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Imposition of temporary restrictions on crossing the state border in order to prevent a new outbreak of the coronavirus SARS-CoV-2 causing the COVID-19 disease

[RT III, 12.06.2020, 2 - entry into force 12.06.2020]

Passed 16.05.2020 No. 169
RT III, 17.05.2020, 2
Entry into force 18.05.2020

Amended by the following acts

Passed	Published	Entry into force
21.05.2020	RT III, 22.05.2020, 2	21.05.2020
28.05.2020	RT III, 28.05.2020, 1	01.06.2020
12.06.2020	RT III, 12.06.2020, 2	12.06.2020
06.07.2020	RT III, 06.07.2020, 1	06.07.2020
28.08.2020	RT III, 28.08.2020, 1	28.08.2020
11.09.2020	RT III, 14.09.2020, 2	14.09.2020
19.02.2021	RT III, 19.02.2021, 3	19.02.2021
17.06.2021	RT III, 17.06.2021, 1	21.06.2021
07.07.2021	RT III, 07.07.2021, 1	12.07.2021
15.07.2021	RT III, 16.07.2021, 3	19.07.2021
23.08.2021	RT III, 23.08.2021, 1	26.08.2021
15.10.2021	RT III, 15.10.2021, 1	18.10.2021
16.12.2021	RT III, 17.12.2021, 2	20.12.2021
23.12.2021	RT III, 28.12.2021, 2	01.02.2022
27.01.2022	RT III, 28.01.2022, 1	01.02.2022
01.03.2022	RT III, 01.03.2022, 1	02.03.2022
17.03.2022	RT III, 17.03.2022, 1	18.03.2022
31.03.2022	RT III, 31.03.2022, 2	01.04.2022
07.04.2022	RT III, 07.04.2022, 4	07.04.2022

Under § 17 (1) 1) of the State Borders Act and § 28 (2) 3) and § 28 (3) and (6) of the Communicable Diseases Prevention and Control Act:
[RT III, 07.07.2021, 1 - entry into force 12.07.2021]

1. Inconnection with the worldwide pandemic spread of the coronavirus SARS-CoV-2causing COVID-19 and identification of the spread of the virus within Estoniaand in order to prevent new mass infections, the crossing of the externalborder for the purpose of entering Estonia and, if the border control istemporarily reintroduced on the internal border, the crossing of the internalborder are temporarily restricted.

2. Crossingof the state border for the purpose of entering Estonia is allowed for personswho have Estonian citizenship, Estonian residence permit or right of residenceor whose permanent place of residence according to the population register isin Estonia.

3. Crossingof the state border for the purpose of entering Estonia is allowed forforeigners who are asymptomatic and who are employees of diplomatic missions orconsular posts of foreign states in Estonia or their family members orforeigners arriving in Estonia in the framework of international militarycooperation or members of a foreign delegation arriving in Estonia for anofficial meeting on the invitation of a state or local authority.
[RT III, 28.08.2020, 1 – entry into force 28.08.2020]

4. Crossing of the state border for the purpose of entering Estonia is allowed for foreigners who are asymptomatic and who are directly involved in transporting goods and raw products, including loading of goods or raw products.

5. Crossing of the state border for the purpose of entering Estonia is allowed for foreigners who are asymptomatic and who are providing health services or other services necessary for responding to an emergency.

6. Crossing of the state border for the purpose of entering Estonia is allowed for foreigners who are asymptomatic and 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.

7. Crossing of the state border for the purpose of entering Estonia is allowed for foreigners who are asymptomatic and who are servicing travel groups and who are directly involved in the provision of passenger transport services.

8. Crossing of the state border for the purpose of entering Estonia is allowed for foreigners who are asymptomatic and whose purpose for arriving in Estonia is related to ensuring the continuity of a vital service.

9. Crossing of the state border for the purpose of entering Estonia is allowed for foreigners who are asymptomatic and whose arrival in Estonia is related to the maintenance or repair of or warranty or information and communication technology work on equipment of a company operating in Estonia if this is necessary for ensuring the operation of the company.

10. Crossing of the state border for the purpose of entering Estonia is allowed for foreigners for immediate transit through the territory of Estonia for reaching their country of residence, provided they are asymptomatic.

10¹. Crossing of the state border for the purpose of entering Estonia is allowed for asymptomatic nationals and residents and holders of a long-stay visa of the European Union, the European Economic Area, the Swiss Confederation, the United Kingdom of Great Britain and Northern Ireland, the Principality of Andorra, the Principality of Monaco, the Republic of San Marino or the Vatican City State (Holy See) and their asymptomatic family members or asymptomatic persons arriving from said country.
[RT III, 31.03.2022, 2 – entry into force 01.04.2022]

11. [Repealed – RT III, 14.09.2020, 2 – entry into force 14.09.2020]

12. [Repealed – RT III, 14.09.2020, 2 – entry into force 14.09.2020]

12¹. [Repealed – RT III, 31.03.2022, 2 – entry into force 01.04.2022]

12². [Repealed – RT III, 31.03.2022, 2 – entry into force 01.04.2022]

12³. [Repealed – RT III, 31.03.2022, 2 – entry into force 01.04.2022]

12⁴. [Repealed – RT III, 31.03.2022, 2 – entry into force 01.04.2022]

12⁵. [Repealed – RT III, 31.03.2022, 2 – entry into force 01.04.2022]

12⁶. Crossing of the state border for the purpose of entering Estonia is allowed for a person who is asymptomatic and who arrives from a country not listed in clause 10¹ and who

1) is under 12 years of age;

2) is 12 years of age or older and up to 48 hours before arrival in Estonia a health care provider tested the person with RT-PCR test for the coronavirus SARS-CoV-2 causing COVID-19 or with a SARS-CoV-2 antigen RTD test approved by the European Union Health Security Committee, the results of which came back negative;

3) is up to 18 years of age and has completed the vaccination series for COVID-19 and has developed full protection after the last dose of vaccine;

[RT III, 07.04.2022, 4 – entry into force 07.04.2022, applied retroactively as of 6 April 2022]

4) has completed the vaccination series for COVID-19, has developed full protection after the last dose of vaccine and no more than 270 days have passed since the last dose of vaccine;

5) has completed the vaccination series for COVID-19, has developed full protection and after the completion of the series has received an additional dose of vaccine and no more than one year has passed since the additional dose of vaccine;

6) has recovered from COVID-19 and no more than 180 days have passed since the SARS-CoV-2 RT-PCR test confirming the diagnosis was carried out by a health care provider or a SARS-CoV-2 antigen RTD test was carried out or since the date of confirmation of the diagnosis.

[RT III, 31.03.2022, 2 – entry into force 01.04.2022]

12⁷. The time when the full protection referred to in clause 12⁶ is developed is, according to the manufacturers, 7 calendar days after the second dose of vaccine for Pfizer/BioNTech Vaccine Comirnaty, 14 calendar days after the second dose of vaccine for AstraZeneca Vaccine Vaxzevria and 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, 23.08.2021, 1 – entry into force 26.08.2021]

13. By way of an exception, the Police and Border Guard Board may allow the state border to be crossed for the purpose of entering Estonia by a foreigner:

1) who is asymptomatic and whose direct blood relative in the ascending or descending line or spouse is an Estonian citizen or a person holding an Estonian residence permit or right of residence;

2) whose entry in the country is justified under a special request.

[RT III, 01.03.2022, 1 – entry into force 02.03.2022]

13¹. [Repealed – RT III, 31.03.2022, 2 – entry into force 01.04.2022]

13². Crossing of the state border for the purpose of entering Estonia is allowed for a Ukrainian citizen and his or her direct blood relative in the ascending or descending line or spouse.

[RT III, 01.03.2022, 1 – entry into force 02.03.2022]

13². Crossing of the state border for the purpose of entering Estonia is allowed for a third-country national who has left Ukraine due to the military conflict.

[RT III, 17.03.2022, 1 – entry into force 18.03.2022]

13³. The version of sub-clause 3) of clause 12⁶ of this Order adopted on 7 April 2022 is applied retroactively as of 6 April 2022.

[RT III, 07.04.2022, 4 – entry into force 07.04.2022]

14. [Repealed – RT III, 12.06.2020, 2 – entry into force 12.06.2020]

15. [Repealed – RT III, 12.06.2020, 2 – entry into force 12.06.2020]

15¹. [Repealed – RT III, 12.06.2020, 2 – entry into force 12.06.2020]

16. [Repealed – RT III, 12.06.2020, 2 – entry into force 12.06.2020]

17. [Omitted from this text.]

17¹. [Repealed – RT III, 31.03.2022, 2 – entry into force 01.04.2022]

18. This Order takes effect on 18 May 2020.

This Order is issued considering the fact that under § 2 2) of the Communicable Diseases Prevention and Control Act COVID-19 corresponds to the signs of a new dangerous communicable disease because COVID-19 is a disease with a high level of infectiousness which spreads rapidly and extensively and which may be serious or life-threatening. There is also no effective treatment or it is not available and the spread of the disease may exceed the hospital treatment capacity.

For the protection of the life and health of people and overriding public interest, this Order establishes restrictions for preventing the spread of the coronavirus SARS-CoV-2 causing COVID-19. 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.

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.

Reasons for the amendments made by the Government of the Republic Order No. 118 of 7 April 2022

This Order amends Government of the Republic Order No. 305 'Measures and Restrictions Necessary for Preventing Spread of COVID-19' of 23 August 2021, Government of the Republic Order No. 212 'Imposition of quarantine on persons who have been diagnosed with or have tested positive for COVID-19 and on persons who have had close contact with them' of 28 May 2021, and Government of the Republic Order No. 169 'Imposition

of temporary restrictions on crossing the state border in order to prevent a new outbreak of the coronavirus SARS-CoV-2 causing the COVID-19 disease' of 16 May 2020.

The purpose of amending these Orders is to extend the validity of vaccination certificates and time of release from isolation applicable to persons under 18 years of age. Also, a period of time between two cases of onset of COVID-19 is established. The establishment of this period of time entitles a person to create a new recovery certificate before the expiry of the previous one should the person fall ill again during the validity of the existing certificate.

Currently the vaccination certificate of a person under 18 years of age is accepted for crossing of the state border for one year and three months. However, on 29 March 2022, the European Commission adopted an amendment to Regulation (EU) 2021/953¹², on the basis of which the vaccination certificate of minors is accepted until reaching maturity or until 270 days have passed from the last dose of vaccine. Currently, a minor returning from travelling is released from isolation if a year and three months have passed since their vaccination. This is how long vaccinated minors also have the right to cross the state border for the purpose of entering Estonia if they come from a third country and are asymptomatic. As a result of this amendment to the Order the release from isolation and the possibility to cross the state border will be available until they reach maturity or, if they have been vaccinated right before reaching maturity, until 270 days have not yet passed since the last dose of vaccine.

A person who has recovered from COVID-19 will get a recovery certificate that will be accepted for 180 days. Under the current Order, should a person fall ill again within 180 days they will not get a new recovery certificate. As a result of this amendment to the Order, if the period of time between two cases when a person contracts COVID-19 is more than 60 days, that person will become entitled to a new recovery certificate that will also last for 180 days.

The provisions governing the extension of the acceptance period of vaccination certificates of persons under 18 years of age will take effect when published in Riigi Teataja. Since according to the above directly applicable EU Regulation it is to be applied as of 6 April 2022, the provisions will also be applied on the basis of the Orders retroactively as of 6 April 2022.

The provisions governing the creation of a new recovery certificate will take effect on 12 April 2022 and will be applied retroactively as of 13 October 2021 since a recovery certificate can be generated retroactively in the health information system. A development by the Health and Welfare Information Systems Centre allows creating certificates retroactively for 180 days which is also the acceptance period of the recovery certificate. For instance, if a person had COVID-19 in September 2021 and became infected again in January 2022 and on both times also took a SARS-CoV-2 PCR test, then now that person will have the right to retroactively create a recovery certificate proving the illness suffered in January.

Failure to duly comply with measures for preventing the spread of the communicable disease will prompt the application of the administrative coercive measures set out in § 28 (2) or (3) of the Law Enforcement Act. According to § 23 (4) of the Law Enforcement Act, the amount of non-compliance levy is 9600 euros. This non-compliance levy, which serves the purpose of enforcing the requirements, measures and restrictions imposed by this Order and preventing the spread of a communicable disease, 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.

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

¹ Regulation (EU) 2021/953 lays down a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) for the purpose of facilitating the holders' exercise of their right to free movement during the COVID-19 pandemic.

² [https://ec.europa.eu/transparency/documents-register/detail?ref=C\(2022\)2050&lang=en](https://ec.europa.eu/transparency/documents-register/detail?ref=C(2022)2050&lang=en) (available on 5 April 2022).