

**State Ordinance on protective measures for of persons infected with the Coronavirus
SARS-CoV-2
(Protective Measures Ordinance – SchutzmaßnahmenVO)
of 24 November 2022**

Based on § 32 sentence 1 in conjunction with § 28 para. 1 sentence 1 and 2 and § 29 and § 30 para. 1 sentence 2 and § 31 of the Infection Prevention and Control Act of 20 July 2000 (Federal Law Gazette Part I page 1045), as amended by Article 2 of the Act, dated 13 October 2022 (Federal Law Gazette Part II page 539) in conjunction with § 1 No. 1 of the State Ordinance on the Implementation of the Infection Prevention and Control Act of 10 March 2010 (Law and Ordinance Gazette page 55), as amended by § 7 of the Act, dated 15 October 2012 (Law and Ordinance Gazette page 341), BS 2126-0, the following is decreed:

**§ 1
Definitions**

(1) For the purposes of this Ordinance,

1. “Isolation” within the meaning of § 30 of the Infection Prevention and Control Act [IfSG=Infektionsschutzgesetz] is separating oneself from other persons for the protection of the general public or individual people from contagious diseases.
2. “Positively tested person” is any person who has received notification of a positive test result via a PCR test or a PoC antigen test carried out by trained personnel for the immediate pathogen detection of the coronavirus SARS-CoV-2 from the competent public health authority, or the test or assessment facility or in case of a SARS-CoV-2 coronavirus infection based on an antigen test or an in vitro diagnostic device for self-testing intended for direct pathogen detection of SARS-CoV-2 coronavirus (self-test),
3. “Mask requirement” the obligation to wear a medical facial mask (OP surgical mask) or a FFP2 mask or a comparable standard constantly.

**§ 2
Isolation of positive-tested persons**

- (1) Positive-tested individuals shall isolate themselves immediately upon becoming aware of the positive test result. An exception to the obligation to isolate applies to.
 1. children who have not yet of school age, and
 2. persons who are obliged to comply with the protective measures pursuant to § 3 par. 1.
- (2) Isolation will end no sooner than five days after the PCR test, PoC antigen test performed by trained personnel, or self-test that first detected the pathogen, and no typical symptoms of SARS-CoV-2 coronavirus infection shall have been present for 48 hours prior to termination of

isolation. Isolation terminates no later than the expiration of ten days. For the purpose of calculating the period of isolation, the day of testing shall be counted.

(3) The isolation has to take place generally in an apartment or in any other suitable manner as defined in § 30 para. 1 sentence 2 IfSG (place of isolation). During the period of isolation, the isolated person is not permitted to receive visitors from persons who do not belong to his/her household or to leave the place of isolation without the express consent of the competent health authority. If a balcony, terrace or garden adjoins the apartment, the isolated person may also stay in this area if the area is exclusively used by him/her or by persons living with him/her.

(4) Paragraph 3 does not apply if leaving or entering the place of isolation is absolutely necessary to protect life and health, such as particularly in the case of medical emergencies or urgent medical appointments, or for other compelling reasons.

§ 3

Protective measures replacing isolation

(1) Persons tested positive are subject to the mask requirement outside their own home in accordance with § 1 No. 3. The mask requirement does not apply to

1. children who have not yet of school age, and
2. persons for whom it is not possible or unreasonable to wear a mask due to a disability or for health reasons.

(2) Persons obliged to wear a mask in accordance with § 3 para. 1 may remove it, provided that

1. a minimum distance of 1.5 meters can be maintained outdoors,
2. they are only in contact with other persons who have tested positive, or
3. they are alone in an enclosed space.

(3) § 2 para. 2 shall apply mutatis mutandis.

(4) The obligations to wear a medical face mask (surgical mask) or an FFP2 mask or a mask of a comparable standard based on other legal regulations remain unaffected.

§ 4

Protective measures in certain facilities and mass shelters

(1) Persons tested positive may neither enter nor work in facilities in accordance with § 23 para. 3 sentence 1, § 35 para. 1 sentence 1 and § 36 para. 1 Nos. 3 to 6 IfSG. Sentence 1 does not apply to persons treated, cared for, accommodated or nursed in the facilities.

(2) Appropriate protective measures, such as exclusion from participation in community events, shall be provided by the facility or accommodation management for persons tested positive who are treated, cared for, accommodated or cared for in facilities and mass accommodations pursuant to paragraph 1.

(3) § 2 para. 2 shall apply mutatis mutandis.

(4) Employees of the facilities referred to in paragraph 1 may agree with their employer that they, as persons who have tested positive and do not exhibit typical symptoms of infection with the SARS-CoV-2 coronavirus, are exempt from the ban on activities referred to in paragraph 1, subject to compliance with the mask requirement in accordance with § 1 No. 3 and further protective measures for the purpose of taking up work. Further protective measures according to sentence 1 for the protection of other persons from infection are in particular the greatest possible reduction of contacts with other persons. These persons must be informed of the existence of a positive test. Contact with other persons who have tested positive is possible without restriction. Further regulations of occupational health and safety remain unaffected.

§ 5

Behavioral recommendations for positive-tested persons

Notwithstanding the above regulations, persons tested positive are advised to reduce contacts with other persons, to refrain from attending public events or gastronomic establishments, and to pursue their professional activities from their own homes as far as possible.

§ 6

Administrative offences

Any person who intentionally or negligently fails to provide for or comply with protective measures pursuant to § 1 para. 2, or fails to comply with an obligation to isolate or test in accordance with § 2 or § 6, or fails to do so in the required manner or in good time, is committing an administrative offence as defined in § 73 para. 1 a No. 24 IfSG

An administrative offence within the meaning of § 73 para. 1 a No. 24 IfSG is committed by anyone who intentionally or negligently

1. fails to comply with an obligation to isolate in accordance with § 2, para. 1, or fails to comply with it in the prescribed manner or in due time,
2. contrary to § 3 para. 1, fails to comply with the obligation to wear a mask in accordance with § 1 No. 3,
3. contrary to § 4 para. 1, enters one of the facilities specified therein or works in one of the facilities specified therein,
4. contrary to § 4 para. 2, fails to provide for or comply with the protective measures specified therein.

§ 7

Transitional provision

Persons in isolation under the State Ordinance on the isolation of persons infected and suspected to be infected with the Coronavirus SARS-CoV-2 and their members of household and contact persons of April 29, 2022 (State Law Gazette page 141) as amended by Ordinance of September 29, 2022 (State Law Gazette page 369), BS 2126-17, shall be subject to the provisions of this Ordinance as of its effective date.

§ 8
Entry into force, expiration

(1) This Ordinance shall enter into force on November 26, 2022, and shall expire at the end of April 7, 2023.

(2) The State Ordinance on the isolation of persons infected and suspected to be infected with the Coronavirus SARS-CoV-2 and their members of household and contact persons of April 29, 2022 (State Law Gazette page 141) as amended by Ordinance of September 29, 2022 (State Law Gazette page 369), BS 2126-17 shall expire at the end of 25 November 2022.

Mainz, 24 November 2022

The State Secretary
of Science and Health

A handwritten signature in black ink, appearing to read 'Clemens Hoch', with a stylized flourish extending upwards and to the right.

Clemens Hoch