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Ordinance on Measures during the Special Situation to combat the COVID-19 Epidemic (COVID-19 Special Situation Ordinance)

of 19 June 2020 (Status as of 27 May 2021)

The Swiss Federal Council,

on the basis of Article 6 paragraph 2 letters a and b of the Epidemics Act of 28 September 2012¹ (EpidA),

ordains:

Section 1 General Provisions

Art. 1 Subject matter and purpose

¹ This Ordinance introduces measures that apply to the general public, organisations and institutions and the cantons to combat the COVID-19 epidemic.

² The measures serve to prevent the spread of the coronavirus (COVID-19) and to break chains of transmission.

Art. 2 Responsibility of the cantons

Unless this Ordinance provides otherwise, the cantons shall retain their responsibilities.

Section 2 Measures involving Persons

Art. 3 Principle²

Every person shall follow the recommendations of the Federal Office of Public Health (FOPH) on hygiene and social distancing during the COVID-19 epidemic³.

AS 2020 2213

¹ SR 818.101

² Inserted by No I of the O of 2 July 2020, in force since 6 July 2020 (AS 2020 2735).

³ Available at www.bag.admin.ch > Diseases > Infections diseases: outbreaks, Epidemics, Pandemics > Current outbreaks and epidemics > New coronavirus > Protect yourself and others.

Art. 3a⁴ Persons travelling on public transport

¹ Persons travelling on public transport vehicles, such as trains, trams, buses, ships, aircraft and cableways, must wear a face mask. The following persons are exempted from this requirement:

- a. children under the age of 12;
- b.⁵ persons who can prove that they are unable to wear face masks for compelling reasons, in particular medical reasons; in order to prove medical reasons, a certificate is required from a professional who is authorised to exercise their profession under their own professional responsibility in accordance with the Medical Professions Act of 23 June 2006⁶ or the Psychology Professions Act of 18 March 2011⁷.

² Public transport vehicles under paragraph 1 are:

- a.⁸ vehicles operated by companies with a concession under Article 6 or a licence under Article 7 or 8 of the Passenger Transport Act of 20 March 2009⁹;
- b. aircraft operated by companies holding an operating licence in accordance with Articles 27 or 29 of the Civil Aviation Act of 21 December 1948¹⁰ that are used for scheduled or charter flights.

Art. 3b¹¹ Persons in publicly accessible areas of businesses and establishments and in public transport access areas

¹ A face mask must be worn in publicly accessible indoor and outdoor areas of businesses and establishments, including markets, in waiting areas for trains, buses trams and cableways, and in railway stations, airports and other public transport access areas.¹²

² The following persons are exempted from this requirement:

- a. children under the age of 12;

⁴ Inserted by No I of the O of 2 July 2020 (AS **2020** 2735). Amended by No I of the O of 12 Aug. 2020 (Requirement to wear Masks in Aircraft; Large-Scale Events), in force since 15 Aug. 2020 (AS **2020** 3547).

⁵ Amended by No I of the O of 24 Feb. 2021 (Extension of Measures and Relaxation of Measures related to Leisure, Culture, Sport and Shops), in force since 1 March 2021 (AS **2021** 110).

⁶ SR **811.11**

⁷ SR **935.81**

⁸ Amended by No I of the O of 4 Dec. 2020 (Special Arrangements for Public Holidays and Winter Sports Centres), in force since 9 Dec. 2020 (AS **2020** 5189).

⁹ SR **745.1**

¹⁰ SR **748.0**

¹¹ Inserted by No I of the O of 18 Oct. 2020 (Mandatory masks; Recommendation to work from home) (AS **2020** 4159). Amended by No I of the O of 28 Oct. 2020 (Measures that apply to Persons, publicly accessible Establishments and Businesses and Events, and for the Protection of Employees), in force since 29 Oct. 2020 (AS **2020** 4503).

¹² Amended by No I of the O of 4 Dec. 2020 (Special Arrangements for Public Holidays and Winter Sports Centres), in force since 9 Dec. 2020 (AS **2020** 5189).

- b.¹³ persons who can prove that they are unable to wear a face mask for compelling reasons, in particular medical reasons; proof of medical reasons must be provided in accordance with Article 3a paragraph 1 letter b;
- c. persons in institutions that provide childcare outside the family, provided wearing a face mask significantly impedes the provision of care;
- d.¹⁴ guests in restaurants, bars and clubs who are consuming food or drinks while seated at a table;
- e. persons undergoing a medical or cosmetic procedure to the face;
- f. performers, in particular speakers, and athletes and artists in accordance with Articles 6e and 6f.

^{2bis} Bathing establishments, including thermal baths, may provide in their precautionary measures plans for exceptions to the requirement in paragraph 1 for outdoor areas.¹⁵

³ Socio-medical institutions may in consultation with the responsible cantonal authority provide in their precautionary measures plans that the following persons are exempted from this requirement in their publicly accessible areas:

- a. residents who have been vaccinated against COVID-19 in accordance with the FOPH vaccination recommendations for mRNA vaccines: for 6 months from the 14th day after vaccination;
- b.¹⁶ residents who can prove that they have been infected with Sars-CoV-2 and have recovered: for 6 months from the date on which they were authorised to leave isolation by the responsible cantonal authority.¹⁷

¹³ Amended by No I of the O of 24 Feb. 2021 (Extension of Measures and Relaxation of Measures related to Leisure, Culture, Sport and Shops), in force since 1 March 2021 (AS 2021 110).

¹⁴ Amended by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force since 19 April 2021 (AS 2021 213).

¹⁵ Inserted by No I of the O of 12 May 2021 (Outdoor pools, Exceptions for persons who have recovered, Winter sports resorts and ski areas, Contact data), in force since 13 May 2021 (AS 2021 275).

¹⁶ amended by No I of the O of 12 May 2021 (Outdoor pools, Exceptions for persons who have recovered, Winter sports resorts and ski areas, Contact data), in force since 13 May 2021 (AS 2021 275).

¹⁷ Inserted by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force since 19 April 2021 (AS 2021 213).

Art. 3c¹⁸ Measures that apply in public places¹⁹

¹ Gatherings of more than 15 persons are prohibited in public places such as squares, paths and parks.²⁰

² All persons in the following public areas must wear a face mask:

- a.²¹ in busy pedestrian zones in city, town and village centres;
- b. in other public areas whenever too many people are present for the required distance to be maintained.²²

³ The exceptions under Article 3b paragraph 2 letters a and b apply to the requirement under paragraph 2.²³

Section 2a²⁴**Measures relating to Contact Quarantine and Isolation****Art. 3d** Ordering contact quarantine

¹ The responsible cantonal authority shall place into quarantine persons who within the periods specified below have had close contact with the following infected persons:

- a. a person whose infection with Sars-CoV-2 has been confirmed or is probable and who is displaying symptoms, where contact takes place in the period from 48 hours before the symptoms began until 10 days thereafter;
- b. a person whose infection with Sars-CoV-2 has been confirmed but who is asymptomatic, where contact takes place in the period from 48 hours before the person was tested until the person goes into isolation.

² The following persons are exempted from contact quarantine:

¹⁸ Inserted by No I of the O of 18 Oct. 2020 (Mandatory masks; Recommendation to work from home), in force since 19 Oct. 2020 (AS 2020 4159).

¹⁹ Amended by No I of the O of 28 Oct. 2020 (Measures that apply to Persons, publicly accessible Establishments and Businesses and Events, and for the Protection of Employees), in force since 29 Oct. 2020 (AS 2020 4503).

²⁰ Amended by No I of the O of 24 Feb. 2021 (Extension of Measures and Relaxation of Measures related to Leisure, Culture, Sport and Shops), in force since 1 March 2021 (AS 2021 110).

²¹ Amended by No I of the O of 12 May 2021 (Outdoor pools, Exceptions for persons who have recovered, Winter sports resorts and ski areas, Contact data), in force since 13 May 2021 (AS 2021 275).

²² Inserted by No I of the O of 28 Oct. 2020 (Measures that apply to Persons, publicly accessible Establishments and Businesses and Events, and for the Protection of Employees), in force since 29 Oct. 2020 (AS 2020 4503).

²³ Inserted by No I of the O of 28 Oct. 2020 (Measures that apply to Persons, publicly accessible Establishments and Businesses and Events, and for the Protection of Employees), in force since 29 Oct. 2020 (AS 2020 4503).

²⁴ Inserted by No I of the O of 27 Jan. 2021 (Contact Quarantine and Isolation), in force since 8 Feb. 2021 (AS 2021 60).

- a.²⁵ persons who have proof that they were infected with and have recovered from Sars-CoV-2: for 6 months from the date on which they were authorised to leave isolation by the responsible cantonal authority;
- b. persons who carry out an activity that is of high importance to society and for which there is an acute shortage of staff.

³ Persons working for businesses in which employees are subject to systematic and repetitive testing are exempted from contact quarantine during their professional activities and when travelling to work, provided the following requirements are met:

- a. The business has a plan that allows employees simple access to tests on the premises; employees must be able to take a test at least once a week.
- b. The requirements are met for the Confederation to pay the cost of the tests in accordance with Annex 6 Sections 3.1 and 3.2 the COVID-19 Ordinance 3 of 19 June 2020²⁶.
- c. The persons concerned remain in contact quarantine when not at work or travelling to work.²⁷

⁴ In respect of specific persons or categories of persons, the responsible cantonal authority may:

- a. in justified cases authorise additional exemptions from or relaxations of the regulations on contact quarantine for specific persons;
- b. in cases other than those under paragraph 1 or even if the requirements under paragraph 3 are met, place a person in contact quarantine if this is necessary in order to prevent the spread of COVID-19.²⁸

⁵ It shall notify the FOPH of measures taken in respect of specific categories of persons under paragraph 4.²⁹

Art. 3e Duration and early termination of contact quarantine

¹ Contact quarantine shall last for 10 days from the time of last close contact with the person under Article 3d paragraph 1.

²⁵ Amended by No I of the O of 12 May 2021 (Outdoor pools, Exceptions for persons who have recovered, Winter sports resorts and ski areas, Contact data), in force since 13 May 2021 (AS 2021 275).

²⁶ SR 818.101.24

²⁷ Amended by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force since 19 April 2021 (AS 2021 213).

²⁸ Inserted by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force since 19 April 2021 (AS 2021 213).

²⁹ Inserted by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force since 19 April 2021 (AS 2021 213).

- ² Persons in contact quarantine may leave quarantine early if:
- a.³⁰ they provide the responsible cantonal authority with proof of a negative result for one of the following tests on or after the seventh day of quarantine:
 1. a molecular-biological test for Sars-CoV-2,
 2. a Sars-CoV-2-rapid test according to the diagnostic standard; and
 - b. the responsible cantonal authority agrees to the early termination of quarantine.
- ³ Persons over the age of 12 who leave quarantine early pursuant to paragraph 4 must wear a face mask and maintain a distance of at least 1.5 metres from other persons when outside their home or accommodation until the point in time at which quarantine would have ended.³¹

Art. 3f Isolation

- ¹ The responsible cantonal authority shall order persons who are suffering from COVID-19 or who have been infected with Sars-CoV-2 to isolate for 10 days.
- ² If a person displays particularly serious symptoms or if he or she suffers from severe immunosuppression, the responsible cantonal authority may order a longer period in isolation.
- ³ The period in isolation begins:
- a. on the day that symptoms begin;
 - b. if the person suffering from COVID-19 or infected with Sars-CoV-2 is asymptomatic: on the day the test is carried out.
- ⁴ The responsible cantonal authority shall terminate isolation after 10 days at the earliest, provided the person in isolation:
- a. has been symptom-free for at least 48 hours; or
 - b. continues to display symptoms but these are such that the continuation of isolation is no longer justified.

Section 3 **Measures relating to Publicly Accessible Establishments, Businesses and Events**

Art. 4 Precautionary measures plan

¹ Operators of publicly accessible establishments and businesses, including education and training institutions, and organisers of events must draw up and implement a precautionary measures plan.

³⁰ Amended by No II 2 of the O of 12 March 2021, in force since 15 March 2021 (AS 2021 145).

³¹ Amended by No II 2 of the O of 12 March 2021, in force since 15 March 2021 (AS 2021 145).

- ² The precautionary measures plan must meet the following requirements:
- a. It must include measures relating to hygiene and social distancing for the establishment, the business or the event.
 - b. It must include measures that guarantee compliance with the requirement to wear a mask under Article 3*b*.
 - c. It must include measures that restrict access to the establishment, business or event in such a way that allows the required distance to be maintained. This does not apply to access to public transport vehicles.
 - d. If persons are present who are exempted from the requirement to wear a face mask under Article 3*b* paragraph 2 or under Article 6*e* or 6*f*, either the required distance must be maintained or other effective protective measures must be taken, such as erecting suitable barriers. If this is not possible because of the nature of the activity or of the premises, provision must be made for recording the contact details of the persons present in accordance with Article 5.³²
- ³ The requirements of paragraph 2 are specified in more detail in Annex 1.³³
- ⁴ A person must be designated in the precautionary measures plan as responsible for implementing the plan and as the contact for the competent authorities.

Art. 5 Recording contact details

¹ If contact details are recorded in accordance with Annex 1 number 4, the persons concerned must be informed about the recording and its purpose. If the contact details are already known, as in the case of education and training institutions or private events, the persons concerned must be informed that their details may be used for this purpose.

² The contact details must on request be passed on in electronic form without delay to the responsible cantonal authority or organisation in accordance with Article 33 EpidA for the purpose of identifying and notifying persons who may have been infected.³⁴

³ The contact details recorded may not be used for any other purposes, must be retained for 14 days after the persons concerned participated in the event or visited the establishment or business, and must be destroyed immediately thereafter.

³² Amended by No I of the O of 28 Oct. 2020 (Measures that apply to Persons, publicly accessible Establishments and Businesses and Events, and for the Protection of Employees), in force since 29 Oct. 2020 (AS 2020 4503).

³³ Amended by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

³⁴ Amended by No I of the O of 28 Oct. 2020 (Measures that apply to Persons, publicly accessible Establishments and Businesses and Events, and for the Protection of Employees), in force since 29 Oct. 2020 (AS 2020 4503).

Art. 5a³⁵ Special provisions for restaurants, bars and clubs and on discotheques and dance venues

- ¹ Restaurants, bars, clubs, discotheques and dance halls are not permitted to operate.
- ² The prohibition does not apply to the following businesses:
- a. businesses that offer takeaway food and drinks and that deliver meals;
 - b. restaurants, cafés, bars and clubs including takeaway businesses, provided they only offer food and drinks for consumption in outdoor areas; outdoor areas are defined as terraces and other spaces outside of a building where the free circulation of air is guaranteed and which:
 1. are not covered, or
 2. are covered but at least half of their sides are open.
 - c. staff canteens that cater exclusively for persons working in the business concerned and that include the following measures in their precautionary measures plan on serving and consuming food and drinks:
 1. guests consuming food and drinks in the restaurant area must be seated,
 2. either the required distance must be maintained between individual guests or effective partitioning must be in place;
 - d. restaurants and cafés, the indoor areas of which are open only to professional drivers and other professionals who are required to work outdoors, in particular agricultural and construction workers, tradespeople and assembly workers; in such restaurants and cafés, the following applies in addition to the protection measures under letter c:
 1. they must notify the responsible cantonal authority of the services that they are offering,
 2. they may only serve guests who have made a reservation; the foregoing does not apply to serving professional drivers,
 3. they must record the contact details of all their guests;
 - e. canteens or lunch and after-school clubs in primary and lower secondary schools that cater exclusively for schoolchildren, teaching staff and other school employees;
 - f. restaurants and bars in hotels that are open only to hotel guests.
- ³ In establishments under paragraph 2 letters b and f, the following applies:
- a. groups of guests are limited to 4 persons per table; this does not apply to parents with children;
 - b. guests must be seated; in particular food and drink may only be consumed while seated;

³⁵ Inserted by No I of the O of 18 Oct. 2020 (Mandatory masks; Recommendation to work from home) (AS 2020 4159). Amended by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force from 19 April until 31 May 2021 (AS 2021 213).

- c. groups of guests must either maintain the required distance from each other or must be separated by effective barriers;
 - d. the proprietor must record the contact details of all guests; the contact details of children who are with their parents need not be recorded.
- ⁴ The following opening hours apply:
- a. Businesses under paragraph 2 letters a and d must remain closed between 11pm and 6am.
 - b. Businesses under paragraph 2 letters c and d may only open during customary mealtimes and must in every case remain closed between 10pm and 6am; the foregoing does not apply to restaurants and cafés in companies that operate 24 hours a day in shifts.

Art. 5a^{bis 36}

Art. 5b and **5c**³⁷

Art. 5d³⁸ Special provisions for businesses and establishments in the culture, entertainment, leisure and sport sectors

¹ Publicly accessible indoor areas of businesses and establishments in the culture, entertainment, leisure and sport sectors may only open to the public if the requirement to wear a mask under Article 3b is applied and the required distance can be maintained. The foregoing does not apply to:

- a. use for educational, sporting and cultural activities and for child and youth work, provided an exemption from wearing a face mask or maintaining the required distance in accordance with Articles 6e–6g applies;
- b. hotel facilities that are accessible to hotel guests only.

² The indoor areas of businesses and establishments that are closed in accordance with paragraph 1 but which are required in order that the outdoor areas may be used, in particular entrance areas, sanitary facilities and cloakrooms may be kept open.

³⁶ Inserted by No I of the O of 11 Dec. 2020 (Restrictions on Events and Opening Hours of Restaurants and other publicly accessible Businesses and Establishments) (AS 2020 5377). Repealed by No I of the O of 24 Feb. 2021 (Extension of Measures and Relaxation of Measures related to Leisure, Culture, Sport and Shops), with effect from 1 March 2021 (AS 2021 110).

³⁷ Inserted by No I of the O of 4 Dec. 2020 (Special Arrangements for Public Holidays and Winter Sports Centres) (AS 2020 5189). Repealed by No I of the O of 12 May 2021 (Outdoor pools, Exceptions for persons who have recovered, Winter sports resorts and ski areas, Contact data), with effect from 13 May 2021 (AS 2021 275).

³⁸ Inserted by No I of the O of 18 Dec. 2020 (Tightening of Measures in December) (AS 2020 5813). Amended by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force from 19 April to 31 May 2021 (AS 2021 213).

Art. 5e and **5^{β9}****Art. 6⁴⁰** Special Provisions for events and trade fairs

¹ It is prohibited to hold events with more than 15 participants. This restriction does not apply to:⁴¹

- a. events under Article 6c;
- b. political campaign events with up to 50 persons in attendance;
- c. hearings before courts and arbitration tribunals;
- d. religious events with up to 50 persons in attendance;
- e. funerals attended by family and close friends;
- f. education and training events permitted under Article 6d;
- g.⁴² sporting or cultural events under Articles 6e paragraph 1 and 6f paragraphs 2 and 3;
- h.⁴³ events that are permitted activities under Article 6g;
- i.⁴⁴ events with spectators or an audience in accordance with paragraph 1^{bis};
- j.⁴⁵ large-scale events under Article 6a and pilot projects for large-scale events under Article 6b^{quater}

^{1bis} The following applies to events involving spectators or an audience with the exception of large-scale events under Article 6a and pilot projects for large-scale events under Article 6b^{quater}:⁴⁶

- a. a maximum of 50 persons are permitted as spectators or an audience (visitors) at indoor events. A maximum of 100 is permitted at outdoor events.

³⁹ Inserted but limited by No I of the O of 13 Jan. 2021 (Further Tightening of Measures), in force from 18 Jan. 2021 to 28 Feb. 2021 (AS 2021 7).

⁴⁰ Amended by No I of the O of 24 Feb. 2021 (Extension of Measures and Relaxation of Measures related to Leisure, Culture, Sport and Shops), in force since 1 March 2021 (AS 2021 110).

⁴¹ Amended by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force since 19 April 2021 (AS 2021 213).

⁴² Amended by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force since 19 April 2021 (AS 2021 213).

⁴³ Amended by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force since 19 April 2021 (AS 2021 213).

⁴⁴ Amended by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force since 19 April 2021 (AS 2021 213).

⁴⁵ Inserted by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

⁴⁶ Amended by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

- b. A maximum of one third of the seats available to visitors may be occupied.
- c. Visitors must remain seated for the entire event, including any intervals, unless there are valid reasons for not remaining seated for a period; each visitor must be allocated a specific seat.
- d. The operation of restaurant-type establishments including takeaway businesses is prohibited.
- e. The consumption of food and drinks is prohibited.⁴⁷

² In the case of events involving family members and friends (private events) that are not held in publicly accessible establishments or businesses, a maximum of 10 persons may attend indoor events and a maximum of 15 persons may attend outdoor events. Only Article 3 applies. The requirement to draw up and implement a precautionary measures plan does not apply.⁴⁸

³ It is prohibited to hold trade fairs indoors. Exempted therefrom are trade and consumer fairs under Article 6b^{quinquies}.⁴⁹

Art. 6a⁵⁰ Special Provisions for large-scale events: Authorisation

¹ Events involving more than 1000 persons, whether visitors or participants, (large-scale events), are permitted from 1 July 2021 provided the competent cantonal authority grants the organiser authorisation to hold the event.

² Authorisation shall be issued provided:

- a. it can be assumed that the epidemiological situation in the canton or region concerned permits the event to be held;
- b. it can be assumed that at the time the event is held the canton has the required capacities in the following areas:
 - 1.⁵¹ capacities to identify and notify persons who may have been infected as required under Article 33 EpidA,
 - 2. capacities in the healthcare sector to treat both COVID-19-patients and other patients without restriction; this includes in particular the capacity to carry out non-urgent medical procedures;

⁴⁷ Inserted by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force since 19 April 2021 (AS 2021 213).

⁴⁸ Amended by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force since 19 April 2021 (AS 2021 213).

⁴⁹ Amended by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

⁵⁰ Inserted by No I of the O of 2. Sept 2020 (Large-Scale Events) (AS 2020 3679). Amended by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

⁵¹ In force till 19 Aug. 2021 (AS 2021 297).

- c. the organiser submits a precautionary measures plan under Article 4 which makes provision for protection measures in accordance with Articles 6*b* and 6*b*^{bis} or 6*b*^{ter} based on an analysis of the risks of the large-scale event concerned.

³ If a large-scale event is being held in two or more cantons, authorisation is required from each canton. The cantons shall coordinate the procedure together.

⁴ Any person who wishes to hold similar events regularly in the same establishment may request authorisation to do so in a single application.

⁵ The canton shall revoke authorisation or shall issue additional restrictions if:

- a. the epidemiological situation has deteriorated to the extent that holding the event is no longer possible, in particular because the required capacities under paragraph 2 letter b can no longer be guaranteed; or
- b. an organiser did not comply with the measures set out in the precautionary measures plan at an event that has already been held and cannot guarantee that the measures will be complied with in future.

Art. 6*b*⁵² Special Provisions for large-scale events: General protection measures

¹ Entry to a large-scale event shall be limited to the following persons aged 16 and over:

- a. persons who prove that they have been vaccinated against COVID-19 with a vaccine in accordance with Annex 2; the period that may have elapsed since vaccination is specified in Annex 2;
- b. persons who prove that they were infected with Sars-CoV-2 and have recovered; period that may have elapsed since recovery is specified in Annex 2;
- c. persons who can produce a negative result to one of the following COVID-19 tests:
 1. a molecular-biological analysis for Sars-CoV-2 carried out no more than 72 hours before the start of the event,
 2. a Sars-CoV-2 rapid test according to the diagnostic standard carried out no more than 24 hours before the start of the event.

² In the case of outdoor events that are held over longer routes or on routes in the open air, the cantons may permit local exceptions to the requirements under paragraph 1 if no control on access to the event is possible because of local conditions or circumstances.

³ The operation of restaurant-type establishments is governed by Article 5*a*.

⁵² Inserted by No 1 of the O of 2. Sept 2020 (Large-Scale Events) (AS 2020 3679). Amended by No 1 of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

⁴ The requirement to wear a face mask is governed by Article 3*b*. In addition to the exceptions under Article 3*b* paragraph 2, visitors to outdoor events are exempted from the requirement when seated.

⁵ In the case of sporting activities under Articles 6*e* paragraph 1 letter b and cultural activities under Article 6*f* paragraphs 2 letter c and 3, the competent licensing authority may permit exceptions to the restrictions if the precautionary measures plan contains specific protection measures.

⁶ The protection measures are specified in more detail in Annex 3.

Art. 6*b*^{bis}⁵³ Special Provisions for large-scale events: Additional requirements for events between 1 July and 19 August 2021

¹ For large-scale events held between 1 July and 19 August 2021, in addition to the requirements under Article 6*b*, the following applies:

- a. The maximum number of persons in attendance, whether visitors or participants, shall be 3000.
- b. In the case of public outdoor events, the maximum number shall be 5000 provided all the audience or spectators are seated.
- c. In the case of events that are held on longer routes or on routes in the open air, the competent licensing authority may permit exceptions to the maximum number of persons in accordance with letters a and b if it is not possible to restrict access because of local conditions or circumstances.
- d. Persons in the spectator area must be seated; exceptions are possible for spectator areas along routes or in open areas and at outdoor events that are normally held without seating.
- e. The competent licensing authority shall stipulate the maximum number of seats that may be occupied in any spectator area, taking account of the local conditions or circumstances and the precautionary measures plan submitted. This value may not exceed two thirds of capacity where spectators are seated and half of capacity where spectators are standing.
- f. The consumption of food and drinks outside of restaurant-type establishments is only permitted at the allocated seat.

² The additional requirements under Annex 3 number 2 also apply.

⁵³ Inserted by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force from 27 May 2021 to 19 Aug. 2021 (AS 2021 297).

Art. 6b^{ter} 54 Special provisions for large-scale events: Additional requirements for events from 20 August 2021

For large-scale events held on or after 20 August 2021, the following applies in addition to the requirements under Article 6b:

- a. The maximum number of persons, whether visitors or participants, shall be 10 000.
- b. In the case of events that are held on longer routes or on routes in the open air, the competent licensing authority may permit exceptions to the maximum number of persons in accordance with letters a and b if it is not possible to restrict access because of local conditions or circumstances.
- c. At public outdoor events where all the audience or spectators are seated, no limit applies to the number of persons.

Art. 6b^{quater} 55 Pilot projects for holding large-scale events

¹ In order to test models for the safe and practical organisation of large-scale events, the competent cantonal authority may authorise related pilot projects to be carried out between 1 June and 30 June 2021.

² Each canton may authorise a maximum of five pilot projects, taking account of the various types of event in doing so.

³ Pilot projects must involve a minimum of 300 persons, with a maximum of 600 indoors and a maximum of 1000 outdoors, whether visitors or participants. In addition, the protection measures and requirements in accordance with Articles 6b and 6b^{bis} apply.

⁴ Authorisation may only be issued if:

- a. the requirements in Article 6a paragraph 2 letters a and b are met;
- b. the organiser submits a precautionary measures plan in accordance with Article 4 and Annex 3 Sections 1 and 2 that is based on an analysis of the risks of the event concerned and which aims to produce findings on the practical aspects of holding similar large-scale events;
- c. the organiser plans for an evaluation to be made of holding the event.

⁵ The evaluation must provide information on the following issues in particular in order to achieve the objective set out in paragraph 1:

- a. experiences relating to entry checks, in particular relating to its organisation, testing procedures on site and their use, the number of persons who had to be denied entry and the reasons for doing so, and options for improvement;

⁵⁴ Inserted by No 1 of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

⁵⁵ Inserted by No 1 of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force from 27 May 2021 to 30 June 2021 (AS 2021 297).

- b. experiences in implementing the precautionary measures plan, in particular with regard to managing movements of large numbers of persons, compliance by visitors and participants with the requirements, the practicality of the requirements, and options for improvement.

⁶ The organiser shall submit the results of the evaluation within ten days of the conclusion of the event to the competent licensing authority and, enclosing the cantonal authorisation and the precautionary measures plan, to the FOPH.

⁷ Article 6a paragraph 5 applies to revoking authorisation or issuing additional restrictions.

⁸ The canton shall notify the FOPH of authorisations that have been granted or revoked.

Art. 6b^{quiquies}⁵⁶ Special provisions for large-scale trade and consumer fairs

¹ Trade and consumer fairs with more than 1000 visitors are permitted from 1 July 2021 provided the competent cantonal authority grants the organiser authorisation. The authorisation requirements and the requirements for revoking authorisation are set out in Article 6a paragraphs 2, 4 and 5.

² The following also applies to trade and consumer fairs:

- a. If entry is restricted to persons who have been vaccinated or who have recovered and persons with a negative test result under Article 6b paragraph 1, the number of persons in attendance must be limited so that a minimum area in accordance with Annex 3 number 3.2 is available for each person; Annex 3 number 3.1 applies to conducting checks.
- b. If the entry is also open to persons who do not meet the requirements of Article 6b paragraph 1, the number of persons in attendance shall be limited in accordance with Annex 3 number 3.3.
- c. The requirement to wear a face mask is governed by Article 3b.

Art. 6c⁵⁷ Special provisions for meetings of political bodies, political and civil society demonstrations and collecting signatures

¹ Restrictions on numbers do not apply to the following events:

- a. meetings of the legislatures at federal, cantonal and communal level;
- b. meetings of public-sector bodies that cannot be postponed;
- c. meetings required to ensure the proper functioning of institutional beneficiaries under Article 2 paragraph 1 of the Host State Act of 22 June 2007⁵⁸.

⁵⁶ Inserted by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

⁵⁷ Inserted by No I of the O of 2 Sept. 2020 (Large-Scale Events) (AS 2020 3679). Amended by No I of the O of 28 Oct. 2020 (Measures that apply to Persons, publicly accessible Establishments and Businesses and Events, and for the Protection of Employees), in force since 29 Oct. 2020 (AS 2020 4503).

² Articles 4–6 do not apply to political and civil society demonstrations and to collecting signatures. Participants must wear face masks; however, the exemptions under Article 3*b* paragraph 2 letters a and b apply.

³ Articles 6*a*–6*b*^{quater} do not apply to events in accordance with paragraphs 1 and 2.⁵⁹

Art. 6*d*⁶⁰ Special provisions for educational and training institutions

¹ The following applies to events in educational and training institutions:

- a. Events requiring physical presence with more than 50 persons are prohibited.
- b. Rooms in which the events are held may be filled to a maximum of one third of their capacity.

² The restrictions under paragraph 1 do not apply to:

- a. primary and lower and upper secondary schools; including the associated examinations;
- b. the following activities, provided classroom presence is required for their conduct:
 1. teaching activities that are an essential part of the teaching programme,
 2. examinations in connection with study courses, in professional education or in order to obtain an official diploma.

² In the case of events requiring physical presence in institutions other than primary and lower secondary schools, the requirement to wear a face mask applies. This requirement does not apply:

- a. to persons under Article 3*b* paragraph 2 letter b;
- b. in situations in which wearing a face mask would significantly impede teaching.

Art. 6*e*⁶¹ Special provisions that apply to the sports sector

¹ The following sports activities are permitted:

⁵⁸ SR 192.12

⁵⁹ Inserted by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

⁶⁰ Inserted by No I of the O of 28 Oct. 2020 (Measures that apply to Persons, publicly accessible Establishments and Businesses and Events, and for the Protection of Employees) (AS 2020 4503). Amended by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force since 19 April 2021 (AS 2021 213).

⁶¹ Inserted by No I of the O of 28 Oct. 2020 (Measures that apply to Persons, publicly accessible Establishments and Businesses and Events, and for the Protection of Employees) (AS 2020 4503). Amended by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force from 19 April to 31 May 2021 (AS 2021 213).

- a. sports activities for children and young persons born in 2001 or later, including matches and competitions without spectators;
 - b. sports activities, including matches and competitions without spectators, for individuals or in groups of up to 15 persons born in 2000 or earlier:
 1. outdoors provided participants wear a face mask or maintain the required distance,
 2. indoors subject to compliance the capacity limits under Annex 1 number 3.1^{bis} letter f provided participants wear a face mask or maintain the required distance; face masks are not required if the activity cannot otherwise be carried out, there is sufficient space to meet the stricter requirements of Annex 1 number 3.1^{quater} and contact details are recorded in accordance with Article 5;
 - c. training activities and competitions involving elite athletes who:
 1. hold a national or regional Swiss Olympic card or who are members of the national squad of a national sports association, and
 2. who train as individuals, in groups of up to 15 persons or as an established competitive team;
 - d. training activities and competitive matches involving teams that compete in a professional or semi-professional league or a national junior league; where competition is professional or semi-professional only in the league for one of the two sexes, the training activities and competitive matches may also take place in the league for the other sex.
- ² Sports activities in groups of up to 5 persons under paragraph 1 letters a and b are exempted from the requirement to draw up a precautionary measures plan under Article 4.

Art. 6^{f62} Special provisions for the cultural sector

¹ The operation of museums, libraries, archives and comparable cultural institutions is subject only to the requirement of a precautionary measures plan pursuant to Article 4 and the requirements of Article 5*d* paragraph 1.

² In the non-professional cultural sector, the following activities are permitted, with the exception of performances before an audience:

- a. any activities by children and young persons born in 2001 or later;
- b. activities by any individual born in 2000 or earlier;
- c. indoor activities in groups of up to 15 persons born in 2000 or earlier subject to the capacity limits in Annex 1 number 3.1^{bis} letter f, provided participants wear face masks and maintain the required distance; face masks are not re-

⁶² Inserted by No I of the O of 28 Oct. 2020 (Measures that apply to Persons, publicly accessible Establishments and Businesses and Events and for the Protection of Employees) (AS 2020 4503). Amended by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force from 19 April to 31 May 2021 (AS 2021 213).

quired if the activity cannot otherwise be carried out, there is sufficient space to meet the stricter requirements of Annex 1 number 3.1^{ter} and contact details are recorded in accordance with Article 5;

- d. outdoor activities in groups of up to 15 persons born in 2000 or earlier, provided participants wear face masks and maintain the required distance;

³ In the professional cultural sector, all activities by artists or ensembles are permitted. The following applies to the activities that involve singing:

- a. performances involving choirs with an audience are prohibited;
- b. rehearsing and performing that involves singers is only permitted if the precautionary measures plan includes relevant protective measures.

⁴ Events under paragraph 2 letters a, c and d involving groups of up to 5 persons are exempt from the requirement to draw up a precautionary measures plan under Article 4.

Art. 6g⁶³ Special provisions for child and youth work

¹ Activities of organisations and institutions involved in public child and youth work are permitted provided the following requirements are met:

- a. The activities are for children and young persons born in 2001 or later.
- b. A qualified person supervises the activities of the children and young persons.
- c. The precautionary measures plan indicates:
 1. the permitted activities; parties, dancing events and the provision of food and drinks are not permitted at any time;
 2. the maximum permitted number of children and young persons.

² Dancing events and the provision of food and drinks in indoor areas are not permitted.

Art. 7 Relaxation of requirements by the cantons

¹ The responsible cantonal authority may authorise a relaxation of the requirements under Article 4 paragraphs 2–4 and Articles 6 and 6c–6f provided:⁶⁴

- a. overriding public interests so require;

a^{bis},⁶⁵ the epidemiological situation in the canton or the region concerned permits this based on the indicators specified in Article 8 paragraph 1 letter a; and

⁶³ Inserted by No I of the O of 24 Feb. 2021 (Extension of Measures and Relaxation of Measures related to Leisure, Culture, Sport and Shops) (AS 2021 110, 157). Amended by No I of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), in force from 19 April to 31 May 2021 (AS 2021 213).

⁶⁴ Amended by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

- b.⁶⁶ the organiser or operator submits a precautionary measures plan under Article 4 that includes specific measures to prevent the spread of the coronavirus and to break transmission chains.

2-5 ...⁶⁷

6 ...⁶⁸

Art. 8⁶⁹ Additional measures by the cantons

¹ The canton shall take additional measures under Article 40 EpidA if:

- a. the epidemiological situation in the canton or in a region so requires; it shall assess the situation in particular based on the following indicators and their trends:
1. incidence (7-day, 14-day),
 2. the number of new infections (per day, per week),
 3. the number of positive tests as a percentage of the total number of tests carried out (positivity rate),
 4. the number of tests carried out (per day, per week),
 5. the reproduction number,
 6. in-patient capacities and the number of persons newly hospitalised (per day, per week), including those in intensive care;
- b. as a result of the epidemiological situation, it is no longer able to provide the capacities required to identify and notify persons who may have been infected as stipulated in Article 33 EpidA.

² It shall in particular guarantee freedom of religion and conscience and that political rights may be exercised.

³ It shall consult the FOPH beforehand and inform the FOPH of the measures taken.

Art. 9 Inspections and obligations to cooperate

¹ The operator and organisers must:

- ⁶⁵ Inserted by No I of the O of 4 Dec. 2020 (Special Arrangements for Public Holidays and Winter Sports Centres), in force since 9 Dec. 2020 (AS 2020 5189).
- ⁶⁶ Amended by No I of the O of 4 Dec. 2020 (Special Arrangements for Public Holidays and Winter Sports Centres), in force since 9 Dec. 2020 (AS 2020 5189).
- ⁶⁷ Inserted by No I of the O of 11 Dec. 2020 (Restrictions on Events and Opening Hours of Restaurants and other publicly accessible Businesses and Establishments) (AS 2020 5377). Repealed by No 1 of the O of 6 Jan. 2021 (Repeal of relaxation of requirements by the cantons under certain circumstances), with effect from 9 Jan. 2021 (AS 2021 2).
- ⁶⁸ Inserted by No I of the O of 18 Dec. 2020 (Tightening of Measures in December) (AS 2020 5813). Repealed by No 1 of the O of 6 Jan. 2021 (Repeal of relaxation of requirements by the cantons under certain circumstances), with effect from 9 Jan. 2021 (AS 2021 2).
- ⁶⁹ Amended by No I of the O of 4 Dec. 2020 (Special Arrangements for Public Holidays and Winter Sports Centres), in force since 9 Dec. 2020 (AS 2020 5189).

- a. submit their precautionary measures plan to the responsible cantonal authorities if requested to do so;
- b. allow the responsible cantonal authorities access to the establishments, businesses or events.

^{1bis} The responsible cantonal authorities shall conduct regularly checks on compliance with the precautionary measures plans.⁷⁰

² If they establish that no adequate precautionary measures plan has been drawn up or that a plan has not been implemented or only in part, they shall take appropriate measures immediately. They may issue reminders, close down establishments or businesses or prohibit or break up events.⁷¹

³ ...⁷²

Section 4 Measures to Protect Workers

Art. 10 Preventive measures

¹ Employers must guarantee that their employees are able to comply with the FOPH recommendations on hygiene and social distancing. To do so, they must plan and implement related measures.

^{1bis} All persons must wear face masks indoors, including in vehicles in which more than one person is present. This requirement does not apply to:⁷³

- a.⁷⁴ ...
- b. activities for which masks cannot be worn for safety or security reasons or because of the nature of the activity;
- c.⁷⁵ persons who are exempted from the requirement wear a mask in accordance with Article 3b paragraph 2.⁷⁶

⁷⁰ Inserted by No I of the O of 4 Dec. 2020 (Special Arrangements for Public Holidays and Winter Sports Centres) (AS 2020 5189). Amended by No I of the O of 12 May 2021 (Outdoor pools, Exceptions for persons who have recovered, Winter sports resorts and ski areas, Contact data), in force since 13 May 2021 (AS 2021 275).

⁷¹ Amended by No I of the O of 4 Dec. 2020 (Special Arrangements for Public Holidays and Winter Sports Centres), in force since 9 Dec. 2020 (AS 2020 5189).

⁷² Inserted by No I of the O of 4 Dec. 2020 (Special Arrangements for Public Holidays and Winter Sports Centres) (AS 2020 5189). Repealed by No I of the O of 12 May 2021 (Outdoor pools, Exceptions for persons who have recovered, Winter sports resorts and ski areas, Contact data), with effect from 13 May 2021 (AS 2021 275).

⁷³ Amended by No I of the O of 24 Feb. 2021 (Extension of Measures and Relaxation of Measures related to Leisure, Culture, Sport and Shops), in force since 1 March 2021 (AS 2021 110).

⁷⁴ Repealed by No I of the O of 24 Feb. 2021 (Extension of Measures and Relaxation of Measures related to Leisure, Culture, Sport and Shops), with effect from 1 March 2021 (AS 2021 110).

⁷⁵ Amended by No I of the O of 24 Feb. 2021 (Extension of Measures and Relaxation of Measures related to Leisure, Culture, Sport and Shops), in force since 1 March 2021 (AS 2021 110).

² Employers shall take further measures in accordance with the STOP Principle (Substitution, Technical measures, Organisational measures, Personal protective equipment), in particular physical separation, separate teams or wearing face masks outdoors.⁷⁷

³ Where the nature of the activity makes this possible and feasible at a reasonable cost, employers shall ensure that employees fulfil their work obligations from home. They shall take the appropriate organisational and technical measures for this purpose. Employees shall not be entitled to any reimbursement of expenses for fulfilling their work obligations from home on the basis of this provision.⁷⁸

⁴ For the protection of particularly vulnerable employees, Article 27a of COVID-19 Ordinance 3 of 19 June 2020⁷⁹ also applies.⁸⁰

Art. 11 Implementation, inspections and obligations to cooperate

¹ Pursuant to the health protection provisions in Article 6 of the Employment Act of 13 March 1964⁸¹, the authorities implementing the Employment Act and the Federal Act of 20 March 1981⁸² on Accident Insurance are responsible for implementing Article 10.

² The competent implementing authorities may conduct inspections of businesses and locations at any time without prior notice.

³ Employers must allow the competent implementing authorities access to their premises and locations.

⁴ The instructions given by the competent implementing authorities during their on-site inspections must be implemented immediately.

⁷⁶ Inserted by No I of the O of 28 Oct. 2020 (Measures that apply to Persons, publicly accessible Establishments and Businesses and Events, and for the Protection of Employees), in force since 29 Oct. 2020 (AS 2020 4503).

⁷⁷ Amended by No I of the O of 24 Feb. 2021 (Extension of Measures and Relaxation of Measures related to Leisure, Culture, Sport and Shops), in force since 1 March 2021 (AS 2021 110).

⁷⁸ Inserted by No I of the O of 18 Oct. 2020 (Mandatory masks; Recommendation to work from home) (AS 2020 4159). Amended by No I of the O of 24 Feb. 2021 (Extension of Measures and Relaxation of Measures related to Leisure, Culture, Sport and Shops), in force since 1 March 2021 (AS 2021 110).

⁷⁹ SR 818.101.24

⁸⁰ Inserted by No I of the O of 13 Jan. 2021 (Further Tightening of Measures) (AS 2021 7). Amended by No I of the O of 24 Feb. 2021 (Extension of Measures and Relaxation of Measures related to Leisure, Culture, Sport and Shops), in force since 1 March 2021 (AS 2021 110).

⁸¹ SR 822.11

⁸² SR 832.20

Section 5 Reporting Obligation of the Cantons relating to Capacities in the Provision of Healthcare

Art. 12

The cantons are required to report the following to the Coordinated Medical Services regularly:

- a. the total number and occupancy of hospital beds;
- b. the total number and occupancy of hospital beds that are intended for the treatment of COVID-19 cases, and the number of patients currently being treated for COVID-19;
- c. the total number and occupancy of hospital beds in intensive care and the number of patients with COVID-19 currently being treated and ventilated in intensive care;
- d. the total number and occupancy of devices for extracorporeal membrane oxygenation (ECMO);
- e. the details of availability of medical and nursing staff in hospitals;
- f. the maximum numbers, i.e. the total number of patients and total number of COVID-19 patients, that can be treated by their hospitals, taking account of the available beds and the available staff.

Section 6 Criminal Provisions

Art. 13⁸³

Any person who commits any of the following acts shall be liable to a fine:

- a.⁸⁴ as an operator or organiser, wilfully or negligently failing to comply with the requirements imposed in Article 4 paragraphs 1 and 2 or in Articles 5a, 5d paragraph 1, 6 paragraph 1^{bis} letters b–d, 6b paragraph 1, 6b^{bis} paragraph 1 letter e, 6b^{quater} paragraphs 3 and 6, 6b^{quinquies} paragraph 2 letters a and b and 6d–6g;
- b. as an operator or organiser, wilfully or negligently processing contact details recorded pursuant to Article 5 for other purposes in contravention of Article 5 paragraph 3 or retaining such details for longer than 14 days after the person or persons concerned participated in the event or visited the establishment or business;

⁸³ Amended by No I of the O of 27 Jan. 2021 (Additional Criminal Provisions and Introduction of the Fixed Penalty Procedure), in force from 1 Feb. 2021 to 31 Dec. 2021 (AS 2021 52).

⁸⁴ Amended by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

- c.⁸⁵ ...
- d.⁸⁶ wilfully holding an event or a trade or consumer fair involving more persons than are permitted under Article 6 paragraph 1, 1^{bis} letter a or 2, 6^{bis} paragraph 1 letter a or b, 6^{ter} letter a, 6^{quater} paragraph 3 or 6^{quinquies} paragraph 2 letter a or b, or wilfully participating in an event under Article 6 paragraph 1, 1^{bis} or 2 involving more persons than are permitted;
- e.⁸⁷ wilfully holding a trade fair the holding of which is prohibited by Article 6 paragraph 1^{ter};
- e^{bis}.⁸⁸ wilfully holding a large-scale event under Article 6*a* paragraph 1 or a trade or consumer fair under Article 6^{quinquies} paragraph 1 without the required authorisation or in derogation from the approved precautionary measures plan;
- f.⁸⁹ wilfully or negligently failing to wear a face mask in contravention of Article 3*a* or 3*b* paragraph 1 in public transport vehicles, publicly accessible indoor and outdoor areas of businesses and establishments, including markets, trade fairs or large-scale events in waiting areas for trains, buses trams and cableways, and in railway stations, airports and other public transport access areas, unless an exception pursuant to Article 3*a* paragraph 1, 3*b* paragraph 2 or 2^{bis} or 6*b* paragraph 4 second sentence applies;
- g. wilfully contravening the ban on gatherings of people in public areas in Article 3*c* paragraph 1 or pursuant to a stricter provision of cantonal law;
- h.⁹⁰ as a guest of a restaurant or bar or as a person attending an event, wilfully contravening the requirement to be seated in Articles 5*a* paragraph 2 letter b, 6 paragraph 1^{bis} letter c or 6^{bis} paragraph 1 letter d;
- i. wilfully or negligently failing to wear a face mask at a political or civil society demonstration or when collecting signatures, unless an exception pursuant to Article 6*c* paragraph 2 second sentence applies.

⁸⁵ Repealed by No I of the O of 12 May 2021 (Outdoor pools, Exceptions for persons who have recovered, Winter sports resorts and ski areas, Contact data), with effect from 13 May 2021 (AS 2021 275).

⁸⁶ Amended by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

⁸⁷ Amended by No I of the O of 24 Feb. 2021 (Extension of Measures and Relaxation of Measures related to Leisure, Culture, Sport and Shops), in force since 1 March 2021 (AS 2021 110).

⁸⁸ Inserted by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

⁸⁹ Amended by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

⁹⁰ Amended by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

Section 6a⁹¹ Updating the Annexes

Art. 13a

¹ The Federal Department of Home Affairs shall update Annexes 1–3 in accordance with the latest scientific knowledge.

² It shall update Annex 1 in consultation with the Federal Department of Economic Affairs, Education and Research and Annex 2 in consultation with the Federal Commission for Vaccination.

Section 7 Final Provisions

Art. 14 Amendment of other legislation

The following Ordinances are amended as follows:

...⁹²

Art. 14a⁹³

Art. 15 Commencement and duration

¹ With the exception of paragraph 2, this Ordinance comes into force on 22 June 2020 at 00.00.

² Article 6 paragraph 4 and Article 14 number 2 come into force on 20 June 2020 at 00.00.

³ ...⁹⁴

⁴ ...⁹⁵

⁵ ...⁹⁶

⁹¹ Inserted by No I of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS **2021** 297).

⁹² The amendments may be consulted under AS **2020** 2213.

⁹³ Inserted by No I of the O of 4 Dec. 2020 (Special Arrangements for Public Holidays and Winter Sports Centres) (AS **2020** 5189). Repealed by No I of the O of 12 May 2021 (Outdoor pools, Exceptions for persons who have recovered, Winter sports resorts and ski areas, Contact data), with effect from 13 May 2021 (AS **2021** 275).

⁹⁴ Repealed by No I of the O of 12 Aug. 2020 (Requirement to wear Masks in Aircraft; Large-Scale Events), with effect from 15 Aug. 2020 (AS **2020** 3547).

⁹⁵ Inserted by No I of the O of 12 Aug. 2020 (Requirement to wear Masks in Aircraft; Large-Scale Events) (AS **2020** 3547). Repealed by No I of the O of 28 Oct. 2020 (Measures that apply to Persons, publicly accessible Establishments and Businesses and Events, and for the Protection of Employees), with effect from 29 Oct 2020 (AS **2020** 4503).

⁹⁶ Inserted by No I of the O of 2 Sept. 2020 (Large-Scale Events) (AS **2020** 3679). Repealed by No I of the O of 28 Oct. 2020 (Measures that apply to Persons, publicly accessible Establishments and Businesses and Events, and for the Protection of Employees), with effect from 29 Oct 2020 (AS **2020** 4503).

Annex 1⁹⁷

(Art. 4 para. 3, 5 para. 1, 6e para. 1 let. b No 2 and 6f para. 2 let. c)

Requirements for precautionary measures plans

1 General Remarks

1.1 Principle

There is an increased risk of infection if persons are unable to keep a distance of 1.5 metres from each other for more than 15 minutes.

1.2 Protection against infection with COVID-19

¹ The operator or organiser shall ensure when choosing the measures under Article 4 paragraph 2 that guests, persons in attendance and participants are provided with effective protection against infection with COVID-19.

² Where employees are at work in publicly accessible establishments and businesses and at events, the precautionary measures plan must reconcile the measures for guests, persons in attendance or participants with the measures to protect the employees under Article 10.

³ In order to achieve effective protection in accordance with paragraphs 1 and 2, the operator or organiser shall if necessary take different measures for individual areas of the establishment business or event, for example for seating or catering areas, or for individual groups of persons, for example, by forming permanent teams.

1.3 Reason for recording contact details

If provision must be made in the precautionary measures plan in accordance with Article 4 paragraph 2 letter d for recording contact details, the reasons for doing so must be stated in the plan.

1.4 Informing the persons present

The operator or organiser shall inform the persons present (guests, participants, persons in attendance) about the measures that apply in the establishment, business or at the event, such as any requirement to wear a face mask, the recording of contact details or the ban on moving from one sector of the event to another.

⁹⁷ Originally: Annex. Revised by No II of the O of 2 Sept. 2020 (Large-Scale Events) (AS 2020 3679), of 18 Oct. 2020 (Mandatory masks; Recommendation to work from home) (AS 2020 4159), of 28 Oct. 2020 (Measures that apply to Persons, publicly accessible Establishments and Businesses and Events, and for the Protection of Employees) (AS 2020 4503) and No II of the O of 14 April 2021 (Relaxation of Measures: Socio-Medical Institutions, Restaurants and Bars, Events, Indoor Areas of Establishments for Culture, Entertainment, Leisure and Sport), No 3.1^{ter} and 3.1^{quater}, in force until 31 May 2021 (AS 2021 213) and of 12 May 2021 (Outdoor pools, Exceptions for persons who have recovered, Winter sports resorts and ski areas, Contact data), in force since 13 May 2021 (AS 2021 275).

2 Hygiene

- 2.1 All persons must be able to wash their hands regularly. Hand sanitiser and, in the case of publicly accessible washbasins, soap must be made available.
- 2.2 All contact surfaces must be regularly cleaned.
- 2.3 A sufficient number of waste bins must be provided, in particular for disposing of paper handkerchiefs and face masks.

3 Social distancing

- 3.1 Persons must keep a minimum of 1.5 metres distance from each other (the required distance).
- 3.1^{bis} Access to publicly accessible indoor and outdoor areas of establishments and businesses and to events shall be restricted as follows:
 - a. In shops with a floor area of up to 40 square metres, a maximum of 3 customers may be present.
 - b. In shops with a floor area of more than 40 square metres that make at least two thirds of their turnover from the sale of foodstuffs, the following applies:
 - 1. 10 square metres per customer;
 - 2. the lowest maximum number of customers is 5.
 - c. For shops with a floor area of more than 40 square metres that make less than two thirds of their turnover from the sale of foodstuffs, the following applies:
 - 1. for shops with a floor area of between 41 and 500 square metres:
 - 10 square metres per customer,
 - the lowest maximum number of customers is 5;
 - 2. for shops with a floor area of between 501 and 1500 square metres:
 - 15 square metres per customer,
 - the lowest maximum number of customers is 50;
 - 3. for shops with a floor area of over 1500 square metres:
 - 20 square metres per customer,
 - the lowest maximum number of customers is 100.
 - d. In establishments in which there are several shops with a total floor area larger than 10,000 square metres (shopping centres), the maximum number of customers present in the shopping centre may not exceed the sum of the customers permitted in the individual shops.
 - e. ...
 - f. In businesses and establishments other than shops, the following applies:
 - 1. In areas in which persons may move around freely, if several persons are present, each person must have at least 10 square metres

- of space; the lowest maximum number of customers, however, is 5.
2. In establishments and businesses with an area of up to 30 square metres, a minimum area of 6 square metres of space for each person applies;
 3. The requirements in numbers 1 and 2 do not apply to cultural or sports activities with children and young persons born in 2001 or later or that are organised by public child and youth work organisations and institutions
- g. In the case of seats arranged in rows or in a similar way, only every second seat or seats an equivalent distance apart may be occupied.
- 3.1^{ter} The following applies to cultural activities carried out indoors without wearing a face mask in accordance with Article 6f paragraph 2 letter a number 3:
- a. Each person must have at least 25 square metres of space for his or her exclusive use or effective barriers must be erected between the individual persons.
 - b. In the case of activities that do not involve singing, wind instruments or considerable physical exertion and which do not involve leaving the allocated space, the minimum area is 15 square metres per person.
 - c. The premises must be effectively ventilated.
- 3.1^{quater} The following applies to sports activities carried out indoors without wearing a face mask in accordance with Article 6e paragraph 1 letter b number 2:
- a. Each person must have at least 25 square metres for his or her exclusive use or effective barriers must be erected between the individual persons.
 - b. In the case of sports that do not involve considerable physical exertion and which do not involve leaving the allocated space, the minimum area is 15 square metres per person.
 - c. In indoor swimming pools, there must be a water surface of 25 square metres available to each swimmer.
 - d. No more than 15 persons may be in a room at the same time.
 - e. The premises must be effectively ventilated.
- 3.2 In derogation from number 3.1, in the seating area seats must be arranged or occupied so that a minimum of one seat remains free or an equivalent distance is maintained between the seats.
- 3.3 In restaurants, bars and clubs, groups of guests must be seated at the individual tables in such a way that the required distance is maintained between individual groups.
- 3.4 The movement of persons should be controlled so that the required distance can be maintained between all persons.

- 3.5 The requirements on distancing do not apply to groups of persons for whom compliance with social distancing is not expedient, in particular in the case of schoolchildren, families or persons who live in the same household.

4 Recording of contact details

- 4.1 The contact details of the persons present must be recorded if it is possible that the persons present will be unable to maintain the required distance for a period in excess of 15 minutes and other protective measures are not in place.
- 4.2 The operator or organiser must inform the participants of the following:
- a. that it is likely that the required distance cannot be maintained and that there is therefore an increased risk of infection;
 - b. that participants may be contacted by the competent authority or organisation in the canton, and that this authority or organisation has the power to order quarantine for persons who have been in contact with a person who has COVID-19.
- 4.3 Contact details may in particular be recorded via booking or membership systems or by using a contact form.
- 4.4 The following details must be recorded:
- a. surname, first name, address and telephone number;
 - b. in the case of businesses, in particular restaurant-type establishments and cinemas, and in the case of events with seats: the seat or table number;
- 4.4^{bis} The operator or organiser must take appropriate measures to ensure that the contact details recorded are accurate.
- 4.5 In the case of families or other groups with persons who know each other, it is sufficient to record the contact details of only one person in the family or group concerned. The foregoing is subject to Article 5a paragraph 3 letter d on the recording of contact data in the outdoor areas of restaurants, bars and clubs and in restaurants and bars for hotel guests.
- 4.6 The operator or organiser must guarantee the confidentiality of the contact details when recording the same, and data security, in particular in storing the data.

Annex 2⁹⁸

(Art. 6b para. 1 let. a and b and Art. 13a)

Requirements for the entry of persons who have been vaccinated or who have recovered to large-scale events

1 Persons who have been vaccinated

- 1.1 Persons who are permitted to attend large-scale events in accordance with Article 6b paragraph 1 letter a are persons who have been vaccinated in terms of this Ordinance are persons, who have been vaccinated with a vaccine that:
 - a. is authorised in Switzerland and which has been administered in full in accordance with the FOPH recommendations;
 - b. has been authorised by the European Medicines Agency for the European Union and has been administered in full in accordance with the requirements or recommendations of the country in which the vaccination was administered.
- 1.2 The period during which vaccinated are permitted to attend large-scale events shall amount to 6 months from the date of vaccination in full.

2 Persons who have recovered

The period during which persons who have recovered in accordance with Article 6b paragraph 1 letter b are permitted to attend large-scale events amounts to 6 months from the 11th day following confirmation of the infection.

⁹⁸ Inserted by No II of the O of 13. Jan. 2021 (Further Tightening of Measures) (AS 2021 7). Amended by No II of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

Annex 3⁹⁹

(Art. 6*b* para. 6, 6*b*^{bis} para. 2, 6*b*^{quater} para. 4 let. b and 6*b*^{quinquies} para. 2 let. a and b)

Requirements for large-scale events and large-scale trade and consumer fairs

1 General requirements for large-scale events

- 1.1 The organiser must check the right of entry under Article 6*b* paragraph 1 on the basis of a COVID-19 certificate under Article 6*a* of the COVID-19 Act of 25 September 2020¹⁰⁰.
- 1.2 If the certificate mentioned in Number 1.1 has not yet been introduced, the right of entry must be checked on the basis of adequate proof. This must be a form of proof that is currently customary, which is checked to confirm that it is genuine. In addition to the surname, forename and date of birth of the person concerned, it must include the following information:
 - a. for proof of vaccination:
 - the date of vaccination,
 - the vaccine used,
 - the name and address of the vaccination centre;
 - b. for proof of an earlier infection and recovery:
 - confirmation of the infection including the name and address of the confirming body (test centre, doctor, pharmacy, hospital), or
 - confirmation of isolation being lifted or confirmation of recovery from a doctor;
 - c. for proof of a negative test result:
 - the date and time the test sample was taken,
 - the form of test,
 - the test result itself,
 - the name and address of the test centre.
- 1.3 The organiser must verify the identity of the persons on entry based on an official identity document or another suitable official document.
- 1.4 The organiser may only process personal data as part of the entry check in sections 1.1–1.3 if this is required in order to conduct the check. In such an event, the following applies:
 - a. The organiser must inform the persons concerned at an early stage about the data processing.
 - b. The data may not be processed for any other purposes.

⁹⁹ Inserted by No II of the O of 26 May 2021 (Large-Scale Events, Large Trade and Consumer Fairs, and Pilot Projects for Events with up to 1000 Persons), in force since 27 May 2021 (AS 2021 297).

¹⁰⁰ SR 818.102

- c. The data may only be retained if this is necessary in order to carry out the entry check. In such an event, the data must be erased twelve hours at the latest after the conclusion of the event.
- 1.5 The precautionary measures plan shall contain measures that effectively counter the risks of the large-scale event identified in the risk analysis, in particular in relation to:
 - a. the type of event;
 - b. the local and infrastructure-related features of the venue;
 - c. the orderly and uninterrupted conduct of entry checks, including the training of the staff;
 - d. ensuring compliance with and monitoring the wearing of face masks in access and recreation areas and in sanitary facilities at the venue and in the audience area;
 - e. the procedure to be followed in the event of suspected and actual cases of infection among visitors, participants and staff in contact with the public;
 - f. hygiene, in particular the provision of disinfectants, regular cleaning, and ventilation;
 - g. the information given to visitors and participants about the applicable measures relating to hygiene and behaviour, in particular about the procedure in the event of an infection coming to light after the event;
 - h. training the staff with regard to the applicable measures, recognising COVID-19 symptoms and the procedure in the event of a suspected infection among the audience;
 - i. the procedure in the event of visitors or participants failing to comply with the requirements of the precautionary measures plan.
- 1.6 In addition, the requirements in Annex 1 Sections 1 and 2 apply.

2 Additional requirements for large-scale events from 1 July until 19 August 2021

- 2.1 General requirements
 - a. Movements of persons in the access area outside the venue must be regulated in consultation with the local security forces and transport operators.
 - b. Movements of persons, in particular in access and recreation areas and in sanitary facilities must be organised in terms of the space and time available so that the required distances can be maintained wherever possible.
 - c. The seating and standing areas must be occupied in such a manner that required distances can be maintained wherever possible.

- 2.2 The precautionary measures plan must contain measures in addition to those specified in number 1.5 in relation to:
- a. the anticipated behaviour of visitors and the participants;
 - b. the areas in which distancing will probably not be complied with or gatherings of people are expected;
 - c. the outward and return journeys of visitors and participants (public transport, private vehicles, restaurants and cafés likely to be visited before or after the event);
 - d. managing the behaviour of the participants.

3 Requirements for large-scale trade and consumer fairs under Article 6^bquinquies

- 3.1 Sections 1.1–1.4 apply to entry checks.
- 3.2 In the case of trade and consumer fairs with restricted entry in accordance with Article 6^bquinquies paragraph 2 letter a, entry must be restricted so that at least 4 square metres of space is available for each person.
- 3.3 In the case of trade and consumer fairs under Article 6^bquinquies paragraph 2 letter b, entry must be restricted so that at least 10 square metres of space is available for each person.