

Law Gazette
of the
Free Hanseatic City of Bremen

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**Ordinance on Protection against New Infections
with Coronavirus SARS-CoV-2**

of 3 April 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 notification of the laboratory diagnostic confirmation 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 two 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

Travel returnees from risk areas

(1) A person who has stayed in a risk area as currently defined by the Robert Koch Institute is prohibited from leaving his or her home without explicit consent from the public health department for a period of 14 days after having returned from the risk area. During this period of time, he or she is prohibited from receiving visits by people who are not members of his or her household. It shall be sufficient that the area in question is defined as a risk area by the Robert Koch Institute within the 14-day period.

(2) A risk area pursuant to subsection 1 is an area designated by the Robert Koch Institute as a risk area or as a particularly affected area as long as this designation is not lifted. Persons are deemed to have stayed in a risk area if they had total contact there for at least 15 minutes with a person other than their fellow travellers at a distance of less than 0.75 metres.

§ 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:

1. Twice a day – in the morning and in the evening – their body temperature is to be measured, provided the prerequisites are in place;
2. 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:

1. Minimise contact, as far as possible, with people who are not members of your household,
2. 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,
3. 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,
4. 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 operations 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 with a list of the exempted persons.

Part 2

Events and institutions/facilities of social life

§ 5

Prohibition of contact

(1) Staying in public space is only permitted alone, together with another person who does not live in the joint apartment or habitual place of accommodation or together with the following people:

1. Family members, own children even if the parents live apart; this also includes the children of partners (so-called patchwork families)
2. Other persons with whom an apartment or habitual place of accommodation is shared.

(2) In public, a distance of at least 1.5 metres shall be kept from persons other than those mentioned in subsection 1.

§ 6

Events, other gatherings of people and assemblies

(1) Events, celebrations and other gatherings of people in the Free Hanseatic City of Bremen are prohibited.

(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 subsection 1. 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 of people are permissible by way of derogation from subsection 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 a party,
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, physiotherapy or follow-up treatment practices, 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 services provided pursuant to Article 9 (3).

(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.

§ 7

Special gatherings of people

(1) People are prohibited from gathering in churches, mosques and synagogues and on the premises of other faith communities, including community centres.

(2) Funerals (funeral ceremonies and burials) are exempted from subsection 1. In implementing funerals, the instructions of the Robert Koch Institute and the following rules in particular shall be taken into account:

5. the duration should be as short as possible,
6. adequate hygiene precautions, such as washing possibilities with soap or the provision of disinfectants, must be ensured,
7. sufficient distance between persons must be ensured,
8. the number of participants must be reduced to a minimum (only very close family members; in any case no more than 20 people)
9. special attention must be paid to persons at risk, and appropriate precautions must be taken in this respect.

(3) It is also forbidden for people to meet on the premises of clubs or associations and in other sports and leisure facilities.

§ 8

Motor coach tours and other occasional transport for tourist purposes

The organisation of motor coach tours and other occasional transport for tourist purposes is prohibited.

§ 9

Restrictions applicable to facilities

(1) The following facilities may not be opened to the public:

1. Pubs and restaurants of all kinds; the sale of food and beverages to take away and the delivery of food and beverages remain permitted; consumption on site is prohibited; outdoor seats must be removed or secured against use,
2. Bars, tearooms, clubs, discotheques, festival halls, nightclubs/cheap entertainment businesses and similar places of entertainment,
3. Saunas, sauna clubs, solariums, fitness centres, public and private sports facilities, swimming and indoor adventure pools; in specially justified individual cases, activities on sports facilities may be allowed by written permission of the local police authority,
4. Cinemas, theatres, operas, concert halls, museums and exhibition halls open to the general public,
5. Fairs, exhibitions, leisure activity offers (indoor and outdoor), special markets,
6. Entertainment centres, gambling halls, casinos, sports betting shops, betting offices and betting brokers;
7. Prostitution facilities (including prostitution in private apartments and vehicles), brothels, brothel-like establishments, swingers clubs, striptease bars, sex cinemas, multiplex cinemas and peep shows,
8. Meeting places and facilities (for elderly people, people with disabilities, young people, adolescents, mothers, families, children etc.), playgrounds (indoor and outdoor),
9. Youth hostels.

(2) All other retail outlets and points of sale not mentioned elsewhere in this Ordinance, in particular shopping centres (other than those referred to in subsection 3), shall not be opened to the public.

(3) By way of derogation from subsections 1 and 2, the following facilities and establishments shall not be closed to the public:

1. Grocery stores,
2. Weekly farmers' markets according to § 67 of the German Industrial Code,
3. Pick-up and delivery services,
4. Beverage stores,

5. Pharmacies, medical supply stores, drugstores
6. Petrol stations, kiosks, newsagents,
7. Banks and savings banks,
8. Post offices,
9. Laundries and self-service laundries,
10. DIY and gardening markets,
11. Pet supply stores,
12. the wholesale trade.

§ 10

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

Hotels as well as private and commercial landlords of holiday homes, holiday rooms and comparable services/offers may only accommodate overnight guests on condition that overnight stays are not offered for tourist purposes. The places for overnight guests must be arranged, in terms of entertainment, in such a way that a distance of at least 1.5 metres between the guests (at tables and standing places) is guaranteed.

§ 11

Due diligence obligations for the opening of facilities

Insofar as facilities are allowed to open in accordance with this Ordinance, suitable measures shall be taken to ensure that the extended hygiene requirements are met (in particular measures to ensure minimum distances and protective devices for cashiers) and to avoid queues and other gatherings of people. Facilities under § 9 (3) no. 1 shall provide separate opening hours for persons over 60 years of age.

§ 12

Services and crafts

Service providers and craftsmen/craftswomen may continue to pursue their vocational activities subject to the following regulations:

1. If a service is not rendered at the premises of the offering party but on the customer's premises, or if it is delivered to the customer, or if objects are only collected previously from the customer, it shall be admissible;
2. Individual appointments at the premises of the workshop are admissible if it is made sure that gatherings in or in front of the premises of the workshop premises do not occur thanks to the organised allocation of appointments;

3. Services and handicraft activities, with the exception of urgently necessary health and nursing services and social services in the context of child and youth protection (including taking into custody and upbringing assistance), in the course of which a distance of 1.5 metres from the customer cannot be maintained, are prohibited; this applies in particular to
 - A) Hairdressers and barbers,
 - B) Tattoo parlours,
 - C) Nail salons,
 - D) Beauty salons and
 - E) Massage parlours.

Receiving impermissible services or handicraft activities pursuant to Sentence 1 no. 3 is prohibited.

Part 3

Hospitals, nursing homes, integration assistance services and similar institutions

§ 13

Hospitals

Hospitals and facilities for outpatient surgery are prohibited from conducting plannable admissions, operations and other surgical interventions that require the occupancy of a hospital bed, provided the postponement of the admission, operation or other surgical interventions is medically justifiable.

§ 14

Visiting regulations

(1) Subject to subsection 2, the following 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,
 8. Full-time inpatient nursing facilities pursuant to § 71 (2) of Book Eleven of the German Social Security Code,
 9. 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,
 10. 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.
11. Homes for the elderly.

Access is not deemed a visit if a person enters the facilities mentioned in Sentence 1 for professional reasons.

(2) The institutions 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.

§ 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.

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 operational concept is based.

§ 16

Care and meetings in the framework of day-structuring integration assistance services, 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 centres for people with mental illnesses,
2. Day care facilities addressing the special needs of people with mental and multiple disabilities,
3. 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,
4. Daytime activity measures in the framework of offers for elderly people with mental disabilities,
5. Social group trips for the sake of social participation,
6. Employment offers for people with mental illnesses; the continuation of operationally relevant activities is permitted, subject to compliance with the hygiene regulations under subsection 4,
7. Night cafés,
8. Drug contact facilities,
9. Daytime stays at emergency housing assistance centres.

(2) Notwithstanding subsection 1 above, day care centres for people with special needs and foster groups for people with severe mental or multiple 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,

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.

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 as well as public and private children's day care and day nursing facilities shall not be opened for teaching or childcare purposes (including working groups, tuition and similar school events), subject to subsections 2 and 3.

(2) Exams may be carried out provided that a distance of at least 1.5 metres between the participants is guaranteed.

(3) Facilities of the kind referred to in subsection 1 may offer restricted operations for the emergency care of children whose custodians work in so-called critical infrastructures in accordance with the Annex to this Ordinance. Emergency care is also open to children for whom, in the framework of a protection scheme in collaboration with the Social Services Office, attendance of a children's day care or day nursing institution is ordered to protect the child's best interests, as well as – on application – in cases of particular hardship. The names and occupations of the persons having care and custody of the child being looked after in the context of emergency care must be recorded in a list. Emergency care shall be limited to what is necessary. It should take place in groups that are as small as possible and up to the extent, on which the respective facility's operational concept is based. In the public and private schools, the presence of a member of the school management and a school administrator is required; in the children's day-care and day nursery facilities, the presence of a person from the facility management must be ensured during usual times. Personnel that are not necessarily needed on site should work from home as far as this proves possible.

§ 18

Other education, further education and advanced training institutions

Adult colleges, driving schools, adult education centres, neighbourhood education establishments, music schools, and other public or private education, further education and advanced training institutions may not be opened to the public or for classroom teaching purposes.

**Part 5
Final provisions**

§ 19

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 a reason being in place pursuant to § 4 (1) Sentence 1,
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 a reason being in place pursuant to § 4 (1) Sentence 1,
3. leaves his/her home or an institution in violation of § 2 (1) Sentence 1, or receives a visit in violation of § 2 (1) Sentence 2, without a reason being in place pursuant to § 4 (1) Sentence 1,
4. refuses to have a necessary examination carried out on himself/herself in violation of § 3 (1) Sentence 2,
5. is involved in an event or celebration in violation of § 6 (1)
6. organises an event or celebration in violation of Article 6(1),
7. participates in any other gathering of people in the public space in violation of § 6 (1); this does not cover staying outside one's home together with another person who does not live in a joint apartment or the same accommodation centre or together with another person pursuant to § 5 (1),
8. holds a meeting on the premises of clubs or associations and other sports or leisure facilities in violation of § 7 (3),
9. organises a motor coach tour or other occasional transport for tourist purposes in violation of § 8,
10. opens a facility to the public in violation of § 9 (1) or (2),

11. accommodates overnight guests for tourist purposes in violation of § 10 Sentence 1,
12. does not ensure the minimum distance between guests in violation of § 10 Sentence 2,
13. performs services or handicraft activities, in which a distance of 1.5 metres from the customer cannot be maintained, in violation of § 12 Sentence 1 no. 2,
14. receives inadmissible services or handicraft activities in violation of § 12 Sentence 2,
15. pays a visit, without being permitted to do so under subsection 2, in violation of § 14 (1) Sentence 1,
16. opens a day care facility for nursing operations in violation of 15 (1),
17. carries out regular care activities in the framework of integration assistance services or measures in violation of § 16 (1),
18. opens a school or an children's day care or day nursing facility in violation of § 17 (1),
19. opens an adult college, a driving 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 to the public or for classroom teaching purposes 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 the day following its promulgation.

(2) This Ordinance shall expire at the end of 19 April 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, 3 April 2020

The Federal State Minister for Health,
Women and Consumer Protection

Annex of 3 April 2020 to §§ 1, 2, 15 to 17 of the Ordinance on Protection against New Infections with Coronavirus SARS-CoV-2 of 3 April 2020**I. Entitlement to use emergency care services**

1. Persons having care and custody of a child, custodians and caregiving family members who work in the following critical infrastructures are entitled to use emergency care services pursuant to §§ 15-17 of the Ordinance on Protection against New Infections with Coronavirus SARS-CoV-2 of 3 April 2020 if both persons having care and custody, custodians or caregiving family members are jobholders, if one of the persons works in one of the following areas and if no alternative possibilities exist to care for the person who is to be looked after:

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.

2. Persons having care and custody of a child, custodians and caregiving family members who work in the following critical infrastructures are entitled to use emergency care services pursuant to §§ 15-17 of the Ordinance on Protection against New Infections with Coronavirus SARS-CoV-2 of 3 April 2020 if no alternative care can be ensured and if they are either single parents or if both persons having care and custody, custodians or caregiving family members work in the following areas:

Section 1: 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. Bremen courts
16. Bremen prison
17. Port authority of the Hanseatic City of Bremen (= assuming the function of public order office in the port district)
18. Port medical services office at the LMTVet / Food Safety, Animal Health and Veterinary Services Office of Bremen (= assuming the function of public health department in the port district)
19. Job Centre, Federal Labour Agency
20. Social Services Office
21. Bremen Pension and Integration Office
22. Federal state pay office
23. Social insurance institutions, welfare benefit providers, organisations providing social, financial and cultural support to students
24. 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
25. Staff ensuring emergency childcare at day-care centres and schools
26. Inpatient care facilities (e.g. educational assistance)
27. The facilities of other federal states and municipalities corresponding to numbers 1 to 25.

Section 2: 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 (§ 4 BSI-KritisV Regulation), including supply and logistics
6. Information technology and telecommunications (§ 5 BSI-KritisV Regulation)
7. Finance and insurance industry: Banks, stock exchanges, insurance companies, financial service providers (§ 7 BSI-KritisV Regulation)
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)
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)

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

Employees of the authorities and companies mentioned under I. 1. and 2. are exempted from the provisions of §§ 1 and 2 of this Ordinance in accordance with § 4 (2) of the Ordinance on Protection against New Infections with Coronavirus SARS-CoV-2 of 3 April 2020, insofar as they are named explicitly by their principal or employer.

Annex of 3 April 2020 to §§ 1, 2, 15 to 17 of the Ordinance on Protection against New Infections with Coronavirus SARS-CoV-2 of 3 April 2020

I. Entitlement to use emergency care services

1. Persons having care and custody of a child, custodians and caregiving family members who work in the following critical infrastructures are entitled to use emergency care services pursuant to §§ 15-17 of the Ordinance on Protection against New Infections with Coronavirus SARS-CoV-2 of 3 April 2020 if both persons having care and custody, custodians or caregiving family members are jobholders, if one of the persons works in one of the following areas and if no alternative possibilities exist to care for the person who is to be looked after:

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.

2. Persons having care and custody of a child, custodians and caregiving family members who work in the following critical infrastructures are entitled to use emergency care services pursuant to §§ 15-17 of the Ordinance on Protection against New Infections with Coronavirus SARS-CoV-2 of 3 April 2020 if no alternative care can be ensured and if they are either single parents or if both persons having care and custody, custodians or caregiving family members work in the following areas:

Section 1: 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. Bremen courts
16. Bremen prison
17. Port authority of the Hanseatic City of Bremen (= assuming the function of public order office in the port district)
18. Port medical services office at the LMTVet / Food Safety, Animal Health and Veterinary Services Office of Bremen (= assuming the function of public health department in the port district)
19. Job Centre
20. Social Services Office
21. Bremen Pension and Integration Office
22. Federal state pay office
23. 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
24. Staff ensuring emergency childcare at day-care centres and schools
25. Inpatient care facilities (e.g. educational assistance)
26. The facilities of other federal states and municipalities corresponding to numbers 1 to 25.

Section 2: 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 (§ 4 BSI-KritisV Regulation), including supply and logistics
6. Information technology and telecommunications (§ 5 BSI-KritisV Regulation)
7. Finance and insurance industry: Banks, stock exchanges, insurance companies, social security institutions, social welfare institutions, financial service providers (§ 7 BSI-KritisV Regulation)
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)
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)

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

Employees of the authorities and companies mentioned under I. 1. and 2. are exempted from the provisions of §§ 1 and 2 of this Ordinance in accordance with § 4 (2) of the Ordinance on Protection against New Infections with Coronavirus SARS-CoV-2 of 3 April 2020, insofar as they are named explicitly by their principal or employer.

**Administrative Offences under the German Infection Protection Act
in connection with the Ordinance on Protection against New
Infections with Coronavirus (CoronaVO) of 3 April 2020**

**Joint Decree of the Federal State Minister for Health, Women and Consumer
Protection and the Federal State Minister of Internal Affairs**

I.

As a rule, the following infringements of regulations or prohibitions contained in CoronaVO shall be punished as administrative offences within the framework of § 73 (2) of the German Infection Protection Act as indicated hereafter. The infringements constitute administrative offences without the need of a prior order to stop the infringement. The fines shown in the following catalogue are standard and framework rates for intentional infringements. Negligent infringements shall be punished by half the threatened standard rate or, in the case of framework rates, by half the threatened maximum framework rate (§ 17 (2) of the German Administrative Offences Act/OWiG). In general, the standard and framework rates may be increased or reduced in accordance with the principles of § 17 (3) OWiG, depending on the circumstances of the individual case (for the individual criteria, please see VI. below).

A fine of more than EUR 250 may only be imposed if actual findings justify the assumption that this amount is not disproportionate considering the financial situation of the person concerned. Mere experience and presumptions relating to a person's financial situation are not sufficient.

| No. | CoronaVO | Infringement | Recipient of the penalty notice | Standard or framework rate in EUR |
|------------|-----------------|---------------------|--------------------------------------------|--------------------------------------------------|
|------------|-----------------|---------------------|--------------------------------------------|--------------------------------------------------|

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| 1 | § 1 (1) | Leaving the apartment or an institution without <ul style="list-style-type: none"> • approval by the public health department • or a special reason pursuant to § 4 (1) or receiving visitors who are not members of the same household | Infected person | 400 |
| 2 | § 1 (2) | Leaving the apartment or an institution without <ul style="list-style-type: none"> • approval by the public health department • or a special reason pursuant to § 4 (1) or receiving visitors who are not members of the same household | Category I contact person | 300 |
| 3 | § 2 (1) | Leaving the apartment without <ul style="list-style-type: none"> • approval by the public health department or • a special reason pursuant to § 4 (1) or receiving visitors who are not members of the same household | Person returning from a risk area | 300 |

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| 4 | § 6 (1) | <p>Gatherings of people in the public space</p> <p>Note:</p> <ul style="list-style-type: none"> • This does not include staying outside your home together with one other person who does not live in the same household or together with another person pursuant to § 5 (1) • This covers unorganised, spontaneous meetings as well as accidental gatherings that result from an external cause (e.g. onlookers in a car accident). | Every person involved | 50 to 150 |
| 5 | § 6 (1) | <p>Organisation of a private or public event or celebration</p> <p>Note:</p> <ul style="list-style-type: none"> • This covers organised meetings. • In the event of family gatherings in the private sphere, it shall basically not be assumed in view of Article 6 of the Basic Constitutional Law (protection of family life) and Article 13 of the Basic Constitutional Law (protection of residential space) that such conduct is punishable by a fine. This applies for instance if a small number of people are present who are not members of the same household (basically five people). | Organiser | 250 to 2,500 |

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| 6 | § 6 (1) | <p>Participation in a private or public event or celebration</p> <p>Note:</p> <ul style="list-style-type: none"> • This covers organised meetings. • In the event of family gatherings in the private sphere, it shall basically not be assumed in view of Article 6 of the Basic Constitutional Law (protection of family life) and Article 13 of the Basic Constitutional Law (protection of residential space) that such conduct is punishable by a fine. This applies for instance if a small number of people are present who are not members of the same household (basically five people). | Every participant | 50 to 200 |
| 7 | § 7 (3) | Meetings at the premises of associations and in other sports and leisure facilities | <p>Responsible person who decides to open the facility / Organiser</p> <p>Note: Everyone present: Violation of § 6 (1) (no. 4)</p> | 250 to 500 |
| 8 | § 8 | Organisation of motor coach tours and other occasional transport for tourist purposes | <p>Proprietor; in case of legal entities: board of management or similar executive body</p> <p>Note: Everyone present: Violation of § 6 (1) (no. 4)</p> | 500 to 2,500 |

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| 9 | <p>§ 9 (1) no. 1</p> <p>“Pubs and restaurants of all kinds; the sale of food and beverages to take away and the delivery of food and beverages remain permitted; consumption on site is prohibited; outdoor seats must be removed or secured against use.”</p> | Opening one of these facilities to the public and, in particular, permission of onsite food or beverage consumption | <p>Responsible person who decides to open the facility</p> <p>Note: Everyone present: Violation of § 6 (1) (no. 4)</p> | 500 to 2,500 |
| 10 | <p>§ 9 (1) no. 2</p> <p>“Bars, tearooms, clubs, discotheques, festival halls, nightclubs/cheap entertainment businesses and similar places of public entertainment”</p> | Opening one of these facilities to the public | <p>Responsible person who decides to open the facility</p> <p>Note: Everyone present: Violation of § 6 (1) (no. 4)</p> | 500 to 2,500 |
| 11 | <p>§ 9 (1) no. 3</p> <p>“Saunas, sauna clubs, solariums, fitness centres, public and private sports facilities, swimming and indoor adventure pools”</p> | Opening one of these facilities to the public | <p>Responsible person who decides to open the facility</p> <p>Note: Everyone present: Violation of § 6 (1) (no. 4)</p> | 500 to 2,500 |
| 12 | <p>§ 9 (1) no. 4</p> <p>“Cinemas, theatres, operas, concert halls, museums and exhibition halls open to the general public”</p> | Opening one of these facilities to the public | <p>Responsible person who decides to open the facility</p> <p>Note: Everyone present: Violation of § 6 (1) (no. 4)</p> | 500 to 2,500 |

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| 13 | <p>§ 9 (1) no. 5</p> <p>“Fairs, exhibitions, leisure activity offers (indoor and outdoor), special markets”</p> | <p>Opening one of these facilities to the public</p> | <p>Responsible person who decides to open the facility</p> <p>Note: Everyone present: Violation of § 6 (1) (no. 4)</p> | <p>500 to 2,500</p> |
| 14 | <p>§ 9 (1) no. 6</p> <p>“Entertainment centres, gambling halls, casinos, sports betting shops, betting offices and betting brokers”</p> | <p>Opening one of these facilities to the public</p> | <p>Responsible person who decides to open the facility</p> <p>Note: Everyone present: Violation of § 6 (1) (no. 4)</p> | <p>500 to 2,500</p> |
| 15 | <p>§ 9 (1) no. 7</p> <p>“Prostitution facilities (including prostitution in private apartments), brothels, brothel-like establishments, swingers clubs, striptease bars, sex cinemas, multiplex cinemas, peep shows and massage parlours”</p> | <p>Opening one of these facilities to the public</p> <p>Note: Sexual services (§ 2 subsection 1 of the Protection of Prostitution Act) in a private apartment or in vehicles are subject in principle to § 12 Sentence 1 no. 3 and Sentence 2 (nos. 22 and 23).</p> | <p>Responsible person who decides to open the facility</p> <p>Note: Everyone present: Violation of § 6 (1) (no. 4)</p> | <p>500 to 2,500</p> |
| 16 | <p>§ 9 (1) no. 8</p> <p>“Meeting places and facilities (for elderly people, people with disabilities, young people, adolescents, mothers, families, children etc.), playgrounds (indoor and outdoor)”</p> | <p>Opening one of these facilities to the public</p> | <p>Responsible person who decides to open the facility (except for public, freely accessible playgrounds)</p> <p>Note: Everyone present: Violation of § 6 (1) (no. 4)</p> | <p>250 to 500</p> |

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| 17 | § 9 (1) no. 9 "Youth hostels" | Opening one of these facilities to the public | Responsible person who decides to open the facility Note: Everyone present: Violation of § 6 (1) (no. 4) | 500 to 2,500 |
| 18 | § 9 (2) "All other retail outlets or points of sale not mentioned elsewhere in this Ordinance, in particular shopping centres, § 9 (3)" | Opening one of these facilities to the public | Responsible person who decides to open the facility Note: Everyone present: Violation of § 6 (1) (no. 4) | 500 to 4,000 |
| 19 | § 10 | Provision of overnight accommodation for tourist purposes | Operator, landlord | 500 to 2,500 |
| 20 | § 10 | Provision of catering services to people who are not overnight guests | Operator, landlord | 500 to 2,500 |

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| 21 | § 10 | Failure to comply with safety precautions (ensuring a distance of at least 1.5 metres between guests (at tables and standing places)) | Operator, landlord | 400 to 1,000 |
| 22 | § 12 Sentence 1 no. 3 | Provision of inadmissible services in general or services by craftspeople | Service provider, craftsman or craftswoman | 75 |
| 23 | § 12 Sentence 2 | Receiving inadmissible services in general or services by craftspeople | Customer | 50 |
| 24 | § 14 (1) nos. 1-11 "Visiting hospitals, outpatient surgery facilities, preventive care and rehabilitation facilities, dialysis facilities, day hospitals, maternity facilities, full-time inpatient nursing care facilities as defined under 71 (2) SGB (German Social Security Code) XI, facilities for people with disabilities as defined in § 2 (1) SGB IX, full-time inpatient nursing care and integration assistance facilities, residential communities as defined in § 8 (3) BremWoBeG (Bremen State Law on Accommodation and Supervision), guest facilities according to § 5 BremWoBeG, homes for the elderly" | Visiting one of these facilities without a permit pursuant to subsection 2 | Visitor concerned | 750 |

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| 25 | § 15 (1) "Subject to subsection 2, day care facilities must not be opened for the purpose of nursing operations" | Opening a day care facility for nursing operations (exception: emergency care according to subsection 2) | Operator | 1,000 to 5,000 |
| 26 | § 16 (1) | Care in the framework of day-structuring integration assistance services, municipal aid for addicted people and drug users, and emergency housing assistance (exception: emergency care according to subsection 2) | Operator | 1,000 to 5,000 |
| 27 | § 17 (1) "Public and private schools, public and private children's day care and day nursing facilities" | Teaching or nursing operations (exception: emergency care according to subsection 3) | Supporting organisation Note: Everyone present: Violation of § 6 (1) (no. 4) | 1,000 to 5,000 |
| 28 | § 18 "Adult colleges, driving schools, adult education centres, neighbourhood education centres, music schools, and other public or private education, further education and advanced training institutions" | Opening one of these facilities to the public or for classroom training purposes | Responsible person who decides to open the facility Note: Everyone present: Violation of § 6 (1) (no. 4) | 500 to 2,500 |

II.

Deliberate or negligent violations of all other regulations or prohibitions contained in CoronaVO, which are not mentioned in Section I, constitute administrative offences if an enforceable order under § 28 (1) Sentence 1 of the German Infection Protection Act to end the violation is disregarded. This applies in particular to

- § 5 (2) (violation of the requirement to keep a distance),
- § 11 (failure to comply with safety requirements),
- § 12 Sentence 1 no. 2 (no organised allocation of appointments)
- § 13 (1) (no postponement of not necessary admissions, operations and other surgical interventions),
- § 15 (2) Sentence 2 (not keeping necessary records/lists),
- § 17 (3) Sentence 3 (not keeping necessary records/lists).

Such orders are enforceable directly by virtue of the law (§§ 28 (3) in connection with 16 (8) of the German Infection Protection Act).

Such infringements shall be punished by a fine amounting to the standard rate of EUR 500.

Please note that any failure to comply with an immediately enforceable order under § 28 (1) Sentence 2 of the German Infection Protection Act in the event of a violation of regulations or prohibitions will also constitute a criminal offence. In case of an immediately enforceable order, this applies in particular to negligent and intentional violations of

- § 7 (1) (meetings in houses of prayer) and
- § 7 (2) (breach of requirements to be observed during funerals).

Here as well, such orders are enforceable directly by virtue of the law (§§ 28 (3) in connection with 16 (8) of the German Infection Protection Act).

III.

The authorities responsible under federal state law for orders under § 28(1) of the German Infection Protection Act may issue further-reaching orders if these do not contradict CoronaVO. In particular, they may issue general prohibitions on entering certain public places and generally prohibit certain types of behaviour in the public space. Such orders are enforceable directly by virtue of the law (§§ 28 (3) in connection with 16 (8) of the German Infection Protection Act).

Deliberate or negligent violations of such immediately enforceable orders also constitute administrative offences (§ 73 (1a) no. 6 in connection with § 28 (1) of the German Infection Protection Act). In addition, violations of immediately enforceable orders issued on the basis of § 28 (1) Sentence 2 or § 30 (1) of the German Infection Protection Act will constitute a criminal offence pursuant to § 75 (1) no. 1 of the German Infection Protection Act. This essentially includes restrictions and prohibitions of events and gatherings of people as well as the isolation of persons.

IV.

If, in the event of a violation of one of the regulations of CoronaVO listed in Section I, an enforceable order to stop the violation is additionally disregarded, the standard rate mentioned in Section I shall be doubled.

Please note that failing to comply with such an order, in the event of a violation of the regulations or prohibitions under § 1 (1) and (2), § 2 (1) (nos. 4 to 6 of the Catalogue), § 6 (1) (nos. 4 to 6 of the Catalogue) and § 17 (1) (no. 27 of the Catalogue), will also constitute a criminal offence. If an act is a criminal offence and an administrative offence at the same time, only criminal law will be applied unless no punishment is imposed (§ 21 of the German Administrative Offences Act/OWiG). In these cases, the first step is therefore to transfer the case to the criminal prosecution authority (public prosecutor's office).

V.

In the event of family gatherings in the private sphere, it shall basically not be assumed in view of Article 6 of the Basic Constitutional Law (protection of family life) and Article 13 of the Basic Constitutional Law (protection of residential space) that such conduct is punishable by a fine. This applies, for instance, when a small number of people are present who are not members of the same household.

In view of the specially protected freedom of religious practice (Article 4 (1) and (2) of the Basic Constitutional Law), prosecution must be refrained from in the case of violations involving religious activities, unless gross or repeated violations are concerned.

VI.

In general, the basis for setting the fine is the significance of the administrative offence and the charges brought against the offender (Article 17(3) Sentence 1 of the German Administrative Offences Act/OWiG). The financial circumstances of the offender shall also be taken into account; however, they are generally not taken into consideration in the event of minor administrative offences, (§ 17 (3) Sentence 2 OWiG)). According to these principles, the standard and framework rates may be increased or reduced depending on the circumstances of the individual case.

Reduction:

A reduction may come into consideration in particular if

- (a) the risk of causing damage to health is unusually low in view of the circumstances of the case,
- (b) the charge brought against the offender appears to be less serious than for average accusable conduct, due to specific reasons relating to the individual case,
- (c) the offender listens to reason so that there is no need to fear repetitions,
- (d) the fine to be imposed constitutes an unreasonable financial burden; or if
- (e) the financial situation of the offender is exceptionally poor.

Increase:

An increase may come into consideration in particular if

- (a) the risk of causing damage to health is unusually high in view of the circumstances of the case; and/or if
- (b) the offender does not listen to reason; or if
- (c) the financial situation of the offender is exceptionally good.

The standard and framework rates apply to a first offence and are usually doubled in the event of subsequent or repeated offences. In the cases of §§ 8, 9 (1) and (2), 10, 18 of the Ordinance on Protection against New Infections with Coronavirus, a fine of up to EUR 25,000 may be imposed in the event of repeated violations.

If several offences are committed through one and the same act, the fine shall be increased appropriately. However, the overall fine must not reach the sum total of the standard rates.

In addition, the following must be pointed out:

The possibility of imposing a fine on a company (e.g. a legal entity or an association of individuals) in addition to the fine imposed on an individual pursuant to §§ 30, 130 of the German Administrative Offences Act/OWiG remains unaffected if the legal entity or association of individuals has been enriched or was supposed to be enriched through the violation of CoronaVO. In such cases, the fine should exceed the financial benefit which the offender has derived from the administrative offence.