

General decree

Implementation of the Infection Protection

Act measures during the Corona Pandemic

Regulation of hygiene requirements to prevent the spread of the corona virus

Announcement from the Saxon Ministry for Social Affairs and Social Cohesion

from 25 June 2020, file number: 15-5422/22

The Saxon Ministry for Social Affairs and Social Cohesion issues on the basis of § 28 (1) Sentence 1 of the Infection Protection Act (IfSG) of 20 July 2000 (BGBl I p 1045), which was last amended by Art. 2 of the act from 19 May 2020 (BGBl I p 1018), the following

General decree

To prevent the spread of the corona virus in the gradual relaxation of the measures adopted during the corona pandemic, the following rules are in place:

I. General information

1. Basic tenets

- All orders and rules that currently apply in public spaces must, as far as possible, also be implemented within institutions. Reference is made to the Regulation of the Saxon Ministry of Social Affairs and Social Cohesion for protection against the corona virus SARS-CoV-2 and COVID-19 ("Corona-Schutz-Verordnung" – SächsCoronaSchVO) in the version from 25 June 2020.
- Only persons not suspected of COVID-19 may visit or use establishments, facilities or services.
- Coughing and sneezing etiquette must be observed and maintained.
- Beyond SächsCoronaSchVO, it is strongly recommended to wear a mouth and nose covering in closed rooms if the minimum distance of 1.5 meters cannot be maintained.
- Distance markers on the floor can be helpful for orientation. If necessary, the distancing rules must also be posted out in front of the building.
- Narrow areas should be avoided and if needed redesigned. Measures to direct visitors should be taken.
- Orchestras, choirs and singing groups should follow the hygiene rules for music schools in Point II. 4. in maintaining larger minimum distances.
- Signs/posters should clearly and concisely present all hygiene requirements applicable at the respective location, if necessary using pictograms.
- Measures must be taken to ensure that all persons can wash or disinfect their hands after entering the places referred to in Section II.

- Frequent hand washing and, if necessary, disinfecting is preferred over wearing disposable gloves.
- Opportunities for voluntary guest and visitor registration should be provided to facilitate contact tracing.
- Cashless payment is recommended; further interactive actions with additional touching (key operation, touch screens, etc) should be avoided.
- Rooms used must be frequently thoroughly ventilated.
- Preference should be given to stays and activities outdoors over confined spaces.
- A responsible person for compliance with hygiene and infection protection requirements is to be named.
- Employers have to carry out special occupational safety measures based on an updated risk assessment. The SARS-CoV-2 occupational safety standard published by the Federal Ministry of Labour and Social Affairs and, if available, its industry-specific adaptation by the responsible accident insurance institution or supervisory authority must be taken into account.
- In accordance with § 4 (2) of the SächsCoronaSchVO, hygiene concepts to be drawn should be based on current existing sector-specific or trade-specific concepts.
- Facilities and businesses according to § 4 (4) SächsCoronaSchVO must have their concepts approved by the responsible local authorities.

2. Air conditioners, room ventilation systems

- Since the use of the rooms cannot avoid swirling the air, distancing rules and hygiene measures remain unaffected by the ventilation concept of a room.
- Ventilation in areas **with** special medical requirements

For ventilation systems in areas with special medical requirements, eg patients under intensive care, the flow requirements according to the applicable standards or recommendations (eg of the German Society for Hospital Hygiene) for ventilation systems in medical facilities must be observed.

- Ventilation in areas **without** special medical requirements

For other spaces in the medical and care sector, no additional requirements for ventilation measures in connection with the pandemic will be imposed. COVID-19 patients do not have to be accommodated in rooms with forced ventilation; existing ventilation does not have to be switched off.

Since experts (e.g. VDI Clean Air Commission) currently estimate the probability of transmission of SARS-CoV-2 via air conditioning systems (HVAC) in restaurants, shops, etc. to be very low, air conditioning systems should not be switched off. The requirements of guideline VDI 6022 apply; Maintenance must be carried out regularly. For air handling units with outside air, the outside air volume should be increased in order to achieve a corresponding air exchange. In

rooms with HVAC systems without outside air supply and in rooms without mechanical ventilation, cross ventilation should be used as often as possible during use, since fresh air contributes to the rapid dilution of possible viral loads.

II. Special regulations

The following special regulations are made:

1. Hygiene rules for the distribution of food for direct consumption and catering, for hotels and accommodations

- A hygiene and infection protection concept must be drawn up and implemented for all facilities. It is mandatory to include the provisions in this general decree. Any additional or deviating provisions in the general decree governing the operation of day care facilities and schools must be observed by the respective facilities. For gastronomy businesses, current industry concepts and standards also apply.
- In the hygiene concepts of the facilities, stipulations for covering the mouth and nose of staff with customer contact must be made. Wearing a mouth and nose covering is strongly recommended when in direct contact with the customer if no other protective measures are possible.
- Catering businesses, hotels and accommodation facilities must inform visitors in the entrance area with information boards or pictograms about the hygiene rules according to the hygiene and infection protection concept.
- A distance of at least 1.5 metres must be maintained between the occupied tables.
- Particular care must be taken to comply with hygienic criteria when cleaning and washing dishes, glasses and cutlery. Dishes, glasses and cutlery must be completely dry before reuse.
- The following applies to self-service: Cutlery must be handed out individually by the service staff. Tray and tableware removal points as well as food offered in buffet form must be protected from sneezing and coughing by customers. Tongs or similar aids must be used for self-service food handling. Tongs or similar aids must be cleaned and disinfected regularly. Compliance with the hygiene rules for buffets must be monitored by service personnel. The formation of queues should be avoided.
- When handling food in these establishments, the general rules of food hygiene when preparing, dispensing and transporting food and everyday hygiene must be observed. Regular hand washing must be ensured.
- Disinfectant dispensers must be set up in the entrance area to the dining room, in outdoor dining areas and on the toilets.
- Cashless payment is recommended for hygienic reasons.
- Persons suspected of having COVID-19 or those tested positive for coronavirus are prohibited from working in the above-mentioned facilities. Following positive detection of coronavirus, a minimum of 14 days quarantine and no symptoms for at least 48 hours must be demonstrated before resuming work. Other work and employment restrictions according to IfSG remain unaffected.

- In playrooms or play areas for children in catering establishments, attention should be paid to the minimum distance between children of different households. Hands should be washed after use. Only toys that are easy to clean should be available.
- Shisha smoking in catering and comparable establishments is permitted provided that it is ensured that one shisha/hookah is used per person (except for people who belong to a household), disposable hoses and disposable mouthpieces are used, preparation of the shisha with gloves and mouth coverings are used and every shisha is thoroughly cleaned and disinfected after use. This also includes cleaning the glass body with a disinfecting detergent. After cleaning, the glass body must be completely dried. The glass may only be filled with water again immediately before the next use.
- Catering establishments, hotels and accommodation facilities are not allowed to hold dance events.
- Personnel must be trained and instructed on compliance with hygiene rules during the corona pandemic.
- When accommodating in collective lodging, compliance with the SARS-CoV-2 occupational safety standards published by the Federal Ministry of Labor and Social Affairs must be ensured. If areas in the accommodation must nevertheless be used by different persons, e.g. common areas, sanitary rooms and kitchens, organisational measures must be taken to avoid contact between the individual persons if the minimum distance of 1.5 metres cannot be guaranteed. For example, different times-of-use that are determined in advance are suitable. In addition, time breaks must be provided between the respective uses in order to consistently exclude contacts. Furthermore, the rooms must be adequately ventilated between uses.

2. Hygiene rules for shops and stores of all kinds

- According to § 2 (5) Sentence 1 Number 1 and Sentence 2 SächsCoronaSchVO, staff in contact with customers must wear a mouth and nose covering if no other protective measures (eg acrylic glass panes) have been taken, and customers must wear a mouth and nose cover when visiting the shop.
- In the entrance area, disinfectants are to be made available to customers for use and signs are to indicate their use. Customers must be informed by means of a notice that entering the shop while suspected of having COVID-19 is not permitted. Cash registers with employee operation are to be shielded by fixtures (eg acrylic glass panes). Surfaces and objects frequently touched by customers, including handles of shopping baskets and trolleys, must be cleaned and disinfected regularly – at least twice per work day, but if possible after each use by a customer. For this purpose, the stores develop hygiene plans taking into account the individual conditions as well as the current industry standards, which must be presented to customers and authorities for inspection upon request.
- Through markings on the floor, compliance with the minimum distancing should be ensured in the checkout area. As far as technically possible, cashless payment is to be offered and recommended.

- Depending on the size of the shop or store and the spatial conditions, the responsible persons determine upper limits for the number of customers that can be tolerated in the store at the same time, which enable the minimum distance to be safely maintained. When this number of customers is reached, access regulations must ensure that the permitted number is not exceeded ("one in - one out").
- Persons suspected of having COVID-19 or those tested positive for coronavirus are prohibited from working in the above-mentioned facilities. Following positive detection of coronavirus, a minimum of 14 days quarantine and no symptoms for at least 48 hours must be demonstrated before resuming work. Other work and employment restrictions according to IfSG remain unaffected.
- Personnel must be trained and instructed on compliance with hygiene rules during the corona pandemic.

Additional special hygiene rules in **food retail**

- In self-service of loose food that is not washed or peeled before consumption, tongs or comparable tools or disposable gloves must be used by the customer. The tongs or similar tools must be cleaned and disinfected regularly.

3. Hygiene rules for businesses, craft and service businesses as well as facilities, public means of transport and gatherings in public spaces including trade fairs

- The operator should ensure through access restrictions and organisational rules that the minimum distance of 1.5 metres can be maintained in all areas.
- Depending on the size of the facility and the spatial conditions, an upper limit for the number of persons present at the same time must be specified in the concept to enable the minimum distance to be maintained.

Additional special hygiene rules for **hairdressers and related service providers (such as foot care places, nail salons, beauty salons, but also piercing or tattoo studios and massage parlours)**

- The distancing rule of at least 1.5 metres must be observed among customers and among staff and between work stations. Distance markers on the floor can be helpful for orientation.
- For physical reasons, the distance regulation between the customer and the respective practitioner cannot be observed during the treatment. Therefore, a mouth and nose covering must be worn by either or both the staff and client during the entirety of the treatment. Customers have to bring their own mouth and nose covering.
- As it is not possible to wear a mouth and nose covering on a face being treated, personnel in these cases must wear an FFP2 mask without an exhalation valve and must protect their eyes, eg with safety goggles.

- Organisational precautions must be taken to ensure that all persons wash or disinfect their hands immediately after entering the facility. Sufficient suitable installations must be available for washing hands (with an appropriate distance between them), equipped with liquid soap and with disposable towels for drying. Electric hand dryers are less suitable, but can be kept if they are already installed.
- The routine cleaning of surfaces and objects and their frequency must be maintained. Equipment used (scissors, combs, hair clippers, capes, etc) must be processed in the usual way after application to the customer. Surface disinfection beyond this is not recommended. There are no special cleaning obligations for the rooms used or obligations to provide disinfectants. All contamination, especially of work surfaces in connection with visitor traffic, must be removed immediately.
- In addition, the relevant provisions in the Regulation of the Saxon State Ministry for Social Affairs for the prevention of communicable Diseases (Sächsische Hygiene-Verordnung – SächsHygVO) from 7 April 2004, legally revised as of 28 December 2009, are to be referenced.

4. Hygiene rules for music schools

- Depending on the size of the facility and the spatial conditions, an upper limit for the number of students present at the same time must be specified in the concept, which allows the minimum distance to be maintained.
- Classes should be organised to observe the minimum distancing rules. For wind instrument players, a distance of 3 metres to the next person in the blowing direction and of 2 metres from the side to the next person should be observed. For singers, the recommended distance to the next person in the singing direction is 6 metres and to the side is 3 metres.
- In the case of wind instruments, the condensed water must be collected. Used disposable wipes are to be collected and disposed of in tear-proof trash bags. Textile cloths must be washed accordingly after use.
- After the lesson, ventilate thoroughly.

5. Hygiene rules for health and social care facilities

- The relevant recommendations of the Commission for Hospital Hygiene and Infection Prevention and of the Robert Koch Institute must be observed.
- Hospitals, prevention or rehabilitation facilities in which medical care comparable to that provided by hospitals is provided, all other health care facilities, including practices of human medical health care professions, outpatient nursing services, full or partial inpatient facilities for the care and accommodation of the elderly, disabled or persons in need of care as well as homes for minors must, in accordance with §§ 23 or 36 of the Infection Protection Act, specify internal procedures for infection hygiene in hygiene plans. This also includes the corresponding regulations for the prevention of SARS-CoV-2 infection. For facilities according to § 6 (1) No. 1 and No. 2 SächsCoronaSchVO applies in addition to § 36 (1) Sentence 1 No. 2

Infection Protection Act, and § 3 (2) No. 10 and No. 12 of the Saxon Care and Housing Quality Act.

6. Hygiene rules for child and youth welfare services

- The providers of child and youth welfare services according to §§ 11 to 14, § 16, § 29 and § 32 SGB VIII must draw up concepts that contain measures for visitor guidance, spacing and basic hygiene measures and are based on the general hygiene rules of this general decree. The concepts must be communicated to the relevant local authority and implemented.
- The following hygiene rules must also be observed for **child and youth welfare measures**:

The participants including handlers should take into account the local conditions and the separability of the groups. The measures should be carried out in fixed groups; contact with other groups or individuals should be avoided if possible. The organiser's hygiene concept shall be drawn up taking into account the hygiene concept of the accommodation facility.

7. Hygiene rules for low-threshold/open services (eg senior citizens' meeting places, family centres, services for people with disabilities, mentally ill or addicted people and self-help groups) with the exception of the regulatory area of children and youth

- A hygiene and infection protection concept must be drawn up and implemented for all facilities. It is mandatory to include the general provisions of this general decree.
- Depending on the size of the facility and the spatial conditions, an upper limit for the number of persons present at the same time must be specified in the concept to enable the minimum distance to be maintained.
- The owner must ensure, in particular by means of access restrictions and organisational regulations, that the minimum distance can be maintained in all areas.

8. Hygiene rules for integration assistance services for people with disabilities

- For semi-stationary services for children and adolescents with disabilities, such as all-day care/holiday care, in which integration assistance services are provided in accordance with SGB IX, the provisions of this general decree and the general decree regulating the operation of day care facilities and schools in connection with the fight against the SARS-CoV-2 pandemic apply accordingly.
- The management of a workshop for handicapped persons or the management of another service provider according to § 60 SGB IX has for residents of
 - a) facilities for adult persons with mental or psychological disorders,
 - b) facilities for adults with disabilities and

c) outpatient residential communities and residential groups with people with disabilities according to § 2 (2) and (3) of the Saxon Care and Housing Quality Act, insofar as Part 2 of the Care and Housing Quality Act applies to them,

to agree on the hygiene concept according to § 4 (2) of the SächsCoronaSchVO with the respective management of the living facility for workshop employees. For this, rules are to be made in connection with the return to the institution, in particular regarding transport and work flows.

- For regular trips by driving services for the purpose of transporting people with disabilities between their place of residence and the institution, a mouth and nose covering must be worn; § 1 (2) Sentences 3 to 5 of the SächsCoronaSchVO apply accordingly. The hygiene concept of the driving service according to § 4 (2) of the SächsCoronaSchVO is to be coordinated with the respective institutions.

9. Hygiene rules for semi-residential care facilities in accordance with Book XI of the German Social Security Code (SGB XI)

The providers of day care facilities according to § 71 (2) No. 2 2 Alternative SGB XI are according to § 36 (1) Sentence 1 No. 2 Infection Protection Act obligated, within the framework of a hygiene plan or an independent concept, to establish specifications for entering and leaving the facilities for the care of day guests. In particular, the concept must contain regulations on hygiene measures, the number of guests cared for, the duration of the visits, transport to the facility and home and the traceability of any chains of infection. It is mandatory to include the provisions in this general decree.

10. Hygiene rules for sports facilities, fitness and sports studios as well as dance schools

- The number of athletes, dancers or dance couples permitted in each case depends on the sport in question and must enable the minimum distance of at least 1.5 metres to be maintained during training and must be reflected in the concept of the sports facility or institution.
- The minimum distance must be observed wherever possible.
- The minimum distance must also be observed in the changing areas and sanitary areas. Under these conditions, it is also possible to open changing rooms and showers. Facilities for washing hands (with an appropriate distance between them) must be equipped with liquid soap and disposable towels for drying. Electric hand dryers are less suitable, but can be kept if they are already installed.
- Training sessions shall be designed so that physical contact is kept to a minimum. During practice games and competitions, additional physical contact (joint goal celebration, etc.) is to be avoided.
- For contact sports (sports that require or emphasise physical contact between players), a change of training partners during training shall be minimised.

- There is no obligation to wear mouth and nose coverings in the sports facilities. During the training period, the repeated putting on and taking off of the mouth and nose coverings is to be avoided, as this creates a higher risk of infection.
- The opening of dance schools is allowed for private lessons and for fixed couples (i.e. no classes with changing partners) as well as solo dancers. Dance teachers and assistants may dance together. Extra classes for risk groups (eg dance classes for seniors) should not be offered.
- Training equipment must be cleaned after use.
- If possible, payment should be made by bank transfer and the counter should be equipped with protective fixtures (eg acrylic glass panels).
- Sports facilities, fitness and sports studios as well as dance schools may not be opened to the public (spectators, chaperones, etc). Sports events with an audience are prohibited.

11. Hygiene rules for sports facilities for athletes for whom there is an employment contract that obliges them to perform sports for a fee and this is mainly used to ensure their livelihood

- Training and competitions are to be carried out in accordance with the requirements of the federal professional associations.
- According to the SächsCoronaQuarVO, all persons who enter the Free State of Saxon from abroad and have stayed at any time within 14 days before arrival in a state or region designated by the Robert Koch Institute as a risk area, must be in home quarantine for 14 days. These persons are therefore prohibited from visiting the sports facilities.

12. Hygiene rules for public baths (also when part of hotels and accommodation facilities)

- An individual hygiene concept, including the use of slides, diving platforms, etc., must be drawn up for each pool, based on the recommendations of the relevant professional associations, e.g. the Pandemic Plan for Baths of the Deutsche Gesellschaft für das Badwesen e.V.
- The principles and contact restrictions applicable according to §§ 1 and 2 of the SächsCoronaSchVO also apply at public baths. In particular, the minimum distance of 1.5 metres to other people must be maintained.
- The operator has to ensure through access restrictions and organisational regulations that the minimum distance can be maintained both in the water and in all areas outside the water, eg on sunbathing areas, in changing rooms, sanitary rooms and in the checkout area.
- Depending on the size of the pool and the space available, an upper limit should be set for the number of bath guests present at the same time, which will allow the minimum distance to be maintained.

- Rules of conduct and hygiene requirements must be communicated to bathers (eg by means of signs) and compliance must be ensured.

13. Hygiene rules for saunas (also when part of hotels and accommodation facilities)

- Only dry saunas with a temperature of at least 80°C may be operated; infusions are not permitted.
- Steam baths and steam saunas may not be operated.
- The principles and contact restrictions according to §§ 1 and 2 of the SächsCoronaSchVO also apply at saunas. In particular, the minimum distance of 1.5 metres to other people must be maintained.
- The operator must ensure through access restrictions and organisational regulations that the minimum distance can be maintained within the sweat rooms and in all other areas, eg in rest areas, cooling areas, changing rooms, sanitary rooms and the cash desk area.
- Depending on the size of the sauna and the spatial conditions, an upper limit must be set for the number of people present at the same time to ensure that the minimum distance is maintained.
- Rules of conduct and hygiene regulations must be communicated to the sauna guests and compliance must be ensured.
- An individual hygiene concept must be drawn up for each facility, based on the recommendations of the relevant professional associations, eg the infection protection concept for public sauna facilities of the Deutscher Sauna-Bund e.V.

14. Hygiene rules for travel by coach bus

- A hygiene and infection protection concept must be drawn up and implemented. It is mandatory to include the general provisions of this general decree.
- Precautions must be taken to ensure that all persons disinfect their hands every time they enter the bus.
- Wearing a mouth and nose covering is in accordance with § 2 (5) Sentence 1 No. 1 SächsCoronaSchVO mandatory, but not for the staff, insofar as other protective measures have been taken or there is no direct customer contact.
- Coaches must be frequently thoroughly or permanently ventilated.

III. Further hygiene measures shall remain reserved.

IV. This general decree comes into force on 27 June 2020. It is valid up to and including 17 July 2020.

Legal appeal instructions

An action against this general order can be filed within one month of its notification at the locally responsible Saxon Administrative Court in writing, for the minutes of the clerk of the court's office or electronically in a form approved for the replacement of the written form.

The Saxon Administrative Court in whose district the plaintiff has his seat or residence is locally responsible:

- Administrative court Chemnitz, Zwickauer Straße 56, 09112 Chemnitz,
- Administrative Court Dresden, Specialist Court Center, Hans-Oster-Strasse 4, 01099 Dresden,
- Administrative Court Leipzig, Rathenaustrasse 40, 04179 Leipzig.

For plaintiffs without domicile or residence in the Free State of Saxony, the administrative court of Dresden, Fachgerichtszentrum, Hans-Oster-Straße 4, 01099 Dresden, is locally responsible.

The lawsuit must identify the plaintiff, the defendant (Free State of Saxony) and the subject of the claim, and should contain a specific request. The facts and evidence in support should be stated and a copy of the contested decision of general application should be attached. The application and all pleadings shall be accompanied by copies for the other parties.

Notes on the right of appeal

- An objection procedure is not planned against administrative acts of the Saxon State Ministry for Social Affairs and Social Cohesion. By filing an appeal the time limit for bringing an action is not observed.
- The filing for a legal remedy by simple e-mail is not permitted and leads to no legal effects.
- If a complaint is filed in an admissible electronic form, the electronic document must either be provided with a qualified electronic signature of the person responsible, or be signed by the person responsible and submitted via a secure means of transmission in accordance with § 55a (4) of the Administrative Court Regulation (VwGO). Further requirements for the transmission of the electronic document are set out in Chapter 2 of the Regulation on the technical framework for electronic legal transactions and on the special electronic mailbox for public authorities (Elektronischer- Rechtsverkehr-Verordnung - ERVV).
- Under federal law, a procedural fee is due in litigation before the administrative courts as a result of the filing of the lawsuit.

Dresden, 25 June 2020

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