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Order of the person in charge of emergency situation for imposing a restriction on the freedom of movement on persons diagnosed with the coronavirus causing the COVID-19 disease and on persons living with or permanently staying in the same place of residence as said persons

Passed 26.03.2020 No. 52
RT III, 26.03.2020, 7
Entry into force 28.03.2020

Amended by the following acts

Passed	Published	Entry into force
09.04.2020	RT III, 10.04.2020, 1	09.04.2020

Due to the emergency situation declared by the Government of the Republic Order No. 76 “Declaration of an emergency situation in the administrative territory of the Republic of Estonia” of 12 March 2020, the person in charge of emergency situation decides:

1. Under § 31 (3) of the Emergency Act, a restriction on the freedom of movement is imposed on:
 - 1) persons diagnosed with the coronavirus causing the COVID-19 disease, and;
 - 2) persons living with or permanently staying in the same place of residence as them.
2. Persons referred to in sub-clause 1) of clause 1 are subject to the restriction on the freedom of movement until their recovery. After having been diagnosed with the coronavirus said persons are prohibited from leaving their place of residence or permanent place of stay. The restriction on the freedom of movement is essential for the protection of the life and health of people and overriding public interest in order to prevent the spread of the virus causing the COVID-19 disease.
3. Persons referred to in clause 1 may leave their place of residence or permanent place of stay either on the order of a health care professional or a police officer or in case of an emergency jeopardising the persons’ life or health.
4. A person referred to in sub-clause 2) of clause 1 who has no symptoms of the virus causing the COVID-19 disease may leave their place of residence or permanent place of stay, carrying their identity document:
 - 1) if the person is a health care professional or a person providing other services necessary for responding to an emergency or a person performing public duties in order to perform their duties provided the person carefully monitors their health and complies with previously imposed restrictions on the freedom of movement whereby, above all, it has been prohibited for more than two people to be together and move around in a public place and whereby it has also been ordered to keep at least two metres of distance in places intended for public use, unless this cannot be reasonably ensured;
 - 2) if the person is getting the everyday essentials near their place of residence or place of stay because it is otherwise impossible and if the person complies with previously imposed restrictions on the freedom of movement whereby, above all, it has been prohibited for more than two people to be together and move around in a public place and whereby it has also been ordered to keep at least two metres of distance in places intended for public use, unless this cannot be reasonably ensured;
 - 3) if any and all contact with the person diagnosed with the coronavirus causing the COVID-19 disease is eliminated in the place of residence and place of stay;
 - 4) for being outdoors provided the person complies with previously imposed restrictions on the freedom of movement whereby, above all, it has been prohibited for more than two people to be together and move around in a public place and whereby it has also been ordered to keep at least two metres of distance in places intended for public use, unless this cannot be reasonably ensured.

4¹.For the purposes of this Order, a place of residence or a permanent place of stay also means places where shelter services and safe house services are provided.

[RT III, 10.04.2020, 1 – entry into force 09.04.2020]

5.Under § 24 (2) of the Emergency Act, local authorities shall organise the provision of assistance to persons who are unable to get the essentials due to the coronavirus causing the COVID-19 disease.

6.Under § 24 (2) of the Emergency Act, for responding to the emergency that led to the declaration of an emergency situation, the Police and Border Guard Board is assigned the duty of ensuring the application of and supervision over the restrictions on the freedom of movement provided for in this Order. Under § 7⁴⁶(1) of the Police and Border Guard Act, the Health Board shall make information necessary for carrying out this duty available to the Police and Border Guard Board.

7.Said measures shall apply until this Order is changed and the need for these measures shall be assessed no later than after every two weeks.

8.Broadcasters and electronic communications undertakings shall publish the Order promptly in unaltered form and free of charge.

9.This Order takes effect on 28 March 2020.

Failure to duly comply with measures of emergency situation and a need to enforce the relevant requirements will prompt the application of the administrative coercive measures set out in § 28 (2) or (3) of the Law Enforcement Act. According to § 47 of the Emergency Act, the amount of penalty payment is 2000 euros.

This penalty payment, which serves the purpose of enforcing the restriction on the freedom of movement and preventing the spread of the virus, may be imposed repeatedly. Penalty payment is not a punishment.

The reasons and considerations of the Order are set out in the explanatory memorandum, which will be published on the website of the Government of the Republic.

This Order can be appealed against by filing a challenge 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.