

The Saxon Corona Protection Ordinance contains regulations for wearing a mouth and nose cover. When dealing with certificates, something has to be observed in terms of data protection law.

Updated April 7, 2022:

The Saxon Corona Protection Ordinance (SächsCoronaSchVO) of March 31, 2022, which came into force on April 3, 2022, recommends in § 1 Para. 1 No. 1 a mouth and nose cover (preferably an FFP2 -mask or comparable respirator).

The mask requirement is regulated in § 3 SächsCoronaSchVO. According to § 3 Para. 2 SächsCoronaSchVO, schoolchildren are obliged to wear medical mouth and nose protection in local public transport.

§ 3 para. 3 sentence 1 SächsCoronaSchVO determines where there is an obligation to wear FFP2 masks or comparable respiratory masks, for example in medical practices and other health or social facilities and for certain services as well as for passengers in local public transport. S. 2 regulates exceptions to S. 1.

Persons who can credibly demonstrate that it is not possible or unreasonable for them to wear the prescribed mask due to a disability or for health reasons are exempt from the obligation to wear it according to § 3 Para. 1 No. 5 SächsCoronaSchVO. In the case of health reasons, credibility is provided in particular by an original medical certificate stating that a mask cannot be worn due to a health impairment, chronic illness or disability.

Credibility is provided by granting access to the medical certificate (see FAQ on the SächsCoronaSchVO from the Saxon State Ministry for Social Affairs and Social Cohesion (SMS), the department responsible for the SächsCoronaSchVO).

The following can be found in the FAQ regarding the relevant content of the medical certificate: »A separate justification by the doctor is not required.«

The following points should be noted with regard to the medical certificate on the existence of an exemption from the obligation to carry:

The medical certificate must state the person for whom the exemption was issued.

In the opinion of the SMS, with which I agree, the diagnosis or justification for which health reasons no mouth and nose cover or mouth and nose protection can be worn does not have to be given.

Furthermore, the doctor's stamp must be visible and legible on the medical certificate.

In my opinion, the medical certificate may not be copied for data protection reasons. Inspection is sufficient for credibility, as in the FAQ of the SMS.

As of April 7, 2022

signed Dr. Juliane Hundred