

Federal Ministry of Health

Orders
concerning travel
based on the determination
of an epidemic situation of national significance
made by the German Bundestag
(unofficial translation)¹

of 5 November 2020

I. Obligation on persons entering the country from risk areas

Pursuant to section 5 (2) sentence 1 no. 1 (a) and (c) in conjunction with subsection (3) sentence 1 of the Protection against Infection Act (*Infektionsschutzgesetz, IfSG*) of 20 July 2000 (Federal Law Gazette I, p. 1045), as revised by Article 1 no. 4 of the Act of 27 March 2020 (Federal Law Gazette I, p. 587), and to that extent in agreement with the Federal Ministry of the Interior, Building and Community and the Federal Ministry of Transport and Digital Infrastructure, and pursuant to section 12 (1) and (2) of the Act Implementing International Health Regulations (*IGV-Durchführungsgesetz, IGV-DG*) of 21 March 2013 (Federal Law Gazette I, p. 566), subsection (1) having been amended by Article 71 no. 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 and provide information to the competent authority

¹Persons entering the Federal Republic of Germany by land, sea or air who have spent time, at any point during the last 10 days prior to entering the country, in an area which, at the time of entry, is classified by the Robert Koch Institute as an area in which there is an increased risk of infection with the SARS-CoV-2 coronavirus (“risk area”, see <https://www.rki.de/covid-19-risikogebiete>) are required, before entering the Federal Republic of Germany, to provide the competent authority with personal details in accordance with section 2 no. 16 of the Protection against Infection Act and to disclose their whereabouts for up to 10 days before and after entering the country and the means of transport used to enter the country. These details must be notified to the Robert Koch Institute’s electronic reporting

¹ Please note that translations of any materials into languages other than German are intended solely as a convenience to the non-German-reading public. In the case of any discrepancies, only the German original version is absolutely authoritative and legally binding.

and information system at <https://www.einreiseanmeldung.de> (digital registration on entry).²Passengers must, upon request, present to their carrier the confirmation they received after completing the digital registration on entry process.³Those who were unable to complete the digital registration on entry process on account of a lack of technical equipment or technical malfunctions must carry with them a substitute registration, fully completed by hand, which they must, upon request, hand over to their carrier.⁴The substitute registration is to be made using the template in Annex 2.⁵Passengers entering the Federal Republic of Germany directly by air from a risk area as defined in sentence 1 which is not in a country which fully applies the Schengen acquis,² must present the confirmation referred to in sentence 2, during the entry check, to the authority in charge of policing international transportation as part of spot checks in which the details entered during the digital registration on entry are compared with those in passengers' travel documents; in such cases, the substitute registration referred to in sentence 3 must be handed over, during the entry check, to the authority responsible for policing international transportation as part of spot checks in which the details given in the substitute registration are compared with those in passengers' travel documents and so that the substitute registration may be forwarded to the health authority competent for the airport first travelled to in the Federal Republic of Germany.⁶Passengers entering the country by land without using a carrier from a risk area as defined in sentence 1 must present the confirmation referred to in sentence 2, or the substitute registration referred to in sentence 3, to the authority responsible for policing international transportation for the purposes referred to in sentence 5 as part of spot checks.

2. Exemption from obligations under no. 1

¹The obligations under no. 1 do not apply to passengers who merely passed through a risk area as defined in no. 1 sentence 1 without a stopover. ²The obligations under no. 1 likewise do not apply to passengers who are only passing through the Federal Republic of Germany, to those who, under the border traffic with neighbouring countries regime, spent less than 24 hours in a risk area as defined in no. 1 sentence 1 or enter the Federal Republic of Germany for no more than 24 hours, nor to persons who enter the Federal Republic of Germany on business for the purpose of the international transportation of people, goods or merchandise by road, rail, ship or plane.

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

Pursuant to section 5 (2) sentence 1 no. 2 (a) 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), as revised by Article 1 no. 4 of the Act of 27 March 2020 (Federal Law Gazette I, p. 587), and to that extent in agreement with

² Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Sweden, Spain, plus Iceland, Liechtenstein, Norway and Switzerland.

the Federal Ministry of the Interior, Building and Community and the Federal Ministry of Transport and Digital Infrastructure, and pursuant to section 5 (1) of the Act Implementing International Health Regulations of 21 March 2013 (Federal Law Gazette I, p. 566), as amended by Article 71 no. 2 of the Ordinance of 31 August 2015 (Federal Law Gazette I, p. 1474), and section 12 (1) and (2) of the Act Implementing International Health Regulations of 21 March 2013 (Federal Law Gazette I, p. 566), subsection (1) having been amended by Article 71 no. 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 inform passengers

Enterprises which transport passengers into the Federal Republic of Germany as part of international rail, bus, air or sea transportation, the operators of airports, ports, passenger train stations and bus stations, and 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.

2. Obligation to assist in implementing the Orders under I. above

¹Enterprises which transport passengers directly from a risk area as defined in I. no. 1 sentence 1 above into the Federal Republic of Germany as part of international bus, air or sea transportation and which do not form part of the local public passenger transport system are required to check, before the journey begins, that passengers are in possession of confirmation of having completed the digital registration on entry. Where passengers were unable to complete the digital registration on entry process on account of a lack of technical equipment or technical malfunctions, a substitute registration based on the template in Annex 2, fully completed by hand, must be collected from them instead. ³Passengers who are not subject to an exemption under I. no. 2 who present neither a confirmation as referred to in sentence 1 nor a substitute registration as referred to in sentence 2 may not be transported; the plausibility of the personal details set out in the confirmation and in the substitute registration are to be checked within the scope of operational and technical capabilities. ⁴Enterprises are required to immediately forward the substitute registration as referred to in sentence 2, fully completed by hand, to the health authority competent at the first station, airport or port travelled to in the Federal Republic of Germany. ⁵In derogation from sentences 1 to 4, enterprises which transport passengers as part of international air transportation directly from a risk area as defined in I. no. 1 sentence 1 above which is not in a country which fully applies the Schengen acquis,¹ are required to inform passengers that the confirmation of digital registration on entry must be presented, during the entry check, to the authority responsible for policing international transportation or that the substitute registration must be handed over, in such cases, to the authority responsible for policing international transportation so that it can be forwarded to the competent health authority. ⁶Sentences 1 to 5 apply accordingly to enterprises which transport passengers directly into the Federal Republic of Germany from a risk area as defined in I. no. 1 sentence 1 above as part of international rail transportation, with the proviso that these

passengers' documents may also be checked once transportation has begun.⁷The competent health authority as referred to in sentence 4 provides the competent authority at the passenger's place of residence or at another place where the passenger will be staying with substitute registrations.⁸Enterprises as defined in sentence 1 are required to notify the Robert Koch Institute, by 30 November 2020, of a contact point which is available to answer queries so that assistance can be provided, within the scope of operational and technical capabilities, in the contact tracing of the persons referred to in I. no. 1.

III. Obligations in shipping and aviation sectors under the Act Implementing International Health Regulations

Pursuant to section 12 (1) to (4) of the Act Implementing International Health Regulations of 21 March 2013 (Federal Law Gazette I, p. 566), subsections (1) and (4) having been amended by Article 71 no. 2 of the Ordinance of 31 August 2015 (Federal Law Gazette I, p. 1474), and section 17 (3) of the Act Implementing International Health Regulations of 21 March 2013 (Federal Law Gazette I, p. 566), which was inserted on the basis of 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 which transport passengers into the Federal Republic of Germany as part of international sea or air transportation are required to hold ready the data available to them for 30 days after passengers' arrival; this in particular applies to data stored electronically used to identify and locate passengers, as well as to passenger lists and seating plans.

IV. Final provisions

¹The above Orders issued by the Federal Ministry of Health will be published in the Federal Gazette (*Bundesanzeiger*) and thereafter by the Federal Ministry of Transport and Digital Infrastructure for the civil aviation sector in the Notices to Airman (*Nachrichten für Luftfahrer*), the Notices to Mariners (*Nachrichten für Seefahrer*) and the Federal Ministry of Transport Gazette (*Verkehrsblatt*). ²The Orders enter into force on 8 November 2020 and continue to apply until such time as they are revoked in accordance with section 5 (4) sentence 4 of the Protection against Infection Act or by the Federal Ministry of Health; notice of revocation will be published in the manner specified in sentence 1. ³Upon entering into force these Orders supersede the Orders of 29 September 2020 (Federal Gazette, Official Section, 29.09.2020 B2), which will be revoked at the same time.

Bonn, XX November 2020

The Federal Minister of Health

Jens Spahn