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

of 15 September 2021

(in the version valid from 19 March 2022)

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 12 of the Act of 10 September 2021 (Federal Law Gazette I, p. 4147, 4152), it is decreed:

Part 1 – General Regulations

Art. 1

Objective

The Ordinance serves to protect the health of people, especially those at increased risk of severe or fatal Corona Virus Disease 2019 (COVID-19) due to their age or health status, and to prevent overburdening of the health care system. In particular, the key measure of protective action is the number of COVID-19-related hospital admissions per 100,000 inhabitants over a seven-day period. Other indicators such as the number of new infections with the SARS-CoV-2 Corona virus per 100,000 inhabitants within seven days, differentiated according to infection epidemiological aspects, the available intensive medical treatment capacities and the number of persons vaccinated against COVID-19 are taken into account in the evaluation of the infection incidence. In the event of a significant worsening of the epidemic situation, the state government reserves the right to take additional measures on the basis of

¹ Non-official consolidated version after entry into force of Article 2 Paragraphs 1 and 2 of the Ordinance of the State Government amending the Corona Ordinance of 18 March 2022 (emergency promulgation pursuant to Article 4 of the Promulgation Act and retrievable at http://www.baden-wuerttemberg.de/corona-verordnung).
Art. 28a Paragraph 8 IfSG, as amended, following a resolution by the state parliament to that effect.

Art. 2

General Distance and Hygiene Rules

Maintaining a minimum distance of 1.5 meters from other people, adequate hygiene and regular ventilation of enclosed spaces is generally recommended.

Art. 3

Mask Obligation

(1) The obligation to wear a medical mask applies. Inside closed rooms, including closed public vehicle areas in means of transport, passenger shipping, and local public passenger transport, persons over the age of 18 must wear a respiratory protection mask (FFP2 or comparable); Art. 28b Paragraph 1 Sentence 1 IfSG, as amended, shall apply mutatis mutandis to the control and service staff and the driving and control staff of transport companies.

(2) An exception to the mask obligation applies:

1. In private areas,

2. Outdoors, unless it can be assumed that a minimum distance of 1.5 meters from other persons cannot be reliably maintained,

3. For children up to the age of six,

4. For persons who can credibly demonstrate that they cannot or cannot reasonably be expected to wear a medical mask or a respiratory protection mask for health reasons, whereby the credibility of health reasons must generally be substantiated by a medical attestation,
5. If the wearing of a medical mask or a respiratory protection mask is unreasonable or impossible for similarly weighty and unjustifiable reasons in the individual case, or if another protection of at least an equivalent level is available for other persons, or

6. provided that at least equivalent protection is otherwise available for other persons.

(3) The SARS-CoV-2 Occupational Health and Safety Ordinance of 25 June 2021 (BAnz AT 28 June 2021 V1), as amended from time to time, which was amended last by Article 13 of the Act of 22 November 2021 (Federal Law Gazette I, p. 4906, 4913), shall remain unaffected in workplaces and operating sites.

Art. 4

Immunised Persons

(1) Immunised persons are persons vaccinated against or recovered from COVID-19. Immunised persons shall be permitted access to the facilities or services referred to in Part 2 within the limits of available capacity, provided they are asymptomatic and present a proof of vaccination or recovery, insofar as there is also an obligation to submit proof of testing within the meaning of Art. 22a Paragraph 3 IfSG or a statutory instrument based on Art. 22a Paragraph 4 IfSG, as amended from time to time, for non-immunised persons. For immunised persons who are asymptomatic, there is an obligation to present proof of vaccination or convalescence, even if entry or participation is only permitted for immunised persons.

(2) For the purposes of Paragraph 1,

1. A vaccinated person is a person who is in possession of a vaccination certificate issued to him or her within the meaning of Art. 22a Paragraph 1 IfSG or a statutory instrument based on Art. 22a Paragraph 4 IfSG, as amended from time to time,
2. A recovered person is a person who is in possession of a recovery certificate issued to him or her within the meaning of Art. 22a Paragraph 1 IfSG or a statutory instrument based on Art. 22a Paragraph 4 IfSG, as amended from time to time, and

3. An asymptomatic person is a person who currently has no typical symptom or other evidence of infection with the SARS-CoV-2 Corona virus; typical symptoms of an infection with the SARS-CoV-2 Corona virus are shortness of breath, new-onset cough, fever and loss of smell or taste.

Art. 5

Non-Immunised Persons

(1) A non-immunised person is a person who has neither been vaccinated against nor recovered from COVID-19 within the meaning of Art. 4 Paragraph 2. Non-immunised persons shall only be admitted to establishments or services referred to in Part 2, within the limits of available capacity, in accordance with Part 2, if they are asymptomatic and present a test certificate issued to them within the meaning of Art. 22a Paragraph 3 IfSG or a statutory instrument based on Art. 22a Paragraph 4 IfSG, as amended from time to time.

(2) Persons who have not yet reached the age of six or have not yet started school shall always be allowed access to the establishments or services referred to in Part 2, within the limits of the available capacities, provided that they are asymptomatic. Fire brigade, rescue service, police and civil protection personnel are always permitted access to the facilities or services listed in Part 2 as well as to facilities, establishments, offers and activities according to the regulations under Art. 21, insofar as this is necessary for the fulfilment of an emergency mission.

(3) Persons participating as pupils in the regular testing in school attendance and not having reached the age of 18 years yet shall always be allowed access to establishments or services referred to in Part 2 within the available capacities, provided that they are asymptomatic. As a rule, credible proof of pupil status shall be
provided by means of an appropriate identification document.


Art. 6

Verification of Proof

Providers, organisers or operators shall be obliged to verify the proof of testing, vaccination or recovery that is to be presented.

Art. 6a

Procedures for the Verification of Evidence; Digital Test Procedures

(1) The persons obliged to verify evidence within the meaning of Art. 6 shall compare the test, vaccination or recovery certificates to be submitted in accordance with the provisions of Part 2 with the personal data of the person required to provide evidence for the purpose of identity verification, unless the identity is otherwise known. For this purpose, the persons required to provide proof shall present an official identification document.

(2) The persons obliged to submit a test or recovery certificate in accordance with the regulations of Part 2 shall submit it in physical or digital form in the German, English, French, Italian or Spanish language. Vaccination certificates shall be submitted in a form readable by electronic applications (EU-COVID-19 certificate).

(3) Those obliged to verify evidence within the meaning of Art. 6 shall verify the vaccination certificates to be submitted in accordance with Paragraph 2 Sentence 2 by means of electronic applications intended for this purpose, which verify the
authenticity of the certificate issuer's signature using state of the art methods. In this context, the processing of the personal data contained in the evidence pursuant to Paragraph 2 Sentence 2 may only take place locally in the terminal device used by the person performing the test and only to the extent and for as long as it is necessary to perform a visual inspection of the test result displayed by the application.

(4) The obligation to present a vaccination certificate readable by electronic applications shall not apply to persons who are not citizens of a Member State of the European Union, do not reside within the European Union, and have been vaccinated outside the European Union. These persons may also present a vaccination certificate in physical form for the purpose of access to facilities and offers in accordance with Part 2, provided that it meets the requirements of Art. 4 Paragraph 2 Numeral 1. In those cases, the obligation to verify in accordance with Paragraph 3 shall not apply.

Art. 7
Hygiene Concept

(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. The hygiene concept shall describe how the hygiene requirements are to be implemented, in particular

1. The implementation of the distance recommendation and the avoidance of unnecessary contacts, in particular the regulation of flows of people,

2. The implementation of access controls,

3. The implementation of the mask obligation,

4. The regular and sufficient ventilation of indoor spaces,
5. The provision of disinfectants as well as the regular cleaning of surfaces and objects, and

6. Timely and comprehensible information about the applicable hygiene requirements.

(2) At the request of the competent authority, those responsible shall submit the hygiene concept and provide information on its implementation.

Art. 8
Data Processing

(Abolished)

Part 2 – Special Regulations

Art. 9
Private Gatherings and Private Events

(Abolished)

Art. 10
Events

(1) Events such as theatre, opera and concert performances, film screenings, town and folk festivals, city tours, information events, company and club celebrations as well as sport events and conventions shall be permitted, with non-immunised visitors only being permitted entry after presenting proof of testing.
(4) The following events are permitted:

1. Committee meetings of legal entities, companies and comparable associations,

2. Events that serve public safety and order or social welfare,

3. Events in the area of child and youth welfare services that are carried out within the framework of services or measures according to Arts. 14, 27 to 35a, 41 to 42e with the exception of Art. 42a Paragraph 3a SGB VIII, and

4. Events for similarly weighty and irrefutable reasons.

(5) Anyone holding an event must prepare a hygiene concept. An organiser shall assume overall responsibility for the organisation. Implementation is only permitted with controlled access for visitors.

(6) Notwithstanding Paragraphs 1 and 5, events and meetings of the organs, parts of organs and other bodies of the legislative, judicial and executive branches as well as of self-government, as well as nomination and election campaign events and the collection of support signatures required for municipal elections, petitions for referendums, petitions for motions, citizens' petitions, residents' petitions and residents' meetings are permitted without the restrictions of Paragraph 1 and without the creation of a hygiene concept. In accordance with Art. 3 Paragraph 1, the obligation to wear a mask shall only apply to visitors of these events and for voters in municipal elections and referenda.

(7) 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
Town and Folk Festivals

(Abolished)

Art. 12
Meetings under Article 8 of the Basic Law

(Abolished)

Art. 13
Events Organised by Religious, Faith and Non-Confessional Organisations as well as Events in the Case of Death

(1) Events organised by churches as well as religious and faith communities for the practice of religion and corresponding events of non-confessional organisations shall be permitted.

(2) Burials, urn burials and prayers for the dead are permitted.

(3) Anyone holding an event under Paragraphs 1 or 2 shall establish a hygiene concept in accordance with Art. 7.

Art. 14
Cultural, Recreational and Other Establishments, and Transportation

(1) The operation of cultural institutions such as galleries, museums, memorials, archives, libraries and similar institutions, trade fairs and exhibitions, sports facilities,
baths and bathing lakes with controlled access, saunas and similar establishments, river and lake navigation in excursion traffic, tourist bus, rail and cableway transport, ski lifts and similar establishments, amusement parks, zoological and botanical gardens, high ropes courses and similar establishments, shall be permitted to the public, with non-immunised visitors only permitted access after presenting proof of testing.

The collection and return of media in libraries and archives shall be possible without the restrictions of Sentence 1. In saunas, regular exchange of the room air shall be ensured. Access to facilities with aerosol formation, in particular steam baths and hot air rooms, shall not be permitted to non-immunised visitors; the exemption of Art. 5 Paragraph 3 shall not apply.

(2) (Abolished)

(3) The operation of prostitution establishments, brothels and similar establishments as well as any other exercise of the prostitution trade within the meaning of Art. 2 Paragraph 3 of the Prostitution Protection Act of 21 October 2016 (Federal Law Gazette I, p. 2372), as last amended by Art. 5 Paragraph 1 of the Act of 9 March 2021 (Federal Law Gazette I, p. 327), shall be permitted for the general public, with non-immunised visitors only permitted access after presenting proof of testing.

(4) The operation of discotheques, clubs as well as other establishments and events that are operated in a club-like manner shall, shall be permitted for the general public, with non-immunised visitors only permitted access after presenting proof of testing. The exemption of Art. 5 Paragraph 3 shall not apply.

(5) Any person operating an establishment under Paragraphs 1 to 4 shall draw up a hygiene concept.
Art. 15

Extracurricular and Vocational Education

(1) Extracurricular and adult education offerings such as adult education courses, offers by music, art and youth art schools and similar offers shall be permitted, with non-immunised visitors only permitted access after presenting proof of testing.

(2) Events of vocational training pursuant to the Vocational Training Act or the Handicrafts Code as well as examinations and examination preparations, the implementation of labour market policy measures and other further and continuing vocational training, of language and integration courses, the conduct of practical and theoretical driving, boating and flying school training and of practical and theoretical examinations, as well as the conduct of postgraduate seminars pursuant to Art. 2b of the Road Traffic Act (“StVG”) and driving aptitude seminars pursuant to Art. 4a of the StVG and comparable offers shall be permitted, with non-immunised visitors only permitted access after presenting proof of testing; for events lasting several days, a current test certificate shall be submitted every three days. For examinations, proof of testing according to Sentence 1 is not required if a minimum distance of 1.5 metres is maintained at all times and if there is spatial separation from other participants who have provided proof of testing, vaccination or recovery. Notwithstanding Art. 3 Paragraph 1 Sentence 2, only the obligation to wear a medical mask in enclosed spaces applies during an examination.

(3) Nursing schools, schools for health care professions and specialised schools for social work under the departmental responsibility of the Ministry of Social Affairs, further education and training institutions for nursing and health care professions, the State Fire Brigade School, as well as schools for activities in the emergency services and schools under the departmental responsibility of the Ministry of Rural Areas as well as the Ministry of Finances shall offer two antigen tests each school week to the pupils involved in classroom teaching and to the staff working at the institutions in classroom teaching. The time and organisation of tests to be carried out shall be determined by the school administration. Admission for non-immunised persons shall only be permitted upon presentation of proof of testing. Proof of testing shall be deemed to have been provided if the person concerned has taken part in the testing
and has tested negative; this shall also apply if, at the school, the testing is not carried out before or immediately after entering the school premises but at a later point in the school day. The proof must not be provided.

1. For participation in intermediate and final examinations or in performance assessments required for the award of grades,

2. For entering the school premises for a short period of time, insofar as this is absolutely necessary for participation in the distance learning course, or

3. For entry by service providers that is required at short notice for the operation of the school or takes place outside operating hours.

For intermediate and final examinations, the school administration shall take appropriate measures to separate persons without a certificate from the other examination candidates.

(4) Anyone who provides extracurricular and vocational education and training shall draw up a hygiene concept.

Art. 16

Gastronomy, Accommodation and Entertainment Venues

(1) The operation of gastronomy, entertainment venues and similar establishments shall be permitted, with non-immunised visitors only permitted access after presenting proof of testing. Over-the-counter sales and the collection of drinks and food exclusively for take-away are possible without the access restrictions of Sentence 1.

(2) The operation of canteens, cafeterias at universities and academies under the Academies Act as well as company canteens within the meaning of Art. 25 Paragraph 1 of the Restaurants Act (“GastG”) in the version published on 20 November 1998 (Federal Law Gazette I, p. 3418), as last amended by Article 14
of the Act of 10 March 2017 (Federal Law Gazette I, p. 420), shall be permitted for use by members of the respective institution as well as for external immunised persons; for non-immunised external persons access shall only be permitted after presenting proof of testing. Out-of-home sales and the collection of drinks and food exclusively for take-away shall be possible without the access restriction under Sentence 1.

(3) The operation of accommodation businesses and similar establishments shall be permitted, with non-immunised visitors only permitted access after presenting proof of testing. An up-to-date test certificate must be submitted again every three days. The use of recreational facilities and gastronomic establishments by accommodation guests shall be governed by Art. 14 Paragraphs 1 und 4 and Art. 16 Paragraph 1.

(4) Anyone operating an establishment in accordance with Paragraphs 1 to 3 shall draw up a hygiene concept.

Art. 17
Trade and Service Companies

(1) The operation of retail trade, shops and markets shall be permitted without any access restrictions.

(2) The provision of services close to the body shall be permitted, with non-immunised visitors only permitted access after presenting proof of testing; this shall not apply to the use of health-related services.

(3) Anyone operating a retail establishment, a shop, a market in the sense of Paragraph 1, a commercial or service business with customer traffic or a similar establishment and anyone providing services close to the body shall draw up a hygiene concept.
Art. 18
Testing of the Self-Employed

(Abolished)

Art. 19
Slaughterhouses and the Use of Seasonal Workers in Agriculture

(1) The non-immunised 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 ten seasonal workers, in the period of the employment of seasonal workers shall, before they begin work for the first time, present a proof of testing. The test proofs shall be submitted to the operator upon request. The organisation and financing of the testing is the responsibility of the operator, unless otherwise guaranteed. On agricultural operations, the obligation to wear a medical mask does not apply outside enclosed spaces.

(2) Anyone operating establishments referred to in Paragraph 1 Sentence 1 shall draw up a hygiene concept.

(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.
Art. 20

Further Measures, Individual Case Decisions, Model Projects

(1) In individual cases, the responsible authorities may allow deviations from the requirements set out by or on the basis of this Ordinance for an important reason. This Ordinance and Ordinances adopted pursuant to this Ordinance shall be without prejudice to the right of the competent authorities to adopt further-reaching measures to protect against infection.

(2) The Ministry of Social Affairs may issue instructions to the competent authorities within the framework of official and technical supervision for supplementary regional measures in the event of an exceptionally high incidence of infection (hot-spot strategy).

(3) In agreement with the Ministry of Social Affairs, the responsible authorities may approve model projects. Insofar as model projects have proven successful in the assessment of the Ministry of Social Affairs, it may approve further comparable projects upon application.

Art. 21

Statutory Order Authorisations for Institutions, Companies, Offers and Activities

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

1. 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, and
2. Events of religious, faith and ideological communities as well as events in the event of deaths, conditions, requirements and other implementing rules to protect against infection with the Corona virus, in particular hygiene requirements, the ordering of a distance rule, testing and masking obligations, access and participation prohibitions, and modalities of emergency care.

(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, testing and masking obligations as well as access and participation prohibitions and the ordering of a distance rule for the 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 and the Education Centre Correctional Services Baden-Württemberg. For the Baden-Württemberg Police University including the duties of an Executive Board for Education of the Baden-Württemberg Police University, the Ministry of the Interior, and for the Schwetzingen School of Law as well as the Education Centre Correctional Services Baden-Württemberg, the Ministry of Justice may specify 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 and conditions and requirements, in particular hygiene
requirements, testing and masking obligations, distance rules as well as access and participation prohibitions for protection against infection with the Corona virus.

(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 in accordance with Arts. 11 and 13 of Book VIII of the Social Code, the promotion of education in the family in accordance with Art. 16 of Book VIII of the Social Code, and the Frühe Hilfen,

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, testing and masking obligations as well as access prohibitions and the ordering of a
distance rule for the protection against any infection with Corona virus.

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

1. For the operation of correctional facilities, the conditions and requirements, in particular hygiene requirements, testing and masking obligations as well as access prohibitions and the ordering of a distance rule,

2. For the operation of state facilities for initial admission, conditions and requirements, in particular hygiene requirements, testing and masking obligations as well as access prohibitions and the ordering of a distance rule,

3. 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

1. For the operation of public and private sports facilities and sports grounds, gyms and yoga studios and for the organisation of sports competitions, as well as for the operation of dance and ballet schools and similar establishments,

2. For the operation of bathing facilities including saunas and bathing lakes with controlled access, as well as

3. For the operation of music schools, art schools and youth art schools and similar institutions

to stipulate conditions and requirements, in particular hygiene requirements, testing and masking obligations as well as access prohibitions and the ordering of a
distance rule 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, 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, testing and masking obligations as well as access prohibitions and the ordering of a distance rule 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 of the Industrial Code ("GewO"), and

9. Markets within the meaning of Arts. 66 to 68 GewO

to stipulate conditions and requirements, in particular hygiene requirements, testing and masking obligations as well as access prohibitions and the ordering of a distance rule 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, testing and masking obligations as well as access prohibitions and the ordering of a distance rule in agreement with the respective competent ministry for other institutions, establishments, offerings and activities not regulated separately in this Ordinance for the protection against any infection with the Corona virus.

Art. 22

Ordinance Authorisations on Separation Obligations

Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Social Affairs shall be 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 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,

2. The obligation of household members of contact persons of persons tested positive for the Corona virus as well as of persons tested positive by means of a self-test to undergo an antigen or PCR test, according to Art. 28
Paragraph 1 Sentence 1 IfSG,

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

Art. 23

Ordinance Authorisations on the 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 [German] Infection Protection Act,

3. For the prosecution of criminal offences and administrative offences according to the [German] 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. 23a

Responsibilities of the Police Enforcement Service

The police enforcement service, in addition to the authorities responsible under the Ordinance of the Ministry of Social Affairs on Responsibilities under the Infection
Protection Act (Infection Protection Authorities), is responsible for monitoring the obligations arising from this Ordinance

1. For wearing a mouth-nose covering,

2. For the presentation of proof of vaccination, recovery or testing in catering establishments, discotheques, clubs as well as other establishments and events that are operated in a club-like manner, and

3. For the verification of evidence according to Numeral 2 by the operators of gastronomy, discotheques, clubs as well as other establishments and events that are operated in a club-like manner.

Insofar as the storage of data is required within the scope of the monitoring pursuant to Sentence 1, these data shall be separated from other data files. In this respect, Art. 6a of this Ordinance shall apply mutatis mutandis to data processing. The police enforcement service may process the data collected by it pursuant to Sentence 1 only for the purpose of monitoring and enforcing the obligations arising from this Ordinance. Sentences 2 and 4 shall not apply insofar as the data collected by the police enforcement service under Sentence 1 could also have been collected for another purpose or circumstances subsequently arise according to which collection for another purpose would be permissible. In this case, the regulations which are decisive for the processing for the other purpose shall apply to the further processing of the data collected in accordance with Sentence 1.

Art. 24

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. Contrary to Art. 3, Paragraph 1, Art. 10 Paragraph 6 Sentence 2, or Art. 15 Paragraph 2 Sentence 3 does not wear a medical mask or a respiratory
protection mask,

2. Contrary to Art. 4 Paragraph 1 Sentence 2, participates in an event without presenting proof of vaccination or recovery issued in his or her name or enters a facility without presenting proof of vaccination or recovery issued in his or her name,

3. Contrary to Art. 6, also in conjunction with Art. 6a, in conjunction with Art. 4 Paragraph 1 Sentence 2 or Art. 5 Paragraph 1 Sentence 2, each in conjunction with Art. 10 Paragraph 1, Art. 14 Paragraph 1 Sentence 1 or Sentence 4, Art. 14 Paragraph 3, Art. 14 Paragraph 4 Sentence 1, Art. 15 Paragraph 1, Art. 15 Paragraph 2 Sentence 1, Art. 16 Paragraph 1 Sentence 1, Art. 16 Paragraph 2 Sentence 1 Half-Sentence 2, Art. 16 Paragraph 3 Sentence 1 or Sentence 2 or Art. 17 Paragraph 2 fails to comply with an obligation to verify the test, vaccination or recovery certificate, does not comply with the inspection of an official identification document or by means of electronic applications,

4. Contrary to Art. 7 Paragraph 2, fails to submit a hygiene concept at the request of the competent authority or fails to provide information on its implementation,

5. (Abolished),

6. (Abolished),

7. (Abolished),

8. (Abolished),

9. Contrary to Art. 10 Paragraph 1, Art. 14 Paragraph 1 Sentence 1, Art. 14 Paragraph 3, Art. 14 Paragraph 4 Sentence 1, Art. 15 Paragraph 1, Art. 15 Paragraph 2 Sentence 1, Art. 16 Paragraph 1 Sentence 1, Art. 16 Paragraph 2 Sentence 1 Half-Sentence 2, Art. 16 Paragraph 3 Sentence 1
or Sentence 2 or Art. 17 Paragraph 2, participates in an event without presenting proof of testing issued in his or her name or enters a facility without presenting proof of testing issued in his or her name,

10. (Abolished),

11. Contrary to Art. 10 Paragraph 5 Sentence 1 or Art. 13 Paragraph 3, conducts an event without drawing up a hygiene concept,

12. (Abolished),

13. Contrary to Art. 14 Paragraph 5, operates a cultural, leisure or other establishment, a transport establishment, a sauna or a facility with aerosol formation, a trade fair or exhibition, a place of prostitution or a discotheque or a club without drawing up a hygiene concept,

14. (Abolished),

15. Contrary to Art. 16 Paragraph 4, operates a restaurant, a place of entertainment, a refectory, a cafeteria, a company canteen, an accommodation establishment or a similar establishment without drawing up a hygiene concept;

16. Contrary to Art. 17 Paragraph 3, operates a retail establishment, a shop, a market, a commercial or service establishment with customer traffic or a similar establishment without drawing up a hygiene concept,

17. (Abolished),

18. (Abolished),

19. Contrary to Art. 19 Paragraph 1 Sentence 3, does not finance or organise testing as an operator,

20. Contrary to Art. 19 Paragraph 2, fails to draw up a hygiene concept, fails to
submit it or fails to adapt it promptly or fails to carry out data processing,

*Art. 25*

*Entry into Force, Expiry*

(1) This Ordinance comes into force on 16 September 2021, notwithstanding the foregoing, Article 21 shall enter into force on the day of promulgation. At the same time, the Corona Ordinance of 14 August 2021 (Federal Law Gazette, p. 714), which was amended by Article 1 of the Ordinance of 11 September 2021 (emergency promulgated pursuant to Article 4 of the Promulgation Act and available on the Internet at https://www.baden-wuerttemberg.de/de/service/aktuelle-infos-zu-corona/aktuelle-corona-verordnung-des-landes-baden-wuerttemberg/) shall expire. The statutory regulations issued on the basis of the Corona Ordinance of 23 June 2020 (Federal Law Gazette, p. 483), last amended by 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), last amended by the Ordinance of 26 February 2021 (Federal Law Gazette, p. 249), or the statutory regulations issued on the basis of the Corona Ordinance of 7 March 2021 (Federal Law Gazette, p. 273, corr. p. 339), amended by the Ordinance of 19 March 2021 (Federal Law Gazette, p. 298) or the statutory regulations issued on the basis of the Corona Ordinance of 27 March 2021 (Federal Law Gazette, p. 343), last amended by the Ordinance of 1 May 2021 (Federal Law Gazette, p. 417), or the statutory regulations issued on the basis of the Corona Ordinance of 13 May 2021 (Federal Law Gazette, p. 431), last amended by the Ordinance of 18 June 2021 (Federal Law Gazette, p. 501), or the statutory regulations issued on the basis of the Corona Ordinance of 25 June 2021 (Federal Law Gazette, p. 550), amended by the Ordinance of 23 July 2021 (Federal Law Gazette, p. 665) or that have been amended on the basis of the Ordinance of 14 August 2021 (Federal Law Gazette, p. 714), as amended by Article 1 of the Ordinance of 11 September 2021 (not promulgated pursuant to section 4 of the Promulgation Act and available 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
(2) This Ordinance shall expire at the end of 2 April 2022. At the same time, all ordinances issued pursuant to this Ordinance or the ordinances referred to in Paragraph 1 Sentence 2 shall expire unless previously repealed.

Stuttgart, 15 September 2021

The Government of the State of Baden-Württemberg:

Kretschmann
Strobl                    Dr. Bayaz
Schopper                  Bauer
Walker                    Dr. Hoffmeister-Kraut
Lucha                     Gentges
Hermann                   Hauk
Razavi                    Hoogvliet
Bosch