



# District of Rendsburg-Eckernförde

The Administrator  
Health Specialist Service

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## General Decree on

### of the Rendsburg-Eckernförde district about the order for isolation (isolation or quarantine) due to an infection by the novel coronavirus (SARS-CoV-2) or the classification as a close contact person in a

Your references, your letter dated

My references, my letter dated

Rendsburg

30.11.2021

## suitable home

According to Section 28 Paragraph 1 Clause 1 and 2 in conjunction with Section 30 Paragraph 1 Clause 2 of the Law for the Prevention and Control of Infectious Diseases in Humans (Infection Protection Act - IfSG) in conjunction with Section 106 Paragraph 2 General Administrative Act for the State of Schleswig-Holstein (State Administration Act - LVwG) the following general decree is issued:

### 1. Persons,

a) who are aware that a **molecular biological test** carried out on them for the presence of SARS-CoV-2 viruses after this general ruling has come into force has a positive result (persons who tested positive)

or

b) who are aware that a **SARS-CoV-2 rapid antigen test (PoC test) for the presence of SARS-CoV-2 viruses carried out by trained personnel** after this general decree has come into force has a positive result

or

c) who know that they are to be classified as **close contact persons** according to the requirements of the Robert Koch Institute (RKI); This does not apply to close contact persons in the area of day-care centers and childcare centers as well as schools in accordance with Section 33 Numbers 1 to 3 IfSG,

or



IHRE BEHÖRDENNUMMER

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Konten der Kreiskasse:

**Förde Sparkasse**

IBAN DE38 2105 0170 0000 1440 06; BIC NOLADE21KIE

**Sparkasse Mittelholstein**

IBAN DE69 2145 0000 0000 0018 30; BIC NOLADE21RDB

d) who were informed by the health department of the Rendsburg-Eckernförde district that the presence of SARS-CoV-2 viruses was detected on the basis of a **molecular biological examination** carried out on them (people who tested positive),

or

e) who are aware that a **SARS-CoV-2 rapid antigen test ("self-test") for the presence of SARS-CoV-2 viruses carried out by themselves or by untrained personnel** after this general decree has come into force,

**are obliged to go to their home immediately after taking notice of this and to remain in isolation / stay there until the time specified in Section 6 (domestic isolation / quarantine).**

**The obligation to segregate in accordance with number 1 letter c) (close contact persons) does not apply to vaccinated and recovered persons in accordance with the COVID-19 Protective Measures Exceptions Ordinance.** The exception according to sentence 2 does not apply if the obligation to segregation exists because of contact with a person who is infected with a **virus variant** of the SARS-CoV-2 coronavirus for whom there are relevant indications or with regard to which there is still uncertainty, that certain vaccines approved in the European Union or a previous infection with the SARS-CoV-2 coronavirus have no or only limited protection against this virus variant and that the recovered or vaccinated person is aware of this fact.

**2. The persons who are required to be segregated as mentioned in section 1 sentence 1 letters a) - c) and sentence 3** are obliged to report immediately to the health department of the Rendsburg-Eckernförde district using the contact details below.

The following data must be reported:

- First and second name,
- Date of birth,
- Phone number,
- Address,
- Classification of oneself (number 1 letters a - c),
- Symptoms of illness including notification of the day on which they first appeared,
- Day of testing,
- First and second name of everyone living in the household.

There is no obligation to report if a person legally obliged to report in accordance with Section 8 IfSG makes the report.

**3. The persons named under number 1 letters b) and e) are obliged to have the test result confirmed immediately by means of a molecular biological examination (e.g. PCR test) in a test centre, a test station or a doctor.** They are allowed to leave your home for this purpose. This may only be done using a mouth and nose cover without using public transport and on the direct way there and back. Interruptions for other purposes are not permitted. **If no PCR testing is carried out, the people have to isolate themselves for 14 days.**

**4. The persons named under number 1 letters a) - e) are obliged to adhere to the following behavioural measures:**

- No close physical contact with family members / other people.
- A distance of > 1.50 - 2 m to all persons must be maintained.
- Wear close-fitting mouth and nose protection when it is inevitable that you will have to share the room with someone else. The mouth and nose protection should be changed after two hours at the latest if it is soaked.
- The aforementioned sub-items do not apply to people who need personal attention or care or who do so and who are in the same household (closest family circle). The contacts are to be reduced to the necessary extent.
- general activities and contacts to other people. The body temperature should be measured twice a day.
- If symptoms such as fever or increased temperature, cough, irritation of the throat or runny nose occur, the health department of the Rendsburg-Eckernförde district must be informed immediately using the contact details listed below.

5. **The persons named under number 1 letters a) - e)** are prohibited from exercising a professional activity according to § 31 IfSG. An exception is home office if this can be done without contact to other people.

6. The order for isolation applies until it is lifted again by the health department of the Rendsburg-Eckernförde district; In the case of contact persons according to number 1 letter c), the segregation ends after 10 days at the latest.

**If the secretion is discontinued after infection**, the discharge criteria of the recommendations of the Robert Koch Institute (RKI) must be used; **however, the segregation ends after 14 days at the latest**. The separation period can only be extended in exceptional cases.

**The possibility of shortening the quarantine of close contact persons according to number 1 letter c) by submitting appropriate test evidence is based on the recommended management of close contact persons of the Robert Koch Institute (RKI).**

For the case constellations of a positive self-test according to **number 1 letter e)** and a positive rapid antigen test (PoC test) according to **number 1 letter b)** and a subsequent molecular biological examination (e.g. PCR test), **the obligation to discharge ends automatically with the exclusion of the infection if present of the negative test result**. For persons according to number 1 letter c), the index case (the initially confirmed COVID case) is decisive. The negative test result must be presented to the responsible health department on request.

If - regardless of the regulation in number 1 letter c) last half-sentence - **asymptomatic close contact persons** in the area of **day care centres and schools** within the meaning of Section 33 numbers 1 to 3 IfSG are subject to a quarantine order, this can **only be done after five days at the earliest if a negative one is presented Nucleic acid tests or a negative antigen test** can be cancelled at the locally responsible health department of the Rendsburg-Eckernförde district. **The health department of the Rendsburg-Eckernförde district can make different decisions in individual cases.**

7. **This general decree is valid from December 1st, 2021 up to and including January 31st, 2022.** An extension is possible.

8. The general decree of the Rendsburg-Eckernförde district on the order for isolation (isolation or quarantine) due to an infection by the novel coronavirus (SARS-CoV-2) or the classification as a close contact person in a suitable home from September 15, 2021 ends due to the passage of time.

9. Infringements can be punished with a fine of up to € 25,000 in accordance with Section 73 (1a) No. 6 IfSG.

10. The order is immediately enforceable in accordance with Section 28 (3) in conjunction with Section 16 (8) IfSG.

## **Jurisdiction**

The legal basis for the measures taken is Section 28 Paragraph 1 in conjunction with Section 30 Paragraph 1 Clause 2 IfSG. According to Section 28 (1) Sentence 1 IfSG, the competent authority must take the necessary protective measures if sick people, suspects, suspects or people who have been infected are identified or if it emerges that a deceased person was sick, suspected of being sick or who had left the disease, insofar as and for as long as it was to prevent the spread communicable disease is required. It can oblige people not to leave the place where they are or not to enter places specified by it until the necessary protective measures have been taken.

According to § 31 IfSG, the competent authority can prohibit sick people, suspected illnesses, contagious suspects and excretors from exercising certain professional activities in whole or in part. This also applies to other people who carry pathogens in or on themselves in such a way that there is a risk of spreading them in individual cases.

The disease caused by the novel coronavirus is a disease caused by pathogens (viruses) that are transmitted from person to person by droplet infection. Transmission is possible through droplet infection with people suffering from the novel coronavirus or through contact with their vomit, stool or other body fluids.

A sick person within the meaning of § 2 No. 4 IfSG is a person who is sick with a communicable disease. This is a regulation on the extension of the reporting obligation in accordance with Section 6 (1) sentence 1 number 1 and Section 7 (1) sentence 1 of the Infection Protection Act on infections with the novel coronavirus (SARS-CoV-2), a reportable disease that first appeared in December 2019 in Wuhan / People's Republic of China and is considered highly contagious.

According to § 2 No. 7 IfSG, a person is considered to be contagious if it can be assumed that he has ingested pathogens without being sick, suspected of being infected or being eliminated.

**People who are classified as close contact persons according to the RKI guidelines are considered to be suspected of being contagious through contact with a person suffering from the new type of coronavirus. A specific definition can be obtained from the RKI**

[www.rki.de/DE/Content/InfAZ/N/Neuartiges\\_Coronavirus/Kontaktperson/Management.html?sessionid=1341B163ABC761AAA6D1D30D4218AC33.internet072?nn=13490888#doc13516162bodyText8](http://www.rki.de/DE/Content/InfAZ/N/Neuartiges_Coronavirus/Kontaktperson/Management.html?sessionid=1341B163ABC761AAA6D1D30D4218AC33.internet072?nn=13490888#doc13516162bodyText8)

In order to be able to curb the spread of this disease effectively, the IfSG grants the competent authorities very extensive rights to order concrete measures to avert danger. These include in particular:

- the obligation to tolerate examinations, including taking blood,
- comprehensive information on health status,
- Orders to be in a specified place.

Sections 28 - 30 of the IfSG expressly provide that the basic rights of physical integrity (Article 2, Paragraph 2, Clause 1 of the Basic Law), the freedom of the person (Article 2, Paragraph 2, Clause 2 of the Basic Law) and the inviolability of the Apartment (Article 13, Paragraph 1 of the Basic Law) may be restricted.

The order to stay at home and not to leave it without permission is due to the infection found in the persons named under 1 letters a) to e) or the fact that they are to be classified as suspected contagion according to RKI guidelines for Protection of the general public suitable and necessary to effectively combat the spread of the novel coronavirus and to prevent it from spreading. According to section 30 (1) sentence 2 IfSG, suspected contagion persons can be "isolated in a suitable hospital or in some other suitable manner". The isolation in one's own ("their") domesticity is necessary in order to ensure a verifiability of the specifications and the information and to be able to establish contact for any further orders.

Scientific evidence shows that vaccinated and convalescent people are not (no longer) contagious to others, or that the residual risk of further transmission is significantly reduced. The COVID-19 Protective Measures Exceptions Ordinance (SchAusnahmV) therefore provides for relief and exemptions from protective measures for these groups of people. **According to § 6 SchAusnahmV, segregation obligations, which are enacted on the basis of the fifth section of the Infection Protection Act, do not apply to vaccinated and convalescent people.** With the exception of the case constellation regulated in Section 6 (2) SchAusnahmV, vaccinated and convalescent persons are no longer required to separate out after contact with an infected person. **However, the exemptions and exemptions set for those who have recovered and who have been vaccinated do not apply if typical symptoms of an infection with the coronavirus SARS-CoV-2 are displayed or if a current infection with the coronavirus SARS-CoV-2 is proven, cf. § 1 paragraph 3 No. 1 and 2 SchAusnahmV.**

The obligation to report to the responsible health department after a positive test result only applies to the persons named in paragraph 1 letters a) - c) who are required to separate. **Self-testers are initially excluded from this. Self-testers are obliged to have a positive test result confirmed by a PCR test. If this result is also positive, the persons are also required to report in accordance with section 2.**

There is no obligation to report for the persons named in number 1 letters a) - c), provided that a person legally obliged to report makes the report. This includes in particular doctors (Section 8, Paragraph 1, No. 1 IfSG) or pharmacists (Section 8, Paragraph 1, No. 5, IfSG) as well as, when using near-patient rapid tests on third parties, the diagnosing person, if they are in accordance with Section 24, Sentence 2 or on the basis of an ordinance Section 24 sentence 3 number 1 IfSG is authorized to carry out such rapid tests.

The persons named in paragraph 1 letter b) and letter e) are obliged in paragraph 3 to have the test result confirmed immediately by means of a molecular biological test (PCR

test). **Alternatively**, the option of secretion should remain as a milder means compared to (minor) physical intervention (no compulsory testing). A premature end of the secretion is only possible by confirming a negative PCR result.

For the persons named in number 1 letters a), b) and c), the test centre or test station can provide proof of the time and reason for the test at the request of the health department. Regulations on isolation or testing based on state or federal regulations remain unaffected.

Against the background of the very dynamic spread of infections with the SARS-CoV-2 virus and diseases caused by COVID-19, extensive and effective measures to delay the spread of the virus and to interrupt the chains of infection must be taken immediately. Far-reaching effective measures are urgently needed to ensure the long-term maintenance of the essential functions of the health system and public safety and order in Schleswig-Holstein as far as possible in the interests of health protection. The large-scale interruption, containment or delay in the spread of the new pathogen in the country is - beyond the measures already taken - the only effective procedure to achieve these goals.

Experience during the waves of the COVID-19 pandemic to date has shown that virus entries in day-care centres and day care centres as well as schools do not usually lead to major outbreaks and that children do not become seriously ill. By focusing on the infected, those people who are infectious are isolated. Infection chains can be broken in this way. **In the area of child day care centres and day care centres as well as schools within the meaning of Section 33 Numbers 1 to 3 IfSG, the segregation obligation provided for in Section 1. Letter c) can nevertheless be carried out in individual cases on the basis of a risk assessment by the responsible bodies.**

**If asymptomatic close contact persons are subjected to a quarantine order in a facility within the meaning of Section 33 Numbers 1 to 3 IfSG, the duration of the quarantine can be shortened. Accordingly, this can be canceled after five days at the earliest upon presentation of a negative nucleic acid test or a negative antigen test. The responsible health authority can make different decisions in individual cases.**

**The possibility of shortening the quarantine of close contact persons according to number 1 letter c) by submitting appropriate test evidence is otherwise based on the recommended management of close contact persons of the Robert Koch Institute (RKI)**

**[www.rki.de/DE/Content/InfAZ/N/Neuartiges\\_Coronavirus/Kontaktperson/Management.html](http://www.rki.de/DE/Content/InfAZ/N/Neuartiges_Coronavirus/Kontaktperson/Management.html)**

Contact person management is risk-adapted and focuses on vulnerable groups of people and high-risk events.

The general decree of the Rendsburg-Eckernförde district on the order for isolation (isolation or quarantine) due to an infection by the novel coronavirus (SARS-CoV-2) or the classification as a close contact person in a suitable home from September 15, 2021 has passed through the passage of time.

The general decree is based on §§ 28 a paragraph 1, 28 paragraph 1 sentence 1 and 2 IfSG. Infringements are therefore subject to fines according to § 75 Paragraph 1 No. 1 IfSG.

The order is immediately enforceable in accordance with Section 28 (3) in conjunction with Section 16 (8) IfSG. Objections and actions for rescission against measures have no suspensive effect.

Notes:

- If possible, a **temporal and spatial separation** from non-positive household members should be observed in the household. A "temporal separation" can take place, for example, in that the meals are not taken together, but rather one after the other. Spatial separation can take place, for example, by staying in different rooms.
- Pay attention to the **coughing and sneezing etiquette** at all times and use disposable handkerchiefs.
- **Contact** with roommates and relatives should be limited to the bare minimum, whereby the above-mentioned behavioral measures should be observed.
- **Toiletries** should not be shared with other members of the household.
- **Dishes and linen** should also not be shared with household members or third parties without first washing them. Laundry that comes into contact with the intimate area should be washed at at least 60 ° C.
- **Surfaces** that people come into frequent contact with should be cleaned regularly with household cleaners or surface disinfectants.
- **Wash hands regularly**, especially before and after preparing food, eating and using the toilet.
- You should ensure **regular ventilation** of the living room and bedroom as well as the kitchen and bathroom.
- Do your **purchases online** or have them done by third parties.
- In case of doubt, a more direct route means **using your own vehicle**, but not using local public transport.

This general decree and its reasons can be viewed during office hours in the Rendsburg-Eckernförde district, Kaiserstraße 8, 24768 Rendsburg.

Legal appeal:

Objections to this general ruling can be raised within one month of its public announcement. The objection must be submitted in writing or to be recorded at the district of Rendsburg-Eckernförde, Der Landrat, Fachdienst Gesundheitsdienste, Kaiserstraße 8, 24768 Rendsburg.

If a legal representative is involved or the electronic filing of the objection is made by an authority, it can be sent to the special electronic mailbox of the Rendsburg-Eckernförde district via the special electronic lawyer mailbox or authority mailbox.

An objection by email is not permitted. Citizens can only object to the electronic mailbox of the Rendsburg-Eckernförde district within the deadline if they have an EGVP account (OSCI account) and also use a qualified electronic signature.

Objections to and legal action against this general ruling are subject to Article 28 Paragraph 3 in

In connection with Section 16 (8) IfSG, there is no suspensive effect. Therefore also with Submission of a legal remedy the orders are obeyed. On application, the Schleswig-Holstein Administrative Court, Brockdorff-Rantzau-Straße 13, 24837 Schleswig, can order the suspensive effect of the objection in whole or in part.

On behalf

Julia Rose