



Prague, 16<sup>th</sup> November 2020

Ref. no.: MZDR 20599/2020-37/MIN/KAN

## PROTECTIVE MEASURE

The Ministry of Health, as the administrative authority with the appropriate jurisdiction under Section 80(1)(h) of Act No. 258/2000 Coll., on the Protection of Public Health and on Amendments to Certain Related Acts, as amended (hereinafter referred to as “Act No. 258/2000 Coll.”) **decrees**, under the procedure defined in Section 68(1) of Act No. 258/2000 Coll., the following Protective Measure aiming to provide protection from introduction of the disease COVID-19, caused by the new coronavirus SARS-CoV-2, into the country:

### I.

With effect as of 17<sup>th</sup> November 2020 at 00:00 hours,

#### I. it has been decreed

1. that all persons who entered the territory of the Czech Republic after 17<sup>th</sup> November 2020, 00:00 hours,
  - a) and who are exhibiting any signs of a starting infectious disease (including but not limited to an increased temperature, cough, shortness of breath, digestive problems, loss of the sense of smell, overall weakness and possibly other symptoms) shall immediately report this fact over the telephone or by another means of remote access to their registering provider of medical services in the field of general medical care or general medical care for children and adolescents or, if they do not have a registering provider, to any provider of general medical care or general medical care for children and adolescents,
  - b) shall submit themselves, when crossing the state border, to a medical examination in order to be checked for symptoms of an infectious disease, and if symptoms of an infectious disease are identified, they shall provide medical staff with the cooperation necessary for taking of a biological sample for the purpose of testing for the presence of COVID-19;
2. that all persons who were staying for more than 12 hours during the last 14 days in the territories of those countries, which are not on the list of countries with a low risk of transmission of COVID-19 under point III.1 hereof, shall report this fact immediately before entering the territory of the Czech Republic by filling in electronic form as mentioned under point III.4, to a regional Public Health Office with jurisdiction over the person's normal place of residence or registered place of residence, shall present the certificate (passenger card received on filling in the electronic form) on request during the border control or residence check and within five days of their entry into the territory of the Czech Republic shall submit themselves, at their own expense, to an RT-PCR test for the presence of SARS CoV-2, unless the Public Health Protection Authority decides on a case-by-case basis on other quarantine measures in accordance with Act No. 258/2000 Coll. and on the duration of such measures; this does not apply to:

- a) international transport workers, if the reason for entry is supported by an adequate document,
  - b) EU citizens, including citizens of the Czech Republic and foreign nationals with permitted long-term or permanent residence in the European Union who transit across the Czech Republic for up to 12 hours or who travel to or from the Czech Republic for urgent health, family, business or work reasons for the period of time not exceeding 24 hours,
  - c) accredited members of diplomatic missions in the Czech Republic including private servants, holders of diplomatic passports who are travelling to the Czech Republic for the purpose of diplomatic service and officials of international organisations registered with the Ministry of Foreign Affairs, provided that their stay in the country does not exceed 14 days,
  - d) persons below the age of 5,
  - e) citizens of the Czech Republic, citizens of the European Union and their family members with their place of residence in the territory of the Czech Republic and foreigners with a residence permits for a stay over 90 days issued by the Czech Republic who travel with a tour operator or via travel agency but only in regions as mentioned in the list under clause III.1,
  - f) cross-border workers, pupils and students who for the purpose of work performance or education on a regular basis at least once a week justifiably cross the state border with the Czech Republic from or to the neighbouring state;
3. that regional Public Health Offices shall decide on the necessary quarantine measures for those persons who report their entry into the territory of the Czech Republic under point I.2 and within 7 days of their entry into the territory of the Czech Republic fail to present the regional Public Health Office with the territorial jurisdiction the result of their RT-PCR test for the presence of SARS CoV-2 from the territory of the Czech Republic, and if the test proves the presence of SARS CoV-2, the regional Public Health Offices shall decide on isolation under Section 64(a) in conjunction with Section 2(6) and (7) of Act No. 258/2000 Coll., on the Protection of Public Health and on Amendments to Certain Related Acts, as amended;
  4. that it shall be prohibited to enter the territory of the Czech Republic for all third country nationals of those countries that are not on the list of countries, which have a low risk of transmission of COVID-19 pursuant to point III.1 hereof, and for third country nationals who are temporary or permanent residents in such third countries; this does not apply to:
    - a) foreign nationals with a long-term residence permit or permanent residence permit for residence in countries with a low risk of transmission of COVID-19 under point III.1,
    - b) holders of a valid long-term visa, a long-term, temporary or permanent residence permit card for residence in the territory of the Czech Republic, issued by the Czech Republic,
    - c) foreign nationals who were issued a short-term visa by the Czech Republic after 11 May 2020,

- d) foreign nationals with permitted long-term or permanent residence in the European Union,
  - e) family members within the meaning of Section 15(a) of Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic and on Amendments to Certain Acts, as amended, citizens of the Czech Republic or citizens of the European Union with their place of residence in the territory of the Czech Republic,
  - f) foreign nationals whose entry into the country is in the interest of the Czech Republic, provided that the reason for their entry into the country is supported by an adequate document,
  - g) international transport workers, provided that the reason for their entry into the country is supported by an adequate document,
  - h) accredited members of diplomatic missions in the Czech Republic including private servants, holders of diplomatic passports who are travelling to the Czech Republic for the purpose of diplomatic service provided that their stay in the country does not exceed 14 days and officials of international organisations registered with the Ministry of Foreign Affairs,
  - i) in special urgent situations (the need to provide planned medical services, performance of an obligation imposed by a court, a trip based on a summons from a government authority, execution of a judgment, dealings with public authorities, necessary care for close family members who are unable to take care of themselves on their own, exercise of the right to take care of a minor child or be in contact with a minor child, other humanitarian situations), provided that the reason for the entry into the country is supported by an adequate document,
  - j) for a foreign national who has a demonstrable permanent partnership with a citizen of the Czech Republic or with the EU citizen with temporary residence certificate for a stay of over 90 days or with permanent residence permit, who has accepted the obligations set out in point I.5, lives demonstrably in the same household with him or her and has been admitted to the territory of the Czech Republic pursuant to this point based on a confirmation issued by the Ministry of Foreign Affairs;
5. that all entities receiving foreign nationals in the country for the purpose of economic activities or educational activities who entered the territory of the Czech Republic after 1 July 2020 shall ensure the following for such foreign nationals:
- a) accommodation for the entire duration of their stay in the territory of the Czech Republic, including the place where the quarantine measure will be implemented, if such a measure is ordered by a Public Health Protection Authority,
  - b) medical care or a registering provider of medical services for the entire duration of their stay in the territory of the Czech Republic,
  - c) payment for the medical care, unless the payment is secured otherwise; this does not apply to foreign nationals with a long-term residence permit,
  - d) their return to their country of origin if the purpose of their stay in the territory of the Czech Republic is terminated; unless is provided otherwise; this does not apply to foreign nationals with a long-term residence permit;

6. that all third country nationals shall enclose with their application for a residence permit for the purpose of economic activities or educational activities, filed with the relevant embassy of the Czech Republic, a document referred to in Section 31(3)(b) of Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic and on Amendments to Certain Acts, as amended, which will contain the obligations of the entity referred to in point I.5 and shall enclose such a document with their application no later than before a visa is marked in a travel document;
7. not to receive applications for visas and temporary and permanent residence permits at the embassies of the Czech Republic in third countries, with the exception of applications for:
  - a) short-term seasonal work visas or short-term employment visas, provided that the foreign national will be employed in food production, health care or welfare services; or short-term work visas if they are submitted on Ukraine by Ukrainian citizens, unless the maximum of such visas set by the Ministry of the Foreign Affairs after negotiations with the Ministry of Health is exceeded,
  - b) short-term visas for scientific, key and high-skilled workers, provided that the conditions defined in the Key and Scientific Staff Programme and the High-skilled Employee Programme have been met, and for critical infrastructure maintenance workers,
  - c) short-term visas based on the grounds defined in points I.4 (e) through (j),
  - d) long-term seasonal work visas,
  - e) special work visas,
  - f) temporary residence permits, if the applications are filed by foreign nationals included in the government Programmes for Gaining Economic or Other Significant Benefits for the Czech Republic;
  - g) permanent residence permits, if the applications are filed by foreign nationals included in the government programme referred to in Government Resolution No. 1014/2014,
  - h) Blue card, long-term residence permits for the purpose of scientific research and applications for a residence permit for a stay over 90 days for spouses and minor children of scientists or applications for a Blue card,
  - i) long-term visas and long-term residence permits for the purpose of studies,
  - j) long-term or permanent residence permits for the purpose of reunification of family in the country and applications for long-term visas for family purposes, if this concerns a spouse and minor children of a foreign national with long-term or permanent residence permits for residence in the territory of the Czech Republic,
  - k) a long-term visa for the purpose of collecting a residence permit in the territory of the Czech Republic,
  - l) a long-term visa for cultural purposes, sports-related purposes and for the purpose of a sabbatical,
  - m) residence permit, if the entry of these foreigners is in the interest of the Czech Republic, if the interest of the Czech Republic is supported by an appropriate document;

these exceptions only apply to applications for visas and temporary residence permits filed at the embassies of the Czech Republic in those countries where the measures implemented due to the COVID-19 pandemic allow for receiving such applications; the Ministry of Foreign Affairs will publish the list of such countries in such a way that it will be possible to access the list remotely;

8. to discontinue all proceedings regarding applications for residence permits for a stay over 90 days filed at the embassies of the Czech Republic, with the exception of proceedings regarding applications filed at the embassies of the Czech Republic in those countries whose measures implemented due to the COVID-19 pandemic allow for carrying out acts within the proceedings; the Ministry of Foreign Affairs will publish the list of such countries in such a way that it will be possible to access the list remotely;
9. to mark a visa in a travel document at the embassies of the Czech Republic only in case of applications which may be accepted as referred to in point I.7, with the exception of point I.7 letter (i) where there are only visa related to applications for residence permits for the purpose of studying in an accredited study programme at a university and within the “Accelerated procedure for granting residence permits for foreign nationals – foreign students from third countries” programme marked; this also applies to applications received a day before this Protective Measure has come into effect;
10. that all persons referred to in point I.2, including the persons referred to in points I.2 (a) through (c) and (e), shall be required to wear respiratory protective equipment for the period specified in point II hereof or for a period of 10 days, particularly if these are the persons referred to in point I.2(a), unless the period defined in point II hereof can be applied;
11. employers and end-users of workers who are nationals of countries not on the list of countries with low risk of COVID-19 or who are nationals of the countries referred to in point III.1, who have resided for more than 12 hours in the last 14 days with the exception of those travelling with a travel agency as referred to in point I.2 (e) or those in accordance with point I.2 (f), shall prevent the entry of these persons to all establishments and workplaces of the employer, unless these persons simultaneously submit to the employer or end user for whom they perform work the negative result of RT-PCR test for the presence of SARS CoV-2 undergone in the territory of the Czech Republic, or as referred to in clause III.5; the same obligation is applied to educational institutions in relation to students and teachers;
12. to foreigners detained pursuant to Section 27 of Act No. 273/2008 Coll., On the Police of the Czech Republic, or pursuant to Act No. 326/1999 Coll., On the stay of foreigners in the territory of the Czech Republic and on the amendment of certain acts, as amended taking a biological sample to detect the presence of COVID-19 and providing healthcare professionals with the necessary cooperation in carrying out this collection at a sampling centre, a health care facility or a detention facility for foreigners;
13. that international bus carriers and air transporters are to prevent those who travel from third countries or their parts that are not on the list of countries or their parts with a low risk of transmission of COVID-19 under point III.1 and who are required to fill in the electronic form as referred to in point I.2, from using their services, if they do not submit the certificate received on filling in the electronic form.

## **II. prohibits**

all persons referred to in point I.2, including persons as referred to in point I.2 (a) through (c) and (e), from freely moving around the territory of the entire Czech Republic during their

stay in the territory of the Czech Republic, or for a period of 10 days, or until they present the result of an RT-PCR test for the presence of SARS CoV-2 as referred to in point I.3 or until the termination of the quarantine measure, with the exception of the following:

- a) trips to work and movement involved in performing a job, and trips taken to perform business or other similar activities, including trips to educational institutions and any movement involved in performing this activity; this does not apply to proceedings referred to in point I.11,
- b) trips absolutely necessary to procure basic necessities of life, to take care of children or to take care of animals; the use of necessary financial and postal services; refuelling vehicles,
- c) trips to medical facilities and welfare facilities,
- d) trips taken to take care of urgent official matters,
- e) trips back to one's place of residence,
- f) funerals;

This prohibition does not apply to persons below the age of 5.

To foreigners referred to in clause I.11, the free movement restriction applies for a period of 10 days.

### **III. provides**

1. that the list of the countries or their parts with a low risk of transmission of COVID-19, including the countries labelled for purposes in accordance with point I.11, and regions for purposes in accordance with point I.2 (e), is defined based on criteria listed in the Council Recommendations, which are:
  - a) the "14-day cumulative COVID-19 case notification rate", that is, the total number of newly notified COVID-19 cases per 100 000 population in the last 14 days at region level,
  - b) the "test positivity rate", that is, the percentage of positive tests among all tests for COVID-19 infection carried out during the last week, and
  - c) the "testing rate", that is, the number of tests for COVID-19 infection per 100 000 population carried out during the last week; this rate must be at least 300 per 100 000 population;

there are always listed those European Union Member States that notify in the case of point (a) the maximum value of 25, whereas at the same time they do not notify in the case of point (b) the value of or exceeding 4 %;

for the purposes of the point I.11 there are marked those European Union Member States that notify in the case of point (a) the value lower than 250, whereas at the same time they notify in the case of point (b) the value of 4 % or higher, or they notify in the case of point (a) the value in the range from 25 to 350 but at the same time they notify in the case of point (b) the value of 4 % or lower;

the list of the countries is defined by a notice published on the website of the Ministry of Health;

2. that a third country national is any foreign national other than a citizen of the European Union and other than a foreign national within the meaning of Section 1(3) of Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic and on Amendments to Certain Acts, as amended,
3. that in the event of a change of the entity with which the foreign national will perform an economic activity or educational activity, carried out in accordance with the legal regulations of the Czech Republic, the obligations specified in point I.5 shall be borne by the last entity,
4. that the electronic form „Public Health Passenger Locator Form“ is available at [www.prijezdovyformular.cz](http://www.prijezdovyformular.cz); the processed personal data beyond the scope of Section 79(1) of Act No. 258/2000 Coll. include number of travel document, citizenship, email address, and telephone number,
5. that EU citizens, including Czech citizens and third country nationals with permitted long-term or permanent residence in the European Union, are allowed to meet the requirement of submitting themselves, at their own expense, to an RT-PCR test for the presence of SARS CoV-2 under point I.2, by presenting a negative result of RT-PCR test for the presence of SARS CoV-2, which has been performed in the territory of the EU member state and which is not older than 72 hours; the test result is submitted immediately on entry into the territory of the Czech Republic to a regional Public Health Office as specified in point I.3,
6. that for the purpose of this Protective Measure are as member states of European Union understood, aside from the member states of European union, the following countries: the United Kingdom of Great Britain and Northern Ireland, Swiss Confederation, the Kingdom of Norway, the Republic of Iceland, the Principality of Liechtenstein, the Principality of Andorra, the Principality of Monaco, the Republic of San Marino and the Vatican City State.

## II

The Protective Measure of the Ministry of Health with the ref. no. MZDR 20599/2020-34/MIN/KAN of 3<sup>rd</sup> November 2020 will be terminated with effect as of 17<sup>th</sup> November 2020, 00:00 hours.

## III

This Protective Measure has come into effect on the date of its issuance.

doc. MUDr. Jan Blatný, Ph.D.

Minister of Health