

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

of 17 March 2020

On the basis of Art. 32 in conjunction with Art. 28 Para. 1 Sentences 1 and 2 and Art. 31 of the [German] Infection Protection Act ("IfSG") of 20 July 2000 (Federal Law Gazette I p. 1045), last amended by Article 1 of the Act of 10 February 2020 (Federal Law Gazette I p. 148), it is decreed:

Art. 1

Cessation of Operations in Schools, Day Nurseries and Day Care Centres

(1) Until the end of 19 April 2020,

1. The teaching and implementation of extracurricular and other school events at public schools, school kindergartens, primary school support classes and the at independently sponsored schools and school kindergartens,
2. The use of school buildings for non-school purposes,
3. The operation of childcare facilities as well as childcare, and
4. The operation of childcare facilities at the reliable primary school, flexible afternoon care, day nurseries and after-school care centres at the school

are prohibited.

(2) The prohibition according to Paragraph 1 does not apply to inhouse schools at homes for minors recognised in accordance with Art. 28 State Hospital Act ("LKHG"), provided that

the pupils attend the home all year round, as well as special education and counselling centres with boarding schools that are open all year round. Furthermore, the prohibition shall not apply to schools for the care of the elderly, geriatric care, nursing care, nursing assistance, paediatric care, maternity care (midwives), emergency paramedics, schools for the training of medical technical assistants and pharmaceutical technical assistants, in so far as students are tested and taught there, the completion of which is to take place by 30 May 2020 at the latest, nor to the further training of intensive care nurses. The Ministry of Education and Cultural Affairs may grant exemptions from Paragraph 1 for special education and counselling centres focusing on emotional and social development, vision, hearing, mental development, physical and motor development, pupils undergoing prolonged hospital treatment and corresponding early childhood facilities, if this is required due to special support and care needs.

(3) The Ministry of Education and Cultural Affairs may allow exceptions to Paragraph 1 as well as to Art. 4 Paragraph 1 Numerals 4 and 5 for the purpose of conducting final school examinations. The same applies to the Ministry of Social Affairs with regard to health vocational schools and schools for social work and to the Ministry of Rural Areas and Consumer Protection with regard to agricultural education.

(4) Exempt from the prohibition in accordance with Paragraph 1 are pupils at primary schools, at primary school levels of special education and advice centres, primary school support classes, school kindergartens, and grades 5 and 6 of schools building on the primary school, as well as children in day care facilities and day care, provided that both parents or the single parent are active in areas of critical infrastructure within the meaning of Paragraph 6 and are not available. Legal guardians are equal to single parents if the other legal guardian is prevented from taking care of the child for compelling reasons, e.g. due to a serious illness. Such children shall be provided with emergency care for the duration of the operation referred to in Paragraph 1 which it replaces. Emergency care shall be provided by the staff of the child's previous institution in as small groups as possible; exceptions to this rule shall only be permitted in cases of objective impossibility. In the case of emergency care, Art. 5 Paragraph 2 shall apply *mutatis mutandis* to the joint consumption of meals. Deviations from the minimum personnel quota specified in Art. 1 Childcare Facilities Ordinance ("KiTaVO") may be made in emergency care, provided that the duty of supervision can nevertheless be performed without restriction.

(5) Excluded from the emergency care referred to in Paragraph 4 are children,

1. Who are or have been in contact with an infected person, if 14 days have not yet passed since the contact with an infected person, or
2. Who stayed within the previous 14 days in an area designated by the Robert Koch Institute ("RKI") as a risk area at the time of their stay; this also applies if the area is newly classified as a risk area within 14 days of the return, or
3. With symptoms of respiratory infection or increased temperature.

(6) Critical infrastructure within the meaning of Paragraph 4 is in particular

1. The energy, water, food, information technology and telecommunications, health, finance and insurance, transportation and traffic sectors defined in Arts. 2 to 8 of the BSI Kritis Ordinance ("BSI-KritisV"),
2. The entire infrastructure for medical and nursing care, including the support areas necessary to maintain this care, care for the elderly and outpatient care services; also insofar as it goes beyond the definition of the health sector in Art. 6 BSI-KritisV,
3. The government and administration, parliament, judicial and deportation detention facilities as well as necessary public services (including the facilities pursuant to Art. 36 Paragraph 1 Numeral 4 IfSG), insofar as employees are designated indispensable by their employer,
4. The police and fire brigade (including volunteers) and emergency/rescue services including civil protection,
5. Broadcasting and the press,
6. Employees of public transport and rail passenger transport operators and employees of local bus companies, if they work on regular services,
7. The staff of road maintenance authorities and road companies,
8. Undertakers.

(7) In addition to the areas referred to in Paragraph 6, the Ministry of Education and Cultural Affairs may define other areas of critical infrastructure in accordance with the situation.

(8) Pupils and children whose previously attended institution is subject to an operating ban and for whom no exceptions are provided for under Paragraphs 1 to 7 shall not be admitted to the institutions concerned. The persons entitled to custody must ensure that the prohibitions on entering the premises are observed.

(9) In accordance with Art. 32 Sentence 2 IfSG, the Ministry of Education and Cultural Affairs is authorised to extend the duration of the prohibition in accordance with Paragraph 1 by statutory order, as well as to determine its conditions and adapt the structure of emergency care in accordance with Paragraphs 4 and 5. The right of the responsible authorities to order further measures according to the Infection Protection Act remains unaffected.

Art. 2 Universities

(1) Studies at universities, teacher training colleges, art and music colleges, universities of applied sciences, the Baden-Württemberg Cooperative State University ("DHBW") and the state academies are suspended until 19 April 2020; studies that have already commenced are interrupted until that time. Online offers are still possible. The university decides on its own responsibility whether to make up for missed events and examinations. The universities will ensure that students are able to complete all courses of study planned for the summer semester 2020 and at the same time ensure that they are able to study. Refectories and cafeterias shall remain closed until 19 April 2020. The state libraries shall remain closed to the public until 19 April 2020. Online services may remain open for scientific use.

(2) In accordance with Art. 32 Sentence 2 IfSG, the Ministry of Science is authorised by statutory order to extend the duration of the prohibition pursuant to Paragraph 1 and to permit exceptions in justified individual cases. The right of the responsible authorities to order further measures according to the Infection Protection Act remains unaffected.

Art. 3

Ban on Meetings and Other Events

(1) Meetings in clubs and other sports and leisure facilities as well as the use of offers in adult education centres, music schools and other public and private educational institutions in the extracurricular sector with more than 50 participants as well as coach tours are prohibited.

(2) Meetings in churches, mosques, synagogues and meetings of other religious communities are prohibited.

(3) Other meetings and other events are prohibited.

(4) The relevant authorities may, on important grounds and subject to conditions aimed at protecting against infection, grant exemptions from the prohibition laid down in Paragraphs 1 to 3. An important reason exists in particular if

1. Meetings and other events serve to maintain the critical infrastructure as defined in Art. 1 Paragraph 6, or
2. It is a statutory event and a postponement of the date is not possible.

(5) The Ministry of Social Affairs is authorised pursuant to Art. 32 Sentence 2 IfSG to amend the limit on the number of participants specified in Paragraphs 1 to 3 by statutory order and also to set different limits for indoor and outdoor events.

Art. 4

Closure of Facilities

(1) The operation of the following facilities shall be prohibited until 19 April 2020:

1. Cultural institutions of any kind, especially museums, theatres, playhouses, open air theatres,

2. Educational institutions of any kind, in particular academies, further education institutions, adult education centres, music schools and youth art schools,
3. Cinemas,
4. Swimming pools and indoor pools, thermal and fun pools, saunas,
5. All public and private sports facilities and sports venues, in particular fitness studios as well as dance schools, and similar facilities,
6. Youth centres,
7. Public libraries,
8. Places of entertainment, especially amusement arcades, casinos, betting shops,
9. Places of prostitution, brothels and similar establishments,
10. Ice-cream parlors, bars, shisha bars, clubs, discos, pubs and similar establishments, unless covered by Art. 5,
11. Fairs, exhibitions, leisure and animal parks and providers of leisure activities (also outside of closed rooms), special markets, betting shops and similar facilities,
12. All other retail outlets not belonging to the establishments referred to in Paragraph 3, in particular outlet centres,
13. Public playgrounds and football grounds.

(2) According to Art. 32 Sentence 2 IfSG, the Ministry of Social Affairs is authorised to prohibit the operation of further facilities or to make their operation dependent on the compliance with conditions.

(3) Facilities (retail food trade, weekly markets, pick-up and delivery services, beverage stores, pharmacies, medical supply stores, drugstores, petrol stations, banks and savings banks, post offices, hairdressers, dry cleaners, laundries, newspaper sales, farm shops, stores of the Raiffeisen sector, hardware, gardening and pet supply stores and wholesal-

ers) that are not to be closed in accordance with the guidelines of the Federal Government and the Heads of Government of the Federal States on a uniform procedure for the further restriction of social contacts in the public sector in view of the corona epidemic in Germany of 16 March 2020 must ensure that the necessary hygiene standards, the control of access and the avoidance of queues are ensured. For this purpose they shall be allowed to open on Sundays as well. The Ministry of Economy is authorised to impose conditions toward this regard.

Art. 5

Restriction of the Operation of Restaurants

- (1) The operation of restaurants is generally prohibited until 19 April 2020.
- (2) The prohibition referred to in Paragraph 1 shall not apply to bars, restaurants and cafeterias if it is ensured that
 1. The seats for the guests are arranged in such a way that a distance of at least 1.5 metres between the tables is guaranteed,
 2. Standing places are designed to ensure a distance of at least 1.5 metres between guests, and
 3. Pubs and restaurants shall be open from six o'clock at the earliest and shall be closed from 18.00 hours at the latest.
- (3) According to Art. 32 Sentence 2 IfSG, the Ministry of Social Affairs is authorised to further prohibit the operation of restaurants or to make their operation dependent on compliance with further requirements.

Art. 6

Measures for the Protection of Particularly Vulnerable Persons

- (1) Facilities pursuant to Art. 23 Paragraph 3 Sentence 1 Numerals 1 and 3 to 5 IfSG as well as partially inpatient facilities for people with care and support needs or with disabilities, including short-term care, may no longer be entered for visiting purposes. The following are excluded:

1. Specialist hospitals for psychiatry with the exception of specialist hospitals for gerontopsychiatry,
2. Psychosomatic specialist hospitals, as well as
3. Child and adolescent psychiatric hospitals,

each including the associated day clinics.

(2) In-patient facilities for people in need of care and support or with disabilities, as well as out-patient assisted living communities for which a provider is responsible for in accordance with the Residence, Participation and Care Act may no longer be entered for visiting purposes. The facilities may allow access for visiting purposes if appropriate measures can be taken to protect against infection.

(3) Access by outside persons to the institutions referred to in Paragraphs 1 and 2 for other reasons, in particular for professional reasons, shall be permitted only in exceptional cases and with the agreement of the management of the institution. If access is granted, suitable precautions must be taken to prevent infection.

(4) Persons who have been in contact with an infected person during the previous 14 days and persons showing signs of respiratory disease or high temperature shall not be admitted to the facilities referred to in Paragraphs 1 and 2. If these persons wish to enter an establishment for the purpose of treatment or admission, the prior consent of the institution must be obtained. This may only be deviated from in emergencies. Wherever possible, measures to protect against infection should also be taken in these cases.

(5) In order to maintain medical care and nursing operations, persons working in the institution who would be prohibited from entering in accordance with Paragraph 4 may, after consideration, continue their professional activities in the institution while observing protective measures. The decision on whether to continue the activity and the necessary protective measures shall be taken by the institution.

(6) Exceptions to Paragraphs 1, 2 and 4 may be permitted by the institutions for related persons on a case-by-case basis, for example in the context of terminal care or to accom-

pany a sick child and subject to conditions. In the cases referred to in Paragraph 4, it is mandatory to take appropriate measures to protect against infection.

(7) Care and support services in the run-up to and around care are temporarily discontinued if they are carried out as group services due to an increased risk of infection, especially for the particularly affected vulnerable groups. These include in particular:

Offers according to Art. 45c Para. 1 No. 1 Social Security Code ("SGB") XI in conjunction with Art. 6 Para. 1 Support Offer Ordinance ("UstA-VO"), including support groups (for people with predominantly cognitive impairments, e.g. people in need of care suffering from dementia) or other offers of support in everyday life (e.g. leisure time trips for disabled people and people in need of care). Supplementary to this - as far as created as a group event -

- Voluntary work initiatives according to Art. 45c Para. 1 No. 2 SGB XI, in conjunction with Art. 7 UstA-VO, and
- Self-help offers according to Art. 45d SGB XI in conjunction with Art. 8 UstA-VO will be discontinued as well.

(8) The Ministry of Social Affairs is authorised under Art. 32 Sentence 2 IfSG to issue further regulations by statutory order to protect persons at risk from infection with SARS-Cov-2 and to amend the regulations in this paragraph.

(9) Information about the access prohibitions in accordance with Paragraphs 1 to 4 shall be provided by the facilities in a clearly visible manner prior to access, for example by means of a conspicuous notice on the access doors.

Art. 7

Prohibitions to Enter

(1) In the institutions named in Art. 6, Art. 1 Para. 1 and Art. 2 Para. 1, in particular universities, schools and kindergartens, a general prohibition of entry shall apply to persons who have been in risk areas abroad or particularly affected regions in Germany according to RKI classification during the last 14 days, who have had contact with an infected person or who show symptoms of a respiratory infection or increased temperature.

(2) Commercial overnight accommodation offers may only be used for necessary and expressly not for tourist purposes.

Art. 8

Further Measures Pursuant to the Infection Protection Act

This Regulation is without prejudice to the right of the competent authorities to adopt more stringent measures to protect against infections. The Ministry of Social Affairs is the supreme police authority responsible for the adoption of measures in accordance with the Infection Protection Act. The Ministry of Social Affairs exercises specialist supervision over measures taken by the local police authorities responsible under Art. 1 Para. 6 of the Ordinance of the Ministry of Social Affairs on Responsibilities under the Infection Protection Act.

Art. 9

Effective Date

This Regulation shall enter into force on the day following its promulgation. At the same time, the Regulation of 16 March 2020 with the same wording shall cease to be in force.

Art. 10

Date of Expiry

(1) This Regulation shall expire on 15 June 2020.

(2) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Social Affairs is authorised to change the date of expiry.

Stuttgart, 17 March 2020

The government of the State of Baden-Württemberg:

Kretschmann

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