



Decree 93/2021, of 24-3-2021 of new exceptional measures due to the evolution of the health emergency situation caused by the SARS-CoV-2 coronavirus.

Government

Other provisions

Decree 93/2021, of March 24, 2021

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Statement of reasons

A year has passed since the first indicators of the health emergency situation caused by the SARS-CoV-2 pandemic, the constant fluctuation of epidemiological data has confirmed the desirability of a short-term assessment of the exceptional measures necessary to protect the health of citizens, to allow a more effective and adjusted management of this crisis.

The measures adopted, which so far have been shown to be adjusted to the circumstances and effective in the face of public health protection needs, have been protected by the provisions of the General Health Law of March 20, 1989, and Law 30/2018, of December 6, classified as public security, both amended by Law 19/2020, of December 23.

Once again the time has come to assess the situation, the current data do not show an improvement that allows them to be more flexible beyond specific circumstances such as upcoming institutional events that require the modification of article 10 to allow, in the case of institutional lunches, increase the number of people up to six.

In this context, and with the intention of promoting maximum clarity and respecting legal certainty, this Decree takes up all the current measures to gather them in a single text, incorporates through the necessary modification the previously mentioned point and repeals all the decrees that since the approval of [Decree 45/2021](#) , of 17-2-2021, they have established the exceptional measures and adapted them to the evolution of the emergency situation caused by the SARS-CoV-2 coronavirus, until the today's date

This Decree enters into force on March 25, 2021 and will be valid until March 31, 2021, although it may be extended or modified depending on the evolution of the pandemic.

For everything that has been presented, at the proposal of the Minister of Health, the Government, in the session of March 24, 2021, approves this Decree with the following content:

Article 1. Basic prevention measures

1. The use of masks is mandatory for all people aged eight or over. It is recommended from the age of six, unless the health situation of the educational center makes it mandatory.
2. The masks that can be used can be surgical, homemade or hygienic.
3. The use of the mask is mandatory on public roads, in closed spaces for public use and in open spaces, regardless of whether a minimum interpersonal safety distance of one and a half meters must be maintained.
4. A safety distance of one and a half meters between people who are not living together must be respected in every situation or activity, unless it is about activities that have health protocols and legally established hygiene and prevention measures.
5. Social interaction must be avoided as much as possible during the validity of this Decree.

Article 2. Services of the General Administration

In order to carry out any procedure at the General Administration, a prior appointment must be requested.

Article 3. Physical activities in gymnasiums, sports centers and other similar spaces

Directed activities cannot be carried out in gyms, sports centers or other similar spaces, unless there is a specific protocol validated by the health authority, and, in any case, for any individual or group activity must keep the mask on.

Article 4. Measures for sporting activities

1. Phase 2, regulated in the Federated Sports Practice Plan, remains in place, in relation to the country's health situation, and in this sense sports training must be carried out with a mask.
2. It is allowed to organize sports competitions and events for the categories that include athletes born before 2012, inside and outside the country. It is necessary to have a protocol, which must be approved by the Ministries of Health and Culture and Sports.
3. The presence of the public is allowed in sports competitions following the following measures:
 - a) Crowds must be avoided and care must be taken to maintain a safety distance of 1.5 meters between people.
 - b) Frequent cleaning and disinfection of sports facilities must be guaranteed.
 - c) It is necessary to use the mask following the instructions of the health authorities.
 - d) The maximum capacity of the public must be stated in the competition protocol previously drawn up by the sports entity and the body that manages the facilities, and that this protocol be validated by the Ministries of Health and Culture and Sports.
4. For sports competitions outside, apart from the measures provided for in section 3, the facilities cannot exceed 40% of the capacity.
5. For indoor sports competitions, apart from the measures provided for in section 3, the facilities cannot exceed 20% of the capacity and must follow the sanitary criteria of registration and control of access, and proper ventilation of the facilities must be guaranteed.

The safety distance between the space where the competition takes place and the presence of the public cannot be less than six meters.

Article 5. Measures for thermal activities and spas

The maximum capacity of thermal activities and spas is limited to 30%.

Article 6. Measures for workplaces

1. The telecommuting modality is prescribed as long as the type of activity does not require the physical presence of the professional and taking into account article 30.6 of Law 31/2018, of December 6, on labor relations.

2. Whenever possible, meetings by telematic means must be prioritized.

3. Face-to-face work meetings cannot exceed six people, with the exception of all those that have an institutional, notarial and judicial nature, as well as those of the staff of health and socio-health centers, the staff selection tests currently open from the Public administration that needs to be carried out in person, and the meetings of the communities of owners, always strictly preserving the measures and protocols established by the health authority.

4. The use of a mask is mandatory in work meetings and the interpersonal safety distance of one and a half meters must be respected.

Article 7. Limitation of the activity of bars, cafes and similar establishments

Table service inside bars, cafes and similar establishments is limited to the time slots of 7 am, 11:30 am, 12 pm, 1 pm, 3 pm, and 4 pm, 8 pm. The hours between the time slots must be used to ventilate and disinfect the interiors of the premises and table service is allowed on the outdoor terraces. For the rest of the day, economic activity is limited to the sale of takeaway products. Disinfection protocols must be guaranteed on the terraces.

Article 8. Limitation of the activity of the rest of the catering establishments

1. Table service for lunch and dinner in restaurants other than those mentioned in article 7 is limited to two time slots: from 11:30 a.m. to 4 p.m. and from 7 p.m. to midnight; the rest of the day economic activity is limited to the sale of takeaway products. Exceptionally, in the case of hotels and other tourist accommodation, the breakfast service is allowed exclusively for customers staying overnight in the same establishment.

2. In the event that these establishments also have authorization as a bar, cafeteria or similar establishments, it must be guaranteed that there is a period of time between table service inside the establishments of the different time slots minimum of 60 minutes so that the establishment can be properly ventilated and disinfected. At the entrance to the establishment, the time slots intended for ventilation and disinfection must be clearly and visibly stated. During these time slots, economic activity is limited to table service on outdoor terraces and the sale of takeaway products.

Article 9. Closure of economic activities

Establishments authorized as pubs, discos, dance halls or similar, for the exercise of this activity, remain closed, as well as establishments authorized as arcades and arcade machines.

Article 10. General hygiene and prevention measures in catering establishments

1. The maximum number of people who can be grouped per table in restaurants is two, unless it is a higher cohabiting group, understanding that the cohabiting group is made up of the parents and their children under the age of age, or adults with disabilities, and who habitually and permanently live in the same home. The number of people can be increased to a maximum of four on the outdoor terraces and inside the premises during lunch and dinner, between 11:30 and 16:00 and 19:00 and 24:00. Otherwise, the number of people can be increased to a maximum of six in institutional meals, as long as there is a specific protocol previously approved by the Ministry of Health.

Likewise, inside bars, cafes and similar establishments, the number of people per table in the breakfast time slot, from 7 am to 11.30 am to 12 pm, can be four.

2. Establishments must keep a daily written record of their users, which includes the following data for each table: customer name and surname, telephone number, and date and time of service. This registration must be completed before customers are seated at the table. Registration is the responsibility of the Ministry of Health and the establishments act as service providers in order to contain the pandemic. This record must be kept with security and confidentiality measures. The duration of conservation is up to one month after the validity of this Decree and, once completed, the record must be destroyed.

3. This register must always be available to the members of the Police Force and the officials or workers of the General Administration with functions related to the control of the pandemic and authorized by the Ministry of Health.

4. The distance between tables, which must be measured taking into account the backs of the surrounding chairs, must be at least one and a half meters; the protective screens inside the premises are only a complementary measure.

5. The establishment must calculate the maximum capacity of customers inside to ensure that the distancing measures are respected, and this information must be stated, as a minimum, at the entrance of the establishment and in a place visible

6. The use of the mask by customers is mandatory for all people aged eight or over until the time they are served the food or drink, and they must put it back on in the travel and between services.

7. Even if the establishment has smoking areas or outdoor terraces, the consumption of tobacco products and cigarettes or electronic vaporizers is not permitted under any circumstances.

8. Self-service buffets are prohibited. However, free-service products, fresh or processed, can be offered for the free disposal of customers, as long as there are protective screens and the product is served in an individual container properly preserved from contact with the environment.

9. Inside the establishments, during the time slots in which the consumption of drinks and food is allowed, the music must fulfill an environmental accompaniment function, and the volume limit must not promote loud talking, it is sung or shouted.

Article 11. Additional requirements for outdoor terraces

In addition to the requirements applicable to all the catering establishments mentioned in articles 7, 8 and 10, the terraces that are considered outdoors in the establishments that offer food or drink service must allow the free flow of outside air to across the entire space and meet the following requirements:

1. The terrace must be completely uncovered and open to the sky (that is, there can be no shade structures, except for individual table umbrellas), such as a patio or outdoor terrace.
2. If the terrace is covered, in whole or in part, by a temporary or permanent shade structure (such as an awning, canopy or roof), at least 50% of the perimeter must be open to the outside. For example, a square sail with a roof must have at least two of the sides completely open to be considered an open-air terrace.
3. Screens can be used around or inside.
4. Sides are not considered closed if they are not more than one and a half meters high, measured from the floor, and do not prevent the free flow of air throughout the establishment. A partition or bulkhead that is more than one and a half meters high is considered a closed side. Fences and screens that do not impede the flow of air are not considered walls or enclosed sides in determining whether an area is outdoors.

Article 12. Capacity and distancing of people in commercial establishments

1. The maximum capacity of commercial establishments with public participation is one person for every four square meters.
2. Inside commercial establishments, customers must respect an interpersonal safety distance of one and a half meters.

Article 13. Meetings of relatives and friends

1. The maximum number of people who can meet remains reduced to four, unless the cohabiting nucleus is greater.
2. Exceptionally, in baptisms, communions, weddings and burials, the maximum number of attendees is limited to the cohabiting core. A specific protocol validated by the health authority is required for masses and funerals.
3. Meetings are allowed at the funeral home and in the vigil rooms in groups that cannot exceed four people. You cannot match more than one grouping at a time.

Article 14. Organization of cultural activities

Facilities that host cultural events cannot exceed 40% of capacity and must follow the health criteria of registration and access control, cleaning, disinfection, distance between people and ventilation established in the protocol they must approve previously the ministries of Health and Culture and Sports.

Article 15. Measures for schools and extracurricular activities

1. Both the teaching activity and the extracurricular activities are maintained.
2. The use of the mask is mandatory in all classrooms with students older than eight years.
3. All extracurricular activities must be carried out with a mask.

Article 16. Children's parks

1. Indoor playgrounds must be closed.
2. Outdoor playgrounds can be open following the following measures:
 - a) Crowding in these facilities must be avoided.
 - b) Frequent cleaning of the facilities must be guaranteed.
 - c) It is necessary to use the mask following the instructions of the health authorities.
 - d) It is recommended that users of these equipment carry out hand hygiene before and after using them, or use hydroalcoholic gel.

Article 17. Preventive measures aimed at the hospital center, assisted social and health care homes and residential homes for people with disabilities

1. Visits are authorized to patients who remain admitted to the hospital center always following the instructions of the center's management.
2. The managements of assisted social and health care homes must apply the following measures:
 - a) Allow the visits of a family member or equivalent per resident and as long as none of these people presents symptoms of acute illness or is not subject to a measure of home isolation.

These visits must be carried out in accordance with the measures established in the notice of 10-6-2020 of exceptional measures to deal with infection by the new SARS-CoV-2 coronavirus, referring to visits to people who they live in assisted living facilities.

- b) Allow the departures, once a week, of residents who have had COVID-19 in the last six months, or who have a positive serological test in the last three months, or who have been vaccinated against COVID-19, following the following requirements:
 - i. On the same day of departure, family members or relatives must carry out a screening using TRA (rapid antigen test), or they must have a negative TMA carried out in the previous 48 hours, and they must sign the certificate of self-responsibility of the center.
 - ii. The return to the socio-health center was made on the same day as the departure.
 - iii. During these outings, you cannot go to spaces with a high number of people and the resident person must relate to a single coexistence unit and avoid meetings with people who are not part of this coexistence unit.

3. The managements of residential homes for people with disabilities can allow overnight stays for residents who have had COVID-19 in the last six months, or who have had a positive serological test in the last three months, or who have been vaccinated against COVID-19, or who are under 16 years of age, following the following requirements:

- a) On the same day of departure, family members or equivalents must be screened using TRA, or they must have a negative TMA carried out in the previous 48 hours, and they must sign the centre's certificate of self-responsibility.
- b) During these outings, you cannot go to spaces with a high number of people and the resident person must relate to a single coexistence unit and avoid meetings with people who are not part of this coexistence unit.

c) Upon the return of the resident, the staff of the residential home must carry out passive surveillance during the fourteen days following the return by checking the appearance of symptoms or compatible signs of infection by the SARS-coronavirus CoV-2 twice a day.

d) On the same day of return to the center, a rapid antigen test (TRA) must be carried out. In case of two overnight stays or less, the TRA must be completed at least 48 hours after arrival at the centre.

4. Screenings must be carried out on the health and socio-sanitary staff of socio-sanitary centers for the elderly and people with disabilities when they join each shift at their workplace, except for people who have been vaccinated against COVID-19, or who have had the disease in the last six months, or who have a positive serological test in the last three months. In the case of people who have been vaccinated against COVID-19, screening can be done once a week.

Likewise, screenings must be carried out on residents of socio-health centers for the elderly and people with disabilities on a weekly basis, except for people who have been vaccinated against COVID-19, or who have had the disease in the last six months, or who present a positive serological test for the last three months. In the case of people who have been vaccinated against COVID-19, screening can be done once every fortnight.

Article 18. Consumption of tobacco products and vaporizers

You cannot smoke or consume vaping products in a group, nor while walking on public roads.

Article 19. Petrol stations

The sale of alcoholic beverages at gas stations is prohibited from 10 pm until 7 am.

Article 20. Duration of the measures

This Decree is valid until March 31, 2021 and may be extended depending on the evolution of the pandemic.

Article 21. Non-compliance and penalty regime

Any breach of these measures is sanctioned in accordance with the General Health Law or the applicable specific legislation.

Derogatory provision

With the entry into force of this Decree, the provisions of equal or lower rank that oppose it are repealed and, specifically:

- [Decree 45/2021](#) , of 17-2-2021, of new exceptional measures due to the evolution of the health emergency situation caused by the SARS-CoV-2 coronavirus.

- [Decree 59/2021](#) , dated 2-24-2021, amending and extending Decree 45/2021, dated 2-17-2021, on new exceptional measures due to the evolution of the health emergency situation caused by the SARS coronavirus- CoV-2.

- [Decree 67/2021](#) , dated 3-3-2021, amending and extending Decree 45/2021, dated 17-2-2021, on new exceptional measures due to the evolution of the health emergency situation caused by the SARS-coronavirus CoV-2.

- [Decree 73/2021](#) , of 10-3-2021, amending and extending Decree 45/2021, of 17-2-2021, on new exceptional measures due to the evolution of the health emergency situation caused by the SARS coronavirus- CoV-2.

- [Decree 82/2021](#) , of 17-3-2021, extending Decree 45/2021, of 17 February 2021, of new exceptional measures due to the evolution of the health emergency situation caused by the SARS-CoV-coronavirus 2.

Final provision

This Decree enters into force on March 25, 2021.

Which is made public for general knowledge.

Andorra la Vella, March 24, 2021

Xavier Espot Zamora

Head of Government
