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Restrictions on the freedom of movement and on holding public meetings and public events as necessary for preventing the spread of the COVID-19 disease

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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

Under § 28 (6) of the Communicable Diseases Prevention and Control Act and considering § 28 (5) 3) and § 28 (8) of the same, the following restrictions are imposed:

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 14 calendar days after arrival in Estonia.

2. The 14-calendar-day restriction referred to in clause 1 does not apply to a person if:

- 1) promptly after arrival in Estonia the person takes an initial test for the coronavirus SARS-CoV-2 causing the COVID-19 disease and the results of that test come back negative; and
- 2) no earlier than on the seventh day after finding out the results of the initial test the person takes a second test and the results of that test also come back negative or a physician declares the person not to be contagious.
[RT III, 19.08.2020, 1 – entry into force 01.09.2020]

3. A person referred to in clause 1 and in sub-clause 1) of clause 2 may leave their place of residence or permanent place of stay provided the person complies with measures imposed by the Government of the Republic or the Health Board for preventing the possible spread of the communicable disease and takes all possible measures for preventing the 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 upon referral by a health care professional to receive health services or in the event of an emergency that puts the person's life or health at risk;
- 3) the person performs urgent and inevitably necessary duties by a decision of their employer and after arrival in the country the person has taken at least one test for the coronavirus SARS-CoV-2 causing the COVID-19 disease, the results of which came back negative;
[RT III, 19.08.2020, 1 – entry into force 01.09.2020]
- 4) the person is getting the everyday essentials near their place of residence or place of stay because it is otherwise impossible;
- 5) the person is outdoors and completely avoids contact with other persons;
- 6) the person has signed a statement of compliance with instructions issued by the Health Board and applicable requirements, thereby confirming their obligation to comply with the above requirements.

4. The provisions of clauses 1 and 2 do not apply to asymptomatic persons as per clauses of the 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 in the following cases:

- 1) persons referred to in clauses 2 through 8 and 10 through 12 who were abroad and have arrived in Estonia for a purpose set out in clauses 3 through 8 or 10, including employees of diplomatic missions or consular posts of Estonia or their family members or holders of an Estonian diplomatic passport or persons arriving in Estonia in the framework of international military cooperation or members of foreign delegations arriving in Estonia

for official meetings on the invitation of a state or local authority, and persons referred to in sub-clause 2) of clause 13;

[RT III, 28.08.2020, 3 – entry into force 28.08.2020]

2) persons referred to in clauses 11 and 12;

3) persons referred to in clause 2 who arrived directly from the Republic of Latvia or the Republic of Lithuania;

4) persons referred to in clause 2 who arrived directly from the Republic of Finland and the purpose of their stay in Finland was work or performance of other contractual obligations, studies in an educational institution registered in Finland or urgent family reasons, above all meeting a close relative, a funeral, a wedding or cases of illness;

5) persons referred to in clause 2 who arrived directly from the Republic of Finland and who stayed in the territory of the Republic of Finland for at least 14 consecutive days immediately before arriving in the Republic of Estonia;

6) persons referred to in clauses 2 and 12¹ who have been in a Member State of the European Union or a Schengen Member State, the United Kingdom of Great Britain and Northern Ireland or the Principality of Andorra, the Principality of Monaco, the Republic of San Marino and the Vatican City State (Holy See) within the past 14 days, provided the cumulative number of positive tests for the coronavirus SARS-CoV-2 causing the COVID-19 disease per 100,000 inhabitants in said country for the past 14 days is equal to or less than 16. The Ministry of Foreign Affairs publishes on its website a list of the countries referred to in this sub-clause and of countries where the cumulative number of positive tests for the coronavirus SARS-CoV-2 causing the COVID-19 disease per 100,000 inhabitants for the past 14 days is greater than 16. The restriction provided for in clauses 1 and 2 of the Government of the Republic Order No. 282 “Restrictions on the freedom of movement and on holding public meetings and public events as necessary for preventing the spread of the COVID-19 disease” of 19 August 2020 does also not apply to persons referred to in this clause if the cumulative number of positive tests for the coronavirus SARS-CoV-2 causing the COVID-19 disease per 100,000 inhabitants in said country for the past 14 days ranges between 16 and 17.6 and has not increased over two consecutive periods of 7 days. The Ministry of Foreign Affairs proceeds from this clause when publishing lists of the aforesaid countries;

7) persons referred to in clause 12², unless they arrive from a country where the cumulative number of positive tests for the coronavirus SARS-CoV-2 causing the COVID-19 disease per 100,000 inhabitants for the past 14 days is greater than 16;

8) persons referred to in clause 2 who arrive from a country referred to in clause 12², unless the cumulative number of positive tests for the coronavirus SARS-CoV-2 causing the COVID-19 disease per 100,000 inhabitants in said country for the past 14 days is greater than 16;

9) persons referred to in clause 12³, unless in the country from where a person arrives and under whose laws the person is deemed to be its resident or is deemed to stay there legally the cumulative number of positive tests for the coronavirus SARS-CoV-2 causing the COVID-19 disease per 100,000 inhabitants for the past 14 days is greater than 16 or unless the above information is not available for that country and there is a high risk of the virus spreading in that country. A sponsor of a person referred to in this clause shall ensure, in the event that in the country from where the person arrives and under whose laws the person is deemed to be its resident or is deemed to stay there legally the cumulative number of positive tests for the coronavirus SARS-CoV-2 causing the COVID-19 disease per 100,000 inhabitants for the past 14 days is greater than 16 or if the above information is not available for that country and there is a high risk of the virus spreading in that country, in cooperation with that person that the latter can stay in their place of residence or permanent place of stay for up to 14 calendar days after arrival in Estonia and be tested for COVID-19 immediately after arrival in Estonia and re-tested no earlier than on their 14th day in Estonia.

5. Until 31 August 2020, the provisions of clauses 1 and 2 do not apply to asymptomatic athletes representing Estonia or training in Estonia or to their team members according to a list issued by the Estonian Olympic Committee, or to 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 the organisation of a sports competition or a sports event according to a list issued by the relevant sports federation. The Health Board shall establish necessary restrictions on the freedom of movement of said persons.

6. The provisions of clauses 1 and 2 do not apply to asymptomatic persons who participate in a public event referred to in clause 7 as an artist or who are directly involved in carrying out the event or 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.

7. Public events, sports competitions and sports events if the requirements established for the participants differ from those set out in clauses 15 and 19 are allowed on the following conditions:

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 Health Board shall establish necessary restrictions on the freedom of movement of the persons referred to in clause 6.

9. In sales areas, including in service providers' service points and catering establishments' seating areas (hereinafter sales area), and in public rooms of shopping centres it is allowed to walk around if the following requirements are met:

- 1) the scattering of people is ensured and the possessor checks compliance therewith;
- 2) at least at the entrance to and exit from the sales area the possessor thereof has ensured the availability of disinfectants to employees and customers;
- 3) compliance with the disinfection requirements according to instructions from the Health Board is ensured.

10. Customers may go to places where leisure services are provided if the following requirements are met:

- 1) the service provider ensures the scattering of people;
- 2) the service provider ensures up to 50% customer capacity of the place of provision of service;
- 3) the service provider ensures the availability of disinfectants;
- 4) the service provider ensures compliance with the disinfection requirements according to instructions from the Health Board.

Said requirements also apply during the provision of leisure services.

11. The up to 50% customer capacity restriction does not apply to indoor public meetings, public events, including conferences, theatre performances, concerts and film screenings on the condition that a specific seat is ensured for persons in the designated area.

12. Passengers are subject to a total restriction on the freedom of movement concerning going on a ferry sailing on the route Tallinn–Stockholm–Tallinn for the purpose of a pleasure trip.

13. Public meetings are only allowed if the following requirements are met:

- 1) the organiser of a meeting ensures the scattering of people;
- 2) the organiser of an indoor meeting ensures up to 50% attendance capacity and the number of attendees up to 1500 people;
- 3) the organiser of an outdoor meeting ensures the number of attendees up to 2000 people;
- 4) the organiser of a meeting ensures the availability of disinfectants;
- 5) the organiser of a meeting ensures compliance with the disinfection requirements according to instructions from the Health Board.

14. Public saunas, spas, swimming pools and water parks may only be used if the following requirements are met:

- 1) the service provider ensures the scattering of people;
- 2) the service provider ensures up to 50% customer capacity of the place of provision of service;
- 3) the service provider ensures the availability of disinfectants;
- 4) the service provider ensures compliance with the disinfection requirements according to instructions from the Health Board.

Engaging in sports or training in said places is subject to the requirements provided for in clauses 17 and 18.

15. Public events are only allowed if the following requirements are met:

- 1) the organiser of an event ensures the scattering of people;
- 2) the organiser of an indoor event ensures up to 50% attendance capacity and the number of attendees up to 1500 people;
- 3) the organiser of an outdoor event ensures the number of attendees up to 2000 people;
- 4) the organiser of an event ensures the availability of disinfectants;
- 5) the organiser of an event ensures compliance with the disinfection requirements according to instructions from the Health Board.

16. Public religious services and other public religious rites are only allowed if the requirement for the scattering of people is complied with and the availability of disinfectants and compliance with the disinfection requirements according to instructions from the Health Board are ensured.

17. Engaging in sports, training and carrying out sports and exercise events outdoors are only allowed if the scattering of people is ensured and the organiser of the activity ensures the availability of disinfectants and compliance with the disinfection requirements according to instructions from the Health Board. This restriction does not apply to all sports teams if requirements arising from the international competition rules for the sport are complied with, or to training of candidates for Estonian adult sports teams and training of championship league teams.

18. Engaging in sports, training and carrying out sports and exercise events indoors are only allowed if the following requirements are met:

- 1) the organiser ensures the scattering of people;
- 2) the organiser ensures up to 50% attendance capacity, except in the case of all sports teams if requirements arising from the international competition rules for the sport are complied with and in the case of training of candidates for Estonian adult sports teams and training of championship league teams;
- 3) the organiser ensures the availability of disinfectants;

4) the organiser ensures compliance with the disinfection requirements according to instructions from the Health Board.

19. Sports competitions are only allowed if the following requirements are met:

- 1) the organiser of an event ensures the scattering of people;
- 2) the organiser of an indoor event ensures up to 50% attendance capacity and the number of attendees up to 1500 people;
- 3) the organiser of an outdoor event ensures the number of attendees up to 2000 people;
- 4) the organiser of an event ensures the availability of disinfectants;
- 5) the organiser of an event ensures compliance with the disinfection requirements according to instructions from the Health Board.

20. Visiting museums and exhibitions is only allowed if the following requirements are met:

- 1) the service provider ensures the scattering of people;
- 2) the service provider ensures the availability of disinfectants;
- 3) in rooms open for the public, the service provider ensures wet cleaning of surfaces subject to frequent touching after every 2 to 4 hours;
- 4) interactive displays are closed or the service provider ensures their wet cleaning after each use or the service provider has made disposable gloves available to the visitors and ensures the safe handling thereof after use;
- 5) if possible, the service provider replaces physical information materials handed out free of charge with digital ones;
- 6) no creative work or workshops with shared means of work are organised or disinfection is ensured after each user.

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 Cooperation 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 and the need for these restrictions and measures shall be assessed no later than after every two weeks.

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 new dangerous 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.