

**Ordinance on Post-Entry Quarantine Measures for Combatting the Coronavirus
(Post-Entry Quarantine Ordinance – EQV)
Of 5 November 2020
(BayMBI. No. 630)
BayRS 2126-1-6-G**

Full quote in accordance with the editorial guidelines (RedR): Post-Entry Quarantine Ordinance (EQV) of 5 November 2020 (Bavarian Ministerial Gazette No. 630, BayRS 2126-1-6-G), which was last amended by the Ordinance of 5 March 2021 (BayMBI. No. 169)

In accordance with Section 32 sent. 1 in conjunction with Section 28 para. 1 sent. 1, Sections 29, 30 para. 1 sent. 2 of the German Infection Protection Act [Infektionsschutzgesetz, IfSG] of 20 July 2000 (Federal Law Gazette I p. 1045), last amended by Art. 5 of the Act of 19 June 2020 (Federal Law Gazette I p. 1385), in conjunction with Section 9 no. 5 of the Ordinance on Responsibility to Issue Decrees [Delegationsverordnung, DelV] of 28 January 2014 (Law and Ordinance Gazette p. 22, BayRS 103-2-V), which was last amended by Ordinance of 13 January 2020 (Law and Ordinance Gazette p. 11), the Bavarian State Ministry of Health and Care orders:

Article 1 Home quarantine upon entry and return; observation

(1) 1Persons entering the Free State of Bavaria who have been in an area classified as a risk area within the meaning of Section 2 no. 17 of the Infection Protection Act (risk area) within a space of ten days prior to their entry are obliged to go directly to their own home or other accommodation which is suitable for quarantine immediately after entry and to remain there in quarantine for a period of 10 days after entry without interruption. 2Persons referred to in sentence 1 are not allowed to receive visits during this period from persons who are not members of their household.

(2) 1The persons referred to in paragraph 1 sentence 1 must immediately contact the local authority responsible for them and state that they are subject to the obligations specified in paragraph 1. 2Within the period specified in paragraph 1 sentence 1, they are also obliged to inform the responsible local authority immediately if they develop symptoms of an infection with coronavirus SARS-CoV-2, such as a cough, fever, cold or loss of the sense of smell or taste.

(3) Paragraph 2 sentence 1 does not apply if there is an obligation for them to register pursuant to Section 1 of the Coronavirus Entry to Germany Ordinance (CoronaEinreiseV).

(4) During the period of isolation, the persons referred to in paragraph 1 sentence 1 are subject to monitoring by the responsible local authority.

Article 2 Exemptions from home quarantine

(1) Article 1(1) sentence 1 does not apply to persons who enter the Free State of Bavaria for transit purposes only and leave again immediately by direct route.

(2) Article 1(1) sentence 1 does not apply to persons

1. *(repealed)*

2. who, because of their occupation, transport persons, goods or merchandise by road, rail, sea or air,

3. who stay in Germany for less than 72 hours or have stayed in a risk area for less than 72 hours and

- a) who enter on the grounds of visiting first- or second-degree relatives, a spouse or partner not belonging to the same household, or on the grounds of shared custody or a right of contact,
- b) whose work is urgently needed and essential for the maintenance of the health care system and the care and support of persons in need of care and of the disabled, this having been certified by their employer or contractor, or
- c) who are senior members of diplomatic and consular services, popular assemblies and governments,

4.

- a) who have their place of residence in the Free State of Bavaria and who, as a matter of absolute necessity, travel to their place of work, study or professional training in a risk area for the purpose of practising their profession, studying or continuing their professional training and return regularly, at least once a week, to their place of residence (outward commuters), or
 - b) who have their place of residence in a risk area and who as a matter of absolute necessity enter the Free State of Bavaria for the purpose of practising their profession, studying or continuing their professional training and return regularly, at least once a week, to their place of residence (inward commuters),
- whereby such absolute necessity must be certified by the employer, contractor or training institution,

5. persons defined in Article 54a(1) sentence 1 nos. 1 to 5 of the German Infection Protection Act (IfSG),

6. members of foreign armed forces as defined by the NATO Status of Forces Agreement, the Status of Forces Agreement of the NATO Partnership for Peace (PfP Status of Forces Agreement) and the Status of Forces Agreement of the Member States of the European Union (EU SOFA) who enter or return to Germany on official business,

7. persons who enter the territory of the Federal Republic of Germany for the purpose of taking up work for at least three weeks if, at the place where they are accommodated and where they work, occupational hygiene measures and precautions for avoiding contact outside the working group are taken with regard to the group in the first ten days after their entry which are comparable to quarantine as per Article 1(1) sentence 1 and if they are only permitted to leave their accommodation in order to perform their work; the employer must notify the responsible local authority of the commencement of work prior to its commencement and document the measures taken in accordance with the first part of the sentence; the responsible local authority must verify compliance with the requirements set out in the first part of the sentence.

(3) ¹Where not already covered by paragraph 2, Article 1(1) sentence 1 also does not apply to persons

1. whose work is essential for the upkeep

- a) of the functioning of the health, nursing and care system, in particular as doctors, nurses, supporting medical staff or 24-hour care workers,
- b) of public safety and order,
- c) of the cultivation of diplomatic and consular relations,
- d) of the functioning of the administration of justice,
- e) of the functioning of popular representation, government and administration at federal, state and local level, or
- f) of the functioning of the institutions of the European Union and international organisations, whereby the absolute necessity must be certified by the employer or contractor,

2. entering on the grounds of

a) visiting first- or second-degree relatives, a spouse or partner not belonging to the same household, or on the grounds of shared custody or a right of contact,

b) urgent medical treatment

or

c) supporting or caring for persons in need of protection or help,

3. who, as police officers, are returning from deployment and similar duties

4. who have been compelled - as a matter of absolute necessity and without delay - to stay in a risk area for up to five days because of their job, professional training or studies, or to enter the Federal Republic of Germany, whereby the absolute necessity must be certified by the employer, contractor or educational or training institution, or

5. who have been accredited to prepare, participate in, conduct or follow up on international sporting events by the pertinent organising committee or who have been invited by a national sports association to participate in training and courses.

2Sentence 1 applies only insofar as the person concerned is in possession of a written or electronic negative test result in German, English or French as regards infection with the coronavirus SARS-CoV-2 and immediately presents it to the responsible local authority on request. 3The relevant test must either have been performed no more than 48 hours prior to entry or must be performed upon entry into the Federal Republic of Germany. 4The relevant test must meet the requirements of the Robert Koch Institute which are valid at that time¹. 5The test result referred to in sentence 2 must be retained for at least ten days after entry.

(4) ¹In justified cases, the responsible authority may grant further exemptions where there is a valid reason.

²The responsible local authority may, in agreement with the responsible government, also grant exemptions over and above individual cases.

(5) ¹Paragraphs 1 to 4 apply only insofar as the persons specified therein do not have any typical symptoms of an infection with coronavirus SARS-CoV-2 such as a cough, fever, cold or loss of the sense of smell or taste. ²The person referred to in paragraph 2 nos. 1 to 4, 6 and 7, paragraphs 3 and 4 must consult a doctor or test centre to have a test performed if, within ten days of entry, typical symptoms of an infection with coronavirus SARS-CoV-2 such as a cough, fever, cold or loss of the sense of smell or taste arise.

¹ [Official note:] Cf. <https://www.rki.de/covid-19-tests>

Article 3 Reduction of quarantine period

(1) ¹The quarantine obligation specified in Article 1(1) sentence 1 ends earlier, but not before the fifth day after entry, if the person concerned is in possession of a negative test result as regards infection with the coronavirus SARS-CoV-2 on paper or in an electronic document and immediately presents it to the responsible local authority on request. ²The test yielding the negative test result mentioned in sentence 1 must have been carried out at least five days after entry into the Federal Republic of Germany and must fulfil the requirements of the Robert Koch Institute which are valid at that time¹. ³The negative test result referred to in sentence 1 must be retained for at least ten days after entry.

(2) The quarantine specified in Article 1(1) sentence 1 may be interrupted if and for as long as this is necessary in order to perform a test as specified in paragraph 1.

(3) The reduction of the quarantine period as per paragraph 1 applies only insofar as the person specified therein has no typical symptoms of an infection with coronavirus SARS-CoV-2 such as a cough, fever, cold or loss of the sense of smell or taste.

(4) The person referred to in paragraph 1 must consult a doctor or test centre to have a test performed if, within ten days of entry, typical symptoms of an infection with coronavirus SARS-CoV-2 such as a cough, fever, cold or loss of the sense of smell or taste arise.

(5) Paragraphs 1 to 4 apply accordingly to persons specified in Article 2(2) no. 7.

¹ [Official note:] Cf. <https://www.rki.de/covid-19-tests>

Article 3a Special regulations for virus variant areas

For persons who have, within ten days prior to entry, stayed in a virus variant area¹ within the meaning of Article 3 sub-para. 2 sentence 1 no. 2 CoronaEinreiseV., the following applies in addition:

1. In derogation of Article 1 sub-para. 1 sentence 1, the duration of quarantine is 14 days after entry.
 2. Article 2 sub-para. 2 no. 3 letters a and c, nos. 5 to 7 and sub-para. 3 do not apply.
 3. Article 2 sub-para. 2 no. 4 only applies to persons whose activity is urgently required and indispensable for the maintenance of operational processes and if this is certified by their employer or client; the certificate must be carried on each entry and presented on request to the responsible local authority, the body commissioned by such authority or the authority charged with police control of cross-border traffic.
 4. Article 3 remains unaffected by this.
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¹ [Official note:] Cf. <https://www.rki.de/covid-19-risikogebiete>

Article 4 Penalty regulation

An offence within the meaning of Article 73(1a) no. 24 IfSG is committed by anyone who, intentionally or negligently

1. - in breach of Article 1 sub-para. 1 sentence 1 or Article 3a no. 1 in conjunction with Article 1 sub-para. 1 sentence 1 – does not go into quarantine or does not go directly to their own home or other suitable accommodation,
2. - in breach of Article 1(1) sentence 2 - receives visitors,
3. - in breach of Article 1(2) sentence 1, also in conjunction with sentence 2 - does not contact the responsible authority or fails to do so promptly,
4. - in breach of Article 2 sub-para. 2 no. 3 letter b, no. 4, sub-para. 3 sentence 1 nos. 1 and 4 or Article 3a no. 3 - issues an untrue certificate,
5. - in breach of Article 2(2) no. 7 clause 2 - does not inform the responsible local authority,
6. - in breach of Article 3(1) - does not present the test result to the responsible local authority or fails to do so promptly,
7. - in breach of Article 2(5) sentence 2 or Article 3(4) - does not visit a doctor or a test centre.

Article 5 Effective date, expiry date

This Ordinance takes effect on 9 November 2020 and expires on 28 March 2021 at midnight.

Munich, 5 November 2020

Bavarian State Ministry of Health and Care

Melanie Huml, State Minister