

Issuer:	Government
Type:	order
In force from:	31.12.2021
In force until:	13.03.2022
Translation published:	24.12.2021

Involvement of Police and Border Guard Board in Performance of Functions of Health Board Pertaining to Prevention of Epidemic Spread of Communicable Disease COVID-19

Passed 13.08.2021 No. 294
RT III, 13.08.2021, 2
Entry into force 16.08.2021

Amended by the following acts

Passed	Published	Entry into force
23.08.2021	RT III, 23.08.2021, 1	26.08.2021
23.12.2021	RT III, 23.12.2021, 2	31.12.2021

On the basis of subsection 1 of § 45² of the Communicable Diseases Prevention and Control Act and subsections 2 and 3 of § 3 of Government of the Republic Regulation No 54 'Conditions of and Procedure for Involvement of Law Enforcement Agency in Performance of Functions of Health Board' of 27 May 2021:

1. During an emergency connected with the epidemic of a communicable disease, the Police and Border Guard Board is to be involved in the performance of the functions of the Health Board because in this emergency the Health Board lacks sufficient resources for preventing the epidemic spread of the communicable disease COVID-19. The involvement serves the purpose of ensuring the capability of the executive power to effectively prevent the epidemic spread of the communicable disease COVID-19.
2. The Police and Border Guard Board is to be involved in the performance of the following functions pertaining to the prevention of the epidemic spread of the communicable disease COVID-19:
 - 1) state supervision over obligations arising from Government of the Republic Order No 305 'Measures and Restrictions Necessary for Preventing Spread of COVID-19' of 23 August 2021; [RT III, 23.08.2021, 1 – entry into force 26.08.2021]
 - 2) state supervision over obligations arising from 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.
3. In the performance of the functions provided for in clause 2 the Police and Border Guard Board has the authorisation to apply all the general state supervision measures, likewise the special state supervision measures provided for in subsections 1 through 3 of § 45 of the Communicable Diseases Prevention and Control Act and the authorisation provided for in subsection 5 of § 45² of the Communicable Diseases Prevention and Control Act. The performance of the functions of the Health Board assigned to the Police and Border Guard Board by this Order does not limit or suspend other rights of the Police and Border Guard Board to exercise public authority as provided by legislation.
4. The Police and Border Guard Board is to be involved in the performance of the functions of the Health Board stated in clause 2 of this Order starting from 16 August 2021 up to and including 14 March 2022, unless the emergency ends earlier. [RT III, 23.12.2021, 2 – entry into force 31.12.2021]
5. The Police and Border Guard Board is to be involved in the performance of the functions of the Health Board stated in clause 2 of this Order throughout the territory of the Republic of Estonia.
6. The Health Board and the Police and Border Guard Board are to specify the details of the involvement provided by this Order and the organisation of work.

7. The Police and Border Guard Board is to independently organise the performance of daily functions connected with the involvement as part of its own organisation of work. The Health Board is to designate employees who will coordinate the work of the employees of the Health Board and those of the Police and Border Guard Board in the performance of the functions connected with the involvement and who will ensure exchange of information.

8. Resource-intensive functions provided for in clause 2 of this Order are to be planned collectively. The performance of resource-intensive functions is to be led by the person in charge of the emergency, the head of the emergency control centre or a person authorised thereby. In the performance of resource-intensive functions all employees will be subordinate to persons authorised by the person in charge of the emergency (operations managers).

9. Expenses related to the involvement are to be covered from the reserve fund of the Government of the Republic.

10. This Order takes effect on 16 August 2021.

11. This Order is to be published in the official gazette Riigi Teataja and on the website kriis.ee.

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.