



Prague, 30 April 2020

Ref. No.: MZDR 18032/2020-1/PRO

MZDRX01A36VV

## CANCELLATION OF EXTRAORDINARY MEASURE

The Ministry of Health, as the competent administrative authority, pursuant to Section 80(1)(g) of Act No. 258/2000 Coll., on Public Health Protection and amendments to certain related acts, as amended (hereinafter referred to as “Act No. 258/2000 Coll.”), proceeding pursuant to Section 94a(4) of Act No. 258/2000 Coll.,

I.

**cancels the extraordinary measure of 10 March 2020, Ref. No. MZDR 10676/2020-1/MIN/KAN.**

II.

This cancellation takes effect from the moment of issuing this measure.

### **Rationale:**

Under the extraordinary measure of 10 March 2020, Ref. No. MZDR 10676/2020-1/MIN/KAN (hereinafter referred to as the “Extraordinary Measure”), the Ministry of Health prohibited, effective from 11 March 2020:

- the personal presence of pupils and students at elementary, secondary and higher vocational education at schools and educational facilities pursuant to Act No. 561/2004 Coll., on Preschool, Elementary, Secondary, Higher Vocational and other Education (the Schools Act), as amended,
- the personal presence of students at university studies pursuant to Act No. 111/1998, on Higher Education Institutions and on the amendments to other acts (the Higher Education Act), as amended.

Applying Section 94a(4) of Act No. 258/2000 Coll., it applies that if the reasons for issuing the extraordinary measure were to pass or change, the public health protection authority will immediately cancel or change the measure.

The Ministry of Health is aware from its ex offio activities that this extraordinary measure, which led to the closing of primary and secondary schools and universities, was replaced with the Ministry's extraordinary measure of 15 April 2020, Ref. No. MZDR 16184/2020-1/MIN/KAN. This was further cancelled by the extraordinary measure of 23 April 2020, Ref. No. MZDR 16184/2020-2/MIN/KAN, with the justification that with regard to the ruling of the Municipal Court in Prague of 23 April 2020, Ref. No. 14 A 14/2020-111, the Government of the Czech Republic has decided to adopt a crisis measure of similar content on 23 April 2020, through Government Resolution No. 456 published under No. 198/2020 Coll.

The Ministry of Health is also aware that the aforementioned extraordinary measure of 10 March 2020, Ref. No. MZDR 10676/2020-1/MIN/KAN, was cancelled under paragraph II of Government Resolution No. 201 of 12 March 2020, declared number No. 74/2020 Coll., but not explicitly by the Ministry of Health as the public health protection authority, which issued it.

Because the assessment of this cancellation by the government could be considered void due to a lack of authority on the part of the government, and because the given extraordinary measure of the Ministry has no further legal effect (see above), the Ministry of Health considers it desirable to explicitly cancel this extraordinary provision for reasons of legal certainty. Therefore, the Ministry does so under this measure.

Mgr. et Mgr. Adam Vojtěch, MHA  
Minister of Health

*Signed electronically*

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Electronic signature - 30 April 2020  
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