

Federal law consolidated: Entire legislation for COVID-19 Measures Act, version of 05.04.2020

Long title

Federal Act on Provisional Measures to Prevent the Spread of COVID-19 (COVID-19 Measures Act)

StF: [Federal Law Gazette I No. 12/2020](#) (NO: GP XXVII [IA 396/A AB 102 p. 16](#). BR: [FROM 10287 P. 903.](#))

Alteration

[Federal Law Gazette I No. 16/2020](#) (NO: GP XXVII [IA 397/A AB 112 P. 19](#). BR: [FROM 10288 P. 904.](#))

[Federal Law Gazette I No. 23/2020](#) (NO: GP XXVII [IA 402/A AB 115 P. 22](#). BR: [FROM 10291 P. 905.](#))

Text

Entering permanent establishments for the purpose of acquiring goods and services and places of work

§ 1. In the event of the occurrence of COVID-19, the Federal Minister of Social Affairs, Health, Care and Consumer Protection may prohibit by ordinance the entry into permanent establishments or only certain permanent establishments for the purpose of acquiring goods and services or places of work within the meaning of § 2 (3) of the Employee Protection Act, insofar as this is necessary to prevent the spread of COVID-19. The ordinance may regulate the number and time at which permanent establishments that are exempt from the prohibition of entry may be entered. In addition, it can be regulated under which certain conditions or conditions permanent establishments or places of work may be entered.

Entering certain places

§ 2. In the event of the occurrence of COVID-19, a regulation may prohibit entry into certain places to the extent necessary to prevent the spread of COVID-19. The Regulation is

1. issued by the Federal Minister for Social Affairs, Health, Care and Consumer Protection if their application extends to the whole of Germany,
2. to be issued by the Governor if their application extends to the entire territory of the Land, or
3. by the district administrative authority if its application extends to the political district or parts thereof.

The prohibition of entry may be limited to certain times. In addition, it can be regulated under which certain conditions or conditions these certain places may be entered.

Participation of public security service bodies

§ 2a. (1) The organs of the public security service shall support the competent authorities and bodies under this Federal Act by means of their request in the exercise of their described tasks or, if necessary, in the enforcement of the measures provided for by means of coercion.

(1a) The organs of the public security service shall cooperate in the enforcement of this Federal Act and the ordinances issued on the basis of this Federal Act by:

1. measures to prevent imminent administrative offences,
2. measures to initiate and secure administrative criminal proceedings, and

3. the punishment of administrative violations by organ penalty orders (§ 50 VStG).

(2) If, according to the professional assessment of the respective health authority within the framework of the participation provided for in paragraph 1 for the organs of the public security service according to the nature of the communicable disease and its transmission possibilities, a hazard is associated that can only be countered by special protective measures, the health authorities are obliged to take adequate protective measures.

Penal provisions

§ 3. (1) Anyone who enters a permanent establishment whose entry is prohibited in accordance with § 1 commits an administrative offence and is to be punished with a fine of up to EUR 3 600.

(2) Any person who, as the owner of a permanent establishment, does not ensure that the permanent establishment whose entry is prohibited in accordance with § 1 is not entered, commits an administrative offence and is to be punished with a fine of up to EUR 30 000. Any person who, as the owner of a permanent establishment, does not ensure that the permanent establishment is entered by a maximum of the number of persons specified in the Regulation commits an administrative offence and is to be punished with a fine of up to EUR 3 600.

(3) Anyone who enters a place whose entry is prohibited in accordance with § 2 commits an administrative offence and is to be punished with a fine of up to EUR 3 600.

Coming into force

§ 4. (1) This Federal Act shall enter into force on the expiry of the date of promulgation and shall cease to apply at the end of 31 December 2020.

(1a) Paragraph 2 in the version of the Federal Act [Federal Law Gazette I No. 16/2020](#) shall enter into force retroactively on 16 March 2020.

(2) If the Federal Minister has issued an ordinance pursuant to § 1, the provisions of the Epidemic Act 1950, [Federal Law Gazette No. 186/1950](#), concerning the closure of permanent establishments within the scope of this Ordinance shall not apply.

(3) The provisions of the Epidemic Act 1950 remain unaffected.

(4) Ordinances based on this Federal Act may be issued before its entry into force, but may not enter into force before it.

(5) §§ 1, 2 and § 2a in the version of the Federal Act [Federal Law Gazette I No. 23/2020](#) shall enter into force on the day following the announcement.

Enforcement

§ 5. The Federal Minister for Social Affairs, Health, Care and Consumer Protection is entrusted with the implementation of this federal law.