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

of 19 June 2020 (Status as of 15 August 2020)

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*The Swiss Federal Council,*

on the basis of Article 6 paragraph 2 letters a and b of the Epidemics Act  
of 28 September 2012<sup>1</sup> (EpidA),

*ordains:*

**Section 1      General Provisions**

**Art. 1**            Subject matter and purpose

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

<sup>2</sup> 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**            Principle<sup>2</sup>

Every person shall follow the recommendations of the Federal Office of Public Health (FOPH) on hygiene and social distancing during the COVID-19 epidemic<sup>3</sup>.

AS 2020 2213

<sup>1</sup> SR 818.101

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

<sup>3</sup> Available at [www.bag.admin.ch](http://www.bag.admin.ch) > Diseases > Infections diseases: outbreaks, Epidemics, Pandemics > Current outbreaks and epidemics > New coronavirus > Protect yourself and others.

**Art. 3a<sup>4</sup>** Persons travelling on public transport

<sup>1</sup> 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. persons who can prove that they are unable to wear face masks for compelling reasons, in particular medical reasons.

<sup>2</sup> Public transport vehicles under paragraph 1 are:

- a. vehicles operated by companies with a concession under Article 6 or a licence under Article 8 of the Passenger Transport Act of 20 March 2009<sup>5</sup>; exempted therefrom are ski lifts and chair lifts, in the case of which the measures apply that the operator sets out in its precautionary measures plan.
- b. Aircraft operated by companies holding an operating licence in accordance with Articles 27 or 29 of the Civil Aviation Act of 21 December 1948<sup>6</sup> that are used for scheduled or charter flights.

**Section 3****Measures relating to Publicly Accessible Establishments, Businesses and Events****Art. 4** Precautionary measures plan

<sup>1</sup> 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.

<sup>2</sup> 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; a reduced distance is permitted if suitable protective measures are taken, such as the wearing a face mask or installing suitable barriers.
- b. If, because of the nature of the activity or the on-site conditions or for operational or financial reasons, neither the required distance can be kept nor protective measures taken for a certain duration, provision must be made for recording the contact details of the persons present in accordance with Article 5.

<sup>3</sup> The requirements of paragraph 2 are specified in more detail in the Annex. The Federal Department of Home Affairs (FDHA) shall update these requirements in

<sup>4</sup> 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).

<sup>5</sup> SR 745.1

<sup>6</sup> SR 748.0

consultation with the Federal Department of Economic Affairs, Education and Research (EAER) in line with the latest scientific advice.

<sup>4</sup> 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

<sup>1</sup> If contact details are recorded in accordance with the Annex 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.

<sup>2</sup> The contact details must on request be passed on to the competent authority or organisation in the canton in accordance with Article 33 EpidA for the purpose of identifying and notifying persons who may have been infected.

<sup>3</sup> 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.

#### **Art. 6** Special provisions for events

<sup>1</sup> Large-scale events with over 1000 persons in attendance or over 1000 participants are prohibited.

<sup>2</sup> If contact details are recorded in accordance with Article 4 paragraph 2 letter b at events with over 300 persons in attendance, the venue must be divided into standing or seated sectors that accommodate a maximum of 300 persons.

<sup>3</sup> For private events, in particular family events, that are not held in publicly accessible establishments or businesses and whose participants are known to the organisers, only Article 3 applies. If the required distance cannot be kept and protective measures cannot be taken, the organisers shall be subject to the obligation to pass on the contact details of the persons present in accordance with Article 5 paragraph 2.

<sup>4</sup> For political and civil society demonstrations only the following applies:

- a. They may involve more than 1000 persons.
- b. The participants must wear face masks.

<sup>5</sup> For events with up to 30 persons only Article 3 applies.

#### **Art. 7** Relaxation of requirements by the cantons

The competent cantonal authority may authorise a relaxation of the requirements under Article 4 paragraphs 2–4 and Articles 5 and 6 provided:

- a. overriding public interests so require; and
- b. the organiser or operator submits a precautionary measures plan under Article 4 that includes specific measures to prevent the spread of the coronavirus (COVID-19) and to break transmission chains.

**Art. 8** Additional measures by the cantons

<sup>1</sup> If the number of persons who must be identified and notified under Article 33 EpidA increases to the extent that this measure is not practicable, the canton may for a limited time introduce restrictions that exceed the requirements of this Ordinance on the number of guests, persons in attendance or participants in establishments and businesses and at events.

<sup>2</sup> If a high number of infections occur or are imminent in a localised area, the canton may introduce regionally applicable measures for a limited time under Article 40 EpidA. It shall consult the FOPH beforehand and inform the FOPH of the measures taken.

**Art. 9** Inspections and obligations to cooperate

<sup>1</sup> The operator and organisers must:

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

<sup>2</sup> If the competent cantonal authorities establish that no adequate precautionary measures plan has been drawn up or that a plan has not been implemented, they shall take appropriate measures. They may close down individual establishments or businesses or prohibit or break up individual events.

**Section 4**  
**Measures to Protect Workers****Art. 10** Preventive measures

<sup>1</sup> 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.

<sup>2</sup> If it is not possible to keep the required distance, measures must be introduced in accordance with the STOP Principle (Substitution, Technical measures, Organisational measures, Personal protective equipment), in particular the option of working from home, physical separation, separate teams or wearing masks.

**Art. 11** Implementation, inspections and obligations to cooperate

<sup>1</sup> Pursuant to the health protection provisions in Article 6 of the Employment Act of 13 March 1964<sup>7</sup>, the authorities implementing the Employment Act and the Federal Act of 20 March 1981<sup>8</sup> on Accident Insurance are responsible for implementing Article 10.

<sup>7</sup> SR 822.11

<sup>8</sup> SR 832.20

<sup>2</sup> The responsible implementing authorities may conduct inspections of businesses and locations at any time without prior notice.

<sup>3</sup> Employers must allow the responsible implementing authorities access to their premises and locations.

<sup>4</sup> The instructions given by the responsible implementing authorities during their on-site inspections must be implemented immediately.

## **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. 13**

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

- a. wilfully failing as an operator or organiser to comply with the requirements laid down in Article 4 paragraphs 1 and 2 or Article 6 paragraphs 2 and 3;
- b. organising or holding an event prohibited under Article 6 paragraph 1.

## Section 7 Final Provisions

### Art. 14 Amendment of other legislation

The following Ordinances are amended as follows:

...<sup>9</sup>

### Art. 15 Commencement and duration

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

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

<sup>3</sup> ...<sup>10</sup>

<sup>4</sup> Article 6 paragraph 1 and 13 letter b apply until 30 September 2020.<sup>11</sup>

<sup>9</sup> The amendments may be consulted under AS **2020** 2213.

<sup>10</sup> 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).

<sup>11</sup> Inserted 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).

*Annex*  
(Art. 4 para. 3 and 5 para. 1)

## 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

<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> 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 recreation 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 b 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.

### 2 Hygiene

2.1 All persons must be able to wash their hands regularly. Hand sanitiser and, in the case of publicly accessible wash-hand basins, 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).
- 3.2 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 guest areas in restaurant-type establishments, including bars and clubs, in which food and drink are consumed while sitting at tables, groups of guests must be seated at the individual tables in such a way that the required distance is maintained between the individual groups.
- 3.4 The flow 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 responsible 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 relevant seat or table number;



- c. in guest areas of restaurant-type establishments, including bars and clubs, in which food and drink are consumed while standing, and in discotheques and dance halls: the time of arrival and of leaving;
  - d. in the case of events without seating with more than 300 persons in attendance: the sector as defined in Article 6 paragraph 2 in which the person was standing.
- 4.5 In the case of families or other groups with persons who know each other and in guest areas in restaurant-type establishments, including bars and clubs, in which food and drink are consumed while sitting at tables, it is sufficient to record the contact details of only one person in the family or group concerned.
- 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.

## **5 Special measures in the case of events involving more than 300 persons**

- 5.1 In the case of events with more than 300 persons in attendance, the required distance must be maintained between the sectors as defined in Article 6 paragraph 2. Persons in attendance must not move from one sector to another.
- 5.2 If certain operational or event areas, such as entrance or recreation areas, are used by persons in attendance from all sectors, the social distancing rules must be complied with or protective measures must be taken and implemented.
- 5.3 In the case of events with more than 300 participants, the required method of protection must be indicated in the precautionary measures plan, i.e. by keeping the required distance, taking protective measures or, if contact details are recorded, by forming permanent teams or preventing groups of more than 300 persons from mixing.
- 5.4 In guest areas of restaurant-type establishments, including bars and clubs, in which food and drink are consumed while standing, and in discotheques and dance halls, a maximum of 300 guests may be present at any single time in the guest area, hall or a sector as defined in Article 6 paragraph 2.

