

EMERGENCY MEASURE

The Ministry of Health, as the administrative authority competent pursuant to Section 80(1)(g) of Act No 258/2000 Coll., on the protection of public health and on amendments to certain related acts, as amended (hereinafter referred to as 'Act No 258/2000 Coll.'), hereby orders the following emergency measure in accordance with Section 69(1)(i) and (2) of Act No 258/2000 Coll., to protect the population and prevent the risk of the emergence and spread of covid-19 disease caused by the new SARS-CoV-2 coronavirus:

I.

With effect from 1 November 2021, from 00:00 until the revocation of this emergency measure, all persons are prohibited from moving and staying without respiratory protective equipment (nose, mouth) which is a respirator or similar device (always without an exhalation valve) that meets at least all technical conditions and requirements (for the product), including a filtration efficiency of at least 94% according to the relevant standards which prevents the spread of droplets (hereinafter referred to as "respirator"), namely:

1. a) in the interior of buildings used as:

i) a shop,

(ii) a service establishment,

(iii) a medical facility,

(iv) social service establishments, being weekly residential homes, homes for the disabled, homes for the elderly and homes with special regime, and establishments providing respite social services in residential form,

(v) international airports,

(vi) university, school or educational establishment, with the exception of pupils of a primary school when educated in a primary school, a school day care centre or a school club, pupils of the lower grades of a six-year and eight-year grammar school when educated in a grammar school, pupils of the first four years of an eight-year conservatory education programme when educated in a conservatory if they use a medical face mask or similar device fulfilling at least all the technical conditions and requirements (for the product) of standard ČSN EN 14683+AC, which prevents the spread of droplets,

(vii) a museum, gallery, exhibition space, a heritage or cultural object open to the public (castle, chateau and similar historical object, etc.), an observatory and planetarium or a place where a trade fair or commercial economic exhibition is held,

(viii) a gambling, casino, music, dancing, gaming or similar social club or disco,

(b) in all other indoor areas of buildings not listed in (a) other than a residence or place of accommodation (e.g. a hotel room) where at least 2 persons less than 1,5 metres apart are present in the same place and at the same time, unless they are

exclusively members of the household,

(c) in means of public transport, including means of road transport for the use of others, the object of which is the transport of persons (in particular taxi services),

d) in the case of spectators attending concerts and other musical, theatrical, film and other artistic performances, circuses and variety shows and sports matches,

e) when attending congresses, educational events and examinations in attendance,

f) when attending a public or private event, including a gathering pursuant to Act No. 84/1990 Coll, on the Right of Assembly, as amended, where there is an accumulation of persons other than household members, in one place in external premises, if 30 or more persons are attending the event at the same time and do not maintain a distance of at least 1.5 metres between them,

with the exception of children under 15 years of age, who may also wear other protective equipment in these places, which shall be a medical face mask or similar device meeting at least all the technical conditions and requirements (for the product) of EN 14683+AC, which prevents the spread of droplets, unless an exemption under point 2 applies. In exceptional cases where it is necessary for the child, pupil or student to be able to see the teacher's mouth during the lesson, it is possible for the teacher to use a respiratory protective device as a respiratory shield, provided that he/she maintains a distance of at least 1,5 metres from the children, pupils or students. Pupils or students who undertake practice, practical teaching or practical training in the workplace of legal or natural persons shall be subject to the rules applicable to employees in that workplace.

2. The prohibition under point 1 shall not apply to:

a) children who have not yet started compulsory schooling; this shall not apply to children in the preparatory class of a primary school and children in the preparatory stage of a special primary school,

b) children, pupils and students in the context of an educational activity the nature of which does not allow the wearing of protective equipment (in particular gymnastics, singing, playing wind instruments),

c) teaching staff or academic staff in an educational activity the nature of which does not allow the wearing of protective equipment (in particular gymnastics, singing, playing wind instruments), provided that they maintain a distance of at least 1.5 metres from others

d) children in the preparatory class of a primary school, children in the preparatory stage of a special primary school, pupils and students in education who are seated in a desk or otherwise seated,

e) teaching staff or academic staff in an educational activity who have been vaccinated against covid-19 and at least 14 days have elapsed since the completion of the vaccination schedule according to the summary of product characteristics,

(f) caregivers in a children's group who have been vaccinated against covid-19 and at least 14 days have elapsed since the completion of the vaccination schedule according to the summary of product characteristics, when providing care according to Act No. 47/2014 Coll, on the provision of child care services in a children's group

and on amendments to related acts, as amended,

- g) examinees and examiners when taking an examination in a school or college, provided that all persons maintain a distance of at least 1.5 metres,
- h) accommodated children, pupils or students when staying in a room (i.e.
- i) children and employees in educational institutions for the performance of institutional education or protective education and in schools established therein and in educational care centres when providing services in the form of boarding,
- j) schools established by the Ministry of Justice,
- k) children and employees in institutions for children in need of immediate assistance,
- l) persons with intellectual disabilities, with autism spectrum disorder, and cognitive impairment or severe mental alteration, whose mental capacity or current mental state does not permit compliance with this prohibition,
- m) patients when hospitalized in inpatient health care facilities or when necessary for the provision of health care services,
- n) health care workers for as long as necessary, when necessary for the provision of health care services,
- o) users of social services in social service establishments, which are weekly residential homes, homes for the disabled, homes for the elderly and homes with special regime and in establishments providing relief social services in residential form,
- p) other cases of consideration determined by the provider of health or social services or the attending physician for movement and stay in health care and social service establishments,
- q) persons at the time of performing work at the workplace or at the time of performing another similar activity for the period when they perform this activity in one place without the presence of another person,
- r) persons at the time of performing work at the workplace or at the time of performing another similar activity in accordance with the hygiene, technical, organisational and other risk prevention measures adopted and implemented by the employer pursuant to Section 102 of Act No. 262/2006 Coll., the Labour Code, as amended, provided that they are equipped with at least other protective equipment, such as a medical face mask or similar equipment fulfilling at least all the technical conditions and requirements (for the product) of the ČSN EN 14683+AC standard, which prevents the spread of droplets,
- s) persons driving a public transport vehicle, when they are not in direct contact with the passenger during check-in,
- t) judges, presiding judges, public prosecutors, accused persons and their defence counsel, parties to civil, administrative and constitutional court proceedings and their representatives, witnesses, experts, interpreters and other persons designated by the court, at the place and time of the court proceedings,
- u) persons performing a work of authorship (e.g. theatrical, dance or musical performance), lecturers and persons performing in the creation and production of an audiovisual work or programme,

v) presenters, editors and other persons appearing in radio, television and other programmes,

w) persons performing work classified by a decision of the competent public health authority as category three or four for the risk factor of heat stress in working conditions as well as persons who perform work which has not yet been categorised and for which it can be assumed that, after categorisation, the presence of the risk factor of heat stress in working conditions will result in category three or four,

x) customers of food service establishments at the time of consumption of food and meals, including beverages,

(y) persons outside food service establishments during the time strictly necessary for the consumption of food and drink, including beverages,

(z) betrothed persons during a marriage ceremony and other persons present at the ceremony and persons making a declaration that they are entering into a civil partnership and other persons present at the declaration,

(aa) persons for as long as is necessary for the taking of a portrait photograph of them or of the newlyweds, including a group photograph with members of the household and other close persons and persons for as long as is necessary for the taking of a photograph at a photographic session organised by a school or educational establishment,

(bb) athletes or practitioners during training, practice, matches, competitions etc., including running and cycling, as well as coaches, other team members in team sports and referees when participating in or preparing for a sporting activity held in the context of competitions organised by sports associations or umbrella sports organisations,

(cc) persons on the premises of artificial swimming pools, swimming pools, bathing pools, infant and toddler pools and paddling pools, spa and treatment pools, saunas, wellness facilities and salt caves,

(dd) persons for a period of time strictly necessary for the provision of services that are provided to the person in the head and neck area and the use of a protective device would prevent the provision of that service, such as barbering, hairdressing, tanning, beauty, massage and similar restorative or reconditioning services or other similar services where the integrity of the skin is compromised,

(ee) persons in the context of an organised choir activity, only at the place of the activity itself (singing) and for the duration of the activity,

(ff) persons attending a recovery event or other similar event, whether residential or non-residential, for persons under 18 years of age, while staying and moving around the external and internal premises of the event (e.g. camp grounds) and in the countryside, unless another mass event is taking place at the same time in the place,

(gg) members and employees of the basic units of the integrated rescue system, provided that they wear a mask or half-mask meeting all the technical conditions and requirements (for the product) of the ČSN EN 140 +A1 standard,

(hh) persons who, for serious medical reasons, cannot wear a respirator or a medical face mask or similar device fulfilling at least all the technical conditions and requirements (for the product) of standard EN 14683+AC to prevent the spread of

droplets and are able to prove this by medical certification; however, such persons shall be required to wear other respiratory protective equipment in accordance with this measure which is specified in the medical certificate, except where the medical certificate specifically states that the person cannot wear any respiratory protective equipment.

3. All employers are ordered to provide employees with respirators in sufficient numbers for each work shift, effective November 1, 2021 at 00:00 until the emergency measure is withdrawn; this does not apply if the employee does not come into physical contact with other persons during and in connection with the performance of the work (e.g. remote working away from the employer's workplace).

4. All health service providers are directed to issue the certificate referred to in point 2(hh) with effect from 1 November 2021 at 00:00 until the revocation of this emergency measure only to persons who are prevented from using respiratory protective equipment under this measure by serious health reasons, and all health providers are further directed to make a record of that fact and the reasons for it, including the diagnosis, in the person's medical record, including that the individual has been advised of the risks associated with not using respiratory protective equipment under this measure.

II.

With effect from 1 November 2021 at 00:00, this emergency measure repeals the emergency measure of the Ministry of Health of 22 October 2021, No MZDR 15757/2020-60/MIN/KAN