

Federal Ministry of Health

Orders concerning travel after the determination of an epidemic situation of national significance by the German Bundestag (unofficial translation)*

Of 29 September 2020

I. Obligations of persons entering from risk areas

Pursuant to section 5 (2) sentence 1 number 1 letters a and c in conjunction with subsection 3 sentence 1 of the Protection against Infection Act of 20 July 2000 (Federal Law Gazette I, p. 1045), revised by Article 1 number 4 of the Act of 27 March 2020 (Federal Law Gazette I, p. 587) and, in this respect, in agreement with the Federal Ministry of the Interior, Building and Community, as well as the Federal Ministry of Transport and Digital Infrastructure, as well as pursuant to section 12 (1) and (2) of the Act Implementing the International Health Regulations of 21 March 2013 (Federal Law Gazette I, p. 566), amended by Article 71 number 2 of the Ordinance of 31 August 2015 (Federal Law Gazette I, p. 1474), the Federal Ministry of Health issues the following Order:

1. Obligation to report to and provide information to the competent authority

¹Persons entering the Federal Republic of Germany by land, sea or air, who at any time during the 14 days prior to entry have stayed in an area where there is a heightened risk of infection with SARS-CoV-2 coronavirus (risk areas as listed by the Robert Koch Institute at <https://www.rki.de/covid-19-risikogebiete> at the time of entry) must, without delay after entry, provide the health authority competent for their place of residence or other place of stay, in writing or electronically, with information on:

- their identity, including date of birth,
- their travel itinerary,
- their contact details, including telephone number, email address and that of their place of residence or expected place or places of stay in the Federal Republic of Germany,
- the presence of any symptoms typical of an infection with the SARS-CoV-2 coronavirus (fever, newly developed cough, loss of smell or taste or breathing difficulties), as well as
- the possession of a negative test certificate for an infection with coronavirus SARS-CoV-2.

²They are also required to inform the health authority competent for their place of residence or other place of stay immediately should symptoms typical of an infection with the SARS-CoV-2 coronavirus arise within 14 days of entry into the Federal Republic of Germany. ³If the carrier distributes passenger locator cards modelled on the sample in Annex 2, the obligation under sentence 1 is to be fulfilled by returning a fully completed passenger locator card modelled on the sample in Annex 2. ⁴The card is to be returned to the carrier. ⁵In derogation of sentence 4, in the case of direct entry by air from a risk area pursuant to sentence 1, with the exception of countries that fully implement the Schengen acquis¹, the passenger locator cards are to be handed over, in the context of border entry controls, to the authority in charge of policing international traffic, so that random comparisons can be made between the information given on the passenger locator card and the individual's travel documents and transferred to the health authority competent for the airport first travelled to in the Federal Republic of Germany.

2. Exceptions from the obligations under number 1

The obligations under number 1 do not apply to persons who have merely passed through a risk area without a stopover there or who, by virtue of an exception provided for under Land law, are not required to quarantine at home at their place of residence or other place of stay after entering from a risk area.

II. Obligations on carriers and airport, port and railway station operators

Pursuant to section 5 (2) sentence 1 number 2 letters b to g in conjunction with subsection 3 sentence 1 of the Protection against Infection Act of 20 July 2000 (Federal Law Gazette I, p. 1045), revised by Article 1 number 4 of the Act of 27 March 2020 (Federal Law Gazette I, p. 587) and, in this respect, in agreement with the Federal Ministry of the Interior, Building and Community, as well as the Federal Ministry of Transport and Digital Infrastructure, as well as pursuant to section 5 (1) and section 12 (1) and (2) of the Act Implementing the International Health Regulations of 21 March 2013 (Federal Law Gazette I, p. 566), amended by Article 71 number 2 of the ordinance of 31 August 2015 (Federal Law Gazette I p. 1474), and, in this respect, in agreement with the Federal Ministry of Transport and Digital Infrastructure, the Federal Ministry of Health orders as follows:

1. Obligation to inform passengers

Enterprises that transport passengers to the Federal Republic of Germany by international rail, bus, air or sea, operators of airports, ports, passenger train stations and bus stations, as well as tour operators are required, within the scope of their operational and technical capabilities, to provide passengers with the information specified in Annex 1 to this Order.

¹ Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and Switzerland.

2. Obligation to assist in implementing the orders under Chapter I

¹Enterprises that transport passengers directly from a risk area under Chapter I no.1 to the Federal Republic of Germany by international rail, bus, air or sea, must collect the following information on passengers:

- identity, including date of birth,
- travel itinerary,
- contact details, including telephone number, e-mail address and the address of their place of residence or expected place or places of stay in the Federal Republic of Germany,
- information on the presence of any symptoms typical of an infection with coronavirus SARS-CoV-2 (fever, newly developed cough, loss of smell or taste or breathing difficulties), and
- information on whether they have a medical certificate of a test for infection with SARS-CoV-2 coronavirus.

²Passenger locator cards modelled on the sample in Annex 2 to this Order are to be used for this purpose.

³The information under sentence 1 is to be transmitted without delay to the health authority competent for the railway station, airport or port first travelled to in the Federal Republic of Germany. ⁴In derogation of sentence 3, enterprises that carry passengers in international air travel directly from a risk area pursuant to Chapter I no. 1, with the exception of states that fully implement the Schengen acquis, must inform passengers that, in the context of border entry controls, the completed passenger locator cards are to be handed over to the authorities in charge of policing international traffic on behalf of the competent health authorities pursuant to sentence 3. ⁵The competent health authority under sentence 3 is to provide the submitted data to the health authority competent for the place of residence or place of stay of the person entering the country. ⁶Enterprises under sentence 1 are required to designate to the Robert Koch Institute a contact point for queries in order to assist with the tracing of personal contacts with regard to the persons referred to in Chapter I no. 1 within the scope of their operational and technical capabilities.

III. Obligations on sea and air transport under the IHR Implementing Act

Under section 12 (1) to (4) and section 17 (3) of the IHR Implementing Act of 21 March 2013 (Federal Law Gazette I, p. 566), of which section 12 (4) was amended by Article 71 number 2 of the Ordinance of 31 August 2015 (Federal Law Gazette I, p. 1474) and section 17 (3) inserted by Article 3 no. 3 of the Act of 17 July 2017 (Federal Law Gazette I, p. 2615), the Federal Ministry of Health issues the following Order:

Enterprises that transport passengers to the Federal Republic of Germany by international sea or air transportation must keep the data they hold available for 30 days after the arrival of the passengers; this applies in particular to electronically stored data which enable passengers to be identified and located, as well as to passenger lists and seating plans.

IV. Final provisions

¹The above orders issued by the Federal Ministry of Health will be announced by publication in the *Bundesanzeiger* (Federal Gazette) and subsequently additionally published by the Federal Ministry of Transport and Digital Infrastructure, for the civil aviation sector in the *Nachrichten für Luftfahrer* (Notices for Airmen), in the *Nachrichten für Seefahrer* (Notices for Mariners) and in the *Verkehrsblatt* (German Transport Gazette). ²They apply from 30 September 2020 until repealed under section 5 (4) sentence 4 of the Protection against Infection Act or by the Federal Ministry of Health, which will be announced in the manner specified in sentence 1. ³On entering into force, they supersede the Order of 6 August 2020 (Federal Gazette AT 07.08.2020 B5), which is thereby repealed.

Bonn, 29 September 2020

The Federal Minister of Health

Jens Spahn