

Übersetzung durch Ute Reusch. Laufende Aktualisierung der Übersetzung durch Ute Reusch

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**Ordinance on protection against risks of infection with the
SARS-CoV-2 coronavirus posed by persons entering the
country following the determination of an epidemic situation
of national significance by the German Bundestag -
Ordinance on Coronavirus Entry Regulations -
(Coronavirus-Einreiseverordnung – CoronaEinreiseV)**

Ordinance on Coronavirus Entry Regulations of 13 January 2021 (BAAnz AT 13.01.2021 V1)

The Federal Government hereby issues the following Ordinance on the basis of section 36 (8) sentences 1 to 3 and (10) sentence 1 no. 1 (a), (c) and (d), no. 2 (a), (b), (c), (d), (g) and (i), and no. 3 of the Protection Against Infection Act of 20 July 2000 (Federal Law Gazette I, p. 1045), as revised by Article 1 no. 18 (d) of the Act of 18 November 2020 (Federal Law Gazette I, p. 2397):

Division 1

Incoming passengers' obligations

Section 1

Obligation to register

(1) Persons wishing to enter the Federal Republic of Germany who have spent time within the 10 days prior to entry in a risk area as defined in section 2 no. 17 of the Protection Against Infection Act (*Infektionsschutzgesetz*) in which there is an increased risk of infection with the SARS-CoV-2 coronavirus (risk area) are required, before entering the country, to notify the competent authority within the meaning of the Protection Against Infection Act of their personal details as defined in section 2 no. 16 of the Protection Against Infection Act, of their expected date of entry, the addresses where they have stayed within the 10 days prior to and the addresses where they plan to stay within the next 10 days after entry, as well as the means of transport used to enter the country, and to do so using the electronic reporting and information system made available by the Robert Koch Institute in accordance with section 36 (9) sentence 1 of the Protection Against Infection Act at <https://www.einreiseanmeldung.de> (digital registration on entry).

(2) Incoming passengers who were unable to complete the digital registration on entry process for want of the necessary technical equipment or due to a technical malfunction are instead required to carry with them a fully completed substitute registration for which they are to use the template in the Annex and which they must, subject to subsections (3) to (5), immediately after entering the country transmit to the competent authority within the meaning of the Protection Against Infection Act or to the delegated authority.

(3) Incoming passengers who use a carrier to enter the country from a risk area must carry with them throughout their entire journey confirmation of digital registration on entry or the fully completed substitute registration referred to in subsection (2) and must present it to the carrier either before or during the journey for checking. Persons entering the country from a risk area in which the Schengen acquis is applied in full are required, upon request, to hand over the fully completed substitute registration referred to in subsection (2) to the carrier for forwarding to the competent authority within the meaning of the Protection Against Infection Act or to the delegated authority or agency.

(4) Incoming passengers who use a carrier to enter the country from a risk area in which the Schengen acquis is not applied in full must be carrying with them upon arrival in the Federal Republic of Germany confirmation of digital registration on entry or the fully completed substitute registration referred to in subsection (2) and must, upon request, hand it over during the entry check to the authority responsible for policing cross-border traffic as part of random checks. In such cases, the fully completed substitute registration referred to in subsection (2) must be handed over during the entry check to the authority responsible for policing cross-border traffic for forwarding to the competent authority within the meaning of the Protection Against Infection Act or to the delegated authority or agency.

(5) Regardless of whether they have used a carrier, incoming passengers who enter the country from a risk area must carry with them confirmation of digital registration on entry or, except if it has been handed over to the carrier in accordance with subsection (3) sentence 2, the fully completed substitute registration referred to in subsection (2), and to present it to the authority responsible for policing cross-border traffic for the purposes referred to in subsection (4) as part of random checks conducted in the exercise of their border police duties; except if it has been handed over to the carrier in accordance with subsection (3) sentence 2, the fully completed substitute registration referred to in subsection (2) is, in such cases, to be handed over to the authority responsible for policing cross-border traffic for forwarding to the competent authority within the meaning of the Protection Against Infection Act or to the delegated authority or agency.

Section 2

Exemptions from obligation to register

(1) Subject to subsections (3) and (4), section 1 does not apply to persons who

1. only passed through a risk area without a stopover,

2. are only passing through the Federal Republic of Germany and will be leaving the country by the quickest route to complete their transit,
3. in the context of border traffic, spent less than 24 hours in a risk area or will spend less than 24 hours in the Federal Republic of Germany,
4. comply with appropriate safety and hygiene concepts when transporting people, goods or merchandise by road, rail, ship or aeroplane across borders for professional reasons, or
5. are returning to the Federal Republic of Germany as part of an official delegation via the government terminal at Berlin Brandenburg Airport or via Cologne Bonn Airport and spent less than 72 hours in a risk area.

(2) Upon request by the competent authority within the meaning of the Protection Against Infection Act, by the carrier or the authority responsible for policing cross-border traffic, incoming passengers must provide proof that the conditions for an exemption under subsection (1) are met.

(3) Subsection (1) no. 4 does not apply to incoming passengers from a risk area as defined in section 3 (2) sentence 1 no. 1 (high-incidence area).

(4) Subsection (1) does not apply to incoming passengers from a risk area as defined in section 3 (2) sentence 1 no. 2 (area of variant of concern).

Section 3

Obligation to undergo testing and provide proof of negative test result

(1) Persons entering the Federal Republic of Germany who have spent time within the 10 days prior to entry in a risk area which is neither a high-incidence area nor an area of variant of concern as defined in subsection (2) sentence 1 must, within 48 hours at the latest after entry, be able to provide the proof of a negative test result referred to in subsection (3) and must present such proof, upon request, to the competent authority within the meaning of the Protection Against Infection Act, such request being possible up to 10 days after entry. Any proof of a negative test result as referred to in subsection (3) which incoming passengers are in possession of upon entry must be presented, upon request, to the authority responsible for policing cross-border traffic as part of their border police duties for checking. In the case of persons entering the Federal Republic of Germany for the purpose of taking up employment, their employer or another third party may also present the proof referred to in section (3).

(2) Persons who have spent time within the 10 days prior to entry in a risk area which the Federal Ministry of Health, in agreement with the Federal Foreign Office and the Federal Ministry of the Interior, Building and Community, has determined to pose a particularly high risk of infection with the SARS-CoV-2 coronavirus because

1. there is a particularly high incidence of the spread of the SARS-CoV-2 coronavirus in that risk area (high-incidence area) or
2. there is widespread occurrence of certain variants of the SARS-CoV-2 coronavirus in that risk area (area of variant of concern),

must be carrying with them, upon entry, the proof of a negative test result referred to in subsection (3) and must, upon request, present such proof to the competent

authority within the meaning of the Protection Against Infection Act or to the delegated authority or agency. Persons who use a carrier to enter the country from a risk area as defined in sentence 1 must also present the proof referred to in subsection (3) to the carrier before commencing their journey for checking and must, upon entry, present it, upon request, to the authority responsible for policing cross-border traffic as part of random checks whilst exercising their border police duties, regardless of whether those persons are using a carrier. Section 2 no. 17 half-sentence 2 of the Protection Against Infection Act applies accordingly to the determination of the areas referred to in sentence 1.

(3) Proof of a negative test result may be provided in the form of a medical certificate or test result which indicates that the person concerned is not infected with the SARS-CoV-2 coronavirus. The proof referred to in sentence 1 is to be provided in paper or electronic form in either English, French or German. The nasopharyngeal swab on which the medical certificate or test result referred to in sentence 1 is based must have been taken within 48 hours prior to entry. Further requirements made of the medical certificate and testing on which the test result is based are available on the Robert Koch Institute's website at <https://www.rki.de/covid-19-tests>.

(4) Any obligation under *Land* law to quarantine after entering the country from a risk area remains unaffected.

Section 4

Exemptions from obligation to undergo testing and provide proof of negative test result

(1) Section 3 (1) does not extend to the following:

1. Persons to whom an exemption from the obligation to register provided for under section 2 (1) applies,
2. In the case of stays of less than 72 hours,
 - a) persons who are entering the country to visit first-degree relatives or spouses or life partners who do not form part of the same household, or on account of shared custody or a right of access,
 - b) persons complying with appropriate safety and hygiene concepts whose services are urgently required and critical to maintaining the health system, and this is certified by their service employer, employer or contracting entity,
 - c) high-ranking members of the diplomatic and consular service, of parliaments and governments complying with appropriate safety and hygiene concepts,
 - d) on-duty police officers from states which apply the Schengen *acquis* in full,
3. Where appropriate safety and hygiene concepts are complied with,
 - a) persons whose place of residence is in the Federal Republic of Germany and who are compelled to travel to the place where they practise their profession, study or engage in vocational training in a risk area in order to practise their profession, to study or engage in vocational training and who regularly – at least once a week – return to their place of residence (cross-border commuters) or

b) persons whose place of residence is in a risk area and who are compelled to travel to the Federal Republic of Germany to practise their profession, study or engage in vocational training and who regularly – at least once a week – return to their place of residence (border crossers),

4. Persons as referred to in section 54a of the Protection Against Infection Act,

5. Members of foreign armed forces within the meaning of the NATO Status of Forces Agreement, the NATO Partnership for Peace Status of Forces Agreement (PfP SOFA) and the European Union Status of Forces Agreement (EU SOFA) who are entering or returning to the Federal Republic of Germany for operational reasons.

In justified individual cases, the competent authority may, upon application, grant further exemptions where there is valid reason to do so or it may limit the exemptions set out in sentence 1.

(2) Section 3 (2) does not extend to the following incoming passengers from high-incidence areas:

1. Persons who only passed through a high-incidence area without a stopover,

2. Persons who are only passing through the Federal Republic of Germany and will be leaving the country by the quickest route to complete their transit,

3. Persons who will be staying in the country for less than 72 hours who comply with appropriate safety and hygiene concepts when transporting people, goods or merchandise by road, rail, ship or aeroplane across borders for professional reasons, or

4. Persons who are returning to the Federal Republic of Germany as part of an official delegation via the government terminal at Berlin Brandenburg Airport or via Cologne Bonn Airport and spent less than 72 hours in a risk area,

5. Persons whom the competent authority within the meaning of the Protection Against Infection Act has, in justified individual cases, granted further exemptions where there is valid reason to do so.

(3) In derogation from subsection (2), section 3 (2) extends to incoming passengers from an area of variant of concern.

(4) Section 3 does not apply to persons under the age of six years.

(5) Subsections (1), (2) and (4) only apply if the persons described therein show none of the typical symptoms of an infection with the SARS-CoV-2 coronavirus, such as coughing, fever, a cold, or loss of the sense of smell or taste.

(6) Upon request by the competent authority within the meaning of the Protection Against Infection Act, by the carrier or the authority responsible for policing cross-border traffic, proof must be provided that the conditions for an exemption under subsections (1), (2) and (4) are met.

Division 2

Transport undertakings' obligations

Section 5

Transport undertakings' obligations to provide information

Undertakings which carry passengers to the Federal Republic of Germany by means of cross-border rail, bus, air or sea traffic (carriers) and the operators of

airports, ports, passenger railway stations and bus stations are required to ensure, within the scope of their operational and technical capabilities, that passengers are provided with the information contained in the fact sheet available at <https://www.rki.de/covid-19-bmg-merkblatt> and that the information is made available in an accessible format.

Section 6

Carriers' obligations in connection with carriage

(1) Carriers which carry passengers to the Federal Republic of Germany from a risk area are required to check, before the journey commences, that passengers have confirmation of digital registration on entry or a fully completed substitute registration as referred to in section 1 (2). The plausibility of the personal details in the confirmation of digital registration on entry or the fully completed substitute registration referred to in section 1 (2) must be checked within the scope of operational and technical capabilities. In the case of journeys from a risk area in which the Schengen acquis is applied in full, the fully completed substitute registration referred to in section 1 (2) must be collected and immediately forwarded by the carrier to the competent authority within the meaning of the Protection Against Infection Act or to the delegated authority or agency. Carriers which carry passengers to the Federal Republic of Germany from a risk area in a country in which the Schengen acquis is not applied in full are required to notify the passengers they are carrying that the confirmation of digital registration on entry or the fully completed substitute registration referred to in section 1 (2) must be presented, upon request, to the authority responsible for policing cross-border traffic as part of entry checks and that the fully completed substitute registration referred to in section 1 (2) must be handed over to that authority as part of random checks and for forwarding to the competent authority within the meaning of the Protection Against Infection Act or to the delegated authority or agency. Carriers are prohibited from carrying those passengers from a risk area to the Federal Republic of Germany who have presented neither confirmation of digital registration on entry nor a fully completed substitute registration as referred to in section 1 (2) as part of the check conducted in accordance with sentence 1; this also applies if, after conducting the check in accordance with sentence 2, the details provided are manifestly incorrect. In the case of cross-border rail transportation or cross-border short sea shipping from a risk area, in derogation from sentence 5 the documents may also be presented in the course of the journey.

(2) In the case of section 3 (2) sentence 2, subsection (1) sentences 1, 2, 5 and 6 applies accordingly to the proof of a negative test result referred to in section 3 (3). If passengers are unable to obtain the proof referred to in section 3 (3) in the risk area, carriers may undertake pre-departure testing or may have such pre-departure testing undertaken on their behalf, ensuring that the requirements set out in section 3 (3) sentence 4 are met, and they may carry those passengers whose tests are negative. In the case of areas of variant of concern, the nasopharyngeal swabs may not be taken more than 12 hours prior to departure.

(3) Subsections (1) and (2) do not apply to local public transport.

Section 7

Carriers' obligation to disclose information

(1) Carriers are required, upon request, to transmit to the competent authority within the meaning of the Protection Against Infection Act the data available to them relating to passengers whom they have carried from a risk area, and to do so for up to 30 days after their arrival; this applies to data stored electronically for the purpose of identifying passengers carried, to their contact details, passenger lists and seating plans.

(2) Carriers are required to name, by 31 January 2021, a point of contact to the Robert Koch Institute for queries by the competent health office (*Gesundheitsamt*) or other authority within the meaning of the Protection Against Infection Act designated by the *Land*.

Division 3

Mobile network operators' obligations

Section 8

Mobile network operators' obligations to provide information

As of 1 March 2021, the operators of public mobile networks are required, within the scope of their technical capabilities, to immediately provide, at the mobile network's termination point, those customers who, after using a foreign mobile network, log back into their mobile network after a period of more than 24 hours and those users of foreign mobile networks who log into their mobile network with an accessible text message from the Federal Government with the content and sender identification as referred to in sentence 2 which draws attention to the provisions concerning entry and infection protection applicable in the Federal Republic of Germany in connection with the SARS-CoV-2 coronavirus, as well as to the infection protection measures which must be adopted to prevent the spread of the SARS-CoV-2 coronavirus. The content and sender identification of the text message are made available to operators by the Federal Government.

Division 4

Final provisions

Section 9

Administrative offences

Anyone who intentionally or negligently,

1. contrary to section 1 (1), does not register, does not do so correctly, in full, in the manner prescribed or in good time,
2. contrary to section 1 (2), does not transmit the substitute registration, does not do so correctly or in good time,
3. contrary to section 1 (3) sentence 1, (4) sentence 1 or (5) half-sentence 1, does not present confirmation of registration
or substitute registration, does not do so correctly, in full or in good time,
4. contrary to section 3 (1) sentence 1 or sentence 2, or (2) sentence 1 or sentence 2, does not present proof of a negative test result, does not do so correctly, in full or in good time,

5. contrary to section 5, does not ensure that the information referred to therein is made available in an accessible format,

6. contrary to section 6 (1) sentence 1, also in conjunction with (2) sentence 1, does not check the confirmation of registration, substitute registration or proof of a negative test result, does not do so correctly, in full or in good time,

7. contrary to section 6 (1) sentence 5 half-sentence 1, also in conjunction with (2) sentence 1, does not prohibit passengers from travelling with them,

8. contrary to section 7 (1), does not transmit data, does not do so correctly, in full or in good time, or

9. contrary to section 7 (2), does not name a point of contact or does not do so in good time,

is deemed to have committed an administrative offence within the meaning of section 73 (1a) no. 24 of the Protection Against Infection Act.

Section 10

Entry into force, expiry

(1) This Ordinance enters into force on 14 January 2021; it ceases to be effective upon revocation of the determination of an epidemic situation of national significance by the German Bundestag in accordance with section 5 (1) sentence 2 of the Protection Against Infection Act, as last amended by Article 4a of the Act of 21 December 2020 (Federal Law Gazette I, p. 3136), or else upon the expiry of 31 March 2021 at the latest.

(2) The Ordinance on the testing obligation of passengers arriving from risk areas (*Verordnung zur Testpflicht von Einreisenden aus Risikogebieten*) of 4 November 2020 (Federal Gazette, Official Section, 6.11.2020, V1), the Coronavirus Protection Ordinance (*Coronavirus-Schutzverordnung*) of 21 December 2020 (Federal Gazette, Official Section, 21.12.2020, V4), as amended by Article 1 of the Ordinance of 6 January 2021 (Federal Gazette, Official Section, 6.1.2021, V1), and the Orders concerning travel based on the determination of an epidemic situation of national significance by the German Bundestag (*Anordnungen betreffend den Reiseverkehr nach Feststellung einer epidemischen Lage von nationaler Tragweite durch den Deutschen Bundestag*) of 5 November 2020 (Federal Gazette, Official Section, 6.11.2020, B5) cease to be effective upon the expiry of 13 January 2021.

Annex

Annex
EN

SUBSTITUTE REGISTRATION

This form is to be filled out exclusively by persons who were unable to use the digital registration on entry at <https://www.einreiseanmeldung.de>. One form must

be completed per person. Forms for minors or individuals in the care of another person must be completed and signed by the person responsible for them.

Please fill out the form in block capitals. For spaces, please leave an empty box. Please hand over the completed form to the carrier or the authority entrusted with the policing of cross-border traffic upon request. The submission of incorrect information may be prosecuted as an administrative offence, punishable with a fine of up to 25,000 euros.

TRAVEL INFORMATION: 1. Name of carrier										2. Route number					3. Seat number (if applicable)					4. Date of arrival									
5. Place of departure (please enter city and country)																													
6. Via (please only complete if you have made a transfer during your journey)																													
PERSONAL INFORMATION: 7. Last name (surname)										8. First name(s)										9. Sex									
																									Female <input type="checkbox"/>				
10. NATIONALITY										11. Date of birth (YYYY/MM/DD)																			
Male <input type="checkbox"/>										Other <input type="checkbox"/>																			
TELEPHONE NUMBER (3) on which you can be contacted if necessary, including country code and area code																													
12. Mobile										13. Work																			
14. Private																													
15. Email																													

HOME ADDRESS / ADDRESS WHERE YOU WILL BE STAYING IN GERMANY:

16. Hotel name (if applicable)										17. Street and house number (please leave an empty box between the street and house number)										18. Apartment number				
19. City										20. State										21. Postcode				

ADDRESS OF ANY FURTHER PLANNED STAYS WITHIN THE NEXT 10 DAYS:

22. Hotel name (if applicable)										23. Street and house number (please leave an empty box between the street and house number)										24. Apartment number				
25. City										26. State										27. Postcode				

SIGNATURE, with which you guarantee that the information provided is accurate:

The completed substitute registration is

- to be handed to the carrier if entering Germany directly from a risk area within the Schengen area,
- to be handed to the Federal Police in the context of the entry check if entering Germany from a risk area outside the Schengen area,
- irrespective of whether a carrier is used, to be handed to the Federal Police upon their request when exercising their border police duties, insofar as this has not already been handed to a carrier.

In any other cases, please send the substitute registration to the following address immediately upon arriving in Germany.

Deutsche Post E-POST Solutions GmbH
Passenger Locator Form
D-69990 Mannheim