

**MILITARY ORDINANCE no. 8 of April 9, 2020 regarding measures to prevent the spread
COVID-19**

Article 1

(1) The movement outside the home / household of the holders of commercial fishing permits / permits is allowed on Danube / inland waters / Black Sea for commercial fishing and aquaculture activities, as well as for the valorisation / commercialization of the products resulting from these activities.

(2) It is allowed to move outside the house / farm of the beekeepers to / from the location of the bee or for moving the bee. Proof of the quality of beekeeper is made with the certificate that includes the hive code issued by the offices county of animal husbandry or with any other documents proving the quality of beekeeper and the property on the hives.

(3) The movement outside the home / household is allowed for the purchase of vehicles, spare parts for

motor vehicles and car repair services.

(4) The provisions of art. 4 of the Military Ordinance no. 3/2020 on measures to prevent the spread of COVID-19 applies appropriately.

(5) In the declaration on their own responsibility, the persons mentioned in par. (1) and (2) mention, as a reason, the movement in professional interest, and the persons mentioned in par. (3) mentions, as a reason, the displacement for the provision of goods which covers the basic needs of the people.

(6) The measures shall be applied from the date of publication of the present military ordinance in the Official Gazette of Romania, Part I.

Article 2

(1) The measure of suspension of flights performed by airline operators to Spain and from Spain shall be extended to Romania, for a period of 14 days, starting with April 14, 2020.

(2) The measure provided in par. (1) does not apply to flights made with state aircraft, freight and correspondence, humanitarian or providing emergency medical services flights, as well as non-commercial technical landings.

(3) The measure provided in par. (1) also applies after the duration for which the state of emergency is established by Decree no. 195/2020, only if the state of emergency throughout the territory of Romania is extended and if in the decree of extension of the the state of emergency maintains the competence of the minister of internal affairs to establish, by military ordinance, the prohibition gradual air circulation on different routes.

Article 3

(1) The agri-food markets remain open throughout the period of emergency, for the farmers who present the agricultural producer certificate, with the obligation to comply with the measures to prevent the spread of COVID-19.

(2) It is allowed to move agricultural producers from the place of production of agri-food products to and from the agri-food market and access within it, based on a declaration on its own responsibility and the certificate of manufacturer.

(3) The phytopharmaceutical units remain open during the period of emergency, their personnel having the obligation of compliance with the measures to prevent the spread of COVID-19.

(4) The measures shall be applied from the date of the publication of this military ordinance in the Official Gazette of Romania, Part I.

Article 4

(1) It is extended, according to the annex no. 1 to this military ordinance, during the entire period of the state of emergency, the temporary closing - total or partial - of the state border crossing points, established by the Decisions Of the National Committee for Special Emergency Situations no. 8/2020 and no. 12/2020.

(2) The measure shall be applied from the date of publication of this military ordinance in the Official Gazette of Romania, Part I.

Article 5

(1) Cross-border workers who, upon entry in Romania from Hungary, do not have symptoms associated with COVID-19, are exempted from the measures of isolation at home or quarantine.

(2) Cross-border worker means the person who proves that he lives and works within a 30 km radius of part or other of the Romanian-Hungarian state border, calculated from the nearest border crossing point open to human traffick, and returns at home at least once a week.

(3) The crossing points of the Romanian-Hungarian state border through which the entry into Romania is allowed under the conditions of par. (1) are the following: Cenad, Nădlac, Turnu, Vârșand, Salonta, Borș, Săcuieni, Urziceni and Petea.

(4) Through the crossing points of the Romanian-Hungarian state border provided in par. (3) entry / exit is allowed to cross-border workers with agricultural machinery and equipment.

(5) In case of non-observance of the conditions stipulated in par. (2), the persons concerned are quarantined for a period of 14 days, bearing the expenses incurred with their quarantine.

(6) The measures shall be applied from the date of publication of the present military ordinance in the Official Gazette of Romania, Part I.

Article 6

(1) The persons entering Romania for the provision of certain services are exempted from the measure of isolation at home / quarantine installation, commissioning, maintenance, service of medical equipment and equipment, if they do not present symptoms associated with COVID-19 and prove the contractual relations with the beneficiary / beneficiaries on Romanian territory.

(2) The provisions of para. (1) also applies to the technique / equipment in the scientific, economic, defense, order fields public and national security.

(3) The measures shall be applied from the date of publication of the present military ordinance in the Official Gazette of Romania, Part I.

Article 7

(1) During the state of emergency, the export for agri-food products mentioned in annex no. 2 to this military ordinance is prohibited / suspended.

(2) The export procedures of the agri-food products provided in par. (1), in progress at the date of entry into force of this military ordinance, is suspended during the period of emergency.

(3) During the state of emergency, the activity of issuing phytosanitary certificates for export is suspended for agri-food products from the list provided in annex no. 2 to this military ordinance.

(4) The measures shall be applied from the date of the publication of this military ordinance in the Official Gazette of Romania, Part I.

Article 8

(1) Intra-Community acquisition of agri-food products from the list provided in annex no. 2 can be done only if the Member State proves that the products purchased are intended for their own internal consumption or the Community one, and not the export one.

(2) The measure shall be applied from the date of publication of this military ordinance in the Official Gazette of Romania, Part I.

Article 9

(1) During the state of emergency, the cessation or suspension of the activity is forbidden for the social services of centers for residential care and assistance for the elderly, residential centers for children and adults, with and without disabilities, as well as for other vulnerable categories, public and private, provided in the List of social services, approved by Government Decision no. 867/2014 for the approval of the List of social services, as well as a the framework regulations for the organization and functioning of social services, as subsequently amended and supplemented.

(2) The Proponents / Supporters / Legal representatives of the beneficiaries of the services provided in par. (1), based on a request, can ask for the transfer of the beneficiaries from the center to their home or, as the case may be, to the residence of the owners / supporters / legal representatives if they assume, under their own responsibility, that they have conditions corresponding to the temporary protection of them.

(3) The measures shall be applied from the date of publication of the present military ordinance in the Official Gazette of Romania, Part I.

Article 10

(1) The preventive isolation measure at the workplace or in special areas shall be established during the emergency period, in which no outside persons have access, dedicated to the employees of the centers provided in art. 9 paragraph (1) over a period of 14 days.

(2) The period provided in par. (1) is followed cyclically by a period of preventive isolation at home, for a period equal to that of preventive isolation at the workplace, the presence of the staff in the center being ensured in shifts.

(3) Within 24 hours from the publication in the Official Gazette of Romania, Part I, of this military ordinance, the head of the center, the designated substitute or the coordinator of the specialized personnel establishes the organization of the shifts on the period of emergency.

(4) In the absence of the personnel provided in par. (3), the director of the general directorate of social assistance and child protection, for public social services from the structure of the general directorate, the mayor, for the social services organized within / in the subordination of the authorities of the local

public administration, and the legal representative of the private provider establish the shifts organization during the state of emergency.

(5) In exceptional situations, in the case of private social services, for which the personnel provided in par. (3) and (4) does not exist, the county committee for special emergencies designates the person responsible for the shifts organization for preventive isolation at work / home and to ensure service management.

(6) Refusal of preventive isolation at the workplace by the personnel of the centers provided in art. 9 paragraph (1) attracts contravention or criminal liability, as the case may be.

(7) Access of visitors / belongers / supporters / legal representatives of the beneficiaries of social services in the centers residential units provided in art. 9 paragraph (1) is prohibited.

(8) The measure provided in par. (7) shall apply from the date of publication of this military ordinance in the Official Gazette of Romania, Part I.

Article 11

In the case where the providers of social services have no own resources of accommodation for the application of the provisions of art. 10 paragraph (2), the authorities of the local public administration within the area of which function the social services provided at art. 9 paragraph (1) have the obligation to identify and provide, in their proximity, spaces for the accommodation of isolated personnel to the work place, of the daily food needed for it, as well as to ensure the transport of the personnel, which is in preventive isolation at home, from work place to his / her residence / residence and vice versa, in compliance with the measures for protection and prevention of infection.

Article 12

(1) The personnel serving the centers provided in art. 9 paragraph (1) is provided by the social service provider the necessary hygienic-sanitary and protective equipment.

(2) The measure shall be applied from the date of publication of this military ordinance in the Official Gazette of Romania, Part I.

Article 13

(1) During the state of emergency, with the exception of the legal provisions in force, in the case of the dismissal of the employees of the centers provided in art. 9 paragraph (1), the notice period is 45 calendar days.

(2) The measure shall be applied from the date of publication of this military ordinance in the Official Gazette of Romania, Part I.

Article 14

(1) In order to prevent the occurrence of outbreaks of infection, in the event of the manifestation of the specific symptomatology COVID-19 or, as the case may be, upon information concerning direct contact with an infected person among beneficiaries or all staff, public health departments ensure the testing of beneficiaries and all staff, at the service headquarters social.

(2) The measure shall be applied from the date of publication of this military ordinance in the Official Gazette of Romania, Part I.

Article 15

(1) During the state of emergency, the procedures for selling / buying majority packages of shares of the company are suspended, for companies in the national energy system, regardless of their ownership form.

(2) The resumption of the procedures will be done after the conclusion of the state of emergency with the corresponding delay of the deadlines provided in the previous calendar.

(3) The measure shall be applied from the date of publication of this military ordinance in the Official Gazette of Romania, Part I.

Article 16

It is recommended to the authorities of the local public administration and to the owners, natural or legal persons, to mount devices with disinfectant solutions at the entrances to buildings intended for collective housing and to disinfect periodically elevators, stairwell and other common spaces inside these buildings.

Article 17

On Thursdays, Fridays and Saturdays, before the two Easter holidays, the economic operators who sells agri-food products can extend their operating program according to needs.

Article 18

(1) After paragraph 3 of article 9 of the Military Ordinance no. 1/2020 regarding some emergency measures that concern the agglomerations of persons and the cross-border movement of some goods, published in the Official Gazette of Romania, Part I, no. 219 of April 18, 2020, a new paragraph, paragraph 4 is inserted, with the following content:

"(4) For failure to comply with the measure provided for in Article 5, in addition to the main contravention sanction, according to nature and gravity of the act, the complementary contravention sanction of the confiscation of goods whose transportation for distribution outside the territory of Romania is prohibited. "

(2) The measure shall apply from April 11, 2020.

Article 19

(1) After paragraph 3 of article 1 of the Military Ordinance no. 5/2020 on measures to prevent the spread of COVID-19, published in the Official Gazette of Romania, Part I, no. 262 of March 31, 2020, a new paragraph is inserted, paragraph 4, with the following content:

"(4) The measure provided for in paragraph (2) shall also apply after the duration for which the state of emergency is established by the Decree no. 195/2020, only if the state of emergency throughout the territory of Romania is extended and if the decree of the extension of the state of emergency maintains the competence of the Minister of Internal Affairs to establish, by military ordinance, gradual ban on air traffic on different routes. "

(2) The measure shall be applied from the date of publication of this military ordinance in the Official Gazette of Romania, Part I.

Article 20

(1) Military Ordinance no. 7/2020 on measures to prevent the spread of COVID-19, published in the Official Gazette of Romania, Part I, no. 284 of April 4, 2020, is amended and supplemented as follows:

1. In Article 9, after paragraph 4, a new paragraph, paragraph 5 is inserted, with the following content:

"(5) The measures provided for in paragraphs (1) and (3) shall also apply after the duration for which the state of emergency is established by Decree no. 195/2020, only if the state of emergency throughout the territory of Romania is extended and if the decree of the extension of the state of emergency maintains the competence of the Minister of Internal Affairs to establish, by military ordinance, gradual ban on air traffic on different routes. "

2. In Article 10, paragraph 1 is amended and shall have the following content:

"Article 10

(1) The flights performed by all air carriers holding an operating license in accordance with EU regulations, through irregular (charter) travel, for the transport of seasonal workers from Romania to other states, with the approval of the competent authorities of the country of origin and destination. "

3. In Article 16, paragraph 1 is amended and shall have the following content:

"Article 16

(1) In order to prevent the spread of COVID-19, the ministries with their own sanitary network and the public administration authorities premises provide for the staff of the public sanitary system, upon request, hotel spaces intended for rest between shifts or guards, food - three meals a day and water. "

4. In Article 18 (1), after point b) a new letter, point b1) is inserted, with the following content:

"b1) Ministry of Transport, Infrastructure and Communications through the Romanian Civil Aeronautical Authority, for the measure provided for in art. 10. "

(2) The measures shall be applied from the date of the publication of this military ordinance in the Official Gazette of Romania, Part I.

Article 21

(1) Are entitled to ensure the application and observance of the provisions of the present military ordinance:

a) The Romanian police, the Romanian Gendarmerie and the local police, for the measures provided in art. 1 and 3;

b) The Ministry of Transport, Infrastructure and Communications, for the measure provided in art. 2;

c) Ministry of Transport, Infrastructure and Communications, Romanian Border Police and public health departments, for the measures provided for in art. 4-6

d) The Ministry of Agriculture and Rural Development, for the measures provided in art. 7 and 8;

e) The Ministry of Labor and Social Protection, through the subordinate institutions, under its authority or coordination, the public health departments, as well as the leaders of the local public administration authorities, for the measures envisaged in art. 9-14;

f) Ministry of Economy, Energy and Business Environment, for the measure provided in art. 15.

(2) Non-observance of the measures provided for in art. 1-15 attracts disciplinary, civil, contraventional or criminal liability, in accordance with Art. 27 of the Government Emergency Ordinance no. 1/1999, with the modifications and completions subsequent.

(3) The personnel of the institutions mentioned in par. (1) is authorized to find contraventions and to apply sanctions, according to the provisions of art. 29 of the Government Emergency Ordinance no. 1/1999, with the modifications and completions subsequent.

Article 22

The provisions of art. 6 and 7 of the Military Ordinance no. 4/2020 on measures to prevent the spread of C OVID-19, published in the Official Gazette of Romania, Part I, no. 257 of March 29, 2020, ceases to apply.

Article 23

Annexes no. 1 and 2 form an integral part of this military ordinance.

Article 24

(1) This military ordinance is published in the Official Gazette of Romania, Part I.

(2) The audiovisual media service providers have the obligation to inform the public, through regularly broadcast messages, for the at least 2 days from the date of publication, about the contents of this military ordinance.

ANNEX no. 1: State border crossing points closed in whole or in part period of state of emergency

I. At the Romanian-Hungarian border:

- 1. Turnu, Arad County (excluding the movement of cross-border workers);**
- 2. Salonta, Bihor county - railway and road (except for cross-border workers on the road);**
- 3. Săcuieni, Bihor County (excluding the movement of cross-border workers);**
- 4. Mihai Valley, Bihor County - railway and road (except rail freight traffic);**
- 5. Carei, Satu Mare county.**

II. At the Romanian-Bulgarian border:

- 1. Negru Voda, Constanta county;**
- 2. Lipnita, Constanta county;**
- 3. Dobromir, Constanta County;**
- 4. Zimnicea, Teleorman County;**
- 5. Turnu Măgurele, Teleorman county;**
- 6. Bechet, Dolj County (excluding freight traffic).**

III. At the Romanian-Ukrainian border:

- 1. Sighetu Marmatiei, Maramures County;**
- 2. Isaccea, Tulcea County.**

IV. At the Romanian-Moldovan border:

- 1. Rădăuți-Prut, Botosani County;**
- 2. Oancea, Galati county.**

V. At the Romanian-Serbian border:

- 1. Iron Gates II, Mehedinți County;**
- 2. Drobeta-Turnu Severin, Mehedinți County (except freight traffic);**
- 3. Orșova, Mehedinți county;**
- 4. Moldova Nouă, Caraș-Severin county;**
- 5. Naidăș, Caraș-Severin county;**
- 6. Vălcani, Timis County;**
- 7. Stamora-Moravița, Timiș County - railway (except freight traffic);**
- 8. Lunga, Timis County;**
- 9. Foeni, Timis County;**
- 10. Jimbolia, Timiș county - railway (except freight traffic).**

**ANNEX no. 2: LIST of agri-food products for which it is prohibited / suspended
the export during the state of emergency**

- 1. wheat and meslin - tariff code 1001;**
- 2. barley - tariff code 1003;**
- 3. oats - tariff code 1004;**
- 4. corn - tariff code 1005;**
- 5. rice - tariff code 1006;**
- 6. wheat or meslin flour - tariff code 1101;**
- 7. soy beans, even broken - tariff code 1201;**
- 8. sunflower seeds, even broken - tariff code 1206;**
- 9. sunflower seed, safflower or cottonseed oil and their fractions, whether or not refined, but
not chemically modified - tariff code 1512;**
- 10. cane or beet sugar and chemically pure sucrose, in solid state - tariff code 1701;**
- 11. bakery, pastry and biscuit products, including cocoa; hostages, empty boxes of the kind used
for medicines, wafers with lid, dried pasta of flour, starch or starch in sheets and similar
products - code
tariff 1905;**
- 12. cake and other solid residues, whether or not ground or in the form of pellets, resulting from
the extraction of oil from
soy - tariff code 2304;**

13. cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of fats

or vegetable oils, other than those of heading 2304 or 2305 - tariff code 2306.

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