

**Video Conference of the Federal Chancellor and
the Heads of the Länder Governments on
28 October 2020**

Decision

Combatting the SARS-CoV-2 pandemic

The Federal Chancellor and the Heads of Government of the Länder have adopted the following decision:

In spite of the measures agreed by the Federation and the Länder two weeks ago, the number of people infected with coronavirus (SARS-CoV-2) is increasing exponentially in almost all parts of Germany. This has meant that numerous local public health offices can no longer ensure that comprehensive contact-tracing is conducted, which in turn contributes to the faster spread of the virus. At present, the number of infections is doubling roughly every seven days, and the number of patients in intensive care is doubling roughly every ten days. According to figures provided by the Robert Koch Institute, the chain of transmission is unclear in more than 75% of cases, as a national average. To prevent an acute national health emergency, it is therefore now necessary to check the rate of infection by significantly reducing person-to-person contacts in the community and to get the weekly incidence down to a traceable level of fewer than 50 new cases per 100,000 inhabitants. Without such restrictions, the continued exponential growth in cases would inevitably overstretch the healthcare system within a few weeks and the number of severe cases and deaths would rise significantly. It is also vital that we act fast. The later we reverse the tide of the epidemic, the longer restrictions will be necessary and the more onerous they will be.

The Federation and the Länder are striving to break the epidemic's momentum quickly so that, on the one hand, people can rely on schools and nurseries remaining open, and, on the other hand, extensive restrictions on personal contacts and economic activity will not be necessary at Christmas time. Families and friends should be able to meet in the Christmas season, even against the backdrop of

corona. For this to happen, a concerted, national endeavour by the Federation and the Länder is required, as it was in the spring.

The Federation and the Länder are aware that the restrictions put a huge strain on the population. Therefore our sincere thanks go to the overwhelming majority of the population who have complied with these measures in a spirit of solidarity and with patience, and who will continue to do so. We especially thank those who are ensuring the practical implementation of these measures, as well as, of course, those working in the healthcare system.

The situation is once again very serious. Four hard winter months lie ahead of us. But the Federation and the Länder are looking with confidence to the future. The progress made in vaccine development and the way in which COVID-19 cases were controlled more easily this summer give us reason to hope that, if we get through the winter well, Germany will be able to overcome the pandemic step by step next year and recover economically.

Against this backdrop, the Federal Chancellor and the Heads of Government of the Länder have agreed the following to supplement their existing decisions:

1. The following **additional measures** will enter into force from 2 November throughout Germany: The measures will be time-limited until the end of November. After two weeks, the Federal Chancellor and the Heads of the Länder Governments will discuss the situation again, considering what the measures have achieved and undertaking any necessary adjustments.
2. The most important measures for the time to come will be social distancing and **reducing contacts**. Everyone is advised to limit contact with people other than those living in the same household to the absolute minimum necessary.
3. With immediate effect, people may only go out with members of their own household and of one further household, up to a maximum of ten people in either case. This is binding, and violations of these **contact restrictions** will be penalised accordingly by the authorities responsible for public order. In view of the seriousness of the situation in our country, larger gatherings in public places, private homes or other private premises are unacceptable. Federal and Land authorities will work together on the enhanced enforcement of these rules.
4. People are asked to generally refrain from non-essential **travel for personal reasons** and from visiting people, including relatives. This also applies in Germany and to regional day trips for tourism purposes. Accommodation in

Germany will now only be provided for necessary and explicitly non-tourism purposes.

5. Institutions and facilities classified as **recreational** will be closed. These include:
 - a. theatres, opera houses, concert halls and similar establishments,
 - b. trade fairs, cinemas, amusement parks, indoor and outdoor leisure activities, amusement arcades, gambling establishments, bookmakers and similar establishments,
 - c. places of prostitution, brothels and similar establishments,
 - d. recreational and amateur sport, with the exception of individual sport engaged in on your own, in pairs or with your own household, in all public and private indoor and outdoor venues,
 - e. swimming baths and adventure pools, saunas and spas,
 - f. gyms and similar establishments.
6. **Events** for the purposes of entertainment are prohibited. Professional sports events may only take place without spectators.
7. **Restaurants and cafés**, as well as bars, clubs, discotheques, pubs and similar establishments will be closed. Exceptions are permitted for the delivery and collection of food that can be taken away and consumed at home, and for the operation of canteens.
8. **Businesses offering personal care services**, such as beauticians, masseurs, tattoo parlours, etc. will be closed, because such services require close contact. Necessary medical treatments, such as physiotherapy, occupational therapy and speech therapy, as well as podiatry and chiropody, will still be permitted. Hairdressers may remain open subject to the present hygiene and distancing conditions.
9. **Wholesalers and retail shops** remain open, subject to conditions for hygiene, organising admission and preventing queues from forming. It must be ensured that the number of customers in the shop does not exceed one customer per 10 m² of shop floor.
10. **Schools and nurseries** remain open. The Länder will adopt the public health measures they consider necessary in this connection.
11. The Federation will make available **exceptional financial assistance** to businesses, self-employed people, associations and institutions subject to the temporary closures, in order to compensate them for financial loss. Compensation

equalling 75% of turnover in the same month last year will be paid to businesses with up to 50 employees, which is deemed to cover overheads. The percentages to be paid to larger companies will be based on the ceilings in the relevant instruments on state aid. These financial aids will have a volume of up to 10 billion euro.

12. Quite apart from these new comprehensive temporary restrictions, the measures already in place mean that some sectors will continue to be significantly curtailed in their business operations in the coming months. The Federation will therefore extend its **aid measures for firms** and will improve the conditions for the worst affected business sectors (interim financial help III). This is relevant, for example, for the cultural sector and event organisers, as well as for own-account workers. In addition, KfW instant loans will be adapted and made available to companies with fewer than 10 employees.
13. We want to ensure **safe working practices** to the greatest extent possible in industry, trade, and small and medium-sized enterprises, even during the pandemic. Employers have a particular responsibility for their staff in order to protect them from infections. Chains of transmission that arise in companies must be identified fast. Every company in Germany must therefore adopt COVID-19 guidelines based on an adapted risk assessment and company pandemic planning, and adjust them again in view of the increased prevalence of the disease. The aims of such guidelines include preventing unnecessary contact between staff and with customers, implementing general hygiene measures and minimising the risk of infection in necessary contacts via special hygiene and protective measures. Given the high infection rates, the Federation and Länder urgently appeal to companies to **enable staff to work from home or remotely**, wherever this is feasible. Health and safety authorities and accident insurance companies will advise firms on this and conduct inspections.
14. A rising number of cases unfortunately also means a rise in infections in medical facilities and among **vulnerable groups**. Protecting them presents a particular challenge. The responsible authorities have therefore taken special protective measures in hospitals and care and retirement homes, as well as centres for people with disabilities, in accordance with local conditions. Those in charge always take into account that regulations to this end must not lead to the total social isolation of those affected. These measures will be adapted accordingly as cases increase. The Federation's new testing ordinance ensures that the costs of

the newly available SARS-CoV-2 rapid tests for the regular testing of residents and patients, visitors and staff, will be assumed by the state. The available rapid tests should now be used without delay and as a priority in this area, in order to provide the best possible protection in the face of rising case numbers and to enable safe contacts. Social and youth welfare facilities and comparable advisory services remain open. Hospitals should continue to receive support to provide intensive care beds. The Federal and Länder Health Ministers will draw up practicable solutions without delay; these should also include the continuance of financial aids. Hospitals that are under a special strain due to the treatment of SARS-CoV-2 patients may deviate from the guidelines as envisaged in the ordinance on nursing staff ratios without fear of sanctions.

15. The Federation and Länder will do more to inform the public about the corona rules now in force and will try to make them easier to understand by making them as uniform as possible. However, they will also enhance **enforcement of the measures** across the board and monitor compliance with the quarantine regulations, including by means of random checks, particularly in border regions.
16. While the Federation and the Länder are aware of the fact that these are particularly radical measures, they are necessary and proportionate having regard to the health of the population as a **legal right requiring protection**, and the aim of averting even more extensive economic damage in the event that the pandemic gets out of control.

Declaration for the record by the Free State of Thuringia

1. As the independent body of the Heads of Government of the Länder, the Conference of Minister-Presidents (MPK) assumes a key structural task in the ongoing efforts to manage the pandemic. However, this task must be kept within bounds. Having regard to the strengthening of the legislative branch in the management of the pandemic, the MPK must remember its function and the limits of its competences.
2. The Free State of Thuringia expressly agrees with the President of the German Bundestag that a legal basis of authorisation must be created by parliament for particularly invasive measures such as curfews, restrictions on social contacts and the imposition of so-called lockdowns. The Free State of Thuringia therefore expects:
 - a. the German Bundestag to declare an acute national health emergency that justifies the decisions taken by the Conference of Minister-Presidents, and
 - b. the German Bundesrat to reaffirm the German Bundestag's declaration of an acute national health emergency at its next session.The Free State of Thuringia furthermore expects the German Bundestag to adopt the necessary amendments to the Protection against Infection Act as quickly as possible.
3. Having regard to the common goal of ensuring the healthcare system is not overstretched, the Free State of Thuringia welcomes and endorses those measures that scientific findings suggest are appropriate and proportionate means of effectively curbing the rate of infection, and expects the Federation to underpin the measures with such evidence-based findings.

4. The Free State of Thuringia expects the Federation to ensure, with its financial resources and its exclusive capacity to deal with tax on the revenue side, that all stakeholders directly and indirectly affected by the measures taken, including in particular own-account workers, self-employed people, non-profit institutions and others, are given effective support and that steps continue to be taken to offset imbalances disadvantageous to employees.
5. The Free State of Thuringia declares that the adoption of this MPK decision is without prejudice to the parliamentary procedures of the Free State of Thuringia.