

Military ordinance 4/2020 regarding measures for preventing the spread of COVID-19

In force as of 1 April 2020

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

Considering the assessment made by the National Committee for Special Emergency Situations, approved by Decision no. 15/29.03.2020,

Based on Article 4 paragraphs (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 16 March 2020, on points 1 and 3 of Annex 2 of the same decree and on Article 20 letter n) of Government Emergency Ordinance no. 1/1999, as subsequently amended and supplemented,

The minister of home affairs issues the following military ordinance:

Article 1. - (1) The travel of persons 65 years old and above, outside their residence/household, is allowed outside the time range 11.00-13.00 for solving medical issues, such as planned oncological treatments, dialysis or similar, by using personal or family/caregivers means of transportation or, depending on the case, the specially dedicated means of sanitary transportation.

(2) In order to certify the reason of the travel in the situations provided in paragraph (1), a personal statement filled-in beforehand in advance shall be submitted, which shall include the first and last name, the date of birth, the address of the residence, the reason and the destination of the travel, the date and the signature.

(3) The travel of the persons mentioned in paragraph (1), outside their residence/household, is also allowed between 20.00 - 21.00, in order to ensure the needs of pets/domestic animals but only in the proximity of their residence/household. The personal statement in such situations is not required.

(4) The measure shall be applied from the date of the publication of the current military ordinance in the Official Journal of Romania, Part I.

Article 2. - (1) The economic entities trading in food and products for basic needs, which work under the conditions imposed by military ordinances during the state of emergency shall set up working hours in order to facilitate and ensure the access of persons aged 65 and above with priority during 11.00-13.00 and limit the access of other age categories during this time frame.

(2) The measure shall be applied as of 30 March 2020.

Article 3. - (1) The persons who leave the place where they are quarantined, without approval from the competent authorities, shall be sanctioned with a contravention according to the provisions of the Government Emergency Ordinance no. 1/1999 on the regime of emergency and siege, as subsequently amended and supplemented, and shall be required to resume the 14-day quarantine cycle, bearing the expenses incurred with their quarantine.

(2) Persons who do not observe the conditions of home isolation and are found outside the isolation area shall be sanctioned with a contravention according to the provisions of the Government Emergency Ordinance no. 1/1999 on the regime of emergency and siege, as subsequently amended and supplemented, and will be forced to quarantine for 14 days, bearing the expenses incurred with their quarantine.

(3) The measures shall be applied from the date of publication of this military ordinance in the Official Journal of Romania, Part I.

Article 4 - (1) Upon entry into the country, in order to protect their families, the drivers of freight vehicles with a maximum authorized capacity greater than 2.4 t, shall choose quarantine/isolation, but not exceeding 14 days, between trips, by the one of the following methods of protection against the spread of COVID-19:

a) quarantine in locations provided by the employer;

b) home isolation together with all the persons with whom they live/from their household or alone, in another available housing location;

c) quarantine upon request, in the locations made available by the public administration authorities, bearing the expenses related to the quarantine.

(2) The drivers of freight vehicles with a maximum authorized capacity greater than 2.4 shall make their choice regarding the modalities mentioned in para. (1) by filing in a personal statement by which they undertake one of the 3 quarantine/isolation choices.

(3) The provisions of para. (1) and (2) shall also apply to aircraft pilots and crew.

(4) The measure shall be applied as of 31 March 2020.

Article 5. - (1) Preventive isolation measures shall be instituted for a period established by the employer at the work locations or in specially dedicated areas in which no outside persons have access, for personnel performing essential functions to ensure the operation of production, transport and distribution of electricity and natural gas, maintenance activities of the specific equipment and installations, as well as other supply activities, namely extraction, production and processing of energetic resources and / or semi-processed raw materials necessary for the proper functioning of the national energy system in accordance with the provisions of their own

continuity plans for the basic activities in case of establishing the state of emergency on the territory of Romania.

(2) Refusing the preventive isolation by the personnel provided in para. (1) results in disciplinary, civil, contraventional or criminal liability, depending on the case.

(3) The measure shall be applied as of 31 March 2020, 12.00.

Article 6. - (1) The local public administration authorities shall ensure the installation of devices with disinfectant solutions at all entrances of housing buildings located within their territorial administrative unit area and they will periodically disinfect the elevators, stairwells and other common areas.

(2) The measure shall be applied as of 31 March 2020.

Article 7. – (1) The ministries with health facilities and local public authorities that have under their subordination or coordination health facilities, shall ensure that hotels are available for the rest of public health workers in between shifts or calls, in order to prevent the spread of COVID-19 among health workers or their families.

(2) The measure shall be applied as of 31 March 2020.

Article 8. - (1) During the state of emergency period, the prices for electric energy and heating, natural gas, water supply, sanitation and fuel cannot be increased above the level at the issuance date of the present military ordinance; these can only be decreased according to demand and offer.

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

Article 9 – (1) During the emergency situation, the governmental and/or publicly/privately-sponsored medical alerts, press releases, texts, photo/audio/video materials of public interest supporting the prevention of the spreading of COVID-19, will be broadcasted free of charge and shall be added to the advertising slots.

(2) Broadcasting the categories of messages mentioned in para. (1) shall be requested from radio/broadcasters or media by the Strategic Communication Group within the National Committee for Special Emergency Situations and will be marked upon broadcasting with the mention „public safety announcement”.

(3) The measure enters into force on the date of publication in the Official Journal of Romania, Part I, of the current military ordinance.

Article 10. - (1) During the state of emergency, the Center for Medical-Military Scientific Research, the Center for CBRN¹) Scientific Research for Defense and Ecology, the Agency for

Research of Military Technique and Technologies and the National Institute for Medical-Military Research and Development "Cantacuzino" are empowered to approve/authorize medical materials, components, equipment and devices necessary for the prevention and control of the spread, as well as for the treatment of the infection with the SARS-CoV-2 virus, and also biocides.

1) Chemical, biological, radiological and nuclear.

(2) This measure shall be applied from the date of the publication of this military ordinance in the Official Journal of Romania, Part I.

Article 11. - (1) Maritime transport and on inland waterways, access to ships in Romanian ports, as well as the inspection and operation of the vessels are carried out without restrictions, observing all the measures to prevent COVID-19 infection, imposed by the Ministry of Health.

(2) Pilots' access on board of maritime and river-maritime vessels, coming from areas of red or yellow risk, is prohibited unless they have the protective equipment established by the Ministry of Health.

(3) The measure shall apply from the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Article 12. - After paragraph (2) of Article 3 of the Military Ordinance no. 2/2020 regarding measures for preventing the spread of COVID-19, published in the Official Journal of Romania, Part I, no. 232 from 21 March 2020, a new paragraph, paragraph (3), is inserted, with the following content:

"(3) The prohibition on the movement of persons in a group of more than 3 persons applies exclusively for pedestrian traffic."

Article 13. - (1) The following authorities are empowered to ensure the application and observance of the provisions of this Military Ordinance:

a) Romanian police, Romanian Gendarmerie and Local Police, for the measures mentioned in Article 1;

b) Romanian Police, National Authority for Consumer Protection and Local Police, for the measure mentioned in Article 2;

c) Romanian Police, Romanian Border Police, Romanian Gendarmerie, Local Police, directorates of public health and the managers of local public administration authorities, for the measures mentioned in Articles 3 and 4;

d) Ministry of Economy, Energy and Business Environment, for the measure mentioned in Article 5;

e) Ministry of Health and Ministry of Transport, Infrastructure and Communications, for the measures mentioned in Article 11.

(2) Failure to comply with the measures mentioned in Articles 1-5 and Article 11 results in disciplinary, civil, contraventional or criminal liability, in accordance with the provisions of Article

27 of the Government Ordinance of Emergency no. 1/1999, as subsequently amended and supplemented.

(3) The personnel of the institutions mentioned in para (1) are authorized to find the 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. 14. - (1) The present Military Ordinance shall be published in the Official Journal of Romania, Part I.

(2) The audiovisual and radio broadcasters have the obligation to inform the public, through messages broadcasted regularly, during at least the following two days after the date of publication, about the content of this Military Ordinance.

Bucharest, 29 March 2020.

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**Minister of Home Affairs,
Marcel Ion Vela**