

**Ordinance on the control of the Corona virus
(Corona Quarantine Ordinance)**

From 26 November 2020

Due to the

1. Section 32 sentence 1 in conjunction with Section 28a of the Infection Protection Act of 20 July 2020 (Federal Law Gazette I p. 1045), last amended by the Act of 18 November 2020 (Federal Law Gazette I p. 2397),
2. Section 89 (1) sentence 1 of the Hessian Public Safety and Order Act of 14 January 2005 (GVBl. I p. 14), last amended by the Act of 7 May 2020 (GVBl. p. 318),

decrees the state government:

§ 1

Segregation for entry and return travellers; compulsory testing; observation

(1) Persons who enter the State of Hesse from abroad by land, sea or air and who have stayed in a risk area as defined in Para. 5 at any time in the last ten days prior to entry are obliged to go directly to their own home or to other accommodation enabling seclusion immediately after entry and to seclude themselves there permanently for a period of ten days after their entry; this also applies to persons who first entered another country of the Federal Republic of Germany. During this period, the persons named in sentence 1 are not permitted to receive visitors from persons who do not belong to their household. Pending a federal regulation, the persons covered by sentence 1 are also obliged to undergo testing for infection with the SARS-CoV-2 virus no more than 48 hours before or immediately after entering the Federal Republic of Germany and must be able to submit the test result, which is available on paper or in an electronic document in German, English or French, to the competent public health authority immediately upon request within ten days of entry. The underlying test must meet the requirements of the Robert Koch Institute, which are published on the Internet at the address <https://www.rki.de/covid-19-tests>. The test result according to sentence 3 must be kept for at least ten days after entry.

(2) The persons covered by subsection 1 sentence 1 shall be obliged to contact the health authority responsible for the place of their own home or other accommodation enabling seclusion and to point out the existence of the obligation under subsection 1 sentences 1 and 3. The obligation pursuant to sentence 1 shall be fulfilled

1. by means of a digital entry declaration at <https://www.einreiseanmeldung.de>, by transmitting the complete data in accordance with Section I No. 1 Sentence 1 of the Orders concerning travel following the identification of an epidemic situation of national importance by the German Bundestag of 5 November 2020 (BAnz AT 06.11.2020 B5), as amended from time to time, and by carrying the confirmation received of the successful digital entry declaration with them on entry and presenting it on request to the carrier or, in the case of Section I No. 1 Sentence 5 of these Orders, to the authority responsible for the police control of cross-border traffic, or

¹ As amended by the amendments coming into force on 9 January 2021 by Art. 1 of the Twenty-fourth Ordinance on the Adaptation of the Corona Virus Control Regulations of 7 January 2021 (GVBl. p. 2).

2. insofar as, in exceptional cases, notification in accordance with No. 1 was not possible, by submitting a substitute notification in writing in accordance with the specimen in Annex 2 of the Orders concerning travel following the determination of an epidemic situation of national importance by the German Bundestag (alighting card) to the carrier, or, in the case of Section I No. 1 sentence 5 of these Orders, to the authority responsible for the police control of cross-border traffic, or
3. if, in exceptional cases, it was not possible to submit a notification in accordance with Nos. 1 and 2, by immediately submitting a replacement notification in writing or text form (exit card) to the competent health authority.

(3) The persons covered by sub-section 1 sentence 1 are also obliged to inform the competent health authority without delay if typical symptoms of an infection with the SARS-CoV-2 virus, such as fever, dry cough (not caused by chronic diseases), loss of the sense of taste or smell, occur in them within ten days of entry.

(4) For the period of segregation, the persons covered by sub-section 1 sentence 1 shall be subject to observation by the competent health authority.

(5) Risk area in the sense of sub-section 1 sentence 1 **according to § 2 No. 17 of the Infection Protection Act** is a state or region outside the Federal Republic of Germany for which there is an increased risk of infection with the SARS-CoV-2 virus at the time of entry into the Federal Republic of Germany. The classification as a risk area is made by decision of the Federal Ministry of Health, the Federal Foreign Office and the Federal Ministry of the Interior, for Construction and Home Affairs and becomes effective at the end of the first day after publication by the Robert Koch Institute on the Internet at the address <https://www.rki.de/covid-19-risikogebiete>.

§ 2

Exceptions

(1) The first sentence of section 1(1) shall not apply to persons who enter the Land of Hesse only for transit purposes; such persons shall leave the territory of Hesse by the quickest route in order to complete their transit.

(2) Not covered by § 1 para. 1 sentence 1 are,

1. persons who have stayed for less than 24 hours in a risk area according to § 1 Para. 5 in the context of border traffic with neighbouring states or who enter the state of Hesse for up to 24 hours,
 - 1a. **Persons who have vaccination documentation in accordance with the requirements of Section 22 (1) of the Infection Protection Act on a vaccination against the SARS-CoV-2 virus completed at least 14 days prior to entry,**
 - 1b. **Persons who have a medical certificate of infection with the SARS-CoV-2 virus confirmed by nucleic acid detection at least 21 days and not more than six months ago at the time of entry,**
2. persons who have stayed for less than 72 hours in a risk area pursuant to Section 1 (5) or who enter Hesse for up to 72 hours in order to visit relatives or first-degree in-laws, spouses, life partners **or life companions who do** not belong to the same household or in order to exercise shared custody or rights of access,
3. in the case of stays of less than 72 hours in a risk area according to § 1 Para. 5 or in Hesse and compliance with appropriate protection and hygiene concepts.

- a) Persons whose activity is urgently necessary and indispensable for the maintenance of the health service and this is certified by the employer, employer or principal,
- b) Persons who, for occupational reasons, transport persons, goods or merchandise across borders by road, rail, ship or air,
- (c) senior members of the diplomatic and consular services, people's assemblies and governments; or
- d) persons who have stayed in a risk area pursuant to § 1 par. 5 on a compellingly necessary and urgent professional basis due to their training or studies; the compelling necessity shall be certified by the employer, client or educational institution,

4.in compliance with appropriate protection and hygiene concepts persons,

- a) who have their place of residence in Hesse and who necessarily travel to their place of professional practice, study or training in a risk area pursuant to § 1 Para. 5 for the purpose of exercising their profession, studying or training and regularly return to their place of residence at least once a week (cross-border commuters), or
- b) who have their place of residence in a risk area pursuant to § 1 Para. 5 and who necessarily travel to Hesse for the purpose of exercising their profession, studying or training and regularly return to their place of residence at least once a week (cross-border commuters);

the compelling necessity and compliance with appropriate protection and hygiene concepts must be certified by the employer, client or educational institution.

(3) Not covered by § 1 para. 1 sentence 1 are,

1. persons whose activities are necessary for the maintenance of the

- a) the functioning of the health care system, in particular doctors, nurses, supporting medical staff and 24-hour care workers,
- b) public safety and order,
- c) the maintenance of diplomatic and consular relations,
- d) the functioning of the administration of justice,
- e) the functioning of the representation of the people, the government and the administration of the Federation, the Länder and the municipalities, or
- (f) the functioning of the institutions of the European Union and of international organisations

is indispensable; the compelling necessity must be certified by the employer or principal,

2. persons entering or returning to Hesse

- a) due to a visit by relatives or in-laws of the first or second degree, by spouses, life partners or cohabiting partners not belonging to the same household or for the exercise of shared custody or rights of access,
- b) due to urgent medical treatment or

- c) due to the fulfilment of the duties of a guardian or due to the care of persons in need of protection or assistance,
3. law enforcement officers returning from deployment and deployment-like obligations abroad or foreign law enforcement officers and correctional officers entering for the performance of sovereign duties,
 4. persons who have spent up to five days in a risk area in accordance with § 1 Para. 5 for compellingly necessary reasons that cannot be postponed, or who have entered the state of Hesse for this purpose because of their training or studies; the compelling necessity must be certified by the employer, client or educational institution,
 5. persons who are accredited by the respective organising committee for the preparation, participation, implementation and follow-up of international sports events or who are invited by a federal sports federation to participate in training and course measures,
 6. persons returning from a risk area within the meaning of § 1 par. 5 as holiday returnees, provided that
 - a) on the basis of an agreement between the Federal Republic of Germany and the respective national government, special epidemiological precautions (protection and hygiene concept) have been taken locally for a holiday in this risk area (see websites of the Federal Foreign Office and the Robert Koch Institute),
 - b) the infection situation in the respective risk area does not prevent the non-fulfilment of the obligation according to § 1 par. 1 sentence 1 and
 - c) the Federal Foreign Office has not issued a travel warning for the affected region at <https://www.auswaertiges-amt.de/de/ReiseUndSicherheit/-reise-und-sicherheitshinweise> due to an increased risk of infection, or
 7. persons who, for occupational reasons, transport persons, goods or merchandise across borders by road, rail, ship or air without falling under para. 2 no. 3 letter b).

Sentence 1 shall only apply if the persons have a negative test result with regard to an infection with the SARS-CoV-2 virus on paper or in an electronic document in German, English or French and they submit this immediately to the competent health authority upon request within ten days of entry. The test on which the test result pursuant to sentence 2 is based must meet the requirements of the Robert Koch Institute, which are published on the Internet at the address <https://www.rki.de/covid-19-tests>, and must have been carried out either at the earliest 48 hours before entry or immediately upon entry into the Federal Republic of Germany. The test result according to sentence 2 must be kept for at least ten days after entry. Sentence 2 does not apply to crews of inland waterway vessels, provided that basic precautions are taken to avoid contact, in particular refraining from land visits that are not absolutely necessary.

(4) The following are not covered by § 1 par. 1 sentence 1

1. persons according to § 54a Infection Protection Act,
2. members of foreign armed forces within the meaning of the NATO Status of Forces, the NATO Partnership for Peace Status of Forces (PfP Status of Forces) and the Status of Forces of the Member States of the European Union (EU Status of Forces) who enter or return to Germany for official purposes, or
3. persons who enter the country for the purpose of taking up work together with more than five other persons and for more than 72 hours, if the employer or client takes group-related

hygiene measures and precautions to avoid contact outside the work group in the accommodation and during the performance of the activity in the first ten days after their entry, which are comparable to a segregation pursuant to section 1 sub-section 1 sentence 1; leaving the accommodation is only permitted for the purpose of performing the professional activity.

The employer or client of persons pursuant to sentence 1 no. 3 shall be obliged to notify the entry. The notification shall be made prior to entry to the health office responsible for the place of employment using the form reproduced in the Annex.

(5) In justified cases, the competent health authority may grant further exemptions on application if there is a valid reason.

(6) Paragraphs 1 to 5 shall apply only if the persons designated therein do not show typical symptoms of infection with the SARS CoV-2 virus such as fever, dry cough (not caused by chronic diseases), loss of the sense of taste or smell. The persons referred to in paras 2 to 5 shall inform the competent health authority without delay if typical symptoms of infection with the SARS CoV-2 virus, such as fever, dry cough (not caused by chronic diseases), loss of sense of taste or smell, occur within ten days of entry.

(7) Persons pursuant to subsections 2 and 3 who work in facilities pursuant to section 23 subsection 3 or section 36 subsection 1 nos. 2 to 7 of the Infection Protection Act must wear personal protective equipment in accordance with the respective criteria of the Robert Koch Institute for the prevention of the further transmission of infections with SARS-CoV-2 until the tenth day after their entry during this activity. The protective equipment may only be removed if a minimum distance of 1.5 metres to other persons is maintained. The first start of work after entry must be reported by the facility management to the competent health authority.

§ 3

Shortening the period of segregation

(1) Segregation pursuant to Section 1(1), first sentence, shall end at the earliest on the fifth day after entry if a person has a negative test result with regard to infection with SARS-CoV-2 virus on paper or in an electronic document in German, English or French and submits this to the competent health authority without delay on request within ten days of entry.

(2) The underlying test must have been taken at least five days after entry into the Federal Republic of Germany. The underlying test must meet the requirements of the Robert Koch Institute, which are published on the Internet at the address <https://www.rki.de/covid-19-tests>.

(3) The person must keep the test result for at least ten days after entry.

(4) The segregation pursuant to section 1 subsection (1) sentence 1 shall be suspended for the period required to conduct a test pursuant to subsection (1).

(5) Persons with a shortened period of isolation pursuant to subsection 1 shall inform the competent public health authority without delay if typical symptoms of infection with the SARS CoV-2 virus, such as fever, dry cough (not caused by chronic illness), loss of sense of taste or smell, occur within ten days of entry.

(6) Paras. 1 to 5 shall apply mutatis mutandis to persons falling under section 2 para. 4 sentence 1 no. 3.

§ 3a

Segregation due to test result

(1) Persons who have been found to be infected with SARS-CoV-2 on the basis of a molecular biological test (PCR test) or antigen test shall be obliged to go directly to their own home or other accommodation enabling isolation immediately after receipt of this test result and to remain in isolation there for a period of fourteen days after taking the underlying test. The persons named in sentence 1 are not permitted to receive visitors from persons who do not belong to their household during this period. In the event of proof of infection with SARS-CoV-2 by means of an antigen test, the seclusion pursuant to sentence 1 shall end upon receipt of the test result based on a PCR test that there is no infection with SARS-CoV-2; if the PCR test confirms the infection, the duration of the seclusion shall not be extended as a result.

(2) For persons living in a household with a person covered by subsection 1 sentence 1, the obligations under subsection 1 shall apply accordingly. Segregation shall be suspended for urgent errands that cannot be postponed, in particular for meeting daily needs. The obligation to segregate in accordance with sentence 1 shall not apply to persons in whom an infection with SARS-CoV-2 has already been detected in the last three months by means of a PCR test.

(3) Not covered by subsection 1 sentence 1 are

1. persons in accordance with § 54a of the Infection Protection Act and
2. members of foreign armed forces within the meaning of the NATO Status of Forces, the NATO Partnership for Peace Status of Forces (PfP Status of Forces) and the Status of Forces of the Member States of the European Union (EU Status of Forces).

Paragraph 2 sentence 1 does not apply to persons who live in a household with persons according to sentence 1.

(4) The persons covered by sub-section 1 sentence 1 shall be obliged to inform the competent public health authority without delay of the receipt of a positive test result. The persons covered by sub-section 1 sentence 1 and sub-section 2 sentence 1 are obliged to inform the competent public health authority without delay if typical symptoms of infection with the SARS-CoV-2 virus, such as fever, dry cough (not caused by chronic diseases), loss of the sense of taste or smell, occur in them within fourteen days of receiving the test result. It is recommended that persons covered by the first sentence of subsection 1 immediately inform their contacts and their employer or principal of the receipt of a positive test result.

(5) For the period of segregation, the persons covered by sub-section 1 sentence 1 and sub-section 2 sentence 1 shall be subject to observation by the competent health authority.

(6) The competent public health authority may, on application, exempt a person from the obligation to segregate in accordance with paragraph 1 or 2 or impose conditions if there are important reasons for doing so; § 30 of the Infection Protection Act shall remain unaffected in all other respects.

§ 4

Execution

By way of derogation from section 5(1) of the Hessian Public Health Service Act of 28 September 2007 (GVBl. I p. 659), as last amended by the Act of 6 May 2020 (GVBl. p. 310), the local public order authorities shall be responsible for enforcing this Ordinance in addition to the public health authorities if the public health authorities cannot be reached or take action in time to avert an existing dangerous situation.

§ 5

Administrative offences

A regulatory offence within the meaning of § 73 Para. 1a No. 24 of the Infection Protection Act is committed by anyone who intentionally or negligently

1. contrary to § 1 par. 1 sentence 1, does not go to his/her own home or to other accommodation enabling seclusion, or does not go there or does not go there in time, or does not go there in the prescribed manner,
2. receives visitors contrary to § 1 par. 1 sentence 2,
- 2a. is unable to present the test result in contravention of § 1 par. 1 sentence 3,
3. contrary to § 1 Para. 2, fails to contact or inform the competent health authority or fails to do so in good time,
4. .contrary to § 1 Para. 3, fails to inform the competent health authority without delay,
5. fails to issue a certificate correctly in contravention of § 2 par. 2 no. 3 letter a or d or no. 4, par. 3 sentence 1 no. 1 or 4,
6. .contrary to § 2 para 4 sentence 1 no. 3, does not take group-related operational hygiene measures and precautions to avoid contact outside the work group,
7. leaves the accommodation contrary to § 2 Para. 4 Sentence 1 No. 3,
8. .fails to notify the competent public health authority in contravention of § 2 Para. 4 Sentence 2,
9. .contrary to § 2 Para. 6 Sentence 2, fails to inform the competent health authority without delay,
10. fails to wear personal protective equipment in contravention of § 2 par. 7 sentence 1,
11. fails to notify the commencement of the activity in contravention of § 2 par. 7 sentence 3,
12. contrary to § 3 Para. 5, fails to inform the competent health authority without delay,
13. in contravention of section 3a, subsection 1, first sentence, also in conjunction with subsection 2, first sentence, does not go to his or her own home or to other accommodation enabling seclusion, or does not go there or does not go there in time,
14. receives visitors contrary to § 3a par. 1 sentence 2, also in conjunction with par. 2 sentence 1, or
15. contrary to § 3a Para. 4, fails to inform the competent health authority without delay.

§ 6

Entry into force, expiry

This Regulation shall enter into force on 1 December 2020. It shall expire at the end of 31 January 2021.

Wiesbaden, 26 November 2020

Hessian State Government

The Prime MinisterThe

Minister
for Social Affairs and Integration

Bouffier

Klose

The Minister of the Interior and Sport

Beuth

AttachmentTo the Health Department ²

Notification of commencement of work

Work/ Client

Company:	
Street:	
POSTCODE:	
Place:	
E-mail:	
Tel no.	
Contact person:	
Economic sector(s)/activity(ies):	

Number of persons accommodated together:

Type and place of accommodation:

Stay in Hesse from/ until:

 (place and date)

 (Signature)

² For contact details see <http://tools.rki.de>