Enforcement of the Infection Protection Act (IfSG)

Quarantine of contact persons and persons suspected of being infected with coronavirus, isolation of persons who have tested positive for the coronavirus SARS-CoV-2 (General Ruling on Isolation)


In accordance with Article 28 sub-para. 1 clause 1, Article 29 sub-paras. 1 and 2 and Article 30 sub-para. 1 clause 2 of the Infection Protection Act (IfSG) in conjunction with Section 65 clause 2 no. 2 of the Responsibilities Ordinance (ZustV), the Bavarian State Ministry of Health and Care hereby issues the following

**General Ruling:**

1. **Definitions**

   Unless otherwise specified, the provisions of this general ruling apply to the following persons (persons affected):

   1.1 Persons who have been informed by the health authorities that, due to their close contact with a confirmed COVID-19 case (“index case”), they are close contact persons who have an increased risk of infection according to the currently valid criteria of the Robert Koch Institute (close contact persons).
1.2 Persons suspected of being infected

   a) for whom

      aa) an antigen test for the direct detection of SARS-CoV-2 (antigen test),
          which was not carried out or supervised by a healthcare professional
          or a comparable person trained for this purpose, yields a positive re-
          sult, or

      bb) who have symptoms of disease indicating an infection with SARS-
          CoV-2,

   and for whom either the health authority has ordered testing by means of a
   PCR test, a PoC-PCR test or another nucleic acid amplification technique
   (nucleic acid test) for SARS-CoV-2, or who subjected themselves to testing
   by means of a nucleic acid test for SARS-CoV-2 following the positive result
   of the antigen test or following medical advice because of the signs of the
   disease, and

   b) whose swab sample is part of a pool sample for which a PCR pool test has
      yielded a positive result.

1.3 Persons who, after 31 August 2021, were informed by the health authority, by
the person who performed or supervised the test or by the body evaluating the
test that a nucleic acid test carried out on them or supervised by a healthcare
professional or a comparable person trained for this purpose or an antigen test
carried out on them or supervised by a healthcare professional or a comparable
person trained for this purpose yielded a positive result (persons tested positive)
and who are neither close contact persons as defined under No. 1.1 nor per-
sons suspected of being infected as defined under No. 1.2.
2. Rules on quarantine and isolation

2.1 Order for quarantine or isolation

2.1.1 Quarantine for close contact persons

2.1.1.1 Close contact persons must go into quarantine immediately after being notified by the health authority as per No. 1.1, if no other instructions are issued by the competent local authority. The health authority will record the contact details and notify the contact persons without delay in writing or electronically of the measures to be taken.

2.1.1.2 The quarantine obligation as per No. 2.1.1.1 does not apply to:
   a) close contact persons who have been fully vaccinated against COVID-19 and have received a booster vaccination,
   b) close contact persons who have recovered from illness with COVID-19 - as confirmed by a nucleic acid test or a specific positive antibody test carried out in a laboratory which operates according to the guideline of the German Medical Association for quality assurance of laboratory medical examinations (RiLiBÄK) or is accredited according to DIN EN ISO 15189 - and have subsequently received at least one vaccination dose against the SARS-CoV-2 coronavirus, or who have recovered from illness with COVID-19 confirmed by a nucleic acid test after receiving at least one vaccination dose against the SARS-CoV-2 coronavirus.¹
   c) close contact persons who have been fully vaccinated with two doses of vaccine, if the second vaccination was at least 15 days and at most 90 days ago, and

¹ No. 2.1.1.2 clause 1 letter b reworded with the announcement of 24.01.2022.
d) close contact persons who have recovered from a SARS-CoV-2 infection which was confirmed by a nucleic acid test, if the relevant test was carried out at least 28 days and at most 90 days previously.\(^2\)

Proof of vaccination and proof of the previous SARS-CoV-2 infection must be submitted to the health authority upon request. If the persons referred to in sentence 1 show typical symptoms of infection with the SARS-CoV-2 coronavirus, such as a cough, fever or loss of taste and smell, within 14 days of close contact with the confirmed case of COVID-19, the responsible health authority must be informed immediately. The health authority can decide differently in individual cases and order quarantine, especially when the index case is suspected of being infected with a non-predominant variant of the coronavirus SARS-CoV-2 which the World Health Organization classifies as a variant for concern.

2.1.2 Persons suspected of being infected must go into quarantine immediately after notification from the health authority about the instructions for the test or, if no such instructions have been given, immediately after performance of the nucleic acid test or notification of the positive result of the PCR pool test. This applies even if a previously taken antigen test shows a negative result. The health authority, the doctor giving the consultation before the test or, in the case of No. 1.2 a), the person carrying out the nucleic acid test, will inform the person suspected of being infected in writing or electronically about the obligation to go into quarantine. If a test is carried out by a doctor during a home visit or at the doctor's practice, the person suspected of being infected must be informed by the doctor of the obligation to undergo quarantine in writing or electronically when the test is taken by presentation of the main content of this general ruling and other materials. Persons suspected of being infected must be reported to the local health authority in accordance with Article 6 sub-para. 1 clause 1 no. 1 letter t IfSG.

\(^2\) No. 2.1.1.2 clause 1 reworded with the announcement of 14.01.2022.
2.1.3 Persons tested positive must go into isolation immediately after learning of their positive test result. The office announcing the test result will inform persons tested positive in writing or electronically about their obligation to isolate when the test result is announced. The notification obligations pursuant to Article 6 sub-para. 1 clause 1 no. 1 letter t and Article 7 sub-para. 1 clause 1 no. 44a IfSG remain unaffected by this. The person tested positive is obliged to report to the health authority responsible and supply information about the test result, the type of test (nucleic acid test or antigen test) and the date of the test if the test leading to the result was performed outside the geographical territorial scope of the Infection Protection Act.

2.2 Quarantine or isolation must take place in an apartment or other spatially delimited part of a building.

2.3 Close contact persons, persons suspected of being infected and persons tested positive may not leave the dwelling during the period of quarantine or isolation without the express consent of the health authority. They are permitted to spend a limited time on their own in or on a garden, terrace or balcony belonging to the dwelling. The dwelling may be left for the sole purposes of tests which, according to this general ruling, may be carried out in order to end quarantine or isolation, and for other tests ordered by the health authority.

2.4 During the entire period of home quarantine or isolation, a spatial or temporal separation from other persons living in the same household as the person affected must be ensured. A "temporal separation" can be achieved, for example, by taking meals not together but in turn. A "spatial separation" can be achieved, for example, by the person affected staying in a separate room to the other members of the household.
2.5 During quarantine or isolation, the person affected may not receive visits from persons who do not belong to the same household. The responsible local authority may take a different decision in substantiated individual cases.

3. **Rules of hygiene during quarantine and isolation**

3.1 The health authority will advise the close contact person, person suspected of being infected or the person tested positive and any other persons sharing their households and will inform them of appropriate hygiene and protection measures, in particular to prevent the further spread of infections.

3.2 The directions of the health authority regarding hygiene and protection measures must be observed.

4. **Measures during quarantine of close contact persons**

4.1 The health authority should actively establish contact with close contact persons. Contact will be established by telephone or alternatively by electronic means of communication such as by e-mail or other digital media.\(^3\)

4.2 During the period of quarantine, the close contact person must keep a diary in which to note their body temperature every day, if possible, and the course of signs of illness, if any, as well as general activities and contact with other persons. At the request of the health authority, the close contact person must provide information from the diary.\(^4\)

4.3 During home quarantine, the close contact person must let officials of the health authority carry out examinations (e.g. medical consultations and diagnostics) on

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\(^3\) No. 4.1 clause 1 adjusted with the announcement of 15.09.2021.

\(^4\) No. 4.2 clause 1 adjusted with the announcement of 15.09.2021.
them and collect samples for examination. This refers in particular to swabs from mucous membranes.

4.4 *(repealed)*

5. **Further rules of hygiene during quarantine and isolation and extended information obligations of close contact persons after the end of quarantine**

5.1 If, irrespective of the continuation of quarantine, typical symptoms of infection with the SARS-CoV-2 coronavirus such as a cough, fever or loss of taste and smell develop in close contact persons within 14 days of the last close contact with the confirmed case of COVID-19 or, in the case of household members as defined in No. 6.1.2, within 14\(^7\) days of the onset of symptoms of the primary case, or, in the case of asymptomatic primary cases, from the date of the swab collection which gave rise to the initial detection of the pathogen, or if the health condition of suspected persons deteriorates, they must immediately contact the public health department by telephone.\(^8\)

5.2 Should more extensive medical treatment or rescue transport become necessary during quarantine or isolation, the person affected must inform the healthcare facility or rescue service in advance by telephone of the reason for the quarantine or isolation. The health authority must also be informed in advance.

5.3 Where the person affected is a minor or where a carer has been appointed by law, the primary carers are responsible for adherence to home quarantine or isolation.

\(^5\) No. 4.4 reworded with the announcement of 01.02.2022. Cf. however No. 5.4 (new).

\(^6\) Heading extended with the announcement of 15.09.2021.

\(^7\) Amended by announcement of 24.01.2022.

\(^8\) No. 5.1 reworded with the announcement of 15.09.2021.
Consolidated version (valid as at: 02.02.2022) – the individual announcements of 31.08.2021, of 09.09.2021, of 15.09.2021, of 29.10.2021, of 11.01.2022, of 14.01.2022, of 24.01.2022 and of 01.02.2022 are legally binding.

5.4 If the quarantine or isolation endangers the continuity of business operations in a company belonging to critical infrastructure or the service operations of a public authority despite the exhaustion of all organisational possibilities, such as the transfer of personnel from other areas, it is possible to make an exception to the quarantine or isolation order for close contact persons and persons tested positive, subject to adherence to infection hygiene requirements in order to protect other employees. The decision will be taken by the responsible local authority, possibly after consultation with the company doctor and the management of the plant or public authority.⁹

6. End of the measures

6.1 End of quarantine for close contact persons

6.1.1 For close contact persons, home quarantine ends when it has been ten days since the close contact with an index case and if no typical symptoms of COVID-19 occurred during quarantine. Home quarantine ends prematurely if the close contact with the index case was at least seven days ago, if no signs of illness typical of COVID-19 appeared during quarantine and if a nucleic acid test or an antigen test carried out at the earliest seven days after the last close contact yields a negative result. In a departure from clause 2, for pupils and children who go to day-care centres, day-care babysitters and nannies or special pedagogical day-care centres, home quarantine ends if the close contact with the index case was at least five days ago, if no signs of illness typical of COVID-19 appeared during quarantine and if a nucleic acid test or an antigen test carried out at the earliest five days after the last close contact yields a negative result. The nucleic acid test or the antigen test must be carried out by a healthcare professional or a comparable person trained for this purpose. Premature termination of quar-

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⁹ No. 5.4 inserted with the announcement of 01.02.2022.
Bavarian State Ministry of Health and Care


Antine becomes effective with the transmission of the negative test result to the responsible local authority, unless the latter decides otherwise.

If the test result of the close contact person is positive, quarantine continues and the responsible local authority issues the necessary instructions; the instructions as per No. 6.3. apply to the end of isolation.¹⁰

6.1.2 In the case of members of the household of a person infected with COVID-19 who do not fall ill, or do have respiratory symptoms but have tested negative for SARS-CoV-2 by means of a nucleic acid test, domestic quarantine ends ten days after the onset of symptoms of the primary case, with asymptomatic primary cases ten days from the date of the swab which produced initial proof of the virus, regardless of the occurrence of other cases in the household. Home quarantine of the members of the household of the COVID-19 cases mentioned in the first sentence ends prematurely if the onset of symptoms of the primary case, or the date of the swab test which yielded initial proof of the virus in the event of an asymptomatic primary case, was at least 7 days ago, if no signs of illness typical of COVID-19 appeared during quarantine and if a nucleic acid test or an antigen test carried out at the earliest seven days after the last close contact yields a negative result. Where the member of the household is a pupil or a child who attends a day-care centre or special pedagogical day-care centre or goes to a babysitter or childminder, home quarantine ends if the onset of symptoms of the primary case, or the date of the swab test which yielded initial proof of the virus in the event of an asymptomatic primary case, was at least five days ago, if no signs of illness typical of COVID-19 appeared during quarantine and if a nucleic acid test or an antigen test carried out at the earliest five days after the last close contact yields a negative result. The nucleic acid test or the antigen test must be carried out by a healthcare professional or a comparable person trained for this purpose. Premature termination of quarantine becomes effective with the transmission

¹⁰ No. 6.1.1 reworded with the announcement of 11.1.2022.
Consolidated version (valid as at: 02.02.2022) – the individual announcements of 31.08.2021, of 09.09.2021, of 15.09.2021, of 29.10.2021, of 11.01.2022, of 14.01.2022, of 24.01.2022 and of 01.02.2022 are legally binding.

of the negative test result to the responsible local authority, unless the latter decides otherwise in individual cases.

If the test result is positive, quarantine continues and the responsible local authority issues the necessary instructions; the instructions as per No. 6.3. apply to the end of isolation if the test result is positive.\(^{11}\)\(^{12}\)

6.2 For persons suspected of being infected, domestic quarantine ends upon presentation of a negative result of a nucleic acid test, but no later than the end of the fifth day after undergoing the nucleic acid test. The negative test result must be confirmed in writing or electronically at the request of the person suspected of being infected. If the test result of the person suspected of being infected is positive, the isolation continues and the responsible local authority issues the necessary instructions. The instructions given under No. 6.3 apply with regard to the end of isolation.

6.3 End of isolation for persons tested positive

6.3.1 For persons who tested positive by means of an antigen test which was performed by a healthcare professional or a comparable person trained for this purpose, isolation ends, provided that the first nucleic acid test performed on such persons after the positive antigen test produces a negative result, with the presence of this negative test result. If the test result is positive, the end of isolation is determined according to Nos. 6.3.2 and 6.3.3. If there is still no nucleic acid test result five days after the positive antigen test, isolation ends on day six after the positive antigen test.\(^{13}\)

6.3.2 In the case of asymptomatic persons who tested positive by means of a nucleic acid test, isolation ends at the earliest seven days after the first detection of

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\(^{11}\) No. 6.1.2. reworded with the announcement of 11.01.2022.

\(^{12}\) No. 6.1.3. rescinded with the announcement of 15.09.2021.

\(^{13}\) No. 6.3.1. clauses 2 and 3 inserted with the announcement of 24.01.2022.
the virus, if a nucleic acid test or an antigen test carried out at the earliest on
day seven by a healthcare professional or a comparable person trained for this
purpose yields a negative result, upon transmission of the negative test result
to the responsible local authority. Otherwise, isolation ends after ten days,
unless a nucleic acid test or an antigen test carried out at the earliest on day
seven yields a positive result. In this case, isolation ends, if a nucleic acid test
or an antigen test carried out at the earliest on day ten by a healthcare profes-
sional or a comparable person trained for this purpose yields a negative result,
upon transmission of the negative test result to the responsible local authority.
If this test also yields a positive result, the local authority decides when and
under what conditions isolation ends in individual cases.

6.3.3 In the case of symptomatic persons who tested positive by means of a nucleic
acid test, isolation ends at the earliest seven days after the onset of symp-
toms, if the person has been free of symptoms for at least 48 hours and if a
nucleic acid test or an antigen test carried out at the earliest on day seven by a
healthcare professional or a comparable person trained for this purpose yields
a negative result, upon transmission of the negative test result to the respon-
sible local authority. Otherwise, isolation ends after ten days and freedom
from symptoms for at least 48 hours, unless a nucleic acid test or an antigen
test carried out at the earliest on day seven yields a positive result. In this
case, isolation ends, if a nucleic acid test or an antigen test carried out at the
earliest on day ten by a healthcare professional or a comparable person
trained for this purpose yields a negative result and the person in isolation has
been free of symptoms for at least 48 hours, upon transmission of the negative
test result to the responsible local authority. If this test also yields a positive

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14 No. 6.3.2. clause 1 amended with the announcement of 14.01.2022.
15 No. 6.3.2. reworded with the announcement of 11.1.2022.
16 No. 6.3.2. clauses 2 and 3 reworded with the announcement of 24.01.2022.
17 No. 6.3.3. clause 1 amended with the announcement of 14.01.2022.
result, the local authority decides when and under what conditions isolation ends in individual cases.  

7. **Transitional regulation**  

For persons who, on 11 January 2022, are in isolation on the grounds of the previously applicable version of the General Ruling Isolation or are in quarantine due to being close contact persons, the end of their isolation or quarantine is governed by the instructions, set out in Nos. 6.1 and 6.3, of the General Ruling Isolation in the version of the Announcement of Amendment of 11 January 2022.

For persons tested positive and close contact persons who, on 11 January 2022, are in isolation on the grounds of an individual order of the responsible local authority because of an infection with the omicron variant of the coronavirus SARS-CoV-2 or are in isolation or quarantine due to having had close contact with an index case suspected of being infected with the omicron variant, the end of their isolation or quarantine is governed, regardless of the individual order, by the instructions, set out in Nos. 6.1 and 6.3, of the General Ruling Isolation in the version of the Announcement of Amendment of 11 January 2022.  

For close contact persons who, on 14 January 2022, are in quarantine on the grounds of an individual order of the responsible local authority and are exempted from quarantine as close contact persons pursuant to No. 2.1.1.2, quarantine ends with the entry into force of this general ruling.  

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18 No. 6.3.3. reworded with the announcement of 11.1.2022.
19 No. 6.3.3. clauses 2 and 3 reworded with the announcement of 24.01.2022.
20 No. 7, which was newly inserted with the announcement of 11.01.2022 and concerned a regulation on resumption of work at the end of isolation for staff working in hospitals, care facilities and institutions for integration assistance, was repealed again with the announcement of 24.01.2022.
21 No. 7 adjusted with the announcement of 11.01.2022.
22 Paragraph inserted with the announcement of 14.01.2022.
8. **Offences**\(^{23}\)

Any violation of this General Ruling can be punished as an offence pursuant to Section 73 sub-para. 1a no. 6 IfSG.

9. **Immediate enforceability**

The present General Ruling is immediately enforceable by law.

10. **Effective date, expiry date**

The present General Ruling takes effect on 1 September 2021 and expires on 31 March 2022 at midnight.

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\(^{23}\) Nos. 9 to 11 correspond to Nos. 8 to 10 of the previous version. Numbering amended with the announcement of 11.1.2022.