. By employees of accommodation establishments who are in direct contact with customers,
6. In schools based on the primary school, vocational schools and special education and advice centres with effect of the secondary level, in each case publicly and privately funded, by pupils, teachers and other persons present, insofar as they are in meeting areas, particularly in corridors, staircases, toilets and playgrounds,
7. In the restaurant industry by employees in direct contact with customers as well as by customers while they are away from their seats,
8. In theme parks and places of public entertainment by employees with direct customer contact as well as by customers in closed rooms and waiting areas, and
9. During practical driving, boat and flight school lessons and practical examinations.

(2) There is no obligation to wear a mouth and nose cover

1. For children up to the age of six,
2. For persons who can credibly demonstrate that they cannot or cannot reasonably be expected to wear a mouth and nose cover for health or other compelling reasons, whereby the credibility of health reasons must generally be substantiated by a medical attestation,

3. For employees, provided that there are no customers or visitors at their place of work,
4. In practices and institutions referred to in Paragraph 1, Numerals 2 and 3, if the treatment, service or therapy requires it,
5. When using gastronomic services,
6. If another protection of at least an equivalent level is available for other persons, or
7. In establishments referred to in Paragraph 1 Numeral 6 within classrooms, in associated sports facilities and gyms, as well as during meals.

Section 3: Specific Requirements

Art. 4

Hygiene Requirements

(1) Insofar as hygiene requirements are to be complied with by regulations in this Ordinance or on the basis of this Ordinance over and above the general obligations pursuant to Arts. 2 and 3, the persons responsible shall at least fulfil the following obligations:

1. The limitation of the number of persons on the basis of spatial capacities and the regulation of flows of persons and queues in order to enable the implementation of the distance rule according to Art. 2,
2. The regular and adequate ventilation of indoor spaces used for the stay of persons as well as the regular maintenance of ventilation systems,
3. The regular cleaning of surfaces and objects that are frequently touched by

people,

4. The cleaning or disinfection of objects that are intended to be placed in the mouth after they have been used by a person,
5. The regular cleaning of barefoot and sanitary areas,
6. The provision of hand washing detergent in sufficient quantity as well as non-reusable paper towels, alternatively hand disinfectant or other equivalent hygienic hand-drying devices,
7. The exchange of issued textiles after they were used by a person,
8. Timely and comprehensible information about access and participation bans, the obligation to wear a mouth and nose cover, distance regulations and hygiene requirements, possibilities for the cleaning of hands, an existing opportunity of cashless payment as well as a notice regarding thorough hand washing in sanitary facilities.

(2) The obligation under Paragraph 1 shall not apply if and to the extent that, based to the specific circumstances of the individual case, particularly any local conditions or the nature of the offering, compliance with hygiene requirements is not necessary or is unreasonable.

Art. 5

Hygiene Concepts

(1) Insofar as a hygiene concept is to be established by means of regulations in this Ordinance or on the basis of this Ordinance, the persons responsible shall take into account the requirements of infection protection in accordance with the specific circumstances of the individual case. In particular, the hygiene concept shall describe how the hygiene requirements pursuant to Art. 4 are to be implemented.

(2) At the request of the competent authority, those responsible shall submit the hygiene concept and provide information on its implementation. Any further obligations to set up hygiene plans in accordance with the Infection Protection Act shall remain unaffected.

Art. 6

Data Processing

(1) Insofar as data are to be processed as a result of regulations in this Ordinance or on the basis of this Ordinance, the first name and surname, address, date and period of attendance and, if available, the telephone number may be collected and stored by those obliged to process data from those present, in particular visitors, users or participants, solely for the purpose of providing information to the Health Department or the local police authority in accordance with Arts. 16, 25 IfSG. A new survey is not required if the data are already available.

(2) The data shall be saved for a period of four weeks and then deleted. It must be ensured that unauthorised persons do not gain knowledge of the data.

(3) According to Paragraph 1, Sentence 1, the data shall be provided to the competent authority upon request, if that is necessary for tracing possible routes of infection. Any other use is not permitted.

(4) Those obliged to process data shall exclude persons who refuse to provide their contact details from visiting or using the facility or from participating in the event.

Art. 7

Prohibition of Access and Participation

(1) Insofar as regulations in this Ordinance or on the basis of this Ordinance prohibit access to certain locations or participation in certain activities, this covers persons,

1. Who are or have been in contact with a person infected with the corona virus, if 14 days have not yet passed since the last contact,
2. Who show typical symptoms of infection with the corona virus, namely fever, a dry cough, a disturbance of the sense of taste or smell, or
3. Who, contrary to Art. 3 Paragraph 1, do not wear a mouth and nose cover.

(2) The prohibition under Paragraph 1 shall not apply if compliance with it is unreasonable in individual cases or access or participation is necessary for special reasons and the risk of infection for third parties is minimised as far as possible by protective measures.

Art. 8

Industrial Safety

(1) Insofar as occupational health and safety requirements must be complied with by regulations in this Ordinance or on the basis of this Ordinance over and above the general obligations under Art. 2 and 3, the employer shall at least fulfil the following obligations:

1. The risk of infection for employees must be minimised, taking into account the conditions at the workplace,
2. Employees must be comprehensively informed and instructed, in particular with regard to the changes in work processes and specifications caused by the corona pandemic,
3. The personal hygiene of employees must be ensured by the possibility of hand disinfection or hand washing at the workplace; utensils used must be disinfected regularly,
4. A sufficient number of mouth and nose covers must be provided to employees,

5. Employees for whom, on the basis of a medical certificate, the treatment of an illness with COVID-19 is not possible or only possible to a limited extent due to personal conditions or who are at increased risk of developing a serious course of an illness with COVID-19, may not be used for activities with increased personal contact and not for activities in which the distance of 1.5 metres cannot be maintained.

(2) The employer may collect, store and use information pursuant to Paragraph 1 Numeral 5 only for the purpose of deciding on the specific work assignment of employees if they notify the employer that they belong to the group referred to therein; employees are not obliged to make such notification. The employer shall delete this information as soon as it is no longer required for this purpose, but no later than one week after this Ordinance ceases to apply.

Section 4: Gatherings, Events and Meetings

Art. 9

Gatherings

(1) Gatherings of more than 20 persons are prohibited.

(2) The prohibition referred to in Paragraph 1 shall not apply to gatherings where the persons participating are exclusively

1. Related in a straight line,
2. Siblings and their descendants, or
3. Belong to their own household,

including their spouses, partners or associates.

(3) Furthermore, the prohibition under Paragraph 1 shall not apply to gatherings that serve the maintenance of employment, service or business operations or social welfare.

Art. 10

Events

(1) Anyone who holds an event shall comply with the hygiene requirements pursuant to Art. 4, establish a hygiene concept in accordance with Art. 5 beforehand and carry out data processing pursuant to Art. 6. There shall be a ban on access and participation in accordance with Art. 7. When holding the event, the occupational health and safety requirements according to Art. 8 must be observed.

(2) Paragraph 1 shall not apply to events whose implementation is already permitted under Art. 9 Paragraphs 1 or 2. Notwithstanding Paragraph 1, no hygiene concept pursuant to Art. 5 needs be established for private events with no more than 100 participants.

(3) Events with over 500 participants are prohibited. When calculating the number of participants, employees and other participants in the event are not taken into account.

(4) Paragraphs 1 to 3 shall not apply to events intended to serve the maintenance of public safety and order, the administration of justice or the provision of services of general interest, in particular events and meetings of organs, parts of organs and other bodies of the legislative, judicial and executive branches of government as well as institutions of self-government, including discussion meetings and oral hearings in the course of planning approval procedures.

(5) Prohibited are dance events with the exception of dance performances as well as dance lessons and rehearsals.

(6) An event within the meaning of this provision is a temporary and localised and

planned event with a defined objective or intention under the responsibility of an organiser, a person, organisation or institution in which a group of people specifically participates.

Art. 11

Meetings under Article 8 of the Basic Law

(1) Notwithstanding Arts. 9 and 10, meetings intended to serve the exercise of the fundamental right of freedom of assembly under Article 8 of the Basic Law shall be permissible.

(2) The chairman of the meeting must work towards compliance with the distance rule in accordance with Art. 2. The competent authorities may impose further conditions, for example, for compliance with the hygiene requirements under Art. 4.

(3) Assemblies may be prohibited if protection against infection cannot be achieved by other means, in particular by imposing conditions.

Art. 12

Events Organised by Religious and Non-Confessional Organisations as well as Events in the Case of Death

(1) Notwithstanding Art. 9 and 10, events organised by churches and religious and faith communities are permissible. Anyone holding a religious event shall comply with the hygiene requirements pursuant to Art. 4 and shall establish a hygiene concept in advance according to Art. 5. There is a ban on access and participation pursuant to Art. 7. Sentences 1 to 3 shall apply accordingly to events of non-confessional organisations.

(2) Notwithstanding Art. 9 and 10, burials, urn burials and prayers for the dead are permissible. Anyone holding such an event shall comply with the hygiene requirements pursuant to Art. 4. There is a ban on access and participation pursuant

to Art. 7.

(3) In accordance with Art. 32 Sentence 2 IfSG, the Ministry of Education and Cultural Affairs is authorised to issue, by means of statutory order, further specifications for infection protection and other executive regulations for events pursuant to Paragraphs 1 and 2.

Section 5: Prohibitions and General Infection Control Requirements for Certain Institutions and Businesses

Art. 13

Operating Bans

It shall be prohibited to operate

1. Clubs and discos, and
2. Places of prostitution, brothels and similar establishments as well as any other practice of prostitution within the meaning of Art. 2 Paragraph 3 of the Protection of Prostitutes Act.

Art. 14

Validity of the General Infection Control Requirements for Certain Institutions and Businesses

Anyone operating or offering the institutions, offers and activities listed below shall comply with the hygiene requirements pursuant to Art. 4, establish in advance a hygiene concept in accordance with Art. 5 and conduct data processing pursuant to Art. 6:

1. Universities, academies in accordance with the Academic Act, state libraries, archives and student unions,

2. Art and cultural institutions as well as cinemas,
3. Music schools, art schools and youth art schools,
4. Schools of nursing, schools for health care professionals, schools for social work, schools for rescue service activities and training and further education centres for nursing and health care professionals under the responsibility of the Ministry of Social Affairs,
5. Driving, boat and flight schools including the conduct of theoretical and practical tests,
6. Other educational institutions and offerings of any kind, including the holding of examinations, unless listed in Art. 16 Paragraph 1,
7. Public and private sports facilities and sports grounds, including gyms and yoga studios, as well as dance schools and similar establishments,
8. Retail establishments and markets within the meaning of Arts. 66 to 68 GewO, with the exception of the requirements of Art. 6,
9. Hairdressing, massage, cosmetic, tanning, nail, tattoo and piercing studios, as well as medical and non-medical foot care facilities,
10. The hotel and restaurant industry, including catering facilities and services within the meaning of Art. 25 Restaurant Act ("GastG"); for hospitality establishments and services within the meaning of Art. 25 Paragraph 1 Sentence 1 GastG, the data processing pursuant to Art. 6 must only be carried out for outside guests,
11. Places of entertainment, including amusement arcades, casinos and betting shops,
12. Accommodation establishments,

13. Fairs, exhibitions as well as conventions, and
14. Theme parks, including those that are operated as an itinerant trade within the meaning of Art. 55 Paragraph 1 GewO.

When operating or offering these facilities, offers and activities, a ban on access and participation according to Art. 7 shall apply. In addition, the occupational health and safety requirements pursuant to Art. 8 shall be complied with; this shall not apply in the case of Sentence 1 Numerals 3 and 6. Sentences 1 to 3 shall also apply if an event permitted in accordance with Art. 10 is held as part of the facility, offer or activity. A ban on access and participation pursuant to Art. 7 shall also apply to the means of transport, areas and facilities mentioned in Art. 3 Paragraph 1 Numerals 1 and 4.

Part 2 - Specific Regulations

Art. 15

Principle

The statutory orders issued on the basis of Arts. 16 and 17 and Art. 12 Paragraph 3 shall take precedence over all provisions of Part 1, insofar as deviating provisions are made there.

Art. 16

Statutory Order Authorisations

(1) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Education and Cultural Affairs is authorised to stipulate by statutory order conditions and requirements, in particular hygiene requirements, for the operation of schools within its departmental responsibility, childcare services of the reliable primary school and flexible afternoon

care, after-school care facilities and after-school care centres, day-care facilities for children, primary school support classes, school kindergartens and day-care centres for children to protect them against infection with the corona virus.

(2) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Science, in agreement with the Ministry of Social Affairs, is authorised to issue statutory orders for the operation of

1. Universities, academies according to the Academic Act, state libraries and archives,
2. Student services, and
3. Art and cultural institutions, other than those referred to in Paragraph 5, as well as cinemas

to stipulate the conditions and requirements, in particular hygiene requirements, for protection against infection with corona virus. Sentence 1 Numeral 1 shall not apply to the Baden-Württemberg Police University, including the Executive Board for Education of the Baden-Württemberg Police University and the Schwetzingen School of Law. For the Baden-Württemberg Police University including the Executive Board for Education of the Baden-Württemberg Police University, the Ministry of the Interior, and for the Schwetzingen School of Law the Ministry of Justice may approve exemptions from the restrictions of this Ordinance necessary for the training, study and further education and the preparation and holding of examinations as well as for the recruitment procedure.

(3) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Social Affairs is authorised to issue statutory orders for the operation of

1. Hospitals, preventive and rehabilitation facilities, dialysis facilities and day clinics,
2. Facilities for people with care and support needs or with disabilities,

3. Facilities for the homeless,
4. Outpatient assisted living projects of the homeless assistance as well as outpatient assisted living communities for which a provider is responsible in accordance with the Residence, Participation and Care Act,
5. Care and support services in and around the care sector,
6. Offerings in child and youth work as well as in youth social work,
7. Nursing schools, schools for health care professions and technical schools for social services within its departmental responsibility,
8. Further education and training centres for the nursing and health care professions, as well as
9. Schools for rescue service work

to stipulate the conditions and requirements, in particular hygiene requirements, for protection against infection with corona virus.

(4) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of the Interior is authorised to issue statutory orders for the protection against infection with the corona virus

1. For the operation of state facilities for initial admission, conditions and requirements, in particular hygiene requirements, and
2. The separation of persons who are newly admitted to a state facility for initial admission or who are admitted after a longer period of absence.

(5) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Education and Cultural Affairs and the Ministry of Social Affairs are authorised, to issue joint statutory orders for the operation of

1. Public and private sports facilities and sports grounds, including gyms and yoga studios and the organisation of sports competitions, as well as dance schools and similar establishments,
2. Bathing facilities including saunas and bathing lakes with controlled access, as well as music schools, art schools and youth art schools,
3. As well as to stipulate for corresponding offers pursuant to Art. 14 Sentence 1 Numeral 6, within the departmental responsibility of the Ministry of Education and Cultural Affairs,

the conditions and requirements, in particular hygiene requirements, for the protection against infection with the corona virus.

(6) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Transport and the Ministry of Social Affairs are authorised to issue joint statutory orders for

1. Public and tourist passenger transport within the meaning of Art. 3 Paragraph 1 Numeral 1, including restaurant services within the meaning of Art. 25 Paragraph 1 Sentence 2 GastG, and
2. Practical driving, boat and flight training and practical examinations as well as the practical training contents of the initial and further training of officially recognised experts and examiners for motor vehicle, boat and air traffic,

to stipulate conditions and requirements, in particular hygiene requirements, for the protection against infection with corona virus.

(7) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Economics and the Ministry of Social Affairs are authorised, to issue joint statutory orders for

1. The retail trade,

2. The accommodation sector,
3. The hotel and restaurant industry, including catering establishments within the meaning of Art. 25 Paragraph 1 Sentence 1 and Paragraph 2 GastG,
4. Trade fairs, exhibitions as well as conventions,
5. Industrial art,
6. Hairdressing, massage, cosmetic, tanning, nail, tattoo and piercing studios, medical and non-medical foot care establishments,
7. Places of entertainment, and
8. Theme parks, including those that are operated as an itinerant trade within the meaning of Art. 55 Paragraph 1 GewO, and
9. Markets within the meaning of Arts. 66 to 68 GewO.

to stipulate conditions and requirements, in particular hygiene requirements, for the protection against infection with corona virus.

(8) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Social Affairs is authorised to stipulate by statutory order conditions and requirements, in particular hygiene requirements, in agreement with the respective competent ministry for other institutions, establishments, offerings and activities not regulated separately in this Ordinance and in Art. 12, for the protection against infection with the corona virus.

Art. 17

Entry and Return of Travellers

Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Social Affairs is authorised to issue by statutory order regulations for persons entering and returning, in order to

combat the corona virus, in particular

1. The separation of persons entering the country from a state outside the Federal Republic of Germany, in an appropriate manner in accordance with Art. 30 Paragraph 1 Sentence 2 IfSG
2. The obligation of persons according to Numeral 1 pursuant to Art. 28 Paragraph 1 Sentence 1 IfSG to report to the authorities responsible for them and to indicate that the prerequisites for separation are fulfilled,
3. The observation of persons according to Numeral 1 pursuant to Art. 29 IfSG, and
4. Prohibitions of occupational activity for persons according to Numeral 1 pursuant to Art. 31 IfSG, including those directed against persons who reside outside of Baden-Württemberg,

as well as to prescribe exceptions to this and conditions including further orders to this effect in accordance with Art. 28 Paragraph 1 IfSG.

Part 3 - Data Processing, Administrative Offences

Art. 18

Processing of Personal Data

Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Social Affairs and the Ministry of the Interior are authorised to regulate by means of a joint statutory order further details on the processing of personal data between health authorities, local police authorities and the police enforcement service, insofar as this is necessary to protect against infection

1. For the protection of law enforcement officers as well as the staff of local

- police forces against infection during operations,
2. For the ordering, implementation, monitoring and execution of measures in accordance with the Infection Protection Act,
 3. For the prosecution of criminal offences and administrative offences according to the Infection Protection Act and on the basis of statutory orders issued on the basis thereof, and
 4. To examine the capacity for detention or placement and the need for isolated placement in detention centres and prisons.

Art. 19
Regulatory Offences

Within the meaning of Art. 73 Paragraph 1a Numeral 24 IfSG, a regulatory offence is committed by anyone who deliberately or negligently

1. Does not maintain a minimum distance of 1.5 metres to other persons contrary to Art. 2 Paragraph 2,
2. Does not wear a mouth and nose cover contrary to Art. 3 Paragraph 1,
3. Takes part in a meeting of more than twenty persons contrary to Art. 9 Paragraph 1,
4. Holds an event in contravention of Art. 10 Paragraph 1 Sentence 1, Art. 12 Paragraph 1 Sentence 2 or Art. 12 Paragraph 2 Sentence 2,
5. Contravenes a prohibition on access or participation in accordance with Art. 10 Paragraph 1 Sentence 2, Art. 12 Paragraph 1 Sentence 3, Art. 12 Paragraph 2 Sentence 3 or Art. 14 Sentences 2 or 5,

6. Fails to comply with occupational health and safety requirements contrary to Art. 10 Sentence 3 or Art. 14 Sentence 3,
7. Holds an event in contravention of Art. 10 Paragraph 3 Sentence 1 or Paragraph 5,
8. Does not work towards compliance with the distance rule under Art. 2, contrary to Art. 11, Paragraph 2, Sentence 1,
9. Operates a club or a discotheque in contravention of Art. 13 Numeral 1, or operates a prostitution facility, brothel or similar establishment or engages in prostitution in contravention of Art. 13 Numeral 2, or
10. Operates or offers establishments, offerings or activities contrary to Art. 14 Sentence 1.

Part 4 - Final Provisions

Art. 20

Further Measures, Departures

(1) This Ordinance shall not affect the right of the competent authorities to adopt more stringent measures to protect against infection.

(2) The competent authorities may, on a case-by-case basis, grant departures from the requirements stipulated in this Ordinance or pursuant to this Ordinance for important reasons.

Art. 21

Entry into Force, Expiry

(1) This Ordinance shall enter into force on 1 July 2020. At the same time, the Corona Ordinance of 9 May 2020 (Law Gazette p. 266), which was last amended by Article 1 of the Ordinance of 16 June 2020 (emergency promulgation pursuant to Art. 4 of the Promulgation Act and available at <http://www.baden-wuerttemberg.de/corona-verordnung>), shall cease to apply.

(2) Notwithstanding Paragraph 1, Arts. 16 to 18 and Art. 12 Paragraph 3 shall enter into force on the day following promulgation.

(3) This Ordinance shall expire on 30 November 2020.

Stuttgart, 23 June 2020

The Government of the State of Baden-Württemberg:

Kretschmann

Strobl

Sitzmann

Dr. Eisenmann

Bauer

Untersteller

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