

## Military ordinance 3/2020

By virtue of Article 24 of the Emergency Ordinance of the Government no. 1/1999 on the regime of the state of siege and of the state of emergency, published in the Official Journal of Romania, Part I, no. 22 of 21 January 1999, approved with amendments and additions by Law no. 453/2004 as subsequently amended and supplemented,

Considering the assessment of the National Committee for Special Emergency Situations, approved by Decision no. 14/24 March 2020,

Considering Articles 4 para. 2 and 4 of the Decree of the President of Romania no. 195/2020 on declaring the state of emergency at national level, published in the Official Journal of Romania, Part I, no. 212 of 16 March 2020, and also considering points 1 and 3 to 5 of Annex 2 of the mentioned Decree and Article 20 letter n) of the Emergency Ordinance of the Government no. 1/1999 with further amendments and additions,

The Minister of Home Affairs issues the following

### Military Ordinance

Article 1 – All persons are forbidden to travel outside their residence/household, with the following exceptions:

- a) Professional purpose, including between the residence/household and venue(s) for professional activity and return;
- b) Purchasing goods for the basic needs of the persons and pets/domestic animals, as well as goods necessary to the professional activity;
- c) Medical assistance that cannot be postponed nor ensured remotely;
- d) Justified grounds such as caring/accompanying a minor, assistance of other aged, ill or disabled persons or in the case of family member death;
- e) Short travels in the neighborhood of the residence/household in relation to the physical activity of the persons (any team sport activities excluded) or of the needs of the pets/domestic animals;
- f) Blood donation in the transfusion centers;
- g) Humanitarian or volunteering purpose;
- h) Agricultural activities;
- i) Trading produce by the farmers.

Article 2. – The travel of persons aged 65 and above, outside their residence/household, is allowed only during 11.00 – 13.00., only for the following grounds:

- a) Travel for ensuring the goods for basic needs of the persons and pets/domestic animals;
- b) Travel for medical assistance that cannot be postponed and ensured remotely;
- c) Travel for justified grounds, such as caring/accompanying a minor, assistance of other aged, ill or disabled persons or in the case of family member death;
- d) Short travel, near the residence/household, related to the individual physical activity of persons (excluding any physical collective activities), and to the needs of pets/domestic animals.

Article 3. – Travel of person mentioned in Article 2 outside the residence/household is also allowed outside the timeframe 11.00 - 13.00, if this is done in the professional interest or for agricultural activities.

Art. 4. – (1) In order to check the grounds of the travel:

- a) the employees submit the professional badge or the certificate issued by the employer;
- b) the self-employed persons, managers of individual enterprises, members of family enterprises, free-lance professionals and persons involved in agricultural activities submit a personal statement, filled-in beforehand;

(2) In order to verify the grounds for travel in other situations than those provided in paragraph (1), a personal declaration, filled-in beforehand.

(3) The personal declaration must include the name and first name, date of birth, the address of the residence/household, the ground for and destination of travel, date and signature.

(4) The certificate issued by the employer or the personal statement can be also submitted to the authorized authorities through phone, tablet or a similar electronic device.

(5) The measure shall be applied as of 25 March, 2020, 12.00.

Article 5. - (1) Home isolation or, depending on the case, quarantine is established for all persons entering Romania.

(2) The measure shall be applied as of 25 March, 2020, at 12.00.

Article 6. – (1) The local public administration authorities have the obligation to identify and keep records of the homeless persons, as well as to ensure their shelter and care.

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

(3) The measure is to be applied starting with the date of publishing of this Military Ordinance in the Official Journal of Romania, Part I.

Article. 7. - (1) Public institutions and economic entities have the obligation to mark the area intended for the access of citizens/customers and the area of public relations/sale with visible signs to guide people in keeping a safety distance of at least 1.5 meters.

(2) The managers of the produce markets have the obligation to set up sales in such a way as to maintain a social distance between the farmers, traders and buyers. Traders and farmers in the produce markets are obliged to take protective measures against the spread of COVID-19, namely to wear gloves and masks.

(3) The measure is to be applied starting with the date of publishing of this Military Ordinance in the Official Journal of Romania, Part I.

Article. 8. - All flights by air carriers to France and Germany and from France and Germany to Romania are suspended for all airports in Romania for a period of 14 days.

(2) The measure does not apply to flights by state, cargo and mail, humanitarian or emergency medical services flights, as well as non-commercial technical authorizations.

(3) The measure is to be applied starting with 23 March 2020, 23.00, Romania's time.

Article.9 – (1) It is forbidden for Romanian pilots arriving from red/yellow risk areas to board the vessels in the Romanian seaports, if they do not have the protective equipment required by the Constanta Department of Public Health or if the respective vessels did not carry out the quarantine period of 14 days from the last port of layover located in a red/yellow risk area.

(2) Maritime and river-maritime vessels are forbidden to dock in the ports located on the maritime Danube, pending the 14-day quarantine period from the last port of layover located in a red/yellow risk area, in the following two docking areas:

a) the harbour area of Sulina port, for vessels coming from the Black Sea;

b) the Danube, the naval mile 44, for vessels coming from the Bâstroe waterway.

(3) The measure is to be applied from the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Article.10 - The Ministry of Defense ensures, at the request of the minister of home affairs:

a) taking over the protection of several buildings which are currently protected by the Romanian Gendarmerie;

b) personnel and logistical means to support public order duties;

c) personnel and logistical means to support the activities of the Romanian Border Police, at the border crossing points.

Art. 11. – In order to verify compliance with the conditions of quarantine or isolation at home, the national security institutions will design communication systems and computer applications, necessary for the Ministry of Home Affairs, the Ministry of Health and local authorities, to communicate in real time and permanently with the quarantined or isolated persons at home.

Art. 12. – (1) Documents that expire during the state of emergency, issued by the public authorities, can be replaced within 90 days from the date of cessation of the state of emergency.

Art. 13. – (1) After paragraph (2) of Article 2 of the Military Ordinance no.2/2020 regarding measures to prevent the spread of COVID -19, published in the Official Journal of Romania, Part I, no. 232 from 21 March 2020, a new paragraph, paragraph (21), is inserted, regarding the activities allowed in the shopping centers, with the following content:

„(21) The temporary suspension of the commercial activity according to paragraph (1) does not apply to:

a) the sale of the electronic and household products by the economic entities that ensure the delivery to the buyer's home/office;

b) sale of medical optics products and services.”

(2) The measures stipulated at paragraph (1) apply from the date of publication of this military ordinance in the Official Journal of Romania, Part I.

Art.14. – (1) The following authorities are empowered to ensure the application and observance of the provisions of this military ordinance:

a) The Romanian Police, the Romanian Gendarmerie and the Local Police for the measures mentioned in Articles 1 - 4;

b) The Romanian Police, the Romanian Gendarmerie, the Local Police, the General Inspectorate for Emergency Situations and the subordinate structures, the public health directorates and the managers of the local public administration authorities, for the measure mentioned in Article 5;

c) The Romanian Police, the Romanian Gendarmerie, the Local Police, the National Agency for Fiscal Administration, the National Authority for Consumer Protection and the managers of the local public administration authorities, for the measure mentioned in Article 7;

d) the Ministry of Transport, Infrastructure and Communication, for the measure mentioned in Article 8;

e) The Romanian Naval Authority and the directorates of public health, for the measure mentioned in Article 9.

(2) Failure to comply with the measures mentioned in Articles 1-5, Articles 7 - 9 results in disciplinary, civil, contraventional or criminal liability, in accordance with the provisions of Article 27 of the Government Emergency Ordinance no. 1/1999, as subsequently amended and supplemented.

(3) The personnel of the institutions stipulated in para (1) are empowered to ascertain contraventions and to apply sanctions, in accordance with the provisions of Article 29 of the Government Emergency Ordinance no.1 /1999, as subsequently amended and supplemented.

Art. 15. - (1) The present military ordinance is published in the Official Journal of Romania, Part I.

(2) The provisions of Articles 4 and 5 of the Military Ordinance no.2 / 2020 cease to apply.

(3) The audiovisual media service providers have the obligation to inform the public, through regularly broadcasted messages, for at least 2 days from the date of publication, about the content of this military ordinance.

Minister of Home Affairs

Ion Marcel Vela