

**Ordinance of the State Government on Infection Protection Measures against
the Spread of the SARS-CoV-2 Virus (Corona Ordinance – “CoronaVO”)**

of 14 August 2021

On the basis of Art. 32 in conjunction with Arts. 28 to 31 of the [German] Infection Protection Act (“IfSG”) of 20 July 2000 (Federal Law Gazette I, p. 1045), last amended by Article 6 of the Act of 27 July 2021 (Federal Law Gazette I, p. 3274, 3291), it is decreed:

Part 1 – General Regulations

Art. 1

Objective, Procedure

(1) The measures taken on the basis of this Ordinance, taking into account the burden on the health care system (utilisation of intensive care beds, AIB), the seven-day incidence, the vaccination rate and the number of severe courses of disease (hospitalisations), serve to combat the pandemic of the SARS-CoV-2 virus (Corona virus) in order to protect the health of citizens. In cases of high outbreak incidence of COVID-19 disease, the state government reserves the right to take additional measures. The basis for this is the risk assessment and forecast of the State Health Office on the development of the incidence of infection on the basis of the parameters mentioned in Sentence 1. Based on this, the state government shall reassess the necessity of the current and further measures at least every four weeks.

Art. 2

General Distance and Hygiene Rules

Maintaining a minimum distance of 1.5 meters from other people, adequate hygiene and ventilation of enclosed spaces is generally recommended.

Art. 3

Mask Obligation

(1) The obligation to wear a medical mask applies.

(2) An exception to the mask obligation under Paragraph 1 applies:

1. In private areas,
2. Outdoors, unless it can be assumed that a minimum distance of 1.5 meters from other persons cannot be reliably maintained,
3. For children up to the age of six,
4. For persons who can credibly demonstrate that they cannot or cannot reasonably be expected to wear a medical mask for health or other compelling reasons, whereby the credibility of health reasons must generally be substantiated by a medical attestation,
5. If the wearing of a mask is unreasonable or impossible for similarly weighty and unjustifiable reasons in the individual case, or if another protection of at least an equivalent level is available for other persons.

(3) The SARS-CoV-2 Occupational Health and Safety Ordinance of 25 June 2021 (BAntz AT 28 June 2021 V1), as amended from time to time, shall remain unaffected in workplaces and operating sites.

Art. 4
Immunised Persons

(1) Immunised persons are persons vaccinated against or recovered from COVID-19. Immunised persons shall always be permitted access to the facilities or services referred to in Part 2 within the limits of available and permitted capacity. These shall present proof of vaccination or recovery, unless there is no requirement under Part 2 to present proof of testing of non-immunised persons.

(2) For the purposes of Paragraph 1,

1. A vaccinated person is an asymptomatic person who is in possession of a vaccination certificate issued to him or her within the meaning of Art. 2 Numeral 3 of the COVID-19 Protective Measures Exemption Ordinance of 8 May 2021 (“SchAusnahmV” - BAnz AT 8 May 2021 V1), and
2. A recovered person is an asymptomatic person who is in possession of a recovery certificate issued to him or her within the meaning of Art. 2 Numeral 5 SchAusnahmV.

Art. 5
Non-Immunised Persons

(1) A non-immunised person is a person who has neither been vaccinated against nor recovered from COVID-19 within the meaning of Art. 4 Paragraph 2. Non-immunised persons shall present a negative test certificate issued to them to the extent required by or pursuant to regulations made under this Ordinance.

(2) A tested person is an asymptomatic person who

1. Has not yet completed the sixth year of life or is not yet enrolled in school, or
2. Is a pupil of a primary school, a special educational and counselling centre,

a school that builds on the primary school or a vocational school, whereby the credible proof must as a rule be provided by an appropriate identification document.

(3) A test certificate is a proof within the meaning of Art. 2 Numeral 7 SchAusnahmV regarding a test that

1. Takes place on site under the supervision of the person who must verify the presence of a test certificate,
2. Is carried out within the framework of in-company testing within the meaning of occupational health and safety by personnel who have the necessary training or knowledge and experience to do so, or
3. Was performed or supervised by a service provider in accordance with Art. 6 Paragraph 1 of the Corona Virus Test Ordinance of 24 June 2021 (BAnz AT 25 June 2021 V1).

Testing by laboratory diagnostics using nucleic acid detection (PCR, PoC-PCR or other methods of nucleic acid amplification technology) shall also be permissible. In the case of a rapid antigen test, the underlying test must not be more than 24 hours old, in case of a PCR test, the underlying test must not be more than 48 hours old.

Art. 6

Verification of Proof

Providers, organisers or operators shall be obliged to verify the proof of testing, vaccination or recovery to be presented

Art. 7
Hygiene Concept

(1) Insofar as a hygiene concept is to be established by means of regulations of this Ordinance or on the basis of this Ordinance, the persons responsible shall take into account the requirements of infection protection in accordance with the specific circumstances of the individual case. The hygiene concept shall describe how the hygiene requirements are to be implemented, in particular

1. The implementation of the distance recommendation, primarily with the presentation of other protective measures if a distance is not observed and the regulation of flows of people,
2. The regular and sufficient ventilation of indoor spaces,
3. The regular cleaning of surfaces and objects, and
4. Timely and comprehensible information about the applicable hygiene requirements.

(2) At the request of the competent authority, those responsible shall submit the hygiene concept and provide information on its implementation.

Art. 8
Data Processing

(1) Insofar as data are to be processed with reference to this provision as a result of regulations of this Ordinance or on the basis of this Ordinance, the first name and surname, address, date and period of attendance and, if available, the telephone number may be collected and stored by those obliged to process data from those present, in particular visitors, users or participants, solely for the purpose of providing information to the Health Department or the local police authority in accordance with Arts. 16, 25 IfSG. A new survey is not required if the data are already available.

Art. 28a Paragraph 4 Sentences 2 to 7 IfSG shall remain unaffected.

(2) Those obliged to process data must exclude persons who refuse, in whole or in part, the collection of their contact data in accordance with Paragraph 1 Sentence 1 from visiting or using the facility or from participating in the event.

(3) Where attendees provide contact details pursuant to Paragraph 1, Sentence 1, to those obliged to process the data, they must provide accurate information.

(4) The collection and storage may also be carried out in an end-to-end encrypted form that is not readable for the data controller in accordance with the state of the art, as long as it is ensured that the competent health authority receives the data by means of a secure transmission in a form that is readable for the health authority in the event of a release by the data controller. The end-to-end encrypted form must allow the transmission of the data to the health authority for a period of four weeks. Where data processing is carried out in this way, Paragraph 2 shall apply, provided that the data controller need only ensure that the presence of each person is recorded and stored by the digital application where the digital application requires the input of the types of data referred to in Paragraph 1. If data processing pursuant to Sentence 1 is provided for, an analogous collection of contact data of the data subject shall alternatively be made possible.

Part 2 – Special Regulations

Art. 9

Private Gatherings and Private Events

Private gatherings and private events are permissible without any restrictions.

Art. 10

Events

(1) Events such as theatre, opera and concert performances, film screenings, city and folk festivals, city tours, information events, company and club celebrations as well as sport events are permissible. Events that exceed a number of 5,000 visitors are only permitted with up to 50 percent of the permitted capacity up to a maximum of 25,000 people.

(2) If the event takes place indoors, non-immunised persons are only permitted entry upon presentation of proof of testing. This also applies to outdoor events

1. With more than 5,000 visitors, or
2. Where a minimum distance of 1.5 metres cannot be reliably maintained.

(3) By way of derogation from Art. 7 Paragraph 2, for events exceeding 5,000 visitors, the hygiene concept must be submitted to the locally competent public health authority. Insofar as the health authority identifies deficiencies, the hygiene concept shall be adapted immediately in accordance with the requirements of the health authority.

(4) Exempt from the obligation to present proof of testing shall be participants in

1. Committee meetings of legal entities, companies and comparable associations,
2. Events that serve the maintenance of work, service or business operations, public safety and order or social welfare,
3. Events in the area of services and measures under Art. 16 of the Eighth Book of the Social Security Code - Children and Youth Welfare (SGB VIII), of the Frühe Hilfen in accordance with the Corona Ordinance Family Education and Frühe Hilfen, as well as in the area of child and youth welfare

services that are carried out within the framework of services or measures according to Arts. 11, 13, 14, 27 to 35a, 41 to 42e with the exception of Art. 42a Paragraph 3a SGB VIII, and

4. Events for similarly weighty and irrefutable reasons.

(5) Anyone holding an event must prepare a hygiene concept and carry out data processing. An organiser shall assume overall responsibility for the organisation. Implementation is only permitted with controlled access for visitors. Employees and other contributors as well as athletes shall not be taken into account when determining number of visitors.

(6) In case of events and meetings of the organs, parts of organs and other bodies of the legislative, judicial and executive branches as well as of self-government, as well as nomination and election campaign events and the collection of support signatures required for parliamentary and municipal elections for election proposals of parties, electoral associations and individual candidates as well as for petitions for referendums, petitions for motions, citizens' petitions, residents' petitions and residents' meetings, the submission of a test certificate by participants, the preparation of a hygiene concept and the implementation of data processing shall not be required. The obligation to wear a medical mask shall only apply to visitors of these events.

(7) An event within the meaning of this provision is a temporary and localised and planned event with a defined objective or intention under the responsibility of an organiser, a person, organisation or institution in which a group of people specifically participates.

Art. 11

Federal Elections and Elections and Votes Taking Place at the Same Time

(1) Paragraphs 2 to 7 shall apply to the election procedure and the determination and ascertainment of the election result in the Bundestag election. Within the

meaning of this regulation, the election building shall include, in addition to the polling rooms and meeting rooms of the election committees and election boards, all other rooms in the building that are accessible to the public during the election period and the determination and ascertainment of the election results as well as other meetings of the election committees.

(2) The mayor shall ensure at least the hygiene requirements according to Art. 7 Paragraph 1 Sentence 2.

(3) A medical mask must be worn by all persons in the election building. This obligation shall not apply to

1. Children up to and including six years of age,
2. Persons who prove by medical certificate that wearing a mask according to Sentence 1 is not possible for them for health reasons, or for whom wearing it is not possible or reasonable for other compelling reasons, and
3. The duration of a removal of the mask for the purpose of establishing identity ordered by the election committee.

A minimum distance of 1.5 metres shall be maintained from other persons. Before entering the voting room, each person shall disinfect his or her hands.

(4) For persons present in the election building on the basis of the principle of public access, the following shall apply:

1. They are obliged to provide their contact details in accordance with Art. 8 Paragraph 1 Sentence 1; the election committee shall be entitled to collect and verify the completeness of this data; the election officer shall hand over the collected data to the mayor in a sealed envelope; the mayor shall be the person obliged to process data pursuant to Art. 8 Paragraph 1 Sentence 1;
2. In the case of Paragraph 3, Sentence 2, Numeral 2, these persons may be

in polling rooms between 8 a.m. and 1 p.m. and between 1 p.m. and 6 p.m. and after 6 p.m. for a maximum of 15 minutes each, and in postal voting rooms for a maximum of 15 minutes each; a minimum distance of 2 metres shall be maintained from the members of the election committee and the assistants.

(5) Access to the election building shall be prohibited to persons who

1. Are subject to segregation in connection with the Corona virus,
2. Show typical symptoms of an infection with the Corona virus, namely shortness of breath, new-onset cough, fever, loss of taste or smell,
3. Do not wear a medical mask in contravention of Paragraph 3, Sentence 1, without an exemption in accordance with Paragraph 3, Sentence 2 being granted, or
4. Contrary to Paragraph 4 Numeral 1, are wholly or partially unwilling to provide their contact details.

(6) In the event of the transport of voting items to another constituency under Art. 68 Paragraph 2 of the Federal Election Regulations because fewer than 50 votes have been cast in the constituency, several persons from different households may travel in one vehicle. The persons shall wear a medical mask; Paragraph 3, Sentence 2, Numeral 2 shall apply *mutatis mutandis*.

(7) In order to vote in the Bundestag election, voters are exempt from any existing exit restrictions based on the Infection Protection Act or this Ordinance. The same applies to the members of the electoral committees and electoral boards and the auxiliary staff to assist in the election or voting as well as persons who wish to be present in the election building or at public meetings of the electoral committees due to the principle of transparency.

(8) Paragraphs 1 to 7 shall apply *mutatis mutandis* to elections and votes held at the

same time as the Bundestag election.

Art. 12

Meetings under Article 8 of the Basic Law

(1) Gatherings intended to serve the exercise of the fundamental right of freedom of assembly under Article 8 of the Basic Law shall be permissible. The competent authorities may impose conditions, for example on compliance with hygiene requirements.

(2) Gatherings may be prohibited if protection against infection cannot be achieved by other means, in particular by imposing conditions.

Art. 13

*Events Organised by Religious, Faith and Non-Confessional Organisations
as well as Events in the Case of Death*

(1) Events organised by churches as well as religious and faith communities for the practice of religion and corresponding events of non-confessional organisations shall be permissible. Anyone holding such an event shall establish a hygiene concept and perform data processing.

(2) Burials, urn burials and prayers for the dead are permissible. Anyone holding such an event shall establish a hygiene concept and perform data processing.

Art. 14

Cultural, Recreational and Other Establishments, and Transportation

(1) The operation of

1. Cultural institutions such as galleries, museums, memorials, archives,

- libraries and similar institutions,
2. Trade fairs, exhibitions and conventions,
 3. Sports facilities, baths and bathing lakes with controlled access,
 4. Saunas and similar establishments,
 5. River and lake navigation in excursion traffic, tourist bus, rail and cableway transport and similar establishments,
 6. Prostitution establishments, brothels and similar establishments as well as any other exercise of the prostitution trade within the meaning of Art. 2 Paragraph 3 of the Protection of Prostitutes Act

shall be permissible to the public. Non-immunised persons shall only be allowed to enter enclosed spaces upon presentation of proof of testing. For the collection and return of media in libraries and archives, the presentation of a test certificate shall not be required; this shall also apply to the practice of sport for official purposes, rehabilitation sport and top-level or professional sport.

(2) The operation of amusement parks, zoological and botanical gardens, high ropes courses and similar establishments shall be permitted for use by the public. Non-immunised persons shall only be allowed to enter enclosed spaces upon presentation of proof of testing.

(3) The operation of discotheques, clubs and similar establishments shall be permitted for the public. Non-immunised persons shall only be entry upon the presentation of proof of PCR testing.

(4) Any person operating an establishment under Paragraphs 1 to 3 shall draw up a hygiene concept and carry out data processing; data processing is not required in libraries and archives when collecting and returning media.

Art. 15

Extracurricular, Vocational and Academic Education

(1) Extracurricular and adult education offerings such as adult education courses, offers by music, art and youth art schools and similar offers shall be permissible. Non-immunised persons shall only be allowed entry to such offerings in enclosed spaces upon the presentation of proof of testing.

(2) Events of vocational training pursuant to the Vocational Training Act or the Handicrafts Code as well as examinations and examination preparations, the implementation of labour market policy measures and other further and continuing vocational training, of language and integration courses and events of study operation pursuant to the Corona Ordinance Study Operation, the conduct of practical and theoretical driving, boating and flying school training and of practical and theoretical examinations, as well as the conduct of postgraduate seminars pursuant to Art. 2b of the Road Traffic Act ("StVG") and driving aptitude seminars pursuant to Art. 4a of the StVG and comparable offers shall be permissible without the restrictions of Paragraph 1, Sentence 2. The obligation to wear a medical mask does not apply if a minimum distance of 1.5 metres from other persons may be reliably maintained or access to an exam is only permitted after presentation of proof of testing, vaccination or recovery.

(3) Nursing schools, schools for health care professions and specialised schools for social work under the departmental responsibility of the Ministry of Social Affairs, further education and training institutions for nursing and health care professions, the State Fire Brigade School, as well as schools for activities in the emergency services and schools under the departmental responsibility of the Ministry of Rural Areas shall offer two COVID-19 rapid tests each school week to the pupils involved in classroom teaching and to the staff working at the institutions in classroom teaching; this shall not apply to immunised persons. The time and organisation of tests to be carried out shall be determined by the school administration. Admission for non-immunised persons shall only be permitted upon presentation of proof of testing. Proof of testing shall be deemed to have been provided if the person concerned has taken part in the testing and has tested negative; this shall also apply if, at the school, the testing is

not carried out before or immediately after entering the school premises but at a later point in the school day. The proof must not be provided

1. For participation in intermediate and final examinations or in performance assessments required for the award of grades,
2. For entering the school premises for a short period of time, insofar as this is absolutely necessary for participation in the distance learning course, or
3. For entry by service providers that is required at short notice for the operation of the school or takes place outside operating hours.

For intermediate and final examinations, the school administration shall take appropriate measures to separate persons without a certificate from the other examination candidates.

(4) Anyone who provides extracurricular, vocational and academic education and training shall draw up a hygiene concept and carry out data processing.

Art. 16

Gastronomy, Accommodation and Entertainment Venues

(1) The operation of gastronomy, entertainment venues and similar establishments shall be permissible. Non-immunised persons shall only be allowed to enter enclosed spaces upon presentation of proof of testing. Out-of-home sales and the pick-up of drinks and food exclusively for take-away shall be possible without restriction.

(2) The operation of canteens, cafeterias at universities and academies under the Academies Act as well as company canteens within the meaning of Art. 25 Paragraph 1 of the Restaurants Act ("GastG") shall be permissible for use by members of the respective institution; for non-immunised external guests, admission shall only be permitted upon presentation of proof of testing. Out-of-home sales and

the pick-up of drinks and food exclusively for take-away shall be possible without restriction.

(3) The operation of accommodation businesses and similar establishments shall be permissible. For non-immunised persons, access shall only be permitted upon presentation of proof of testing. A current test certificate must be resubmitted every three days.

(4) Anyone operating an establishment in accordance with Paragraphs 1 to 3 shall draw up a hygiene concept and carry out data processing; data processing is not required for the serving of drinks and food exclusively for take-away and for out-of-home sales.

Art. 17

Trade and Service Companies

(1) The operation of retail trade, shops and markets that serve exclusively the sale of goods to end consumers shall be permissible.

(2) The provision of services close to the body shall be permissible. For non-immunised persons, entry shall only be permitted upon presentation of proof of testing; this shall not apply to physiotherapy and occupational therapy, speech therapy and podiatry as well as medical foot care and similar health-related services.

(3) Anyone operating a retail establishment, a shop, a market in the sense of Paragraph 1, a commercial or service business with customer traffic or a similar establishment shall draw up a hygiene concept. Businesses for the provision of services close to the body shall perform data processing.

Art. 18

Slaughterhouses and the Use of Seasonal Workers in Agriculture

(1) The non-immunised employees of

1. Slaughterhouses, cutting plants, meat processing plants, game processing plants and other businesses producing and handling foodstuffs made from unprocessed meat with more than 30 employees, insofar as they are employed in the slaughtering and cutting sector, and
2. Agricultural businesses, including special crop businesses, with more than ten seasonal workers, in the period of the employment of seasonal workers

shall, before they begin work for the first time, present proof of testing. In the cases referred to in Sentence 1 Numeral 1, non-immunised employees of establishments with more than 100 employees in the slaughtering and cutting area shall be subject to an additional weekly test obligation. The test proofs shall be submitted to the operator upon request. The organisation and financing of the testing is the responsibility of the operator, unless otherwise guaranteed. On agricultural operations, the obligation to wear a medical mask does not apply outside enclosed spaces.

(2) Anyone operating establishments referred to in Paragraph 1 Sentence 1 shall draw up a hygiene concept. Notwithstanding Art. 7 Paragraph 2, the hygiene concept shall be submitted to the locally competent health authority. Insofar as these deficiencies are identified, the hygiene concept is to be adjusted immediately based on the specifications of the health authority.

(3) At the request of the operator, the locally responsible health authority may permit exemptions from the testing obligations under Paragraph 1 for employees of a work area if the operator presents reasons within the framework of a specific hygiene concept that make a deviation appear justifiable.

(4) The operator shall carry out data processing of the data of employees and

visitors to the premises. In the case of Paragraph 1 Sentence 1 Numeral 2, only the data of employees shall be processed.

Part 3 - Final Regulations

Art. 19

Further Measures, Individual Case Decisions, Model Projects

(1) In individual cases, the responsible authorities may allow deviations from the requirements set out by or on the basis of this Ordinance for an important reason. This Ordinance and Ordinances adopted pursuant to this Ordinance shall be without prejudice to the right of the competent authorities to adopt further-reaching measures to protect against infection.

(2) The Ministry of Social Affairs may issue instructions to the competent authorities within the framework of official and technical supervision for supplementary regional measures in the event of an exceptionally high incidence of infection (hot-spot strategy).

(3) In agreement with the Ministry of Social Affairs, the responsible authorities may approve model projects. Insofar as model projects have proven successful in the assessment of the Ministry of Social Affairs, it may approve further comparable projects upon application.

Art. 20

Statutory Order Authorisations for Institutions, Companies, Offers and Activities

(1) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Education and Cultural Affairs is authorised to stipulate through statutory order for

1. The operation of schools within its departmental responsibility, childcare services of the reliable primary school and flexible afternoon care, after-school care facilities and after-school care centres, day-care facilities for children, primary school support classes, school kindergartens and day-care centres for children, and
2. Events of religious, faith and ideological communities as well as events in the event of deaths,

conditions, requirements and other implementing rules to protect against infection with the Corona virus, in particular hygiene requirements, upper limits on the number of persons, prohibitions on operation, modalities of emergency care and requirements for the resumption of operation.

(2) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Science, in agreement with the Ministry of Social Affairs, is authorised, through statutory orders for the operation of

1. Universities, academies according to the Academies Act, libraries and archives,
2. Student services, and
3. Art and cultural institutions, other than those referred to in Numeral 1 and Paragraph 5, as well as cinemas

to stipulate the conditions and requirements, in particular hygiene requirements, for protection against any infection with the Corona virus. Sentence 1 Numeral 1 shall not apply to the Baden-Württemberg Police University, including the Executive Board for Education of the Baden-Württemberg Police University and the Schwetzingen School of Law. For the Baden-Württemberg Police University including the Executive Board for Education of the Baden-Württemberg Police University, the Ministry of the Interior, and for the Schwetzingen School of Law, the Ministry of Justice may specify exemptions from the restrictions of this Ordinance necessary for the training, study

and further education and the preparation and holding of examinations as well as for the recruitment procedure and conditions and requirements, in particular hygiene requirements, for protection against infection with the Corona virus.

(3) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Social Affairs is authorised, through statutory orders for the operation of

1. Hospitals, preventive and rehabilitation facilities, dialysis facilities and day clinics,
2. Facilities for people with care and support needs or with disabilities,
3. Facilities for the homeless,
4. Outpatient assisted living projects of the homeless assistance as well as outpatient assisted living communities for which a provider is responsible in accordance with the Residence, Participation and Care Act,
5. Care and support services in and around the care sector,
6. Offerings in child and youth work as well as in youth social work in accordance with Arts. 11 and 13 of Book VIII of the Social Code, the promotion of education in the family in accordance with Art. 16 of Book VIII of the Social Code, and the Frühe Hilfen,
7. Nursing schools, schools for health care professions and technical schools for social services within its departmental responsibility,
8. Further education and training centres for the nursing and health care professions, as well as
9. Schools for rescue service work

to stipulate the conditions and requirements, in particular hygiene requirements, for

the protection against any infection with Corona virus.

(4) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Justice shall be authorised, through statutory orders for the protection against any infection with the Corona virus, to stipulate

1. For the operation of state facilities for initial admission, conditions and requirements, in particular hygiene requirements, and
2. The separation of persons who are newly admitted to a state facility for initial admission or who are admitted after a longer period of absence.

(5) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Education and Cultural Affairs and the Ministry of Social Affairs are authorised, through joint statutory orders

1. For the operation of public and private sports facilities and sports grounds, gyms and yoga studios and for the organisation of sports competitions, as well as for the operation of dance and ballet schools and similar establishments,
2. For the operation of bathing facilities including saunas and bathing lakes with controlled access, as well as
3. For the operation of music schools, art schools and youth art schools and similar institutions

to stipulate conditions and requirements, in particular hygiene requirements, for the protection against any infection with the Corona virus.

(6) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Transport and the Ministry of Social Affairs are authorised, through joint statutory orders for

1. Public and tourist passenger transport, including restaurant services within the meaning of Art. 25 Paragraph 1 Sentence 2 GastG, and

2. Theoretical and practical driving, boat and flight training, theoretical and practical examinations as well as the practical training contents of the initial and further training of officially recognised experts and examiners for motor vehicle, boat and air traffic, as well as other offers of driving schools that result directly from the Driving Licence Ordinance or the Road Traffic Act,

to stipulate conditions and requirements, in particular hygiene requirements, for the protection against any infection with Corona virus.

(7) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Economics and the Ministry of Social Affairs are authorised, through joint statutory orders for

1. The retail trade,
2. The accommodation sector,
3. The hotel and restaurant industry, including catering establishments within the meaning of Art. 25 Paragraph 1 Sentence 1 and Paragraph 2 GastG,
4. Trade fairs, exhibitions as well as conventions,
5. Industrial art,
6. Hairdressing, massage, cosmetic, tanning, nail, tattoo and piercing studios, medical and non-medical foot care establishments,
7. Places of entertainment,
8. Theme parks, including those that are operated as an itinerant trade within the meaning of Art. 55 Paragraph 1 of the Industrial Code (“GewO”), and
9. Markets within the meaning of Arts. 66 to 68 GewO

to stipulate conditions and requirements, in particular hygiene requirements, for the protection against any infection with Corona virus.

(8) Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Social Affairs is authorised to stipulate through statutory order conditions and requirements, in particular hygiene requirements, in agreement with the respective competent ministry for other institutions, establishments, offerings and activities not regulated separately in this Ordinance for the protection against any infection with the Corona virus.

Art. 21

Ordinance Authorisations on Separation Obligations

Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Social Affairs shall be authorised to issue by statutory order regulations on separation obligations and related additional obligations and measures in order to combat the Corona virus, in particular

1. The separation of sick persons, persons suspected of being sick, persons suspected of being infected and carriers, in a suitable manner in accordance with Art. 30 Paragraph 1 Sentence 2 IfSG,
2. The obligation of household members of contact persons of persons tested positive for the Corona virus as well as of persons tested positive by means of a self-test to undergo a PCR or rapid test, according to Art. 28 Paragraph 1 Sentence 1 IfSG,

as well as to prescribe exceptions to this and conditions including further orders to this effect.

Art. 22

Ordinance Authorisations on the Processing of Personal Data

Pursuant to Art. 32 Sentence 2 IfSG, the Ministry of Social Affairs and the Ministry of the Interior are authorised to regulate by means of a joint statutory order further details on the processing of personal data between health authorities, local police authorities and the police enforcement service, insofar as this is necessary to protect against infection

1. For the protection of law enforcement officers as well as the staff of local police forces against infection during operations,
2. For the ordering, implementation, monitoring and execution of measures in accordance with the [German] Infection Protection Act,
3. For the prosecution of criminal offences and administrative offences according to the [German] Infection Protection Act and on the basis of statutory orders issued on the basis thereof, and
4. To examine the capacity for detention or placement and the need for isolated placement in detention centres and prisons.

Art. 23

Regulatory Offences

Within the meaning of Art. 73 Paragraph 1a Numeral 24 IfSG, a regulatory offence is committed by anyone who deliberately or negligently,

1. Contrary to Art. 3, Paragraph 1 or Art. 11 Paragraph 3, does not wear a medical mask,
2. Contrary to Art. 4 Paragraph 1 Sentence 3, participates in an event without presenting proof of vaccination or recovery or enters a facility without

presenting proof of vaccination or recovery,

3. Contrary to Art. 6 in conjunction with Art. 4 Paragraph 1 Sentence 3, Art. 10 Paragraph 2, Art. 14 Paragraph 1 Sentence 2, Art. 14 Paragraph 2 Sentence 2, Art. 14 Paragraph 3 Sentence 2, Art. 15 Paragraph 1 Sentence 2, Art. 16 Paragraph 1 Sentence 2, Art. 16 Paragraph 2 Sentence 2 Half-Sentence 2 or Art. 17 Paragraph 2 Sentence 2 fails to comply with an obligation to verify the test, vaccination or recovery certificate,
4. Contrary to Art. 7 Paragraph 2, fails to submit a hygiene concept at the request of the competent authority or fails to provide information on its implementation,
5. Contrary to Art. 8 Paragraph 2, does not exclude persons refusing the collection of their contact details in whole or in part from visiting or using the facility or from participating in an event,
6. Contrary to Art. 8 Paragraph 3 or Art. 11 Paragraph 4 Numeral 1 or Numeral 2, submits, as an attendee, incorrect information regarding contact information or is present in an election building outside the permitted time periods,
7. Contrary to Art. 10 Paragraph 1 Sentence 2, holds an event in excess of the permissible number of participants or capacity,
8. Contrary to Art. 10 Paragraph 2, Art. 14 Paragraph 1 Sentence 2, Art. 14 Paragraph 2 Sentence 2, Art. 14 Paragraph 3 Sentence 2, Art. 15 Paragraph 1 Sentence 2, Art. 16 Paragraph 1 Sentence 2, Art. 16 Paragraph 2 Sentence 2 Half-Sentence 2 or 4, Art. 17 Paragraph 2 Sentence 2, participates in an event without presenting proof of testing or enters a facility without presenting proof of testing,
9. Contrary to Art. 10 Paragraph 3 Sentence 1 or Sentence 2, does not submit

the hygiene concept or does not promptly adapt it

10. Contrary to Art. 10 Paragraph 5 Sentence 1, Art. 13 Paragraph 1 Sentence 2 or Paragraph 2 Sentence 2, conducts an event without drawing up a hygiene concept or carrying out data processing,
11. Contrary to Art. 11, Paragraph 5, gains access to the electoral building,
12. Contrary to Art. 14 Paragraph 4, operates a cultural, leisure or other facility or a transport establishment without drawing up a hygiene concept or carrying out data processing,
13. Contrary to Art. 16 Paragraph 4, operates a restaurant, a place of entertainment, a refectory, a cafeteria, a company canteen, an accommodation establishment or a similar establishment without drawing up a hygiene concept or carrying out data processing,
14. Contrary to Art. 17 Paragraph 3 Sentence 1 or Sentence 2, operates a retail establishment, a shop, a market, a commercial or service establishment with customer traffic or a similar establishment without drawing up a hygiene concept or operates an establishment for the provision of body-related services without carrying out data processing,
15. Contrary to Art. 18 Paragraph 1 Sentence 4, does not finance or organise testing as an operator,
16. Contrary to Art. 18 Paragraph 2, fails to draw up a hygiene concept, fails to submit it or fails to adapt it promptly or fails to carry out data processing,
17. Contrary to Art. 18 Paragraph 4, fails to carry out data processing.

Art. 24

Entry into Force, Expiry

(1) This Ordinance comes into force on 16 August 2021. At the same time, the Corona Ordinance of 25 June 2021 (Federal Law Gazette, p. 550), which was amended by the Ordinance of 23 July 2021 (Federal Law Gazette, p. 665) shall expire. The statutory regulations issued on the basis of the Corona Ordinance of 23 June 2020 (Federal Law Gazette, p. 483), last amended by the Ordinance of 17 November 2020 (Federal Law Gazette, p. 1052), or the statutory regulations issued on the basis of the Corona Ordinance of 30 November 2020 (Federal Law Gazette, p. 1067), last amended by the Ordinance of 26 February 2021 (Federal Law Gazette, p. 249), or the statutory regulations issued on the basis of the Corona Ordinance of 7 March 2021 (Federal Law Gazette, p. 273, corr. p. 339), amended by the Ordinance of 19 March 2021 (Federal Law Gazette, p. 298) or the statutory regulations issued on the basis of the Corona Ordinance of 27 March 2021 (Federal Law Gazette, p. 343), last amended by the Ordinance of 1 May 2021 (Federal Law Gazette, p. 417), or the statutory regulations issued on the basis of the Corona Ordinance of 13 May 2021 (Federal Law Gazette, p. 431), last amended by the Ordinance of 18 June 2021 (Federal Law Gazette, p. 501), or the statutory regulations issued on the basis of the Corona Ordinance of 25 June 2021 (Federal Law Gazette, p. 550), amended by the Ordinance of 23 July 2021 (Federal Law Gazette, p. 665) shall continue to apply until their expiry pursuant to Paragraph 2 Sentence 2.

(2) This Ordinance shall expire at the end of 13 September 2021. At the same time, all ordinances issued pursuant to this Ordinance or the ordinances referred to in Paragraph 1 Sentence 2 shall expire unless previously repealed.

Stuttgart, 14 August 2021

The Government of the State of Baden-Württemberg:

Kretschmann

Strobl

Dr. Bayaz

Schopper

Bauer

Walker

Dr. Hoffmeister-Kraut

Lucha

Gentges

Hermann

Hauk

Hoogvliet

Bosch