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Measures and restrictions necessary for preventing the spread of COVID-19

[RT III, 23.11.2020, 1 - entry into force 24.11.2020]

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RT III, 19.08.2020, 1

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Amended by the following acts

Passed	Published	Entry into force
28.08.2020	RT III, 28.08.2020, 3	28.08.2020, partially 01.09.2020
03.09.2020	RT III, 04.09.2020, 1	04.09.2020
11.09.2020	RT III, 14.09.2020, 1	14.09.2020
24.09.2020	RT III, 24.09.2020, 3	29.09.2020
26.09.2020	RT III, 26.09.2020, 1	28.09.2020
29.09.2020	RT III, 29.09.2020, 9	29.09.2020
09.10.2020	RT III, 09.10.2020, 1	12.10.2020
15.10.2020	RT III, 15.10.2020, 2	19.10.2020
29.10.2020	RT III, 29.10.2020, 2	30.10.2020
12.11.2020	RT III, 12.11.2020, 5	16.11.2020
23.11.2020	RT III, 23.11.2020, 1	24.11.2020, partially 28.11.2020
03.12.2020	RT III, 03.12.2020, 1	05.12.2020
04.12.2020	RT III, 04.12.2020, 3	05.12.2020
10.12.2020	RT III, 10.12.2020, 1	12.12.2020
17.12.2020	RT III, 17.12.2020, 3	18.12.2020
23.12.2020	RT III, 23.12.2020, 1	24.12.2020, partially 28.12.2020
29.12.2020	RT III, 29.12.2020, 1	30.12.2020, partially 11.01.2021
30.12.2020	RT III, 31.12.2020, 8	01.01.2021
08.01.2021	RT III, 08.01.2021, 1	11.01.2021
13.01.2021	RT III, 13.01.2021, 5	15.01.2021
15.01.2021	RT III, 16.01.2021, 1	18.01.2021, partially 25.01.2021 and 01.02.2021
30.01.2021	RT III, 30.01.2021, 4	01.02.2021, partially 03.02.2021
19.02.2021	RT III, 19.02.2021, 7	22.02.2021
26.02.2021	RT III, 26.02.2021, 2	01.03.2021
03.03.2021	RT III, 03.03.2021, 1	06.03.2021, partially 15.03.2021
05.03.2021	RT III, 05.03.2021, 1	06.03.2021
09.03.2021	RT III, 09.03.2021, 11	11.03.2021
01.04.2021	RT III, 01.04.2021, 2	05.04.2021
22.04.2021	RT III, 22.04.2021, 1	26.04.2021, partially 03.05.2021
29.04.2021	RT III, 29.04.2021, 1	03.05.2021
30.04.2021	RT III, 30.04.2021, 1	03.05.2021
06.05.2021	RT III, 06.05.2021, 3	10.05.2021
13.05.2021	RT III, 14.05.2021, 1	17.05.2021, partially 24.05.2021 and 31.05.2021
21.05.2021	RT III, 21.05.2021, 9	24.05.2021, partially 31.05.2021
28.05.2021	RT III, 29.05.2021, 2	31.05.2021, partially 01.06.2021 and 14.06.2021

01.06.2021	RT III, 01.06.2021, 7	02.06.2021, partially 14.06.2021
03.06.2021	RT III, 03.06.2021, 2	04.06.2021, in effect up to and including 13.06.2021
10.06.2021	RT III, 10.06.2021, 3	11.06.2021, partially 01.07.2021
17.06.2021	RT III, 17.06.2021, 2	28.06.2021, partially 21.06.2021
22.06.2021	RT III, 22.06.2021, 6	23.06.2021, partially 28.06.2021
09.07.2021	RT III, 10.07.2021, 3	19.07.2021
15.07.2021	RT III, 16.07.2021, 4	19.07.2021
26.07.2021	RT III, 26.07.2021, 1	02.08.2021
30.07.2021	RT III, 30.07.2021, 2	09.08.2021, partially 02.08.2021
06.08.2021	RT III, 06.08.2021, 1	09.08.2021

Under § 28 (2) 1) through 3) and 5) and § 28 (5) and (6) of the Communicable Diseases Prevention and Control Act and considering § 28 (8) of the same, the following restrictions are imposed:
[RT III, 29.05.2021, 2 - entry into force 01.06.2021]

1. A person who has crossed the state border for the purpose of entering Estonia shall remain in their place of residence or permanent place of stay for 10 calendar days after arrival in Estonia.
[RT III, 29.10.2020, 2 – entry into force 30.10.2020]

1¹. [Repealed – RT III, 01.04.2021, 2 – entry into force 05.04.2021]

2. The 10-calendar-day restriction referred to in clause 1 does not apply if:

1) up to 72 hours before arrival in Estonia a health care provider tested the relevant person with RT-PCR test for the coronavirus SARS-CoV-2 causing COVID-19 or up to 48 hours before arrival in Estonia with a SARS-CoV-2 antigen RTD test approved by the European Union Health Security Committee (hereinafter *SARS-CoV-2 test*), the results of which came back negative, and after arrival in Estonia no earlier than on the sixth day after the first test a health care provider tested the person with a second SARS-CoV-2 RT-PCR test and the results of that test also came back negative or a physician has declared the person not to be contagious. Until the test has come back negative the person is required to remain in their place of residence or permanent place of stay;

2) a health care provider has not tested the relevant person with a SARS-CoV-2 RT-PCR test up to 72 hours before arrival in the country or with a SARS-CoV-2 antigen RTD test up to 48 hours before arrival in the country but the person took said test promptly after arrival in Estonia and the results of that test came back negative and no earlier than on the sixth day after the initial test the person took a second RT-PCR test for the coronavirus SARS-CoV-2 causing COVID-19 and the results of that test also came back negative or a physician has declared the person not to be contagious. Until the test has come back negative the person is required to remain in their place of residence or permanent place of stay;

3) a person arrives from a third country for which information has not been released on the European Union green list published on the website of the Ministry of Foreign Affairs (hereinafter *European Union green list*) and promptly after arrival in Estonia a health care provider tests the person with a SARS-CoV-2 test and the results of that test come back negative and re-tests the person with a SARS-CoV-2 RT-PCR test no earlier than on the sixth day after the initial test and the results of that test also come back negative or a physician has declared the person not to be contagious. Until the test has come back negative the person is required to remain in their place of residence or permanent place of stay.

If according to this clause a health care provider tested a person with a SARS-CoV-2 antigen RTD test and it came back positive but the person was promptly re-tested with a SARS-CoV-2 RT-PCR test which came back negative, the result of the SARS-CoV-2 RT-PCR test shall be the one that counts.

[RT III, 10.07.2021, 3 – entry into force 19.07.2021]

3. A person referred to in clauses 1 and 2 may leave their place of residence or permanent place of stay provided the person takes measures imposed by the Government of the Republic or the Health Board and all other possible measures for preventing the possible spread of the communicable disease and the following circumstances occur:

1) the person is given an order by a health care professional or a police officer to leave their place of residence or permanent place of stay;

2) the person leaves their place of residence or permanent place of stay because a health care professional has referred them to receive health services or in the event of an emergency that puts the person's life or health at risk;

3) the person referred to in sub-clauses 1) and 2) of clause 2 performs urgent and inevitably necessary duties by a decision of their employer and up to 72 hours before arrival in the country a health care provider tested the person with a SARS-CoV-2 RT-PCR test or up to 48 hours before arrival in the country with a SARS-CoV-2 antigen RTD test or after arrival in the country with at least one test for the coronavirus SARS-CoV-2 causing COVID-19, the results of which came back negative, or a physician has declared the person not to be contagious. Until the test has come back negative the person is required to remain in their place of residence or permanent place of stay;

[RT III, 10.07.2021, 3 – entry into force 19.07.2021]

4) a person who arrives in Estonia from a third country referred to in sub-clause 3) of clause 2 performs urgent and inevitably necessary duties by a decision of their employer and after arrival in the country a health care provider tested the person with a SARS-CoV-2 test and the result of that test came back negative or if a physician has declared the person not to be contagious. Until the test has come back negative the person is

required to remain in their place of residence or permanent place of stay. A person who performs urgent and inevitably necessary duties is also deemed to be an athlete, a coach or a team member who has an employment relationship with a club playing in Estonian championship league or who is involved in an athlete's everyday training activities at the Estonian national team level or who participates in an international high level competition as an athlete or an athlete's team member or who is directly involved in carrying out aforesaid sports competition;

[RT III, 10.07.2021, 3 – entry into force 19.07.2021]

5) the person attends an urgent family occasion and up to 72 hours before arrival in the country a health care provider tested the person with a SARS-CoV-2 RT-PCR test or up to 48 hours before arrival in the country with a SARS-CoV-2 antigen RTD test or after arrival in the country with at least one test for the coronavirus SARS-CoV-2 causing COVID-19, the results of which came back negative, or if a physician has declared the person not to be contagious. This sub-clause applies to a person arriving from a third country referred to in sub-clause 3) of clause 2 only if a health care provider tested the person with a SARS-CoV-2 test promptly after arrival in Estonia and the result of that test was negative. Until the test has come back negative the person is required to remain in their place of residence or permanent place of stay;

[RT III, 10.07.2021, 3 – entry into force 19.07.2021]

6) the person is getting the everyday essentials near their place of residence or place of stay because it is otherwise impossible;

7) the person is outdoors and completely avoids contact with other persons;

8) for the performance of urgent duties, acquiring an education or due to a family occasion, the person returns to the country from where the person arrived in Estonia provided up to 72 hours before leaving Estonia a health care provider tested the person with a SARS-CoV-2 RT-PCR test or up to 48 hours before leaving Estonia with a SARS-CoV-2 antigen RTD test, the results of which came back negative, or if a physician has declared the person not to be contagious.

[RT III, 10.07.2021, 3 – entry into force 19.07.2021]

[Last sentence repealed – RT III, 10.07.2021, 3 – entry into force 19.07.2021]

3¹. [Repealed – RT III, 13.01.2021, 5 – entry into force 15.01.2021]

4. The provisions of clauses 1 through 3 do not apply to asymptomatic persons:

1) who are employees of a diplomatic mission or a consular post of a foreign country or the Republic of Estonia or their family members or holders of an Estonian diplomatic passport;

2) who arrive in the Republic of Estonia in the framework of international military cooperation;

3) who are members of foreign delegations arriving in the Republic of Estonia for the performance of duties on the invitation of a state or local authority;

4) who are directly involved in transporting goods and raw products, including loading of goods or raw products, and who arrive in Estonia for the performance of duties;

5) who arrive in Estonia for the purpose of providing health services or other services necessary for responding to an emergency;

6) who are directly involved in international carriage of goods and passengers, including a crew member and a ship's crew member servicing an international means of transport and a person performing repairs or warranty or maintenance work on such a means of transport, and who arrive in Estonia for the performance of duties;

7) whose purpose for arriving in the Republic of Estonia is directly related to the provision of passenger transport services and who are servicing travel groups;

8) whose purpose for arriving in the Republic of Estonia is related to ensuring the continuity of a vital service;

9) who are using the territory of the Republic of Estonia for immediate transit;

10) who are nationals, residents or long-stay visa holders of a Member State of the European Union or a Schengen Member State or an EEA country or the Swiss Confederation or the Principality of Andorra or the Principality of Monaco or the Republic of San Marino or the Vatican City State (Holy See) or the United Kingdom of Great Britain and Northern Ireland or their family members and who arrive in the Republic of Estonia from said countries and who have been in one or several of said countries for the past 10 days in succession, provided the cumulative number of positive tests for the coronavirus SARS-CoV-2 causing COVID-19 per 100,000 inhabitants in said countries for the past 14 days is equal to or less than 75. The Ministry of Foreign Affairs publishes information on the morbidity rates by country on its website;

[RT III, 16.07.2021, 4- entry into force 19.07.2021]

11) who are persons referred to in sub-clause 10) or persons who are residents of a third country, according to the laws of that country, which is on the European Union green list and who arrive in Estonia from said country, provided the cumulative number of positive tests for the coronavirus SARS-CoV-2 causing COVID-19 per 100,000 inhabitants in said country for the past 14 days is equal to or less than 75;

[RT III, 17.06.2021, 2 – entry into force 21.06.2021]

12) [repealed – RT III, 10.07.2021, 3 – entry into force 19.07.2021]

13) who cross the state border between the Republic of Estonia and the Republic of Latvia at least twice a week for the purpose of urgent cross-border work or studies, provided the relevant person has taken at least one test for the coronavirus SARS-CoV-2 causing COVID-19 during the past seven days and the results of that test have come back negative or a physician has declared the person not to be contagious;

[RT III, 30.04.2021, 1 – entry into force 03.05.2021]

14) whose place of residence is in the administrative territory of the local authorities of Valga in the Republic of Estonia or Valka in the Republic of Latvia and who cross the state border between the Republic of Estonia and

the Republic of Latvia provided they will not go beyond the borders of the administrative territory of the local authorities of Valga and Valka, respectively;

[RT III, 30.04.2021, 1 – entry into force 03.05.2021]

15) who arrive in Estonia for tourism purposes for up to 24 hours if up to 72 hours before arrival in Estonia a health care provider tested the person with a RT-PCR test for the coronavirus SARS-CoV-2 causing COVID-19 the results of which came back negative or if up to 48 hours before arrival in Estonia a health care provider tested the person with a SARS-CoV-2 antigen RTD test which came back negative, unless the person is released from the requirement of testing on other grounds provided for in this Order;

[RT III, 10.07.2021, 3 – entry into force 19.07.2021]

16) who are nationals, residents or long-stay visa holders of a Member State of the European Union or a Schengen Member State or an EEA country or the Swiss Confederation or the Principality of Andorra or the Principality of Monaco or the Republic of San Marino or the Vatican City State (Holy See) or the United Kingdom of Great Britain and Northern Ireland or their family members and who arrive in the Republic of Estonia from said countries and who have been in one or several of said countries for the past 10 days in succession, if the cumulative number of positive tests for the coronavirus SARS-CoV-2 causing COVID-19 per 100,000 inhabitants in said countries for the past 14 days is greater than 75 but no higher than 200 and before arrival in Estonia a health care provider tested them with a SARS-CoV-2 test which came back negative or they were tested with said test promptly after arrival in Estonia and said test came back negative. Until the test has come back negative the person is required to remain in their place of residence or permanent place of stay. If according to this sub-clause a health care provider tested a person with a SARS-CoV-2 antigen RTD test and it came back positive but the person was promptly re-tested with a SARS-CoV-2 RT-PCR test which came back negative, the result of the SARS-CoV-2 RT-PCR test shall be the one that counts. The Ministry of Foreign Affairs publishes information on the morbidity rates by country on its website;

[RT III, 16.07.2021, 4- entry into force 19.07.2021]

17) who are 12 to 18-year-old nationals, residents or long-stay visa holders of a Member State of the European Union or a Schengen Member State or an EEA country or the Swiss Confederation or the Principality of Andorra or the Principality of Monaco or the Republic of San Marino or the Vatican City State (Holy See) or the United Kingdom of Great Britain and Northern Ireland and who have been in one or several of said countries for the past 10 days in succession, if the cumulative number of positive tests for the coronavirus SARS-CoV-2 causing COVID-19 per 100,000 inhabitants in said countries for the past 14 days is greater than 75, and who arrive in the Republic of Estonia together with their legal representative or a person authorised to accompany them who is not subject to the 10-calendar-day requirement to remain in their place of residence or permanent place of stay or to the requirements for testing for the coronavirus SARS-CoV-2 causing COVID-19, as set out in this Order, on the condition that before arrival in Estonia a health care provider tested them with a SARS-CoV-2 test which came back negative or a health care provider tested them with said test promptly after arrival in Estonia and said test came back negative. Until the test has come back negative the person is required to remain in their place of residence or permanent place of stay. If according to this sub-clause a health care provider tested a person with a SARS-CoV-2 antigen RTD test and it came back positive but the person was promptly re-tested with a SARS-CoV-2 RT-PCR test which came back negative, the result of the SARS-CoV-2 RT-PCR test shall be the one that counts. The provisions of this sub-clause do not apply to groups of minors travelling together (for instance, sports and tourist groups);

[RT III, 16.07.2021, 4- entry into force 19.07.2021]

18) who are 12 to 18-year-old persons arriving in the Republic of Estonia from a third country on the European Union green list, if the cumulative number of positive tests for the coronavirus SARS-CoV-2 causing COVID-19 per 100,000 inhabitants in said country for the past 14 days is greater than 75, and who arrive in the Republic of Estonia together with their legal representative or a person authorised to accompany them who is not subject to the 10-calendar-day requirement to remain in their place of residence or permanent place of stay or to the requirements for testing for the coronavirus SARS-CoV-2 causing COVID-19, as set out in this Order, on the condition that before arrival in Estonia a health care provider tested them with a SARS-CoV-2 test which came back negative or a health care provider tested them with said test promptly after arrival in Estonia and said test came back negative. Until the test has come back negative the person is required to remain in their place of residence or permanent place of stay. If according to this sub-clause a health care provider tested a person with a SARS-CoV-2 antigen RTD test and it came back positive but the person was promptly re-tested with a SARS-CoV-2 RT-PCR test which came back negative, the result of the SARS-CoV-2 RT-PCR test shall be the one that counts. The provisions of this sub-clause do not apply to groups of minors travelling together (for instance, sports and tourist groups). The Ministry of Foreign Affairs publishes information on the morbidity rates by country on its website;

[RT III, 16.07.2021, 4- entry into force 19.07.2021]

19) who are 12 to 18-year-old persons arriving in the Republic of Estonia from a third country not on the European Union green list and who arrive in Estonia together with their legal representative or a person authorised to accompany them who is not subject to the 10-calendar-day requirement to remain in their place of residence or permanent place of stay or to the requirements for testing for the coronavirus SARS-CoV-2 causing COVID-19, as set out in this Order, on the condition that a health care provider tested them with a SARS-CoV-2 test promptly after arrival in Estonia which came back negative. Until the test has come back negative the person is required to remain in their place of residence or permanent place of stay. If according to this sub-clause a health care provider tested a person with a SARS-CoV-2 antigen RTD test and it came back positive but the person was promptly re-tested with a SARS-CoV-2 RT-PCR test which came back negative, the result of the SARS-CoV-2 RT-PCR test shall be the one that counts. The provisions of this sub-clause do not apply to groups of minors travelling together (for instance, sports and tourist groups);

[RT III, 16.07.2021, 4- entry into force 19.07.2021]

20) who are persons under 12 years of age arriving in the Republic of Estonia together with their legal representative or a person authorised to accompany them who is not subject to the 10-calendar-day requirement

to remain in their place of residence or permanent place of stay or to the requirements for testing for the coronavirus SARS-CoV-2 causing COVID-19, as set out in this Order. The provisions of this sub-clause do not apply to groups of minors travelling together (for instance, sports and tourist groups).
[RT III, 16.07.2021, 4- entry into force 19.07.2021]

4¹. [Repealed – RT III, 09.10.2020, 1 – entry into force 12.10.2020]

4². [Repealed – RT III, 01.04.2021, 2 – entry into force 05.04.2021]

4³. [Repealed – RT III, 30.04.2021, 1 – entry into force 03.05.2021]

4⁴. [Repealed – RT III, 13.01.2021, 5 – entry into force 15.01.2021]

4⁵. [Repealed – RT III, 01.04.2021, 2 – entry into force 05.04.2021]

5. [Repealed – RT III, 04.09.2020, 1 – entry into force 04.09.2020]

6. [Repealed – RT III, 30.01.2021, 4 – entry into force 01.02.2021]

6¹. The 10-calendar-day requirement to remain in one's place of residence or permanent place of stay and the requirements for being tested for the coronavirus SARS-CoV-2 causing COVID-19, as referred to in this Order, are not applied if a person:

1) has suffered from COVID-19 and no more than 180 days have passed since the SARS-CoV-2 test confirming the diagnosis was carried out or since the date of confirmation of the diagnosis;

[RT III, 16.07.2021, 4- entry into force 19.07.2021]

2) has completed the vaccination series for COVID-19, has developed full protection after the last dose of vaccine and no more than one year has passed since;

3) has been given one dose of vaccine after recovering from COVID-19 and has developed full protection after the dose of vaccine and no more than one year has passed since, or, after the first dose of vaccine, has contracted COVID-19 and has recovered from COVID-19 and no more than one year has passed since the SARS-CoV-2 test confirming the diagnosis was carried out or since the date of confirmation of the diagnosis. If a person contracts COVID-19 within two weeks after the first dose of vaccine, the person will be subject to the provisions of sub-clause 1) applicable to recovered persons.

[RT III, 16.07.2021, 4- entry into force 19.07.2021]

6². The time when the full protection referred to in clause 6¹ is developed is, according to the manufacturers, 7 calendar days after the second dose of vaccine for Pfizer/BioNTech Vaccine Comirnaty, 15 calendar days after the second dose of vaccine for AstraZeneca Vaccine Vaxzevria, 14 calendar days after the second dose of vaccine for Moderna COVID-19 Vaccine, and 14 calendar days after one dose of vaccine for Janssen COVID-19 Vaccine. For other COVID-19 vaccines not mentioned in this clause, the specific manufacturer's instructions for full protection shall be followed. Full protection for recovered persons vaccinated with one dose is deemed to have been developed at the times stated in this clause.

[RT III, 29.05.2021, 2 – entry into force 01.06.2021]

6³. In addition to the bases set out in sub-clauses 1) through 3) of clause 6¹ of this Order, the requirements for testing for the coronavirus SARS-CoV-2 causing COVID-19 as provided for in this Order are not applied if the relevant person:

1) is under 12 years of age;

2) has special needs and their testing is not sensible considering other significant reasons.

[RT III, 10.06.2021, 3 – entry into force 11.06.2021]

7. Public events, sports competitions and sports and exercise events if the requirements established for the participants differ from those set out in this Order are allowed on the following conditions:

[RT III, 08.01.2021, 1 – entry into force 11.01.2021]

1) there is an overriding public or national interest in the relevant event;

2) the local authority of the location of the event has provided an opinion on the activity;

3) the Health Board has provided an opinion on the suitability of the risk management plan drawn up by the organiser of the event for preventing the spread of the coronavirus SARS-CoV-2 causing the COVID-19 disease.

8. The 10-calendar-day requirement to remain in one's place of residence or permanent place of stay and the requirements for being tested for the coronavirus SARS-CoV-2 causing COVID-19, as referred to in this Order, are not applied to persons performing at a public event referred to in clause 7 or persons directly involved in carrying out such an event or persons who participate in a sports competition or a sports event as an athlete or an athlete's team member or who are directly involved in carrying out a sports competition or a sports event. The Health Board shall establish necessary restrictions on the freedom of movement of said persons.

[RT III, 30.01.2021, 4 – entry into force 01.02.2021]

8¹. In public indoor spaces, persons may be and move around together while practising physical distancing. This restriction does not apply to families and in cases when said requirements cannot be reasonably ensured. For the purposes of this Order, public indoor space means a space that has been given to the disposal of unspecified people or that is at the disposal of unspecified people or in which unspecified people are allowed to be; among other things, public transport vehicles are also public indoor space.
[RT III, 29.05.2021, 2 – entry into force 31.05.2021]

8². [Repealed – RT III, 01.06.2021, 7 – entry into force 02.06.2021]

8³. Persons are required to wear a protective mask or cover their mouth and nose while in public transport vehicles referred to in clause 8¹ and at public religious services and other public religious rites. Said restriction does not apply to persons under 12 years of age and in cases when wearing a protective mask or covering one's mouth and nose is not reasonable for health reasons or for other significant reasons.
[RT III, 06.08.2021, 1 - entry into force 09.08.2021]

9. [Repealed – RT III, 14.05.2021, 1 – entry into force 17.05.2021]

9¹. [Repealed – RT III, 14.05.2021, 1 – entry into force 17.05.2021]

10. [Repealed – RT III, 14.05.2021, 1 – entry into force 17.05.2021]

11. [Repealed – RT III, 14.05.2021, 1 – entry into force 17.05.2021]

12. [Repealed – RT III, 10.06.2021, 3 – entry into force 11.06.2021]

13. [Repealed – RT III, 14.05.2021, 1 – entry into force 17.05.2021]

14. [Repealed – RT III, 14.05.2021, 1 – entry into force 17.05.2021]

15. [Repealed – RT III, 14.05.2021, 1 – entry into force 17.05.2021]

16. [Repealed – RT III, 14.05.2021, 1 – entry into force 17.05.2021]

17. [Repealed – RT III, 14.05.2021, 1 – entry into force 17.05.2021]

18. [Repealed – RT III, 14.05.2021, 1 – entry into force 17.05.2021]

19. [Repealed – RT III, 14.05.2021, 1 – entry into force 17.05.2021]

20. [Repealed – RT III, 14.05.2021, 1 – entry into force 17.05.2021]

20¹. [Repealed – RT III, 01.06.2021, 7 – entry into force 02.06.2021]

20². [Repealed – RT III, 16.01.2021, 1 – entry into force 18.01.2021]

20³. [Repealed – RT III, 16.01.2021, 1 – entry into force 18.01.2021]

20⁴. [Repealed – RT III, 08.01.2021, 1 – entry into force 11.01.2021]

20⁵. [Repealed – RT III, 08.01.2021, 1 – entry into force 11.01.2021]

20⁶. [Repealed – RT III, 08.01.2021, 1 – entry into force 11.01.2021]

20⁷. [Repealed – RT III, 08.01.2021, 1 – entry into force 11.01.2021]

20⁸. [Repealed – RT III, 16.01.2021, 1 – entry into force 25.01.2021]

20⁹. [Repealed – RT III, 16.01.2021, 1 – entry into force 01.02.2021]

20¹⁰. [Repealed – RT III, 29.12.2020, 1 – entry into force 30.12.2020]

20¹¹. [Repealed – RT III, 30.01.2021, 4 – entry into force 01.02.2021]

20¹². [Repealed – RT III, 30.01.2021, 4 – entry into force 03.02.2021]

20¹³. [Repealed – RT III, 01.06.2021, 7 – entry into force 02.06.2021]

20¹⁴. As of 9 August 2021, for the purpose of preventing the spread of the coronavirus SARS-CoV-2 causing COVID-19, the following measures and restrictions shall additionally apply:

- 1) engaging in sports, training, youth work, hobby activities, hobby education and refresher training are allowed indoors if it is ensured that the number of participants is no higher than a total of 50 people and the requirements provided for in clause 8¹ are met. The restriction on the number of people does not apply to activities related to the military defence or internal security of the state or to Astangu Vocational Rehabilitation Centre. The restriction on the number of people does also not apply to persons under 18 years of age;
- 2) engaging in sports, training, youth work, hobby activities, hobby education and refresher training are allowed outdoors if it is ensured that the number of participants is no higher than a total of 100 people. This restriction does not apply to activities related to the military defence or internal security of the state or to Astangu Vocational Rehabilitation Centre. The restriction on the number of people does also not apply to persons under 18 years of age;
- 3) outdoor sports competitions and sports and exercise events in a confined territory are allowed if it is ensured that the number of participants is no higher than a total of 100 people. This restriction does not apply to Astangu Vocational Rehabilitation Centre;
- 4) indoor sports competitions and sports and exercise events are allowed if it is ensured that the total number of participants is no higher than 50 persons and the requirements provided for in clause 8¹ are met. This restriction does not apply to Astangu Vocational Rehabilitation Centre;
- 5) people may be and move around in public saunas, spas, swimming pools and water parks if it is ensured that the total number of participants is no higher than 50 persons and in indoor settings the requirements provided for in clause 8¹ are additionally met;
- 6) indoor public meetings, public events, including conferences, theatre performances, concerts and film screenings and provision of entertainment services are allowed if it is ensured that the total number of attendees is no higher than 50 people and the requirements provided for in clause 8¹ are met;
- 7) in a confined territory, outdoor public meetings, public events, including conferences, theatre performances, concerts and film screenings and provision of entertainment services are allowed if it is ensured that the number of attendees is no higher than a total of 100 people;
- 8) in indoor settings, public religious services and other public religious rites are allowed if the total number of attendees is no higher than 50 people or if up to 50% occupancy is ensured and the requirements provided for in clauses 8¹ and 8³ are met. In a confined territory, outdoor public religious services and other public religious rites are allowed if it is ensured that the total number of attendees is no higher than 100 people;
- 9) people may be and move around in indoor museums and exhibition facilities if it is ensured that the total number of visitors is no higher than 50 people and the requirements provided for in clause 8¹ are met;
- 10) customers may be and move around in catering establishments' sales or service area if it is ensured that the total number of customers is no higher than 50 people and in indoor settings the requirements provided for in clause 8¹ are additionally met. The restriction on the number of people does not apply if customers are and move around in catering establishments' sales or service area for the purpose of takeaway or provision of delivery or transport services and in indoor settings the requirements provided for in clause 8¹ are met. The restriction on the number of people does also not apply on board of passenger ferries used for domestic carriage of passengers;
- 11) in indoor settings, customers may be and move around in the sales area of stores and public spaces of commercial establishments and service providers' service areas if compliance with the requirements provided for in clause 8¹ is ensured.

As to indoor activities provided for in this clause, the availability of disinfectants and compliance with the disinfection requirements according to instructions from the Health Board shall be ensured. The restriction on the number of people provided for in this clause applies to each and every location of activity. In addition to the provisions of the sub-clauses, the restriction on the number of people set out in this clause does not apply to organisers or the proprietor of a place for carrying out activities or providing services or their representative, employees, contractors, artists, persons involved in emergency work or persons necessary for economic servicing of the place.

[RT III, 06.08.2021, 1- entry into force 09.08.2021]

20¹⁵. [Repealed – RT III, 01.06.2021, 7 – entry into force 02.06.2021]

20¹⁶. Person responsible for activities may carry out activities with a number of participants higher than the number of people provided for in clause 20¹⁴ if compliance with other requirements provided for in clause 20¹⁴ for the relevant area and in clauses 20¹⁷ and 20²⁰ is ensured. Liability for proving the facts or for complying with the requirements for testing as provided for in clauses 20¹⁸ and 20¹⁹ lies with the relevant person who takes part in the activities, unless testing is arranged by the person responsible for activities. If a public event, sports competition or sports and exercise event is planned to be organised on conditions different from those provided for in clauses 20¹⁴ and 20¹⁷ through 20²⁰, clause 7 shall apply.

[RT III, 30.07.2021, 2- entry into force 09.08.2021]

20¹⁷. Person responsible for activities may carry out activities in the event provided for in clause 20¹⁶ if it is ensured that no more than 6000 people attend in indoor settings and no more than 12,000 people attend in outdoor settings per calendar day.

[RT III, 30.07.2021, 2- entry into force 09.08.2021]

20¹⁸. In the event provided for in clause 20¹⁶ a person may participate in activities if at least one of the following conditions is met:

- 1) the person is under 18 years of age;
- 2) the person has special needs and testing them is not reasonable considering other important reasons;
- 3) on the conditions provided for in clauses 6¹ and 6², the person has recovered from COVID-19 or is vaccinated or a person considered equal to vaccinated persons and the person produces a certificate evidencing those facts before participating in activities;
- 4) the person produces a negative test result pursuant to the procedure provided for in clause 20¹⁹.

[RT III, 30.07.2021, 2- entry into force 09.08.2021]

20¹⁹. In the event provided for in sub-clause 4) of clause 20¹⁸ a person may participate in activities if they produce a certificate proving the taking of a test which gave a negative result and which was administered by a health care provider on the following conditions

- 1) an antigen RTD test for the coronavirus SARS-CoV-2 causing COVID-19, approved by the European Union Health Security Committee, must be taken up to 48 hours before participation in the activities;
- 2) an RT-PCR test for the coronavirus SARS-CoV-2 causing COVID-19 must be taken up to 72 hours before participation in the activity.

If a person participating in activities has failed to comply with the requirements set out in this clause, the person responsible for activities may arrange for an antigen RTD test for SARS-CoV-2 as instructed by the Health Board. Said test must give a negative result in order to allow participation in the activities.

[RT III, 30.07.2021, 2- entry into force 09.08.2021]

20²⁰. Person responsible for activities is required to verify the authenticity and validity of the certificate or test provided for in clauses 20¹⁸ or 20¹⁹ or the occurrence of other circumstances before the relevant person participates in activities. If there is reasonable doubt, the person responsible for activities is required to establish the identity of the person producing the certificate or test. The person responsible for activities is prohibited from retaining any personal data, unless the relevant person gives their consent to that effect under Article 4(11) and Article 7 of Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 04.05.2016, pp. 1–88).

[RT III, 30.07.2021, 2- entry into force 09.08.2021]

21. Under § 44 (1) of the Communicable Diseases Prevention and Control Act, supervision over the requirements imposed by this Order is exercised by the Health Board. The Health Board may involve the Police and Border Guard Board in the supervision, adhering to the requirements and procedure for professional assistance provided for in the Administrative Co-operation Act.

22. The restrictions and measures established by this Order shall apply until the date specified in this Order or until this Order is changed or repealed under § 53 (1) 4) and (2) 3) and § 66 (2) 1) of the Administrative Procedure Act and the need for these restrictions and measures shall be reviewed no later than after every two weeks.

[RT III, 14.05.2021, 1 – entry into force 17.05.2021]

23. This Order takes effect on 19 August 2020. Clause 2 and sub-clause 3) of clause 3 take effect on 1 September 2020.

24. [Omitted from this text.]

25. This Order shall be published on the website of the Government of the Republic and in the official gazette Riigi Teataja.

This Order is issued considering the fact that under § 2 2) of the Communicable Diseases Prevention and Control Act the COVID-19 disease caused by the coronavirus SARS-CoV-2 corresponds to the signs of a dangerous novel communicable disease because there is no effective treatment and the spread of the disease may exceed the hospital treatment capacity, and the requirements, measures and restrictions established by this Order clearly have a significant social and economic effect. The risk of the virus spreading is currently very high and therefore, in order to minimise the risk, it is proportional to restrict people's freedom of movement in the places referred to in the Order for the protection of the life and health of people and overriding public interest in order to prevent the spread of the coronavirus SARS-CoV-2 causing the COVID-19 disease.

For the protection of the life and health of people and overriding public interest, including for the protection of the continuity of the state, this Order establishes requirements, measures and restrictions that are inevitably necessary for preventing the spread of the virus. The reasons and considerations are set out in the explanatory memorandum to the Order, which will be published on the website of the Government of the Republic.

Failure to duly comply with measures for preventing the spread of the virus will prompt the application of the administrative coercive measures set out in § 28 (2) or (3) of the Law Enforcement Act. The maximum amount of penalty payment is 9600 euros. This penalty payment, which serves the purpose of enforcing the requirements, measures and restrictions imposed by this Order and preventing the spread of the virus, may be imposed repeatedly.

This Order can be appealed against by filing a challenge with the Government of the Republic pursuant to the procedure provided by the Administrative Procedure Act within 30 days as of the day the relevant person became or should have become aware of the Order. This Order can also be appealed against by filing an action with the administrative court pursuant to the procedure provided for in the Code of Administrative Court Procedure within 30 days as of the day of announcement of this Order.

Reasons for the amendments made by the Government of the Republic Order No. 279 of 6 August 2021

For the protection of the life and health of people and overriding public interest, including for the protection of the continuity of the state, this Order imposes indispensable measures and restrictions for preventing the spread of the coronavirus SARS-CoV-2 causing COVID-19.

§ 28 (1) of the Constitution of the Republic of Estonia (hereinafter the *Constitution*) provides for everyone's right to protection of his or her health. In this case the fundamental right protects different values. Firstly, the scope of protection includes people's right to protection of their health by having the state do everything in its power to stop the spread of the virus. Also covered by the scope of protection is public interest in avoiding increased spread of the virus and mass infections as well as overload of the health care system. In a situation where contact with other people poses a great risk of the virus spreading the state has an obligation to minimise the risk of infection, which also means that, for the purpose of achieving this objective, contact between people may be restricted in an appropriate manner.

The Constitution provides for rights and freedoms that the state is also required to ensure. The state may circumscribe the rights and freedoms set out in the Constitution considering the nature of the right or freedom in question and the conditions arising from the Constitution itself. For instance, under § 34 of the Constitution everyone whose presence in Estonian territory is lawful has the right to move freely in that territory and to choose freely where to reside. The right to move freely may be circumscribed in cases and pursuant to the procedure provided by law for the purpose of protecting the rights and freedoms of others and preventing the spread of a communicable disease, among others.

It is justified to apply certain restrictions for preventing the spread of the virus causing COVID-19. Setting restrictions on rights and freedoms requires a fair balance between the objective sought by the restriction and the scope and effect of the restriction. Whereas, it is important to consider how can people, in the long run, exercise their other fundamental rights, such as right to liberty of movement and to engage in enterprise, if the virus that causes COVID-19 is not contained in Estonia and health care institutions are overloaded and health workers are overworked. Proportional restrictions necessary for stopping the virus are justified by the above compelling objectives.

Under § 28 (2), (5) and (6) of the Communicable Diseases Prevention and Control Act and considering § 28 (8) thereof, the Government of the Republic may take measures for preventing communicable diseases when the application of measures and restrictions for the prevention of an epidemic spread of communicable diseases has a significant effect on society or economy. The following preconditions must be met: it is an extremely dangerous communicable disease or a dangerous novel communicable disease; the Health Board has given the Government of the Republic information and a recommendation on a measure (obligation or restriction) on the basis of epidemiological, laboratory and clinical information; the measure is absolutely necessary for preventing the spread of the virus or in other words the requirement must be proportional and rational; the measure is temporary or in other words limited in time and it brings about a significant social or economic effect.

Restrictions on the freedom of movement and various measures for preventing and stopping the spread of the coronavirus SARS-CoV-2 causing COVID-19 have been established by the Government of the Republic Order No. 282 "Measures and restrictions necessary for preventing the spread of COVID-19" of 19 August 2020 (hereinafter *Order No. 282*), which serve the purpose of reducing contact between people and preventing the spread of the virus.

Establishment of the restrictions by the Order is based on the fact that COVID-19 caused by SARS-CoV-2 is an infectious disease that spreads from one person to another by way of droplet infection, primarily upon close contact with an infectious person. The virus can be contracted when in close contact with an infected person, by inhaling particles of the virus¹, or through contaminated surfaces or, for example, contaminated hands.

The virus can spread in poorly ventilated and/or crowded indoor settings, where people tend to spend longer periods of time. The risk of becoming infected with SARS-CoV-2 is also present outdoors where close contact with a lot of people takes place.

Compared to previous weeks the spread of the coronavirus has significantly increased and the Delta variant has assumed the position of the dominant variant. The Delta variant spreads 60% more effectively than the Alpha variant, this means easier secondary and tertiary transmissions and the latent period is also shorter. Current data has shown that the level of immunity developed after a single dose of vaccine (for 2-dose vaccines) is about 17% less effective against the Delta variant compared to the Alpha variant dominant thus far². However, in respect to immunity developed after completion of the vaccination series the efficiency of the vaccine is about 10% lower. There has been no noticeable reduction of responsiveness as to immunity developed after completion of the vaccination series. Considering that as per 4 August 2021 42.85% of the population have completed their vaccination series, the effect of vaccination is not yet sufficient to prevent possible increased morbidity caused by the Delta variant.

This Order has been drawn up considering the fact that the intensity of morbidity is high throughout Estonia. On 4 August 2021, the ratio of positive tests from the last 14 days to 100,000 inhabitants was 163.06 and the average rate of positive tests from the last 7 days was 193. On 23 July 2021, the ratio of positive tests from the last 14 days to 100,000 inhabitants was 65.46 and the average rate of positive tests from the last 7 days was 75. On 7 July 2021 said figures were 31.83 and 32; on 21 June 2021 49.81 and 40; and on 16 June 2021 64.11 and 49. Therefore, 14-day morbidity per 100,000 population is high in Estonia and the growth rate of new cases is still on the rise. Figures concerning hospital capacity and the health care system are moderate and stable.

During week 30, 1246 new cases were registered. Compared to the week before, the number of new cases was 93.2% higher. During week 30, 25,282 tests were analysed (1905 tests per 100,000 inhabitants), which is 36.7% more than in week 29. 4.9% of the tests came back positive (3.5% in week 29). The highest percentage of positive tests can be seen in Viljandi County (12.3%), Pärnu County (11%) and Põlva County (10.8%).

The infection coefficient R is 1.55 across Estonia and it is on the rise. The increased infection rates are related to the dominance of the Delta variant but also to the organisation of events.

Slightly reduced growth rate of new cases can be expected in week 31 but 2000 infected people, that is over 60% increase in the number of cases can also be expected this week. The growth will also continue in the coming weeks before the effect of measures and restrictions can be seen. Consequently, in mid-August there will probably be around 2500 new cases a week and days when more than 300–400 new infected people are registered.

The growth rate should slow down but it is still likely that we will see 500 new infected people a day in the second half of August. This will depend on the rate of vaccination, possible new restrictions and the behaviour of people. The increased number of new cases is mostly due to infections among young people but continued growth is also expected among older people.

This Order introduces the following fundamental changes in Order No. 282:

As of 9 August 2021 the Order will no longer impose restrictions on the freedom of movement of people under 18 years of age who participate in indoor and outdoor sports, training, youth work, hobby activities and refresher training. The restrictions on the number of people as provided by the Order will apply to people over 18 years of age and to the activities listed.

Clause 20¹⁴ of the Order will set out exceptions for public religious services and other religious rites and in indoor settings there will be a requirement to wear a protective mask or cover one's mouth and nose at public religious services and other religious rites. An exception will also be provided for food establishments located on passenger ferries used for domestic carriage of passengers. The requirement to ensure physical distancing and the availability of disinfectants and compliance with the disinfection requirements as instructed by the Health Board will also remain in effect.

Considering the increase in the spread of the coronavirus SARS-CoV-2 across Estonia at the time this Order is issued, application of restrictions and measures in an altered form and continuation with other restrictions and measures that are not changed by this Order are an efficient and proportional measure for the protection of the life and health of people and for ensuring public health and the continuity of the health care system.

Under § 11 of the Constitution, rights and freedoms may only be circumscribed in accordance with the Constitution. Such circumscription must be necessary in a democratic society and may not distort the nature of the rights and freedoms circumscribed. The principle of proportionality arises from the second sentence of § 11 of the Constitution, according to which circumscription of rights and freedoms must be necessary in a democratic society. In this instance, the imposition of the restrictions and measures is in public interests and the restrictions and measures are imposed throughout the state. According to § 31 of the Constitution, Estonian citizens have the right to engage in enterprise and to form for-profit undertakings and organisations. Conditions and procedures for the exercise of this right may be provided by a law. The scope of protection of the freedom of enterprise and the right to liberty is infringed when the public authority adversely affects this freedom.

The second sentence of § 31 of the Constitution gives the legislator authority to restrict the freedom of enterprise by the Communicable Diseases Prevention and Control Act. Any reasonable justification is sufficient for restricting the freedom of enterprise. This justification must be based on public interest or the need to protect the rights and freedoms of others, it must carry weight and it must naturally be lawful. Considering that the basis for restricting this freedom arises from the law and there is a legitimate and justified situation arising from public

interest and the need to protect the rights and freedoms of others, the imposition of the restrictions and measures provided for in this Order is lawful.

The restrictions and measures imposed by the Order serve the purpose of limiting the spread of the coronavirus and the number of people getting infected and ensuring the continuity of the vital functions of the state. The restrictions and measures provided for in the Order have been carefully considered and it has been decided in favour of those that are more efficient than their alternatives in the context of the current spread of the infection based on currently available information. It has also been assessed that said restrictions and measures are fair and proportional in interaction of various fundamental rights and freedoms (e.g. §§ 12, 16, 19, 28, 31, 34, 37, 40 and 47 of the Constitution). This means that the restrictions and measures as a whole affect all people for the purpose of public interest (protection of the life and health of people, continuity of the state).

Continuity involves a risk where a large number of people, e.g. medical staff, police officers, rescue workers, social workers, judges, teachers, state officials and members of the parliament falling ill has a perceivable effect on the availability of public services and the legal order of the state. When restrictions and measures are imposed, it is weighed for each area what is the fair balance between the protection of life, health and continuity of the state and the rights and freedoms circumscribed.

For instance, according to § 47 of the Constitution, everyone has the right to assemble peacefully and to conduct meetings without prior permission. This right may be circumscribed in the cases and pursuant to a procedure provided by law to safeguard national security, maintain public order, uphold public morality, ensure the safety of traffic and the safety of participants of the meeting, or to prevent the spread of an infectious disease. So, the right provided for in § 47 of the Constitution is also not an absolute right. The reason why § 47 of the Constitution specifically refers to the prevention of the spread of an infectious disease is that infectious diseases spread among people when people get together. Therefore, one of the most important and main measures of preventing the spread of infectious diseases in stopping the spread of an infection is to restrict interaction between people.

The reasons for the measures and restrictions are set out in the Order and the explanatory memorandum to the Order.

Under § 44 (1) of the Communicable Diseases Prevention and Control Act, supervision over the requirements imposed by this Order is exercised by the Health Board. Failure to duly comply with measures for preventing the spread of the virus will prompt the application of the administrative coercive measures set out in § 28 (2) or (3) of the Law Enforcement Act. The maximum amount of penalty payment is 9600 euros. This penalty payment, which serves the purpose of enforcing the requirements, measures and restrictions imposed by this Order and preventing the spread of the virus, may be imposed repeatedly.

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The explanatory memorandum to the Order is available on the website kriis.ee.

¹<https://www.who.int/news-room/q-a-detail/coronavirus-disease-covid-19-how-is-it-transmitted>

²https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/993879/Variants_of_Concern_VOC_Technical_Briefing_15.pdf