

**Fifth Ordinance on Protection against New Infections  
with Coronavirus SARS-CoV-2  
(Fifth Corona Ordinance)**

of 26 May 2020

On the basis of § 32 Sentences 1 and 2 of the German Infection Protection Act of 20 July 2000 (German Federal Gazette I p. 1045), most recently amended by Articles 1, 2 and 3 of the law dated 27 March 2020 (German Federal Gazette I p. 587), in connection with § 6 Sentence 1 of the Ordinance on Competent Authorities under the German Infection Protection Act of 11 September 2018 (Bremen Law Gazette p. 425 - 2126-e-1), it is decreed:

**Part I  
Isolation in domestic quarantine**

§ 1

**Infected persons and Category I contact persons**

(1) A person in whom an infection with Coronavirus SARS-CoV-2 has been confirmed by laboratory diagnosis (infected person) is prohibited from leaving his or her home or the institution in which he or she lives without explicit consent from the public health department (isolation) as soon as the laboratory diagnostic confirmation of an infection becomes known. During this period of time, he or she is prohibited from receiving visits by people who are not members of his or her household. These requirements shall cease to apply at the earliest 14 days after the day of laboratory testing if the following criteria are met:

- a) Freedom of symptoms for at least 48 hours in relation to the acute infection with Coronavirus SARS-CoV-2, and
- b) Approval by the attending physician.

(2) A person who had close contact (e.g. at least 15 minutes face-to-face contact at a distance of less than 1.5 metres or very close contact for a shorter period of time) with an infected person within the last two days before the first symptoms appear (Category I contact person) is prohibited from leaving his or her home or the institution in which he or she lives without explicit consent from the public health department, as soon as the laboratory diagnostic confirmation of an infection becomes known, for a period of 14 days since having the last close contact with an infected person. During this period of time, he or she is prohibited from receiving visits by people who are not members of his or her household.

§ 2

**People entering Bremen and travel returnees**

(1) Persons who have entered or are entering the Free Hanseatic City of Bremen by land, sea or air from a country outside the group of countries mentioned in subsection 8 within the last 14 days before the entry into force of this Ordinance or thereafter are obliged to proceed directly to their own home or other suitable accommodation immediately after entering Bremen and to keep themselves permanently isolated there for a period of 14 days after entering Bremen, unless the competent public health department provides its consent to any deviating behaviour; this shall also apply to persons who initially entered another federal state of the

Federal Republic of Germany or another country that is part of the group of countries mentioned in subsection 8. The persons mentioned in sentence 1 are not permitted during this period of time to receive visits from people who are not members of their households.

(2) The persons mentioned in subsection 1 sentence 1 are obliged to contact the competent local police authority in the municipality of Bremen and the competent public health department in the municipality of Bremerhaven without delay and to point out to these institutions that they are subject to the prerequisites stipulated in subsection 1. The persons covered by subsection 1 sentence 1 are furthermore obliged to contact a doctor immediately if any symptoms of illness occur.

(2a) Subsections 1 and 2 shall not apply to persons entering Bremen from countries, for which the Robert-Koch-Institute ascertained, on the basis of robust epidemiological findings, that the general infection situation there indicates a low level of contagiousness for the individual person.

(3) Subsection 1 sentence 1 does not cover persons

- who, for professional reasons, transport people, goods and merchandise across borders by road, rail, ship or air,
- who have stayed outside the territory of the Federal Republic of Germany in the context of their vocational activities as employees of air, ship, rail or bus transport companies or as crew members of aircraft, ships, trains or buses,
- who have been abroad for less than 5 days, or
- who enter Germany for the purpose of urgently necessary activities in system-relevant areas.

(4) Subsection 1 sentence 1 shall not apply to persons who enter the territory of the Federal Republic of Germany for the purpose of commencing employment for at least three weeks (seasonal workers), provided that group-related operational hygienic measures and contact avoidance precautions outside the working group are taken at the place of their accommodation and work during the first 14 days after their entry into Germany, which must be comparable to isolation in accordance with subsection 1 sentence 1, and if leaving the accommodation is only permitted for the purpose of performing their vocational activities. The employer shall report the employment to the competent local police authority before it begins, and document the measures taken in accordance with sentence 1. The local police authorities shall verify compliance with the requirements stipulated in sentence 1.

(5) Subsection 1 sentence 1 shall not apply to members of the armed forces and police officers returning from deployment and equivalent obligations abroad.

(6) Furthermore, subsection 1 sentence 1 shall not apply to persons who enter the Free Hanseatic City of Bremen only for transit purposes; these persons must leave the territory of the Free Hanseatic City of Bremen directly. The transit through the territory of the Free Hanseatic City of Bremen, which is necessary for this purpose, shall be permitted.

(7) Subsections 2a to 6 shall apply only insofar as the persons mentioned therein do not show symptoms indicating an infection with Coronavirus SARS-CoV-2 within the meaning of the criteria of the Robert Koch Institute applicable at the time.

(8) The group of countries within the meaning of subsection 1 encompasses the member states of the European Union as well as Iceland, the Principality of Liechtenstein, Norway, Switzerland and the United Kingdom of Great Britain and Northern Ireland.

(9) By way of derogation, subsections 1 to 7 shall apply to persons entering Germany from a country which is part of the group of countries referred to in paragraph 8 and which, according

to the publication of the Robert Koch Institute in line with the statistical evaluations and publications of the European Center of Disease Prevention and Control (ECDC), has a cumulative number of newly infected persons, relating to the population, of more than 50 cases per 100,000 inhabitants over the last seven days.

### § 3

#### **Observations and obligations during isolation in domestic quarantine**

(1) For the period of isolation, the persons referred to in §§ 1 and 2 shall be subject to observation by the public health department in accordance with § 29 of the German Infection Protection Act. They must have all necessary examinations and the taking of examination material carried out on themselves by commissioners of the public health department. In particular, this includes external examinations and X-ray examinations, swabs from the skin and mucous membranes and the taking of blood samples. The necessary examination material is to be made available on request of the public health department. Orders of the public health department shall be obeyed by the persons concerned. They may also be summoned to appear at the public health department. Furthermore, they are obliged to allow commissioners of the public health department, who prove their respective identity, to enter their home for the purpose of questioning or examination and to provide them with information, on request, about all circumstances relating to their state of health.

(2) Until the end of the isolation, the persons concerned shall be obliged to carry out the following actions and provide the following documentation:

- Twice a day – in the morning and in the evening – their body temperature is to be measured, provided the prerequisites are in place;
- A diary covering symptoms, body temperature, general activities and contacts with other people shall be kept if possible on a daily basis (for the previous days, as far as memory lasts).

In addition, the following (hygiene) rules must also be observed:

- Minimise contact, as far as possible, with people who are not members of your household,
- Separate within the household, in time and space, from the other household members; separation in terms of time can be achieved, for instance, by not having meals together but rather one after another; separation in terms of space can be achieved, for example, by staying in a room different from that of the other household members,
- When coughing and sneezing, keep your distance from others and turn away, hold your elbow in front of your mouth and nose, or use a handkerchief which must be disposed of immediately,
- Wash your hands thoroughly with soap and water regularly and avoid touching your face.

### § 4

#### **Exceptions**

(1) Notwithstanding §§ 1 and 2 (1), an isolated person may leave his or her home or the institution in which he or she lives or receive visitors if this is absolutely necessary to protect life or health. In this event, all contact with other people should be limited to what is absolutely necessary.

(2) Persons working for the police or fire brigade are exempted from §§ 1 and 2. Employees of the authorities and companies mentioned in the Annex to this Ordinance shall be exempted from §§ 1 and 2 if they are named explicitly by their principal or employer. The latter must provide the local police authorities and public health departments with a list of the exempted persons.

(3) Apart from that, the local police authorities may grant further exemptions on request in cases of substantiated hardship.

## **Part 2**

### **Events and institutions/facilities of social life**

#### **§ 5**

##### **Prohibition of contact**

(1) Outside one's own home and the enclosed property, a distance of at least 1.5 metres shall be kept if possible from other people.

(2) Subsection 1 does not apply to:

1. Spouses, partners, partners in a community similar to marriage or civil partnership as well as their children (patchwork family), relatives in a straight line, and siblings and children of siblings,
2. Persons who live in a joint apartment or habitual centre of accommodation (members of one's own household),
3. Gatherings between members of two households within the meaning of no. 2.

(3) When using public passenger transport and the associated facilities, when visiting a sales outlet open to the public or as far as it is explicitly required according the provisions of this Ordinance, a mouth-and-nose cover must be worn. A mouth-and-nose cover is a textile barrier which is suitable, due to its properties and nature, to reduce the spreading of transferable droplet particles through coughing, sneezing and talking, regardless of any labelling or certified category of protection; scarves, shawls/scarfs, bandanas, home-made masks made of cotton or other suitable materials or similar objects are also suitable. Sentence 1 shall not apply to children under six years of age or to persons who cannot wear a mouth-and-nose cover due to health impairment or disability.

#### **§ 6**

##### **Events, other gatherings of people and assemblies**

(1) Public and non-public events and other gatherings of people in the Free Hanseatic City of Bremen are prohibited, unless stipulated otherwise in this Ordinance. Sentence 1 shall not apply to gatherings of people pursuant to § 5 (2).

(1a) Open-air events involving more than 1,000 persons and indoor events involving more than 200 persons shall be prohibited at least until 31 August 2020.

(1b) Events in the open air with up to 50 people and in closed rooms with up to 20 people are permitted from 1 June 2020 onwards. The organiser shall draw up a protection and hygiene

concept; in the case of events at a company, the organiser shall draw up an operational protection and hygiene concept as well as regulations on occupational health and safety; these shall be presented on request. The procedures of the event shall be designed in such a way that a minimum distance of 1.5 metres can be maintained. Until the final preparation and implementation of the operational regulations on occupational health and safety, the minimum requirement is that, if the spatial conditions or the type of activity carried out do not allow the minimum distance of 1.5 metres between employees to be maintained, suitable protective screens or separating devices must be installed or a mouth-and-nose cover must be worn as a secondary requirement. Apart from that, the local police authorities may, by general order, allow exceptions to the size of the event, if necessary subject to conditions, depending on the general infection situation. § 9a (2) no. 6 applies accordingly.

(2) Public or non-public assemblies pursuant to Article 8 of the Basic Constitutional Law (in the open air or in closed rooms) are exempted from the prohibition under subsections 1 and 1a. Unless the meeting is urgent or spontaneous, they must be indicated to the competent assembly authority by telephone, in writing or electronically or be recorded by that authority at least 48 hours before they are announced. The competent assembly authority may prohibit, restrict or impose conditions on the assembly for the purpose of preventing and combating Coronavirus SARS-CoV-2.

(3) Gatherings and assemblies of people are permissible by way of derogation from subsection 1 sentence 1:

1. for the exercise of professions within the meaning of Article 12 (1) of the Basic Constitutional Law, unless such exercise is otherwise restricted; facilities closed to the public may also be entered for professional reasons,
2. for the performance of tasks or services as a member of the Bremen State Parliament and its committees, as a member of the Bremen Senate (federal state government), as a member of the municipal government of Bremerhaven, as a member of the Bremerhaven City Council and its committees, as a member of a deputation or as a member of an advisory council or as a member of a party; the general public may be admitted.
3. for the performance of duties as a civil servant, as a body administering justice or as a sea and port pilot,
4. for the performance of duties in hospitals, medical or nursing facilities, integration assistance facilities, medical practices, psychotherapeutic practices, physiotherapy or follow-up treatment practices, maternity facilities, other health care institutions, pharmacies and medical supply stores, youth and family assistance facilities, social assistance and counselling facilities and veterinary medical facilities, unless visiting such places is otherwise restricted,
5. for the purpose of involvement in coping with the current infection situation,
6. for coverage by representatives of the press, broadcasting services, film and other media,
7. when it comes to the use of public passenger transport,
8. in courts and public authorities or other sovereign authorities and in other bodies or institutions providing services under public law, provided they are not otherwise restricted or barred from access by people who are not civil servants,
9. in connection with the care of persons in need of assistance or minors who are looked after in institutions of temporary custody, custody or in-patient educational assistance if this is not otherwise possible and insofar as this is not otherwise restricted and insofar as the persons are accompanied by a caregiving person (maximum of five people in total),

10. in connection with visiting sales outlets, service companies and facilities that are open to the general public; §§ 9a to 9i remain unaffected,

11. in the framework of care and supervision pursuant to § 17,

12. in the context of family care of children in small groups who do not live in a shared apartment or usual place of accommodation, provided that general hygiene rules are observed.

13. in the context of meetings of elected bodies of a legal entity under public or private law, such as the management board of an association, or other honorary associations,

14. in the context of other events of legal entities under public or private law as provided for in legal regulations, such as a general meeting of members.

(4) Insofar as spatial conditions and the nature of the activities referred to in subsection 3 permit, persons must keep a distance of at least 1.5 metres from each other. The person responsible must ensure adequate hygiene precautions, such as washing possibilities with soap or the provision of disinfectants.

## § 7

### **Special gatherings of people**

(1) Meetings of people in churches, mosques and synagogues as well as on the premises of other religious communities, including community centres, are permitted, provided that compliance with the distance regulation under § 5 (1) is ensured, and that a protection and hygiene concept based on the joint concept of the religious communities with the Federal Government is in place. The protection and hygiene concept must refer to the specific place of the meeting and be made known on site.

(2) Non-religious burials may be conducted under conditions comparable to those of religious burials pursuant to subsection 1. In the context of a funeral, after a religious service or similar ceremony, participation in the final walk to the grave or burial site and the stay there are limited to the closest circle of family and friends, which may comprise 50 persons at most.

(3) Civil marriages are permissible subject to the following conditions, taking into account the information provided by the Robert Koch Institute:

1. the duration should be as short as possible,
2. sufficient hygiene precautions, such as washing possibilities including soap or the provision of disinfectants, must be ensured,
3. a distance between persons of at least 1.5 metres must be ensured in accordance with § 5 (1) and (2) nos. 1 and 2,
4. the number of participants must be reduced to a minimum (only very close family members; in any case no more than 20 people),
5. special attention must be paid to persons at risk, and appropriate precautions must be taken in this respect.

## § 8

## **Motor coach tours and other occasional transport for tourist purposes**

When organising motor coach tours and other occasional transport for tourist purposes, the operator shall ensure that the contact restrictions pursuant to § 5 (1) and (2) are observed. § Section 5 (3) shall apply accordingly. Only half the number of seats permitted may be occupied. Persons may not enter the means of transport if symptoms of an acute respiratory disease are in place. The operator must draw up a protection and hygiene concept, which must be presented on request.

### **§ 9**

#### **Closure of facilities**

The following facilities may not be opened to the public:

1. Shisha bars, clubs, discotheques, festival halls, nightclubs/cheap entertainment businesses and similar places of entertainment,
2. Saunas, sauna clubs, swimming and indoor adventure pools, and other public and private sports facilities, provided no deviating provisions are stipulated in § 9e to 9g; further exceptions for other private and public sports facilities may be permitted in individual cases by written approval of the public order office of Bremen or the municipal government of Bremerhaven to such extent as general hygiene requirements within the meaning of this ordinance are complied with,
3. Cinemas, theatres, operas, concert halls,
- 3a. Events such as drive-in cinemas or drive-in theatres are permitted if visitors stay in closed vehicles during the entire time and if the operator maintains a hygiene and protection concept,
4. Fairs,
5. Prostitution facilities including prostitution in private apartments and vehicles, brothels, brothel-like establishments, swingers clubs.

### **§ 9a**

#### **Pubs and restaurants**

(1) Pubs and restaurants of all kinds, unless they are establishments pursuant to § 9 no. 1, may open in accordance with the applicable statutory requirements and in accordance with subsection 2.

(2) The following conditions must be complied with:

1. The operator shall ensure that the contact restrictions pursuant to § 5 (1) and (2) are complied with; in particular
  - a) tables shall be placed at a distance so that guests maintain a distance of at least 1.5 metres from each other;

b) self-service buffets and self-service are prohibited; buffets where goods are served by a waiter or packaged individual portions can be picked up are permitted, provided the minimum distance is observed;

c) strongly frequented walking areas must be kept clear at all times;

d) operational processes must be arranged in such a way that a distance of at least 1.5 metres can be maintained between employees;

2. In total, no more than half of the originally permitted places for guests may be occupied at the same time;

3. There is a seating obligation (no standing room), a ban on counters and an obligation for guests to be served; this does not apply to sales to take away; the obligation for guests to be served is also fulfilled if a guest is given his or her food and beverages on a tray by the personnel and then takes this tray directly to his or her seat;

4. The operator must draw up an operational protection and hygiene concept as well as regulations on occupational health and safety; these must be presented on request; until the final preparation and implementation of the operational regulations on occupational health and safety, the minimum requirement is that, if the spatial conditions or the type of activity carried out do not allow the minimum distance of 1.5 metres between employees to be maintained, suitable protective screens or separating devices must be installed, or a mouth-and-nose cover must be worn as a secondary requirement;

5. Guests must be made aware of the corona-related rules of conduct;

6. The following applies to hospitality in closed rooms: for the purpose of tracing the chain of infection, the name and contact data (telephone number or e-mail address) of each guest as well as the time at which he or she enters and leaves the facility must be documented by the operator and stored for three weeks; a guest may only be served if he or she agrees to the documentation; if it is necessary for tracing the chain of infection, the competent public health department is authorised to retrieve this data; after the retention period has expired, the contact data must be deleted.

## § 9b

### **Shopping centres and retail stores**

(1) Shopping centres may be opened to the public subject to the following conditions:

1. The operator shall draw up a hygiene and protection concept, which shall highlight in particular how the requirements pursuant to § 5 and § 11 can be met on the common circulation areas; the hygiene and protection concept shall be presented on request;

2. The number of customers in the shop is to be limited, depending on the sales area, in such a way that distance regulations can be observed. The point of reference for an appropriate number of customers is 10 square metres of sales area per person.

(2) Subsection 1 no. 2 shall apply accordingly to retail stores.

§ 9c

**Tourism**

5. Tourist offers, leisure activities and services such as guided city tours and city walks, tourist ship traffic, and tourist information services are prohibited; they may be conducted if the operator or provider ensures that the contact prohibition regulations pursuant to § 5 are complied with and if he or she maintains a protection and hygiene concept. The protection and hygiene concept must be presented on request.

§ 9d

**Outdoor playgrounds**

Public open-air playgrounds (outdoor playgrounds) are open to the public subject to the following conditions:

1. Outdoor playgrounds may only be used by children under the age of 14 who are accompanied by

a) a person entitled to personal custody, or

b) a person over 18 years of age who has assumed the role of supervisor for this period of time on the basis of an agreement with the person entitled to personal custody (person responsible for upbringing)

2. Persons having care and custody or persons responsible for upbringing must see to it that the children under their supervision maintain a minimum distance of 1.5 metres from other persons as far as this proves possible.

Private outdoor playgrounds may be opened subject to the conditions mentioned in sentences 1 and 2.

§ 9e

**Outdoor sports**

(1) Practicing sport on public and non-public open-air sports facilities and in the public space is permitted on condition of the contact prohibition pursuant to § 5 (1). Accordingly, a distance of at least 1.5 meters must be maintained from other people when practicing sport. Subject to this condition, practicing sports in groups is also permitted, as long as an area of at least 10 square meters is made available for each person.

(2) To public and non-public open-air sports facilities, the following requirements apply:

1. Other gatherings of people on the sports facility are not permitted;

2. Locker rooms and showers may not be opened. Buildings for the storage of boats and aircraft in the area of water and air sports may only be opened for use of the boats and aircraft. Necessary repair work may be carried out;

3. Toilets can be opened for use if hand washing or disinfectant agents as well as paper towels are made available in sufficient quantities;

4. The operators of sports facilities in accordance with § 6 (2) nos. 2 to 4 of the Sports Promotion Act must draw up a protection and hygiene and present it on request to the public order office of Bremen or the municipal government of Bremerhaven.

Operators may set facility-specific access restrictions and impose conditions for use; these plans must be made public on the sports facility. This does not apply to open-air sports facilities which are open to the public and on which no organised sports take place.

## § 9f

### **Indoor sports and indoor playgrounds**

(1) Practicing sport in public and non-public spatially closed sports facilities (indoor sports) is permitted on condition of the contact prohibition pursuant to § 5 (1) and (2). Accordingly, a distance of at least 1.5 metres must be maintained when practicing sport. Subject to this condition, practicing sports in groups is also permitted, as long as an area of at least 20 square meters is made available for each person.

(2) The following requirements apply to public and non-public spatially closed sports facilities:

1. Other gatherings of people on the sports facility are not permitted;
  2. Locker rooms and showers may not be opened;
  3. Toilets may be opened for use if hand washing or disinfectant agents as well as paper towels are made available in sufficient quantities;
  4. The operators of spatially closed sports facilities in accordance with § 6 (2) nos. 2 to 4 of the Sports Promotion Act must draw up a protection and hygiene concept and present it on request to the public order office of Bremen or the municipal government of Bremerhaven; operators may set facility-specific access restrictions and impose conditions for use; these plans must be made public on the sports facility.
- (3) Subsections 1 and 2 apply accordingly to indoor playgrounds.

## § 9g

### **Swimming pools**

(1) Public and private outdoor swimming pools may be opened to the public from 1 June 2020 onwards.

(2) Public and private indoor swimming pools may be opened to the public from 1 July 2020 onwards.

(3) The operator must draw up a protection and hygiene concept and a cleaning plan, and present these on request.

## § 9h

### **Gambling**

(1) Gambling halls, casinos (with the exception of traditional gaming) and betting brokers may open in accordance with the applicable legal provisions and in compliance with subsection 2.

(2) The following conditions shall be observed:

1. The operator must ensure that the contact restrictions pursuant to § 5 (1) and (2) are complied with;

2. The operator must draw up an operational protection and hygiene concept as well as regulations on occupational health and safety; these must be presented on request; until the final preparation and implementation of the operational regulations on occupational health and safety, the minimum requirement is that, if the spatial conditions or the type of activity carried out do not allow the minimum distance of 1.5 metres between employees to be maintained, suitable protective screens or separating devices must be installed.

3. For the purpose of tracing the chain of infection, the name and contact details (telephone number or e-mail address) of each guest as well as the time at which he or she leaves the facility must be documented by the operator and stored for three weeks; a guest may only stay in the facility if he or she agrees to the documentation; if necessary for tracing the chain of infection, the competent public health department is authorised to retrieve this data; after the retention period has expired, the contact data must be deleted.

## § 9i

### **Meeting places**

Meeting places and other meeting points, especially for elderly people, people with disabilities, young people, adolescents, mothers, families and children, may be opened if the contact restrictions according to § 5 (1) and (2) are observed. Before a facility is opened, the responsible person must draw up a protection and hygiene concept, which must contain in particular suitable measures to protect risk groups. The protection and hygiene concept shall be presented on request.

## § 10

### **Hotels, holiday homes, holiday rooms and comparable services/offers**

(1) Accommodation establishments and overnight accommodation services (hotels, guesthouses, privately and commercially rented holiday homes, holiday rooms, camping sites, caravan sites, youth hostels and comparable services) may open in accordance with the following requirements if the operators make sure that the contact prohibition regulations pursuant to § 5 are complied with;

(2) Access and the number of guests shall be limited in such a way that the distance regulations and the contact restrictions pursuant to § 5 can be observed. The joint use of a hotel room shall only be permitted to persons in accordance with § 5 (2).

(3) The operator shall draw up an operational protection concept and hygiene concept and regulations on occupational health and safety, and submit them to the relevant authorities on request. He or she must ensure that the hygiene rules and occupational safety standards are observed.

(4) The operational processes shall be designed in such a way that a distance of at least 1.5 meters can be maintained between the employees. Until the final preparation and implementation of the operational regulations on occupational health and safety, the minimum requirement is that, if the spatial conditions or the type of activity carried out do not allow the minimum distance of 1.5 metres between employees to be maintained, suitable protective screens or separating devices must be installed or a mouth-and-nose cover must be worn as a secondary requirement.

(5) The regulations pursuant to § 9a (2) shall apply accordingly to the catering areas of accommodation establishments.

## § 11

### **Due diligence obligations for the opening of facilities**

(1) Insofar as facilities are allowed to open in accordance with this Ordinance, suitable measures shall be taken to control access as well as to ensure that the extended hygiene requirements are met, such as measures to ensure minimum distances and protective devices for cashiers, and to avoid queues and other gatherings of people. If the type of facility requires so, a protection and hygiene concept must be drawn up and presented on request. Implementing regulations may be issued in this regard.

(2) The protection and hygiene concept must demonstrate conclusively, in relation to the specific location and conditions, how the minimum distance pursuant to § 5 (1) can be maintained; it must contain further hygiene rules in order to prevent infections.

## § 12

### **Services and crafts**

Service providers and craftsmen/craftswomen who provide services where a distance of 1.5 metres to the customer cannot be maintained may only provide these services in compliance with the following hygiene rules:

- A distance of at least 1.5 metres between customers must be guaranteed; this shall also apply to waiting areas,
- A mouth-and-nose cover must be worn at work, and
- Hand disinfection must be carried out after every service to a customer.

Service providers and craftsmen/craftswomen who provide their services in premises or vehicles designated for this purpose must draw up a protection and hygiene concept and present it to the local police authorities on request.

## § 12a

### **Institutions for the collective accommodation of refugees, seasonal workers, the houseless and homeless**

The distance regulation pursuant to § 5 (1) is also to be observed in principle in places of collective accommodation for refugees, seasonal or other workers, the houseless and the homeless. In order to ensure that the distance of at least 1.5 metres to persons other than those referred to in § 5 (2) no. 1 is maintained, the number of persons accommodated in one of the institutions mentioned in sentence 1 shall be limited accordingly.

## **Part 3**

### **Hospitals, nursing homes, integration assistance services, workshops for people with disabilities and similar institutions**

## § 13

### **Hospitals**

(1) Hospitals and outpatient surgery facilities may conduct plannable admissions, operations and other surgical interventions, provided that this does not occupy intensive care treatment capacities with machine ventilation possibilities for more than 48 hours. Hospitals must ensure that sufficient beds at normal wards as well as intensive care and ventilation beds are available for the care of patients suffering from Covid-19. Hospitals are obliged to hold the previously provided intensive care and ventilation capacities ready for the care of patients suffering from Covid-19.

(2) The State Minister for Health, Women and Consumer Protection shall determine details on the capacities to be kept available by the hospitals for the care of patients suffering from Covid-19 in accordance with the development of new infections with coronavirus SARS-CoV-2.

## § 14

### **Visiting regulations**

(1) Subject to subsection 3, the following institutions / facilities must not be entered by visitors:

1. Hospitals,
2. Facilities for outpatient surgery,
3. Prevention and rehabilitation facilities, in which medical care comparable to that in hospitals is provided,
4. Dialysis facilities
5. Day hospitals/outpatients clinics,

6. Maternity facilities,
  7. Treatment or healthcare facilities comparable to those referred to in nos. 1 to 6,
- (2) The following institutions / facilities may be entered subject to sentence 2:
1. Full-time inpatient nursing facilities pursuant to § 71 (2) of Book Eleven of the German Social Security Code,
  2. Facilities for people with disabilities within the meaning of § 2 (1) of Book Nine of the German Social Security Code, in which integration assistance services are provided day and night,
  3. Full-time inpatient care and integration assistance facilities in which particularly vulnerable persons live, shared flats within the meaning of § 8 (3) of the Bremen State Law on Accommodation and Supervision for which the respective operator is responsible, as well as guest facilities within the meaning of § 5 of the Bremen State Law on Accommodation and Supervision, and
  4. Homes for the elderly.

The institutions / facilities referred to in sentence 1 may be entered on the following conditions, provided they have a target group-specific concept for visits, which must be available at the latest on 25 May 2020 and take the respective local conditions into account:

1. Agreement of an appointment for the visit,
2. Freedom from symptoms of the resident and visitor who are visiting each other
3. Minimum age of 16 years of the visitors,
4. Announcement and registration of visits by the institution; on entering and leaving the institution, visitors will be recorded including the date of their visit, the name of the visitor, the name of the resident and the contact details; the data will be deleted 14 days after this Ordinance goes out of force,
5. Instruction of residents and visitors in terms of hygiene measures, documentation of the instructions given on the hygiene measures,
6. § 5 (3) applies to visitors and residents accordingly,
7. Compliance with § 5 (1) shall be ensured through organisational, visual or physical measures,
8. Initial contact shall be made in the company of the staff,
9. It is not allowed to bring food to the institution; the consumption of food and beverages during the visit is not permitted,
10. The duration of a visit shall not exceed 45 minutes; each resident shall be allowed to receive one visit per week,
11. A change of the visiting person is not permitted,
12. If possible, the visit shall not take place in the resident's room; separate, sufficiently large rooms must be kept available; this does not apply to visits to bedridden residents or residents with special, handicap-specific needs,

13. The visitor shall disinfect his or her hands when entering and leaving the residents' room and the institution itself,

14. It is permitted for residents to have contact with one visitor in the outside area of the institution, provided that the distance regulations and hygiene provisions under this Ordinance and the requirements imposed by the management of the institution are observed.

Sentence 2 no. 3, no. 10 and no. 11 shall only apply to a limited extent in integration assistance facilities according to sentence 1 nos. 2 and 3. Reasons for extended regulations shall be given in the target group-specific concept; compliance with hygiene regulations shall be ensured.

(3) The institutions pursuant to subsections 1 and 2 must allow exceptions, if necessary subject to conditions, if a special legitimate interest is in place. Such an interest shall be deemed in place particularly in the case of minors and those giving birth, in emergencies, in palliative situations or when it comes to the care of seriously ill and dying people.

(4) Access shall not be deemed a visit if the institutions pursuant to subsections 1 and 2 are entered for professional reasons.

## § 15

### **Day care facilities**

(1) Day care facilities must not be opened for nursing purposes subject to subsection 2.

(2) Facilities of the kind referred to in subsection 1 may offer restricted operations for the emergency care of persons in need of care,

1. whose family members work in so-called critical infrastructures as defined in the Annex to this Ordinance, or
2. who require medically prescribed treatment that cannot be guaranteed by caregiving family members, or
3. for whom a lack of day care would cause damage to health.

Emergency care pursuant to sentence 1 may also be offered to persons in need of care who have not previously been cared for in a day care facility. The names and occupations of the family members of persons in need of care, who receive nursing in the context of emergency care regulations, must be recorded in a list. Emergency care shall be limited to what is necessary. It should be provided in groups that are as small as possible and up to the extent, on which the respective day care facility's protection and hygiene concept is based.

## § 16

### **Care and meetings in the framework of day-structuring integration assistance services, workshops for people with disabilities, municipal aid for addicted people and drug users, and emergency housing assistance**

(1) Regular care in the framework of the following integration assistance services and measures is prohibited, subject to subsections 2 and 3:

1. Day care facilities addressing the special needs of people with mental and multiple disabilities,
2. Foster groups under the umbrella of the workshop for people with disabilities according to § 219 (3) of Book Nine of the German Social Security Code,
3. Daytime activity measures addressing groups in the framework of offers for elderly people with mental disabilities,
4. Workshops for people with disabilities; the continuation of operationally relevant parts by specialists for employment and occupational promotion, accompanying service personnel and production helpers is permitted in compliance with the hygienic regulations pursuant to subsection 4; in exceptional cases, workshop employees may pursue their occupational activities if the State Minister for Social Affairs, Youth, Integration and Sport has been informed in advance of the organisation of such activities.
5. Social group trips for the sake of social participation,

(2) Notwithstanding subsection 1 above, day care centres for people with special needs and foster groups for people with severe mental or multiple disabilities, and workshops for people with disabilities may provide emergency care for those entitled to receive such services,

1. whose custodians or caregiving family members work in so-called critical infrastructures as defined in the Annex to this Ordinance, or
2. for whom the lack of care would cause damage to health.

The Federal State Minister for Social Affairs, Youth, Integration and Sport must be notified of the commencement and arrangement of the emergency care.

(3) Institutions not allowed to provide emergency care within the meaning of subsection 2 shall make sure that people entitled to receive their services and their family members can reach the institution by telephone during usual opening hours. Limited onsite contact shall be admissible if there is concern that people entitled to receive such services may otherwise run into a serious crisis situation. The people entitled to receive such services and their family members must be notified of this possibility.

(4) For the emergency care pursuant to subsection 2 and onsite contact pursuant to subsection 3, measures shall be taken to ensure compliance with the extended hygiene requirements. This includes in particular the frequent and careful washing of hands with soap and water, adherence to the coughing and sneezing etiquette, and avoiding to touch one's own face. Meetings shall be held in as small groups as possible and be as short as necessary in well-ventilated rooms. As far as possible, a distance of at least 1.5 metres shall always be kept from other people.

(5) In the following institutions, care and meetings are permitted:

1. Day care centres for people with mental illnesses,
2. Night cafés,
3. Drug contact facilities,
4. Daytime stays at emergency housing assistance centres,

5. Employment offers for people with mental illnesses; the continuation of operationally relevant parts is permitted, subject to compliance with the hygiene regulations under subsection 4,

insofar as compliance with the distance regulation pursuant to § 5 (1) is ensured and a protection and hygiene concept has been submitted to the Federal State Minister for Social Affairs, Youth, Integration and Sport and the Federal State Minister for Health, Women and Consumer Protection. § 5 (3) shall apply correspondingly.

#### **Part 4**

### **Schools and educational institutions according to the Bremen School Act, children's day care facilities and children's day nursing services pursuant to the Law on the Promotion of Children in Day Care and Day Nursing Facilities (Bremen Children's Day Care and Day Nursing Facilities Act)**

#### **§ 17**

### **Schools and educational institutions according to the Bremen School Act, children's day care facilities and children's day nursing services pursuant to the Bremen Children's Day Care and Day Nursing Facilities Act**

(1) Public schools and schools run by independent bodies, public and private children's day care and day nursing facilities as well as playhouse meeting places may not be opened for teaching and childcare operations, subject to the following provisions. These facilities, including working groups, instruction, school committee work, school report conferences, parent-teacher meetings and similar school events may be opened in stages, provided that a protection and hygiene concept is in place and compliance with the hygiene and distance regulations is ensured.

2. Facilities referred to in subsection 1 shall provide emergency care for children in accordance with the Annex. Emergency care shall also be open for the admission of children to avert danger within the meaning of § 8a of Book Eight of the German Social Security Code or § 1666 of the German Civil Code (BGB), as well as on application in cases of particular hardship.

(3) In public and private children's day care and nursing care facilities, children with special needs shall be gradually admitted to the emergency care service. Other target groups determined by the Federal State Minister for Children and Education may participate in the emergency care service, taking into account the development of the pandemic. In public schools and the schools run by independent bodies, supporting services for children with special needs are also offered outside the emergency care programme. The names as well as the professions of the custodians of the children, who are looked after within the scope of emergency care, are to be recorded in a list.

(4) Care/supervision or instruction should take place in small groups. In public or private children's day care facilities, the groups shall be looked after in separate rooms. In public schools and schools run by independent bodies, the arrangement of the room must ensure that there is a seating distance between the pupils of at least 1.5 metres.

(5) For singing lessons or comparable offers that require intensive breathing, an area of at least 10 square metres per person must be available. For sports or similar offers aimed at physical exercise, §§ 9e and 9f apply accordingly.

(6) Offers by third parties or facilities located outside the facilities mentioned in subsection 1, such as museums, playgrounds or botanical gardens, may be used in small groups, provided that larger gatherings can be avoided. The current regulations on distance and hygiene shall apply. If the offer takes place in a facility, the facility must draw up a protection and hygiene concept. Offers by third parties in public and private children's day care and day nursing facilities may be made available if separate rooms are provided for this purpose. Offers by third parties in public schools and schools run by independent bodies are not permitted – except for alternative physical exercise offers subject to the conditions laid down in subsection 4.

## § 18

### **Other education, further education and advanced training institutions**

(1) At adult education centres, driving or flying schools, adult education establishments, neighbourhood education establishments, music schools and other public or private institutions of vocational education, further education and advanced training, attendance events may take place provided that a distance of at least 1.5 metres between the participants is guaranteed. § 5 (3) shall apply mutatis mutandis to practical driving or flight school training, the practical driving or flight permit examination and first-aid training for the acquisition of a driving or flight permit where the distance of 1.5 metres cannot be observed. For singing lessons or comparable offers that require intensive breathing, an area of at least 10 square metres per person must be available. For sports or similar offers aimed at physical exercise, §§ 9e and 9f apply accordingly. The applicable hygiene regulations must be observed. The facilities must draw up a protection and hygiene concept in accordance with the currently applicable recommendations and update it if necessary. Catering services in the institutions are prohibited. Auxiliary means, such as machines or tools, may not be used jointly by individual participants, but only one after the other; touched surfaces must be cleaned thoroughly before they are used the next time.

(2) By way of derogation from subsection 1 sentence 1, people at vocational education and advanced training institutions of the healthcare professions may fall short of the minimum distance of 1.5 metres temporarily if the kind of vocational education and advanced training requires so. In this context, it shall be made sure that permanent working groups comprised of two people are formed. § 5 (3) shall apply correspondingly.

(3) Further exceptions shall be admissible in the individual case, provided the general hygiene requirements within the meaning of the Ordinance are observed.

## **Part 5 Final provisions**

### **Administrative offences and criminal liability**

(1) An administrative offence within the meaning of § 73 (1a) no. 24 of the German Infection Protection Act is committed by anyone who wilfully or negligently

1. leaves his/her home or an institution in violation of § 1 (1) sentence 1, or receives a visit in violation of § 1 (1) sentence 2, without an exception being in place pursuant to § 4,
2. leaves his/her home or an institution in violation of § 1 (2) sentence 1, or receives a visit in violation of § 1 (2) sentence 2, without an exception being in place pursuant to § 4,
3. does not proceed directly to his or her own home or other suitable accommodation or does not permanently isolate himself or herself there in violation of § 2 (1) sentence 1, or who receives visitors in violation of § 2 (1) sentence 2 without a reason being in place under § 4,
  - 3.a does not contact the responsible local police authority or responsible public health department, or does not contact the responsible local police authority or responsible public health department in due time in violation of § 2 (2) sentence 1,
  - 3.b does not provide notification or fails to provide notification in due time, or does not document the measures taken in violation of § 2 (4) sentence 2,
  - 3.c does not directly leave the Free Hanseatic City of Bremen in violation of § 2 (6) sentence 1,
4. refuses to have a necessary examination carried out on himself/herself, fails to cooperate in such an examination, does not follow the instructions given by the public health department to grant access to one's home or to provide information in violation of § 3 (1),
5. is involved in an event in violation of § 6 (1) sentence 1,
6. organises an event in violation of § 6(1) sentence 1,
7. organises a motor coach tour or other occasional transport for tourist purposes without observing the contact restrictions pursuant to § 5 or the limitation of the number of seats, or without maintaining a protection and hygiene plan in violation of § 8,
8. opens a facility to the public in violation of § 9,
  - 8a. fails to comply with the prescribed distance and hygiene regulations in violation of § 9a (2) no.1, or fails to draw up an operational protection concept in violation of § 9a (2) no.4,
  - 8b. fails to draw up a hygiene and protection concept, or fails to limit the number of customers in such a way that the prescribed distance regulations can be observed, in violation of § 9b,

- 8c. fails to ensure the prescribed contact prohibition regulations, or fails to draw up a hygiene and protection concept in violation of § 9c,
- 8d. fails to ensure the prescribed distance and hygiene regulations or, as an operator of sports facilities, fails to draw up a hygiene and protection concept in violation of § 9e,
- 8e. fails to draw up a hygiene and protection concept as an operator of an open-air or indoor swimming pool in violation of § 9f,
- 8f. fails to ensure the prescribed distance and hygiene regulations or, as an operator of sports facilities, fails to draw up a hygiene and protection concept in violation of § 9g
- 8g. fails to comply with the prescribed distance and hygiene regulations, fails to draw up a hygiene and protection concept or an operational protection concept in violation of § 9h (2),
- 8h. fails to ensure the prescribed distance and hygiene regulations or fails to draw up a hygiene and protection concept in violation of § 9i
9. fails to comply with the prescribed distance and hygiene regulations or fails to draw up an operational protection concept in violation of § 10 (2) to (4),
10. performs services or handicraft activities without complying with the hygiene regulations, or fails to draw up an operational protection concept in violation of § 12,
11. pays a visit, without an exception being in place under subsection 3, in violation of § 14 (1),
12. fails to ensure the necessary distance and hygiene regulations in violation of § 14 (2) sentence 2,
13. opens a day care facility for nursing operations in violation of 15 (1),
14. carries out regular care activities in the framework of integration assistance services or measures in violation of § 16 (1),
15. opens a school or a children's day care or day nursing facility in violation of § 17 (1),
16. opens an adult college, a driving or flying school, an adult education centre, a neighbourhood education institution, a music school or any other public or private education, further education or advanced training institution for classroom teaching purposes without observation of the applicable distance and hygiene regulations in violation of § 18.

Violations may be punished by fines of up to EUR 25,000.

(2) Violations of enforceable orders pursuant to § 28 (1) sentence 2, § 30 (1) and § 31 of the German Infection Protection Act, in each case also in connection with this Ordinance, are punishable under § 75 (1) no. 1 of the German Infection Protection Act.

(3) Violations of enforceable orders pursuant to § 28 (1) sentence 1 of the German Infection Protection Act, in each case also in connection with this Ordinance, constitute

administrative offences pursuant to § 73 (1a) no. 6 of the German Infection Protection Act and may be punished by fines of up to EUR 25,000.

## § 20

### **Restriction of fundamental rights**

This statutory ordinance restricts the fundamental rights of personal freedom (Article 2 (2) sentence 2 of the Basic Constitutional Law), the freedom of assembly (Article 8 of the Basic Constitutional Law), the freedom of movement (Article 11 (1) of the Basic Constitutional Law) and the inviolability of the home (Article 13 (1) of the Basic Constitutional Law).

## § 21

### **Entry into force, expiry, evaluation**

(1) This Ordinance shall enter into force on 27 May 2020. At the same time, the Fourth Ordinance on Protection against New Infections with Coronavirus SARS-CoV-2 (Fourth Corona Ordinance) of 19 May 2020 (Bremen Law Gazette p. 314) goes out of force.

(2) This Ordinance shall expire at the end of 12 June 2020.

(3) The legislator will evaluate on an ongoing basis whether the prerequisites for maintaining the restrictions of fundamental rights, which are associated with this Ordinance, shall continue to apply.

(4) The provisions of this Ordinance shall take precedence over conflicting and substantially identical general decrees enacted by the authorities responsible under § 4 (1) of the Ordinance on Competent Authorities under the German Infection Protection Act. Apart from that, especially with regard to further protective measures provided therein, orders already issued by the authorities responsible under § 4 (1) of the Ordinance on Competent Authorities under the German Infection Protection Act shall remain unaffected.

Bremen, 26 May 2020

The Federal State Minister for Health,  
Women and Consumer Protection

## **Annex to §§ 1, 2, 15 to 17**

### **I. Entitlement to use emergency care services**

Persons having care and custody of a child, custodians and caregiving family members may use emergency care services pursuant to § 15 (2), § 16 (2) and § 17 (3) of this Ordinance if both persons having care and custody (or single parents), custodians and caregiving family members are jobholders, and if no alternative possibilities exist to care for the person who is to be looked after, as well as in cases of hardship upon application.

Priority will be given to caregiving people who work in one of the following areas:

#### **Section 1: Healthcare sector**

People working in the healthcare sector including medical emergency services (doctors, nursing staff), out-patient nursing care services and in-patient nursing care facilities, including care of the elderly, and all staff responsible for maintaining the functions of the healthcare system, such as cleaning and administrative personnel, other personnel (including specialist medical staff) in hospitals, medical or dental practices, laboratories, procurement departments, pharmacies, personnel of pharmaceutical and medical product manufacturers, as well as midwives and employees in veterinary and animal care institutions as well as in institutions, services or measures relating to integration assistance.

#### **Section 2: Civil service**

1. Senatorial authorities of the Free Hanseatic City of Bremen
2. Federal state parliament of Bremen (employees and members of parliament)
3. Bremerhaven city council (members)
4. Municipal government of the City of Bremerhaven (members and employees)
5. Bremen public health department
6. Bremen public order office
7. Bremen civil registry office
8. Bremen immigration office
9. Bremen municipal services office (and associated offices)
10. Bremen police department and Bremerhaven local police authority
11. Bremen and Bremerhaven fire brigades
12. Other authorities and organisations with security tasks of the Free Hanseatic City of Bremen and the municipalities of Bremen and Bremerhaven, in particular with regard to disaster control
13. Public prosecution authority of Bremen
14. General public prosecution authority of Bremen
15. Courts in the federal state of Bremen
16. Prisons in the federal state of Bremen

17. Port authority of the Hanseatic City of Bremen (= assuming the function of public order office in the port district)
18. Food Safety, Animal Health and Veterinary Services Office of the federal state of Bremen
19. State examination office for chemistry, hygiene and veterinary medicine
20. Board of weights and measures in the federal state of Bremen
21. Trade Supervisory Authority of the federal state of Bremen
22. Job Centre, Federal Labour Agency,
23. Road and Traffic Office,
24. Social Services Office
25. Bremen Pension and Integration Office
26. Federal state pay office
27. Social insurance institutions, welfare benefit providers, organisations providing social, financial and cultural support to students
28. Independent organisations providing assistance to children and young people, refugees and the homeless, the elderly and disabled people, as well as assistance to drug users and addicted persons
29. Staff ensuring emergency childcare at day-care centres and schools
30. School personnel
31. Inpatient care facilities (e.g. educational assistance)
32. The federal state commissioner for data protection and the freedom of information
33. Performa Nord
34. The facilities of other federal states and municipalities corresponding to numbers 1 to 29.
35. Institutions whose activities are necessary for the maintenance of diplomatic and consular relations and for the functional capability of entities of the European Union and international organisations.

### **Section 3: Critical infrastructures**

1. Public utilities and disposal companies (electricity, water, energy, waste): e.g. Hansewasser, Bremen public cleansing service, SWB/Wesernetz, fuel supply (HGM Energy)
2. Transport and traffic
3. Bremen Dyke Association on the right bank of the river Weser
4. Bremen Dyke Association on the left bank of the river Weser
5. Nutrition: food industry, food trade, agriculture and horticulture including supply and logistics

6. Information technology and telecommunications
7. Finance and insurance industry: Banks, stock exchanges, insurance companies, social insurances, welfare providers, financial service providers
8. Media and culture: broadcasting services (TV and radio), printed and electronic press, cultural heritage, symbolic buildings
9. bremenports GmbH & Co. KG
10. Pilot associations and pilot transfer operations at the port and on the river Weser
11. EUROGATE technical services in the seaport district
12. Fishing port operating company
13. DFS Deutsche Flugsicherung GmbH (German Air Traffic Control)
14. BIS Bremerhavener Gesellschaft für Investitionsförderung und Stadtentwicklung (Bremerhaven investment promotion and urban development corporation), WFB (Trade and Industry Promotion Office of Bremen), Messe Bremen (Bremen Trade Fair Corporation)
15. Flughafen Bremen GmbH (Bremen Airport Corporation)
16. Petrol stations
17. Undertakers
18. Bremen Real Estate Corporation and Maritime City of Bremerhaven Real Estate Corporation
19. Inpatient care facilities (e.g. educational assistance)
20. Lawyers and attorneys
21. Guardianship associations and legal guardians according to § 1896 BGB (German Civil Code)

## **II. Exemption from the provisions of §§ 1 and 2**

Employees of the authorities and companies mentioned under I. Sections 1 to 3 are exempted from the provisions of §§ 1 and 2 of this Ordinance in accordance with § 4 (2) sentence 2 of this Ordinance, insofar as they are named explicitly by their principal or employer.

Free Hanseatic City of Bremen

Signed by: Chancellery of the state  
government of Bremen