

The Ministry of Internal Affairs

Agreed

Prime Minister
Ludovic Orban

**Military Ordinance
on measures to prevent 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 amendments and additions by Law no. 453/2004, with subsequent amendments and additions,

Taking into account the assessment made by the National Committee for Special Emergency Situations, approved by Decision no. 19 of 9 April 2020,

Based on article 4, paragraph 2 and paragraph 4 of Decree 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, on points 1- 4 of Annex no 2 to the same decree and on art 20 (n) of the Government Emergency Ordinance no. 1/1999, with subsequent amendments and additions,

The Minister of Internal Affairs has issued the following military ordinance:

Art. 1.

(1) The movement outside the home / household of the holders of the commercial fishing / on the Danube / inland waters / the Black Sea permits is allowed in order to carry out commercial fishing and aquaculture activities, as well as to exploit / trade the products which are a result of these activities.

(2) The movement outside the home / household of the beekeepers to / from the apiary's location or for the apiary's movement is allowed. Being a beekeeper have to be proved by the certificate containing the apiary code issued by the county offices of animal husbandry or by any other documents proving this capacity and the ownership of the apiaries.

(3) The movement outside the home / household is allowed if done for the purchase of vehicles, spare parts for vehicles and car repair services.

(4) The provisions of Art. 4 of Military Ordinance no. 3/2020 on measures to prevent the spread of COVID-19 will be applied accordingly.

(5) When filling in the statement on one's own responsibility, persons referred to in paras. (1) and (2) will tick the professional reason box for justifying the exit, while persons referred to in paragraph (3) will tick the procuring goods for basic needs box for the same purpose.

(6) These measures will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Art. 2.

(1) The measure to suspend the flights operated by airline economic agents to Spain and from Spain to Romania is extended for a 14-day period as of April 14, 2020.

(2) The measure provided in para. (1) does not apply to flights performed by state aircrafts, freight and mail flights, humanitarian or emergency medical services flights, as well as to non-commercial technical landings.

(3) The measure provided in para. (1) will apply beyond the initial deadline of the state of emergency as established by Decree no. 195/2020, only if the state of emergency on the territory of Romania is extended and if the decree extending the state of emergency maintains the competence of the Minister of Internal Affairs to establish, by way of military ordinances, the gradual suspension of air traffic on different routes.

Art. 3.

(1) The agro-food markets remain open throughout the state of emergency for farmers who have an agricultural producer certificate, under the condition that the measures to prevent the spread of COVID-19 are dully observed.

(2) The movement of agricultural producers from the place of production of the agro-food products to and from the agro-food market and access to it is allowed based on showing the statement on one's own responsibility and the manufacturer's certificate.

(3) The phytopharmaceutical units will remain open throughout the state of emergency, under the condition for their staff to dully observe the measures to prevent the spread of COVID-19.

(4) The measures will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Art. 4.

(1) The temporary total or partial closure of the border crossing points along the state border, as established in the Decisions of the National Committee for Special Emergency Situations no. 8/2020 and no. 12/2020 is extended throughout the state of emergency, in accordance with Annex no. 1 to this Military Ordinance.

(2) These measures will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Art. 5.

(1) The cross-border workers who do not have COVID-19 associated symptoms are exempted from the measures of home isolation or quarantine when entering Romania from Hungary.

(2) *Cross-border worker* is considered to be the person who proves living and working within a 30 km-radius on either side of the Romanian-Hungarian state border, calculated from the nearest border crossing point open to the traffic of persons, and who returns to domicile/permanent residence at least once a week.

(3) The border crossing points along the Romanian-Hungarian state border through which the entry into Romania is allowed under the conditions of para. (1) are: Cenad, Nădlac, Turnu, Vărșand, Salonta, Borș, Săcuieni, Urziceni and Petea.

(4) The entry / exit of cross-border workers on board agricultural machines and machinery through the border crossing points along the Romanian-Hungarian state border foreseen in para. (3) is equally permitted.

(5) Failure to observe the conditions under para. (2) incurs the obligation to enter into a 14-day quarantine and the bearing of the expenses incurred with the quarantine.

(6) These measures will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Art. 6

(1) Persons entering Romania for the purpose of performing activities concerning the installation, putting into operation, maintenance, service related to medical equipment and technique are excepted from the measure of isolation at home/quarantine if they do not show COVID-19 associated symptoms and make proof of contractual relations with the beneficiary/beneficiaries on the Romanian territory.

(2) The provisions of para. (1) also apply to the equipment and technique in the scientific, economic, national defense, public order and security fields.

(3) These measures will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Art. 7

(1) The export of the agro-foods provided for in Annex 2 to this Military Ordinance is prohibited / suspended throughout the state of emergency.

(2) The export procedures for the agro-foods provided for in para. (1), which were ongoing at the date of entering into force of this Military Ordinance, are suspended throughout the state of emergency.

(3) The activity of issuing phytosanitary certificates for the export of agro-foods provided for in Annex no. 2 to this Military Ordinance is suspended during the state of emergency.

(4) These measures will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Article 8

(1) Intra – EU acquisition of agro-foods from the list provided for in Annex no. 2 is allowed only if the Member State proves that the acquired goods are exclusively for its own domestic or EU market and not for export.

(2) This measure will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Art. 9

(1) The termination or suspension of the activity of public or private social services such as residential care and assistance centers for the elderly, residential centers for children and adults, with or without disabilities, as well as for other vulnerable categories, as provided for in the Nomenclature of social services as approved by *Government Decision no. 867/2014 for the approval of the Nomenclature of social services, as well as of the framework regulations for the organization and operation of social services*, as subsequently amended and supplemented, is prohibited.

(2) Persons akin to/caretakers/legal representatives of the beneficiaries of the services provided for in para. (1) may require the transfer of the beneficiaries from the center to the domicile/residence of the persons akin to/caretakers/legal representatives, if they acknowledge, by a statement of their own responsibility, that they have adequate conditions for their temporary care.

(3) These measures will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Art. 10

(1) During the state of emergency, a 14-day preventive isolation measure at the workplace or in special dedicated areas, with restricted access from the outside, is introduced for the employees at the centers provided for in Art. 9 para. (1).

(2) The period provided for in para. (1) will be followed on a cyclical basis by a preventive isolation period at their residence of equal duration to the preventive isolation measure at the workplace, whilst the presence of the personnel in the center is ensured in shifts.

(3) Within 24 hours from the date of publication of this Military Ordinance in the Official Journal of Romania, the head of the center, his/her designated replacement or the coordinator of the specialized personnel will organize the shifts throughout the state of emergency.

(4) In absence of personnel provided for in para. (3), the director of the General Directorate for Social Assistance and the Protection of the Child, for the public social services subordinated to the General Directorate, the mayor, for the public social services organized within/subordinated to the local public administration authorities and the legal representative of the private supplier will organize the shifts throughout the state of emergency.

(5) In exceptional situations, in the case of private social services where there is no personnel as provided for in paras. 3 and 4, the county committee for special emergency situations will appoint the person responsible for organizing the shifts with a view to ensuring preventive isolation at the workplace/residence and the management of the service.

(6) The refusal of preventive isolation at the workplace by the personnel of the centers provided for in Art. 9 para. (1) will incur administrative or criminal responsibility, as the case may be.

(7) The access of visitors/persons akin to/caretakers/legal representatives of the beneficiaries of social services in the residential centers provided for in Art. 9 para. (1) is prohibited.

(8) The measure provided for in para. (7) will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Art. 11

In case the social service providers do not have their own accommodation resources for the implementation of the provisions of Art. 10 para. (2), the local public administration authorities within the jurisdiction of which the social services provided for in Art. 9 para. 1 operate, have the obligation to identify and provide, in their proximity, facilities for the accommodation of the staff isolated at work as a preventive measure, the necessary daily meals for that staff, as well as to provide transportation of the staff who is under preventive home isolation from/to the work place to/from their domicile/residence, in compliance with the measures of protection and prevention of the spread of the infection.

Art. 12

(1) The staff working in the centers mentioned in Art. 9 para. (1) will be equipped with the necessary hygienic, sanitary and protective equipment by the social service provider.

(2) This measure will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Art. 13

(1) During the state of emergency, as an exception from the legal provisions in force, in case the employees of the centers provided for in Art. 9 para. (1) resign, the notice period will be of 45 calendar days.

(2) This measure will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Art. 14

(1) In order to prevent the occurrence of outbreaks of infection, in case of manifestations of specific COVID-19 symptomatology or, as the case may be, of information pointing out the direct contact with an infected person among the beneficiaries or the personnel, the public health departments ensure the testing of the beneficiaries and of the whole personnel, at the headquarters of the social service.

(2) This measure will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Art. 15

(1) During the state of emergency, the procedures for selling / buying the majority shares of companies in the National Energy System are suspended, regardless of their form of ownership.

(2) The resumption of the procedures will be done after the termination of the state of emergency with the appropriate postponement of the deadlines provided for in the previous calendar.

(3) This measure will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Chapter II

Other measures to prevent the spread of COVID 19

Art. 16

It is recommended for the local public authorities and owners, legal or physical persons, to set up devices with disinfectant solutions at the entrance into buildings designated for collective dwelling and to periodically disinfect the elevators, hallways and other common areas inside these buildings.

Art. 17

On Thursday, Friday and Saturday prior to the two Easter fests, the food retailers may extend the opening hours if needed.

Art. 18.

(1) After para. (3) of Art. 9 of Military Ordinance no. 1/2020 on some first emergency measures regarding large gatherings of people and cross-border movement of certain goods, published in the Official Journal of Romania Part I, no. 219 of 18 April¹ 2020, a new paragraph is introduced, para. (4), with the following content:

“(4) Failure to observe the measure in Art. 5, may draw, depending on the nature and gravity of the deed, besides the main contraventional sanction, the application of the complementary contraventional sanction of seizure of the goods forbidden to be taken outside Romania for purposes of distribution”.

(2) This measure will be applied as of April 11, 2020.

Art. 19

(1) After para. (3) of Art. 9 of Military Ordinance no. 5/2020 on measures to prevent the spread of COVID 19, published in the Official Journal of Romania Part I, no. 262 of 31 March 2020, a new paragraph is introduced, para. (4), with the following content:

“(4) The measure provided in para. (2) will apply beyond the initial deadline of the state of emergency as established by Decree no. 195/2020, only if the state of emergency on the territory of Romania is extended and if the decree extending the state of emergency maintains the competence of the Minister of Internal Affairs to establish, by way of military ordinances, the gradual suspension of air traffic on different routes.”

(2) This measure will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Art. 20

(1) Military Ordinance no. 7/2020 on measures to prevent the spread of COVID 19, published in the Official Journal of Romania Part I, no. 284 of 4 April 2020, is modified and supplemented as follows:

¹ Material error - the Official Journal of Romania no. 219 was published on 18 **March** 2020 (note of the translator).

1. After Art. 9 para. (4) a new paragraph is introduced, para. (5), with the following content:

“(5) The measures provided in Art. (1) and Art. (3) will apply beyond the initial deadline of the state of emergency as established by Decree no. 195/2020, only if the state of emergency on the territory of Romania is extended and if the decree extending the state of emergency maintains the competence of the Minister of Internal Affairs to establish, by way of military ordinances, the gradual suspension of air traffic on different routes.

2. Art. 10, para. (1) is hereby modified and will have the following content:

“Art. 10 – (1) Non-regular flights (charter flights) operated by any airline economic agent licensed in accordance with the EU regulations are allowed for the transport of seasonal workers from Romania to other countries, upon the agreement of the competent authorities in the country of destination as well as of those on the country of origin.”

3. Art. 16, para. (1) is hereby modified and will have the following content:

“Art. 16 – (1) In order to prevent the spread of COVID – 19, the ministries which have their own health network and the local public administration authorities will provide to the personnel from the public health sector, upon request, accommodation for the rest between shifts and calls, as well as food – three meals a day and water”.

4. After Art. 18, para. (1) letter b), a new letter b¹) is introduced with the following content:

“b¹) The Ministry of Transport, Infrastructure and Communications, through the Romanian Civil Aeronautic Authority, for the measure provided in Art. 10”.

(2). These measures will be applied as of the date of publication of this Military Ordinance in the Official Journal of Romania, Part I.

Art. 21

(1) The following institutions are authorized to ensure the implementation and observance of the provisions of the present Military Ordinance:

- a) The Romanian Police, Romanian Gendarmerie, local police, for the measures provided in Art. 1 and Art. 3.
- b) The Ministry of Transport, Infrastructure and Communications for the measure provided in Art. 2.
- c) The Ministry of Transport, Infrastructure and Communications, the Border Police and the Public Health Divisions for the measures provided in Articles 4 - 6.
- d) The Ministry of Agriculture and Rural Development for the measures provided in Articles 7 and 8.
- e) The Ministry of Labor and Social Protection, through its subordinated institutions under its authority and coordination, as well as the heads of the local public administration authorities for the measures provided in Articles 9 – 14.
- f) The Ministry of Economy, Energy and Business Environment for the measure provided in Article 15.

(2) Failure to comply with the measures provided for in Articles 1-15 will incur disciplinary, civil, contraventional or criminal liability, in accordance with the provisions of Article 27 of Government Emergency Ordinance no. 1/1999, as subsequently amended and supplemented.

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

Art. 22

The provisions of Articles 6 and 7 of Military Ordinance no. 4/2020 on measures to prevent the spread of COVID 19, published in the Official Journal of Romania Part I, no. 257 of 29 March 2020 will cease to be in force.

Art. 23

Annexes 1 and 2 are an integral part of this Military Ordinance.

Art. 24

(1) This Military Ordinance will be published in the Official Journal of Romania, Part I.

(2) The audiovisual media service providers are obliged to inform the public, through regular broadcast messages, for at least two days from the date of publication, about the content of this Military Ordinance.

Minister of Internal Affairs
Marcel Ion Vela

Bucharest, 9 April 2020
No. 8

**State border crossing points totally or partially closed
throughout the state of emergency**

I. At the Romanian-Hungarian border:

1. Turnu, Arad County (except for the movement of cross-border workers);
2. Salonta, Bihor County - road and railway traffic (except for the road movement of cross-border workers);
3. Săcuieni, Bihor County (except for the movement of cross-border workers);
4. Valea lui Mihai, Bihor County - road and railway traffic (except for the rail freight traffic);
5. Carei, Satu Mare County.

II. At the Romanian-Bulgarian border:

1. Negru Vodă, Constanța County;
2. Lipnița, Constanța County ;
3. Dobromir, Constanța County;
4. Zimnicea, Teleorman County;
5. Turnu Măgurele, Teleorman County;
6. Bechet, Dolj County (except for the rail freight traffic).

III. At the Romanian-Ukraine border:

1. Sighetu Marmăției, Maramureș County;
2. Isaccea, Tulcea County.

IV. At the Romanian-Republic of Moldova border:

1. Rădăuți-Prut, Botoșani County;
2. Oancea, Galați County.

V. At the Romanian-Serbian border:

1. Porțile de Fier II, Mehedinți County;
2. Drobeta-Turnu Severin, Mehedinți County (except for the rail freight traffic);
3. Orșova, Mehedinți County;
4. Moldova Nouă, Caraș-Severin County;
5. Naidăș, Caraș-Severin County;
6. Vâlceni, Timiș County;
7. Stamora-Moravița, Timiș County - railway traffic (except for the rail freight traffic);
8. Lunga, Timiș County;
9. Foeni, Timiș County;
10. Jimbolia, Timiș County- railway traffic (except for the rail freight traffic).

**List of agricultural and food products for which export
is suspended/prohibited during the state of emergency**

1. Wheat and meslin – tariff code 1001;
2. Barley - tariff code 1003;
3. Oat- tariff code 1004;
4. Corn- tariff code 1005;
5. Rice- tariff code 1006;
6. Wheat flour- tariff code 1101;
7. Soya beans, even crushed- tariff code 1201;
8. Sunflower seeds, even crushed- tariff code 1206;
9. Sunflower, safflower or cotton seed oil, even refined or not chemically modified- tariff code 1512;
10. Cane sugar or bead sugar or chemically pure sucrose, in solid form- tariff code 1701;
11. Bakery products, pastry products and biscuits, even with cocoa added, blanks, empty boxes of the kind used for medicines, waffles with top, dried pasta from flour, from starch or in sheets and similar products - tariff code 1905;
12. Cake and other solid residues, even minced or agglomerated in pallets, as a result of soya oil extraction- tariff code 2304;
13. Cake and other solid residues, even minced or agglomerated in pallets, as a result of grease or vegetal oil extraction, other than those at no. 2304 or 2305 - tariff code 2306.