

Fifteenth Bavarian Infection Protection Measures Ordinance (15th BayIfSMV)

of 23 November 2021

In accordance with Article 32 clause 1 in conjunction with Article 28 sub-para. 1 and Articles 28a and 28c clause 3 of the German Infection Protection Act (IfSG) of 20 July 2000 (Federal Law Gazette I p. 1045), last amended by Article 1 of the Act of 23 November 2021 (Federal Law Gazette I p. 4906), in conjunction with Article 11 of the COVID-19 Protective Measures - Regulation of Exceptions (SchAusnahmV) of 8 May 2021 (Federal Gazette Part 08.05.2021 V1), which was amended by Art. 20a of the Act of 23 November 2021 (Federal Law Gazette 4906) and Article 9 no. 5 of the Ordinance on Responsibility to Issue Decrees (DelV) of 28 January 2014 (Law and Ordinance Gazette p. 22, BayRS 103-2-V), last amended by the Ordinance of 27 July 2021 (Law and Ordinance Gazette p. 499), the Bavarian State Ministry of Health and Care orders:

Part 1 General regulations

ARTICLE 1 General recommendations for conduct

¹All persons are urged to keep a minimum distance of 1.5 m from other people and pay attention to adequate hand hygiene wherever possible. ²It is necessary to ensure sufficient ventilation in enclosed areas. ³Where it is not possible to keep a minimum distance of 1.5 m from other people, without prejudice to Article 2, the wearing of a medical face mask is recommended.

ARTICLE 2 Mask obligation

(1) ¹In buildings and enclosed spaces, including enclosed areas of public vehicles, cabins and the like, the obligation to wear an FFP2-mask applies ('mask obligation'). ²The mask obligation does not apply

1. inside private premises,
2. for fixed seats, standing places or workstations, as long as a minimum distance of 1.5 m is maintained from other people who are not members of one's own household,
3. to guests in catering facilities, as long as they are sitting at a table,
4. to services of a type that does not permit such measures,
5. to staff, as long as reliable infection protection in cash desk and counter areas is guaranteed by transparent or other suitable protective screens,
6. for other compelling reasons.

³Article 12 remains unaffected by this.

(2) ¹Outdoors, the mask obligation applies to events as per Article 4. ²sub-para. 1 clause 2 nos. 3 to 6 accordingly.

(3) ¹The following persons are exempted from the mask obligation:

1. Children up to the age of six;
2. Persons who can credibly demonstrate that it is not possible or that it is unreasonable for them to wear a mask due to a disability or for health reasons, as long as they can prove this

immediately on the spot, in particular by presenting the original copy of a written medical certificate, which must contain their full name, their date of birth and specific details of the reason for the exemption.

²Children and youths are required to wear only a medical face mask between their sixth and sixteenth birthday. ³The mask may be removed if it is necessary for identification purposes or for communicating with persons with impaired hearing. ⁴In the case of employees, during their work activities the mask obligation only applies within the framework of occupational health and safety law.

(4) Event organisers are obligated to ensure that the requirements of the mask obligation are observed.

ARTICLE 3

Contact restrictions for non-vaccinated and non-recovered persons

(1) ¹Meetings in public areas, in privately used rooms and on privately used land are only permitted to persons who are not vaccinated or recovered as defined in Article 2 nos. 2 and 4 of the COVID-19 Protective Measures Exceptions Ordinance (SchAusnahmV)

1. with members of their own household and
2. in addition the members of one other household, as long as a total number of five persons is not exceeded at the meeting.

²The children belonging to these households who are not yet twelve years and three months old, as well as persons who are vaccinated or recovered within the meaning of Article 2 nos. 2 and 4 SchAusnahmV, shall not be taken into account with regard to the total number. ³Spouses, life partners and non-marital partners are considered to form one household with their partner, even if they do not have a common abode.

(2) Sub-para. 1 does not apply to professional and official activities or to volunteer work in corporations and institutions under public law mandatorily requiring several persons to work together.

ARTICLE 4

Vaccinated, recovered, and additionally tested (‘2G plus’ – geimpft, genesen und zusätzlich getestet)

(1) Access to public and private events outside of private premises, to sports facilities, practical sports training, the cultural sector including theatres, opera houses, concert halls, stages, cinemas, museums, trade fairs, meetings, congresses, exhibitions, memorial sites, properties belonging to the Bavarian Administration of State-Owned Palaces, Gardens and Lakes, zoological and botanical gardens, furthermore to leisure facilities including public baths, spas, saunas, solaria, fitness studios, cable cars and excursion boats, guided tours, show caves and exhibition mines, amusement parks, indoor sports facilities, amusement arcades and casinos, betting offices, tourist rail and bus travel and areas comparable to these in infectiological terms may only be granted to providers, event organisers, operators, visitors, employees and volunteer workers if they

1. are vaccinated or recovered within the meaning of Article 2 nos. 2 and 4 SchAusnahmV or have not yet reached the age of twelve years and three months, and
2. who, in addition, are in possession of proof of a test result as per sub-para. 6 or are subject to sub-para. 7.

(2) Subject to the preconditions of sub-para. 1, the following applies:

1. In buildings, enclosed areas, stadia or sites whose capacity is limited in other ways, a maximum of 25% of the capacity may be used.
2. The maximum number of participants allowed is determined, subject to no. 1, by the number of available seats with a minimum distance of 1.5 m to other seats.
3. The following applies as regards events:
 - a) During the entire event, a minimum distance of 1.5 m must always be maintained between persons who are not members of the same household.

- b) Article 2 sub-para. 1 clause 2 no. 2 does not apply.
 - c) For visitors to public and private events outside of private premises, the mask obligation and, by way of derogation from letter a, likewise the minimum distance do not apply as long as they are seated at the table.
4. In a departure from no. 1, an upper limit of 12,500 visitors per day applies for trade fairs.
 5. If more than 1,000 people are admitted, then the event organiser must present the infection protection concept required pursuant to Art. 7 sub-para. 1 to the responsible local authority in advance and without being prompted.
 6. Additionally, for sport and cultural events involving more than 1,000 people, the following applies:
 - a) Only personalised admission tickets may be sold.
 - b) It is forbidden to sell, serve or consume alcoholic drinks.
 - c) Obviously inebriated people must not be granted admission.

(3) In a departure from sub-para. 1, access may be granted to:

1. persons who cannot be vaccinated for medical reasons and can prove this on the spot, in particular by presenting an original, written medical certificate showing their full name and date of birth, and can also present proof of a test result as per sub-para. 6 no. 1,
2. under-age pupils as per sub-para. 7 no. 2 for them to perform sports, musical or drama activities.

(4) ¹Providers, event organisers, operators, employees and volunteer workers of the establishments and events referred to under sub-para. 1 who are neither vaccinated nor recovered as defined in Article 2 nos. 2 and 4 SchAusnahmV and who have contact with customers must, on at least two different days per week, be in possession of proof of a negative test result as per sub-para. 6 no. 1. ²Article 28b sub-para. 1 of the Infection Protection Act (IfSG) remains unaffected by this.

(5) Providers, event organisers and operators are obligated to retain their own test results for two weeks and to inspect the proof of vaccination or recovery or test results that must be presented through effective access control including verification of the identity of each person.

(6) Insofar as this Ordinance requires proof of the absence of infection with the SARS-CoV-2 coronavirus (proof of test result) for the use of or admission to certain facilities, establishments or areas, written or electronic proof must be presented of a negative test result gained on the basis

1. of a PCR test, PoC-PCR test or a test using other nucleic acid amplification methods, carried out no more than 48 hours previously,
2. of a PoC antigen test carried out no more than 24 hours previously, or
3. of an antigen test designed for self-administration by lay persons ('self-test') approved by the Federal Institute for Drugs and Medical Devices and carried out under supervision no more than 24 hours previously,

which, in addition, must conform to the requirements of the COVID-19 Protective Measures - Regulation of Exceptions (SchAusnahmV).

(7) The following persons are regarded as equivalent to tested persons:

1. Children up to the age of six,
2. Pupils who undergo regular testing in the course of school attendance,
3. Children not yet attending school.

(8) No access restrictions based on this paragraph exist for people who are neither vaccinated nor recovered as defined in Article 2 nos. 2 and 4 SchAusnahmV with respect to religious services and assemblies as defined in Art. 8 of the German Constitution.

ARTICLE 5
Vaccinated or recovered (2G)

(1) With regard to closed rooms, access to

1. catering facilities and hospitality establishments, universities, libraries and archives, extracurricular educational provision including vocational education, training and skills development, music schools, driving schools and adult education and areas comparable to these in infectiological terms, to events held by political parties and voter associations, and
2. services where physical proximity to the customer is inevitable, and which do not come under the category of medical, therapeutic or care services,

may only be granted - subject to more specific provisions of this Ordinance, to providers, event organisers, operators, visitors, employees and volunteers, insofar as they are, as defined in Article 2 nos. 2 and 4 SchAusnahmV, vaccinated or recovered or not yet twelve years and three months of age.

(2) ¹Article 4 sub-para. 3 to 5 applies accordingly. ²In the catering sector, the hospitality sector and in the case of services as per sub-para. 1 no. 2, notwithstanding Article 4 sub-para. 4 clause 1, instead of proof of a test result pursuant to Article 4 sub-para. 6 no. 1, on each working day proof of a test result pursuant to Article 4 sub-para. 6 no. 2 or 3 can be presented.

(3) In a departure from sub-para. 1, access may be granted to:

1. persons involved in conducting examinations as well as those staying at hospitality establishments, not as tourists and for unpostponable reasons, upon presentation of proof of a test result as per Article 4 sub-para. 6 no. 1,
2. under-age pupils as per Article 4 sub-para. 7 no. 2 in catering facilities and in hospitality establishments,
3. persons involved in conducting ongoing examination blocks which already started before 24 November 2021.

(4) With regard to the trade sector and to service and trade companies not included in sub-para. 1 and to polling stations and registry rooms, no access restrictions based on this paragraph exist for non-vaccinated or non-recovered persons as defined in Article 2 nos. 2 and 4 SchAusnahmV.

ARTICLE 6
Recording contact data

(1) Contact data must be collected for all events of any kind with more than 1,000 persons in buildings, enclosed spaces, stadia or otherwise restricted places, by service providers for whom physical proximity to the customer is indispensable, in the accommodation sector as regards shared accommodation.

(2) ¹Where contact data is collected as per sub-para. 1, Article 28a para. 4 IfSG applies accordingly with the following provisos:

1. The surname and first names, an address and secure contact information (phone number, email address) and the period of stay must be documented for each person;
2. whenever contact data are given to a person obligated to collect them, they must be accurate.

²The collection of contact data as per sentence 1 may also be carried out in electronic form, as long as a sufficiently precise documentation of the data specified in sentence 1 no. 1 is ensured. ³Authorities, courts and public bodies that perform tasks in the public interest or undertake acts ordered by a public authority may also collect personal data in accordance with clauses 1 and 2 as part of the entry procedure for the relevant buildings or premises.

ARTICLE 7
Infection protection concepts

(1) ¹Operators or event organisers in the following sectors must develop an individual infection protection concept and comply with it: the commercial sector, markets and shopping centres, services and manual trades accessible to customers, full inpatient care facilities as defined in Section 71(2) of

the Eleventh Book of the Social Code, facilities for persons with disabilities as defined in Section 2(1) of the Ninth Book of the Social Code in which integration assistance services are provided during the day and night, retirement homes and senior citizens' residences, hospitals, preventive care and rehabilitation facilities in which medical care comparable to that provided in hospitals is provided (institutions described in Art. 23 sub-para. 3 clause 1 nos. 1 and 3 IfSG) and in residential intensive care facilities outside hospitals where outpatients are treated, assemblies in enclosed spaces in the sense of Article. 8 of the German Constitution, sports facilities and sporting events, leisure facilities of all kinds, catering facilities, the accommodation sector, meetings, congresses, trade fairs, universities, schools, child day care facilities, vocational education, training and skills development, extracurricular education, libraries, archives, the cultural sector, theatres, opera houses, concert halls, stages, cinemas, museums, exhibitions, memorial sites, properties belonging to the Bavarian Administration of State-Owned Palaces, Gardens and Lakes, and ensembles of non-professional or amateur performers.²The above does not apply if an event or assembly involves less than 100 people.³The responsible authority can demand that an infection protection concept be drawn up, either generally or in individual cases.⁴Unless otherwise specified, the infection protection concepts must be presented to the responsible local authority on request only.

(2)¹The relevant state ministry responsible for the sector, in consultation with the State Ministry of Health and Care, shall announce conceptual frameworks under infection protection law for specific sectors.²The operators or event organisers in the sectors affected by this must create infection protection concepts that accord with the requirements of the conceptual framework.

Part 2 Supplementary regulations for individual sectors

ARTICLE 8 Religious services

For religious services which are open to the public in churches, synagogues and mosques, and meetings of other religious communities, the following applies in addition to the general regulations:

1. Religious services or meetings which only vaccinated, recovered or tested people attend can be held without any upper limit to the number of attendees; otherwise, the maximum number of participants allowed in buildings, including vaccinated and recovered persons, is determined by the number of available seats with a minimum distance of 1.5 m to other seats.
2. An infection concept which minimises the possible infection risks depending on the religious community and its religious practices must be put in place.

ARTICLE 9 Assemblies as defined by Article 8 of the German Constitution

(1)¹In the case of assemblies as defined by Article 8 of the Constitution which are held outdoors, a minimum distance of 1.5 m must be maintained between all participants.²If necessary, the authorities responsible according to Article 24 sub-para. 2 of the Bavarian Assembly Act (BayVersG) must ensure that the infection risks arising from the assembly also remain limited to a reasonable level in other respects, by means of restrictions in accordance with Art. 15 BayVersG.

(2) Assemblies as defined by Article 8 of the German Constitution which are held in enclosed spaces and in which only vaccinated, recovered or tested persons take part can be held without any upper limit to the number of attendees; in other cases, the maximum number of participants allowed, including vaccinated and recovered persons, is determined by the number of available seats with a minimum distance of 1.5 m from other seats.

ARTICLE 10 Trade and service companies, markets

(1)¹As regards wholesale and retail businesses as well as service and trade enterprises visited by customers, the operator must ensure that

1. a minimum distance of 1.5 m can always be maintained between customers, and

2. that the number of customers present in the shop at the same time does not exceed one customer per 10 m² of the sales area.

²The following applies to shopping centres:

1. Sentence 1 applies to the individual shops.
2. With regard to the shopping centres, sentence 1 applies with the proviso that the maximum number of customers admitted depends on the overall floor space of the shopping centre.

(2) Annual markets, especially Christmas markets, are prohibited.

Article 11 **Catering facilities**

In addition to the general regulations, the following applies to catering facilities:

1. Gastronomic offers may not be provided between 22:00 hrs and 05:00 hrs (curfew).
2. In enclosed rooms, dancing is only permitted at events permitted under this Ordinance.
3. In enclosed rooms, playing music and musical accompaniment is only permitted as background music, except at events permitted under this Ordinance.
4. It is prohibited to run licensed public bars as per Section 1 sub-para. 1 no. 1 and Section 2 of the German Licensing Act.
5. The dispensing and delivery of take-away food and drinks is permitted.
6. Articles 4 and 5 and no. 1 do not apply to staff canteens not accessible to the public.

Article 12 **Schools**

(1) ¹For lessons and other school activities, lunchtime supervision at schools and teaching and study activities at the State Institute for the Training of Specialist Subject Teachers and the State Institute for the Training of Support Teachers, Article 2 applies with the addition of the following measures:

1. Article 2 sub-para. 1 clause 2 no. 2 does not apply.
2. The mask obligation also applies during sports lessons in closed rooms.
3. The mask obligation ceases to apply
 - a) for pupils on account of compelling reasons related to teaching, learning or school organisation, after approval by the supervisory staff, or
 - b) during ventilation of the classroom or common room with short bursts of air.

²Pupils and teachers and other staff of schools may, notwithstanding Article 2, wear a medical face mask. ³Pupils up to and including Year 4 may wear a textile mouth and nose covering instead of a medical face mask.

(2) ¹Pupils are only permitted to participate in classroom teaching, in other school activities or face-to-face school holiday courses and lunchtime and emergency care groups if, three times a week, they provide proof of a test result as per Article 4 sub-para. 6 nos. 1 and 2, or have taken a self-test provided by and to be used under supervision at school, with a negative result. ²For pupils at elementary level or at special needs schools focusing on intellectual development, physical and motoric development and vision, clause 1 applies with the proviso that, after a decision by the State Ministry for Education and Culture, two PCR pool tests weekly may take the place of three weekly self-tests; in this case, every Monday morning proof of an additional test result must be presented or a self-test performed under supervision. ³Compulsory school attendance remains unaffected. ⁴After a case of infection becomes known in a class, the pupils of this class must provide daily proof of a test result for five days of classroom teaching. ⁵The school will process the test result for the purposes referred to in clauses 1 and 2. ⁶The test data will not otherwise be passed on to third parties, subject to reporting duties under the Infection Protection Act. ⁷As regards participation in PCR pool tests, the laboratories and transport personnel engaged to perform the testing are not regarded as third parties in the

meaning of clause 6. ⁸The test result shall be kept for a maximum of 14 days. ⁹The State Ministry for Education and Cultural Affairs may announce exceptions for pupils with special educational needs.

(3) For teachers and other school staff, Article 28b sub-para. 1 IfSG applies.

(4) ¹Third parties, in particular parents, may only enter the school premises insofar as they are, as defined in Article 2 nos. 2, 4, 6 SchAusnahmV, vaccinated, recovered or tested. ²Articles 4 and 5 remain unaffected.

Article 13

Child day care

(1) The running of day-care centres, day-care babysitter and nanny services, holiday day-care centres and organised playgroups for children is only permitted subject to the condition that the children are cared for in fixed groups.

(2) The providers of child day-care facilities or curative day-care centres and child minders must provide three tests per week of care for every child not yet enrolled in school which enable direct pathogen detection of the SARS-CoV-2 coronavirus, or must make it possible for three self-tests to be collected from pharmacies free of charge.

(3) ¹Pupils may only attend day care if they have tested negative as set out in Article 12 sub-para. 2. ²If the requirements for attending classroom teaching or emergency childcare on the same day as set out in Article 12 sub-para. 2 have not yet been met, Article 12 sub-para. 2 shall apply accordingly, with the exception that 'the childcare facility' shall replace 'the school'.

(4) For staff of the facilities, Article 28b sub-para. 1 IfSG applies.

(5) ¹Third parties, in particular parents, may only enter the premises of the facilities - except for bringing or collecting the children - insofar as they are, as defined in Article 2 nos. 2, 4, 6 SchAusnahmV, vaccinated, recovered or tested. ²Articles 4 and 5 remain unaffected.

ARTICLE 14

Other specific regulations

(1) It is forbidden to party in public places and grounds; public festivals are also prohibited.

(2) ¹The consumption of alcohol is prohibited in public areas of frequent encounters in town centres or other public places in the open air where people are present either in close proximity to each other or for more than a short space of time. ²The exact locations involved are determined by the responsible local authority in each case.

(3) Clubs, discotheques, brothels and comparable leisure facilities are closed.

Part 3

Regional hotspot lockdown

ARTICLE 15

Regional hotspot lockdown

(1) If, in a district or city with district status, the number of new infections with the SARS-Cov-2 coronavirus per 100,000 inhabitants within a period of seven days ('7-day incidence') exceeds 1,000 the following applies:

1. All events, facilities and establishments which are subject to Articles 4 and 5 are prohibited; the following applies in particular:
 - a) assemblies, insofar as they are not assemblies as specified in Article 9, crowds, as well as public festivities, are prohibited.
 - b) The operation and use of sports halls, sports grounds, fitness studios, dance schools and other sports facilities is prohibited; the following remains unaffected:

- aa) the competition and training activities of professional athletes and of competitive athletes of the national and regional squads, provided that the presence of spectators is excluded and access to the sports facility is only granted to those persons who are needed for the competitive or training activities or media coverage, and
 - bb) school sports.
 - c) It is prohibited to run a gastronomic business of any kind; it is permitted to
 - aa) dispense and deliver take-away food and drinks, although it is prohibited to consume them on the spot, and
 - bb) run company canteens which are not open to the public if it is ensured that a minimum distance of 1.5 m is maintained between all guests who are not members of the same household.
 - d) Services where physical proximity to the customer is inevitable and which do not come under the category of medical, therapeutic or care services or hairdressing services are prohibited.
 - e) Overnight accommodation may only be offered by hotels, accommodation facilities, school hostels, youth hostels, campsites and all other commercial or paid lodgings for absolutely necessary, non-tourist stays which cannot be postponed; overnight accommodation for tourist purposes is prohibited.
 - f) Extracurricular educational offers including vocational education, training and skills development, music schools, driving schools and adult education are prohibited in face-to-face form with the exception of examinations.
 - g) With the exception of examinations, no face-to-face events shall take place at universities; practical and artistic training elements and events requiring special laboratories or workrooms at the universities are permitted notwithstanding clause 1 if it is ensured that a minimum distance of 1.5 m is always maintained between all participants.
 - h) Libraries and archives are closed.
 - i) All cultural sites are closed, in particular:
 - aa) museums, exhibitions, memorial places, properties of the Bavarian Administration of State-Owned Palaces, Gardens and Lakes and comparable cultural sites,
 - bb) theatres, operas, concert halls, cinemas, stages and similar establishments,
 - cc) zoological and botanical gardens.
 - j) All leisure facilities and events are prohibited, in particular:
 - aa) amusement parks and comparable fixed recreational facilities; leisure activities may not be offered commercially, neither in the open air nor indoors.
 - bb) Guided city tours and tours for guests as well as mountain, cultural and nature tours and tours in show caves and visitor mines are prohibited.
 - cc) The operation of cable cars, boats on rivers and lakes for excursion purposes and tourist rail transport is prohibited.
 - dd) The opening and operation of bathing facilities, hotel swimming pools, spas, wellness centres and saunas is prohibited; Article 12 remains unaffected.
 - ee) The operation of amusement arcades, casinos, betting offices and comparable leisure facilities is prohibited.
2. Notwithstanding Article 10 sub-para. 1 clause 1 no. 2 it must be ensured that the number of customers present in the shop at the same time does not exceed one customer per 20 m².

(2) ¹As soon as the 7-day incidence for its area, as published on the Internet by the Robert Koch Institute, exceeds the value of 1000, the responsible local authority must announce it officially without delay. ²In the event that this occurs, the requirements stipulated in sub-para. 1 apply from the day after the announcement. ³The local authority must equally make an announcement if the value of 1000 is

no longer exceeded for five successive days. ⁴In this case, clause 2 applies analogously to the end of the measures stipulated in sub-para. 1.

Part 4 Final provisions

ARTICLE 16

Additional instructions, exemptions

(1) Additional or supplementary instructions from the authorities responsible for the enactment of the Infection Protection Act regarding the provisions of this Ordinance or the infection protection concepts issued on its basis remain unaffected.

(2) ¹Upon application, special exemptions may be granted by the responsible local authority, provided that each case is acceptable in terms of infection protection legislation. ²Special exemptions for a general group of persons or a general constellation of cases may only be granted in agreement with the responsible government under the conditions of clause 1.

ARTICLE 17

Offences

An offence within the meaning of Section 73 sub-para. 1a no. 24 IfSG is committed by anyone who, intentionally or negligently,

1. in breach of Article 2, does not comply with the mask obligation or, in breach of Article 2 sub-para. 4, in their role of event organiser does not ensure that the mask obligation is complied with,
2. in breach of Article 3 sub-para. 1, spends time with other persons,
3. in breach of Articles 4 and 5, enters a facility specified therein without the necessary evidence of vaccination, recovery or testing, or uses a service specified therein or, in their role of event organiser or owner of a business or facility, does not ensure pursuant to Article 4 sub-para. 5, also in conjunction with Article 5 sub-para. 2, that the guest, visitor or user, and the employee or volunteer, presents evidence of vaccination, recovery or testing or, in breach of Article 4 sub-para. 5, also in conjunction with Article 5 sub-para. 2, as a provider, event organiser or operator, fails to retain their own proof of a test result for two weeks,
4. in breach of Article 4 sub-para. 2, stages events,
5. in breach of Article 6, as a person obliged to obtain contact data, does not record these or, as a person obliged to declare contact data, provides false information,
6. in breach of Article 7, does not draw up an infection protection concept,
7. in breach of Article 9 sub-para.1 clause 1, takes part in an assembly or, in breach of Article 9 sub-para. 2, organises assemblies in enclosed spaces,
8. in breach of Article 10, runs a shop or stages an annual market,
9. in breach of Article 11, runs a gastronomic business,
10. in breach of Article 12, operates a private school as defined by Art. 90 et seq. of the Bavarian Education and Training Act without fulfilling the obligations set out in Article 12 sub-para. 2 or, in breach of Article 12 sub-para. 4, enters the school grounds,
11. in breach of Article 13, operates a child day-care facility without complying with the obligations specified therein or, in breach of Article 13 sub-para.5, enters the grounds of facilities,
12. in breach of Article 14 sub-para. 1, parties in public places or grounds or, in breach of Article 14 sub-para. 2, consumes alcohol,
13. in breach of Article 14 sub-para. 3, operates the facilities specified therein,
14. in breach of Article 15 sub-para. 1,
 - a) no. 1

- aa) letter a, conducts an event or an assembly or takes part in an event or assembly,
 - bb) letter b, runs or uses the facilities specified therein,
 - cc) letter c, opens or runs a gastronomic business or, as a customer, consumes food or drink on the spot,
 - dd) letter d, performs services,
 - ee) letter e, provides accommodation,
 - ff) letter f, runs extracurricular education classes,
 - gg) letter i or j, runs cultural sites or leisure facilities or carries out leisure events,
- b) no. 2, runs a shop.

ARTICLE 18

Effective date, expiry date

(1) This Ordinance takes effect on 24 November 2021 and expires on 15 December 2021 at midnight.

(2) At midnight of 23 November 2021, the Fourteenth Bavarian Infection Protection Measures Ordinance (14th BayIfSMV) of 1 September 2021 (BayMBl. No. 615, BayRS 2126-1-18-G), last amended by the Ordinance of 16 November 2021 (BayMBl. No. 799), expires.

Munich, 23 November 2021

Bavarian State Ministry of Health and Care

Klaus Holetschek, State Minister