



Decree 356/2021, of 10-11-2021, approving the Regulation governing the creation of digital COVID-19 certificates issued by Andorra and the acceptance of COVID-19 certificates issued by third parties.

Government

Regulations

Decree 356/2021, of November 10, 2021

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Statement of reasons

Currently, the epidemiological and health situation is evolving favorably thanks, to a large extent, to the fact that a very high percentage of the population has completed vaccination against COVID-19. Available evidence highlights the effectiveness of vaccines in preventing severe disease progression and mortality, as well as in reducing the transmission of SARS-CoV-2 infection.

The great effort made by the majority of the population and by all the actors participating in the vaccination campaign has resulted in favorable epidemiological and health data. To continue the fight against COVID-19, it is necessary to have tools that allow to reduce the existing restrictions in some spaces and activities without reducing their safety.

In many countries, the use of COVID-19 certificates is being extended to facilitate movement between countries or for internal use, to access certain spaces or equipment.

The EU's digital COVID certificate has been adopted throughout the European Union in order to facilitate free movement during the pandemic. European Union Regulation 2021/953 of the Parliament and of the Council, of June 14, 2021, is the European standard that establishes the framework for issuing, verifying and accepting interoperable COVID-19 certificates of vaccination, diagnostic testing and recovery (EU digital COVID certificate), to facilitate free movement during the COVID-19 pandemic. This Regulation is applicable to all member countries of the European Union.

In the case of Andorra, Implementation Decision 2021/1476 of the European Commission, of September 14, 2021, considers that the system established by Andorra for COVID-19 certificates, called the Andorra Health QR Server Module, is interoperable with the trust framework established by the EU in Regulation 2021/953, that is to say, which allows to verify the authenticity, validity and integrity of the certificates issued, and that these certificates contain the information provided for in the European Community Regulation.

However, considering that the aforementioned European Regulation does not apply to Andorra, it is necessary to have an internal rule for the creation of the COVID-19 certificate as a certificate issued by Andorra, which establishes its characteristics and guarantees.

Taking into account that Andorra is a tourist destination, it is necessary to provide for the acceptance in Andorra of other certificates issued by countries outside the framework of the European Union.

In view of article 59 of the General Health Law, of March 20, 1989, modified by Law 19/2020, of December 23, amending Law 30/2018, of December 6, qualified as public security and of the General Health Law of March 20, 1989, to provide for mandatory measures to protect public health;

For everything that has been presented, at the proposal of the Minister of Health, the Government, in the session of November 10, 2021, approves this Decree with the following content:

Single item

The Regulation governing the creation of digital COVID-19 certificates issued by Andorra and the acceptance of COVID-19 certificates issued by third parties is approved, which will enter into force the day after its publication in the Official Gazette of the Principality of Andorra .

Regulation governing the creation of digital COVID-19 certificates issued by Andorra and the acceptance of COVID-19 certificates issued by third parties

Article 1. Object

This Regulation establishes the creation of the digital COVID-19 certificate issued by Andorra and the types and characteristics of interoperable COVID-19 certificates in the European framework, for vaccination, diagnostic testing and recovery (digital COVID certificate), as well as the types and the characteristics of other certificates accepted in the Principality.

Article 2. Definitions

For the purposes of this Regulation, it means:

- a) NAAT test: molecular nucleic acid amplification test, such as reverse transcription polymerase chain reaction (PCR), loop mediated isothermal amplification (LAMP) and transcription mediated amplification (TMA) techniques, used to detect the presence of SARS-CoV-2 ribonucleic acid (RNA).
- b) Interoperability: ability of a country's verification systems to use data coded by another country.
- c) Barcode: method of storing and representing data in a visual and machine-readable format.
- d) Unique certificate identifier: unique identifier assigned to each certificate issued by Andorra, in accordance with European Union Regulation 2021/953.

Article 3. Andorra's digital COVID-19 certificate

1. Andorra issues the digital COVID-19 certificate, which can refer to three types of certificates:

a) Vaccination certificate: a certificate that confirms that its holder has received a vaccine against COVID-19 that has a marketing authorization granted by the European Union or that has completed the procedure for inclusion in the list of emergency use of the World Health Organization (WHO).

The vaccination certificate issued by Andorra contains the data provided for in the annex to Regulation of the European Union 2021/953 of the Parliament and of the Council, of June 14, 2021, which refer to the identity of the holder, the information on the vaccine against COVID-19 received and the number of doses administered, as well as the certificate data referring to the issuer of the certificate and the unique identifier of the certificate. These data are updated in accordance with the evolution of the aforementioned Regulation.

b) Diagnostic test certificate: a certificate confirming that its holder has undergone a NAAT test or a rapid antigen test listed in the common list of the European Union and carried out by health personnel or personnel qualified to carry out these tests, indicating the type of test, the date it was taken and the result.

The diagnostic test certificate issued by Andorra contains the data provided for in the annex to Regulation of the European Union 2021/953 of the Parliament and of the Council, of June 14, 2021, which refer to the identity of the holder, the information on the NAAT test or rapid antigen test performed, as well as the certificate data referring to the issuer of the certificate and the unique identifier of the certificate. These data are updated in accordance with the evolution of the aforementioned Regulation.

c) Recovery certificate: a certificate confirming that, following a positive NAAT test result by health professionals or qualified testing personnel, the holder has recovered from SARS-CoV-2 infection .

Recovery certificates are issued no later than eleven (11) days after the date a person first took a positive NAAT test.

The recovery certificate issued by Andorra contains the data provided for in the annex to Regulation of the European Union 2021/953 of the Parliament and of the Council, of June 14, 2021, which refer to the identity of the holder and information about the SARS-CoV-2 infection after a positive test, as well as the certificate data referring to the issuer of the certificate and the unique identifier of the certificate. These data are updated in accordance with the evolution of the aforementioned Regulation.

2. The certificates mentioned in section 1 are issued in digital or paper format, or in both formats.

3. The certificates contain a barcode according to the system called "Andorra Health QR Server Module", interoperable with the EU's digital COVID certificate and which allows to verify its authenticity, validity and integrity.

4. The information contained in the certificates is also displayed in readable format, in Catalan and English.

5. A separate certificate is issued for each vaccination, test result or recovery. This certificate does not contain data from previous certificates.

6. The certificates indicated in this article are free of charge.

Article 4. Acceptance of COVID-19 vaccination certificates

1. As part of the exceptional measures applied to deal with the SARS-CoV-2 infection, Andorra accepts vaccination certificates issued by the competent authorities of the country of origin from fourteen (14) calendar days after the date of administration of the last dose of the complete vaccine regimen, or certificates certifying that the person has passed the disease and is vaccinated against COVID-19 with one dose of the vaccine and that fourteen (14) have passed days since it was administered.

2. By virtue of what is provided in the previous section, the following are accepted:

a) Els certificats de vacunació digital atorgats per un país membre de la UE o pels països en què els certificats que emeten hagin demostrat la seva interoperabilitat amb el certificat COVID digital de la UE segons el que preveu el Reglament de la Unió Europea 2021/953 del Parlament i del Consell, del 14 de juny del 2021.

b) Els certificats emesos per les autoritats competents del país d'origen que compleixen els criteris previstos en els apartats 1, 3 i 4.

3. La vacuna ha d'estar autoritzada per l'Agència Europea del Medicament (EMA) o per l'OMS, o per una autoritat reguladora del medicament.

4. El document acreditatiu pot estar redactat en català, en espanyol, en francès o en anglès, es pot presentar en paper o en format electrònic i ha de contenir, almenys, les dades següents: nom i cognoms del titular, data de vacunació que indiqui la data de la darrera dosi rebuda, nom de la vacuna administrada, número en una sèrie de vacunacions sobre el nombre total de dosis, país emissor i identificació de l'organisme que ha emès el certificat de vacunació.

Article 5. Acceptació de certificats COVID-19 de prova diagnòstica

1. S'accepta el certificat amb resultat negatiu d'una prova diagnòstica de detecció del SARS-CoV-2 per TMA o PCR, quan aquesta prova hagi estat efectuada per personal sanitari o personal qualificat per dur a terme aquestes proves en les setanta-dos (72) hores prèvies, o d'una prova ràpida d'antígens enumerada en la llista comuna de la Unió Europea, quan aquesta prova hagi estat efectuada en les dotze (12) hores prèvies.

2. En virtut del que està previst en l'apartat anterior, s'accepta:

a) El certificat de prova diagnòstica digital atorgat per un país membre de la UE o pels països en què els certificats que emeten hagin demostrat la seva interoperabilitat amb el certificat COVID digital de la UE segons el que preveu el Reglament de la Unió Europea 2021/953 del Parlament i del Consell, del 14 de juny del 2021.

b) El certificat emès per les autoritats competents del país d'origen, pels laboratoris d'anàlisi clíniques o pels centres sanitaris que compleixen els criteris previstos en els apartats 1 i 3.

3. El document acreditatiu pot estar redactat en català, en espanyol, en francès o en anglès, es pot presentar en paper o en format electrònic i ha de contenir, almenys, les dades següents: nom i cognoms del titular, tipus de prova, nom i fabricant de la prova (opcional per a la prova NAAT), data i hora de la presa de la mostra, resultat de la prova, centre o instal·lació de realització de proves (opcional en cas de proves ràpides d'antígens), emissor del certificat i país on s'ha fet la prova.

Article 6. Acceptació de certificats COVID-19 de recuperació

1. S'accepta el certificat de recuperació emès per l'autoritat competent o per un servei mèdic com a mínim onze (11) dies naturals després de la primera prova NAAT amb resultat positiu. Aquest certificat és vàlid durant cent vuitanta (180) dies naturals a partir de la data de presa de la mostra d'aquesta TMA o PCR.

2. En virtut del que està previst en l'apartat anterior, s'accepta:

a) El certificat de recuperació digital atorgat per un país membre de la UE o pels països en què els certificats que emeten hagin demostrat la seva interoperabilitat amb el certificat COVID digital de la UE segons el que preveu el Reglament de la Unió Europea 2021/953 del Parlament i del Consell, del 14 de juny del 2021.

b) El certificat emès per l'autoritat competent del país d'origen o per un servei mèdic que compleix els criteris previstos en els apartats 1 i 3.

3. El document acreditatiu pot estar redactat en català, en espanyol, en francès o en anglès, es pot presentar en paper o en format electrònic i ha de contenir, almenys, les dades següents: nom i cognom del titular, malaltia de la que s'ha recuperat (COVID-19, SARS-CoV-2 o una de les seves variants), data del primer resultat positiu de la prova NAAT, país en què es va fer la prova i emissor del certificat.

Article 7. Protecció de dades personals

1. Les dades personals contingudes en els certificats expedits o acceptats per Andorra són tractades únicament amb la finalitat d'accedir a la informació continguda en el certificat i verificar-la, amb les finalitats previstes en els decrets de mesures excepcionals aprovats pel Govern per prevenir nous contagis durant la situació d'emergència sanitària causada pel coronavirus SARS-CoV-2. No es produeix cap tractament posterior una vegada finalitzat el període d'aplicació d'aquest Reglament.

2. Les dades personals incloses en els certificats expedits o acceptats per Andorra poden ser tractades per les autoritats competents d'Andorra, per les entitats emissores i pel personal dels establiments als quals el Govern faculti per aplicar determinats controls d'accés, mitjançant el corresponent decret de mesures excepcionals per l'evolució de la situació d'emergència sanitària causada pel coronavirus SARS-CoV-2. No es conservaran les dades personals a les quals s'accedeix en virtut d'aquest apartat.

3. L'emissor dels certificats no conservarà les dades personals tractades per a l'expedició dels certificats més temps del que és estrictament necessari per a la seva finalitat ni, en cap cas, més enllà del període durant el qual els certificats poden utilitzar-se.

4. The Ministry of Health, as well as the health centers and establishments that issue certificates, are responsible for data processing.

Which is made public for general knowledge.

Andorra la Vella, November 10, 2021

By delegation

Eric Jover Comes

Minister of Finance and spokesperson
