Fourth Ordinance amending the
SARS-CoV-2 Containment Measures Ordinance (SARS-CoV-2-EindmaßnV)

From 21 April 2020

On the basis of § 32 sentence 1 of the Protection against Infection Act of July 20, 2000
(Federal Law Gazette (BGBl.) I, p. 1045), last amended by Article 3 of the Act of March
27, 2020 (BGBl I, p. 587), the Senate hereby enacts the following:

Article 1
Amending the SARS-CoV-2 Containment Measures Ordinance

The SARS-CoV-2 Containment Ordinance of March 22, 2020, which was published on
March 22, 2020, in accordance with § 2(1) of the Act on the Publication of Laws and
Ordinances from January 29, 1953 (Law and Ordinances Gazette, GVBl. p. 106), last
amended by the Act on November 9, 1995 (GVBl. p. 764), last amended by the
Ordinance on April 2, 2020, which was also published on April 16, 2020, also in
accordance with § 2(1) of the Act on the Publication of Laws and Ordinances, shall be
amended as follows:

Part 1
General Rules of Conduct

§ 1
Basic Obligations

Each person is required to reduce physical social contact with other people to an
absolute minimum, maintaining a minimum distance of 1.5 m. This does not apply to
spouses, life partners, or members of a person’s own household or to persons for
whom a right of custody and access exists.

§ 2
Compliance with Hygiene Rules

(1) The Robert Koch Institute’s recommendations for infection protection in their
respective versions are to be taken into account in all of the companies, facilities, and
services regulated in the following, and the specifications of the respective industrial
safety authorities as well as effective protective regulations for personnel, visitors and
customers regarding hygiene are to be observed. The protective measures aim to
reduce contacts, protect personnel against infections and avoid smear infections via
surfaces and objects to the extent possible. This is to be ensured in particular by
maintaining a distance of at least 1.5 m from other persons and by an intensified
cleaning and disinfection policy. Furthermore, if necessary, measures are taken to
control access, avoid queues and observe the distance requirement if people gather
in waiting areas. The responsible authority may check to ensure institutions maintain a hygiene policy and are in compliance with the hygiene rules referred to in sentences 1 to 4.

(2) Wearing a mask that covers the mouth and nose is strongly recommended, especially in retail outlets and when in contact with persons at risk, in order to reduce the risk of infection for oneself and others.

(3) When using local public transport, a textile covering for the mouth and nose shall be worn from 27 April 2020.

§ 3
Conduct in Public Spaces

(1) Persons may only be in public spaces alone, with members of the own household and additionally with a maximum of one person from outside the household.

(2) § 3(1) shall not apply
   1. for stays in public places for the purpose of reporting by representatives of the press, radio, film or other media,
   2. for the exercise of professional, mandate-related or volunteer activities which have to be performed outdoors, including the seasonal cultivation of agricultural, horticultural and forestry land,
   3. for the use of local public transport and vehicles and
   4. for the implementation of pedagogically accompanied outdoor activities of institutions according to § 11, of offers related to day patient and in-patient youth welfare services as well as in the case of outdoor activities organized privately, especially care assistance for children organized within a neighborhood.

In such cases, the minimum distance shall be maintained, provided that this is possible and reasonable given the context and rules of proper use or operation.

(3) Recreational breaks on permanently installed seating are permitted if the minimum distance of 1.5 m is maintained, on meadows and open spaces if a minimum distance of 5 m is maintained. Grilling or offering open packages or unpackaged food is not permitted. To avoid overcrowding, access restrictions for parks and green areas can be set.

§ 4
Events, Assemblies, Meetings and Gatherings

(1) Public and private events, assemblies, meetings and gatherings are prohibited from taking place. Sentence 1 does not apply to spouses, life partners or members of a person’s own household.
(2) The prohibition in subsection 1 does not include events and gatherings that perform tasks under public law, including meetings of the German Bundestag and its committees, the Bundesrat and its committees, the House of Representatives and its committees, the Federal Government, the Senate of Berlin, the Berlin Constitutional Court, the district assemblies and their committees or those of foreign diplomatic missions, the courts, the bodies and authorities of the Federal Government and the Länder, and other such bodies and institutions.

(3) Also excluded are events and gatherings which serve to maintain public safety and order, the provision of services under public law, utilities, the health care of the population, the maintenance of the operation of commercial enterprises, the fulfilment of tasks under staff representation law or the business of works councils.

(4) Excluded from the prohibition in subsection 1 are private or family events and gatherings of up to 20 persons if these are absolutely necessary for compelling reasons. This includes in particular visiting persons who are dying, funeral ceremonies, baptisms and weddings.

(5) In the case of events and gatherings excluded by subsection 4, all persons present must be recorded in an attendance list, which shall contain at least the following information: Name and surname, full address and telephone number. The attendance list must be kept for a period of four weeks after the end of the event and handed over in full to the responsible authority on request. After these four weeks, the attendance list must be deleted.

(6) For stationary outdoor gatherings of up to 20 people, after May 3, 2020, the administrative authority may allow exceptions to the prohibition in subsection 1 upon request if the infection risk posed by the gathering is considered acceptable in the individual case. The responsible public health authority shall be involved in the decision pursuant to sentence 1. From 4 May 2020, by way of derogation from the prohibition in subsection 1, stationary outdoor gatherings of up to 50 participants shall be permitted, without prejudice to the provisions of the law on assemblies, provided that the minimum distance and compliance with the hygiene rules laid down in § 2 are guaranteed. The gathering organizer must ensure that the requirements of sentence 1 are complied with.

(7) From 4 May 2020, ritual and religious gatherings of up to 50 participants shall be permitted provided that the space permits and as long as the minimum distance and compliance with the hygiene rules laid down in § 2 are guaranteed. When calculating the maximum number of participants, persons absolutely necessary for the performance of the ritual and religious acts (prayer leaders, musical direction, service personnel, or similar) are excluded. Physical contact must be strictly avoided. This also includes contact during ritual acts. No objects may be passed around between several people during the event. § 5 shall apply mutatis mutandis.

(8) § 17a(2) of the Assembly Act (Versammlungsgesetz) in the version published on November 15, 1978 (Federal Law Gazette I p. 1789), last amended by Article 2 of the Act of December 8, 2008 (Federal Law Gazette I p. 2366), does not preclude the wearing of a mouth-and-nose covering to protect against infection.
Part 2
Trade, Commerce and Social Institutions and Facilities

§ 5

Special Types of Commercial and Cultural Enterprises

(1) Commercial enterprises of the following types within the meaning of the Trade Regulation Act (Gewerbeordnung) in the version published on February 22, 1999 (BGBl. I, p. 202), last amended by Article 15 of the Act from November 22, 2019 (BGBl. I, p. 1746), are prohibited from being open to the public: Dance venues, trade fairs, exhibitions, special markets, gambling halls, casinos, betting shops and similar businesses.

(2) Amusement venues as detailed in the Building Utilisation Ordinance (Baunutzungsverordnung) in the version published on November 21, 2017 (BGBl. I, p. 3786) are prohibited from being open to the public.

(3) Cinemas, theatres and concert halls are prohibited from opening to the public.

(4) Museums, memorials and similar cultural and educational institutions in public and private sponsorship may be opened to the public from 4 May 2020, subject to compliance with the hygiene rules pursuant to § 2. Public libraries may be opened for lending from 4 May 2020, subject to compliance with the hygiene rules pursuant to § 2.

(5) The outdoor areas of the Zoologischer Garten Berlin AG and Tierpark-Berlin Friedrichsfelde GmbH may be opened to the public, with the exception of the animal houses, subject to compliance with the hygiene rules as per § 2. §§ 6 and 6a shall apply accordingly to the sales outlets and restaurants located on the Zoo or Tierpark premises.

(6) Prostitution facilities within the meaning of the Prostitute Protection Act (Prostituiertenschutzgesetz) of October 21, 2016 (BGBl I, p. 2372), amended by Article 57 of the Act from November 20, 2019 (BGBl. I, p. 1626), are prohibited from opening to the public, and prostitution services are prohibited from being offered outside of the facilities. The provision of sexual services involving physical contact is prohibited.

(7) Personal care service industries such as beauty parlours, massage parlours, tattoo parlours and similar establishments are prohibited from opening to the public or offering their services. This does not apply to medically necessary treatments.

(8) Hairdressing establishments shall remain closed until 3 May 2020. From 4 May 2020, hairdressing establishments will be allowed to provide their services. The hygiene rules according to § 2 must be observed. Textile covers for the mouth and nose must be worn.

(9) Commercial excursions and sightseeing tours may not take place.

§ 6
Restaurants and Hotels

(1) Restaurants within the meaning of the Restaurant Act (Gaststättengesetz) in the version published on November 20, 1998 (BGBl. I, p. 3418), last amended by Article 14 of the Act from March 10, 2017 (BGBl. I, p. 420), including shisha bars, are prohibited from opening to the public. They may offer food and beverages for pick-up or delivery in compliance with the hygiene rules according to § 2.

(2) Hotels and other accommodation establishments are prohibited from offering accommodation to tourists.

(3) Cafeterias for company employees as well as members of the armed forces and police may be operated in compliance with the hygiene rules pursuant to § 2.

§ 6a
Retail Shops

(1) Retail shops within the meaning of the Berlin Shop Opening Act (Berliner Ladenöffnungsgesetz) of November 14, 2006 (Law and Ordinance Gazette (GVBl.), p. 1045), last amended by the Act from October, 2010 (GVBl., p. 467), are prohibited from opening a retail space of over 800 square metres.

(2) Excluded from the prohibition in subsection 1 are retail shops for food and beverages, including late sale outlets, pick-up and delivery services, weekly markets, pharmacies, establishments with medical supplies and for the purchase of hearing and sight aids, drugstores, petrol stations, laundries, dry cleaners, newspaper and book sales, retail shops for building, horticultural and animal supplies, car dealerships, bicycle shops, craft and artisan shops and wholesale trade.

(3) For the opening of retail shops, a guideline value of a maximum of one person per 20 m² sales area shall apply for controlling access. Incentives for staying in the shop are not permitted. Existing accommodation and seating facilities must be removed or blocked.

(4) Access to shopping centres (malls) shall be regulated separately by the operator. The guideline is the sum of the maximum number of persons permitted for all sales areas located there. In order to ensure the limitation of the number of persons, access may only be granted via one entrance, unless it can be ensured by other appropriate measures that the maximum number of persons permitted is not exceeded at any time. No more than 10 people may be in the waiting areas at any one time. In the central access and lounge areas, no incentives to stay may be created, in particular they must be kept clear of sales stands. Existing accommodation and seating facilities must be removed or blocked.

§ 7
Swimming Pools and Sports Facilities
(1) Operations on and in all public and private sports facilities, swimming pools, fitness
studios, saunas, steam baths, tanning salons, solariums and similar facilities is
prohibited unless otherwise regulated in the following.

(2) Excluded from the prohibition in accordance with subsection 1 are contactless
sports activities on outdoor sports facilities, provided that they are practised alone, with
members of one's own household or with only one other person, without any other
group formation. The minimum distance of 1.5 metres must be observed. The use of
permanently installed sports equipment for individual fitness (e.g. calisthenics facilities)
remains prohibited. Entering the buildings for the exclusive purpose of removing or
returning the sports equipment that is absolutely necessary for the respective sport is
permitted. Changing rooms, showers, toilets connected to them and other premises
remain closed. Separate WC facilities can be opened. Meadows and open spaces of
the sports facility may only be used for sports activities. If, due to the special nature of
the sports facility, distance regulations cannot be adhered to or are not actually
adhered to by the users, the sports facility can be closed completely or temporarily by
the responsible authority.

(3) Other exceptions to the prohibition under subsection 1 may be permitted in specially
justified individual cases and under the conditions of the valid provisions only by written
permission from the Senate Department responsible for sports. This applies in
particular to

a) the training of cadre athletes at federal camps or Paralympic camps in
preparation for national and international competitions, if the training applied
for is absolutely necessary for the preparation,

b) sports activities involving animals if this is absolutely necessary for animal
welfare.

c) the training of Bundesliga teams and professional athletes.

(4) If another department of the State of Berlin was responsible for the public sports
facility before the entry into force of this Ordinance, the Senate Department responsible
for sports shall involve this body in the decision on an exception.

(5) Regulations governing sport as a subject taught at public schools and independent
schools and as a study-related subject taught at universities shall take precedence
over these regulations.

Part 3
Provisions for hospitals and nursing homes, for benefits of integration
assistance as well as for benefits according to chapter 8 of the Social Code
Book XII (SGB XII) and similar institutions

§ 8
Hospitals
(1) Hospitals within the meaning of the State Hospital Act (Landeskrankenhausgesetz) of September 18, 2011 (GVBl. p. 483), as last amended by Article 15 of the Act from February 2, 2018 (GVBl. p. 160), which participate in emergency care must, as far as medically justifiable, suspend all plannable admissions, operations and interventions, if this frees up personnel and other capacities for the treatment of patients with COVID-19 or suspected COVID-19 patients. The same obligation will apply to other hospitals as of March 25, 2020.

(2) Hospitals shall take the necessary measures to immediately train their medical and nursing staff in the field of intensive care with respiratory units and the treatment of patients with COVID-19 or suspected COVID-19.

(3) As far as it is medically justifiable, hospitals shall focus their personnel and other resources on the treatment of patients with COVID-19 or suspected COVID-19.

§ 9
Visiting Regulations

(1) Patients in hospitals are prohibited from receiving visits, subject to subsection 2.

(2) Children under 16 years of age may receive one visit a day from one close relative for one hour, but not from persons with respiratory infections. Seriously ill persons may receive visits from notaries and, with medical permission, from persons close to them, especially if the purpose of the visit is to be with them when they die.

(3) Residents of nursing homes and special forms of housing within the meaning of Book Nine of the Social Code (Sozialgesetzbuch) of December 23, 2016 (BGBl. I, p. 3234), last amended by Article 8 of the Act from December 14, 2019 (BGBl. I, p. 2789), may receive visits once a day from a person for one hour, but not from children under 16 years of age or from people with respiratory infections. As part of a risk assessment for the residents, the operator of the facility may restrict the visitation arrangements pursuant to the first sentence or impose a ban on visits pursuant to subsection 1 subject to subsection 2. The competent supervisory authority must be notified if there is a ban on visits.

(4) Patients in institutions providing terminal care and residents of such institutions and the seriously ill and dying are not subject to any restrictions on receiving visits.

(5) Persons giving birth in a hospital may be accompanied by one person of their own choice. Newborns and their mothers may be visited once a day by one person for one hour, but not by children under 16 years of age, excluding brothers and sisters of the newborn, or by people with respiratory infections.

(6) Visits by persons in charge of pastoral care shall always be permitted, if necessary under the condition of necessary rules of conduct.

§ 10
Day and Night Care Facilities

(2) Institutions of the kind referred to in paragraph 1 may offer limited services for absolutely necessary care of persons in need of care, whose relatives carry out a professional activity necessary for the maintenance of public life, in particular in the field of health, nursing, public security and care, or for those cases where professional nursing care is necessary and cannot otherwise be ensured.

§ 10a
Provisions for benefits of integration assistance as well as for benefits according to chapter 8 of the Social Code Book XII (SGB XII)

(1) Workshops for persons with disabilities and day care facilities for persons with disabilities (this includes the benefit types BFBTS, TSHIV and TBTSB) and offers from other service providers according to § 60 of Book Nine of the Social Code of December 23, 2016 (BGBl. I, p. 3234), last amended by Article 8 of the Act from December 14, 2019 (BGBl. I, p. 2789), are prohibited from opening if they are not providing absolutely necessary care for persons with disabilities,

1. for whom there is no other possibility of care (e.g. by relatives, outpatient or in special forms of housing),
2. whose relatives carry out a professional activity necessary for the maintenance of public life, in particular in the field of health, nursing, public security and care, or
3. for whom, in individual cases, care is urgently needed to stabilise the person’s state of health.

Workshops for disabled persons which provide or carry out services or support work in connection with medical and/or care-relevant products are excluded from the first half of sentence 1; this exclusion also applies to laundries. Also excluded from sentence 1 are those operating areas of workshops for people with disabilities which supply meals in medical and/or care-related facilities. The institutions providing absolutely necessary care in accordance with sentence 1 and the institutions providing workshops for people with disabilities which are excluded from sentence 1 shall in all cases take suitable measures to ensure that distance and hygiene rules according to § 2 are observed and close contact is prevented to the extent possible.

(2) Service providers with agreements based on § 123 of Book Nine of the Social Code (Sozialgesetzbuch) or § 75 of Book Twelve of the Social Code - Social Assistance - (Article 1 of the Act from December 27, 2003, BGBl. I, p. 3022, 3023), last amended by Article 11 of the Act from December 14, 2019 (BGBl. I, p. 2789), are authorised to occupy their personnel with tasks others than those described in the service agreement in order to mitigate dangers to staff and those receiving services. It must be ensured that all persons receiving services are given basic, essential care and supplies. If personnel capacity is freed up by significantly reducing the scope of care for certain
service offers, these personnel must be used by the service providers for other services in order to ensure that care is provided in these areas.

Part 4
Provisions for Schools and Educational Institutions according to the School Act (Schulgesetz) and for Nurseries and Other Child Care Offers according to the Child Care Support Act (Kindertagesförderungsgesetz)

§ 11
Schools and Educational Institutions according to the School Act, Nurseries and Other Child Care Offers according to the Child Care Support Act

(1) Public schools and independent schools, including institutions of the second chance schools within the meaning of the Schools Act (Schulgesetz) from January 26, 2004 (GVBl. p. 26), as last amended by Article 1 of the Act of April 9, 2019 (GVBl. p. 255), may be opened for teaching from 27 April 2020, subject to compliance with the hygiene rules pursuant to § 2. The Senate Department responsible for education shall determine further details in this regard, taking into account the results of a vote by the Länder, in particular the gradual opening according to school types, school grades, grades and courses of education as well as the admissibility of school events taking place outside schools. There are no offers of supplementary support and supervision. School trips are prohibited.

(2) Exams may be carried out in compliance with the hygiene rules pursuant to § 2.

(3) Adult education centres, music schools, youth art schools, youth traffic schools, gardening schools as well as independent institutions within the meaning of the School Act and driving schools may not be opened.

(4) Day care facilities and child care services within the meaning of the Child Care Support Act of June 23, 2005 (GVBl., p. 322), as last amended by Article 1 of the Act from December 19, 2017 (GVBl., p. 702), may open to a limited extent according to the provisions in subsection 5. Private, especially child care assistance organized within a neighbourhood for up to three children is permitted.

(5) Institutions of the kind referred to in subsection 1 may offer limited services for emergency care primarily of children of parents who work in an area necessary for the maintenance or re-opening of public life, in particular in the field of health, nursing, public security and public infrastructure. The Senate Department responsible for the school system decides on the selection of facilities and those who have a right to use the emergency care services. In the area of day care facilities and child day care services, childcare services will be gradually resumed. To this end, taking into account the epidemiological situation in the State of Berlin, the group of children who can be cared for will be expanded beyond the existing range of emergency care. This includes, in particular, certain age groups and the group of single parents; the Senate Department responsible for Youth and Family Affairs regulates further details.
(6) The test tastings required for the procurement processes for the school lunches may be carried out in the public schools.

§ 12
Health Care and Nursing Schools and Other Vocational Training Institutions

(1) Health care and nursing schools and other vocational training institutions may be opened for teaching in compliance with the hygiene rules pursuant to § 2. Further details are determined by the respective responsible Senate Department.

(2) Exams may be carried out in compliance with the hygiene rules pursuant to § 2.

Part 5
Provisions for Institutions in the Area of Science and Research

§ 13
Universities

(1) State, private and denominational universities, including their institutions, are prohibited from opening to the public and from teaching in person.

(2) Exercising their domiciliary and managerial authority and supplementing their current pandemic plans, universities may grant limited access to members of their universities in justified exceptional cases, subject to compliance with the hygiene rules under § 2.

(3) Exams requiring attendance, including entry and language tests, may be permitted, subject to compliance with the hygiene rules pursuant to § 2.

(4) Practical courses that are absolutely mandatory and require specialized laboratory or working rooms at the universities may be carried out in justified cases out in compliance with the hygiene rules pursuant to § 2.

§ 14
Libraries

Academic libraries and archives may be opened for lending from 27 April 2020, subject to compliance with the hygiene rules pursuant to § 2.

§ 15
Botanical Garden
The outdoor facilities of the Botanical Garden may be opened from 27 April 2020, subject to compliance with the hygiene rules pursuant to § 2.

§ 16
Cafeterias
Studierendenwerk cafeterias are prohibited from being opened.

§ 17
Non-University Research Institutions

The provisions in §§ 13 and 14 shall apply mutatis mutandis to non-university research institutions in the State of Berlin, irrespective of their legal form.

Part 6
Quarantine Measures

§ 18
Domestic Quarantine for Incoming and Returning Travelers, Observation

(1) Persons who enter the state of Berlin by land, sea or air from a country outside the Federal Republic of Germany shall be obliged to go directly to their own home or other suitable accommodation immediately after entry and to remain there without interruption for a period of 14 days after entry; this shall also apply to persons who first entered another state of the Federal Republic of Germany. During this period, the persons referred to in the first sentence of sentence 1 shall not be permitted to receive visits from persons not belonging to their household.

(2) The persons mentioned in subsection 1 sentence 1 are obligated to contact the health office responsible for them without delay and to report that they are subject to domestic quarantine according to the conditions described in subsection 1 sentence 1. The persons covered by subsection 1 sentence 1 are also obligated to inform the health office responsible for them immediately if symptoms of illness occur.

(3) During the period of isolation in accordance with subsection 1 sentence 1, the persons subject to quarantine shall be subject to observation by the public health office.

§ 19
Exceptions to Domestic Quarantine

(1) The following persons are excluded from § 18(1) sentence 1:

1. those who, for professional reasons, transport other persons, goods and merchandise across borders by road, rail, sea or air,
2. those whose activities are absolutely necessary for the maintenance of
   a. the functioning of the health care system, including care facilities, and other critical infrastructures,
   b. public safety and order,
   c. maintaining diplomatic and consular relations,
   d. the functioning of the judicial system,
   e. the functioning of the representation of the people, the government and administration of the Federation, the Länder and the municipalities, or
   f. the functioning of the institutions of the European Union and international organisations.

   The absolute necessity must be determined by the employer and certified in writing; this certificate must be carried by persons,

3. who, in the course of their work as employees of air, ship, rail or bus transport companies or as crew of aircraft, ships, trains and buses, have spent time outside the federal territory,

4. who regularly cross the federal border between their place of residence and their place of work (commuters) or who enter the territory of the Federal Republic of Germany for up to five days for professional reasons which are absolutely necessary and cannot be postponed, or

5. who have stayed abroad for less than 48 hours or who have any other valid reason for travelling; this includes in particular social aspects such as shared custody, visiting a partner who is not living in the same household, urgent medical treatment or assistance or care for vulnerable persons.

In addition, the competent public health office may grant further exemptions on request in justified individual cases.

(2) § 18 shall not apply to persons who enter the federal territory for the purpose of taking up work for at least three weeks (seasonal workers) if, at the place where they are accommodated and where they work, operational hygiene measures and measures to avoid contact outside the working group are taken in the first 14 days after their entry which are comparable to quarantine under § 18(1) sentence 1, and leaving the accommodation is only permitted in order to carry out their work. The employer shall report the commencement of work to the responsible health office before it begins and document the measures taken in accordance with sentence 1. The health office shall verify compliance with the requirements pursuant to sentence 1.

(3) § 18 shall not apply to members of the armed forces and police officers returning from deployment or from similar obligations abroad.

(4) Furthermore, § 18 shall not apply to persons who enter the state of Berlin only for the purpose of transit; such persons shall leave the territory of the state of Berlin by direct route. The necessary transit through the territory of the state of Berlin is permitted.
(5) §§ 1 to 4 shall only apply if the persons named therein do not exhibit any symptoms that indicate an infection with COVID-19 in the sense of the currently valid criteria of the Robert Koch Institute.

§ 20
Data Transmission

To ensure the monitoring of the domestic quarantine in accordance with § 18 (1) sentence 1, the public health office responsible for the Reinickendorf district shall transmit the necessary personal data of those returnees within the meaning of § 18 (1) sentence 1 who enter the city of Berlin by air at Berlin-Tegel Airport "Otto Lilienthal" to the public health office responsible for the place of residence of the person concerned. To this end, the public health office responsible for the district of Reinickendorf requests the airlines to make available without delay the personal data they hold on the persons mentioned in sentence 1.

§ 21
Continued Application of the Protection against Infection Act (Infektionsschutzgesetz, IfSG)

The provisions of the German Protection against Infection Act shall otherwise remain unaffected. In particular, the public health office is authorised to prematurely terminate the quarantine pursuant to § 18 (1) sentence 1 in individual cases.

§ 22
Transitional Provisions

(1) For persons who are already in domestic quarantine on the basis of § 18(1) sentence 1 of the SARS-CoV-2 Containment Measures Ordinance in the version of April 2, 2020, and who meet the requirements for an exception in accordance with § 19(1) or (3), the obligation for domestic quarantine shall lapse with immediate effect, subject to sentence 2. In the event of an exception under § 19(1) no. 2, the employer must immediately certify in writing that the activity is absolutely necessary and the persons must carry this certificate with them.

(2) For persons who are already in domestic quarantine on the basis of § 18(1) sentence 1 of the SARS-CoV-2 Containment Measures Ordinance in the version of April 2, 2020, and who meet the requirements for an exception in accordance with § 19(2), the time in which they have already been in quarantine may be deducted from the required time period of 14 days according to § 19(2). For the remaining period of the quarantine, the provisions of § 19(2) sentence 1 shall apply. § 19(2) sentences 2 and 3 shall apply.

(3) For persons who are already in domestic quarantine on the basis of § 18(1) sentence 1 of the SARS-CoV-2 Containment Measures Ordinance in the version of
April 2, 2020, and who do not fall under subsections 1 or 2, § 19(1) sentence 2 shall apply.

Part 7
Final Provisions

§ 23
Restriction of Fundamental Rights

This regulation restricts the fundamental rights of the freedom of the person (Article 2(2) sentence 2 of the Basic Law (Grundgesetz)), the freedom of movement (Article 11(1) of the Basic Law), the inviolability of the home (Article 13 of the Basic Law) and the freedom of assembly (Article 8(1) of the Basic Law).

§ 24
Administrative Offences

It is an administrative offence within the meaning of § 73(1a) no. 24 IfSG to intentionally or negligently disregard the requirements and prohibitions contained in this Ordinance. Administrative offences can be punished with a fine of up to 25,000 euros.

§ 25
Entry into Force, Expiration, Evaluation

(1) This Ordinance shall enter into force on March 23, 2020, and shall expire at the end of May 10, 2020.

(2) The legislator will evaluate on an ongoing basis whether the conditions for maintaining these restrictions on fundamental rights continue to exist.

(3) When this Ordinance enters into force, the SARS-CoV-2 Containment Measures Ordinance of March 17, 2020, which was published on March 17, 2020, in accordance with § 2(1) of the Act on the Publication of Laws and Ordinances, last amended by the Ordinance on March 21, 2020, also published on March 21, 2020, in accordance with § 2(1) of the Act on the Publication of Laws and Ordinances, shall expire.

Article 2
Entry into Force

This Ordinance shall enter into force on April 22, 2020.
Berlin, April 21, 2020

The Senate of Berlin

Michael Müller  
Governing Mayor

Dilek Kalayci  
Senator for Health,  
Care and Equality