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

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RT III, 19.08.2020, 1

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Amended by the following acts

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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

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 the COVID-19 disease per 100,000 inhabitants in said countries for the past 14 days is equal to or less than 150. The Ministry of Foreign Affairs publishes information on the morbidity rates by country on its website;

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]

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) suffered from COVID-19 and has been declared healthy by a physician and no more than six months have passed since the person was declared healthy;
 - 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, has developed full protection after the dose of vaccine and no more than one year has passed since, or a person has contracted COVID-19 after the first dose of vaccine and no more than one year has passed since the person was declared healthy by a physician.
- 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, 29.05.2021, 2 – entry into force 01.06.2021]

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 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]

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 28 June 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 1000 people and the requirements provided for in clause 8¹ are met. 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 sub-clause does not apply to activities related to the military defence or internal security of the state;

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 5000 people. This restriction does not apply to activities related to the military defence or internal security of the state;

3) outdoor sports competitions and sports and exercise events in a confined territory are allowed if it is ensured that the number of participants and spectators is no higher than a total of 5000 people;

4) indoor sports competitions and sports and exercise events are allowed if it is ensured that the total number of participants and spectators is no higher than 1000 persons and the requirements provided for in clause 8¹ are met. The availability of disinfectants and compliance with the disinfection requirements according to instructions from the Health Board shall be ensured;

5) people may be and move around in indoor public saunas, spas, swimming pools and water parks if it is ensured that the total number of participants is no higher than 1000 persons and the requirements provided for in clause 8¹ are met. The availability of disinfectants and compliance with the disinfection requirements according to instructions from the Health Board shall be ensured indoors. It is allowed to be and move around in outdoor public saunas, spas, swimming pools and water parks on the condition that the number of participants is no higher than a total of 5000 people. The restriction on the number of people provided for in this sub-clause does not apply to the proprietor of a place of provision of service or their representative, employees, persons involved in emergency work or persons necessary for economic servicing of the place;

6) indoor public meetings, public events, including conferences, theatre performances, concerts and film screenings, provision of entertainment services and people being and moving around at public indoor religious services and other public indoor religious rites are allowed if it is ensured that the total number of attendees is no higher than 1000 people and the requirements provided for in clause 8¹ are met. Availability of disinfectants to employees and customers and compliance with the disinfection requirements according to instructions from the Health Board shall be ensured. The restriction on the number of people set out in this sub-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;

7) in a confined territory, outdoor public meetings, public events, including conferences, theatre performances, concerts and film screenings, provision of entertainment services and people being and moving around at public outdoor religious services and other public outdoor religious rites are allowed if it is ensured that the number of attendees is no higher than a total of 5000 people. This restriction 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;

8) 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 1000 people per room and the requirements provided for in clause 8¹ are met. 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 set out in this sub-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;

9) in indoor settings, customers may be and move around in catering establishments' sales or service area, 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. The availability of disinfectants and compliance with the disinfection requirements according to instructions from the Health Board shall be ensured. [RT III, 22.06.2021, 6 – entry into force 28.06.2021]

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

20¹⁶. An organiser of activities may carry out activities with a number of participants higher than the number of people provided for in clause 20¹⁴ if the application of other restrictions and measures provided for in clause 20¹⁴ for the relevant area and compliance with the requirements provided for in clauses 20¹⁷ through 20²⁰ are ensured. 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, 22.06.2021, 6 – entry into force 23.06.2021]

20¹⁷. An organiser of 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 on the condition that the activities are attended by persons who have been tested by a health care provider as set out in this clause and the test results came back negative, on the following conditions: [RT III, 22.06.2021, 6 – entry into force 28.06.2021]

1) an antigen RTD test for the coronavirus SARS-CoV-2 causing COVID-19 must be taken up to 48 hours before participation in the activities; [RT III, 10.07.2021, 3 – entry into force 19.07.2021]

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 activities. [RT III, 22.06.2021, 6 – entry into force 23.06.2021]

20¹⁸. When arranging the testing provided for in clause 20¹⁷, an organiser of activities shall ensure compliance with the requirements provided for in clause 8¹ and the availability of disinfectants and compliance with the disinfection requirements according to instructions from the Health Board.
[RT III, 22.06.2021, 6 – entry into force 23.06.2021]

20¹⁹. The following persons are released from the testing provided for in clause 20¹⁷:

- 1) persons under 12 years of age;
 - 2) persons with special needs if testing them is not reasonable considering other important reasons;
 - 3) on the conditions provided for in clauses 6¹ and 6², persons who have recovered from COVID-19 or who are vaccinated or persons considered equal to vaccinated persons if they present a certificate evidencing those facts before participating in activities.
- [RT III, 22.06.2021, 6 – entry into force 23.06.2021]

20²⁰. An organiser of activities is required to verify the authenticity and validity of the test or certificate provided for in clauses 20¹⁷ and 20¹⁹ and establish the identity of the person presenting the certificate or test before the person participates in activities.
[RT III, 22.06.2021, 6 – entry into force 23.06.2021]

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. 253 of 9 July 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, 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, 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 a 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.

Various 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. This is because aerosols (particles of the virus) remain suspended in the air or travel farther than 1 metre. People in risk groups (including older people) are in greater risk of the disease becoming serious or of complications or of needing hospital treatment.

During week 26, 227 new COVID-19 cases were registered in Estonia. Compared to week 25, the number of new cases was 37.6% higher. During the past week, 19,483 tests were analysed (1468 tests per 100,000 inhabitants), which is 4.9% more than in week 25. 1.2% of the tests came back positive (0.9% in week 25; increase ~30%). As per 5 July 2021, a total of 7515 samples had been sequenced and it was found that 5287 were Alpha variants and 67 Beta variants, 27 of them were imported cases; 2 cases proved to be Gamma variants in further sequencing, 9 Gamma variants and 392 Delta variants (one of them B.617.1 and 158 B.1.617.2). A total of 392 Delta variants have been typified in Estonia and 16.3% of these cases have been imported, 78% of which from Russia. As of week 22 the percentage of the Delta variants started growing fast. According to Synlab, the percentage of samples indicating the Delta variant has grown from 7% (week 22) to 67% (week 26).

The Health Board finds that the intensity of morbidity across Estonia is low on the basis of the risk matrix of the European Centre for Disease Prevention and Control (ECDC). Compared to week 25, the number of new cases increased by 37.6% and the infection coefficient R also grew higher, being 1 to 1.2 across Estonia (last week R was 0.67).

This Order has been drawn up considering the fact that the intensity of morbidity is low throughout Estonia. On 7 July 2021, the ratio of positive tests from the last 14 days to 100,000 inhabitants was 31.83 and the average rate of positive tests from the last 7 days was 32. On 16 June 2021 said figures were 64.11 and 49; on 9 June 2021 97.59 and 72. On 26 May 2021, the ratio of positive tests from the last 14 days to 100,000 inhabitants was 222.1 and the ratio of positive tests from the last 7 days to 100,000 inhabitants was 94.7, and as per 12 May 2021 said figures were 343.57 and 312. As per 28 April 2021, the ratio of positive tests from the past 14 days to 100,000 inhabitants was 422.2. On 30 March 2021 the same indicator was 1364.21.

Amendments to Order No. 282 set out that the procedure for use of the PCR test and rapid antigen test will be made equal for conditions for arriving in the country. From here on, people will be released from self-quarantine if up to 72 hours before arrival in Estonia a health care provider tested the relevant person with a 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, the results of which came back negative, or if the relevant person took said test promptly after arrival in Estonia and after arrival in Estonia no earlier than 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 if a physician has declared the person not to be contagious. This amendment seeks to harmonise the procedure for movement in Europe (applied to the European Union, the European Economic Area, the Schengen Area, the Swiss Confederation, the Principality of Andorra, the Principality of Monaco, the Republic of San Marino, the Vatican City State (Holy See), the United Kingdom of Great Britain and Northern Ireland and other countries not referred to in sub-clause 3) of clause 2), simplify testing and thereby motivate more people to get tested.

Currently, Estonia accepts upon entry in the country the results of a polymerase chain reaction (PCR) test for SARS-CoV-2 taken up to 72 hours before arrival in Estonia. Several European countries also accept antigen tests and rapid antigen tests for allowing people coming from a trip to enter the country. The use of the PCR test and the rapid antigen test is also supported by Council Recommendation (EU) 2021/961 of 14 June 2021 amending Recommendation (EU) 2020/1475 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic. The Council recommends that a PCR test be taken up to 72 hours before arrival in the country and a rapid antigen test up to 48 hours before arrival in the country. Since a large portion of European countries, including the Republic of Estonia, accepts a 72-hours-old PCR test upon entry in the country (which includes a waiting period of 24 to 48 hours from the time the test was taken until the results become available), the Health Board finds that the period of validity of a rapid antigen test may be set to 48 hours to ensure that both tests have a period of validity as similar as possible. Since the rapid antigen tests carry a risk of false positive results, this Order sets out that if a person whose rapid antigen test gave a positive result takes a confirmatory PCR test, the result of that PCR test will count.

In the event of border crossing, people arriving in Estonia from a country where the risk of infection is high are required to restrict their freedom of movement until their second negative PCR test on the sixth day (save the exceptions referred to in the Order). The second test must be done by the RT-PCR method since its sensitivity and specificity compared to the SARS-CoV-2 antigen RDT test are higher. Therefore, a SARS-CoV-2 RT-PCR analysis as a second test also allows identification of those people whose SARS-CoV-2 antigen RDT test was false negative or in whose case the manifestation of the disease is at its very early stage and would not be detectable using a SARS-CoV-2 antigen RDT test.

For people arriving from third countries (see the third countries referred to in sub-clause 3) of clause 2 of Order No. 282), in order to be released from the requirement of self-quarantine after arrival in Estonia, a rapid antigen test or a PCR test must be taken immediately upon arrival in Estonia and a PCR test on the sixth day after the first test. Consequently, this amendment means that in order to be released from self-quarantine it will be possible to take tests, check and interpret results in Estonia, which ensures the reliability of results on common grounds in Europe. In the European Union the list of rapid antigen tests has been agreed upon on common grounds and testing is also regulated and comparable on common grounds. Likewise, the epidemiological situation is assessed under similar principles. The specification for those arriving from third countries as provided for in sub-clause 3) of clause 2 of Order No. 282 is still necessary. For instance, in Russia as a third country closest to us the epidemiological situation has significantly aggravated in the last weeks and allegedly about 90% of cases involve the Delta variant.

For those arriving from third countries as provided for in sub-clause 3) of clause 2 of Order No. 282 the purpose of arrival in Estonia (studies, work, sports or other) and the residency of said people will no longer make any difference. Consequently, the same rules apply to all who arrive from third countries for which information has not been released on the European Union green list published on the website of the Ministry of Foreign Affairs. In this context it must be noted that the crossing of the state border is temporarily restricted by 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.

If so far residents of third countries (set out in sub-clause 3) of clause 2 of Order No. 282) or people staying there legally had to, when coming to Estonia for work purposes, take a SARS-CoV-2 PCR test promptly upon arrival in Estonia and get re-tested no earlier than on the sixth day after taking the first test (both tests had to come back negative in order for the person to go to work), then the current amendment gives them an option to start performing urgent duties or attend an urgent family occasion after a first negative rapid antigen test or PCR test taken here in Estonia. Performance of urgent duties is still deemed to be a situation where 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 arrives in Estonia.

According to Order No. 282, rapid antigen tests are currently allowed to be used for testing people who arrive in Estonia for tourism purposes for up to 24 hours or in the case of public events where there are up to 6000 attendees in indoor settings and up to 12,000 attendees in outdoor settings. For the period of validity of the results of rapid antigen tests to be unified in Order No. 282, a person arriving in Estonia for tourism purposes for up to 24 hours may in the future take a rapid antigen test up to 48 hours before arrival in Estonia and also for public events it will be allowed for attendees to take a rapid antigen test up to 48 hours before participation in the activities.

The Order also amends the regulation governing the requirements for self-quarantine for people arriving from third countries not on the European Union green list. Since Estonia determines the infection safety of third countries based on the criteria and assessments agreed upon in the European Union, then from now on the requirements for self-quarantine for people arriving from third countries will be applied depending on whether or not the country where the relevant person is arriving from is on the list set out in Annex I to Council Recommendation (EU) 2020/912 of 30 June 2020 on the temporary restriction on non-essential travel into the EU and the possible lifting of such restriction, i.e. the European Union green list. If a person arrives in Estonia from a third country that is not on the European Union green list, they will be subject to a 10-day self-quarantine upon arrival in Estonia or to be released from this requirement they will have to take tests for the coronavirus SARS-Cov-2 causing COVID-19 regardless of said country's infection rates. The European Union green list has been published on the website of the Ministry of Foreign Affairs.

Application of restrictions 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.

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 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).

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.

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.

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

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