

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

of 07 March 2021

On the basis of Art. 32 in conjunction with Arts. 28 to 31 and 36 Paragraph 6 of the [German] Infection Protection Act ("IfSG") of 20 July 2000 (Federal Law Gazette I, p. 1045), last amended by Article 4a of the Act of 21 December 2020 (Federal Law Gazette I, p. 3136, 3137), it is decreed:

*Part 1 – General Regulations*

*Section 1: Objectives,  
Temporary Measures to Avert an Acute Health Emergency*

*Art. 1  
Objectives*

(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 and significantly reduce the number of physical contacts in the population. 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.

*Art. 1a*

*Temporary Measures to Avert an Acute Health Emergency*

Up to and including 28 March 2021, Arts. 1b to 1i shall take precedence over the other provisions of this Ordinance and the statutory decrees issued on the basis of this Ordinance as well as the statutory decrees issued on the basis of the Corona Ordinance of 23 June 2020 (Federal Law Gazette, p. 483) as last amended by Article 1 of the Ordinance of 17 November 2020 (Federal Law Gazette, p. 1052), and the statutory decrees issued on the basis of the Corona Ordinance of 30 November 2020 (Federal Law Gazette, p. 1067) as last amended by Article 1 of the Ordinance of 26 February 2021 (promulgated pursuant to Art. 4 of the Promulgation Act and accessible on the Internet at <https://www.baden-wuerttemberg.de/de/service/aktuelle-infos-zu-corona/aktuelle-corona-verordnung-des-landes-baden-wuerttemberg/>). Art. 20 remains unaffected.

*Art. 1b*

*Further Prohibitions and Restrictions of Events*

(1) Other events within the meaning of Art. 10 Paragraph 3 Sentence 1 Numeral 2 are prohibited. This does not apply to:

1. Necessary committee meetings of legal persons under private and public law, companies and communities with legal capacity and partial legal capacity, staff meetings and events of the collective bargaining partners,
2. Weddings with the attendance of no more than 10 persons; children of the spouses are not counted here,
3. Events within the meaning of Art. 10 Paragraph 4,
4. Vocational training in accordance with the Vocational Training Act or the Crafts, as well as examinations and examination preparations, unless otherwise provided for in Art. 1f,

5. Events of the study programme within the meaning of Art. 13 Paragraph 3,
6. Events in the field of child and youth welfare that are carried out within the framework of services or measures according to Arts. 13, 14, 27 to 35, 35a, 41 as well as Arts. 42 to 42e with the exception of Art. 42a Paragraph 3a of Book Eight of the Social Code - Child and Youth Welfare (SGB VIII); from 15 March 2021 on, services and measures pursuant to Art. 11 of Book VIII of the Social Code are also permitted,
7. Events that are absolutely necessary and cannot be postponed, which serve to maintain work, service or business operations or social welfare,
8. The implementation of labour market policy measures and other vocational training, as well as of language and integration courses; this only applies insofar as these cannot be carried out within the framework of an online offer,
9. The conduct of the practical and theoretical driving, boating and flight school training and the practical and theoretical examination; the theoretical driving, boating and flight school training may only be conducted within the framework of an online offer, and
10. the delivery of first aid courses upon presentation of evidence of a same-day negative COVID-19 rapid or self-test by the participants and a test concept for the trainees.

(2) Nomination and election campaign events within the meaning of Art. 11 and the collection of support signatures required for parliamentary and municipal elections for election proposals of parties, electoral associations and individual candidates as well as for petitions for referendums, petitions for motions, citizens' petitions, residents' petitions and residents' meetings are permissible.

*Art. 1c*

*Further Prohibitions of Operation and Restrictions of Facilities*

(1) The operation of all facilities pursuant to Art. 13 Paragraph 1 shall be prohibited for public access. This does not apply to:

1. Accommodation establishments insofar as they are used for necessary business or official overnight stays or in special cases of hardship,
2. The hospitality industry, in particular pubs and restaurants, including hospitality establishments within the meaning of Art. 25 Paragraph 2 of the Restaurant Act exclusively for external sales as well as pick-up and delivery services and for the provision in conjunction with permitted overnight accommodation within the meaning of Numeral 1,
3. Canteens and cafeterias at universities and academies in accordance with the Academies Act, insofar as drinks and food are served exclusively for take-away and in the context of external sales,
4. Sports grounds, sports facilities, swimming pools, indoor swimming pools, thermal baths, fun pools and other pools as well as bathing lakes with controlled access insofar as they are used exclusively for administrative purposes for rehabilitation sports, school sport, study programmes, top-level or professional sports,
5. (omitted)
6. (omitted)
7. Archives and libraries, insofar as the use takes place under corresponding application of Paragraph 2 Sentences 2 and 3; for libraries, deviations may be permitted for the pick-up of ordered media and the return of media within the framework of the respective hygiene concept,

8. Pet salons, pet groomers and comparable animal care facilities, applying Paragraph 2 Sentence 8 analogously,
9. Betting offices under analogous application of Paragraph 2 Sentence 8, and
10. Museums, galleries, zoological and botanical gardens as well as memorial sites under the corresponding application of Paragraph 2 Sentences 2 and 3.

Notwithstanding Sentence 2 Numeral 4, the operation of sports grounds and sports facilities is permissible for low-contact recreational and amateur individual sports in accordance with to Art. 9 Paragraph 1; outdoors, groups of up to 20 children up to and including 14 years of age may practice recreational and amateur sports. In the cases of Sentence 3, no use may be made of changing rooms, sanitary facilities and other recreation rooms or communal facilities; on extensive outdoor facilities, several groups may practice the sport independently of each other in accordance with Art. 9 Paragraph 1.

(2) The operation of retail businesses, shops and markets, with the exception of pick-up offers and delivery services including those of online commerce, is prohibited. Sentence 1 shall not apply if individual appointments are made by prior agreement; notwithstanding Art. 13 Paragraph 2, one customer per 40 square metres of sales area or part thereof shall be permissible. In the case of individual appointments, fixed time periods per customer shall be specified and the obligation to data processing pursuant to Art. 6 shall apply. The following are excluded from the prohibition pursuant to Sentence 1:

1. The retail trade for food and beverages, including direct marketers, butchers, bakeries and confectioners,
2. Weekly markets within the meaning of Art. 67 Trade and Industry Regulation Act ("GewO"),
3. Places of issue of food banks,

4. Pharmacies, health food shops, drugstores, medical supply stores, orthopaedic shoe technicians, hearing aid acousticians, opticians, baby markets,
5. Petrol stations,
6. Post offices and parcel services, banks and savings banks as well as travel and customer centres for the sale of tickets for public passenger transport,
7. Dry cleaners and launderettes,
8. The sale of books, magazines and newspapers,
9. Sales outlets for animal supplies and feed markets,
10. The wholesale trade, and
11. Nurseries, flower shops, tree nurseries, garden, building and Raiffeisen markets.

Where mixed assortments are offered, parts of assortments whose sale is not permitted under Sentence 4 may be sold if the permitted part of the assortment amounts to at least 60 percent. These outlets may then sell all assortments that they normally sell as well. In all other cases, only the permitted part of the assortment may continue to be sold, if a spatial separation from the prohibited part of the assortment ensures that it is not sold; Sentences 2 and 3 remain unaffected. When setting up pick-up services, operators must organise in particular the distribution of goods in a low-contact manner and within fixed time windows as part of their hygiene concepts. Article 13 Paragraph 2 shall remain unaffected.

(3) If a post office or a parcel service within the meaning of Paragraph 2 Sentence 2 Numeral 6 is operated together with a prohibited retail operation or retail shop, the retail operation or retail shop may not be operated, with the exception of ancillary services required for the dispatch of letters and parcels, if the turnover generated by

the operation of the post office or the parcel service, including ancillary services, plays a subordinate role compared to that generated by the sale of the product range of the prohibited retail operation or retail shop. Paragraph 2 Sentences 2 and 3 remain unaffected.

(4) External sales of food and beverages are permitted for take-away only; areas for on-site consumption shall be closed.

(5) Company canteens within the meaning of Art. 25 Paragraph 1 of the Restaurant Act are to be closed for the on-site consumption of food and beverages. The distribution of food and beverages that can be taken away is permitted, provided that the consumption takes place in suitable spaces on the company premises. Sentence 1 does not apply if important reasons prevent the consumption outside the company canteen; in these cases, operators must ensure in particular, as part of their hygiene concepts, that the minimum distance of 1.5 metres is maintained between all visitors at all times and that a minimum area of 10 square metres per visitor is available in the dining area.

(6) Retail establishments and markets are prohibited from carrying out special sales promotions that are expected to attract an increased influx of people.

(7) The operation of establishments of the craft and service trades, including motor vehicle, agricultural machinery and bicycle repair shops as well as corresponding spare parts sales outlets, remains permitted insofar as it is not prohibited under other provisions in or on the basis of this Ordinance. In the business premises of craftsmen and service providers, the sale of goods not related to craftsmen's services is prohibited; necessary accessories are excluded. In business premises of telephone service providers, only the acceptance and removal of breakdowns and the repair or replacement of defective equipment are permitted; the sale of goods, including in conjunction with the mediation of service contracts, is prohibited. In the cases of Sentences 2 and 3, Art. 13 Paragraph 2 shall apply *mutatis mutandis*; the admissibility of the sale of goods according to Paragraph 2 shall remain unaffected.

*Art. 1d*  
*Ban on Alcohol*

The serving and consumption of alcohol shall be prohibited in traffic and meeting areas in city centres or other public places where people are present either in a confined space or not merely temporarily, as determined by the competent authorities.

*Art. 1e*  
*Operation of Schools*

(1) The following are prohibited up to and including 14 March 2021:

1. Classroom teaching and the organisation of extracurricular and other school events at public schools and corresponding independent institutions,
2. The operation of childcare services of the reliable primary school, flexible afternoon care, after-school care as well as after-school care at the school

The Ministry of Education and Cultural Affairs and the Ministry of Social Affairs may allow exceptions for the performance of examination components relevant to the final examination.

(2) Practical physical education in attendance shall be prohibited, even to the extent that instruction is again permissible under Paragraphs 3 to 13. By way of derogation from this, subject-specific practical physical education in attendance for the preparation of examinations, including the subject-specific practical performance assessments, is permissible for pupils who have chosen physical education as an examination subject, provided that a minimum distance of 1.5 metres is maintained at all times. Activities for which the minimum distance cannot be maintained are prohibited. However, it is permitted to provide safety or assistance with a non-medical everyday mask or comparable mouth-nose covering.



(3) The prohibition under Paragraph 1 shall not apply to

1. The schools at boarding homes for minors recognised under Art. 28 of the Child and Youth Welfare Act for Baden-Württemberg, insofar as the pupils attend the boarding home throughout the year, and to special education and counselling centres with boarding facilities that are open throughout the year.
2. The special education and counselling centres with the special emphases of mental development, physical and motor development as well as special education and counselling centres with other special emphases with these educational programmes.
3. The conduct of written and practical performance assessments,
4. Face-to-face instruction for students
  - a) Of grade 9 of the “Hauptschule”, “Werkrealschule”, “Realschule” and “Gemeinschaftsschule” taking the final examination in the school year 2020/21,
  - b) Of grade 10 of the “Hauptschule”, “Werkrealschule”, “Realschule” and “Gemeinschaftsschule” taking the final examination in the school year 2020/21,
  - c) Of grades 1 and 2 of the general “Gymnasium”, the vocational “Gymnasium” and the “Gemeinschaftsschule”,
  - d) Of special education and counselling centres who attend one of the educational programmes mentioned under Letter a to c in the corresponding grades,
  - e) Of grades 9 of the special education and counselling centres for Learning, the special education and counselling centres for other special

emphases with the study programme Learning as well as grades 9 and 10 in target-differentiated inclusive educational programmes that prepare for a seamlessly following educational programme,

- f) Of vocational schools taking a final examination in the school year 2020/21 leading to a vocational qualification or a general qualification,
5. Institutions pursuant to Art. 14 Paragraph 1 Numeral 3 and corresponding study programmes at vocational schools under the departmental responsibility of the Ministry of Education and Cultural Affairs; this shall only apply to classes that are not graduating classes insofar as teaching operations cannot be carried out within the framework of an online offering and cannot be postponed.

Instruction for pupils pursuant to Sentence 1 Numeral 4 and graduating classes in courses of education at vocational schools under the departmental responsibility of the Ministry of Education and Cultural Affairs pursuant to Sentence 1 Numeral 5 shall take place in alternation between classroom and distance instruction. The school management shall decide on the scope and duration of the attendance phases.

(4) Notwithstanding Paragraph 1, classroom instruction at primary schools in grades 1 to 4 and the corresponding grades of special education and guidance centres, insofar as their operation is not already permissible under Paragraph 3, shall take place in alternating operation with divided classes, the group size of which shall be no more than half of the respective relevant class section. In each case, two class levels are taught in the classroom. Instruction is to be given primarily in the subjects German, Mathematics and subject-specific instruction.

(5) Insofar as pupils are taught in attendance, the operation of childcare services of the reliable primary school, flexible afternoon care, after-school care as well as after-school care at the school and all-day operation are permissible.

(6) For pupils,

1. That are not covered by distance learning, or
2. For whom there is a special need for other reasons based on the assessment of the class conference and the approval of the school management,

face-to-face learning opportunities shall be set up within the framework of the available resources. This applies analogously to subject-specific practical teaching content at vocational schools that cannot be taught by distance learning.

(7) If and insofar as face-to-face teaching takes place, the legal guardians or the pupils of full age shall declare to the school whether they wish to fulfil compulsory schooling by distance learning instead of face-to-face teaching. The obligation to take part in written performance assessments in attendance may also be determined by the instructing teacher in the event of a decision against attendance. If no decision is made to participate in distance learning instead of face-to-face teaching, the obligation to participate in face-to-face teaching is determined by the rules of the School Attendance Ordinance. The decision may be changed with effect for the future at the end of the school half-year or school year as well as in the event of a significant change in circumstances, for example the pandemic situation.

(8) Insofar as no face-to-face teaching takes place, distance learning shall take its place.

(9) Emergency care for eligible pupils at primary schools, grades 5 to 7 of schools based on the primary school as well as all grades of the special education and guidance centres if and insofar as they are not yet able to participate in face-to-face teaching again. Entitled to participate are children,

1. Whose participation in emergency care is necessary to ensure the best interests of the child,

2. Both of whose legal guardians are indispensable in their professional activities or who are studying or attending a school, provided they are aiming for the final examination in 2021 and are prevented from caring for them by this activity, or
3. Who are dependent on emergency care for other serious reasons.

Sentence 2 Numeral 2 also applies if a person is a single parent and fulfils the requirements of Sentence 2 Numeral 2. Single parents are treated the same as legal guardians if the other legal guardian is prevented from providing care for compelling reasons, for example due to serious illness.

(10) As a rule, emergency care extends to the period of operation of the facilities it replaces. It takes place in the respective facility that the child has attended so far, by its staff and in groups that are as small and constant as possible. Exceptions to this are only permissible in cases requiring special justification.

(11) The operation of school canteens and the joint consumption of food by pupils and staff working at the school are permissible within the framework of face-to-face teaching operations and emergency care in groups that are as constant as possible while maintaining the distance requirement of at least 1.5 metres between people. When working in shifts, the tables must always be cleaned between shifts.

(12) Excluded from emergency care and participation in school activities are children,

1. Who are or have been in contact with a person infected with the Corona virus, if 10 days have not elapsed since the last contact, unless otherwise ordered by the competent authorities,
2. Who have stayed in an area that was designated as a risk area by the Robert Koch Institute at the time of the stay within the previous 10 days; this also applies if the area is reclassified as a risk area within 10 days of return, or

3. Who show typical symptoms of an infection with the Corona virus, namely fever, dry cough, disturbance of the sense of taste or smell.

(13) A prohibition of entry and participation according to Art. 7 does not exist in the cases of Paragraph 12 Numeral 1, provided that, according to the provisions of the Corona Ordinance Segregation, an obligation to segregate does not exist or no longer exists.

*Art. 1f*

*Operation of Schools from 15 March 2021 on*

(1) The following are prohibited from 15 March 2021 until the end of 31 March 2021:

1. The teaching of classes and the organisation of extra-curricular and other school events at the public schools and the corresponding independent institutions,
2. The operation of childcare services of the reliable primary school, the flexible afternoon care, as well as the after-school care at the school.

The activity of non-school partners in the school is only permissible to the extent that the activity is part of the school operation that is once again permissible according to Paragraphs 2 to 11. The Ministry of Education and Cultural Affairs and the Ministry of Social Affairs may permit exceptions to the prohibition pursuant to Sentence 1 for the conduct of examination components relevant to the final examination.

(2) Subject-specific sports classes in attendance shall be prohibited, even to the extent that instruction is again permissible under Paragraphs 3 to 11. By way of derogation from this, subject-specific sports classes in attendance to prepare for examinations, including subject-specific performance assessments, are permissible for pupils who have chosen sports as an examination subject, provided that a minimum distance of 1.5 metres is maintained at all times. Activities for which the minimum distance cannot be maintained are prohibited. However, it is permitted to

provide safety or assistance with a non-medical everyday mask or comparable mouth-nose covering.

(3) The prohibition under Paragraph 1 shall not apply to:

1. Classroom teaching

- a) At primary schools and the basic level of special education and guidance centres,
- b) Of grades 5 and 6 of the schools based on the primary school as well as the corresponding grades of the special education and guidance centres,
- c) Of the pupils in grade 9 of the Hauptschule, Werkrealschule, Realschule and Gemeinschaftsschule who will take the final examination in the school year 2020/21,
- d) Of the pupils in grade 10 of the Hauptschule, Werkrealschule, Realschule and Gemeinschaftsschule who will take the final examination in the school year 2020/21,
- e) Of pupils in grades 1 and 2 of the general Gymnasium, the vocational Gymnasium and the Gemeinschaftsschule,
- f) Of the pupils of the special education and guidance centres who attend one of the courses of education mentioned under letters c) to e) in the corresponding grades,
- g) Of pupils in grade 9 of the special education and guidance centres for Learning, of the special education and guidance centres for other special needs with the educational pathway Learning, as well as of grades 9 and 10 in target-differentiated inclusive educational programmes preparing for a seamlessly connecting educational programme,

- h) Of pupils at vocational schools who take a final examination leading to a vocational qualification or a general qualification in the school year 2020/21.
2. The conduct of written and practical performance assessments,
  3. The schools at boarding homes for minors recognised under Art. 28 of the Child and Youth Welfare Act for Baden-Württemberg, insofar as the pupils attend the boarding home throughout the year, and to special education and counselling centres with boarding facilities that are open throughout the year,
  4. The special education and counselling centres with the special emphases of mental development, physical and motor development as well as special education and counselling centres with other special emphases with these educational programmes,
  5. Institutions pursuant to Art. 14 Paragraph 1 Numeral 3 and corresponding study programmes at vocational schools under the departmental responsibility of the Ministry of Education and Cultural Affairs; this shall only apply to classes that are not graduating classes insofar as teaching operations cannot be carried out within the framework of an online offering and cannot be postponed,
  6. The primary school support classes and school kindergartens.

The instruction for pupils pursuant to Sentence 1 Numeral 1 Letters c) to h) and graduating classes in courses of education at vocational schools under the departmental responsibility of the Ministry of Education and Cultural Affairs pursuant to Sentence 1 Numeral 5 shall take place in alternation between face-to-face and distance instruction. The school management shall decide on the scope and duration of the attendance phases.

(4) Insofar as pupils are taught in attendance, the following are permitted for them:

1. The operation of childcare services of the reliable primary school, the flexible afternoon care, the after-school care centres at the school and the all-day operation, as well as
2. Walks and excursions into nature in the class unit.

(5) For pupils

1. Who are not covered by distance learning or
2. For whom there is a special need for other reasons based on the assessment of the class conference and the approval of the school management

face-to-face learning opportunities shall be set up within the framework of the available resources. This shall apply mutatis mutandis to subject-specific practical teaching contents at vocational schools that cannot be taught by distance learning.

(6) If and insofar as face-to-face teaching takes place, the legal guardians or the pupils of full age shall declare to the school whether they wish to fulfil compulsory schooling by distance learning instead of face-to-face teaching. The obligation to take part in written performance assessments in attendance may also be determined by the teaching staff in the event of a decision not to teach in attendance. If no decision is made to participate in distance learning instead of face-to-face teaching, the obligation to participate in face-to-face teaching is determined by the rules of the School Attendance Ordinance. The decision may be changed with effect for the future at the end of the school half-year or school year as well as in the event of a significant change in circumstances, for example pandemic events.

(7) Insofar as no face-to-face teaching takes place, distance learning shall take its place.



(8) Exempt from the prohibition of operation is emergency care for eligible pupils in grade 7 of schools building on the primary school as well as all grades of the special education and guidance centres, if and insofar as they are not yet able to participate in attendance classes again. Participation is open to children,

1. Whose participation in emergency care is necessary to ensure the best interests of the child,
2. Whose legal guardians are both indispensable in their professional activity or are studying or attending school, provided they are aiming for the final examination in 2021, and are thus prevented from looking after them, or
3. Who are dependent on emergency care for other serious reasons.

Sentence 2 Numeral 2 also applies if a person is a single parent and he or she fulfils the requirements of Sentence 2 Numeral 2. Single parents are treated the same as legal guardians if the other legal guardian is prevented from providing care for compelling reasons, for example due to serious illness. As a rule, emergency care extends to the period of operation of the facilities it replaces. It takes place in the respective facility that the child has attended so far, by its staff and in groups that are as small and constant as possible. Exceptions to this are only permitted in cases requiring special justification.

(9) The operation of school canteens and the joint consumption of food by pupils and staff working at the school are permissible within the framework of classroom operations in attendance and emergency care in groups that are as constant as possible, while maintaining the distance requirement of at least 1.5 metres between people. The tables must always be cleaned between shifts.

(10) Excluded from emergency care and participation in school activities are children

1. Who are or have been in contact with a person infected with the Corona virus, if 14 days have not elapsed since the last contact, unless otherwise ordered by the competent authorities,

2. Who, within the previous 10 days, have stayed in an area that was designated as a risk area by the Robert Koch Institute at the time of the stay; this also applies if the area is reclassified as a risk area within 10 days of return, or
3. Who show typical symptoms of an infection with the Corona virus, namely fever, dry cough, disturbance of the sense of taste or smell.

(11) A ban on admission and participation pursuant to Art. 7 does not exist in the cases of Paragraph 10 Numeral 1, provided that, according to the provisions of the Corona Ordinance on Segregation, there is no or no longer a duty to segregate.

#### *Art. 1g*

##### *Events Organised by Religious, Faith and Non-Confessional Organisations for the Practice of Religion as well as Events in the Case of Death*

(1) During events of religious, faith and non-confessional communities for the practice of religion as well as events in the case of death within the meaning of Art. 12 Paragraphs 1 and 2, congregational singing is prohibited in enclosed spaces.

(2) Participation in events within the meaning of Art. 12 Paragraph 1 is only permitted after prior registration with the organisers, provided that the expected number of visitors will result in the full utilisation of spatial capacities. The organisers shall carry out data processing in accordance with Art. 6.

(3) Events within the meaning of Art. 12 Paragraph 1 with more than 10 participants shall be communicated to the competent authority at least two working days in advance, unless general arrangements have been made with the authority.

*Art. 1h*

*Restrictions for Hospitals, Facilities for People with Care and Support Needs and  
Outpatient Care Services*

(1) Access of visitors to hospitals is only permitted after a negative antigen test or with a respiratory protection that meets the requirements of the standard FFP2 (DIN EN 149:2001), KN95, N95 or a comparable standard; for children from 6 up to and including 14 years of age, a non-medical everyday mask or a comparable mouth-nose covering is sufficient. Hospitals shall offer visitors the opportunity to take a test. The access of other external persons is only permitted after a negative antigen test or with a respiratory protection that meets the requirements of the standard FFP2 (DIN EN 149:2001), KN95, N95 or a comparable standard. Art. 3 Paragraph 2 Numeral 1 remains unaffected.

(2) Access of visitors and external persons to inpatient facilities for people with care and support needs is only permitted after a prior negative antigen test and with respiratory protection. The respiratory protection shall meet the requirements of the standards FFP2 (DIN EN 149:2001), KN95, N95 or a comparable standard; for children from 6 up to and including 14 years of age, a non-medical everyday mask or a comparable mouth-nose covering is sufficient. Art. 3 Paragraph 2 Numeral 1 remains unaffected. The facilities shall offer testing to their visitors and to external persons. External persons whose access to the facility is absolutely necessary for the maintenance of the facility's operation or for the psycho-social or physical health of the residents are exempt from the performance of a prior antigen test, provided that a prior antigen test cannot be performed for reasons that cannot be postponed. Fire brigade, rescue service, police and civil protection personnel whose access is necessary for the execution of a mission are also exempt from carrying out an antigen test.

(3) Within the framework of the provisions of occupational health and safety law, the staff of hospitals and inpatient facilities for people with care and support needs as well as of outpatient care services must wear respiratory protection that meets the requirements of the standards FFP2 (DIN EN 149:2001), KN95, N95 or a comparable standard if there is contact with residents or patients. The staff of

inpatient facilities for people with care and support needs shall undergo testing for Corona virus infection three times a week and the staff of outpatient care services shall undergo testing for Corona virus infection twice a week and present the results to the management of the facility upon request; the facilities or the outpatient care services shall organise the necessary tests.

(4) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Social Affairs is authorised to issue more detailed regulations to specify the testing and respiratory protection obligation in the cases of Paragraphs 1 to 3.

#### *Art. 1i*

#### *Requirements for Mouth-Nose Covering in Certain Areas*

Notwithstanding Art. 3 Paragraph 1, a medical mask (preferably certified according to DIN EN 14683:2019-10) or a respiratory protection that meets the requirements of the standards FFP2 (DIN EN 149:2001), KN95, N95 or a comparable standard shall be worn in the cases of Numerals 1, 2, 3, 4, 5, 7, 8 and 9. Sentence 1 shall apply *mutatis mutandis* to events within the meaning of Art. 12 Paragraphs 1 and 2. For children from 6 up to and including 14 years of age, a non-medical everyday mask or a comparable mouth-nose covering is sufficient. Art. 1h Paragraph 3 and Art. 3 Paragraph 2 shall remain unaffected.

### *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 Paragraph 1.

(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 transport, particularly in 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 establishments within the meaning of Art. 14 Paragraph 1 Numeral 6,
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 and in waiting and access areas of shopping centres, wholesale and retail shops, as well as on markets in the sense of Arts. 66 to 68 GewO, as well as in parking areas spatially assigned to them,
5. During theoretical and practical driving, boat and flight school lessons and during theoretical and practical examinations, as well as in the case of further offers of the driving schools that result directly from the Driving

Licence Ordinance or the Road Traffic Act,

6. Within pedestrian areas within the meaning of Art. 3 Paragraph 2 Numeral 4 Letter c of the Road Act; furthermore, on paths within the meaning of Art. 3 Paragraph 2 Numeral 4 Letter d of the Road Act, insofar as this is determined by the competent authority in consultation with the competent local police authority,
7. In enclosed spaces intended for the public or for public access,
8. In work and business premises as well as deployment sites,
9. In the case of vocational training offers in the field of trade and industry, and
10. 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; the regulations of the Corona Ordinance School for schools within the meaning of Art. 16 Paragraph 1 remain unaffected.

(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. In work and business premises at the place of work or when performing the activity, provided that a distance of 1.5 metres to other persons can be safely maintained; this does not apply if there is public traffic at the same time or in cases under Art. 3 Paragraph 1 Numeral 9,

4. In practices, institutions, and areas within the meaning of Paragraph 1, Numerals 2, 3, 7, 8 and 9, if the treatment, service, therapy or other activities require it,
5. When consuming food,
6. If another protection of at least an equivalent level is available for other persons,
7. In the areas referred to in Paragraph 1 Numerals 6 and 7 during sports activities in sports grounds and sports facilities of establishments within the meaning of Paragraph 1 Numeral 10,
8. In the facilities within the meaning of Paragraph 1 Numerals 7 and 8 for events within the meaning of Art. 10 Paragraph 4, insofar as they are not visitors; Art. 176 of the Courts Constitution Act remains unaffected,
9. In facilities and areas within the meaning of Paragraph 1 Numerals 6 and 7, provided that a distance of 1.5 meters to other persons can be safely maintained, or
10. In establishments within the meaning of Art. 1 of the Child Day Care Act for children, educational staff and additional staff of these establishments,
11. When practising sport in the sports facilities of the university,
12. In the case of musical or performing recitals in the field of conservatoires, colleges of education and academies under the Academies Act; here, the relevant occupational health and safety provisions laid down in the hygiene concepts apply, depending on the instrument and the type of performance, and
13. During musical practice as part of the study programme.

### *Section 3: Specific Requirements*

#### *Art. 4*

#### *Hygiene Requirements*

(1) Insofar as hygiene requirements are to be complied with by regulations of 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, or 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 the duty of



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 of 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 of 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. Art. 28a Paragraph 4 Sentences 2 to 7 IfSG shall remain unaffected.

(2) Those obliged to process data must exclude persons who refuse, in whole or in part, the collection of their contact data in accordance with Paragraph 1 Sentence 1 from visiting or using the facility or from participating in the event.

(3) Where attendees provide contact details pursuant to Paragraph 1, Sentence 1, to those obliged to process the data, they must provide accurate information.

#### *Art. 7*

#### *Prohibition of Access and Participation*

(1) Insofar as regulations of 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,
3. Who, contrary to Art. 3 Paragraph 1, do not wear a mouth and nose cover, or
4. Who, contrary to Art. 14 Paragraph 1 Numeral 6, do not submit proof of a daily negative COVID-19 rapid or self-test.

(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 of 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 to other persons 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, Private Get-Togethers and Private Events*

(1) Gatherings, private get-togethers and private events are only permitted

1. With members of one's own household,
2. Of members of one's own and another household, with a total of no more than five persons; children of the respective households up to and including 14 years of age do not count here.

Should a household already consist of five or more persons over 14 years of age, that household may meet with one additional person not belonging to the household.

Couples who do not live together are considered one household.

(2) Paragraph 1 shall not apply to gatherings that serve the maintenance of work, service or business operations, public safety and order, or social welfare.

*Art. 10*

*Other 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 Paragraph 1.

(3) Prohibited are

1. Events that serve entertainment, in particular events of mass culture, other art and cultural events and dance events, including dance performances as well as dance lessons and rehearsals; top-class or professional sports events may only take place without spectators,
2. Other events with more than 100 attendees.

When calculating the number of attendees, 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, as well as to 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 as well as study aptitude tests.

(5) 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. 10a*  
*Elections and Voting*

(1) Paragraphs 2 to 7 shall apply to the election proceedings and the determination and ascertainment of the election result in the case of the state parliamentary election, mayoral elections and citizens' referendums as well as other meetings of

the municipal election committee. The polling station within the meaning of this regulation shall include, in addition to the election rooms and meeting rooms of the election committees and election boards, all other rooms in the building that are accessible to the public during the election period and the determination and ascertainment of the election result as well as other meetings of the municipal election committee.

(2) As a minimum, the mayor shall ensure the hygiene requirements according to Art. 4 Paragraph 1 Numerals 1 to 3, 6 and 8. For the members of the election committees and election boards and the assistants, the occupational health and safety requirements according to Art. 8 shall be observed.

(3) A medical mask (preferably certified to DIN EN 14683:2019-10) or respiratory protection that meets the requirements of standards FFP2 (DIN EN 149:2001), KN95, N95 or a comparable standard must be worn in the polling station. This obligation does not apply to

1. Children up to and including the age of six years, and
2. Persons who prove by medical certificate that wearing a mask according to Sentence 1 is not possible for them due to health reasons, or that wearing it is not possible or reasonable for other compelling reasons. A minimum distance of 1.5 metres must be kept from other persons. Before entering the voting room, each person must disinfect their hands.

(4) For persons present in the polling station on the basis of the principle of public access, the following applies:

1. They are obliged to provide their contact details according to Art. 6 Paragraph 1 Sentence 1, the election committee is entitled to collect this data, the election chairman shall hand over the collected data to the mayor in a sealed envelope; the mayor shall be obliged to process data in accordance with Art. 6 Paragraph 1 Sentence 1.

2. In the case of Paragraph 3, Sentence 2, Numeral 2, these persons may be present in polling rooms between 8 a.m. and 1 p.m. and between 1 p.m. and 6 p.m. and after 6 p.m. for a maximum of 15 minutes each time, and in postal voting rooms for a maximum of 15 minutes each time; a minimum distance of two metres must be maintained from the members of the election committee and the assistants.

(5) Entry to the polling station is prohibited for persons who

1. Are or have been in contact with a person infected with the Corona virus if 14 days have not elapsed since the last contact,
2. Show typical symptoms of an infection with the Corona virus, namely fever, dry cough, disturbance of the sense of taste or smell,
3. Do not wear a mask in contravention of Paragraph 3, Sentence 1, without an exemption according to Paragraph 3, Sentence 2 being granted, or
4. Are not willing to provide their contact details in whole or in part contrary to Paragraph 4 Numeral 1.

(6) In the case of transporting election objects to another electoral district under Art. 41 Paragraph 3a of the State Election Code or to another electoral district or a meeting room of a postal voting committee under Art. 37a of the Municipal Election Code because fewer than 50 votes were cast in the electoral district, several persons from different households may travel in one vehicle. The persons shall wear respiratory protection that meets the requirements of the standards FFP2 (DIN EN 149:2001), KN95, N95 or a comparable standard. Art. 3 Paragraph 2 Numeral 2 shall remain unaffected.

(7) To participate in the election or vote, voters are exempt from curfew restrictions under the Protection against Infection Act. The same shall apply to the members of the election committees and election boards and the auxiliary staff to assist in the election or vote as well as to persons wishing to be present in the election building or

at public meetings of the election committees on the basis of the principle of public accessibility.

*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, Faith and Non-Confessional Organisations  
as well as Events in the Case of Death*

(1) Notwithstanding Art. 9 and 10, events organised by churches as well as religious and faith communities for the practice of religion 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, especially upper limits of the number of persons, and other executive regulations for events pursuant to Paragraphs 1 and 2.

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

*Art. 13*

*Operating Bans and Restrictions of Services and Facilities*

(1) With the exception of online offers, the operation of the following facilities is prohibited for the public:

1. Places of entertainment, including gaming halls, casinos and bookmakers, with the exception of betting shops,
2. Art and cultural institutions, especially theatres, opera and concert halls, museums and cinemas, with the exception of music schools, art schools, youth art schools, drive-in cinemas as well as archives and libraries,
3. Tourist coaches, lodging establishments and other establishments offering overnight accommodation against payment, with the exception of necessary overnight stays for business, official purposes or in cases of particular hardship,
4. Trade fairs and exhibitions,
5. Theme parks, zoos, botanical gardens and other recreational facilities, including those outside closed areas, and museum railways as well as tourist cable cars,

6. Public and private sports facilities and sports grounds, including gyms, yoga studios, ski lifts and similar facilities, as well as football grounds, with the exception of uses for recreational and amateur individual sports in accordance with Art. 9 Paragraph 1 as well as for official purposes, for rehabilitation sports, school sports, study, top-level or professional sports,
7. Swimming, indoor, thermal, fun and other pools and bathing lakes with controlled access, with the exception of uses for administrative purposes for rehabilitation sports, school sports, study, top-class or professional sports,
8. Saunas and similar establishments,
9. The hospitality industry, in particular public houses and restaurants, including shisha and smoking bars and catering establishments within the meaning of Art. 25 Paragraph 2 Restaurant Act ("GastG"), with the exception of catering establishments and services within the meaning of Art. 25 Paragraph 1 Restaurant Act ("GastG"), off-premises sales as well as pick-up and delivery services; likewise excluded is catering in connection with permitted overnight accommodation within the meaning of Numeral 3,
10. Refectories and cafeterias at universities and academies in accordance with the Academies Act, with the exception of the serving of drinks and food exclusively for take-away and off-premises sales; Art. 16 Paragraph 2 Sentence 2 applies accordingly,
11. (omitted)
12. Pet salons, pet groomers and comparable animal care establishments, with the exception of boarding kennels,
13. Dance schools, ballet schools and comparable institutions irrespective of the organisational form or recognition as an art school,
14. Clubs and discotheques, and

15. Prostitution facilities, brothels and similar establishments and any other exercise of the prostitution trade within the meaning of Art. 2 Paragraph 3 of the German Protection of Prostitutes Act.

(2) Retail businesses and markets within the meaning of Arts. 66 to 68 GewO, insofar as they take place in enclosed spaces, must limit the number of customers present at the same time as a function of the size of the sales areas as follows:

1. For sales areas smaller than 10 square metres, to a maximum of one customer,
2. For sales areas of up to 800 square metres in total and in food retailing to a maximum of one customer per 10 square metres of sales area,
3. For non-food retail sales areas of more than 800 square metres, a maximum of one customer per 10 square metres of sales area in a total area of 800 square metres and a maximum of one customer per 20 square metres of sales area in the area exceeding 800 square metres.

For shopping centres the respective total sales area is to be applied.

(3) Classroom-based studies at universities and academies are suspended in accordance with the Academies Act; digital formats and other distance learning formats are permitted. Notwithstanding Sentence 1, the rectorate and the academy management may admit courses in attendance form, provided that these are absolutely necessary and cannot be replaced by the use of electronic information and communication technologies or other distance learning formats, in particular for events for students in their first semester. Art. 16, Paragraph 2, Sentences 2 and 3, apply accordingly.

*Art. 14*

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

(1) 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 Academies Act, libraries, archives and student unions,
2. Music schools, art schools and youth art schools,
3. 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,
4. Driving, boat and flight schools including the conduct of theoretical and practical tests,
5. Other educational institutions and offerings of any kind, including the holding of examinations, unless listed in Art. 16 Paragraph 1,
6. Businesses providing body-related services such as hairdressers, barbershops, cosmetic, nail, massage, tanning, tattoo and piercing studios, as well as physiotherapy, occupational therapy, speech therapy, podiatry and chiropody; to the extent that the service, offer or activity does not or cannot permanently involve the wearing of a mouth-to-nose covering, proof of a one-day negative COVID-19 rapid or self-test by the client and a testing policy for staff is required in order for the service to be used,
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. The hospitality industry, including catering facilities and services within the meaning of Art. 25 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,
10. Accommodation establishments,
11. Conventions,
12. Betting shops,
13. Museums, galleries, zoological and botanical gardens and memorials.

(2) When operating or offering the establishments, offers and activities under Paragraph 1, 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 Paragraph 1 Numerals 2 and 5. Paragraph 1 as well as sentences 1 and 2 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.

(3) Establishments pursuant to Paragraph 1 Numeral 6 shall only be permitted to provide the service after prior booking of an appointment.

*Art. 14a*

*Special Infection Control Requirements for Certain Institutions and Businesses*

(1) The employees of

1. Slaughterhouses, cutting plants, meat processing plants, game processing plants and other businesses producing and handling foodstuffs made from unprocessed meat with more than 30 employees, insofar as they are employed in the slaughtering and cutting sector, and
2. Agricultural businesses, including special crop businesses, with more than 10 seasonal workers, in the period of the employment of seasonal workers

must undergo testing for Corona virus infection before they begin work for the first time. In the cases referred to in Numeral 1, employees of establishments with more than 100 employees in the slaughtering and cutting area shall be subject to an additional weekly testing obligation. The results of the tests shall be submitted to the operator upon request. The organisation and financing of the testing is the responsibility of the operator, unless otherwise guaranteed.

(2) Operators of the establishments referred to in Paragraph 1 shall comply with the hygiene requirements pursuant to Art. 4 and shall draw up a hygiene concept in accordance with Art. 5. In establishments referred to in Paragraph 1 Numeral 2, the obligation to wear a mouth-nose covering outside enclosed spaces does not apply. By way of derogation from Art. 5 Paragraph 2, operators of the establishments referred to in Paragraph 1 are obliged to submit the hygiene concept to the locally competent health authority. Insofar as these deficiencies are identified, the hygiene concept is to be adjusted immediately based on the specifications of the health authority.

(3) At the request of the operator, the locally responsible health authority may permit exemptions from the testing obligations under Paragraph 1 for employees of a work area if the operator presents reasons within the framework of a specific hygiene concept that make a deviation appear justifiable.

(4) The operator is obliged to process data for employees and visitors to the business. Art. 6 applies mutatis mutandis. In the case of Paragraph 1 Numeral 2, only the data of employees shall be processed. There is a ban on admission and participation in accordance with Art. 7 as well as for persons who have not undergone the prescribed tests.

(5) The occupational health and safety requirements according to Art. 8 shall be observed. In addition, the operator of the establishments referred to in Paragraph 1 shall fulfil the following obligations:

1. Employees shall be fully briefed in a language they understand, in particular on the changes in work procedures and specifications due to the Corona pandemic, as well as the typical symptoms of an infection with the Corona virus, namely fever, dry cough, disturbance of the sense of taste or smell.
2. Information transfer and instructions pursuant to Sentence 2 Numeral 1 must take place and be documented in writing and orally prior to the first start of work, thereafter at least quarterly and in the case of new developments immediately,
3. Provision of personal protective equipment to all employees and instruction on its correct use.

## *Part 2 - Specific Regulations*

### *Art. 15*

#### *Principle*

(1) The statutory orders issued on the basis of Arts. 16 to 18 and Art. 12 Paragraph 3 shall take precedence over all provisions of Part 1, insofar as deviating provisions are made there.

(2) Paragraph 1 shall not apply to the extent that these ordinances deviate from Arts. 9, 10 Paragraph 3 Sentence 1 Numeral 1 and Art. 13 Paragraphs 1 and 2, with the exception of regulations providing for more extensive measures to protect against infections.

*Art. 16*

*Statutory Order Authorisations*

(1) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Education and Cultural Affairs is authorised to stipulate through 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 any 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, through statutory orders for the operation of

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

to stipulate the conditions and requirements, in particular hygiene requirements, for protection against any infection with the 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, through 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

the protection against any infection with Corona virus.

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

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, through 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
3. Music schools, art schools and youth art schools, as well as to stipulate for corresponding offers in the meaning of Art. 14 Paragraph 1 Numeral 5, within the departmental responsibility of the Ministry of Education and Cultural Affairs,

to stipulate conditions and requirements, in particular hygiene requirements, for the protection against any 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, through 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. Theoretical and practical driving, boat and flight training, theoretical 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, as well as other offers of driving schools that result directly from the Driving Licence Ordinance or the Road Traffic Act,

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

(7) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Economics and the Ministry of Social Affairs are authorised, through 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,
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 any infection with Corona virus.

(8) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Social Affairs is authorised to stipulate through 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 any infection with the Corona virus.

#### *Art. 17*

##### *Ordinance Authorisations on Separation Obligations*

Pursuant to Art. 32 Sentence 2 and Art. 36 Paragraph 6 Sentence 5 IfSG, the Ministry of Social Affairs is authorised to issue by statutory order regulations on separation obligations and related additional obligations and measures 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 separation of sick persons, persons suspected of being sick, persons suspected of being infected and carriers, in a suitable manner in accordance with Art. 30 Paragraph 1 Sentence 2 IfSG,
3. 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,

4. The observation of persons according to Numeral 1 pursuant to Art. 29 IfSG,
5. 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, and
6. The obligation to present a medical certificate after entry according to Art. 36 Paragraph 6 IfSG,

as well as to prescribe exceptions to this and conditions including further orders to this effect.

### *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. Holds any other event contrary to Art. 1b Paragraph 1,
2. Operates a facility or offers a service contrary to Art. 1c Paragraphs 1 to 5, and Paragraph 7,
3. Conducts special sales promotions in retail establishments and markets in contrary to Art. 1c Paragraph 6,
4. Serves or consumes alcohol in public places contrary to Art. 1d,
5. Enters a facility without a negative antigen test or respiratory protection contrary to Art. 1h Paragraph 1 Sentence 1 or Paragraph 2,
6. Enters a facility as an otherwise external person without a negative antigen test and respiratory protection in contravention of Art. 1h Paragraph 1 Sentence 3,
7. Wears a mouth-nose covering that does not comply with the requirements of Art. 1i, Art. 10a Paragraph 3 Sentence 1 or Paragraph 6 Sentence 2,
8. Does not maintain a minimum distance of 1.5 metres to other persons contrary to Art. 2 Paragraph 2,
9. Does not wear a mouth and nose cover contrary to Art. 3 Paragraph 1,

10. Submits, as an attendee, incorrect information regarding first name, surname, address, date of attendance or telephone number contrary to Art. 6 Paragraph 3,
11. Takes part in a gathering or get-together, or holds a private event contrary to Art. 9 Paragraph 1,
12. 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,
13. Contravenes a prohibition on access or participation in accordance with Art. 10 Paragraph 1 Sentence 2, Art. 10a Paragraph 5, Art. 12 Paragraph 1 Sentence 3, Art. 12 Paragraph 2 Sentence 3 or Art. 14 Paragraph 2 Sentences 1 or 4,
14. Fails to comply with occupational health and safety requirements contrary to Art. 10 Paragraph 1 Sentence 3 or Art. 14 Paragraph 2 Sentence 2,
15. Holds an event in contravention of Art. 10 Paragraph 3 Sentence 1
16. Does not work towards compliance with the distance rule under Art. 2, contrary to Art. 11, Paragraph 2, Sentence 1,
17. Operates an establishment in contravention of Art. 13 Paragraph 1 or 2,
18. Operates or offers establishments, offerings or activities contrary to Art. 14 Paragraph 1 and 3,
19. Violates Art. 20, Paragraph 5, Sentence 2, or
20. Says outside the home or other accommodation in contravention of Art. 20 Paragraph 6.

## *Part 4 - Final Provisions*

### *Art. 20*

#### *Further Measures, Departures*

(1) This Ordinance and statutory regulations issued on the basis of this Ordinance shall be without prejudice to the right of the competent authorities to adopt more far-reaching measures to protect against infections.

(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.

(3) If, in the course of a regular inspection, the competent health authority in a rural or urban district establishes a seven-day incidence of less than 50 new infections with the Corona virus per 100,000 inhabitants for five consecutive days, it shall immediately publish the finding of the undercut in the customary manner in the locality and report it to the Ministry of Social Affairs. In the event of an undercut, Paragraphs 1 to 4 shall take precedence over the other provisions of this Ordinance:

1. The opening of the retail trade, shops and markets within the meaning of Arts. 66 to 68 GewO shall be generally permitted; Art. 1c Paragraphs 2 and 3 and Paragraph 7 Sentences 2 to 4 shall not apply; Art. 13 Paragraph 2 shall remain unaffected,
2. The operation of museums, galleries, zoological and botanical gardens as well as memorial sites shall be generally permitted in derogation of Art. 1c Paragraph 1 Sentence 2 Numeral 10; by analogy, Art. 1c Paragraph 2 Sentences 2 and 3 shall not apply.
3. The operation of outdoor sports facilities and sports grounds shall also be permitted for groups of up to 10 persons, in departure from Art. 1c Paragraph 1 Sentence 3, provided that the sport is practised in a low-



contact manner,

4. By way of derogation from Art. 1c Paragraph 1 Sentence 1 in conjunction with Art. 13 Paragraph 1 Numeral 2, the operation of music, art and youth art schools shall be permitted, for individual lessons and for groups of up to five children up to and including 14 years of age; this does not apply to dance and ballet lessons; Art. 1b does not apply in this respect.

Sentence 2 Numerals 1 to 4 shall not apply if the competent public health authority in a rural or urban district establishes a seven-day incidence of more than 50 new infections with the Corona virus per 100,000 inhabitants, which has existed for three days in succession within the framework of an inspection to be carried out at regular intervals; The determination of the exceeding as well as the date of entry into force of the amended regulations shall be announced by the public health authority without delay in accordance with local custom and shall be reported to the Ministry of Social Affairs.

(4) If, in the course of a regular inspection, the competent health authority in a rural or urban district establishes a seven-day incidence of less than 35 new infections with the Corona virus per 100,000 inhabitants for five days in succession, it shall immediately publish the finding of the undercut in the customary manner in the locality and report it to the Ministry of Social Affairs. In the event of an established undercut, a limit of a maximum of ten persons from three households shall apply in addition to Paragraph 3, Sentence 2, in derogation of Art. 9 Paragraph 1, Sentence 1 for gatherings, private gatherings and events; Children of the respective households up to and including 14 years of age shall not be counted. Sentence 2 shall not apply if the competent public health authority in a rural or urban district establishes a seven-day incidence of more than 35 new infections with the Corona virus per 100,000 inhabitants, which has existed for three days in succession, within the framework of a regularly conducted inspection; The determination of the exceeding as well as the date of entry into force of the amended regulations shall be announced immediately by the public health authority in accordance with local practice and reported to the Ministry of Social Affairs.

(5) If, in the course of a regular inspection, the competent health authority in a rural

or urban district detects a seven-day incidence of more than 100 new infections with the Corona virus per 100,000 inhabitants for three days in succession, it shall immediately publish this exceeding and the date of entry into force of the amended regulations in the manner customary in the locality and report it to the Ministry of Social Affairs. In the event of an exceedance being established, Paragraphs 1 to 5 shall take precedence over the other provisions of this Ordinance:

1. By way of derogation from Art. 9 Paragraph 1 Sentence 1, gatherings, private meetings and events shall only be permitted if they are composed of members of one household and no more than one other person from another household; Children of the respective households up to and including 14 years of age do not count here,
2. By way of derogation from Art. 1c Paragraph 1 Sentence 2 Numeral 10, the operation of museums, galleries, zoological and botanical gardens as well as memorials for the public is prohibited,
3. By way of derogation from Art. 1c Paragraph 1 Sentence 3, the use of sports facilities for amateur and recreational individual sports is prohibited; this does not apply to extensive outdoor sports facilities for groups of people as defined in Numeral 1,
4. By way of derogation from Art. 1c Paragraph 2 Sentences 2 and 3, retailers are prohibited from opening after prior appointment,
5. By way of derogation from Art. 13 Paragraph 1, the operation of businesses providing body-related services such as cosmetic, nail, massage, tattoo, tanning and piercing studios, as well as cosmetic chiropody establishments and similar establishments, with the exception of medically necessary treatments, in particular physiotherapy and occupational therapy, speech therapy, podiatry and chiropody, shall be prohibited for the public.

Sentence 2 Numerals 1 to 5 shall not apply if the responsible public health authority in a rural or urban district determines, within the framework of a regularly conducted

inspection, a seven-day incidence of less than 100 new infections with the Corona virus per 100,000 inhabitants for five days in a row; the determination of the undercut shall be published immediately in the customary manner by the public health authority and reported to the Ministry of Social Affairs.

(6) If, in the case of Paragraph 5, Sentence 1, the competent authority additionally determines that, taking into account all other protective measures taken so far, there is a considerable risk to the effective containment of the spread of the Corona virus, staying outside the residence or other accommodation in the period from 9 p.m. to 5 a.m. of the following day shall only be permitted if the following valid reasons exist:

1. Averting a concrete danger to life, limb and property,
2. Attendance at events within the meaning of Art. 10 Paragraph 4,
3. Gatherings within the meaning of Art. 11,
4. Events within the meaning of Art. 12 Paragraphs 1 and 2,
5. Exercise of professional and official activities, including professional, official or academic training that cannot be postponed, as well as the participation of volunteers in exercises and operations of the fire brigade, disaster control and rescue service,
6. Visits to spouses, civil partners and partners in a non-marital partnership in their home or other accommodation,
7. Use of medical, nursing, therapeutic and veterinary services,
8. Accompaniment and care of persons in need of support and minors, in particular the exercise of custody and rights of access in the respective private sphere,
9. Accompanying and caring for dying persons and persons in acutely life-

threatening conditions,

10. Actions for the care of animals that cannot be postponed, as well as measures for the prevention of epizootic diseases and for the prevention of damage caused by wildlife,
11. Measures of election advertising for the elections and votes referred to in Art. 1b Paragraph 2, in particular the distribution of flyers and posters, and
12. Other comparably important reasons.

Paragraph 5 Sentence 3 shall apply *mutatis mutandis*. This shall also apply in the event that the competent authority determines that, taking into account all other protective measures taken to date, there is no longer a significant threat to the effective containment of the spread of Corona virus.

(7) In the cases of Paragraphs 3 to 6, the legal effects shall take effect on the day after the customary local announcement if the incidence falls below the seven-day incidence, and on the second following working day after the customary local announcement if the incidence exceeds the seven-day incidence. When assessing the incidence values, the public health authority may adequately take into account the diffusivity of the infection occurrence.

(8) The Ministry of Social Affairs may issue further instructions to the competent authorities within the framework of service and technical supervision for supplementary regional measures in the event of exceptionally high levels of infection (hotspot strategy).

#### *Art. 21*

#### *Entry into Force, Expiry*

(1) This Ordinance shall enter into force on the day following its promulgation. The statutory regulations issued on the basis of the Corona Ordinance of 23 June 2020

(Federal Law Gazette, p. 483), as last amended by Article 1 of the Ordinance of 17 November 2020 (Federal Law Gazette, p. 1052), or the statutory regulations issued on the basis of the Corona Ordinance of 30 November 2020 (Federal Law Gazette, p. 1067), as last amended by Article 1 of the Ordinance of 26 February 2021 (emergency promulgation pursuant to Art. 4 of the Promulgation Act and accessible on the Internet at <https://www.baden-wuerttemberg.de/de/service/aktuelle-infos-zu-corona/aktuelle-corona-verordnung-des-landes-baden-wuerttemberg/>), shall continue to apply until their expiry pursuant to Paragraph 2 Sentence 2.

(2) This Ordinance shall cease to have effect at the end of 28 March 2021. At the same time, all ordinances issued pursuant to this Ordinance, the Ordinance of 23 June 2020 or of 30 November 2020 shall cease to have effect unless previously repealed.

(3) By way of derogation from Paragraphs 1 and 2, Art. 1e shall expire at the end of 14 March 2021. Art. 1f shall enter into force at the same time. Art. 20 Paragraphs 3 to 7 shall enter into force upon promulgation.

Stuttgart, 7 March 2021

**The Government of the State of Baden-Württemberg:**

Kretschmann

Strobl

Sitzmann

Dr. Eisenmann

Bauer

Untersteller

Dr. Hoffmeister-Kraut

Lucha

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Wolf

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Erler