

MILITARY ORDINANCE No. 9 of 16.04.2020
on measures for preventing the spread of COVID-19

Considering the provisions of Article 24 of the Government Emergency Ordinance no. 1/1999 regarding the state of siege and the emergency regime, published in the Official Journal of Romania, Part I, no. 22 of January 21, 1999, approved with modifications and completions by Law no. 453/2004, with the subsequent modifications and completions, of article 2 and 3 para. (3) of the Decree of the President of Romania no. 240/2020 on prolonging the state of emergency on the territory of Romania, published in the Official Journal of Romania, Part I, no. 311 of April 14, 2020,

Taking into account the assessment accomplished by the National Committee for Special Emergency Situations, approved by the Decision no. 20 of 16.04.2020,

With a view to implement the provisions of points 3 and 4 of annex no.2 to the Decree of the President of Romania no. 240/2020,

Based 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 measure regarding the suspension of flights towards Austria, Belgium, Swiss Confederation, United States of America, United Kingdom of Great Britain and Northern Ireland, the Netherlands, Turkey and Iran and from these countries toward Romania, on all airports of Romania is extended for a period of 14 days, starting with April, the 18th, 2020.

(2) The measure regarding the suspension of flights toward Italy and from this country toward Romania on all airports of Romania is extended for a period of 14 days, starting with April, the 19th, 2020.

(3) The measure of suspension of flights to France and Germany and from these countries to Romania, for all airports in Romania, is extended for a period of 14 days, starting with April 21, 2020.

(4) The measures provided for in paragraphs 1 and 3 shall not apply to flights performed by state aircraft, cargo and correspondence flights, humanitarian or providing emergency medical services, technical services, and non-commercial technical landings.

Article 2 - (1) Cross-border workers who, at the entry into Romania from Bulgaria, do not show symptoms associated with COVID-19 are exempted from home isolation or quarantine measures.

(2) Cross-border worker means the person who proves that he lives and works within a 30 km on one side or the other of the Romanian-Bulgarian state border, calculated from the nearest border crossing point open to traffic for people, who return to their homes at least once a week.

(3) The crossing points of the Romanian-Bulgarian state border through which the entry into Romania is allowed under the conditions of para. (1) are the following: Giurgiu-Ruse and Calafat-Vidin.

(4) Through the crossing points of the Romanian-Bulgarian state border provided in para. (3) the entry / exit of cross-border workers with agricultural machinery and equipment is also allowed.

(5) In case of non-compliance of the conditions stipulated in para. (2), the persons concerned go into quarantine for a period of 14 days, bearing the expenses incurred with their quarantine.

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

Article 3 - (1) When carrying out the exchange of crew, on board inland navigation vessels flying the Romanian flag and on board sea vessels regardless of the flag they fly, located in Romanian ports, the navigating personnel must present to the competent authorities "*the certificate for international transport workers*" set out by the European Commission in Annex 3 to the Communication on the implementation of Green Lanes in the framework of the Guidelines on border management measures for the protection of health and the availability of essential goods and services - C (2020) 1897 of 23.03.2020.

(2) The navigating personnel who disembark in a Romanian port from the inland navigation vessels, which fly a Romanian flag, and which do not have symptoms associated with COVID-19, shall not be subjected to quarantine measures in specially arranged areas or on board the ship or the measures of isolation at home, provided the employers ensure the certificate provided in paragraph (1) and the individual protective equipment against COVID-19, during the transfer from the ship to the location where it can be contacted during the period between trips.

(3) When carrying out the exchange of crew on board the maritime vessels, irrespective of the flag they fly, located in the Romanian ports, the navigating personnel, regardless of the area from which it comes from, must be previously tested for COVID-19 by the personnel of the public health directorate that operates in the respective port.

(4) The seafaring personnel, stipulated at paragraph (3), which do not have symptoms associated with COVID-19, will be transported from / to the border crossing points,

regardless of the means of transport used, on the shortest route and without interruptions. The seafarer and the transport personnel must use individual protective equipment against COVID-19.

(5) In order to carry out the exchange of crew, the agent of the seagoing ship or the employer of the seafaring personnel, as the case may be, is obliged to provide the seafarers with the following:

a) testing for COVID-19;

b) the individual protective equipment against COVID-19, during the transport stipulated A-T paragraph (4);

c) the certificate stipulated A-T paragraph (1).

(6) The Romanian, maritime and river navigational personnel, who return and who do not have symptoms associated with COVID-19 when entering the country, are subject to the measures of isolation at home, provided that the employers provide the certificate stipulated at paragraph (1) and of a statement on its own responsibility, the model of which is established by the Ministry of Transport, Infrastructure and Communications, regarding the continuous use of the individual protective equipment against COVID-19 for moving from the ship to the location where it can be contacted in the next 14 days.

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

Article 4 - The provisions of paragraph (2) of article 7 and of article 9 of the Military Ordinance no. 3/2020 on measures to prevent the spread of COVID-19, published in the Official Journal of Romania, Part I, no. 242 of March 24, 2020, cease to apply.

Article 5 - Paragraph (1) of article 3 of the Military Ordinance no. 8/2020 on measures to prevent the spread of COVID-19, published in the Official Journal of Romania, Part I, no. 301 of April 10, 2020 is amended and will have the following content:

"(1) During the state of emergency, the agri-food markets remain open, with the obligation for the administrators to organize the activities based on the incidental normative acts, by adopting protective measures against the spread of COVID-19, which at least refer to the wearing of gloves and masks, as well as keeping social distance, both when entering the market and within it. "

Article 6 - The provisions of paragraph 2 of Article 3, Articles 7 and 8, letter d) of paragraph 1 of Article 21, as well as Annex No. 2 to Military Ordinance No. 8/2020 on measures to prevent spread of COVID-19, published in the Official Journal of Romania, Part I, no. 301 of April 10, 2020, cease to apply.

Article 7. – (1) Are entitled to ensure the application and compliance of the provisions of the present military ordinance:

- a) The Ministry of Transport, Infrastructure and Communications, through the Romania Authority of Civil Aviation, for the measures provided in Article 1;
- b) The Romanian Border Police and the public health departments, for the measure provided in Article 2;
- c) Romanian Naval Authority and the public health departments, for the measures provided in Article 3;

(2) Failure to comply with the measures provided for in Article 1-3 shall lead to disciplinary, civil, contravention or criminal liability, in accordance with the provisions of Article 27 of the Government Emergency Ordinance no. 1/1999, subsequently amended and supplemented.

(3) The personnel of the institutions referred to in para. (1) are authorized to find contraventions and to apply sanctions, in accordance with the provisions of Article 29 of the Government Emergency Ordinance No. 1/1999, subsequently amended and supplemented.

Article 8. – (1) The present military ordinance is published in the Official Journal of Romania, Part I.

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

Minister of Home Affairs

Marcel Ion Vela

Bucharest