

Agreed

Prime Minister

Ludovic Orban

MILITARY ORDINANCE

on measures to prevent the spread of COVID-19

Taking into consideration the provisions of art. 24 of the Government Emergency Ordinance no. 1/1999 on the regime of the state of siege and the regime of the state of emergency, as published in the Official Journal of Romania, Part I, no. 22 of January, 21st 1999, approved with amendments and supplements by Law no. 453/2004, with latest amendments and supplements,

Having regard to the evaluation of the National Committee for Special Emergency Situations, approved by Decision no. 13 of 21.03.2020,

Based on art. 4 para. (2) and (4) of Decree no. 195/2020 establishing the state of emergency at national level, published in the Official Journal of Romania, Part I, no. 212 of March, 16th, 2020, of point 3-5 of Annex 2 of the same decree and art. 20 letter n) of the Government Emergency Ordinance no. 1/1999, later amended and supplemented,

The minister of home affairs issues the following military ordinance:

Art. 1 – (1) The activity in the dental medicine offices is hereby suspended.

(2) By exception, emergency dental interventions are allowed.

(3) The measure is to be applied starting with March, 22nd, 2020, 22.00 hours, Romania's time.

Art. 2 – (1) The activities of retail marketing of products and services in commercial areas in which several economic operators carry out their activities, except for selling food, veterinary and pharmaceutical products or cleaning services, are hereby temporary suspended.

(2) By *commercial area* it is to be understood “the selling unit having medium or large surface in which retail activities of products, market services and public selling of food take place, using a joint infrastructure and adequate utilities”, as regulated in the annex to Law no. 296/2004 on the Consume code, republished, with latest amendments and supplements.

(3) The measure is to be applied starting with March, 22nd, 2020, 22.00 hours, Romania's time.

Art. 3 – (1) The movement of persons outside the residence/household is to be done only by observing the general measures for preventing the spread of COVID-19 and avoiding gathering any group of persons.

(2) By *gathering a group of persons* it is to be understood putting together more than 3 persons not living together.

Art. 4 – Between 6.00-22.00 it is recommended that the movement of persons outside the residence/household be done for the following reasons only:

- a) Displacement in professional capacity, including between the residence/household and the place/places for carrying out the professional activities and back;
- b) Displacement for getting goods covering the basic needs of persons and pets, as well as goods necessary for carrying out the professional activity;
- c) Displacement for medical assistance that cannot be postponed or remotely ensured;
- d) Displacement for justified reasons, as caring/accompanying the child, elder, ill or persons with disabilities, as well as death of a family member;
- e) Short displacement, near the residence/household, in relation with physical individual activity of persons and the needs of pets.

Art. 5 - (1) Between 22.00-6.00, the movement of persons outside the residence/household is allowed for the reasons provided for in art. 4.

(2) In order to verify the reason for displacement for professional purpose, persons are to mandatory present, upon request of the personnel of competent authorities, the service card, the certificate issued by the employer or an affidavit/ declaration on one's own responsibility.

(3) In order to verify the reason for displacement for personal purpose, persons are to mandatory present, upon request of the personnel of competent authorities, an affidavit/ declaration on one's own responsibility, previously filled in.

(4) The affidavit/ declaration on one's own responsibility has to include the name and first name, date of birth, the address of the residence/household/the place of the professional activity, the reason for the displacement, date of filling in and signature.

(5) The personnel within the Presidential Administration, the Parliament of Romania, the Government of Romania, Public Ministry, of the institutions part of the national system of

defense, public order and national security, diplomatic body and personnel ensuring public utility services are exempted from the above mentioned provisions.

(6) The measure is to be applied starting with March, 23rd, 2020, 22.00 hours, Romania's time.

Art. 6 – (1) It is forbidden the entry on the territory of Romania, through border crossing points, of aliens and stateless persons, as defined in art. 2 letters a) and b) of the Government Emergency Ordinance no. 194/2002 on the aliens' regime in Romania, republished, with latest amendments and supplements, with the exception of the situation where they transit the territory of Romania on corridors of transit organized by agreements with neighboring countries.

(2) By way of exception, it is allowed the entry on the territory of Romania of aliens and stateless persons belonging to the following categories:

a) are family members of Romanian citizens;

b) are family members of citizens of other member states of the European Union or of the European Economic Area or of the Helvetic Confederation, having residence into Romania;

c) are persons in possession of a long term visa, a residence permit or a document equivalent to the residence permit issued by the Romanian authorities according the Government Emergency Ordinance no. 194/2002 on the aliens' regime in Romania, republished, with latest amendments and supplements, or a document equivalent to those, issued by the authorities of other member states, according to the European Union law;

d) are persons moving in a professional capacity, proved by a visa, residence permit or other equivalent document;

e) is a diplomatic or consular personnel, personnel of international organizations, military personnel or personnel ensuring humanitarian support;

f) are passengers in transit, including repatriated following the granting of consular protection;

g) are passengers travelling for imperative reasons (medical or familial);

h) are persons in need of international protection or other humanitarian reasons.

(3) The measure is to be applied starting with March, 22nd, 2020, 22.00 hours, Romania's time.

Art. 7 – (1) Persons in isolation at domicile as a measure to prevent the spread of COVID 19, leaving the location they were placed in, without the approval of the competent authorities, are to be considered persons with *high risk of contagion* and are to be brought by the public order forces to be placed in institutional quarantine, under watch.

(2) Persons under quarantine as a measure to prevent the spread of COVID 19, leaving the location they were placed in, without the approval of the competent authorities, are to be placed in quarantine for a new 14-days period.

(3) The measures inflicted according to para. (1) and (2) do not lift the contravention or criminal responsibility of persons.

(4) The measures are to be applied starting with the date of publishing this military ordinance in the Official Journal of Romania, Part I.

Art. 8. – (1) The authorities of the local public administration have the obligation to identify and keep records of persons older than 65 years, without relatives or any other form of help, and to ensure support to them in order to minimize their exposure outside their homes.

(2) The records are to be updated and reported weekly to the county/municipal center for the coordination and management of intervention.

(3) The local, county and Bucharest committees for emergency situations identify ways to support the persons stipulated at para (1).

(4) The measures are to be applied starting with the date of the publishing of the present military ordinance in the Official Journal of Romania, Part I.

Art. 9. – (1) The military ordinance no. 1/2020 regarding some emergency measures concerning the gatherings of persons and cross border movement of goods, as published in the Official Journal of Romania, Part I, no. 219 of March, 18th, 2020, is supplemented as follows:

1. In article 2, after para (1), two new paragraphs are to be introduced, para (2) and (3), having the following content:

„(2) Services are allowed to take place in places of worship, by church/religious officials, without public access; the services can be broadcasted by mass media or online.

(3) Liturgical/religious acts with private character (baptism, weddings, funerals) are allowed to be officiated, with participation of maximum 8 persons, as well as sharing of the sick believers, at their home.”

2. In Article 4, after para (2), a new paragraph is introduced, para (3), with the following content:

„(3) The provisions of para. (1) and (2) applies also to drivers of transport vehicles of goods with the maximum authorized capacity above 2,4t”.

3. In Article 5, after para (2), a new paragraph is introduced, para (3), with the following content:

„(3) Other exceptions from the interdiction stipulated at para. (1) are established by order of the health minister.

(2) The measures apply starting with the date of the publishing of this military ordinance in the Official Journal of Romania, Part I.

Art. 10. – (1) There are empowered to ensure the application and compliance of the provisions of this military ordinance:

a) Romanian Police, Romanian Gendarmerie, Local Police, National Agency for Fiscal Administration, National Authority for Consumer Protection and the managers of local public administration authorities, for the measures stipulated in art. 1 and 2;

b) Romanian Police, Romanian Gendarmerie, Local Police, for the measures stipulated in art. 3, 5 and 7;

c) Romanian Border Police, for the measure stipulated in art. 6.

(2) The disrespect of first emergency measures stipulated in art.1 – 7 leads to disciplinary, civil, contravention or criminal liability, according to provisions of art. 27 of the Government Emergency Ordinance no. 1/1999, with the latest amendments and supplements.

(3) The personnel of the institutions stipulated in para (1) is empowered to detect contraventions and apply sanctions, in accordance with the provisions of art. 29 of the Government Emergency Ordinance no. 1/1999, with the latest amendments and supplements.

Art. 11. – (1) This military ordinance is to be published in the Official Journal of Romania, Part I.

(2) The suppliers of audio visual media services have the obligation to inform the public, through messages broadcasted regularly, for at least 2 days from the date of publication, about the content of the present military ordinance.

Minister of Internal Affairs

Marcel Ion Vela

Bucharest, March 21st, 2020