

MILITARY ORDINANCE no. 5 of 30.03.2020
on measures for preventing the spread of COVID-19

Considering the provisions of Article 24 of the Government Emergency Ordinance no. 1/1999 regarding the state of siege and the emergency regime, published in the Official Journal of Romania, Part I, no. 22 of January 21, 1999, approved with modification and amendments by Law no. 453/2004, as subsequently amended and supplemented,

Having regard the assessment made by the National Committee for Special Emergency Situations, approved by the Decision no. 17 of 30.03.2020,

Based on Article 4 paragraphs (2) and (4) of Decree no. 195/2020 regarding the establishment of the state of emergency at national level, published in the Official Journal of Romania, Part I, no. 212 of March 16, 2020, of points 1 and 4 of annex no. 2 to the same decree and of Article 20 letter n) of the Government Emergency Ordinance no. 1/1999, as subsequently amended and supplemented,

The minister of home affairs issues the following Military Ordinance:

Article 1 - (1) The measure regarding the suspension of flights run by airline operators to Spain and from Spain to Romania is extended for an additional 14 day-period, as of March 31, 2020, 18.00.

(2) The measure regarding the suspension of flights run by airline operators to Italy and from Italy to Romania is extended for an additional 14 day-period, as of April 6, 2020.

(3) The measures referred to in paragraphs (1) and (2) shall not apply to flights operated by state-owned aircraft, cargo and mail flight, humanitarian flights or flights providing emergency medical services, as well as for technical landings for non-commercial purposes

Article 2 - (1) Ministry of Transport, Infrastructure and Communications is empowered to ensure the application and observance with the provisions of Article 1 of this Military Ordinance.

(2) Failure to comply with the measure provided for in Article 1 results in disciplinary, civil, contraventional or criminal liability, in accordance with the provisions of Article 27 of the Government Emergency Ordinance no. 1/1999 regarding the state of siege and the emergency regime, as subsequently amended and supplemented.

(3) The personnel of the institution referred to in paragraph (1) is authorised to find contraventions and apply sanctions, in accordance with the provisions of Article 29 of the Government Emergency Ordinance no. 1/1999, as subsequently amended and supplemented.

Article 3 - (1) Paragraphs (1) and (2) of Article 3 of the Military Ordinance 4/2020 regarding measures for preventing the spread of COVID-19, published in the Official Journal of Romania, Part I, no. 257 of March 29, 2020, are amended accordingly and shall have the following content:

„(1) The persons who leave the place where they are quarantined, without approval from the competent authorities, shall be required to resume the 14-day quarantine cycle, bearing the expenses incurred with their quarantine, and will be criminally liable, according to the law.

(2) Persons who do not respect the conditions of isolation at the location previously declared / at which they chose to stay in isolation and are found outside the isolation area shall be forced to quarantine for 14 days, bearing the expenses incurred with their quarantine, and will be sanctioned with a contravention according to the provisions of the Government Emergency Ordinance no. 1/1999 regarding the state of siege and the emergency regime, as subsequently amended and supplemented, unless their activity is not a crime.”

(2) This measure shall apply from the date this Military Ordinance is published in the Official Journal of Romania, Part I.

Article 4 - The provisions of Article 4 of the Military Ordinance no. 4 /2020 regarding measures for preventing the spread of COVID-19, published in the Official Journal of Romania, Part I, no. 257 of March 29, 2020, shall not apply to:

a) aircraft pilots and crew members of flying to and from areas covered by the "YELLOW area" code or with no epidemiological risk;

b) aircraft pilots and crew members flying to and from areas covered by the "RED area" code or at epidemiological risk, who do not leave the aircraft between flights or who wear protective equipment (overall, gloves, glasses, mask), if leaving of aircraft between flights.

Article 5 - (1) This Military Ordinance is published in the Official Gazette of Romania, Part I.

(2) The audiovisual and radio broadcasters have the obligation to inform the public, through messages broadcasted regularly, during at least the following two days after the date of publication, about the content of this Military Ordinance.

Minister of Home Affairs

Ion Marcel Vela