



Decree 332/2021, of 13-10-2021, which regulates the health requirements of people from countries that are not part of the European Union or assimilated for the prevention of new infections during the health emergency situation caused by coronavirus SARS-CoV-2.

Government

Other provisions

Decree 332/2021, of October 13, 2021

Decree 332/2021, of 13-10-2021, which regulates the health requirements of people from countries that are not part of the European Union or assimilated for the prevention of new infections during the health emergency situation caused by coronavirus SARS-CoV-2.

Statement of reasons

With the aim of minimizing the risk of transmission of SARS-CoV-2, measures have been adopted during the pandemic, which have been adapted according to the evolution of the health crisis.

In December 2020, the decree regulating customer access to tourist accommodation during the health emergency caused by the SARS-CoV-2 coronavirus was approved. This Decree established that tourists staying three or more nights had to present a negative result of a diagnostic test for the detection of SARS-CoV-2 carried out within a maximum period of 72 hours prior to arrival in the Principality.

Subsequently, this Decree was repealed and [Decree 212/2021](#) was approved, of 23-6-2021, which regulates the health requirements of tourists during the health emergency situation caused by the SARS-CoV-2 coronavirus, which, as a result of the evolution of vaccination and disease diagnosis programs, established that tourists residing in non-exempt countries had to have a vaccination, recovery or diagnosis certificate and deliver it to the tourist accommodation or display it before the authority. Citizens of France, Spain and Portugal continued to be exempt from presenting negative test results, and for the rest of the countries, Recommendation (EU) 2020/1475, which determines the so-called green countries, was taken as a reference and countries that carried out a ratio of tests per population equal to or greater than 5,000 weekly tests per 100,000 inhabitants with a positivity rate of less than 5%.

On the other hand, and with the aim of preventing the appearance and transmission of new variants in Andorra, [Decree 59/2021](#) established that all people from the Federal Republic of Brazil and the Republic of South Africa they had to carry out a fourteen (14) day quarantine upon arriving in Andorra and, at the same time, present a diagnostic test with a negative result taken 72 hours before arriving. Later, through [Decree 141/2021](#) and taking into

account the appearance of a new variant in the Republic of India, the same measures were decreed for travelers from this country that applied to people coming from the Federal Republic of Brazil and the Republic of South Africa.

In September 2021, and seeing the progress of the vaccination programs, [Decree 273/2021](#) was approved, subsequently modified by [Decree 297/2021](#), which established that any person from the age of 12 who could not prove that they are immunized and who traveled to Andorra from a country other than the European Union or Iceland, Liechtenstein, Monaco, Norway, the United Kingdom, San Marino, Switzerland and the Vatican, she was obliged to confine herself for a period of fourteen days

Currently, it is necessary to review the surveillance and health control mechanisms of tourists and residents returning to the Principality from countries other than the European Union or Iceland, Liechtenstein, Monaco, Norway, the United Kingdom, San Marino, Switzerland and the Vatican, and the modification of some of the requirements demanded until now.

It should be mentioned that this Decree does not apply to workers who apply for a temporary immigration authorization for the activities of the winter season 2021-2022 in the different sectors, which fall under the decrees that approve the quota regulations special of the immigration authorizations published in the BOPA on October 6, 2021.

In this context, [Decree 212/2021](#), of 23-6-2021, which regulates the health requirements of tourists during the health emergency caused by the SARS-CoV-2 coronavirus and [Decree 273/2021](#), is repealed. of 1-9-2021, by which additional exceptional measures are adopted due to the health emergency situation caused by the SARS-CoV-2 coronavirus relating to the confinement of people from areas of greater risk for the prevention of new infections, modified by [Decree 297/2021](#) of September 22, 2021.

Given what has been explained, the Government, at the proposal of the Minister of Health, in the session of October 13, 2021, approves this Decree with the following content:

Article 1. Health requirements

1. Anyone over the age of twelve (12) who moves to Andorra from a country other than the European Union or Iceland, Liechtenstein, Monaco, Norway, the United Kingdom, San Marino, Switzerland and the Vatican, except for the cases indicated in section 2, he must have one of the following certificates and display it in the event of a request by the public authority:

- a) Certificate confirming that the holder has received a vaccine against COVID-19 (henceforth, "vaccination certificate").
- b) Certificate indicating the negative result of a diagnostic test for the detection of SARS-CoV-2 by TMA or PCR (henceforth, "diagnostic certificate").
- c) Certificate confirming that the holder has recovered from COVID-19 (henceforth, "certificate of recovery").

2. The obligation to have one of the certificates indicated in the first section is not required when the person from twelve (12) years of age who moves to Andorra from a country other than of the European Union or Iceland, Liechtenstein, Monaco, Norway, the United Kingdom, San Marino, Switzerland and the Vatican have spent the night in one or more of these areas

for ten (10) or more uninterrupted nights immediately prior to arrival in Andorra. In this case, you must have an affidavit that justifies it and documents certifying your arrival or stay in Europe or similar countries for the previous ten days, and show them in the event of a request by the public authority or, in case you stay in a tourist accommodation for three (3) or more nights, hand over a copy at the time of access to the establishment.

3. As part of the action procedure in the face of a possible case of COVID-19, the people indicated in section 1 and who do not have a vaccination or recovery or diagnosis certificate are required to confine themselves during a period of fourteen (14) calendar days, counting from the date of entry into Andorra. If it is the case that this person has spent the night in one or more of the aforementioned areas for ten (10) or more uninterrupted nights just before arriving in Andorra, they are exempt from the confinement measure. In this case, you must have an affidavit that justifies it and documents certifying your arrival or stay in Europe or similar countries for the previous ten days, and show them in the event of a request by the public authority

4. The confinement measure provided for in section 3 can be reduced if, starting within ten (10) days of arrival in Andorra, the person undergoes a diagnostic test to detect SARS-CoV-2, PCR or TMA, with a negative result. However, passive surveillance must be maintained for up to fourteen days.

5. The isolation measure provided for in section 4 is subject to the General Health Law of March 20, 1989, and Law 30/2018 of December 6, classified as public security.

6. This Decree is not applicable to people applying for a temporary immigration authorization for the activities of the 2021-2022 winter season in the different sectors, whose conditions correspond to those established in the special quota regulations of the corresponding immigration authorizations.

Article 2. Certificate of vaccination

1. For the purposes of this Decree, vaccination certificate means the certificate issued by the competent authorities of the country of origin from the fourteen (14) calendar days following the date of administration of the last dose of the complete vaccination schedule, or the certificate certifying that the person has passed the disease and is vaccinated against COVID-19 with a dose of the vaccine and that fourteen (14) days have passed since it was administered. The vaccine must be authorized by the European Medicines Agency (EMA) or the World Health Organization (WHO), or by a medicine regulatory authority.

2. El document acreditatiu pot estar redactat en català, en espanyol, en francès o en anglès, es pot presentar en format de paper o electrònic i ha de contenir, almenys, les dades següents: nom i cognoms del titular, data de vacunació, type of vaccine administered, number in a series of vaccinations out of the total number of doses, issuing country and identification of the body that issued the vaccination certificate.

Article 3. Certificate of diagnosis

1. For the purposes of this Decree, a diagnostic certificate means the certificate with a negative result of a diagnostic test for the detection of SARS-CoV-2 by TMA or PCR, when

this test has been carried out within seventy-two (72) hours prior to arrival in the Principality of Andorra.

2. El document acreditatiu pot estar redactat en català, en espanyol, en francès o en anglès, es pot presentar en format de paper o electrònic i ha de contenir, almenys, les dades següents: nom i cognoms del titular, país emissor, data and time of sampling and type of test.

Article 4. Recovery certificate

1. For the purposes of this Decree, recovery certificate means the certificate issued by the competent authority or by a medical service at least eleven (11) calendar days after the first TMA or PCR test with a positive result. This certificate is valid for one hundred eighty (180) calendar days from the date of sampling of this TMA or PCR.

2. El document acreditatiu pot estar redactat en català, en espanyol, en francès o en anglès, es pot presentar en format de paper o electrònic i ha de contenir, almenys, les dades següents: nom i cognom del titular, data de la presa of the sample of the first test with a positive result, type of test and issuing country.

Article 5. Sworn declaration and supporting documents

1. The people affected by section 2 of article 1 must have a sworn statement and documents proving the condition described in the section referred to.

2. This document must contain, at a minimum, the following information: name, surname, identification document number of the country of residence, last country of origin before arriving in Andorra, date of overnight stays in each from the countries of the European Union or Iceland, Liechtenstein, Monaco, Norway, the United Kingdom, San Marino, Switzerland or the Vatican, and date of arrival in the Principality of Andorra. It is also necessary to attach the documents certifying the arrival or the stay in Europe or similar countries in the previous ten days.

3. La declaració jurada requereix la signatura de la persona, pot estar redactat en català, en espanyol, en francès o en anglès i es pot presentar en format de paper o electrònic.

Article 6. Obligations of tourist accommodation, tourist operators and travel agencies

1. The people affected by article 1 who stay in a tourist accommodation in the Principality of Andorra and spend three (3) or more nights must provide a copy of the vaccination, recovery, diagnosis certificate or the documentation described in article 5 when entering the establishment.

2. Travel agencies, tour operators, transport companies and any other agent marketing stays or tourist packages that include tourist accommodation must inform customers, from the beginning of the marketing process of the tourist package with destination to the Principality of Andorra, of the obligation to have, and display it in case of request by the public authority, in the cases detailed in article 1, of the vaccination certificate, of recovery or of diagnosis or of the documentation described in article 5 and to deliver a copy at the time of accessing the tourist accommodation, when staying three (3) or more nights.

3. In the case of direct contracting of tourist packages through the tourist accommodation, prior to the formalization of the reservation and the contracting of the tourist service, the tourist accommodation must also inform the clients of the aspects set out in the article 6.2.

4. In order to preserve the regulations relating to the processing of personal data, customers must be informed that consent to the processing of sensitive data relating to health is subject to the principles of prevention and treatment of epidemics foreseen to Law 15/2003, of December 18, qualified as protection of personal data.

5. Tourist accommodation establishments must keep a daily written record of their users that includes the following information: customer name and surname, identification document number and proof of delivery of the copy of the diagnosis certificate, vaccination or recovery or the documentation described in article 5.

Registration is the responsibility of the Ministry of Health and tourist accommodations act as service providers in order to contain the pandemic. This record must be kept with security and confidentiality measures. The retention period is one (1) month after the effective date of this Decree and, once completed, the record must be destroyed. 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.

6. The tourist accommodation establishments must keep, in paper or electronic format, during the period of one (1) month after the validity of this Decree, the copy of the certificates of diagnosis, vaccination or recovery, or the documentation described in article 5. This file must be kept with security and confidentiality measures and 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.

Article 7. Non- compliance

Any breach of these measures is sanctioned in accordance with the General Health Law, without prejudice to the applicable specific legislation.

Derogatory provision

[Decree 212/2021](#), of 23-6-2021, which regulates the health requirements of tourists during the health emergency caused by the SARS-CoV-2 coronavirus, and [Decree 273/2021](#), of 1-9-2021, by which additional exceptional measures are adopted due to the health emergency situation caused by the SARS-CoV-2 coronavirus relating to the confinement of people from areas of greater risk for the prevention of new infections, modified by [Decree 297/2021](#) of September 22, 2021.

Final provision

This Decree enters into force on the same day it is published in the Official Gazette of the Principality of Andorra .

Which is made public for general knowledge.

Andorra la Vella, October 13, 2021

Xavier Espot Zamora
Head of Government
